

**CUSTOMERS AND COMMUNITIES  
OVERVIEW AND SCRUTINY  
PANEL**

4.00 pm, Monday 6 June 2011



**PLYMOUTH**  
CITY COUNCIL

**CONTACT**

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**TO COUNCILLORS**

Thompson (Chair), Peter Smith (Vice Chair), Mrs Bowyer, Browne, Churchill, Davey, Delbridge, Martin Leaves, Penberthy, Reynolds, John Smith and Vincent

**CO-OPTED REPRESENTATIVES**

Dr A Jellings

**VENUE**

Council House, Next to the Civic Centre

**Please note that unless the Chair agrees, mobile phones should be switched off and speech, video and photographic equipment should not be used during meetings.**

**AGENDA**

**Part I – Public Meeting**

- 1. NOTE CHAIR AND VICE CHAIR**
- 2. APOLOGIES**
- 3. DECLARATIONS OF INTEREST**
- 4. APPOINTMENT OF CO-OPTED REPRESENTATIVES**
- 5. MINUTES** (Pages 1 - 10)
- 6. CHAIR'S URGENT BUSINESS**
- 7. TERMS OF REFERENCE** (Pages 11 - 12)

8. **OVERVIEW OF PRIORITIES FOR COMMUNITY SERVICES AND CORPORATE SUPPORT (CUSTOMER SERVICES)**
9. **DRAFT WORK PROGRAMME 2011/12** (Pages 13 - 14)
10. **TRACKING RESOLUTIONS AND FEEDBACK FROM THE OVERVIEW AND SCRUTINY MANAGEMENT BOARD** (Pages 15 - 18)
11. **FUTURE DATES AND TIMES OF MEETINGS** (Pages 19 - 20)
12. **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 I 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 14 March 2011

### PRESENT:

Councillor Ball, in the Chair.  
Councillor Coker, Vice Chair.  
Councillors Mrs Beer, Mrs Bragg, Delbridge, Mrs Nicholson, Smith, Thompson (substitute for Councillor Martin Leaves) and Vincent.

Apologies for absence: Councillor Martin Leaves and Dr A Jellings (Co-opted Representative).

Also in attendance: Peter Aley (Assistant Director for Safer Communities), Councillor Bowyer (Cabinet Member for Finance, Property, People and Governance), Councillor Brookshaw (Cabinet Member for Community Services (Safer and Stronger Communities and Leisure, Culture and Sport)), Carole Burgoyne (Director for Community Services), James Coulton (Assistant Director for Culture, Sport and Leisure), Tony Hopwood (Programme Director), Councillor Michael Leaves (Cabinet Member for Community Services (Street Scene, Waste and Sustainability)), Sur Lorne (Service Improvement Manager) and Chris Randall (Finance Client Manager (Capital and Major Projects)).

The meeting started at 2pm and finished at 4.50pm.

*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.*

### 64. DECLARATIONS OF INTEREST

The following declaration of interest was made in accordance with the code of conduct in relation to items under discussion at this meeting –

Name	Subject	Reason	Interest
Councillor Mrs Beer	minute 74. Police Authority meeting	employed by Devon and Cornwall Police	personal

### 65. MINUTES

Agreed that the minutes of the meeting held on 20 January 2011 are confirmed as a correct record.

66. **CHAIR'S URGENT BUSINESS**

There were no items of Chair's urgent business.

67. **TRACKING RESOLUTIONS AND FEEDBACK FROM THE OVERVIEW AND SCRUTINY MANAGEMENT BOARD**

The Chair updated the panel on its tracking resolutions and provided feedback from the Overview and Scrutiny Management Board.

With regard to feedback from the Overview and Scrutiny Management Board meeting held on 26 January 2011, the panel was informed that –

- (a) the Devon and Somerset Fire and Rescue Service had invited scrutiny to participate in the consultation process on its corporate plan; members of the Overview and Scrutiny Management Board would consider this;
- (b) the Board had agreed the panel's recommendations to Cabinet relating to the overview of the Allotments Service and review of policing and safety following Plymouth Argyle football match against Exeter City;
- (c) in order to achieve consistency, the reporting format of councillors' attendance included within the quarterly reports would be changed;
- (d) following minor amendments, the budget and Corporate Plan 2011 scrutiny report had been agreed;
- (e) the Young Carers' in Plymouth task and finish group had been commended for their excellent work and were also congratulated on the comprehensive and excellent quality of the scrutiny report; the report would be submitted to Cabinet with the inclusion of an additional recommendation.

