

SCRUTINY BOARD (ENVIRONMENT AND NEIGHBOURHOODS)

MONDAY, 16TH MARCH, 2009

PRESENT: Councillor B Anderson in the Chair

Councillors A Blackburn, A Castle,
B Cleasby, D Coupar, A Gabriel,
D Hollingsworth, G Hyde, G Kirkland,
J Marjoram and L Mulherin

100 Chair's Opening Remarks

The Chair welcomed everyone to the March meeting of the Scrutiny Board (Environment and Neighbourhoods).

101 Declarations of Interest

The following personal interests were declared:-

- Councillor B Anderson in his capacity as a Director of West North West Homes (Agenda Items 9 and 10) (Minutes 106 and 107 refer)
- Councillor A Blackburn in her capacity as a Director of West North West Homes (Agenda Items 9 and 10) (Minute 106 and 107 refer)
- Councillor D Coupar in her capacity as a member on the Belle Isle North Estate Management Board (Agenda Items 9 and 10) (Minutes 106 and 107 refer)
- Councillor A Gabriel in her capacity as a member on the Beeston Hill and Holbeck Regeneration Board (Agenda Items 9 and 10) (Minutes 106 and 107 refer)
- Councillor D Hollingsworth in his capacity as a Director of East North East Homes (Agenda Items 9 and 10) (Minutes 106 to 107 refer) and as a Member on the Aire Valley Neighbourhood Renewal Board (Agenda Item 13) (Minute 110 refers)
- Councillor G Hyde in his capacity as a Director of East North East Homes (Agenda Items 9 and 10) (Minutes 106 and 107 refer)
- Councillor J Marjoram in his capacity as a member on the Outer West Area Panel (Agenda Items 9 and 10) (Minutes 106 and 107 refer)

102 Apologies for Absence

An apology for absence was received on behalf of Councillor M Rafique.

103 Minutes of the Previous Meeting

RESOLVED – That the minutes of the meeting held on 9th February 2009 be confirmed as a correct record.

104 Executive Board - Minutes

A copy of the Executive Board minutes of the meeting held on 13th February 2009 were submitted for the information/comment of the meeting.

Councillor A Blackburn referred to the item 'Council Budget 2009/2010 and Capital Programme' (Minute 189 refers) and sought clarification on resolution (ii)(d) which recommended the Council to abolish the **Residential Housing Officer Service Charge** in the East North East and Aire Valley ALMO areas for 2009/2010 onwards.

At the request of the Chair, Councillor G Hyde, in his capacity as a Director of East North East Homes, provided the Board with the relevant background information.

RESOLVED – That the minutes of the Executive Board meeting held on 13th February 2009 be received and noted.

105 EMAS Audit of Municipal Recyclate Destinations

The Head of Sustainable Development submitted a report on the outcome of a recent EMAS audit of municipal recyclate destinations.

The purpose of the report was to identify specific requirements relating to the recycling of municipal waste, demonstrate how **Eco Management and Audit Scheme (EMAS)** can help maintain compliance and to inform Scrutiny of recent external audit conclusions.

Andrew Mason, Chief Environmental Services Officer was in attendance and responded to Members' queries and comments:-

In summary, specific reference was made to the following issues:-

- clarification of the actual figure recycled (i.e. 32%) in relation to municipal waste
(The Chief Environmental Services Officer responded and confirmed that this was the figure achieved to date and that the Council had already exceeded its overall target, which was 30%)
- the reasons why the John Charles Sports facility had not connected a wind turbine which was available on site
(The Chief Environmental Services Officer responded and agreed to follow up this issue and report back to the Board)
- the need to educate the media in relation to the recycling measures in place
(The Board supported this recommendation)

RESOLVED –

- (a) That the contents of the report be noted.
- (b) That this Board notes the findings of the EMAS audit and recommends the wider use of the EMAS audit process to:-
 - demonstrate the effectiveness of current processes;
 - identify gaps in existing processes and recommend improvement

106 Recommendation Tracking

The Head of Scrutiny and Member Development submitted a report on tracking quarterly progress with previous Scrutiny recommendations.

