

**SOCIAL AND COMMUNITY OVERVIEW AND SCRUTINY COMMITTEE
10 SEPTEMBER 2007**

**MINUTES
(18.00 – 20.05)**

PRESENT Councillor Barbara Driver (in the Chair), Councillors Coleman, Tina Franklin, Penny Hall, Paul McLain, John Morris (substitute for Sandra Holliday) Alan Nicholson and John Webster.

Hazel Kitchin, Jackie Sallis and Lorna Steers)

ALSO PRESENT Councillors Flynn, Jordan and Thornton

APOLOGIES Councillors Peter Allen, Sandra Holliday, Matthew Upton (MAD representative)

RELEVANT DEPUTIES IN ATTENDANCE:

Leader (Duncan Smith) and Cabinet Member Quality of Life (Chris Ryder)

1. INTRODUCTION

2. DECLARATIONS OF INTEREST

Councillor P Hall declared a personal interest in Agenda item 9: Notice of Motion as she is the Council's representative on the Cheltenham CAB Management Committee. Councillor Mrs Driver also declared a personal interest in this item because the motion referred to her personally.

In response to questions from Councillor Morris the Borough Solicitor and Monitoring Officer indicated that Councillor Allen's Council nominated substitute Councillor Stennett had been unable to attend the meeting, therefore the PAB group was not represented. He explained that whilst it was ultimately up to individual Members to take a view he had advised Councillor Driver that her interest was not prejudicial because should the motion be carried, the Committee did not have the power to remove her from the position of Chairman, therefore at this stage it did not affect her financial position. The issue of the Chairman having the right to exercise a casting vote in matters relating to a vote of no confidence in the Chairman was upheld in caselaw and in accordance with the Act if the Chairman is present at the meeting then they must preside over the meeting.

Councillor Webster proposed a motion without notice to change the order of business in the agenda so that item 9 Notice of Motion be considered after agenda item 5 Matters referred to Committee, this was seconded by Councillor Morris.

The Borough Solicitor and Monitoring Officer referred to the Constitution - Part 4C Overview and Scrutiny Procedure Rules and advised the Chairman that in the absence of any specific reference to motions without notice in this section, Part 4A Council and Committee Procedure was the default and the motion should therefore be put to the vote.

Voting

FOR 4
AGAINST 2

The motion was **CARRIED**

3. MINUTES (Agenda item 3)

Councillor Franklin indicated that her apologies had not been recorded at the last meeting.

RESOLVED that the minutes of the meeting held on 2ND April 2007 be approved as a correct record, subject to the inclusion of the above apologies.

4. PUBLIC QUESTIONS

No public questions or petitions had been received.

5. MATTERS REFERRED TO THE COMMITTEE

(a) By Council – None

(b) By Cabinet – None

(c) Other Committees – None

6. NOTICE OF MOTION (agenda item 9)

To ensure that the matter was dealt with in accordance with the Constitution, the Borough Solicitor and Monitoring Officer circulated an Advice Note intended to assist in the orderly conduct of the debate and briefly went through it.

Councillor Webster, seconded by Councillor Morris proposed the motion set out in agenda item 9 and requested that the resolution be put straight to the vote.

Voting

FOR 4
Against 3

The motion was **CARRIED**

RESOLVED that

- i) the Committee has no confidence in Councillor Driver as Chair of Social and Community Overview and Scrutiny Committee and requests that next full Council scheduled for 8th October remove her from the position and appoint a new Chairperson.**

ii) the Committee notes that its recommendations to the Cabinet have been ignored and therefore agrees to dedicate its next full meeting scheduled for *15th October to examine this and the implications of the policy accepted by the Cabinet on 18th July.

* Please see further discussion regarding the date of the meeting to examine the Single Advice Contract at item 11 below

7. PRESENTATION – SUMMER OF SPORT ACTIVITY PROGRAMME (Agenda item 6)

Craig Mortiboys, Healthy Communities Partnership Manager and Matt Baker, Youth Sport Development Officer provided a presentation on Youth Sports Development – Summer of Sport Progress. This was supported by a display of colourful photographs of the major event and activities that had taken place over the Summer. The Committee were reminded that the growth bid for the long term funding of the Youth Sport Development Officer post was unsuccessful in the last budget round, however additional funding had been secured for 2007/08 through second homes money. The Sport Development team were now seeking to secure the post beyond May 2008 and the Healthy Communities Partnership Manager hoped that he would be able to gain the support of the Committee in the next budget cycle.

The presentation was very well received by Members and the team were congratulated on the wide range of activities and events that had been made accessible to young people.

In response to a question from Councillor Morris regarding funding in 2007/08, the Healthy Communities Partnership Manager indicated that the Second Homes funding allocation had comprised of £30K for youth sports development and £9K for disabled sports.

