

## **SOCIAL AND COMMUNITY OVERVIEW AND SCRUTINY COMMITTEE**

### **5<sup>th</sup> July 2004**

#### **MINUTES**

(18.00 – 20.00)

**Present:** Councillor Mrs Driver (in the Chair), Councillors Allen, Mrs Holliday, Nicholson, Mrs Regan and Wheeler  
Mr J Ball, Mr T Moore-Scott and Mr Sygerycz,

**Also in Attendance:** Councillor R Hay – Deputy (Health Wellbeing and Economy)

**Apologies:** Councillors Forbes, Mrs Hale, Mrs Ledoux

#### **1. INTRODUCTION**

Councillor Mrs Driver (Chairman) welcomed everyone to the meeting, particularly the new members of the Committee. She thanked the former Chairman, Mrs Regan for her hard work on the Committee and for the input of those members who had since retired, not been re-elected or re-appointed on to the Committee.

The Chairman explained that if Members were in agreement she would find it very useful if the Committee could sit in the same places for future meetings. She suggested that a seating plan could be drawn up and circulated with the agenda so that the public would also be aware of who was who. The Committee supported this idea.

#### **2. APPOINTMENT OF VICE-CHAIR**

The Chairman explained that one nomination had been received for Councillor Mrs J Ledoux

**RESOLVED** that Councillor Mrs J Ledoux be appointed Vice-Chairman of the Social and Community Overview and Scrutiny Committee

#### **3. CO-OPTION**

The Chairman read out the nominations received for non-voting co-opted members to the Social and Community Overview and Scrutiny Committee.

**RESOLVED** that the following representatives be co-opted onto the Committee:-

1. Mr J Ball – Cheltenham Housing Forum  
(substitute Ms L Steers)
2. Mr T Moore-Scott – Cheltenham Arts Council
3. Mr G Howard – Cheltenham Youth Council

4. Mr T Sygerycz – representing the disabled community of Cheltenham

#### 4. **DECLARATIONS OF INTEREST**

None

#### 5. **MINUTES**

**RESOLVED** that the minutes of the meeting held on 10<sup>th</sup> May be approved as a correct record.

#### 6. **PUBLIC QUESTIONS**

No public questions or petitions had been received.

#### 7. **MATTERS REFERRED TO THE COMMITTEE**

- (a) **By Council** - None
- (b) **By Cabinet** – Public Art Strategy

In introducing this report the Assistant Director (Health and Wellbeing) explained that the Council Work Programme included an action to produce a public art strategy for approval by Cabinet in October 2004. She advised that Councillor Hay, Cabinet Deputy (Health, Wellbeing and Economy) had indicated that she would be pleased if the Social and Community Overview and Scrutiny Committee would consider being involved in the development of the strategy prior to presentation to Cabinet. The Assistant Director (Health and Wellbeing) indicated that following discussion with the Chair of this Committee it had been suggested that a small time-limited working group be established.

In response to members' questions the Assistant Director (Health and Wellbeing) explained that the work involved in producing the strategy and policy would encourage the development of public art through the application of Section 106 funding, partnership working and contributions from local businesses. The role of the public art panel, which was currently reactive looking at the potential public art content of development schemes, would also be reviewed. She confirmed that the definition of public art was wide ranging and covered anything from a piece of individual art or sculpture to decorative bicycle stands for public use.

Mr T Moore- Scott commented that it was important for the Council to take a more proactive role in public art and to recognise the opportunities as they arise in order to enhance the look of the town.

**RESOLVED** that the Committee establish a small time-limited working group consisting of Councillors Allen, Mrs Regan and Mr Moore-Scott to work with officers to produce a draft public art strategy in time for its presentation to Cabinet in October 2004.

