

COMMUNITY SERVICES COMMITTEE

4th October 2001

**PRESENT:-**

**Labour Group**

Councillor Southern (Chair), Councillor Lauro (Vice-Chair) and Councillors Brooks (substitute for Councillor Mrs. Mead), Carroll, Ford, Mrs. Rose, Stone, Taylor and Whyman.

**Conservative Group**

Councillor Mrs. Walton (substitute for Councillor Lemmon).

**In Attendance**

Councillors Bell, Harrington and Richards (Labour Group) and Councillor Mrs. Wheeler (Conservative Group).

**APOLOGIES**

Apologies for absence from the Meeting were received from Councillors Dunn and Mrs. Mead (Labour Group) and Councillors Douglas and Lemmon (Conservative Group).

CS/33. **MINUTES**

The Open Minutes of the Meeting held on 23rd August 2001 were taken as read, approved as a true record and signed by the Chair.

CS/34. **MEMBERS QUESTIONS AND REPORTS**

The Chair welcomed members of the public and representatives of the Tenants Advisory and Consultation Team to the Meeting.

CS/35. **REPORTS OF THE OVERVIEW AND SCRUTINY COMMITTEES**

It was reported that consideration had been given to the Best Value Review for Sheltered Housing. An item was included later on the Agenda on this Review. The Chair voiced his thanks to the Overview and Community Scrutiny Committees for the work undertaken.

**MATTERS DELEGATED TO COMMITTEE**

CS/36. **CRIME AND DISORDER AUDIT**

It was reported that the Crime and Disorder Act required the production of an audit of local crime and disorder every three years. This Audit would facilitate public consultation and be followed by the publication of a three year strategy aimed at reducing crime in the area.

The 2001 Audit had now been completed and it was expected that the report would be available shortly. The Audit had been authorised for publication by the Partnership's Strategic Group and would be subjected to a wide and comprehensive consultation period. This included the production of leaflets,

the use of the Council's web site and presentations to various meetings. The South Derbyshire Council for Voluntary Services had been commissioned to undertake consultation for the Voluntary Sector and "hard to reach" groups.

The financial implications were reported and the cost of the Audit and strategy preparation was approximately £14,000. The Council's contribution was £1,500 and there was currently no budget allocation to meet these costs. It was suggested that the employee cost savings from the previously vacant Partnership and Development Officer be transferred to the Crime and Disorder budget for this purpose.

**RESOLVED:-**

- (1) That Members note the progress report on the Audit and that a further report be submitted to the next Meeting to enable a formal response to be made.***
- (2) That the Council's contribution to publishing the Audit Strategy, in the sum of approximately £1,500 be funded from salary savings from the vacant Partnership Development Officer post.***

CS/37. **AUTHORISATION OF OFFICER FOR HEALTH AND SAFETY AT WORK ACT 1974 AND FOOD SAFETY ACT 1990**

The Committee was reminded of the powers available to an enforcing authority under the provisions of the above legislation. Members were requested to amend the list of authorised officers following a recent appointment.

**RESOLVED:-**

- (1) That the Committee confirms the authorisation of Catrin Jones and that she be authorised as an Inspector to undertake the following duties:-***
  - a) As an Inspector under Section 19 of the Health and Safety at Work etc. Act 1974 for the purpose of administering the relevant provisions of Section 20(2) of the said Act, i.e. Section 20(2), (a), (b), (c), (d), (e), (f), (g), (h), (i), (j), (k), (l), and (m), and authorise her to institute legal proceedings in respect of contravention's arising out of the exercise of her duties under Section 20 of the said Act.***
  - b) Further, that she is authorised to serve Improvement Notices under Section 21 and Prohibition Notices under Section 22 of the Act.***
  - c) Also that she be Authorised for the purpose of:-***
  - d) Any Health and Safety Regulation.***
  - e) The provisions of the Acts mentioned in Schedule 1 of the Health and Safety at Work Act 1974 which are specified in the third column of that Schedule and of the Regulations, Orders, or other instruments of legislative character made or having effect under any provisions so specified.***

