

# Community & Housing Overview & Scrutiny Panel

## Minutes

6.00pm, Tuesday 2 September 2003  
Committee Room 1, The Council House  
Salisbury

### Present

#### C & H Panel Members

Councillor Mrs M I Evans (Chairman)  
Councillor P J Leo (Vice Chairman)  
Councillor Mrs P J Bissington  
Councillor Mrs P Brown  
Councillor Mrs E A Chettleburgh  
Councillor B E Dalton  
Councillors Mrs J A Green  
Councillor Mrs J M Greville  
Councillor M A Hewitt (Substituting for  
Councillor B M Rycroft)  
Councillor M J Osment  
Councillor P V H Paisey

### In Attendance

Tony Beer (Best Value Special Projects Officer)  
David Carter (Housing & Community Support Worker)  
Louise Cary (Principal Sports Development Officer)  
Arabella Davies (Democratic Services Officer)  
Debbie Dixon (Policy Director)  
Anne McConkey (Head of Personnel & Training)  
Andrew Reynolds (Head of Strategic Housing)  
Robin Townsend (Principal Leisure & Community Officer)  
Mark Wareham (UNISON Branch Administrator)

Councillor I Tomes was in attendance to speak on Agenda Item 7: Best Value Report of Services to Older and Vulnerable People

### Cabinet Members

Councillor J M Cole-Morgan (Portfolio Holder, Community and Housing)

### Tenants Panel

Councillors Mrs J Fazackerley and Mr A Southey

Apologies: Mrs D Jewell

### Minutes

**11. PUBLIC QUESTION/STATEMENT TIME** – There were no public questions or statements.

**12. MINUTES OF THE LAST MEETING** –

**RESOLVED** - That the minutes of the last ordinary meeting held on 2<sup>nd</sup> July 2003 be approved as a correct record and signed by the Chairman.

**13. DECLARATIONS OF INTEREST** – There were no declarations of interest or whipping arrangements.

**14. WORK PROGRAMME FOR 2003-2004**

The Panel considered the matter as set out under the Agenda Item 5.

#### **RESOLVED** –

(1) That the Panel concentrate on completing its current work load as follows:-

- Tackling Anti-Social Behaviour
- Housing Stock Option Appraisal
- Best Value Review of Balanced Housing Markets and Decent Homes

- Best Value Review of Services to Older and Vulnerable People
- (2) That if there is time later on in this municipal year, the Panel would like to undertake a review focusing on young people. The Panel acknowledged that this is a large subject involving substantial time and resources and would therefore require careful consideration.

(NOTE; The Programme will be referred to the Coordinating Committee for ratification in due course)

## **15. REVIEW OF MANAGEMENT OPTIONS FOR LEISURE SERVICES**

Further to the report and presentation considered at the last Panel meeting held on 2<sup>nd</sup> July, Members received feedback from the Principal Leisure and Community Officer following the consultation undertaken with those stakeholders as set out under Agenda Item 6. Comments from the Southern Area Committee and Wiltshire County Council were circulated at the meeting.

The following points were raised during consideration of this item:-

### **Whether a Company Limited by Guarantee (CLG) be the preferred Trust Model for delivering the NPDO**

1. The Panel considered the differences between the Company Limited by Guarantee (CLG) and the Industrial and Provident Society (IPS) as set out in Appendix 2 attached to the report. Members were not clear on the pros and cons of the two different structures.

The Principal Leisure and Community informed Members that PMP Consultancy had advised on a Company Limited by Guarantee because it was not clear how long the benefits enjoyed by "Exempt" Charities under the Industrial and Provident Societies Act 1965 would continue. Across the Country there was probably a 50-50 split between the two structures.

2. The Panel noted that a letter from Leisure Connection Ltd, the existing operator of the Five Rivers facility, indicated a preference for the IPS Trust Model.
3. The Panel considered the point that once Leisure facilities had been converted to Trust Status it would be very complicated to revert back to Local Authority Control. It could be a painful process with huge financial implications.

### **Which facilities and Services should the Trust initially embrace?**

4. The Panel considered the inclusion of Sports Development. Some members felt that this would represent an exciting part of the Trust's roles. If sports development was completely excluded, the Trust could perceive straightforward maintenance of leisure facilities and Sports Centres as rather sterile.

### **Views on Proposed Action Plan and Associated Timescales**

5. The Panel felt that at this time it did not have enough information to make a formal recommendation on the proposals.
6. In addition, Members had only received the response from Wiltshire County Council at the meeting and agreed that more time was required to consider this response.

As an initial response, Members noted that sports provision was not a priority for the County Council and were concerned that the District Council might be expected to shoulder all the financial costs associated with sports provision. The Panel suggested that if Trust Status was

adopted it might be more appropriate for the Trust to independently take on other sports facilities with the area, including Sports Centres currently owned by the County Council.

