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## **CUSTOMERS AND COMMUNITIES OVERVIEW AND SCRUTINY PANEL**

**DATE: MONDAY 26 OCTOBER 2009**  
**TIME: 10.00 AM**  
**PLACE: COUNCIL HOUSE, NEXT TO THE CIVIC CENTRE**

### **Committee Members–**

Councillor Fox, Chair  
Councillor Wildy, Vice Chair  
Councillors Berrow, Mrs Foster, McDonald, Mrs Nicholson, Roberts, Smith and Mrs Stephens.

### **Substitutes–:**

Any Member other than a Member of the Cabinet may act as a substitute member provided that they do not have a personal and prejudicial interest in the matter under review.

***Members are invited to attend the above meeting to consider the items of business overleaf.***

***Members and Officers are requested to sign the attendance list at the meeting.***

**BARRY KEEL**  
**CHIEF EXECUTIVE**

## **CUSTOMERS AND COMMUNITIES OVERVIEW AND SCRUTINY PANEL**

### **PART I (PUBLIC COMMITTEE)**

#### **AGENDA**

**1. APOLOGIES**

To receive apologies for non-attendance submitted by Panel Members.

**2. DECLARATIONS OF INTEREST**

Members will be asked to make any declarations of interest in respect of items on this agenda.

**3. MINUTES**

**(Pages 1 - 8)**

The Panel will be asked to confirm the minutes of the meeting held on 28 September 2009.

**4. CHAIR'S URGENT BUSINESS**

To receive reports on business which, in the opinion of the Chair, should be brought forward for urgent consideration.

**5. PLYMOUTH SPORTS FACILITY STRATEGY (TO FOLLOW)**

The Panel will consider the Plymouth Sports Facility Strategy.

**6. EXEMPT BUSINESS**

To consider passing a resolution under Section 100A(4) of the Local Government Act 1972 to exclude the press and public from the meeting for the following item(s) of business on the grounds that it (they) involve(s) the likely disclosure of exempt information as defined in paragraph(s) .... of Part 1 of Schedule 12A of the Act, as amended by the Freedom of Information Act 2000.

### **PART II (PRIVATE PANEL)**

#### **MEMBERS OF THE PUBLIC TO NOTE**

that under the law, the Committee is entitled to consider certain items in private. Members of the public will be asked to leave the meeting when such items are discussed.

Nil.

## Customers and Communities Overview and Scrutiny Panel

Monday 28 September 2009

### PRESENT:

Councillor Fox, in the Chair.  
Councillor Wildy, Vice Chair.  
Councillors Berrow, Browne (substitute for Councillor Mrs Nicholson), Mrs Foster, McDonald and Roberts.

Apologies for absence: Councillors Smith and Mrs Stephens.

Also in attendance: Councillor Brookshaw (Cabinet Member for Safer and Stronger Communities).

The meeting started at 10.00 am and finished at 12.55 pm.

*Note: At a future meeting, the committee will consider the accuracy of these draft minutes, so they may be subject to change. Please check the minutes of that meeting to confirm whether these minutes have been amended.*

### 11. DECLARATIONS OF INTEREST

There were no declarations of interest made by Members in accordance with the code of conduct.

### 12. MINUTES

Resolved that the minutes of the meeting held on 27 July 2009 are confirmed as a correct record.

### CHAIR'S URGENT BUSINESS

### 13. Safe and Strong Theme Group Update

The Vice Chair, George Plenderleith of the Safe and Strong Theme Group provided an update report, which included the following main points –

- (i) key current development –
  - (a) an initial meeting of the partners had been held in May 2009 to discuss the partnership tasking model; the model used in Bromley had been considered (this enabled resources to be shifted to tackle problems); a 'dry run' meeting was planned for September;
  - (b) during August 2009 Operation Talents was showcased to Home Office Crime Reduction Unit, the National Policing Improvement Agency and the Minister for Policing;
  - (c) a social entrepreneurship course had been established by City College with the first of the four week long courses being run from November 2009;
  - (d) the community focus week would be held in St Budeaux commencing 19 October 2009; the first 'meet the public' event would take place on 28 September 2009 in St Budeaux library;