In response to comments made by the Chairman about the possible procurement of a mobile climbing wall to give everyone the opportunity to participate in sport activity, the Healthy Communities Partnership Manager indicated that the Summer of Sport Outreach Scheme ensured that activities were accessible locally across the whole of the Borough.

8. SINGLE REGENERATION COMPANY – UPDATE (agenda item 7)

As a member of the Single Regeneration Company Feasibility working group Councillor Webster presented this report which had been circulated separately from the agenda. He briefly explained the background to the review and referred Members to paragraph 7.1 which he felt clearly summed up the findings of the working group.

Councillor Morris declared a personal interest as an independent member of Hester Way Neighbourhood Project. He was disappointed that the 5 regeneration companies had not recognised the benefits of joining together to form a single regeneration company, but hoped that their proposals for working closer together across a range of collaborative opportunities to enable efficiencies and financial benefits would be realised. He felt that the working group had done an excellent piece of work.

The Leader indicated that the final report to Cabinet would need to include the estimated savings as a result of the collaborative work, whether these be efficiency gains or cash savings for re-investment and the proposed timescale. The Cabinet would also need to

see the recommendations of the Consultants report undertaken by WM Enterprise, and any recommendation made by the Social and Community Overview and Scrutiny Committee would need to be supported by full legal implications so that a decision could be taken based on all the available evidence.

Councillor McLain pointed out that the final report of the single company feasibility working group referred to as Appendix A had not been attached to the report or circulated separately. He was concerned about para 6.3 of the report and suggested that the neighbourhood projects should be given the opportunity to address the Committee or Cabinet before a final decision is made. In response Councillor Webster indicated that the working group had met with the neighbourhood projects at the last meeting and they had been given the opportunity to express their views. The conclusions of the working group had been a compromise which all parties concerned had come to accept.

Councillor Webster suggested that the Committee could express a view at this stage and then refer the item to Cabinet to look at all the evidence.

The Committee was not comfortable making any recommendations to Cabinet without having read appendix A of the report.

RESOLVED that the item be deferred to the next meeting to be held on 15th October 2007

9. CHOICE BASED LETTINGS (agenda item 8)

The Service Manager Community Services introduced this information/discussion paper which had been circulated with the agenda. She provided a presentation on the principles of Choice Based Lettings and how the Gloucestershire Homeseeker Partnership envisages those principles operating in practice in Gloucestershire. She explained that the overall aim of the scheme is to ensure sustainable tenancies and stable communities whilst continuing to meet housing need. The Committee were invited to make comments or raise issues to inform the on-going development work

In response to a question from the Chairman regarding funding of the scheme, the Service Manager Community Services explained that the Partnership had been able to secure £150,000 from the ODPM to support the implementation of the scheme. A further costings exercise had to be undertaken to identify the cost of the ongoing scheme but the budget for managing the current system had been set aside. A report would be submitted to Cabinet in due course.

Members expressed concerns in the following areas:-

- This web-based system may exclude some clients who do not have access to the intranet
- Banding (Bronze, Silver, Gold and Platinum) will not eradicate 'point chasing'
- Will Landlords get to make the final decision and if so does this give them the opportunity to become 'picky'?
- Will the private rented sector be de-stabilised?
- Does the cross-boundary letting increase the risk of ghettoisation?
- Can vulnerable clients cope with the scheme
- Inappropriate lettings will occur
- Will cross-boundary lettings reduce opportunities for local people?

The Service Manager Community Services provided the following responses to Members questions and comments:-

- The new system will not replace the support services currently provided. Assistance for those that need help is available from the Housing Options team based at Cheltenham One Stop, Lower High Street. The partnership are also consulting and talking to other support services out in the community about what support is available and what role support agencies can play and will be advertising these services as widely as possible.
- The banding system is a hierarchical assessment of housing need but in order to create balanced and sustainable communities not all properties will be allocated to those in the highest housing need band but an agreed proportion of allocations will be awarded across the bands.
- The software system will identify the priority applicants that have bid for a property but it is the landlord of the property available for allocation who will make the offer. She explained that within the existing process the council had a range of nomination rights with registered social landlords but this was not always 100% nomination rights. The partnership were continuing to discuss the implementation of CBL lettings with RSLs and it was hoped that they would accept the policy across the County.
- It is part of the council's wider responsibility to ensure that the housing market in Cheltenham is balanced. The County partnership will closely monitor the lettings process and any impacts on the local housing market with regards demand and supply. It is hoped to encourage the private rented sector to take part in CBL over the long term with the overall aim to assist anyone looking to meet housing needs in Gloucestershire to have one point of access to the range of options available.
- The Government is very keen for Local Authorities to consider cross-boundary movement and through the Cheltenham and Tewkesbury Housing Market Partnership, properties are currently being built in one area to meet the needs of another. The one central register under CBL will enable the County partnership to better determine needs and aspirations for movement across districts and continue to monitor the local housing market.
- The County Partnership will be undertaking a huge advertising and information process and will be working very closely with support agencies so that they can support vulnerable clients through the system. It is envisaged that the reduction in administrative processes will enable skilled officers in the housing options team to be more proactive in supporting vulnerable people. Also the system of automated bidding will be in place to assist vulnerable people.
- The aim of the system is to create sustainable communities and the new process provides potential tenants with all the relevant information regarding the property at the beginning of the process so that applicants can make informed decisions for themselves. Within the new allocations policy to be agreed the council have retained the ability to continue with the selective lettings where there is an evidenced need.
- The current model being proposed provides an opportunity to consider increasing cross-boundary movement in the future as the needs information is captured across the County through the system.

