

COMMUNITY OVERVIEW AND SCRUTINY PANEL

THURSDAY 11 OCTOBER 2012 AT 10.00 AM

PRESENT: Councillor Mrs Luckley (Chairman) (until 11.35am), Councillors Mrs Bradley, Collier (until 11.35am), Mrs Prest, Scarborough (until 12.35pm), Miss Sherriff (until 1.00pm), Mrs Stevenson (until 1.00pm), and Mrs Vasey.

ALSO

PRESENT: Councillor Mrs Riddle – Communities and Housing Portfolio Holder
Mr Barker, Secretary of the Carlisle and Rural Tenants' Federation
Mr Tim Linford, Shaddon Gateway Centre Manager
Mr John Cronin, YMCA

COSP.61/12 APOLOGIES FOR ABSENCE

There were no apologies for absence submitted.

COSP.62/12 DECLARATIONS OF INTEREST

Councillors Mrs Stevenson declared an interest in accordance with the Council's Code of Conduct in respect of Agenda Item A.3 Overview Report and Work Programme. The interest related to the fact that she has an allotment.

Councillors Mrs Luckley declared an interest in accordance with the Council's Code of Conduct in respect of Agenda Item A.2 Questions from Members of the Public. The interest related to the fact that she was the City Council's representative on the Riverside Carlisle Board.

COSP.63/12 MINUTES OF PREVIOUS MEETINGS

RESOLVED – That the minutes of the meetings held on 6 September 2012 be noted.

COSP.64/12 AGENDA

RESOLVED – That the Carlisle Plan be deferred to next meeting of the Panel.

COSP.65/12 CALL-IN OF DECISIONS

There were no items which had been the subject of call-in.

COSP.66/12 QUESTIONS BY MEMBERS OF THE PUBLIC

The Chairman welcomed Mr Barker, Secretary of the Carlisle and Rural Tenants' Federation to the meeting.

Riverside Carlisle

Pursuant to Procedure Rule 10.1, the Director of Governance reported the receipt of the following questions to the Chairman which had been submitted on notice by Mr Barker, Secretary of the Carlisle and Rural Tenants' Federation:

Question 1

"Given the expressions of improved relations between the city council and Riverside Carlisle made at the Panel meeting on February 9 2012, and given that these expressions of improved relations formed the basis of the Federation's questions at the subsequent Panel meeting held on March 22, what explanation has the Panel for such an apparent deterioration in those relations that in just four months the council has now found it necessary to take what appears to be an extraordinary step, an away day with Riverside, as outlined to the Panel on July 19, and has the Panel's explanation for this apparent deterioration any connection with the Federation's similar problems with Riverside outlined at the panel meeting on March 22?"

Question 2

"Given the Chairman's replies to the Federation at the meeting on March 22, which stated that the Panel was "very supportive" of Riverside's "attempts to engage with representative groups that are prepared to engage properly in the process", and given the Panel's advice to the Federation (advice stated once by the Chairman and then repeated) "to engage reasonably in the processes available and act in the best interests of those it represents", and given the deplorable implication of those Chairman's emphasised replies that the Federation had not been prepared to engage properly in the processes available and act reasonably and had not acted in the best interests of those the Federation represents, does the Panel now agree that it has not acted in an even-handed way vis a vis Riverside and the Federation?"

The Chairman answered Mr Barker's questions as follows:

Question 1

"The Panel do not believe that the away day was organised due to a deteriorating relationship between Riverside and the City Council and are therefore not able to

compare with the Federations issues with Riverside. The Panel believe that the City Council and Riverside work well together at all levels including senior managers.”

Question 2

The Panel consider that it has been fair in the responses to questions put to it by the Federation. You have come to the Panel and asked your questions to which you have had a response.”

The Chairman gave Mr Barker the opportunity to ask a supplementary question.

Mr Barker informed the Panel that he had no further questions.

The Chairman thanked Mr Barker for his questions.

COSP.67/12 OVERVIEW REPORT AND WORK PROGRAMME

The Scrutiny Officer (Mrs Edwards) presented report OS.25/12 which provided an overview of matters relating to the work of the Community Overview and Scrutiny Panel and included the latest version of the work programme and Key decision of the Executive which related to the Panel.