- (ii) safer -
  - (a) the Crime and Disorder Reduction Partnership executive had asked all its statutory partners to adopt Plymouth City Council's domestic abuse strategy;
  - (b) a specialist domestic violence courts action plan had been implemented as it was not on target to achieve a 70 percent conviction rate; from April 2010 the governance and performance management responsibilities for the courts would transfer to the Local Criminal Justice Boards;
  - (c) there had been a reported drop in youth crime in Devon and a 20 percent reduction in Plymouth; repeat offences had also reduced; the reduction had been attributed to greater partnership working between the police, health education and the voluntary sector;
  - (d) concerns were raised at the Crime and Disorder Reduction Partnership regarding the future availability of the BCU grant;
- (iii) stronger –
  - (a) Plymouth Third Sector Consortium held a development workshop to finalise the membership of the Assembly and the Consortium, and confirm the process for third sector representation on the LSP;
  - (b) the revised draft third sector strategy had been discussed by the LSP executive and an implementation plan had been developed;
  - (c) the compact champions and public sector strategies were being assessed against the compact standards;
  - (d) the Plymouth Future Jobs Fund bid to the Department of Work and Pensions would provide young people (19 – 24 years), who had been out of work for 12 months or more, an opportunity to gain experience and training on community projects; if the bid was successful the scheme would run from November 2009 to March 2011 and would provide six month placements in the third and public sector organisations;
- (iv) performance management
  - (a) action plans had been implemented for those stretch targets that were not on target;
  - (b) the domestic abuse stretch was off target but there had been some improvement in reporting of incidents since the new third party reporting processes had been in place.

Members put forward questions to which the following responses were provided –

- (a) every endeavour would be made to ensure that the bid for the Plymouth Future Jobs Fund would be successful; one reason the previous bid had failed was that social enterprise had not been set up;
- (b) work was currently being undertaken through the consortium to provide information to the third sector relating to the Plymouth Future Jobs Fund bid;

- (c) in previous years the BCU grant had been provided directly to the police by the Home Office, however the funding had not been guaranteed for 2010/2011; assurances were given that work on the Crime and Disorder Reduction Partnership would continue with or without this funding.

The Chaired thanked George Plenderleith for attending.

**14. Quarterly Scrutiny Report**

The panel was advised that the Overview and Scrutiny Management Board would be receiving quarterly scrutiny reports at its 4 November meeting. As not all panels were meeting in October, it would be necessary to consider delegating approval of the scrutiny reports to the Lead Officer, in consultation with the Chair and Vice Chair, prior to their submission to the Management Board.

Resolved that the quarterly report is agreed in consultation with the Chair and Vice Chair of the panel.

(In accordance with Section 100(B)(4)(b) of the Local Government Act, 1972, the Chair brought forward the above items for urgent consideration because of the need for a Member decision).

**15. FEEDBACK FROM THE OVERVIEW AND SCRUTINY MANAGEMENT BOARD**

The Vice Chair provided an update on the main issues raised at the Overview and Scrutiny Management Board meeting held on 2 September 2009, which included –

- (i) Douglas Fletcher, Chair of the Chamber of Commerce had agreed to be co-opted on to the Management Board;
- (ii) disappointment that the budget scrutiny would be held during the half term school break as Members and officers may have child care commitments; the process for next year would be looked at;
- (iii) the PID regarding the monitoring of Plymouth Citybus Limited Shareholding project had been approved and members appointed to the task and finish group;
- (iv) the Cabinet had resolved not to provide additional funding for scrutiny support;
- (v) the website 'www.fixmystreet.com' provided a rapid response to case work issues rather than using the Council's system for reporting such issues.