- (c) **By Area Committee** – None

## 8. **SOCIAL AND COMMUNITY OVERVIEW AND SCRUTINY WORK PROGRAMME 2004 -2006**

The Group Director (Economy and Business Improvement) introduced this item on behalf of the Group Director (Social and Community). The report set out the implications of the Council Work Programme presented to full Council on 1<sup>st</sup> December 2003 as it related to the Social and Community Overview and Scrutiny Committee. The Group Director (Economy and Business Improvement) indicated that the report provided the opportunity for new members to familiarise themselves with the work programme and for the Committee to consider additional areas of work that could be considered for inclusion in the work plan in future and raise any questions.

In response to members' questions the Group Director (Economy and Business Improvement) :-

- clarified that the item on improving democratic accountability and voter turnout was deferred from July 2004. He indicated that the Best Value review of elections and citizenship had been temporarily put on hold because the Best Value Manager had recently left the employment of Cheltenham Borough Council and the Business Support section were currently heavily involved in the Comprehensive Performance Assessment. He reported that a briefing note on the progress of the review would be presented to the Committee in September 2004.
- clarified that as per the work programme a review of the arts development strategy as a whole was scheduled to take place in March 2006. However he could see no reason why the action plan should not be reviewed and updated by the Committee on an annual basis

Some additional areas of work were suggested by the Committee and these are listed under item 9 'Possible future agenda items'

**RESOLVED** that Members note the work programme for Social and Community Overview and Scrutiny Committee in accordance with appendix 1 attached to the report.

## 9. **ALCOHOL MISUSE AMONGST YOUNG PEOPLE**

In introducing this report the Assistant Director (Public Protection) explained that the Gloucestershire County Council Health Overview and Scrutiny Committee recently considered a report on alcohol misuse amongst young people. He indicated that the recommendations of that Committee were contained in the executive summary which was attached to the report as Appendix A and he hoped the Social and Community Overview and Scrutiny Committee would endorse and support them.

The Assistant Director (Public Protection) referred to the local press coverage of the County Council's report and suggested that the report was not as damning as the media would have us all believe, however what it did confirm was that the misuse of alcohol was a growing social problem which all agencies had a part to play in tackling. He indicated that the methods used by the various agencies so far had not been very effective, however in his opinion some joined up thinking and action by the various agencies in implementing the recommendations in the report would go a long way towards meeting everybody's aspirations. As an example, the Assistant Director (Public Protection) drew particular attention to recommendation 7.14i of the report, which recommended that District Council's

gave careful consideration to how they will implement the new licensing regime. He indicated that the County Council was a key stakeholder in the implementation of the Licensing Act 2003 and a joined up approach could be achieved :-

- through policy development and
- by working with colleagues at Trading Standards to seek out and deal robustly with irresponsible licensees who sell alcohol to minors.

The Assistant Director (Public Protection) also referred to other suggestion stemming from the Night Time Economy Strategy due to be considered by the Cabinet on the following day, which opened up some opportunities for some joined up activity with the Education and Social Services Departments.

Members raised the following points and comments:-

- promotional offers that were now widely available made the cost of alcohol very cheap and therefore affordable by all age groups. This increased the pressure on doorstaff to prevent under age drinkers entering licensed premises especially as technology could easily be used to falsify identification.
- alcohol misuse was not just part of the night time economy, it could happen anywhere at any time. Under age drinkers often asked older people to get alcohol on their behalf. Although it was acknowledged that schools had a responsibility to educate and warn pupils about alcohol misuse, the stronger responsibility was on the parents and the message was not getting through according to recent statistics on under age drinking.
- as schools were governed by the national curriculum with limited resources and time available, alcohol was touched upon at the minimum level prescribed in the curriculum; comprehensive alcohol education would therefore have to be addressed at a national level
- the extortionate cost of soft drinks was also an issue that added to the problem of alcohol misuse
- were the Council in a position to ban 'happy hours' and other alcoholic drinks offers which were now widely promoted by licensed premises in the town and targeted young people?
- the Gloucestershire youth service were available at the youth pod at Warden Hill, to discuss any problems experienced by young people
- would formal feedback be available to the Committee on the progress of the recommendations made by the County's Health Overview and Scrutiny Committee?

