

OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE

THURSDAY 30 SEPTEMBER 2004 AT 2.00 pm

PRESENT: Councillor Jefferson (Chairman), Councillors Allison (as substitute for Councillor Guest), Boaden, Bradley, Dodd, Mallinson, Rutherford C and Styth

OSM.43/04 APOLOGIES FOR ABSENCE

An apology for absence was submitted on behalf of Councillor Guest.

OSM.44/04 DECLARATIONS OF INTEREST

Councillor Mallinson declared interests in accordance with the Council's Code of Conduct for Members, in respect of the following items on the agenda:

- (a) A personal interest in respect of any mention of Carlisle Housing Association. The interest is related to the fact that she was a City Council appointed member of Carlisle Housing Association Board.
- (b) A personal interest in respect of any mention of Cumbria County Council and in particular reference to Repairs to Adopted and Unadopted Back Lanes. The interest related to the fact that she was a member of Cumbria County Council.
- (c) A personal and prejudicial interest in any reference to Fusehill Street Community Gardens. The interest was commercial and in confidence.

Councillor Jefferson declared a personal interest in accordance with the Council's Code of Conduct for Members in respect of any matters related to Cumbria County Council. The interest was related to the fact that he was a member of the Cumbria County Council.

Councillor Dodd declared a personal interest in accordance with the Council's Code of Conduct for Members in respect of any mention of Carlisle Housing Association. The interest was related to the fact that he was a City Council appointed member of Carlisle Housing Association Board.

Councillor Allison stated that he had declined an invitation to be a Board member of Carlisle Housing Association and therefore did not require to declare an interest.

Councillor Mrs Bradley declared the following interests in accordance with the Council's Code of Conduct for Members:

- (a) A personal interest in any reference to Fusehill Street Community Gardens. The interest was in respect of the fact that she was an NHS patient of the London Road Surgery.
- (b) A personal and prejudicial interest in any reference to Repairs to Adopted and Unadopted Back Lanes. Her interest was in respect of the fact that one of the back lanes named runs along the back of her house.

Councillor C Rutherford declared personal interests, in accordance with the Council's Code of Conduct for Members, in references to Off-Street Car Park Extensions and Fusehill Street Community Gardens. The interest was related to the fact that she was a member of the Development Control Committee.

OSM.45/04 MINUTES

The minutes of the meeting held on 19 August 2004 were signed by the Chairman as a correct record of the meeting.

The Acting Town Clerk and Chief Executive referred to minute OSM.38/04(b) and updated Members on progress with two of the matters which had been raised at that meeting.

Ms Mooney referred to Resolution 3, "That the Executive Director (M Mooney) raise with the Head of Commercial and Technical Services the Council's strategic role in relation to the particular monitoring of environmental maintenance in relation to green areas, back lanes and roads". She advised that the Executive would be considering a report on Back Lanes at their meeting on 11 October 2004. The report had also been considered by the Infrastructure Overview and Scrutiny Committee.

It was clear that environmental issues and grass cutting in particular were areas which needed to be examined and action taken to improve the current situation which had given rise to a number of complaints. Ms Mooney advised Members of the Council's strategic role in relation to environmental issues. She commented that the strategic role for environmental issues was being strengthened and that this would involve the transfer of two officers from Environmental Protection Services to Commercial and Technical Services. This was in line with the Audit Commission's recommendations when they had expressed concern about the client/contractor split. The strategic role and responsibility could therefore be developed within Commercial and Technical Services.

Ms Mooney then referred to Resolution 4, "That the Executive Director investigate and report back to the next meeting of the Management Committee on ways of regularly consulting Members to identify any common problem areas or areas of complaint which could be tackled corporately". She advised that she would provide a full written report on this to the next meeting of the Management Committee. She was currently examining the potential for a central referral system which would enable the consolidation of complaints which are made to individual Members. Referral systems in other authorities

were being looked at to identify and learn from best practice. The development of an improved referral system would enable Officers and Members to identify common areas of complaint across the whole City Council area.

In addition, the Head of Commercial and Technical Services was looking at introducing a new system of monitoring his Unit's services within local communities.

A number of Members commented on the complaints they had received on a regular basis about the maintenance of environmental areas on housing estates and in particular grass cutting and trimming of shrubs.

A Member commented that Britain in Bloom did not seem to be happening on the Council estates. The member suggested that this would have been one of the benefits of area working, as there would have been more control over what happens in specific areas. Members commented that there had been a steady decline in standards in relation to grass cutting over the past few years and, although they recognised there were some practical issues which had contributed to this, they stressed that the matter needed to be addressed as a matter of urgency and radical improvements made between now and Spring 2005.

In response to a Member's question, Ms Mooney advised that the grass cutting service was not sub-contracted by the City Council and all the work was carried out by City Council staff.

Members spoke of the frustration they experience when trying to resolve specific problems within their ward areas. They were often passed from one agency to another when following up on complaints and trying to establish responsibility for specific areas.

A Member commented that the basic problem related to the Grounds Maintenance Contract and suggested that the contract needed to be looked at closely and performance of the contract monitored and action taken where necessary.

In response to a Member's question, Ms Mooney advised that the Environment Officer who would be transferring to Commercial and Technical Services would have more of a strategic role and he would not necessarily be the first point of contact for Members with problems, but she advised that this point of contact would be established in the near future.

Members then raised the following concerns about performance in relation to grass cutting:

- verges on one side of the road are often cut and the others left uncut;
- grass is cut with the mower, but there is no strimming of areas against the walls at the same time;

- concerns over a lack of monitoring and supervision of employees doing the grass cutting.

