

Time started – 6.00pm  
Time finished – 8.10pm

## **COMMUNITY COMMISSION 20 JULY 2009**

Present: Councillor Grimadell (Chair)  
Councillors Bayliss, Chera, R Khan and Richards

In attendance: Councillors Harwood, Higginbottom, Jackson, F Khan, Poulter,  
Rawson, Troop and Webb

### **15/09 Apologies for Absence**

Apologies for absence were received from Councillors Leeming, Lowe and Redfern.

### **16/09 Late Items introduced by the Chair**

There were no late items. Late reports were tabled in relation to minutes  
26/09 and 27/09

### **17/09 Declarations of Interest**

There were no declarations of interest.

### **18/09 Minutes**

The minutes of the meetings held on 10 June 2009 were agreed as a correct  
record and signed by the Chair.

### **19/09 Call-in**

There were no call-ins to report to the Commission.

### **20/09 Councillor Call for Action**

There were no Councillor Calls for Action to report to the Commission.

### **21/09 Responses of the Council Cabinet to any reports of the Commission**

There were no responses of the Council Cabinet to the report to the  
Commission.

## Items for Discussion

### 22/09      An Evaluation of Neighbourhood Working in Derby

The Commission received an interim report by De Montfort University evaluating Neighbourhood Working in Derby which was commissioned by the Derby Community Safety Partnership. Doctor Roberts represented the research team at the Commission and reported that this topic had been extensively researched with interviews held in seven chosen neighbourhoods with Neighbourhood Managers, Board and Forum members, key individuals involved and participants. Additionally a series of interviews were held with stakeholders holding a city-wide perspective.

The investigation had so far identified the following key areas:

- Clarity about priorities of neighbourhood working
- Community development as a necessary pre-condition for effective neighbourhood working
- A short-term or long term perspective
- Should neighbourhood definitions reflect community identity or administrative convenience?
- The problem of un-representativeness
- Responding to diversity
- Developing a 'critical mass' of local support
- Drawing in a wider range of partners and services
- Strengthening learning capacity within and between neighbourhoods
- Recognising the fragility of neighbourhood working in Derby and the need to protect and sustain it.

The report set out four rationales for a local authority to adopt neighbourhood working, namely: civic, social, political and economic. Dr Roberts reported that Derby City Council focuses equally on all these aspects which is an ambitious task. Some other councils also place uniform importance on these priorities. However, Doctor Roberts stated that the best examples of neighbourhood working are achieved when a council chooses a selection of elements to be key priorities and other themes feed into these key priorities. Derby has made significant progress but now needs to decide how to move forward with this process.

Councillor Bayliss expressed concern that the report did not go far enough and he was hoping for a report that highlighted the negatives as well as the positives of Derby's approach to this process. He echoed the researcher's comments that the Neighbourhood Forums and Boards were possibly not as representative of the community as they could be. Doctor Roberts stated that Derby compares well with its neighbouring councils and could be considered to have achieved medium success with this issue. Nottingham City and Birmingham City Councils both are at the forefront. These authorities have

ring fenced funds for use by the boards and have a far more developed structure.

Councillor Webb stated that Derby tends to prioritise funding for the individual wards based on their social deprivation rather than themes. Each ward then receives one seventeenth of the total funding and then any additional funding would go to those wards that are most socially deprived. He said that the main problem he had experienced was managing the expectations of the neighbourhood board to match what can be achieved in reality. Doctor Roberts said he had identified this trait at councils across the country. He said that it is a key skill for councillors to manage the expectations of those who attend board and forum meetings. Doctor Roberts reported that the current system of prioritising funds based on social deprivation does not necessarily meet the individual ward's demands. He said that where neighbourhood working is most successful the area the neighbourhood forum covers is much smaller and so each and every forum can have a tailored set of priorities. Currently in Derby each neighbourhood is made up of smaller districts and what works for them may not match the overall neighbourhood priorities.