The panel noted its tracking resolutions.

68. **PLYMOUTH CITY COUNCIL LEISURE MANAGEMENT CONTRACT SELECTION OF THE PREFERRED BIDDER AND CONTRACT AWARD**

The Director for Community Services submitted a report on the Contract Award of Plymouth City Council's Leisure Management Contract. The panel was advised that –

- (a) the selection of the preferred bidder had been made by the Executive Programme Board; Cabinet would be requested to approve the award of the contract to the preferred bidder, Sports and Leisure Management Ltd, as a result of their submission of the most economically advantageous tender through the competitive dialogue process;
- (b) a business case had been approved by Cabinet on 15 July 2008 which identified that the three existing workforces (Plymouth City Council employees, Theatre Royal (Plymouth) employees and the Mayflower Leisure Trust II employees) would come together within the Plymouth Life Centre;
- (c) the Cabinet and Devonport Community Leisure Ltd had agreed that both Brickfields Sports Centre and the recreation ground facilities would be included in the Leisure Management contract;
- (d) if approved, Sports and Leisure Management Ltd would manage the following facilities on behalf of the Council –
  - Plympton and Mount Wise swimming pools
  - Tinside Lido
  - Brickfields Sports Centre and recreation ground
  - Plymouth Life Centre (Central Park leisure pools and the Mayflower Leisure Centre would close once the Plymouth Life Centre was opened in autumn 2011).

(The core fees and charging structure for the Plymouth City Council Leisure Management Contract together with information relating to the Council's priority community groups eligible for discounted rates was tabled at the meeting).

The following responses were provided to questions raised by the panel –

- (e) adult swimming would be charged at £3.80 per session (there would be no set time limit on each session but this would depend on the pool's programme); this remained the same as the existing arrangements across all the facilities;
- (f) the Plymouth Life Centre would provide an increased swimming provision to the City to that currently offered, the following facilities would be provided –
  - an Olympic sized 50 metre competition pool which could be divided by moveable booms to create three swimming pools (the smaller portion would be larger than Plympton pool);

- a diving pool;
  - leisure pool including flumes;
- (g) the Devon Audit Partnership had been fully engaged throughout the competitive dialogue process, attended meetings and had been consulted at every stage on procurement to ensure that it has been undertaken efficiently, effectively and transparently;
- (h) an undertaking was made to provide copies of the full pricing structure for all panel members;
- (i) the core fees would increase on an annual basis by the retail price index (RPIx) excluding mortgage interest payments which was the same as the existing arrangements;
- (j) it was highlighted that the pricing structure had been set at the maximum level of charges; the contractor could take a commercial decision to charge less;
- (k) the preferred bidder, Sport and Leisure Management Ltd currently operated over 60 leisure contracts across the country and had been awarded 'swimming provider of the year';
- (l) the pricing structure across all the facilities including Brickfields Sports Centre and recreation ground would be the same;
- (m) a response from Devonport Community Leisure Ltd regarding the proposals for Brickfields Sports Centre and the recreation ground facilities, was currently awaited.

The panel agreed to recommend to the Overview and Scrutiny Management Board that the following matters are referred to Cabinet –

- (1) to note the selection of the Preferred Bidder by the Executive Programme Board and to approve award of the Plymouth City Council Leisure Management Contract to Sports and Leisure Management Ltd, with the resolution of final clarification being delegated to the Programme Board;
- (2) to delegate authority to the Executive Board for the engagement of Sports and Leisure Management Ltd to develop and implement early mobilisation plans as facilitated by the procurement process;

- (3) to delegate authority to the Executive Board to consider whether any contract savings could be used to offset future life cycle replacement costs to meet the Sport England funding requirements of the Plymouth Life Centre; this would be dependent on the final contract price and the profiling of it for each year, and other Council priorities.

The panel agreed to recommend to the Overview and Scrutiny Management Board that it includes the Plymouth Life Centre and related leisure projects programme (including the leisure management contract) on its 2011/12 work programme.