RESOLVED – (1) That the minutes of 19 August 2004 be noted.

(2) That the Acting Town Clerk and Chief Executive discuss with the Head of Commercial and Technical Services the Committee's concerns about the performance in relation to grass cutting and environmental maintenance with a view to improved performance.

(3) That the Acting Town Clerk and Chief Executive report back to the next meeting of the Management Committee on progress with the development of a central referral system to consolidate referrals and complaints made to individual Council members.

OSM.46/04 MINUTES OF OVERVIEW AND SCRUTINY COMMITTEES

The following minutes were submitted:-

(a) Community Overview and Scrutiny Committee – 6 August and 26 August 2004

Councillor Boaden referred to minute reference COS.117/04 when there was consideration of a call-in on representatives of outside bodies. He stated that he was grateful that 3 Members of the Executive had attended that meeting.

With reference to the minutes of 26 August 2004, Councillor Boaden highlighted the Committee's consideration of the draft Housing Strategy and of Talkin Tarn. The Committee had raised a number of detailed issues in relation to Talkin Tarn which they wanted to scrutinise further before a formal Council decision is made on the future of the Tarn.

In response to Member's question about COS.132/04 – Housing Strategy, and in particular the use of receipts from Right to Buy sales, Councillor Boaden advised that the Committee had expressed hope that a more detailed action plan would be included in the next draft which would reflect some of the issues raised, one of which was the use of Right to Buy receipts.

A Member suggested that the Housing Strategy should make reference to the joint targets which the Council has with the National Health Service and housing providers in relation to performance indicators on housing, affordable housing and sustainable communities.

In response to a Member's question about COS.124/04, in particular the reference to the Gypsy and Traveller Protocol, Councillor Boaden advised that the Committee has requested an opportunity to consider the Protocol and it would be reported to the next meeting of the Overview and Scrutiny Committee to be held on 7 October 2004.

RESOLVED – (1) That the minutes of 6 and 26 August 2004 be noted.

(2) That the Acting Town Clerk and Chief Executive pass on to the officers drafting the Housing Strategy, the suggestion about a reference in the Strategy to the joint agency performance indicators on housing, affordable housing and sustainable communities.

(b) Infrastructure Overview and Scrutiny Committee – 4 August and 9 September 2004

RESOLVED – That the minutes of 4 August and 9 September 2004 be noted.

(c) Corporate Resources Overview and Scrutiny Committee – 3 August, 4 August and 2 September 2004

Members raised concern that, although in the past the Executive had been asked not just to note the comments and concerns of Overview and Scrutiny Committees, it appeared that more and more often the Executive were again just noting matters.

A specific concern was raised in relation to the call-in by the Infrastructure Overview and Scrutiny Committee on Off-street Car Park Extensions (IOS.98/04) in which ten specific observations were made and referred to the Executive. The Executive did not deal with the individual observations raised by the Committee and Members felt that adequate consideration was not given to the points raised.

Members suggested that when specific points are made by Overview and Scrutiny Committees, the Executive should look at each point and assign an action to it, even if the action is that they consider that it is not appropriate to develop the matter at this stage.

Members were concerned that the Executive were still taking a high handed attitude to Overview and Scrutiny and that, when a Committee takes time to scrutinise a matter and makes a number of individual observations or comments, the Executive needs to address these points clearly and the Executive minutes should reflect their comments on each of the observations made by the Committee.

RESOLVED – (1) That the minutes of 3 August, 4 August and 2 September 2004 be noted.

(2) That the minutes of this meeting in relation to the concerns about the Executive's response to Overview and Scrutiny Committees be referred to the Executive and that the Acting Town Clerk and Chief Executive discuss the matter with the Leader of the Council.

(3) That the Overview and Scrutiny Manager monitor this issue of Executive responses and if necessary raise it at the annual workshop with the Members of the Executive.

OSM.47/04 WORK PROGRAMME

The Overview and Scrutiny Manager submitted the Work Programme for the Overview and Scrutiny Committees for 2004/05 and he highlighted the following matters:-

- (a) A special meeting of the Community Overview and Scrutiny Committee to consider the report on Talkin Tarn had been arranged for 26 October 2004.
- (b) A Corporate Resources Overview and Scrutiny Committee workshop had been arranged for 4 November 2004 to look at the Industrial Estates Policy and Risk and Safety Management. Prior to that workshop meeting there would be a short formal meeting of the Committee to look at the SAS610 statement.
- (c) As part of the Infrastructure Overview and Scrutiny Committee's subject review into Transport : Modal Balance in Carlisle, a visit to York had been held on 22 September 2004, but there was disappointment that only 3 or 4 Members had attended this visit.

RESOLVED – That the Work Programme for Overview and Scrutiny Committees for 2004/05 be approved.

OSM.48/04 MONITORING OF AND CHANGES TO THE FORWARD PLAN

The Overview and Scrutiny Manager presented report LDS.46/04 informing members of changes to the Executive's Forward Plans for 1 August to 30 November 2004 and also the plan for 1 September to 31 December 2004.

In response to a member's question about KD.034/04 on waste management, seeking clarification on what this item was specifically about, the Acting Town Clerk and Chief Executive responded that the matter was contained in full in the Forward Plan and that it was "To consider options for the future delivery of the Waste Management Service". The report to this Committee contained details about changes to the Forward Plan, but for further details on any specific item, these could be found in individual Forward Plans.

The Member commented that there is a need to be a look at Waste Management at the strategic level involving the County Council.

RESOLVED – That the report be noted.

(The meeting ended at 3.10 pm)