

Community Services Committee – 1 July 2004

.Minutes of the meeting of the **Community Services Committee** held on **1 July 2004** when there were present:-

Cllr R A Amner (Chairman)
Cllr Mrs L Hungate (Vice-Chairman)

Cllr K A Gibbs
Cllr T E Goodwin
Cllr G A Mockford
Cllr J M Pullen

Cllr S P Smith
Cllr Mrs M J Webster
Cllr Mrs B J Wilkins

VISITING MEMBERS

Cllrs C I Black, T G Cutmore and Mrs M S Vince.

APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllrs Mrs H L A Glynn and Mrs J R Lumley.

SUBSTITUTES

Cllrs J R F Mason and R A Oatham.

OFFICERS PRESENT

P Warren	- Chief Executive
R Crofts	- Corporate Director (Finance & External Services)
S Clarkson	- Head of Revenue & Housing Management
J Bourne	- Leisure & Contracts Manager
R Peacey	- Safety, Food & Regulation Unit Manager
M Martin	- Committee Administrator

ALSO ATTENDING

Inspector A Parkman – Rayleigh Division, Essex Police

279 MINUTES

The Minutes of the meeting held on 4 May 2004 were approved as a correct record and signed by the Chairman.

280 PROGRESS ON DECISIONS

The Committee received the Schedule relating to Progress on Decisions and in response to Member questions the following was noted:-

(1) Updates

Caravan Site Licensing (Minute 420/01)

The Corporate Director would respond back to Members of the Committee on the evaluation of the progress on improvements. (HHHCC)

Unfit House (Minute 462/02)

The Corporate Director would respond back to Members of the Committee on the length of time being allowed for improvements to be made. (HHHCC)

Woodland Strategy Resources (Minute 428/03)

The Woodlands & Environmental Officer is working with English Nature on the Environmental Liaison Officer post and a response is expected within the next two months. (CD(F&ES))

Old Ship Lane Toilets – First Resolution – Approval to demolish and develop Car Park, Rochford (Minute 429/03)

The toilets were now being demolished. (CD(F&ES))

Skateboard Facilities – Clements Hall (Minute 500/03)

A full scale skateboarding facility would include a range of ramps of different styles, rather than the single ramp currently in existence at this site.

Annual Vandalism Report (Minute 502/03)

Minute 502 included the decision that future reports would refer to the term 'criminal damage' rather than 'vandalism'. Discussions were continuing with the partners within the Crime and Disorder Partnership and a report would be brought back to Members in September with detailed actions. (CE)

Land – Worcester Drive/Warwick Drive, Rayleigh (Minute 504/03)

The Head of Legal Services would be requested to update Members on the latest position. (HRHM/HLS)

Disposal of Garage (Minute 505/03)

The Head of Legal Services would be requested to update Members on the latest position. (HRHM/HLS)

Rayleigh Windmill Heritage Lottery Bid (Minute 6/04)

The Windmill Sub-Committee would consider the way forward in the light of the response received from the Heritage Lottery Fund. (CD(F&ES))

Proposed St John Ambulance HQ – Hockley Community Centre (Minute 7/04)

The Corporate Director would update Members with the latest progress. (CD(F&ES))

Disposal of Commercial Premises – 126 High Street, Great Wakering (Minute 107/04)

The Head of Legal Services would update Members of the Committee with the latest progress. (HLS)

(2) Stock Option Appraisal Exercise (Minute 108/04)

Members noted that Cllr Mrs S A Harper wished to stand down from the Option Appraisal Management Board.

Resolved

That Cllr R G S Choppen replace Cllr Mrs S A Harper on the Option Appraisal Management Board and that Cllr P F A Webster replace Cllr R G S Choppen as a reserve Member.

Outstanding decisions would be carried forward.

281 ANTI-SOCIAL BEHAVIOUR ACT 2003 – GROUP DISPERSAL POWERS

The Chairman welcomed Inspector Parkman to the meeting, who outlined for Members the detail of the Anti Social Behaviour Act 2003 in respect of the introduction of group dispersal powers and sought agreement to their introduction at various locations within the district.

Members noted that:-

- in broad terms, this would give the Police the following authority:-
 - (a) if a constable in uniform had reasonable grounds for believing that the presence or behaviour of a group or two or more persons in a designated area had resulted, or was likely to result, in any members of the public being intimidated, harassed, alarmed or distressed, the constable may direct the persons in the group to disperse, or if their place of residence was not within the district, to leave immediately or by a specified time and not return within 24 hours.
 - (b) if persons under the age of 16 were found in a public place within the district and were not under the effective control of a parent or responsible person aged 18 or over they could be removed to their home.
- this piece of legislation would not introduce a curfew but would enable the Police to direct the offending persons to leave the area immediately or at a time chosen by the attending officer.
- the local authority must consent to their introduction.
- they must be advertised in the local press and/or signage placed in the designated areas.
- Community support officers would also have the powers of dispersal.