69. **PLYMOUTH LIFE CENTRE AND LEISURE RELATED PROJECTS PROGRAMME UPDATE**

The Director for Community Services submitted an update report on the Plymouth Life Centre and leisure related projects programme. The update highlighted the following main areas –

- (a) programme governance;
- (b) programme work stream overview –
  - Plymouth Life Centre – progress;
  - Ice and associated facilities;
- (c) project manager's report.

The panel was advised that having taken into account the recent delays which had occurred with the adverse weather conditions and the utilities work, the project remained on target to be completed by autumn 2011 and was within budget.

The following responses were provided to questions raised by the panel –

- (d) with regard to the risks which had been identified within the project manager's report, there were no concerns that the project would not be completed on time or within budget;
- (e) overspend on other major projects could be mainly attributed to the client requesting works that were not part of the original contract; the panel was assured that the budget for this project was strictly monitored;
- (f) there was the possibility that an under spend on the contingency fund would be achieved; the aim would be to return this money to the capital programme at the end of the project.

The panel noted the report.

70. **PLYMPTON LIBRARY REPLACEMENT UPDATE**

The Director for Community Services submitted an update report on the replacement of Plympton Library. The update highlighted the following main areas –

- (a) it was proposed that the scheme would be overseen by the Plymouth Life Centre and Leisure Related Projects Executive Board and scrutinised by the panel and the Devon Audit Partnership;
- (b) planning permission had been obtained in December 2010 and copyright had been secured on the design, so that the Council could deliver on a design and build basis;
- (c) the design had been developed to ensure that when the tender was issued it would be supported by a full NBS specification and drawings; in order to achieve this a structural engineer had been appointed to undertake certain elements of work, particularly with regard to the drainage elements of the work;
- (d) a Pre Qualification Questionnaire (PQQ) had been issued and 13 expressions of interest had been received; the top five companies had been short listed to tender for the contract;
- (e) the programme was as follows –
  - return of tenders 1 April 2011
  - presentation/interview (optional) 5 April 2011
  - selection of successful tenderer 7 April 2011
  - estimated service commencement 26 April 2011

The following responses were provided to questions raised by the panel –

- (f) the model for the Executive Programme Board which had been adopted within Community Services would be replicated in other departments across the authority;
- (g) there was no intention to take over the responsibility of all capital projects across the authority via the Community Services Executive Programme Board;
- (h) Ward Councillors had been fully engaged in developing these proposals and would continue to be consulted through the process.



The panel agreed to recommend to the Overview and Scrutiny Management Board that the replacement for Plympton Library is included on its 2011/12 work programme.

71. **WASTE MINIMISATION AND RECYCLING HOUSEHOLD WASTE**

A briefing paper had been submitted on Waste Minimisation and Recycling Household Waste, which highlighted the following –

- (a) waste minimisation;
- (b) recycling and composting, including the main areas that had improved –
  - garden waste
  - household waste recycling centre
  - materials recovery facilities upgrade
  - trade recycling
- (c) recycling and composting;
- (d) benchmarking with other local authorities;
- (e) household participation;
- (f) further initiatives to increase recycling;
- (g) kerbside glass collection scheme.

The following responses were provided to questions raised by panel members –

- (h) the kerbside collection of green garden waste had been extended to 30,000 properties in 2010; however it was not currently economically viable to roll out the scheme across all properties in the City;
- (i) at present, the materials recovery facility (MRF) did not have the facility to sort or process glass (it would cost approximately £4m to upgrade the facility); work was currently being undertaken to assess a viable operational method to collect glass before a full cost benefit analysis was undertaken on the various options;
- (j) there was a determination to implement glass recycling and it was hoped that this could be achieved in 2012 but this would be dependent on an upgrade to the MRF;

- (k) in order to achieve the recycling rate of 43 per cent by 2019, educational work would continue (eg school visits, bus wraps, student packs, information disseminated via council tax bills);
- (l) the 'real nappy' initiative had been introduced to minimise the large amount of disposable nappies that were thrown away and ended up in landfill; the initiative had been well received within the City;
- (m) many supermarkets and other multi national organisations had signed up to the voluntary Courthauld Agreement to reduce packaging by 10 per cent.

72. **TASK AND FINISH GROUP - LOCALITIES WORKING (12 MONTH REVIEW)**

Following the joint task and finish group that had scrutinised Locality Working in November 2009, the Cabinet had agreed that this would be kept under constant review and requested that a scrutiny task and finish group was established 12 months after its implementation to formally review the progress.