In response the Assistant Director (Public Protection):-

- explained that under age drinking had been identified as one of the problems, albeit a relatively minor one associated with the night time economy and the subject was being looked at in detail with the police and other partners. The subject was also being considered by the Government and he hoped that the delay in the production of the Licensing Act guidance would result in tougher sanctions. Proof of identity accepted and promoted by the partnership were passport, driving license or a 'validate' card which was part of a national scheme.
- pointed out that the report recognised a number of areas of weakness and gaps in existing services provision, including involving parents. One recommendation was that the Primary Care Trusts develop new ways of distributing information to parents on alcohol misuse in order to make the material more widely available. He also hoped that recommendations made to the Secretary of State for Health would encourage tackling alcohol misuse to be made a higher priority nationally.
- confirmed that the night time economy liaison group were already looking into the promotion of soft drinks including encouraging non-alcoholic venues for 14-18 year olds.
- indicated that following external expert legal advice, there were certain barriers to banning 'happy hours' relating to anti-drink competition laws. However he hoped that

some of these issues would be addressed through the new Licensing Act, particularly if the Alcohol Harm Reduction Strategy for England was to be successfully promoted by the Government.

- suggested that a request for formal feedback on progress could be included in the letter from this Committee to the County referred to in recommendation 1.2.2 of his report and he would be happy to assist in drafting an appropriate response.

The Chairman thanked the Assistant Director for his report and indicated that the Committee would welcome his assistance in preparing a response to the County.

**RESOLVED** that

- i) the Committee endorses the recommendations of the County report
- ii) having regard to recommendation 7.14i of the County report and paragraph 3.3 of this report, the Committee requests the County Council to play a full and active role in developing this council's licensing policy statement and its subsequent enforcement.

**10. SPORT AND LEISURE MANAGEMENT CONTRACT – PERFORMANCE AND 2003/04 FINANCIAL OUTTURN REPORT**

The Assistant Director (Health and Wellbeing) presented this report which provided members with an overview of the performance of the Sport and Leisure Management Contract, 12 months after the management and operation of sport and recreation facilities were transferred from Leisure Connection back to the Council.

For the benefit of new members to the Committee, the Assistant Director (Health and Wellbeing) explained that the management and operation of the facilities had been outsourced to a private contractor during the period 1996 – 2003. The Council approved a decision in November 2002 to bring it back under the direct control of the council from April 2003. She indicated that during the past 12 months the Committee had received regular reports on the performance and financial position of the contract.

The Assistant Director (Health and Wellbeing) drew particular attention to the following:-

- Service standards – section 3
  - have remained high during the first nine months of the operation, with minimal complaints. 14 service failures reported within the final quarter, 7 in connection with cleanliness. Cleanliness had now been given a high priority and officers were currently reviewing in-house systems and a review of the cleaning contractor provision was also taking place. Other complaints were being addressed as outlined in the report.
- Utilisation statistics – section 4
  - steady increase particularly in casual swimming and fitness. The introduction of roller discos on a Saturday evening has attracted in excess of 3000 attendances within the final quarter
- Financial performance – Appendix 1
  - 2003/04 outturn budget showed a deficit of £6582 compared to the forecast of £1,003 reported in February 2004. The deficit increase was due to unexpected essential mechanical and electrical maintenance work.
  - Notwithstanding the concerns with regard to the financial performance within its first year, the Sport and Leisure Management contract operated to a deficit of £556,400 in its first year under in-house management. This represented a saving of £53,600 had the contract been managed under contract with Leisure Connection, where the

annual management fee payment would have been £610,000. This figure was based on the company's proposals in respect of a negotiated contract which included a reduction in the contract facility mix. Therefore costs in addition to the management fee payment stated would have been required in order to run the service on a like for like basis.

The Assistant Director (Health and Wellbeing) introduced Sarah Powell, Business Manager and Andrew Mellor, Operations Manager to the Committee to assist with answering any questions.