- f) In respect of any act done by her in the execution or purported execution of her duty, the Council is satisfied that the Officer honestly believed she was acting within the legislation.*
- (2) That the Committee confirms the authorisation of Catrin Jones and that she be authorised under the provisions of the Food Safety Act 1990 to undertake the following duties:-*
- a) Section 32(1) (a), (b), and (c) which are powers in relation to an Officer's right to enter food premises.*
  - b) Section 9 – powers in relation to the inspection and seizure of suspected food.*
  - c) Further, that she be authorised to serve Improvement Notices under Section 10 and emergency Prohibition Notices under Sections 11 and 12 of the Act.*
  - d) Also that she be authorised for the purpose of enforcing or executing any regulations or orders made under the Act.*
  - e) Section 29 – powers in relation to the procurement of samples.*
  - f) That in accordance with Section 44 of the Act, the Council indemnifies each Officer in respect of any act done by them in execution or purported execution of their duty, if they are satisfied that the Officer honestly believed that they were acting within the powers and duties required by them.*
- and that she be authorised to institute legal proceedings in respect of contraventions arising out of the exercise of her duties.*

CS/38. **HOME ENERGY CONSERVATION 2001**

It was reported that a letter had been received together with a draft Private Members Bill on Home Energy Conservation. The Council had been asked to support the Bill which would require the appointment of a specific officer to take responsibility to achieve targets for a reduction in domestic energy use by 30% over 15 years. The Bill would also require standardised reporting on the progress made by authorities. Where they were unlikely to achieve the stated targets, the Secretary of State could intervene. Licensing of housing in multiple occupation was also proposed.

Details were provided of the current situation in South Derbyshire and the progress made in the last twelve months. The Council was currently on target to achieve the domestic energy reduction required under the Home Energy Conservation Act 1995. The former Housing and Environment Committee had agreed to set aside a specific sum of money for energy conservation/insulation works in the previous and current financial years. The Council had a low level of housing in multiple occupation with current estimates being approximately 10-15 properties.

**RESOLVED:-**

***That the Council supports the Home Energy Conservation Bill 2001, that the Local Member of Parliament be asked to support the Bill and that appropriate Ministers and Members of the House of Lords be advised of this Council's support.***

CS/39. **PROPOSED RENOVATION GRANT ADMINISTRATION CHANGES**

It was reported that Renovation Grant Applications for works costing over £15,000 were presently submitted for the Committee's approval. In addition, those grants for works costing over £20,000 were reported with an assessment of "the most satisfactory course of action". Processing of renovation grant applications could be lengthy and authority was sought for the Divisional Environmental Health Manager to have delegated powers to determine renovation grants up to a limit of £20,000. For applications above this level, the most satisfactory course of action assessment would be undertaken and it was proposed that the findings be determined by the Officer and the Chair and Vice-Chair of the Community Services Committee. Any capital housing monies not spent within the financial year of allocation were lost and it was therefore important to streamline administrative procedures.

**RESOLVED:-**

***That all Renovation Grant applications over £20,000 be approved by the Divisional Environmental Health Manager in consultation with the Chair and Vice-Chair of the Committee.***

CS/40. **BEST VALUE REVIEW – CLEANSING THE ENVIRONMENT**

It was reported that the "Clean Team" had completed its Best Value Review culminating in the production of a baseline assessment, consultation summary, competitive study, final report and improvement plan. Whilst the majority of the report related to Development Services Committee areas, the Dog Warden Service had been considered as part of this Review.

The final report and improvement documents were presented for the Committee's approval. In particular, agreement was sought to the content of the Improvement Plan prior to the inspection of the Review. The final report explained how the Review had been undertaken and the improvement plan listed the actions required to ensure that services were improved continually as required by the Best Value regime.

The financial implications were reported and it was proposed to form a "hit squad" to deal with fly-tipping, emptying of litter bins and dog fouling. This would cost in the region of £40,000 per annum. Members would need to consider the relative priority of the proposals identified in the improvement plan. Service Managers would need to explore in greater detail, the potential for reprioritising the way existing resources were spent to respond to the improvement plan.

In receiving the report, Members commented on a number of specific cleansing issues including litter and chewing gum on the block paved area of the Town Centre. Reference was also made to the central establishment costs for this and other recent Best Value Reviews.