### **Re-investing Savings back into Service Improvement**

7. The Panel supported the view that if the long term vision of the Council is to provide sporting opportunities on an equal basis regardless of wealth, ability or location then savings had to be reinvested back into the service to enhance and improve what is currently being provided.

It was suggested that a minimum 60/40 split of savings be reinvested into Leisure Services. Another suggestion was that 100% of savings should be reinvested. The Panel recognised that it was impossible to reach a conclusion on this issue, at this stage in the process, and agreed that this matter required much further detailed consideration.

The Portfolio Holder for Community and Housing informed the Panel that a final decision on Trust Status was not anticipated until March 2004. Consequently, there was time for further detailed investigations to take place.

### **Implications for Staff**

8. The Panel was extremely concerned about the implications for existing staff. Members were not convinced that TUPE would provide staff with sufficient protection.

Mark Wareham, UNISON Branch Administrator informed the Panel that TUPE was a weak piece of legislation and offered no guarantee that the terms and conditions currently enjoyed by staff would remain unchanged. Mr Wareham suggested that if Trust Status was pursued, a Pre-Transfer Agreement should be drawn up.

Mr Wareham added that UNISON would prefer to see leisure services retained in house – staff did not really want to transfer and there was no evident demand from the local community for a change in the way the service was currently provided.

In light of these comments and the general consensus that no formal recommendation could be made to the Cabinet at this stage, the Panel:

**RESOLVED** – That the following comments be forwarded to the Cabinet for consideration:-

The Community and Housing Overview and Scrutiny Panel has considered the responses received from key stakeholders in relation to the Management Options for Leisure Services and requests that the following issues be brought to the Cabinet's attention:-

1. The preferred option for Leisure Services is still not clear to Members.
2. Many Members of the Panel do not feel convinced in relation to the benefits of Trust Status.
3. The focus should be on services provided rather than facilities outside the Council's control.
4. The Panel is concerned about the proposed timetable, which appears to be ambitious.
5. The issue of re-investing savings back into service-improvement is a fundamental issue that requires careful consideration. Members of the Community and Housing Panel would expect to see substantial reinvestment.
6. Implications for staff and how they can be protected must be thoroughly explored e.g. consideration of a Pre-Transfer Agreement if the Option of Trust Status is pursued.

7. District Councillor representation on the Trust Executive needs further exploration.

**16. BEST VALUE REPORT OF SERVICES TO OLDER AND VULNERABLE PEOPLE**

The Panel received a presentation from the Head of Strategic Housing on the key issues and an update on recent events in relation to the Best Value Report of Services to Older and Vulnerable People.

The Panel considered the first individual service issue as set out in the Executive Summary (previously circulated) relating to Shelter Housing Services. The recommendation contained in the report was as follows:-

“The Council should seek to reduce costs by examining the scope for “warden sharing” between schemes i.e. schemes would not all have a resident warden. Charges should be set at the benchmark average where consistent with the Supporting People regime.

The Council should continue to engage partners in the issues of more intensive use of Sheltered Housing, making clear that additional costs generated would need to come from resources outside the Council.”

At the discretion of the Chairman, Councillor Tomes spoke in connection with this item and informed the Panel that he objected to the proposal.

Mark Wareham, UNISON Branch Administrator informed the Panel that many Wardens work more hours than they are actually paid for. Although UNISON did not object to the principle of the recommendation, it was concerned about the imposition of longer working hours and additional duties.

**RESOLVED** – That the following comments be forwarded to the Cabinet:-

- (1) That whilst reluctant to accept warden sharing, the Panel recognises the pressures on the Service. The Panel wishes to reserve judgement at this time so that officers can prepare a strategy document detailing (a) possible options according to specific cases and (b) how the scheme can be preserved by increasing funding from other sources.
- (2) Due to the lateness of the meeting and the amount of business still to conclude, the Panel agreed that a **Special Meeting for 30<sup>th</sup> September** be arranged to consider the outstanding recommendations set out in the report. The meeting will be held in **Committee Room 1, commencing at 5pm.**

**NOTE – IT HAS BEEN NECESSARY TO RESCHEDULE THIS MEETING TO 7<sup>TH</sup> OCTOBER**

- (3) In light of recommendation (2), the Panel requests that the Cabinet postpone its consideration of the Best Value Report of Services to Older and Vulnerable people from its meeting on 24<sup>th</sup> September to a later meeting, to allow the Community and Housing Overview and Scrutiny Panel more time to consider this item.

**17. UPDATE ON THE SCRUTINY REVIEW OF TACKLING ANTI-SOCIAL BEHAVIOUR**

The Committee received a short update from the Chairman of the Panel, following the meeting of the anti social behaviour working group held on 30<sup>th</sup> July. The Chairman reminded Members that the next meeting would be held on 1<sup>st</sup> October.

The meeting closed at 9.00 p.m.