

Time started: 6.00pm
Time finished: 9.22pm

**COMMUNITY COMMISSION
20 JANUARY 2009**

Present: Councillor Nath (Chair)
Councillors Bayliss, Chera, Leeming, Redfern, Richards and
Troup

In attendance: Councillors Hird, Ingall, Keane and Shanker

49/08 Apologies for Absence

Apologies for absence were received from Councillors Banwait, R Khan and Lowe.

50/08 Late Items introduced by the Chair

There were no late items.

51/08 Declarations of Interest

Councillors Bayliss, Nath and Redfern declared personal interests in the items minuted at 55/08 and 56/08 as they were members of the Derby Homes Board appointed by Council.

52/08 Call-In

Rob Davison - Overview and Scrutiny Co-ordination Officer reported to the Commission that the Key Decision on the Municipal Golf Contract had been "called in" and that the Commission would be required to hold a special meeting. It was agreed to hold the meeting on Tuesday 3 February at 6.00pm.

**Responses of the Council Cabinet to any reports of
the Commission**

**53/08 Call-In resulting in referral back to Council
Cabinet of Key Decision to Close Public Toilets**

The Commission noted the responses received.

Items for Discussion

53/08 Draft Revenue Budget Consultation

The Commission considered a report from the Director of Corporate and Adult Services on Budget Scrutiny. The document outlined the main revenue budget proposals and identified areas where it needed to spend more to meet budget pressures and develop services, together with proposed savings. It was reported that the proposals were based on a Council Tax increase of 4.9%. The Commission were informed of the key pressures in each portfolio, Direct and Internal Services, Leisure and Culture and Housing and Public Protection.

Members of the Commission raised concerns about the proposal to open an energy shop. It was thought that two to five years ago a City Centre shop front premises would have had a clear merit in raising awareness amongst the Derby public about the issues of climate change and the practical steps householders could take to reduce their carbon foot print and save on domestic fuel bills. However, the Commission could not see the benefit of such an initiative in 2009. It was noted that energy savings light bulbs etc were available in all high street retailers and the out-of-town supermarkets. Furthermore, understanding of the issues has advanced across the population. It was thought that £70,000 was a considerable amount of public money and in the very tight budgetary circumstances facing the Council, it could be used to better effect.

Members noted that the charges for bereavement services had been a controversial subject in previous budgets and been the cause of scrutiny commission comments. Respective costs-versus-fees meant that cremation charges were used to subsidise burials. The Commission was concerned that the choice of cremation should once again be proposed as an income generation measure and further extend the cross-subsidy.

Members considered that the innovation of autumn pre-budget scrutiny had assisted the contribution of scrutiny to the budget setting process and wished to see it repeated with improvements in light of the 2008 experience. The key issue was getting the balance between timing and the amount of information right. The Community Commission did not have a timetabled meeting so its members attended a meeting of the Climate Change Commission which had other business to transact. In the future a free-standing meeting of the Community Commission needed to be held.

Resolved:

- 1. to ask that Council Cabinet reconsider the proposal to open an energy shop;**
- 2. that the proposed £10 increase on the cost of cremations should instead be an increase on the cost of burials;**
- 3. to ask that Council Cabinet proceed with the proposal of two Licensing Officers;**
- 4. that the concept of pre-budget scrutiny introduced in 2008 should be repeated in future budget cycles and held at the earliest point**

when sufficient information is available for scrutiny commissions to make informed observations and to note that an extra meeting of the Community Commission be organised in the autumn to facilitate such pre-budget scrutiny.

54/08 Proposed Capital Budgets 2009/10 – 2011/12 including

A) Housing and Social Care Capital Programme

The Commission considered a report from the Corporate Director of Corporate and Adult Services on the Housing and Social Care Capital Programme. It was reported that the Housing and Social Care Capital Programme would include schemes financed both from service-specific allocations and discretionary corporate funding. The report dealt with the proposed uses of available funding including the allocations that are specific to housing and social care. Most housing capital funding came directly from the government, although there were other earmarked funding streams such as useable capital receipts and revenue and external contributions towards capital expenditure.

Members expressed concern about the amount of empty houses within the city and the lack of housing that was available for those on the waiting list for homes. Members requested that a copy of the list of empty houses within the City was provided to the Commission members.

Resolved to recommend that Council Cabinet approve the proposed Housing and Social Care Capital Programme for 2009/10 to 2011/12.

B) Environmental Services Programme

The Commission received a report from the Corporate Director of Environmental Services on the Environmental Services Capital Programme. The Environmental Services Capital Programme will include schemes financed both from service-specific allocations and discretionary corporate funding. The report dealt with the proposed uses of available funding including the allocations that were specific to Environmental Services. During spring 2009 the Department will be submitting a number of schemes for consideration by Asset Management Group, which if successful will add to the programme.