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- an Audit had been undertaken of areas across the district based upon:-
 - incidents of youth nuisance recorded by the Police between January 2002 and mid April 2004 involving, for example, underage drinking, criminal damage and low-level drug taking.
 - written communications from residents via e-mail and letter
 - written communications from Members and officers of the Council via e-mail and letter
 - written communications from Members of Parliament.
- in addition, account had been taken of a petition containing 970 signatures which had been received by the Police in respect of the Market Square, Rochford; two public meetings which had been held in Hawkwell and Rochford in respect of residents' concerns about youth nuisance and communications from local Chambers of Trade and the National Trust, with particular reference to Rayleigh Mount.

In response to Member questions/comments, it was noted that:-

- Rayleigh Mount would be included.
- If Members agreed to the areas outlined, the powers would be in force for 6 months, after which they would need to be considered again.
- Other areas could be included where a significant number of incidents were shown to be occurring. If so advised by the Police, the Chief Executive would consult with the Leader of the Council and the relevant Ward Members in order to grant consent.
- If offenders failed to carry out the directions of the Police they could be arrested.
- Police officers were undertaking training in the execution of these powers.
- Support agencies would be involved where necessary.
- These powers were designed to reduce the fear of crime that was greater than the actual incidents of crime recorded.
- A number of actions had been agreed following the Council's recent review of policies and services for young people and these would utilise a range of measures aimed at supporting young people. The Council would continue to support ventures that supported young people's work such as the annual citizenship debate and the work of the Essex Youth Assembly.
- This Committee felt that a review of the outcomes of these dispersal powers in 12 months' time would be appropriate.
- No additional resources would be available to execute these powers, but the Rayleigh division would look at trying to make a dedicated car available to police the areas where the dispersal powers were put in place.

A Member expressed the view that no account had been taken of the views of young people. The Police officer concurred with the view of Members that only a small minority of young people across the district were causing the type of youth nuisance that was causing distress to residents. He confirmed that there would be no compulsion to utilise these powers. Those engaging lawfully would have nothing to fear and the police officers would deal with

situations that arose both sensitively and appropriately in order to ensure that young people were not alienated.

The majority of Members present were in support of the introduction of dispersal powers, but Cllr J R F Mason wished it to be recorded that he did not support their introduction within the District.

Resolved

That this Council supports the introduction of Police Dispersal Powers at the following locations:-

Rayleigh

- The area bounded by High Street, Crown Hill, London Hill, Church Street, Bull Lane, Parklands Avenue, Queens Road, Nursery Close, Bedford Close, Daws Heath Road and Eastwood Road.
- Little Wheatley Chase, Bardfield Way and the grounds of Grange Community centre.
- Victoria Road (Fairview car park).

Hullbridge

- Ferry Road (including the Rose Garden) and Pooles Lane (including public car park).

Hockley

- Main Road, Spa Road, Station Approach and Plumberow Avenue.

Hawkwell

- Clements Hall Way, Clements Hall Leisure Centre grounds and Sweyne Avenue.

Rochford

- Area bounded by Dalys Road, North Street, Weir Pond Road, East Street, South Street, Bradley Way, West Street, Church Walk and section of Ashingdon Road. (CE)

282 HOUSING BILL

The Committee received the joint report of the Head of Revenue and Housing Management and Head of Housing, Health and Community Care, which outlined the key provisions of the Housing Bill which is currently passing through Parliament.

In response to Member questions, the following was noted:-

- should there be support for the amendments to the Tenancy Agreement to be discussed later on the agenda, consultation on Introductory Tenancies would be conducted via the Council's publication 'Your Home'.

- the Council's existing policy relating to rights of succession in heterosexual relationships where partners were not lawfully married, stated that a couple should have been living together for at least 6 months and this timescale would probably extend to cover the inclusion of same-sex couples.

Resolved

That appropriate publicity relating to the changes be agreed.
(HRHM/HHHCC)

283 AMENDMENTS TO TENANCY AGREEMENT

The Committee considered the report of the Head of Revenue and Housing Management which advised Members of the result of the consultation exercise which had been carried out following the Committee's earlier agreement to a number of changes in the Tenancy agreement.

Members agreed that as tenants had demonstrated a strong feeling against the proposal to make glazing their responsibility, this amendment should not be accepted. However, it was felt that a clause should be included relating to recharging tenants who, by their actions, cause deliberate, wilful or negligent acts of damage to glazing.

The Head of Revenue and Housing Management and his team of officers were congratulated on their efficiency in dealing with matters of concern raised by Members.