Mrs Edwards reported that:

- The Notice of Executive Key Decisions had been published on 1 October 2012 and there had been three items in the Forward Plan within the remit of this Panel:

KD.029/12 – Tullie House Museum and Art Gallery Trust Business Plan 2013/14 – would be considered by the Panel on 22 November 2012 and Members of the Resources Overview and Scrutiny Panel were invited to attend the meeting to take part in the scrutiny of the Plan

KD.033/12 – Budget Process 2012/13 – Would be considered by the Panel on 22 November 2012.

KD.034/12 – Future Management of Allotments – The matter would be considered by the Executive on 29 October 2012. The issues fell within this Panel’s remit but the Environment and Economy Overview and Scrutiny Panel also had an interest in the subject. The Portfolio Holder, Chairman of the two Panels and the Director had agreed that a joint task group to be held on 16 October 2012 would give consideration to the report to feed back to the Executive.

In addition an item would be included in the next Notice regarding the Choice Based Letting Policy. The Executive would consider the report on 17 December 2012 and it would be available for the Panel to consider on 22 November 2012 if they so wished.

- The first Tripartite meeting had been held on 11 September 2012. The meeting had been attended by the Chairman, Vice Chairman, relevant Portfolio Holders and the Director of Community Engagement. The purpose of the meeting had

been to promote a closer working relationship between the Executive and Scrutiny in order to develop an effective and appropriate work programme for the Panel. The notes from the meeting had been attached to the report.

RESOLVED – 1) That, subject to the issues raised above, the Overview Report incorporating the Work Programme and Forward Plan items relevant to this Panel be noted;

2) That Forward Plan items:

KD.029/12 – Tullie House Museum and Art Gallery Trust Business Plan 2013/14 – would be considered by this Panel on 22 November 2012 and Members of the Resources Overview and Scrutiny Panel would be invited to attend to scrutinise the item.

KD.033/12 – Budget Process 2012/13 – would be considered by this Panel on 22 November 2012 and the Panel delegated responsibility to report directly to the Executive in consultation with the Chairman of the Community and Environment and economy Overview and Scrutiny Panels.

KD.034/12 – Future Management of Allotments – would be considered by a joint task group on 16 October 2012.

3) That the minutes of the Tripartite meeting held on 11 September 2012 be noted.

4) That the Choice Based Letting report would be considered by the Panel on 22 November 2012.

COSP.68/12 LOCALISATION SUPPORT OF COUNCIL TAX

The Director of Community Engagement (Mr Gerrard) submitted report CD.47/12 providing an update on the draft proposals for a Local Scheme to provide support for Council Tax.

Mr Gerrard reported that the draft Scheme was identical to the current Council Tax Benefit Scheme but it would function as a discount rather than a benefit. He added that any agreed scheme would need to be approved by Council by 31 January 2013.

The matter had been considered by Executive on 6 August 2012 (EX.093/12).

The Executive resolved:

“That the Executive:

1. Agreed the principle of not reducing the current level of reductions given to existing Council Tax Benefit recipients when changing from a Benefit to a Discount.
2. Agreed that Carlisle City Council’s LSCT Scheme would be identical to the current Department for Work and Pensions Council Tax Benefit Scheme but

written as a S13A policy document, under The Local Government Finance Act 1992 (as amended), to ensure it becomes a legal discount rather than a Benefit.

3. Agreed the principles of funding the scheme, in part or full, through the application of Council Tax Technical Reforms and other funding streams.
4. Was aware that the full LSCT S13A policy and the decisions regarding implementation of Council Tax Technical Reforms and other funding streams would need to be approved by Council on 8 January 2013.
5. Approved the principle of a draft policy (statement of intent), to include consultees, as part of the formal consultation process.
6. Agreed that consideration be given to the financial implications of the local scheme during the first operational year and the position reviewed for subsequent years.
7. Agreed that the Localisation of Council Tax Support Scheme be included within the definition of documents included under the umbrella of 'Budget' in the Council's Budget and Policy Framework (Article 4 of the Constitution)."