The panel had previously received progress updates and considered and approved the evaluation criteria.

The panel agreed to recommend to the Overview and Scrutiny Management Board that the Project Initiation Document (PID) for Localities Working (12 month review) is approved.

73. **SAFE AND STRONG THEME GROUP UPDATE**

The panel noted the update from the Safe and Strong Theme Group.

74. **POLICE AUTHORITY MEETINGS**

The panel noted the February 2011 Chief Constable's report to the Police Authority.

(Councillor Mrs Beer declared a personal interest in this matter).

75. **WORK PROGRAMME**

The panel noted its work programme for 2010/11.

76. **EXEMPT BUSINESS**

Agreed that under Section 100A(4) of the Local Government Act 1972 to exclude the press and public from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act, as amended by the Freedom of Information Act 2000.

77. **PLYMOUTH CITY COUNCIL LEISURE MANAGEMENT CONTRACT  
SELECTION OF THE PREFERRED BIDDER AND CONTRACT AWARD  
(E3)**

The Director for Community Services provided a report on the contract award of the Plymouth City Council Leisure Management Contract.

The Director, Cabinet Members and officers responded to questions raised from the panel members.

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## **Customers and Communities Overview and Scrutiny Panel**

### **Terms of Reference**

- To review new and existing policies and consider how they may be improved and developed;
- To monitor the budget and performance of the Cabinet Member, Department and partners to ensure that the priorities for the area are being delivered upon;
- To monitor performance against the relevant Corporate Improvement Priorities;
- To review Policies within the Budget and Policy Framework;
- To consider Equality Impact Assessments against new and existing policies;
- To investigate local issues to find out how the council and its partners can improve to meet the needs of local people;
- To make recommendations about service delivery to the Cabinet (via the Board)
- To review and scrutinise the performance of partner organisations
- To set up Ad-Hoc Working Groups as and when required;
- To produce quarterly progress reports to go to the management board

### Policy areas

- Customer Services
- Environmental Services
- Safer Communities
- Leisure, Culture and Sport
- Environmental regulation
- Crime and Disorder (This Panel will take on the role of the Crime and Disorder Overview and Scrutiny Panel)

### Cabinet Members

- Community Services (Street Scene, Waste and Sustainability)
- Customer Services
- Community Services (Safer and Stronger Communities and Culture, Sport and Leisure)

### Directorates

- Community Services
- Corporate Support

### Corporate Priorities

- Monitor performance against the relevant corporate priorities

LSP Link

- Safe and Strong

Membership

The Chair of the Panel shall serve on the Overview and Scrutiny Management Board. The Customers and Communities Overview and Scrutiny Panel will be chaired by a Member of the majority political group with the vice-chair from the opposition political group. All Members of the panel will adhere to the general rules of Overview and Scrutiny.



<b>Work programme</b>	<b>J</b>	<b>J</b>	<b>A</b>	<b>S</b>	<b>O</b>	<b>N</b>	<b>D</b>	<b>J</b>	<b>F</b>	<b>M</b>	<b>A</b>
Safe and Strong Theme Group Update (Quarterly Report)											
Review of Policing and Safety at the Plymouth Argyle Football Match against Exeter City											
<b>Task and Finish Groups</b>											
Councillor Call for Action – Anti Social Behaviour in Compton Vale ( <b>not scrutinised in 2010</b> )											
<b>Other</b>											
Election Annual Review Update											
Councillor Call for Action Tool Kit Update ( <b>not scrutinised in 2010/11</b> )											
Quarterly Scrutiny Reports											
Joint Finance and Performance Monitoring including LAA Performance Monitoring (subject to the Overview and Scrutiny Management Board referring issues to the Panel) ( <b>not scrutinised in 2010/11</b> )											
<b>City and Council Priorities</b>											
Reduce Inequalities ( <b>not scrutinised in 2010/11</b> )											
Value for Communities ( <b>not scrutinised in 2010/11</b> )											

\* This/These items appear on the Work Programme for the first time.