Resolved

- (1) That the tenancy agreement be not amended to include glazing becoming the responsibility of tenants, but a clause be introduced which clearly states that if breakages of windows are caused by the tenant, his family or visitors, due to deliberate, wilful or negligent acts, then a re-charge of the repair will be made.
- (2) That, following full consultation, all other proposed amendments to the tenancy agreement, agreed on 8 January 2004, be accepted. (HRHM)

284 HOUSING NEEDS STUDY

The Committee considered the report of the Head of Housing, Health and Community Care, which apprised Members of developments in the assessment of housing need and invited Members to consider the draft specification for a housing needs study.

Members noted that this was still "work in progress" and it was anticipated that it would be finalised by the middle of July. The survey work, as outlined in the report, would commence in August and should be completed by October 2004. The Office of the Deputy Prime Minister required the five

authorities within the Thames Gateway South Essex (TGSE) sub-region, which included Rochford, to strengthen their input into the regional housing strategy.

Resolved

- (1) That the draft housing needs study specification be agreed.
- (2) That this Council participates in a joint study with the other South Essex Local Authorities. (HHHCC)

285 FOOD SAFETY SERVICE PLAN

The Committee considered the report of the Head of Housing, Health and Community Care which invited Members to approve the Food Safety Service Plan.

Resolved

- (1) That the Food Safety Service Plan be approved.
- (2) That the production of all food law enforcement documents be completed by April 2006, together with the implementation of a peer review system. (HHHCC)

286 HEALTH AND SAFETY SERVICE PLAN

The Committee considered the report of the Head of Housing, Health and Community Care which invited Members to approve the Health and Safety Service Plan.

Members were in agreement that this item be deferred in order that it be considered in more detail by the Community Overview & Scrutiny Committee at its meeting to be held on 15 July 2004 in conjunction with its consideration of the report on the Security, Health and Safety of Sheltered Housing.

However, Members were advised that until the Health and Safety Service Plan was formally adopted by this Committee, it would be necessary to work according to the Action Plan appended to this report.

Resolved

- (1) That this report be considered by the Community Overview & Scrutiny Committee in conjunction with its consideration of the Security, Health and Safety of Sheltered Housing.
- (2) That officers work according to the action plan appended to the report until the Service Plan is formally adopted. (HHHCC)

287 PARK SPORTS CENTRE DESIGN UPDATE

The Committee considered the report of the Corporate Director (Finance & External Services) which provided Members with an update of the details of the basic layout of the new Park Sports Centre and approval to a formal planning application now being submitted, together with an updated programme for implementation.

Whilst Members expressed their thanks to officers for the success of this project to date, they were, nevertheless, disappointed that the anticipated opening date was now delayed from the original expectation to March 2006 and urged that officers maintain pressure to realise as early an opening date as possible. Disappointment was also expressed that no agreement had yet been reached with the Health Authority for a Healthy Living Centre.

Members requested that officers invite the developer to consider putting forward further money for the site to enhance the value of the homes being sold, and noted that the developer was already committed to the sum of £500,000 as a condition of the Section 106 agreement together with £50,000 for maintenance of the playing field area and £30,000 for drainage improvements at two of the Council's other recreation grounds.

Resolved

- (1) That the detailed plans of the new Park Sports Centre and its positioning on the site layout be agreed.
- (2) That the necessary permissions under planning and building control now be sought.
- (3) That the necessary tender documentation be prepared in order that the project can commence with the minimum of delay, once the necessary permissions are obtained.
- (4) That the Corporate Director (Finance & External Services) be authorised to enter into a formal agreement for the appointment of Holmes Place as project manager, including the engagement of consultants in connection with the design, planning and construction of the facility and the appointment of the successful building contractor, following the tender process, subject to the cost being within £3.296 million budget. (CD(F&ES))

288 HULLBRIDGE SPORTS AND SOCIAL CLUB – NEW LEASE

The Committee considered the report of the Corporate Director (Financial & External Services) which sought Members' agreement to a request received from Hullbridge Sports and Social Club, for a new lease for the land at Lower Road, Hullbridge.

Members were pleased to note that the club was thriving and had developed a large range of activities for its membership. In order to undertake a range of works to enhance the present facilities and to apply to some of the grant funding streams to support this, it was necessary to fulfil the requirement for a minimum of 10 years to be remaining of the club lease, rather than the existing 4 years left to run.

Resolved

That a new lease be granted to the Hullbridge Sports and Social Club for a term of 28 years at a market rent, and such other terms and conditions that the Head of Legal Services considers appropriate and with the provision that this be reviewed if at any time the actions of the lessee come into conflict with Council's interests. (CD(F&ES))

The meeting closed at 9.23 pm.

Chairman

Date