

Community Overview & Scrutiny Committee – 18 January 2005

Minutes of the meeting of the **Community Overview & Scrutiny Committee** held on **18 January 2005** when there were present:

Cllr T Livings (Chairman)

Cllr Mrs T J Capon
Cllr C J Lumley
Cllr P K Savill

Cllr D G Stansby
Cllr Mrs M S Vince
Cllr P F A Webster

APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr Mrs M A Starke.

OFFICERS PRESENT

A Bugeja	- Head of Legal Services
S Clarkson	- Head of Revenue and Housing Management
J Bourne	- Leisure & Contracts Manager
A Law	- Solicitor
D Upham	- Housing Projects and Policy Officer
M Martin	- Committee Administrator

ALSO ATTENDING

G Such	- Regional Manager, Serviceteam
D Lester	- Contract Manager, Serviceteam

12 MINUTES

The Minutes of the meeting held on 8 December 2004 were approved as a correct record and signed by the Chairman.

13 SERVICETEAM – GROUNDS MAINTENANCE UPDATE

The Committee received the report of the Corporate Director (Finance & External Services) introducing the latest grounds maintenance progress report. A Brief Operational Report covering the period from July to December 2004 had been despatched separately.

The following points were noted by way of an update to the report/response to Member questions:-

- Grass cutting had commenced this week in selected areas, following difficulties during the previous season and a mild winter which had left the grass particularly long for the time of the year.

- The work with Council officers to re-schedule the grass cutting rounds would be completed by the end of January so that they could be tested prior to the start of the new season.
- Technical problems had resulted in a questionnaire not being circulated to football clubs prior to the start of the current season. Once a format has been agreed with Council officers, the questionnaire will be sent out in June 2005.
- Leaf cuttings and prunings form the green waste from the grounds maintenance contract, for which there are no recycling credits. Serviceteam intend to try and expand the recycling to include grass cuttings and seedings and details around this will be included in the next report to this Committee.
- The NVQ training which is being planned for the 22 horticultural operatives will involve on-site training and will not incur any cost to the Council.
- Serviceteam representatives noted the concerns of Members relating to the refuse contract, specifically relating to hazards caused with refuse bins/vehicles and agreed to tackle these issues.

14 INTERMEDIATE CARE FACILITY – SPA COURT

The Committee considered the report of the Head of Revenue and Housing Management inviting Members to consider a progress report on the provision of an intermediate care facility at Spa Court, Hockley.

Members noted that the position was still unchanged in that no tenants had been identified for the intermediate care facility that the Council had provided at Spa Court, Hockley in response to an initial request from the Primary Care Trust (PCT) in November 2002. This was despite the fact that four categories of tenant other than 'delayed release' had been explored.

The facility, which is situated on the ground floor, has only been used on two half-days by the PCT for training purposes as the Council had spent £9,500 in refitting the flat so that it would be suitable for special needs tenants.

The Head of Service advised that if, as expected, the PCT do not renew the lease, officers would look at identifying a suitable tenant on the sheltered housing register who could take advantage of the aids/adaptations that were in place or include in the schedule of re-converting warden flats to one-bedroom flats.

Members expressed annoyance that no use had been made of this facility and on a Motion moved by Cllr P F A Webster and seconded by Cllr P K Savill it was recommended that the Council ask the PCT to repay £9,500. The Head of Service agreed to advise the Committee of the response to this request.

Recommended to the Community Services Committee

That the Primary Care Trust be requested to repay to the Council £9,500, which had been paid in response to the PCT's request to provide an intermediate care facility, which the PCT had subsequently failed to utilise. (HRHM)

15 PETS IN SHELTERED ACCOMMODATION

The Committee considered the report of the Head of Revenue and Housing Management advising Members of the progress towards allowing tenants in sheltered accommodation to keep companion animals.