**TRACKING RESOLUTIONS**  
**Customers and Communities Overview and Scrutiny Panel**

Date/Minute Number	Resolution	Explanation/Minute	Officer	Progress	Target Date
Min. 27 Life Centre and Related Projects Update	The panel <u>agreed</u> that the leisure management contract would be scrutinised in January 2011 prior to the award of the contract.		DSO	The leisure management contract will be scrutinised in March 2011 prior to the award of the contract. <b>COMPLETED</b>	March 2011
Min. 29 Task and Finish Group Anti Social Behaviour in Compton Vale	<p>The panel <u>agreed</u> the membership of the Task and Finish Group –</p> <p>Councillor Delbridge, Chair and Councillor Mrs Nicholson.</p> <p>Nominations from the Labour Group would be sought outside of this meeting.</p>		Lead Officer (Sue Warren) DSO	<p>The membership of the Task and Finish Group has been confirmed as –</p> <p>Councillor Delbridge, Chair Councillor Mrs Bragg Councillor Coker Councillor Mrs Nicholson</p> <p>Due to the forthcoming purdah period commencing on 25 March 2011, this matter will be considered post elections.</p>	June/July 2011

## Overview and Scrutiny Management Board

Date/min number	Resolution /recommendation	Explanation / Minute	Response	Explanation
<p>Min.68 Plymouth City Council Leisure Management Contract Selection of Preferred Bidder and Contract Award</p>	<p>The panel <u>agreed</u> to <u>recommend</u> to the Overview and Scrutiny Management Board that the following matters are referred to Cabinet –</p> <p>1. to note the selection of the Preferred Bidder by the Executive Programme Board and to approve award of the Plymouth City Council Leisure Management Contract to Sports and Leisure Management Ltd, with the resolution of final clarification being delegated to the Programme Board;</p> <p>2, to delegate authority to the Executive Board for the engagement of Sports and Leisure Management Ltd to develop and implement early mobilisation plans as facilitated by the procurement process.</p> <p>3, to delegate authority to the Executive Board to consider whether any contract savings could be used to offset future life cycle replacement costs to meet the Sport England funding requirements of Plymouth Life Centre; this would be dependent on the final contract price and the profiling of it for each year, and other Council priorities.</p>	<p>the panel received a report on the contract award of Plymouth City Council's Leisure Management Contract.</p>	<p>the Overview and Scrutiny Management Board agreed that all three recommendations of the panel were referred to Cabinet. <b>COMPLETED</b></p>	

Min. 68 contd	the panel <u>agreed</u> to recommend to the Overview and Scrutiny Management Board that it includes the Plymouth Life Centre and related leisure projects programme (including the leisure management contract) on its 2011/12 work programme.		the Overview and Scrutiny Management Board agreed the recommendation of the panel to include the Plymouth Life Centre and related leisure projects programme (including the leisure management contract) on its work programme for 2011/12. <b>COMPLETED</b>	
Min. 70 Plympton Library Replacement Update	the panel <u>agreed</u> to recommend to the Overview and Scrutiny Management Board that the replacement for Plympton Library is included on tis 2011/12 work programme.	an update on the progress of the replacement for Plympton Library was provided.	the Overview and Scrutiny Management Board agreed the recommendation of the panel to include the replacement for Plympton Library on its work programme for 2011/12. <b>COMPLETED</b>	
Min. 72 Task and Finish Group – Localities (12 Month Review)	the pane <u>agreed</u> to recommend to the Overview and Scrutiny Management Board that the Project Initiation Document (PID) for Localities Working (12 month review) is approved.	following the joint task and finish group that had scrutinised locality working in November 2009, the Cabinet had agreed that this would be kept under constant review and requested that a scrutiny task and finish group was established 12 months after its implementation to formally review progress.	the Overview and Scrutiny Management Board agreed to the project initiation document subject to the review being undertaken by the Board and the following –  1. the title of the review being changed to localities and neighbourhood working;  2. section 9 of the PID point 1 change success to progress;  3. section 9 of the PID point 2 include an additional bullet point partnership working  4. section 10 of the PID, councillors to be included as witnesses. <b>COMPLETED</b>	

**Grey** = Completed (once completed resolutions have been noted by the panel they will be removed from this document)

**Red** = Urgent – item not considered at last meeting or requires an urgent response

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**Future Dates and Times of Meetings**

The panel will be asked to note the dates of future meetings for the municipal year 2011/12. All meetings will commence at 4pm –

Monday 6 June 2011

Monday 18 July 2011

Monday 12 September 2011

Monday 24 October 2011 (Provisional)

Monday 21 November 2011

Monday 23 January 2012

Monday 12 March 2012

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