Following the decision of the Executive the consultation process for the draft Scheme had been initiated. Key steps taken had included:

- Devising and issuing customer questionnaire forms to the 9,467 current council tax benefit recipients.
- Issuing press releases to publicise the draft scheme proposals to all residents and relevant interested groups.
- Introduction of the website guidance on the proposed changes giving links to access the draft scheme provisions and an on-line version of the survey questionnaire.
- Scheme guidance information provided for all Members to raise awareness of the draft scheme and advise on frequently asked questions.

Shared Services Partnership Manager (Revenues and Benefits) (Mr Bascombe) informed the Panel that the consultation period had taken place between 3 September to 7 October 2012 and there had been 2100 responses received which were being analysed. The key question had been to seek views on the intention to maintain support at the same level as provided through Council Tax Benefit. Options for potential scheme changes had also been included to gauge opinion for any future proposals in subsequent years. He added that the findings from the consultation would be provided in a future update and used to recommend the provisions of the scheme for approval.

He explained that changes in the way the Government provided support for precepting authorities had changed, resulting in a fixed budget equivalent to a 10% reduction in existing expenditure. The precepting partners had discussed the situation and were undertaking to share the reduction; this would be a financial

implication to the City Council of approximately £100,000 to £150,000. A number of options to help offset the 10% reduction were being discussed and further information would be provided to the Panel at a future date.

In considering the report Members raised the following comments and questions:

- Would the same scheme be used in Copeland and Allerdale?

Mr Bascombe confirmed that all draft schemes across Cumbria proposed to maintain their existing Council Tax Benefit Schemes.

- Would the appropriate software be available to provide a seamless transition?

Mr Bascombe responded that the software was being developed but it was difficult for the developers as the legislation had not yet received Royal Assent. The developers understood the reality of the timescales involved.

- The report outlined an assumption that the Scheme would include adequate work incentives such as extended payment 'run ons', what other incentives were being considered?

The Performance Manager (Mrs Turner) explained that the incentives were part of the move towards Universal Credits and it was important that the Council did not undertake work that would go against the Universal Credit model.

- The City Council would continue to be responsible for ensuring that counter fraud responsibilities were being met, would there be something in place which dealt with unintentional fraud?

Mr Bascombe confirmed that the counter fraud responsibilities would continue to be carried out in partnership. If fraud occurred there was a requirement to demonstrate that the fraud was intentional, if it was not intentional the Council had the ability to deal with the issue sympathetically.

- Had the Cumbria Association of Local Councils (CALC) responded to the consultation?

Mr Bascombe informed the Panel that CALC had responded to the County Council, they had some concerns regarding the funding implications but no concerns regarding the proposals.

- Would the Panel be receiving a further update on the Scheme?

Mr Bascombe felt that the Panel should have a further report so that they could be updated on the outcome of the consultation process and the legislation when it was received.

- The Panel understood that the Directorate had a lot of work ahead of them and asked if there was enough support and resources to undertake the work.

The Communities and Housing Portfolio Holder commented that the Directorate could always use more resources but she was confident that they would be successful with the resources they had.

RESOLVED - That the Panel:

Agreed the principle of not reducing the current level of reductions given to existing Council Tax Benefit recipients when changing from a Benefit to a Discount.

Agreed that Carlisle City Council's LSCT Scheme would be identical to the current Department for Work and Pensions Council Tax Benefit Scheme but written as a S13A policy document, under The Local Government Finance Act 1992 (as amended), to ensure it becomes a legal discount rather than a Benefit.

Agreed the principles of funding the scheme, in part or full, through the application of Council Tax Technical Reforms and other funding streams.

Was aware that the full LSCT S13A policy and the decisions regarding implementation of Council Tax Technical Reforms and other funding streams would need to be approved by Council on 8 January 2013.

Approved the principle of a draft policy (statement of intent), to include consultees, as part of the formal consultation process.

Agreed that consideration be given to the financial implications of the local scheme during the first operational year and the position reviewed for subsequent years.

That a further update on the Localisation Support for Council Tax be submitted to the next meeting of the Panel.

COSP.69/12 TENANCY STRATEGY

The Director of Community Engagement (Mr Gerrard) submitted report CD.46/12 regarding the publication of the City Council's Tenancy Strategy.