In response to questions from Members:-

- the Assistant Director (Health and Wellbeing) confirmed that ongoing stringent controls over the financial performance were required as well as the need to evaluate key income generating areas. However, no redundancies were anticipated.
- confirmed sport and leisure had its own business plan as part of the service delivery plan for the Health and Wellbeing Division. She acknowledged that, if, following completion of the best value review of sports facilities and development the Council decided to continue with in-house service provision a longer term business plan would be required.
- Sarah Powell indicated that a small selection of merchandise was currently sold including badminton racquets, shuttlecock and armbands. However they were looking to expand into sports equipment and clothes, as they were a fast selling and profitable market.

Members generally felt that the in-house team had done very well during a period of change and under very difficult circumstances. Members had received some good feedback from users since the re-opening and the modern leisure facility had been generally well received by the local community.

The Chairman commented that in her experience the bar and catering were not operating that well and an opportunity had been missed on the night of the European Elections, by being closed. The Assistant Director (Health and Wellbeing) recognised that this was an area for some further improvement and took her comments on board.

The Chairman thanked the Assistant Director (Health and Wellbeing) for her report.

**RESOLVED** that the Committee notes the report

## 11. **DISABLED FACILITIES AND EQUIPMENT AT LEISURE@CHELTENHAM**

In introducing this item, the Assistant Director (Health and Wellbeing) explained that the report came to the Committee at the request of Tony Sygerycz and provided an overview of the current levels of provision for the disabled at Leisure@Cheltenham following the redevelopment of the facilities. She indicated that the council's access and building control manager had assisted with the report as he had undertaken a survey of the site as part of a comprehensive council wide audit in preparation for the introduction of part III of the 1995 Disability Discrimination Act. The Access Appraisal and Audit for the Recreation Centre, Tommy Taylors Lane was attached to the report as Appendix 2.

The Assistant Director (Health and Wellbeing) drew particular attention to the following:-

- the audit identified areas in and around the site where modifications and improvements could be made to improve access and use and where parts of the building do not meet best practice as identified within BS8300 : 2001 'design of buildings and their

approaches to meet the needs of disabled'. She pointed out that the current standard was introduced after the design and tender for the leisure centre redevelopment project, which in 1998 met the relevant guidelines at the time

- as part of the funding received from Sport England for the project, the centre needed to incorporate the design principles listed within paragraph 4.1 of the report
- it was important to recognise that the centre was funded by Sport England on the basis that it became a contemporary family orientated wet and dry facility, reflecting the needs of the local community. It was not a facility specifically designed for disabled users.
- the report identified that £20K would be required to make some modifications and improvements highlighted in the audit, which members will need to consider as part of the budget setting process later on this year

The Assistant Director (Health and Wellbeing) was mindful that this issue had been the cause of recent media attention and wished to confirm that there was not an error of judgement with regard to disabled provision during the planning stages of the redevelopment project. The Cheltenham Swimming Association for the Disabled were consultees throughout the design and tendering stage and as a result the changing rooms had been relocated from the original plans. Their members included wheelchair and non-wheelchair users.

Mr Sygerycz thanked the Assistant Director (Health and Wellbeing) for her report which he had found very positive. He was pleased that the disabled hoist had now been installed following the long delay. He was disappointed that his previous offers of advice on wheelchair access had been ignored and felt that a golden opportunity had been missed. In response, the Assistant Director (Health and Wellbeing) indicated that there had been no malicious intent to ignore Mr Sygerycz, the council had a duty to meet the needs of all users and a group representing the disabled had been consulted. She thanked Mr Sygerycz for his recent visit to the site which she welcomed. She indicated that the centre would continue to seek to develop and improve services with the help of Mr Sygerycz and other disabled users so that they became more inclusive. In response to a question from Councillor Mrs Regan, the Assistant Director (Health and Wellbeing) confirmed that no other complaints had been received from disabled users apart from those relating to the hoist facility which had now been installed. The Chairman indicated that she had received some complaints which she would be raising with the centre in due course.