The Chairman thanked the Service Manager Community Services for her presentation which had been very informative.

10. BRIEFING FROM CABINET MEMBERS

The Leader indicated that he and the Cabinet Member Quality of Life had been given a tour of Leisure@ to inspect the full impact of the flood on the building, which had been devastating. He wished to put on record his thanks to staff, in particular Sonia Philips, Stephen Petherick, Matt Clapham and Tom Mimmagh who were driven to getting the facility back open. Courtesy of the council's insurers it was hoped to provide temporary accommodation in order to get user groups back on site from October

The Leader provided updates on the following:-

- St Paul's Regeneration – the project is progressing as planned. The urban design brief had been circulated and the results would be in by 14th September 2007. The selection process will involve residents. The competitive tendering process for demolition of those areas identified in the scheme had begun and it was anticipated that work will start in early Autumn
- Marle Hill Contaminated Land – An on-going programme of investigative work involving digging small boreholes in the gardens of properties immediately next to the site and monitoring air samples over the next six months. Officers have held a public meeting to explain the work and residents have been generally supportive of the approach adopted.

The Cabinet Member Quality of Life reported on the following:-

- St Paul's Regeneration
Crabtree Place – 15 out of 17 households are in other chosen accommodation
Manser and Hudson Street – 13 out of 29 households have accepted offers of alternative accommodation
Aldridge Close – Decent homes works in Aldridge Close are complete, residents are happy with their new kitchens and bathrooms
- Residents from St Paul's recently gave positive interviews to Radio Gloucestershire on their experience of decanting and decent homes work. Many thanks to Councillor Driver who had supported this PR exercise.
- St Paul's was successful in obtaining a merit award in the neighbourhood award section of Heart of England in Bloom, which was very commendable considering the decanting was taking place
- National Star College - As mentioned at Cabinet recently, the council has been piloting a work experience programme for students of the National Star College which has been very successful. It is hoped to extend the programme across other departments to help students who have physical disabilities and associated learning difficulties.
- Gary Bowles has recently been appointed cemeteries and crematorium Manager and will be joining CBC on 1st October. Special thanks were extended to John Crowther and John Rees who have been carrying out the role as the council has been without a manager for the past year.
- The Cabinet Member Quality of Life put on record her thanks to the Social and Community Division, in particular Chris Huckle, Peter Woolley, Kath Chamberlain, Mark Nelson and their teams who worked so hard through the water crises and collated information regarding the flooding incident.

11. COMMITTEE FEEDBACK SESSION

Councillor Webster felt that generally there was too much on the agenda to be dealt with at one meeting effectively. In his opinion presentations took up a lot of time and suggested that the material could form part of a briefing note to Members rather than an item on the agenda. He suggested the work of the Committee should be more about scrutinising the decisions made by Cabinet. He objected to the Borough Solicitor and Monitoring Officer's administrative intervention during the Committee's earlier consideration of the Notice of Motion. In response the Deputy Chief Executive commented that it was better for the Committee to take proper advice from the Borough Solicitor from the outset, than to risk undermining future progress if it turns out that the process adopted is inconsistent with the Constitution and legal framework.

The Deputy Chief Executive referred to the Committees earlier resolution to discuss the Single Advice Contract at the next meeting on 15th October 2007. He reminded the Committee that following the cancellation of the proposed joint meeting with E & BI O & S Committee in July 2007, it had been agreed that this Committee would look at the progress on implementing the councils cultural review at its meeting scheduled for 15th October. He indicated that a number of external speakers had been put on notice of this meeting so rather than disrupt it he suggested a special meeting be arranged. This was agreed by the Committee.

Councillor Mrs B Driver
Chair