

# Overview and Scrutiny Management Board

Wednesday 7 September 2011

## PRESENT:

Councillor James, in the Chair.

Councillor Nicholson, Vice-Chair.

Councillors Mrs Aspinall, Browne, Coker, Lock, Lowry, McDonald, Stark and Wildy.

Co-opted Representatives: Doug Fletcher and Viv Gillespie.

Apologies for absence: Councillors Mrs Bowyer and Thompson.

Also in attendance: Chris Trevitt (Head of Capital and Assets), David James (Head of Strategic Projects), Graham Potter (Corporate Property Manager), Peter Ford (Head of Development Management), David Taylor (Strategy Co-ordinator – Planning Team), Tom Westrope (Spatial Planning Officer), Councillor Ricketts (Cabinet Member for Transformation, Performance and Governance), David Northey (Head of Finance), Patrick Hartop (Senior Policy, Performance and Partnerships Adviser), Giles Perritt (Lead Officer) and Katey Johns (Democratic Support Officer).

The meeting started at 2 pm and finished at 4.05 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.*

## 31. **DECLARATIONS OF INTEREST**

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

## 32. **CHAIR'S URGENT BUSINESS**

There were no items of Chair's urgent business.

## 33. **CALL-INS**

There were no call-ins for consideration at this meeting.

## 34. **FUTURE OF CIVIC CENTRE**

The Board received a presentation which –

- updated members on the options regarding the future of the Civic Centre following the soft marketing testing undertaken earlier this year;
- provided background to the issues around the Civic Centre site;
- detailed the assumptions that had been made;
- identified the options that were available;

- evaluated and risk-assessed those options to give a recommended way forward;
- established a timeline for refurbishment re-occupation.

In response to questions raised, Members were advised that –

- (a) the sale of Windsor House in the current market was not a viable financial option;
- (b) the accommodation strategy established the Council’s future requirements for office space and Windsor House, Midland House and part-occupation of the Civic Centre were considered to be the best-fit option;
- (c) the Council had looked at taking on the development itself and then selling the investment on once the building was fully occupied, however, this had been considered to be too much of a risk given that the expertise in this field lay within the private sector;
- (d) English Heritage were happy for a six-storey development to take place within the Council House car park but building on top of the Council House was not an option;
- (e) break-clauses would form part of the negotiations with the developer.

Whilst Members welcomed the informative presentation, concern was expressed by some that pre-decision scrutiny had not taken place on the matter and it was disappointing that scrutiny had not been able to influence the decision.

The Board thanked the officers for their attendance and proposed that an all-member briefing be held on the future of the Civic Centre.

35. **PROPOSED NON-IMMEDIATE ARTICLE 4 DIRECTION FOR HOUSES IN MULTIPLE OCCUPATION**

Councillors Lowry and Wildy queried whether the Cabinet decision on this matter had been taken. When it was confirmed that it had, both Members reiterated concerns raised at the end of the previous item, adding that to give the matter further consideration was a waste of both Member and officer time and resource. They then withdrew from the meeting.

The Board considered the report which –

- explained that, as a University City and a major urban area, Plymouth experienced considerable pressure in parts of the city for change of use from family dwellings to houses in multiple occupation;
- set out the existing situation in Plymouth;
- highlighted the changes to legislation relating to HMOs;
- explained the Article 4 Direction and detailed the recommended approach.

In response to questions raised, Members were advised that –

- (a) the areas identified for inclusion in the proposed Article 4 Direction were those where there was already a high concentration of HMOs, namely the City Centre, Mutley and Greenbank;
- (b) the Article 4 Direction would help to manage and control the distribution of future HMOs;
- (c) recent changes to housing benefit that increases the age before which an individual can receive payments towards unshared properties meant that there would be a potential demand in the near future for an estimated 900 individuals who will require approximately 150-300 HMO properties across the City;
- (d) the Article 4 Direction would not raise standards nor make landlords more responsible, however, the planning application process itself could influence future provision of amenity and internal living space;
- (e) there were other cities in the Country who were far more advanced in the process than Plymouth and Officers were monitoring their progress closely;
- (f) the costs of introducing an Article 4 Direction could be met by the current Planning Services revenue budget and the additional case load would be managed within the existing staffing structure.