Members raised the following points and comments

- part III of the DDA 1995 comes into effect from 1<sup>st</sup> October 2004 and it was believed the requirements were retrospective, therefore the costs of improvements or modifications could not be ignored
- it was acknowledged that disabled people had rights and should not be discriminated against. However, the Centre had been developed to reflect the needs of the local community as a whole. It was a difficult situation but the right balance had been achieved and all those involved were to be congratulated.
- how were legitimate concerns relating to disabled issues dealt with? In response, the Assistant Director (Health and Wellbeing) indicated that the Centre listened to concerns from all users. The site management assess any operational changes requested but there were lots of expectations to meet with limited resources so the situation was very difficult.

The Chairman thanked the Assistant Director (Health and Wellbeing) for her report. She indicated that she was a member of a recently established disability action group in Cheltenham called the Disability Forum. The group represented a wide range of disabilities and she suggested that the centre would benefit from talking to this group and should come along to one of its meetings.

**RESOLVED** that the Committee notes the level of disabled facilities at leisure@cheltenham and considers the need to increase provision as part of the 2005/06 budget setting process

## 12. POSSIBLE FUTURE AGENDA ITEMS

Members suggested the following topics:-

- Access Appraisal and Audit relating to other Council buildings including Municipal Offices and Town Hall – it was confirmed that a corporate assessment was currently being undertaken and a report was due to come back to this committee in September 2004. The Council was not responsible for the Disability Discrimination Act in respect of hotels in Cheltenham, however members comments would be conveyed to the tourism section.
- New governance of Town Hall and Pump Room – it was confirmed that the Economy and Business Improvement Overview and Scrutiny Committee were taking the lead on this issue and a report was due to be considered by Cabinet in October 2004.
- Extra Care Village - follow up of recommendations made by this Committee on 10<sup>th</sup> May 2004
- NHS Dentistry - update from Cheltenham and Tewkesbury PCT following their presentation to this Committee on 29<sup>th</sup> March 2004
- Regular feedback from the County's NHS Overview and Scrutiny Committee including progress on recommendations of alcohol misuse amongst young people report considered by the Committee that evening
- The monitoring of the business plan produced by Cheltenham Community and Voluntary Action (formerly Cheltenham Council for Voluntary Services) – following on from the funding of external organisations report to Committee 11 September 2003.

## 13. FINANCIAL OUTTURN 2003/04 – CARRY FORWARD REQUESTS

The Group Director (Economy and Business Improvement) explained that there were a number of carry forward requests to be approved by Council on 26<sup>th</sup> July 2004. A list of the requests that were within the Social and Community Group was circulated to the Committee. He explained that as indicated, a number of the requests had already been approved using his delegated powers, as Chief Finance Officer.

The Committee considered the two remaining carry forward requests relating to lifelong learning and CCTV equipment replacement and the following points were noted:-

- if the request related to one of the Council's priority areas it should be supported by the Committee.
- members were of the strong view that a CCTV camera was required in St Mary's Churchyard, which was a focus for anti social behaviour. In order to encourage people to walk through the churchyard, they needed to feel safe and CCTV would be the best way to police the area. In response, the Group Accountant for Social and Community explained that the carry forward request was a one off payment to be used to bring existing CCTV equipment back up to standard. A bid for £60K in the 2004/05 budget round in order to fund 3 new cameras had unfortunately been unsuccessful, however private funding from the Home Office had been secured for one additional camera for the town. The Committee was of the general view that CCTV was no good unless it was used and the information regularly checked.
- Mr T Moore-Scott indicated that these problems would be addressed if the Council's Civic Pride proposals were successful as this area was proposed to become the heart of the



To be approved at the next meeting of the Committee to be held on 13<sup>th</sup> September

cultural quarter of Cheltenham. Members asked to be kept informed on the progress of St Marys Churchyard.

**RESOLVED** that the Committee supports the application of any underspend towards lifelong learning and CCTV equipment replacement.

**Chairman**  
**Mrs B Driver**