**RESOLVED:-**

- (1) That the Action Plan for the Cleansing the Environment Best Value Review be approved.***
- (2) That the need for additional resources be considered as part of the continuing refocusing and reprioritisation exercise.***

**CS/41. REVISED STRATEGY FOR DEALING WITH DOG FOULING WITHIN SOUTH DERBYSHIRE**

It was reported that the current dog fouling strategy was approved in October 1999. The Best Value Review of Cleansing the Environment had included dog fouling within its scope. Consultation undertaken as part of the Best Value Review had confirmed the public's concerns about dog fouling and there was a perceived lack of enforcement activity. In order to address these concerns, the dog fouling strategy had been revised and a copy of the new strategy was appended to the report.

It was proposed to undertake a review of "hot spot" problem areas within the District in consultation with parish councils, district councillors and the public. An enforcement programme for patrolling these areas would be prepared and fixed penalty notices introduced to assist in enforcing the legislation. Details were provided of the publicity proposed and the incentives to be offered to promote responsible dog ownership. An educational pack would be produced for schools together with information leaflets. Training was planned for the Dog Warden in the enforcement of fixed penalty notices and the collection of evidence. It was proposed the strategy be implemented over a period of twelve months and reviewed thereafter to determine its success.

In receiving the report, several Members commented on the problems associated with dog fouling, the key issues of enforcement and education and the need to make offenders aware of the associated health risks. There were concerns that parish councils would inundate the Council with dog fouling "hot spots".

The level of a fixed penalty fine was £25 at present and all monies received from penalty notices were reclaimed by Government. It was understood that this would be reviewed so that income generated was returned to the local authority concerned. The Chair commented that the public could assist the Council in securing successful prosecutions by acting as witnesses. It was also questioned whether there was an omission in the Strategy with regard to the enforcement of legislation about guard dogs.

**RESOLVED:-**

- (1) That the Committee approves the revised strategy for dealing with dog fouling problems in South Derbyshire.***
- (2) That the Divisional Environmental Health Manager be authorised to amend the strategy as required, in line with the final outcome of the Cleansing the Environment Best Value Review.***

**CS/42. TENANT PARTICIPATION**

The Committee received an update on tenant participation in South Derbyshire. To date, two tenants' associations had been formed for the Linton and Melbourne areas. The Tenants Advisory and Consultation Team (T.A.C.T.) had a membership of sixteen and comprised tenants from various areas of the District. It met on a three-weekly basis to consider open reports of the Community Services Committee and other issues relative to housing services.

The former Housing and Environment Committee had agreed to investigate the possibility of establishing a tenants resource centre. Increases in tenant involvement had made the need for such a centre more urgent. A property had been identified at Bass's Crescent, Castle Gresley which could be leased to a management committee. Whilst the committee was being constituted it would be necessary for the Council to assist by meeting some of the establishment and running costs of the Centre and details were provided. In the future it was anticipated that external funding could be accessed to meet some of the Centre's running costs. The arrangements would be reviewed towards the end of the first year of operation and a progress report submitted to this Committee. Details were provided of those other issues identified as part of the consultation planning exercise for the establishment of the Resource Centre.

It was proposed to review the tenant participation structure to meet tenants' future needs. A formal committee and constitution were required for T.A.C.T. and it would be formed into a federation with a sub-group appointed to manage the Resource Centre. The present area meetings would be replaced by eight distinct area tenant groups, together with a number of tenants' associations and 'voices'. A structure chart was appended to the report. Consultation meetings had been held between T.A.C.T. representatives, local ward Members and Officers together with representatives of approved Section 16 agencies, which undertook work with tenants. Following a series of meetings, the tenants had decided to appoint consultants to undertake Option Studies in four areas.

In receiving the report, the Chair explained that tenants were sought from other parts of the District to develop the tenant participation role. Members paid tribute to the work undertaken by tenants and the staff involved.

**RESOLVED:-**

- (1) That the current position on tenant participation and the Section 16 Option Studies being undertaken be noted.***
- (2) That the Committee approves the change of use of No. 54 Bass's Crescent, Castle Gresley to provide a Tenants' Resource Centre on a twelve month, rent free basis.***
- (3) That the proposals to amend the existing tenant participation structure be approved as submitted.***

**CS/43. SHELTERED HOUSING REVIEW**

It was reported that the Sheltered Housing Service had developed in an ad-hoc way over recent years. It was delivered unevenly across the District with

staff being paid at different rates and tenants received different levels of service. Members were reminded of the recent Best Value Inspection of Sheltered Housing and the conclusions of the Inspectors. Decisions had been taken on key policy areas affecting the Service in order that its improvement could proceed. Members were reminded of the objectives for the Review and the decisions reached by the former Housing and Environment Committee in April 2001.