**16. APPOINTMENT OF SUBSTITUTE TO THE OVERVIEW AND SCRUTINY MANAGEMENT BOARD**

The panel was advised of the need to appoint a substitute member to attend meetings of the Overview and Scrutiny Management Board, as per the Management Board's terms of reference. The rationale behind this was to ensure that each scrutiny panel was represented at every meeting of the Management Board. The substitute member must have received the required finance training and be from the same political party as the member for whom they were substituting.

Resolved that Councillor Mrs Stephens is asked to be the panel nominated substitute for the Overview and Scrutiny Management Board and a substitute for the Vice Chair is nominated from the Labour Group.

17. **APPOINTMENT OF CO-OPTED REPRESENTATIVE**

The Chair sought the panel's opinion of co-opting representatives from the third sector.

Recommended to the Overview and Scrutiny Management Board that Colin Trend and Chaz Goldie are co-opted to the Customers and Communities Overview and Scrutiny Panel.

18. **TIMELINE FOR CONSULTATION FOR PLYMOUTH'S SPORTS FACILITY STRATEGY**

The Director for Community Services submitted a report providing details of the timeline for consultation for the Plymouth Sports Facility Strategy.

Members were informed that -

- (i) the draft Plymouth Sports Facility Strategy had been written after analysing the demand for sports provision within the city through discussions with national and regional governing bodies and other organisations including schools, the University, higher education and further education colleges and partners;
- (ii) the document was ready for wider consultation to others with an interest in the development of opportunities for sports and fitness in Plymouth;
- (iii) the strategy would be submitted to the panel at its meeting on 26 October 2009 for consultation.

Members put forward questions to which the following responses were provided –

- (a) preparation of the strategy had included meetings with the schools and governing bodies including the Football Association; the strategy would go out for public consultation on 19 October 2009;
- (b) the strategy would be published on the Council's website on 19 October 2009.

The Chair thanked the officer for his attendance.

The panel noted the need to hold a meeting on 26 October 2009, in order to scrutinise this matter.

Resolved that the panel agree the timeline for consultation for the Plymouth Sports Facility Strategy.

19. **UPDATE ON TACKLING ANTI SOCIAL BEHAVIOUR STRATEGY INCLUDING THE COUNCILLOR CALL FOR ACTION**

The Cabinet Member for Safer and Stronger Communities and the Anti Social Behaviour Manager presented the update report of the Director for Development and Regeneration on the Tackling Anti Social Behaviour Strategy including the Councillor Call for Action request made by Councillor Ball in respect of anti social behaviour problems in Compton Vale.

Members of the panel put forward questions, to which the following responses were provided

- (i) under the Regulatory Investigatory Powers Act 2000 the local authority was able to deploy covert camera equipment or human intelligence, for the purposes of preventing or detecting crime and disorder, where the subject was not likely to be aware of their presence, although the surveillance had to be necessary and proportionate; it had been reported that some local authorities had used covert techniques to inappropriately ascertain if parents lived in the catchment area for a particular school;
- (ii) Councillors in the neighbouring Ward of Efford had not been involved with the Councillor Call for Action request;
- (iii) Plymouth City Council had successfully used the new Closure Premises Order to 'close down' a flat where persistent anti social behaviour had been problem;
- (iv) there was a clear lack of understanding of the Councillor Call for Action process and procedure;
- (v) a robust service level agreement had been negotiated with Plymouth Community Homes;
- (vi) eviction (and other legal orders) was the last stage in the four step escalation process, if an individual or family were willing to engage with the 'family intervention project' then they would be given a limited tenancy agreement; however, if they did not continue with this support they could be evicted by the local authority who did not have a duty to re-house them; social services would be aware of any pending eviction if there were children involved;
- (vii) the escalation process formed part of the strategy which enabled individuals and families to gain access to services, however problems had been identified with gaining access to the more 'targeted' services;
- (viii) there were a wide range of services available to individuals and families that needed support; there was often an underlying reason why people acted in an anti social manner, such as domestic abuse, alcohol and drug misuse and mental health issues; enforcement was used to underpin the process if people were unwilling to engage with the support process;
- (ix) the Streetwise Project was deployed in areas that were at crisis point and areas identified as hotspots; the team comprised of specialist workers who engaged with young people who could be subject to or at risk of anti social behaviour orders;
- (x) limited funding was available to undertake work on the results of the place survey relating to national indicator 21 which related to how people perceived how well the police and council dealt with anti social behaviour.