Paul Robinson reported to the Commission that there had been difficulty in securing match funding for play areas and the race course and that unfortunately this difficulty would continue due to the Olympics in 2012.

Resolved to recommend to Council Cabinet the proposed Environmental Services Capital Programme for 2009/10 to 2011/12, subject to the external funding bids and receipts that are not yet approved being secured.

55/08 Housing Rent Account Budget and Business Plan 2009-10

The Commission considered a report from the Director of Corporate and Adult Services on the Housing Rent Account Budget and Business Plan 2009-10. The consultation set out in detail the position facing the HRA in the next year and for a thirty year forecast period. The strategy remained to use the additional funding that the HRA has in the short term to achieve two strategic goals: stability in the HRA on the loss of additional funding in 2012 and the provision of the estates pride programme of £15m. The key issue was the extent to which the overall funding could be relied upon to achieve these goals, and the conclusion drawn was that whilst the plan was viable as presented the assumptions made would need to be monitored closely as they were critical in the long term. They would depend on the outcome of the Government review of Council Housing Finance, due to report next year, which could possibly result in large scale reform of the HRA system.

Resolved to note the consultation document on the Housing Revenue Account, HRA, Business Plan and Budget 2009/10.

56/08 Housing Rents and Service Charges

The Commission considered a report from the Director of Corporate and Adult Services on Housing Rents and Services Charges for Derby Homes tenants. A consultation paper was prepared which set out the proposals for Housing Rents and Service Charges and for pitch fees at the Shelton Lock Mobile Homes Park for 2009/10. The proposals were consistent with the current framework proposed by Government for the convergence of local authority rents with those of other social landlords and with the 2008/09 Housing Revenue Account – HRA – budget and business plan. The Government's intention from April 2002 had been for local authority rents to increase in real terms to 'converge' converge with those of other social housing providers by 2011/12. There had now been more flexibility offered so that 'convergence could be reached by as late as 2024/25. The report explained the terms 'target rent', 'limit rent', 'guideline rent' and 'actual rent'. It described the optimum rent increase as being one that is the most affordable, continues to go towards meeting the target rent and does not exceed the limit rent or other Government restrictions, which for 2009/10 included a 7% limit on the average overall increase. At paragraph 2.10 of the report were set out three possible options, but both the first two would be limited to £4.02 because of the 7% cap. The third proposal, which is the Government's preferred option for calculating guideline rents for 2008/09 is convergence by 2024/25, meaning an average rise of £3.42 or 5.95%. This will leave average rents about £6 (10%) behind the target rents. Since the consultation paper was written the convergence date has been changed by the Government to 2023/24, which would allow a higher 6.2% increase but this has not had any effect on the proposal for Derby and is the subject of consultation with tenants. Last year tenants had supported a higher increase than the

minimum option. That was because it would make the year-on-year stepped increases more absorbable, based on the (then) 2011/12 fixed convergence target, and put more resources into the Housing Revenue Account.

Members raised concerns about the future use of the Shelton Lock Mobile Homes Park due to it currently running at a financial loss. It was explained that the buildings are privately owned but the land is Council owned. A different basis for calculating increases applied which limited rent rises to RPI. The income received was too little to fund the capital works to sustain the sites amenities. Derby Homes and the Council were undertaking a review of the Park and would work with residents over possible future management arrangements and a separate report would be produced at a future point.

The Commission requested that the present report be brought back to the next meeting of the Commission on 3 February so that members could take into account any further information from officers and the results of tenant and stakeholder feedback.

Resolved to further consider the report at the 3 February meeting taking into account any further information requested and the results of tenant and stakeholder feedback.

57/08 Housing and Council Tax Benefits Service – Action Plan

The Commission considered a report from the Assistant Director – Customer Services on the Housing and Council Tax Benefits Service – Action Plan. During 2007/08 Derby's Benefits Service volunteered to be a pilot site for the Audit Commission's new approach to Benefits Service inspections. The new approach placed a greater emphasis on the role of the Benefits Service in contributions and outcomes to area-based priorities such as tackling poverty and inequality, and reducing unemployment. It focused on the perspective of citizens and service users, with less emphasis on processes. It was recognised that this was a harder test than the Comprehensive Performance Assessment. It was believed that being a pilot site presented an opportunity to understand how service delivery could be influenced by the new standards and to make sure any recommendations in their report influenced the Councils own Customer Service Improvement Programme.

In response to Members' questions it was explained that the Government's preference was for direct payment of benefit. The circumstances triggering payments to landlords were outlined.

Mark Holmes also explained some process changes which had enabled applications to be dealt with more quickly. This included not requiring:

- declared savings under £6,000 to be evidenced, or
- five wage slips to be produced when a clear pattern was already evidenced by fewer.

Resolved to note the report.