The Chair thanked the officers for their attendance.

Agreed that –

- (1) Monitoring and implementation of the Article 4 Direction for house in Multiple Occupation be referred to the Growth and Prosperity Overview and Scrutiny Panel for inclusion in its work programme;
- (2) Members concerns at the lack of opportunity to engage in pre-decision scrutiny on this and the Civic Centre Options proposals be raised with the Leader and Chief Executive at the Board's next meeting on 21 September 2011.

(Councillors Lowry and Wildy withdrew from the meeting)

## 36. **JOINT FINANCE AND PERFORMANCE REPORT**

The Board considered the first monitoring report for 2011/12 which outlined the performance and finance monitoring position of the Council as at the end of June 2011.

In response to questions raised, Members were informed that –

- (a) many of the indicators were new and required significant levels of research and expertise to develop. Where departments were still developing baselines and targets, assurances were given that every effort would be made to

complete this work before the next quarterly report;

- (b) with regard to the number of young people not in Education, Employment or Training (NEET), the City was continuing to promote training up to the age of 18 and was using some pump-priming money from the DfE to look at ways of increasing participation;
- (c) the increase in time taken to process housing benefit applications was due to the increase in number of applications being received as a result the economic downturn;
- (d) the Council uses capital receipts as part of its funding streams. However, due to a mismatch on timing between receipts generated and receipt requirements, any temporary shortfalls need to be funded by short-term unsupported borrowing that would be financed from the Capital Finance Reserve or the working balance, until such time as additional capital receipts were generated.

Members were reminded that Panels should be receiving their respective performance area score cards for consideration.

Agreed that written responses be provided to the Overview and Scrutiny Management Board with regard to –

- (1) what was being done to improve the time taken to process new housing benefit claims;
- (2) how new schemes in the Capital Programme were being funded;
- (3) whether more imaginative ways of funding repairs and maintenance to the City's Victorian-style school buildings were being investigated;
- (4) clarifying the £0.234m forecast overspend in Environmental Services.

(Councillors Lowry and Wildy were absent for this item)

(The Vice-Chair took the Chair for part of this item)

### 37. **URGENT DECISIONS**

Members considered the two urgent decisions which had been taken in consultation with the Chair of the Overview and Scrutiny Management Board, namely –

- De-recognition of UNISON from Local Collective Bargaining Arrangements
- Plymouth City Council (PCC) as Guarantor for Flexible Support Fund Grant to Enterprise Plymouth Limited

Agreed that post-decision scrutiny be undertaken in respect of the De-recognition of UNISON.

(Councillors Lowry and Wildy were absent for this item)

38. **FORWARD PLAN ITEMS**

The Board considered new additions to the Forward Plan, namely –

- Contract Award: Single Homeless Hostel Support Service (Block Contract)
- Public Toilets Options
- Waste and Recycling Options
- Riverside Primary School Basic Need – Provision Through Existing PFI Contract
- Capital Investment Delivery for Marine Academy Plymouth and All Saints Academy Plymouth
- Events on the Public Highway
- Localities and Neighbourhood Working

The Chair reported that whilst Public Toilets Options was an issue for future consideration, the matter of immediate concern which had been addressed by Cabinet actually related to the refurbishment of the toilets in Armada Way.

Agreed that the Board's concerns at the late inclusion of new items in the Forward Plan with short timescales for decision-making be raised with the Leader and Chief Executive at its next meeting on 21 September 2011.

(Councillors Lowry and Wildy were absent for this item)

39. **EXEMPT BUSINESS**

Agreed that under Section 100(A)(4) of the Local Government Act, 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve 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.

40. **FUTURE OF CIVIC CENTRE (E3)**

The Board did not discuss the part II element of the Future of Civic Centre report.

(Councillors Lowry and Wildy were absent for this item)