Councillor Rawson asked how well partnership working operates on a neighbourhood level and how should the Council devolve budgets to the forums and boards. Doctor Roberts stated that there is a clear commitment from some organisations such as the police to become involved in the system and those partners are a tight knit group, however, others still remain less engaged. One of the problems that can arise from this is that forums and boards become focused on the lowest common denominator rather than looking at the bigger picture. Ideally the number of partnership organisations needs to be as wide as possible. He stated that his final report would cover the devolution of budgets to the forums and boards.

Councillor Poulter stated that the Planning and Transportation Commission had reviewed managing levels of expectation over highways and transport issues in a recent report and said that the research team should feed this into their final report.

**Resolved to note the interim report.**

## **23/09      Housing and Council Tax Benefit – Update**

The Commission considered an update report on Housing and Council Tax Benefit and how this has been affected since the downturn in the economy. It was reported that the slump in the economy has had a negative impact on Derby's working age population. This has led to an increase in the number of unemployed residents and in turn an increase in the numbers claiming job seekers allowance and benefits.

The increase in the numbers of claimants has impacted on the capacity of the service. Currently officers have a shortfall of 500 new claims to process and 800 change of circumstances forms.

To counteract the increase in demand, the service has accessed government funding that is available in 2009-10 to bolster staffing. Some of this funding has been spent on agency staff, some of the claims have been outsourced and the service is looking to recruit three permanent members of staff for the longer term.

Councillor Bayliss stated that he was not surprised about the rise in claims and asked if quality of decision making had suffered. It was reported that there needs to be a balance struck between speed and accuracy. Officers admitting that there had been a slight increase in errors but managers are assessing every error to see if they can be avoided. A training need had been identified regarding the correct assessment of income

Councillor Grimadell asked officers to clarify the impact of outsourcing the claims. It was reported that 1,700 claims had been outsourced and this would cost the Council £29,000.

**Resolved to note the update report.**

## 24/09      Housing Allocations – Three Years On

The Commission considered a report providing members with the Council's present housing allocations.

Councillor Bayliss asked now that three years have passed from the review of the service was there one major area that officers would wish to change. Officers informed the Commission that a lot of changes will have occurred. It was reported that the service has to follow case law that emerges and is an evolving process. Officers could not pin-point one area they would focus on.

Councillor Richards expressed concern about children being housed in flats and if there are any restrictions on this. Officers reported that this ties into the under occupancy plan. This focuses on those residents more than 50 years old. If residents are identified to be in properties that are too large for them the Council can choose offer an incentive of up to £2,000 in removal costs to re-home these residents in a more suitable property. However, these are only incentives and the Council cannot force a tenant to move.

**Resolved to note the report and request that an update report be provided on the Under Occupancy Plan.**

## 25/09      Empty Properties

The Commission received an oral update on Empty Properties in the city and those allocated to asylum seekers.

It was reported that the cluster limit was now 460 but previously in 2001 it had been to 1,150. This has reduced significantly since then because of regional contracts with Nottingham and Leicester.

The subject of asylum seekers is a complex issue. Some are classed as Section 95, which are those who have lodged an asylum claim and are waiting to be processed. Section 4 cases are those who have made a claim and been denied and have subsequently appealed. Currently Derby has 203 Section 95 cases and 181 Section 4 cases. At the height of dispersal Derby housed around 2025 asylum seekers.

Officers reported that no asylum seekers are housed in Council owned properties. They are all in private accommodation.

Officers stated that as soon as an asylum seeker receives a positive result they are granted refugee status and become eligible for social housing and mainstream benefits; however, this means they are evicted from their current Home Office-funded accommodation with only 28 days notice. Because the UK Border Agency is upping their decision rates this is having a negative impact on the homeless rates in the city.

The Chair asked how the numbers of asylum seekers compare to Nottingham and Leicester. Officers stated that Derby is very similar to Leicester and much lower than the numbers in Nottingham.