Details were appended to the report of the consultation undertaken to determine the revised structure for the Sheltered Housing Service. This involved work with staff, tenants and stakeholders. Focus groups and area tenants meetings were held and the results were submitted for Members information. Prior to this consultation an appraisal of the respective advantages and disadvantages of residential, mobile and area based services was undertaken and the appraisal was appended to the report. This showed that to deliver a more equal and flexible service would require a move away from a system based on residential wardens.

Following this consultation, a new structure was prepared as a basis for staff consultation. Details were submitted of the proposal for a combination of residential and community sheltered housing staff, sheltered housing teams for the rural and urban areas, a separate central control unit, an advisory liaison team and the management arrangements. Formal Section 188 Notices were issued as required by legislation and Management met with all employees affected by the Review. The results of the staff consultation exercise were provided in a separate report in the Exempt section of the Agenda, given that it contained information from named individuals.

Members had met with staff and tenants as part of the consultation process. Notes of the various meetings were appended to the report for further information. A further annexe to the report provided an assessment of the advantages and disadvantages of the alternative models for service provision submitted during the staff consultation process.

As a way forward, modifications had been made to the original proposal and an option based on community wardens was recommended. This would provide for ten community wardens working across the District and further appendices to the report showed the proposed structure and those housing schemes to be included in each community warden's area. The report set out proposals to assess tenants needs in terms of the number of required visits, the relief staff to be employed to assist community wardens and the emergency out-of-hours service to be provided.

Community wardens would work from the schemes in their area, but would not have to be residential. Social activities would be co-ordinated across all schemes in conjunction with staff in the voluntary sector. Details were provided of the Central Control unit team, the advice and liaison team and the proposals for partnership working. Management of the service had also been reviewed and it was proposed to reduce a number of senior managers and introduce three front line operational team leaders, to co-ordinate and deliver day-to-day services.

Cleaning of the communal areas had been considered and it was proposed to tender cleaning services for all communal areas and to provide a budget of £50,000 for this purpose. With regard to grounds maintenance, all schemes apart from that at Unity Close were currently undertaken by the D.S.O. It

was proposed to incorporate Unity Close into the existing arrangements with additional costs being met through the housing maintenance budget.

The proposed move to a community warden scheme would result in the loss of concessionary television licences for those currently eligible. In order to smooth the transition, it was proposed that the Council meet the additional cost of these licences for a period of two years, at an estimated cost of £48,000. Building security and safety had been highlighted during the consultation on this Review. A programme for improving security measures had commenced and would be completed before any changes were made to the staffing structure. The cost of this work could be met within the existing budget provision.

The report addressed the longer term financial strategy, referring to the impact of the Supporting People Initiative. It was proposed that the budget be redrawn to move towards a trading account so that the costs and income were more transparent. The financial implications of this proposal were reported and the net cost was £48,000 per annum. In addition, there would be costs for implementing the new structure which were estimated to be £113,000. The longer term financial considerations of supporting people were also reported. The net annual cost of delivering sheltered housing services was approximately £300,000. The Government had indicated that this would be covered by the supporting people grant. The grant would be administered by the County Council which would enter into funding agreements with sheltered housing providers. It was expected that during the first two transitional years, the County Council would work with districts to ensure that sufficient funds were made available to minimise any imbalances. In the longer term, it was expected that the position might be different.

There were accommodation issues for those members of staff that had expressed an interest in seeking early retirement or redundancy and would have to be re-housed from their existing service tenancy. For tenants, the proposals would lead to a more equal and consistent approach across all schemes with trained, supported community wardens working to provide an improved quality of service throughout the District.

The Chair stressed that this Review had not been a cost-cutting exercise. The Council had a duty to its tenants to give the best possible service and this Review would provide an excellent starting point. He thanked tenants for their input, the wardens for their service and commitment throughout this difficult period and asked that a letter be sent to the wardens conveying his sentiments.