The panel noted that the Councillor Call for Action had not been fully implemented as requested by the Overview and Scrutiny Management Board reflecting the lack of understanding and strategic approach for dealing with such requests.

Resolved that -

- (1) the Cabinet Member for Safer and Stronger Communities and the Anti Social Behaviour Manager are thanked for their report and the panel welcomes the fall in anti social behaviour incidents but recognised that this masked some variations within the City;
- (2) steps 2 and 3 providing the targeted services of the escalation process are included on the panel's work programme.

Recommended that the Overview and Scrutiny Management Board -

- (a) urgently considers the provision of a 'tool kit' outlining the process and procedures for a Councillor Call for Action request and that it is made available to all Members, departments and interested parties within the next committee cycle;
- (b) request the local strategic partners for resourcing to be made available for –
  - research on national indicators 17 and 21;
  - mapping of intergenerational work within the City and further resources to enhance its delivery.

20. **THE GAMBLING ACT 2005 - THREE YEAR REVIEW OF THE STATEMENT OF PRINCIPLES**

The Director for Community Services submitted a report on the Gambling Act 2005, three year review of the Statement of Principles.

Members were informed that –

- (i) the Council was required to review the Gambling Act statement of policy which remained in force for a period of three years; the policy review had to be completed in order to bring the new policy into force on 31 January 2010;
- (ii) a report would be submitted to the Cabinet containing the results of the consultation and the proposed policy once the scrutiny process and public consultation had been completed;
- (iii) the proposed policy would be submitted to Council on 30 November 2009; once approved the policy would be implemented on 31 January 2010.

Resolved that the report is noted.

21. **TWELVE MONTH REVIEW OF THE CUMULATIVE IMPACT POLICY**

The Cabinet Member for Safer and Stronger Communities, the Principal Environmental Health Officer and the Senior Environmental Health Officer (Safety, Health and Licensing) presented a report of the Director for Development and Regeneration on the 12 month review of the Cumulative Impact Policy.

Members of the panel put forward questions, to which the following responses were provided –

- (i) the consultation process had followed the prescribed guidance;
- (ii) off licenses or premises selling alcohol were not considered under the cumulative impact policy.



Resolved to recommend to Cabinet that -

- (1) the panel does not accept the conclusions of the consultation process and the existing policy would remain in place;
- (2) a full review should take place together with the three year licensing review for 2011.

## 22. **TASK AND FINISH GROUP LOCALITIES WORKING**

The Chair advised that the membership of the task and finish group for Localities Working had been confirmed as follows –

Councillor Fox  
Councillor Purnell  
Councillor Roberts  
Councillor Mrs Stephens  
Councillor Watkins  
Councillor Wildy

Resolved that the dates in the Project Initiative Document (PID) for Localities Working are revised to reflect the current timeline, as follows -

- 2 December 2009 Overview and Scrutiny Management Board
- 19 January 2010 Cabinet
- 1 February 2010 Council

## 23. **TRACKING RESOLUTIONS**

The panel received for its information a copy of the Tracking Resolutions schedule.

Resolved that the report is noted.

## 24. **WORK PROGRAMME 2009/10**

The Panel considered its work programme 2009/10.

Resolved that the work programme is noted.

## 25. **EXEMPT BUSINESS**

There were no items of exempt business.

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