

Time started: 6.00pm
Time finished: 8.12pm

**COMMUNITY COMMISSION
30 MARCH 2009**

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

66/08 Apologies for Absence

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

67/08 Late Items introduced by the Chair

There were no late items.

68/08 Declarations of Interest

Councillors Bayliss, Nath and Redfern declared personal interests in Item 00/00 as they were members of the Derby Homes Board. Councillor Nath declared a personal interest in Item 00/00 as he was the Chair of CLAC.

69/08 Minutes

The minutes of the meeting held on 20 January and 3 February 2009 were agreed as a correct record and signed by the Chair.

70/08 Call-in

There were no items.

Responses of the Council Cabinet to any reports of the Commission

A) Revenue Budget

The response was noted.

B) Golf Contract

The response was noted.

Items for Discussion

73/08 Community Legal Advice Centre – Update

The Commission received an update from Katy Wing and Mark Menzies on the Community Legal Advice Centre, CLAC. At the meeting of 16 September 2008 the Community Commission received a report on the first few months of the operation of the Derby Community Legal Advice Centre. It was reported that the demand for the service was high but the employees were coping well and keeping waiting times down. It was noted that this was mainly due to the triage service, this stopped a bottle neck at the beginning of the service.

Members raised concerns that the details provided were number statistics and requested for anonymous case studies to be provided to give the human story behind the statistics and evidence of client experiences and outcomes.

Resolved to note the progress of the Derby CLAC and the key issues identified for 2009/10 and to receive a further report at a future meeting of the Commission.

71/08 Exeter House

The Commission considered a report on Exeter House. In January 2005, Derby Cityscape published its first Masterplan outlining its vision for the future of Derby city centre. In February 2005, Cabinet resolved to approve this Masterplan as a guide to the City Council's regeneration plans for the City Centre and as a material consideration in relation to planning applications. In October 2006 Derby Cityscape published, for consultation, revised proposals, which took account of changing circumstances. The revised Masterplan proposals were approved by Cabinet at its 3 July 2007 meeting.

Members raised concerns that the pressure for social housing meant that the flats would almost certainly be let at least in the short term. However, the size and style of the units mean they are unlikely to be considered fit-for-purpose in the longer term.

It was noted that the very pressure for social housing could mean the allocations policy may bring the unintended consequence of giving the tenancies to only a narrow range of applicants in terms of socio-economic background. If so, this would not promote social cohesion; moreover, it could also bring management problems.

Councillor Redfern informed the Commission that engagement with the Environment Agency meant the flood risk was now known to be higher than thought a year ago. Exeter House lies within Flood Zone 3, which the Government considers to be at high risk of flooding. The precise boundaries of the proposed Blue Corridor have not yet been defined but it was likely that Exeter House would be included within it.

The Commission appreciated that many residents would continue to live in Derby Homes and other properties within the finalised Blue Corridor. However, while the short supply of housing stock meant it would not be practical to re-locate everyone affected it was thought that it could not make good sense to actually increase the population of the affected area.

Members of the Commission were in agreement that one of the Council's priorities was giving you excellent services and value for money and in light of the forgoing points, the proposal did not seem the best use of £350,000 of Housing Revenue Account funds.

The Commission resolved to recommend that hat Council Cabinet do not proceed with the refurbishment for the reasons as outlined below:

- a) the size and style of the units is unlikely to be considered fit-for-purpose in the longer term;**
- b) the allocations policy means it is only likely to be sought by and offered to a narrow range of applicants in terms of socio-economic background and thus not promote social cohesion;**
- c) the flood risk is now known to be higher than thought a year ago and it does not make good sense to increase the population in the affected area;**
- and d) in light of points a) to c) it is not the best use of £350,000. below.**

72/08 Public conveniences - Evening opening of toilets

The Commission considered a paper on the night time opening of the public toilets in Derby City Centre. It was reported that there were 3 public toilet sites in the City Centre which were managed by the City Council, and that these sites closed in the early evening, generally by 5.00pm.

Members raised concerns that there was currently no budget to extend the opening of the facilities beyond the current opening hours and requested that officers cost for opening the toilets to 3 and 4am, to include specific figures for Albert Street. These costings should include information about evening/early hours toilet provision in comparable authorities, including alternative service options that offer safe and secure facilities for users and any staff and information about the hourly pay and enhancements of cleaners and any other staff directly involved in operating the toilets

Resolved:

- 1. To note the information contained in the report;**
- 2. To receive the costings to be provided by e-mail and if subsequent e-mail discussion amongst the Commission members shows clear support for particular changes to current arrangements, a report be made by the Chair to the Council Cabinet.**

- 3. To request the City Centre Management Team to discuss the issues, including any impacts from the night time economy on day time businesses.**

73/08 Fly tipping

The Commission considered a report from Andrew Hopkin, Malcolm Price, Paul Robinson and Ian Donnelly on fly tipping and the inter-relationship between charges for large item collection from domestic properties and the incidence of fly tipping and the costs of enforcement for removal and the tracing, billing & prosecuting of offenders.

Members requested officers to:

- a. Explore managed systems for bulky waste and best practise in other local authorities;
- b. Identify a system for managing bulky household waste which minimised the need for householders to resort to fly-tipping in Derby;
- c. Explore potential partnerships with key stakeholders to fund and/or manage any proposed scheme which helped to improve local environmental quality;
- d. Provide information about the practice in Stoke-on-Trent, Leicester and Nottingham; and
- e. Consider the scope for civil enforcement

Resolved to note the report and further consider the issue in light of the officers' finding and any proposals at that point, also consider whether representations should be made to Government about introducing fixed penalties for fly tipping.

74/08 Domestic garden disrepair

The Commission considered a report from Andrew Hopkin, Carrie Bria and Ian Donnelly on Domestic garden disrepair. When the Community Commission met on 20 January 2009 a sub-issue was raised concerning gardens in disrepair. Mention was made of the garden maintenance scheme to assist residents who through age or disability cannot tend to their own gardens. The other aspect was about enforcement action that can be taken in cases of deliberate neglect. The Commission decided they would like to have information on the thresholds for EPA intervention and enforcement. The report detailed those actions that are available to officers within the Environmental Health and Trading Standards Division of Environmental Services to deal with issues relating primarily to waste in gardens.

Resolved to note the report.

75/08 Access to the neighbourhood tasking meetings minutes by ward councillors

The Commission received a verbal update report on access to the neighbourhood tasking meetings minutes by ward councillors. It was reported that there inconsistencies across wards as to whether members received the minutes. It was agreed that as long as the minutes did not contain information relating to individuals then they would be circulated to ward members.

Resolved to note the steps being taken to address the concerns raised.

Performance Monitoring

76/08 Member Satisfaction Survey 2009

The Commission were reminded to complete and return the survey to the Overview and Scrutiny Officer if had not already done so.

77/08 Work Programme

The Commission received an update from Rob Davison on Work Programme.

78/08 Retrospective Scrutiny

The Commission resolved to scrutinise the Alvaston Master Planning process at the next meeting.

79/08 Council Cabinet Forward Plan

The Commission resolved to hold a special meeting ahead of the 21 April Council Cabinet meeting to consider:

- i) the proposals for the Shelton Lock Park Homes site and
- ii) the Normanton Mills Master Planning Exercise

and for each item to invite the ward councillors to attend.

80/08 Matters referred to the Commission by Council Cabinet

There were no items.

MINUTES END