The Leader of the Council concurred and expressed his support for the proposals. He felt that there had been too much distress and misunderstanding through inaccurate reports. The proposals submitted would improve the service for all tenants and build on existing good practice. He spoke about the management structure, the team leader approach and the use of community wardens. He praised the Central Control service, was pleased with the improvements to cover proposed and was relieved that the proposals may avoid compulsory redundancies. The Leader reiterated that this had not been a cost-cutting exercise and that the revised service would cost an additional £48,000 per annum with further investment being made to improve bathrooms. He praised the Head of Community Services and Housing Services Manager for the work undertaken and paid tribute to the

Chair for his terrific contribution. The Leader also echoed praise for all the staff, their commitment and the quality of care provided.

It was clarified that the proposals would not be implemented until the identified security improvements had been progressed. With the approval of the Chair, Councillor Mrs. Wheeler spoke to this item referring to the current subsidy arrangements, the time taken for this detailed Review and the across the board improvements made. She suggested that a further review be undertaken in twelve months time. There was some debate on the financial aspects particularly relating to the current subsidy arrangements.

**RESOLVED:-**

- (1) That the Committee approves a revised structure for the provision of Sheltered Housing services based on a Community Warden model as set out in the report.***
- (2) That the Finance and Management Committee be recommended to approve the revised staffing structure for the Sheltered Housing Service as shown at Annexe 'H' to the report.***
- (3) That the Finance and Management Committee requests the Council to seek volunteers for early retirement/voluntary redundancy in order to minimise any compulsory redundancies.***
- (4) That the Finance and Management Committee be recommended to adopt the proposed funding arrangements for meeting the ongoing and establishment costs of the preferred option as described in paragraphs 5.2 and 5.3 of the report.***
- (5) That tenders be sought for the provision of a cleaning service across the communal areas of the sheltered housing stock.***
- (6) That grounds maintenance work at Unity Close be incorporated into the existing grounds maintenance contract.***
- (7) That a trading account be established for the Sheltered Housing service where costs and income are shown clearly and are identifiable as people-based and accommodation based services as defined by Supporting People.***
- (8) That further reports be submitted on the financial objectives for the Sheltered Housing Service once guidance on the impact of supporting people emerges from the Government.***
- (9) That the Committee authorises the allocation of special points for rehousing purposes and approves the allocation of secure tenancies in existing or alternative accommodation to persons leaving the service through early retirement/voluntary redundancy.***
- (10) That where a specific property has been requested by a member of staff, the Committee approves that property should be let as normal unless a written request has been received from that staff member for early retirement/voluntary redundancy.***

*(11) That officers work with residents to develop affordable priorities for environmental improvements in schemes for inclusion in future work programmes.*

CS/44. **LOCAL GOVERNMENT ACT 1972 (AS AMENDED BY THE LOCAL GOVERNMENT [ACCESS TO INFORMATION] ACT 1985)**

**RESOLVED:-**

*That, in accordance with Section 100(A)(4) of the Local Government Act 1972 (as amended), the press and public be excluded from the remainder of the Meeting as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.*

**MINUTES**

*The Exempt Minutes of the Meeting held on 23rd August 2001 were received.*

**MEMBERS' QUESTIONS AND REPORTS**

*The Committee discussed the implementation of a decision from the last Meeting. A request was made that the Council considers an amendment to its Constitution.*

**SHELTERED HOUSING REVIEW (Paragraph 8 and 11)**

*The Committee noted feedback from the formal consultation process for this Best Value Review.*

**HOUSING BUDGETS 2001/02 (Paragraph 8)**

*The Committee agreed amendments to the Housing Revenue Account and Major Repairs Allowance budgets to suspend electrical testing and to approve expenditure for planned maintenance works and the replacement of windows.*

**ADAPTATIONS TO COUNCIL HOUSING FOR PEOPLE WITH DISABILITIES – WET FLOOR SHOWERS (Paragraph 9)**

*The Committee approved the appointment of contractors for the installation of wet floor showers.*

**DAY-TO-DAY REPAIRS MAINTENANCE TO COUNCIL DWELLINGS AND PUBLIC BUILDINGS (Paragraph 8)**

*The Committee reviewed and amended the Schedule of Rates and extended a current agreement for day-to-day repairs and maintenance for a period of twelve months.*

R.W. SOUTHERN

CHAIR  
Page 10 of 10