Appended to the report were copies of the following documents for the information/comment of the meeting:-

- (a) Appendix 1- Recommendation tracking flowchart and classifications:-
Questions to be considered by Scrutiny Boards
- (b) Appendix 2 - Recommendation Tracking – Progress Report (March 2009) which focused on the following previous Scrutiny Inquiries:-
 - Inquiry into Anti-social Behaviour Interventions (2005)
 - Inquiry into Affordable Housing (2006)
 - Lettings Inquiry (2008)
 - Inquiry into CO2 emissions (2008)

The following officers were in attendance and responded to Members' queries and comments:-

Harvinder Saimbhi, Public Safety Manager
John Statham, Strategic Landlord Manager
George Munson, Climate Change Manager

For ease of reference, the Chair went through Appendix 2, page by page, inviting Board Members to comment on the status categories 1-6 in respect of each recommendation, following which, the individual comments were duly noted and recorded by the Principal Scrutiny Adviser.

Arising from discussions, where timescales for implementing the recommendations were not adhered to, Board Members agreed to assign a Category 5 status to those recommendations and that these would continue to be monitored.

In summary, specific reference was made to the following issues which sought clarification or further action:-

Inquiry into Anti Social Behaviour Intervention

- Recommendation 12 – the concerns expressed that Ward Members had not been informed in relation to Anti Social Behaviour monthly reports and that a two way sharing of information was essential rather than relying upon Elected Members to view reports via the Council's intranet system
- Recommendation 18 – clarification of Area Committee funds being used for the **Truancy Watch Team** in the East of the city

Inquiry into Affordable Housing

- Recommendation 7 – concerns were expressed that Ward Members were not always being consulted when decisions were being made around development sites. The recreation site at Brown Lane (East) was given as an example
(The Strategic Landlord Manager responded and agreed to follow up this issue and report back to the Board via the Principal Scrutiny Adviser)

Inquiry into Lettings

- Recommendation 2(ii) – clarification was sought on why the briefing sessions on the updated Lettings Policy had been delayed
(The Strategic Landlord Manager responded and explained that one of the reasons was the delay in producing the Members Handbook on the Lettings Policy, which would be part of the briefing)
- Recommendation 2(ii) – the need for such briefing sessions to be undertaken during the evenings as well as lunchtime
(The Strategic Landlord Manager responded and confirmed that this would be reported back to the Member Development Team who were planning the sessions)
- Recommendation 9(i) – the need for the Board to receive an update report on the levels of under-occupancy across Council housing stock and for a breakdown of areas in relation to the 100 customers that had applied to downsize due to under occupancy
(The Strategic Landlord Manager responded and agreed to supply the above information to the Board via the Principal Scrutiny Adviser)
- Recommendation 9 (i) – the need for the Council to continue with customer profiling to help alleviate difficulties in finding suitable alternative accommodation for customers who have applied to downsize
- Recommendation 11(i) – the need to do more to promote mutual exchanges whilst also acknowledging the development of IT solutions

Inquiry into C02 emissions

- Recommendations 4, 5 and 6 – whilst acknowledging the progress made, Members noted that work was still ongoing to achieve these recommendations and therefore the Board agreed to continue monitoring them

RESOLVED –

- (a) That the contents of the report and appendices be noted.
- (b) That the status of the recommendations be updated to reflect the decisions made by the Board.

107 **Miscellaneous Properties**

Referring to Minute 44 of the meeting held on 13th October 2008, the Director of Environment and Neighbourhoods submitted a report presenting a further update on the numbers and occupation levels of miscellaneous properties belonging to the Council which were not within the ALMO portfolios.

The following officers were in attendance and responded to Members' queries and comments:-

John Statham, Strategic Landlord Manager
Laura Kripp, Asset and Development Manager

Detailed discussion ensued on the content of the report and appendices. The Board sought further clarification on the latest position of the 353 miscellaneous properties vested with Environment and Neighbourhoods.