58/08 Licensing of Houses in Multiple Occupation

The Commission considered a further report from the Director of Corporate and Adult Services on Licensing of Houses in Multiple Occupation. The September meeting of the Commission received a report on Houses in Multiple Occupation, HMO, licensing. The further report provided further information on the resources available to deal with HMO licensing and the estimated costs of increasing resources to carry out this kind of work. At present there was one field officer dedicated to HMO licensing and associated work and one coordinator/administrator.

It was reported that when the scheme was set up it was thought that there would be 500 properties that required licensing, this is actually more like 350 homes but there had been initially an expectation for owners of the properties to come forward to the Council. Unfortunately this had not been the case and it took significant resources to chase the home owners. It was noted that there had been a home owner prosecuted and a case was being put forward for another to be currently.

Members welcomed the proposal to increase staff resources for a two year period of two Licensing Officers to address the backlog of Houses in Multiple Occupation. While the issue of licensing appeared to be essentially regulatory, behind it was the real issue of health and safety (eg fire precautions) for often vulnerable tenants.

Resolved to note the report and make an additional recommendation to Council Cabinet supporting the proposal (see Minute 53/08).

59/08 Housing Strategy

The Commission considered a report from the Director of Corporate and Adult Services on Housing Strategy. This report introduced the updated draft Derby Housing Strategy and action plan which had seen key changes since the last meeting of the Commission.

It was previously noted that there were issues concerning properties that had been adapted to meet the needs of a disabled resident but then being available to everyone after the tenancy had ended. It was reported that an Occupational Therapist had been seconded to the Division to collate details of adapted properties and an action plan was being produced to provide an adapted property register to ensure greater appropriate allocation of the homes.

Members of the Commission asked the officer to provide details at a future meeting regarding the garden maintenance scheme and disposal of rubbish at properties. It was suggested that an officer from Derby Homes and

Environmental Services attend to cover enforcement of tenancy obligations and the Environment Protection Act respectively.

Resolved to

- 1. note the updated draft Housing Strategy to take account of issues previously raised by the Commission; and**
- 2. receive details of the garden maintenance scheme and rubbish enforcement thresholds and action at the next meeting.**

60/08 New Swimming Facilities

The Commission interviewed Cllr Naitta and Mr Robinson on New Swimming Facilities. Members also considered a report from the Director of Environmental Services on a proposed Feasibility Study on Sport, Recreation and Leisure that had been referred by Council Cabinet for the Commission's comments. The report set out the current position with regard to council-owned sport and leisure facilities, and in particular, the need to modernise and upgrade provision for the future. In order to identify preferred options for future service delivery in line with the Council's objectives the report sought Cabinet approval to procure a suitably qualified and experienced, independent Leisure Consultant to undertake a review and report their findings and recommendations..

Paul Robinson informed the Commission that the proposed study was not about the condition of the Council's current leisure estate. It was made clear that he and his colleagues were well aware of the condition and fitness for purpose of the various amenities. The proposed study was to address the strategic best fit of sport, recreation and leisure locations for the future, taking into account the:

- opportunities presented by the Building Schools for the Future programme,
- Neighbourhood Working agenda, and
- need for improved accessibility via the travel routes across and around the City for residents and visitors.

The Commission was given assurance that the feasibility study would also fully address the needs of disabled people.

Councillor Naitta assured the Commission that £50,000 cost of the study was very much at the upper end of the likely range.

The Commission felt that in light of the explanations provided during the meeting and the long term strategic benefit that might be derived, the Commission endorsed the proposal before Cabinet.

Resolved to endorse the procurement of Leisure Consultants to work with the Council to produce a feasibility study to inform future decisions

on the future provision of council leisure and sports facilities and to report this support to Cabinet at its February 2009 meeting.

61/08 Travellers Site at Russell Street

The Commission considered a report from the Director of Corporate and Adult Services on the Travellers Site at Russell Street. At its meeting on 16 September the Commission considered an item brought by Councillor Bayliss under Overview and Scrutiny Rule 15 on the Russell Street Travellers Site. Members requested that officers look into the concerns raised in the Notice and report back any findings. The report posed six questions corresponding to the concerns in Cllr Bayliss' notice, followed in each case by the response of the housing strategy or planning officer.

It was reported that alternative sites had been mis-reported and that currently the Council was in negotiations to buy the site if other Rolls Royce land was purchased also. It was noted that £10m had been provided by the Government to develop the site and this would be received this year as long as the site was complete by 2010.

Resolved to note the report.

62/08 Work Programme – Update

The Commission considered a report from the Director of Corporate and Adult Services on Work Programme – Update about the Commission's a work programme for the municipal year 2008/9.

Resolved to note the report.

63/08 Retrospective Scrutiny

There were no items identified.

64/08 Council Cabinet Forward Plan

There were no items identified.

65/08 Matters referred to the Commission by Council Cabinet

There were no items.

MINUTES END