**Resolved to note the update.**

## 26/09 Public Conveniences – Evening Opening of Toilets

The Commission considered a tabled report on public toilets, their opening hours and possible replacements to the current facilities. It was reported that Derby city centre public toilets close by 7pm on Monday to Friday and earlier on Sunday. After the toilets close there is no night time provision of public facilities in the city. If the toilets were to open later there would be additional costs to the Council, health and safety issues and possible problems with provision of the day service because if the toilets were vandalised in the evening they would need to be closed the following day for repairs.

Officers presented three alternative temporary facility options to the Commission to consider.

1. Pissoirs. These cost around £8,000 per unit and are located in problem areas. These temporary toilets are lifted in on a Friday night and removed on Sunday morning. They are for male use only.
2. Urilift. This is a fixed underground toilet which rises out of the pavement when required for night time use. It costs £50-60,000 per unit and about £10,000 in maintenance costs. These are also for male use only.

3. Temporary Toilets. This is a more conventional approach and is the mid-range costing facility. This approach would also allow women to use the facilities. However, there could be an anti-social behaviour aspect if closed toilets were used. If they are located in the same place every week then planning permission would need to be sought.

**Resolved to:**

**1. support the report**

**2. refer it to Council Cabinet portfolio holder who be requested to a) develop one or more option so as to provide late night facilities and b) bring back the finalised report and its recommendations to the Commission**

**i) prior to consideration by Council Cabinet on 29 September 2009 and**

**ii) with a view to being incorporated into the next budget round**

## **27/09 Fly Tipping**

Malcolm Price and Paul Robinson attended and tabled a report 'Fly tipping issues in the Inner City Areas' plus a colour map showing the location of bin and/or fly tipping problems. It was reported that fly tipping has reduced in Derby and this follows the national trend. The majority of areas that are affected are those that have high levels of social deprivation or high turnover of population, especially densely terraced areas with no external route between the street and the back garden.

Officers have researched different solutions to fly tipping and bin problems. York and Cheltenham Councils are both looking to move away from using bags and instead use bins. Brighton Council utilises a communal bin system, however, this requires space to locate the large communal bin. And Liverpool assesses each property and decides what is best for them. Officers believe that this is the best approach to adopt, as a one size fits all bin system may not be suitable for every property in the city. It was reported that 12,000 properties in Derby are still without a recycling system and this would need to be tailor made as many have access problems.

Councillor Chera expressed concern that anti-social behaviour and fly tipping seemed to be concentrated in a certain area within Sinfen and that a CCTV camera had been installed to catch the perpetrators. The Director of Environmental Services stated that officers are working closely with the Derby Community Safety Partnership to acquire the right evidence to prosecute those involved. Currently officers are concentrating their efforts on commercial fly tipping, rather than domestic cases, as these companies are profiting from this practice.

Councillor Chera stated that new communities arriving to Derby may not be used to using a bin based system and leave bags outside the front of their properties for collection. He added that there may be a need for educating

new arrivals to the city. The Director of Environmental Services stated that the officers work closely with landlords and hand out information packs to new residents.

An alternative to plastic bins in terraced areas will be piloted after a September Cabinet meeting.

**Resolved to endorse the initiative and monitor the effectiveness of the pilot with an update report in early 2010.**

## 28/09 Work Programme 2009-10

Members considered a report outlining the Commission's work programme for 2009-10. Minutes 26/09 and 27/09 also incorporate decisions made at this point

**Resolved to approve the work programme subject to ratification by the Scrutiny Management Commission, which also be requested to authorise the Climate Change Commission to be carry out a review of Climate Change – The Challenge for householders.**

## 29/09 Retrospective Scrutiny

There were no items to report.

## 30/09 Council Cabinet Forward Plan

**Resolved to a) consider the redefinition of council-owned flats, whether before or after Key Decision 16/09 is taken and b) consider on 16 September the proposals going to 29 September Cabinet on the public convenience review (key decision 13/09 – see also minute 26/09 above)**

## 31/09 Matters Referred to the Commission by Council Cabinet

There were no items to report.

MINUTES END