The Communities, Housing and Health Manager (Ms Miller) reported that the Localism Act, 2011 introduced a programme of reform which would change the way people accessed social housing, the way tenancies were issued and the way homelessness duty was discharged.

Carlisle City Council was required to publish a Tenancy Strategy by 15 January 2013 to provide the framework for the delivery of new affordable homes, and to set out the broad objectives that registered providers must have regard to when developing or reviewing their own tenancy policies.

Ms Miller explained that the Tenancy Strategy outlined the areas of the City Council's housing and homelessness functions which the Tenancy Strategy covered. She added that a summary of the Council's position on each of the areas was contained in the report.

She informed the Panel that there was a requirement to consult on the document with key partners and the three month consultation period began on 31 August until 23 November 2012.

In considering the Strategy Members raised the following comments and concerns:

- Would there be any flexibility in the application of the under occupancy rules?

Ms Miller explained that the Government's position with regard to under occupancy was clear and how it was implemented and the application of the policy would be for the local providers to determine.

- Was there a strategy in place to deal with the increasing population in Cumbria?

Ms Miller informed the Panel that Cumbria County Council were in the process of producing an Extra Care Strategy which dealt with the ageing population.

- What were the rent levels for social rents, affordable rents and marketable rents?

Ms Miller agreed to submit the response in writing to all Members of the Panel.

- Did the City Council use private landlords to accommodate homeless people?

Ms Miller replied that private bed and breakfasts had been used on occasion but it would depend on who was presenting and their circumstances. There had been a reduction in the use of private landlords this year compared to previous years.

- There were concerns that the Welfare Reform could cause an increase in those presenting as homeless and therefore put pressure on the Council's accommodation. Could the Council do anything to influence an improvement in the standards of private accommodation in case there was a need to use private accommodation?

Ms Millar responded that the Homelessness Section were aware of the potential increase in homelessness and, in response, had increased the resources in the prevention team. The prevention team were focused on working with partners and agencies to prevent homelessness.

- In response to questions 6 and 7 as set out in report CD.46/12 the Panel suggested that there be no change to the current access to the Cumbria Choice housing register.

RESOLVED – That the Panel endorsed the Tenancy Strategy as set out in report CD.46/12.

COSP.70/12 COMMUNITY CENTRE TASK AND FINISH GROUP

The Community Centre Task and Finish Group submitted their initial report detailing the Task Groups preliminary findings and conclusion and made recommendations for action for the Executive (OS.26/12).

The Lead Member for the Task Group (Councillor Prest) commented that the Task Group had been informative and enjoyable. The Centre Managers' had been very helpful but, as the recommendations showed, they felt isolated due to the lack of communication with the City Council.

The Communities and Housing Portfolio Holder had also met with the Centre Managers and agreed they that felt isolated. She agreed that they needed more support to enable them. With regard to the first recommendation the Portfolio Holder confirmed that Longtown, Brampton and Down a Gate Community Centres were not owned by the City Council.

With regard to recommendation 2 the Portfolio Holder informed the Panel that she had been invited to attend the next Centre Managers meeting in November to discuss how to improve the relationship with the City Council.

The Director of Community Engagement (Mr Gerrard) confirmed that an improvement in communication would be supported by the Directorate. He added that the support to the Centres had not ceased and he reminded the Panel of the financial support provided by the Council. He was happy to strengthen the relationship with the Centres but also expected the communication to be two way.

A Member commented that the report demonstrated that the relationship had not been working as well as it could for some time. The Centres needed to work on their own and raise funds but needed support to enable them to do that. The Centre Managers also needed their Management Committees to be more pro active and provide more support.

The Panel felt it was important that all communication going to the Centre Managers also went to the Management Committee members. They also suggested that different ways of providing training be explored further, for example suggest holding training sessions to coincide with the Centre Managers meetings.

A Member raised the misconception that Centres Mangers had regarding funding; they had thought that if they had reserves it would affect their funding. Mr Gerrard explained that Community Centres should all have reserves and the Council should be encouraging Centres to run as good businesses would and have prudent reserves to allow expansion and development.