During consideration of the report, Members noted that:-

- Currently there are 7 people on the housing register who have pets; of these 4 are on the deferred list and do not want accommodation at present.
- The bungalows or self-contained flats that could be identified for pet owning tenants would be those that were not part of a communal block.
- The Dengie Project Trust had been established in 1994 following an identified need to develop a comprehensive range of Day Care and Support Services for Older People and their Carers in the Maldon District. One of the services involved a Pet Support scheme. Details of the Trust and its services were circulated to Members and officers would investigate whether this Council could encourage the development of a similar service.
- This procedure would support the work of the Animal Welfare Charter.

A reference was made to the Anchor Housing Association policy on accepting pets into sheltered housing. This was seen as a model suitable only for certain sheltered housing tenures and may not suit the Council's delivery model.

Members agreed an amendment to the first part of the resolution, to provide greater clarity.

Recommended to the Community Services Committee

- (1) That tenants of communal sheltered accommodation be not allowed to keep pets, save with the prior written approval of the Council; each application for approval to be at the absolute discretion of the Council and to be considered on its individual merits having regard in particular to the suitability of the accommodation, the nature and size of the pet and the interests of its other tenants.

- (2) That the Policy remains unaltered and that Scheme Managers be encouraged to keep larger pets.
- (3) That pet owning applicants on the Sheltered Housing Register attract one additional point when being considered for linked bungalows and self-contained flats as part of the sheltered housing complex. (HRHM)

16 ANTI-SOCIAL BEHAVIOUR POLICY & PROCEDURES

The Committee considered the report of the Head of Revenue and Housing Management which invited Members to give consideration to the new Anti-Social Behaviour Policy & Procedures which had been appended.

Members congratulated the officer on her excellent piece of work; in particular its clear and concise coverage of every eventuality.

The following amendments to the document were agreed:-

- The inclusion of the word 'reasonably' after the words 'children playing' in a bullet point on page 2 of the document.
- The substitution of the words 'treated seriously' in place of 'justified' in a bullet point on page 2 of the document.

Members were of the view that as there are low ethnicity levels within the District and no reports of racial harassment, the document provided too much detail within the section entitled 'Racial Harassment' on page 5 and recommended that the last two paragraphs of the section be deleted in their entirety.

The Head of Service advised that the Council was required as a result of the Race Relations Act 1976 and the Race Relations Amendment Act 2002 to have a policy in place to deal with this type of harassment, should it ever arise and that this section was intended to be a summary only with the full detail included in Appendix 3. He concurred with the view of another Member that, by way of clarity, the last sentence which reads: "The full policy on Racial Harassment can be found in Appendix 3." ought to be retained.

On a Motion moved by Cllr P F A Webster and seconded by Cllr D G Stansby, Members agreed to recommend to the Community Services Committee that the whole of the final two paragraphs be deleted including the final sentence.

Recommended to the Community Services Committee

That the draft Anti-Social Behaviour Policy & Procedures be agreed, subject to the following amendments:-

- The inclusion of the word 'reasonably' after the words 'children playing' in a bullet point on page 2 of the document.

- The substitution of the words ‘treated seriously’ in place of ‘justified’ in a bullet point on page 2 of the document.
- The deletion of the final two paragraphs within the section entitled ‘Racial Harassment’ on page 5 of the document. (HRHM)

17 BYE LAWS TO REGULATE SKATEBOARDING

The Committee considered the report of the Head of Legal Services providing an update on the consideration of byelaws to regulate skateboarding.

Members noted that the Police were satisfied that within the Anti-Social Behaviour Act 2003, they have adequate powers to deal with any nuisance arising from skateboarding activity in the High Street and other areas of the District, and could not support the introduction of byelaws.

Complaints regarding skateboarding activities were presently centred on noise nuisance arising from the use of the skate ramps in King George's Playing Field.

Members requested that a detailed report be brought to this Committee relating to these complaints and the issue of noise nuisance emanating from the skate ramps in King George's Playing Field

Recommended to the Community Services Committee

- (1) That no further action be taken at the present time to introduce byelaws to regulate skateboarding. (HLS)
- (2) That a report be brought back to this Committee on the current position regarding complaints of noise nuisance associated with the use of the skateboard facility in King George's Playing Field. (HHHCC)

The meeting closed at 8.50 pm.

Chairman

Date