The Portfolio Holder agreed that it was vital for Centres to have reserves and to have a policy on how those would be used. There was a concern that some Centres could run at a loss and had no reserves.

A Member asked if the Centres had received the criteria for funding. Mr Gerrard explained that there had been some discussions regarding the creation of criteria for funding allocation but it had come to a close as the Centres had made it clear that the funding from the Council was used as base funding. He felt that there should be a criteria in place but those discussions needed to be at a time when there was mutual confidence between the Centres and the Council.

RESOLVED – That the Community Centre Task and Finish Group report be approved and referred to the Executive for their formal response to the recommendations.

COSP.71/12 SHADDONGATE RESOURCE CENTRE

The Panel welcomed Mr Tim Linford, Shaddon Gateway Centre Manager and Mr John Cronin, YMCA to the meeting.

The Director of Community Engagement (Mr Gerrard) submitted report CD.43/12 covering the first six months of the YMCA occupation of the Shaddongate Resource Centre.

Mr Linford outlined the publicity awareness which was taking place for the Resource Centre and informed the Panel that the official opening event had been set for Monday 22 October and all Members were welcome to attend.

He highlighted the activities which the YMCA delivered at the Centre at the lowest possible cost to encourage take up by all sections. He drew particular attention to the Arts Based Therapy Programme which the YMCA received grant funding for.

Mr Linford explained that a range of activities were being delivered within the Centre by a number of organisations including Barnados, Impact Housing Association and Adult Education in partnership with Job Centre Plus.

He explained that the YMCA had strengthened the management of the Centre by employing a Business Support Assistant to run the back of house function which freed up the Operations Manager to promote the Centre. Volunteering was actively promoted as a means of increasing training and employment opportunities and excellent arrangements had been established with the CVS. There were six volunteers at the Centre which meant the YMCA could develop and extend the activities into the early evening making more use of the Centre.

The YMCA was generating a significant amount of revenue through room hire and had invested heavily in capital costs that were considered necessary to secure the centre as the number one location in Carlisle for conference, meeting room and training facilities.

Mr Cronin informed the Panel that the sale of the Fisher Street building through auction had taken place on 4 October 2012 and the projected budget had been reached. Whilst the Training Workshop remained on the Commercial Market there had been little or no interest shown. A number of organisations had expressed

interest in the Office Suite and the YMCA remained optimistic about securing a long term partner. The YMCA was confident about the financial sustainability of the Centre in the medium term.

In response to a question Mr Linford stated that approximately 15/20% of the Centres footfall was from local residents.

The Panel asked if they could be involved in the monitoring of the Centre and of the performance indicators and Mr Gerrard felt that it would be helpful for the Panel to be involved in the process and felt it was appropriate to bring a performance report back to the Panel.

RESOLVED – That the Panel receive performance information for the Shaddongate Resource Centre within the standard quarterly Performance Reports that the Panel receive.

COSP.72/12 PUBLIC AND PRESS

RESOLVED – That in accordance with Section 100A(4) of the Local Government Act 1972 the Public and Press were excluded from the meeting during consideration of the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in the paragraph number (as indicated in brackets against the minute) of Part 1 of Schedule 12A of the 1972 Local Government Act.

COSP.73/12 EXECUTIVE SAVINGS PROPOSALS

The Director of Community Engagement (Mr Gerrard) presented report CD.44/12 which provided a context for savings proposals across the Council and specifically within the Community Engagement Directorate.

The report outlined emerging priorities for the Directorate and anticipated key challenges over the next two years. The Executive had, on 3 September 2012, considered draft savings proposals for 2013/14 to the amount of £1.38million across the Council.

As the Executive wanted to reduce the impact on staff they recommend a programme of savings that was front end loaded and equated to two years savings being proposed.

Mr Gerrard gave a short presentation on the key issues for consideration and the key work areas within the Community Engagement Directorate.

The Panel discussed the report and presentation and felt that they required more detailed information on the proposed changes. They asked for more information on statutory and discretionary services and what new ways of working were being considered.

RESOLVED – That report CD.44/12 be noted and a further report be submitted to a future meeting.

(The meeting ended at 1.10pm)