In summary, reference was made to the following issues:-

- the involvement of Legal Services in progressing with the renewal of the lease agreements
- the need for capital investment to bring the returned properties up to the **Decent Homes Standard**
- to learn from previous experience and for future leases to stipulate that properties would be required to meet a certain standard before being returned to the Council
- to liaise with Legal Services on whether tenants themselves could be made liable for any damage to property rather than just the leaseholders
- for the Board to receive a monitoring report on miscellaneous properties in June/July 2009

RESOLVED –

- (a) That the contents of the report and appendices be noted.
- (b) That the Strategic Landlord Manager be requested to prepare a monitoring report on miscellaneous properties for consideration by the Board in June/July 2009.

108 **Sustainable Communities Act**

The Head of Scrutiny and Member Development submitted a report on the Sustainable Communities Act and its implications for Leeds.

Dylan Griffiths, Policy Manager was in attendance and responded to Members' queries and comments.

Specific reference was made to the inability of refuse/street sweeping vehicles carrying out their duties as a result of parked cars causing an obstruction. A suggestion was made for the Council to explore, within the **Traffic Management Act 2004**, whether any enforcement powers could be given to the Council to address such problems.

In addition to the above issue, the Chair invited Board Members to forward any further comments to the Policy Manager for inclusion in a report due to be considered on this issue by the Executive Board in May 2009.

RESOLVED –

- (a) That the contents of the report be noted.
- (b) That the Principal Scrutiny Adviser be requested to follow up the suggestion made by the Board with the Policy Manager.

109 Enforcement of Dog Fouling

The Head of Scrutiny and Member Development submitted a report presenting a monthly update on the enforcement of dog fouling across the city.

Specific reference was made to the following issue:-

- the Board requested an explanation of why there had been only 5 fixed penalty notices issued arising from 572 service requests in January 2009. It was considered that more enforcement resources and flexible working arrangements would help to increase the number of Fixed Penalty Notices issued and that this matter had already been raised within the Board's Statement on the Enforcement of Dog Fouling (*The Principal Scrutiny Adviser responded and agreed to consult the Head of Environmental Action and Parking on this issue and report back to the Board*)

RESOLVED – That the contents of the report and appendices be noted.

110 Inquiry into EASEL - Draft Terms of Reference

Referring to Minute 91 of the meeting held on 9th February 2009, the Head of Scrutiny and Member Development submitted a report on the draft terms of reference for the Board's forthcoming inquiry into the East and South East Leeds (EASEL) Regeneration Scheme.

Appended to the report was a copy of a document entitled 'Scrutiny Board (Environment and Neighbourhoods) Inquiry into the East and South East Leeds (EASEL) Regeneration Scheme – Draft Terms of Reference' for the information/comment of the meeting.

Stephen Boyle, Chief Regeneration Officer was in attendance and responded to Members' queries and comments.

In summary, specific reference was made to the following issues:-

- the need for Scrutiny to consider the procurement and governance arrangements in place for EASEL. Whilst not wanting to duplicate the work of the Corporate Governance and Audit Committee or to consider issues outside of the Board's portfolio, the Board agreed to make referrals to the Corporate Governance and Audit Committee and

Central and Corporate Functions Scrutiny Board on this matter with a view to also exploring joint working arrangements

- the Board considered the comments of the Executive Member for Neighbourhoods and Housing and sought clarification of the remit and membership of the **EASEL Steering Group**
(The Chief Regeneration Officer explained that these details were set out within the report submitted to Executive Board on 11th June 2008. The Board requested a copy of this report)

RESOLVED –

- (a) That the contents of the report and appendices be noted.
- (b) That approval be given to the terms of reference for the Board's forthcoming inquiry into the East and South East Leeds (EASEL) Regeneration Scheme.
- (c) That the Chair writes to the Chairs' of Corporate Governance and Audit Committee and Central and Corporate Functions Scrutiny Board regarding the Board's referral on this matter.
- (d) That this Board notes the confirmation that a working group meeting had been scheduled for Monday 6th April 2009 to consider evidence in line with session one of the Board' inquiry.

111 Current Work Programme

The Head of Scrutiny and Member Development submitted a report on the Board's current work programme.

Appended to the report were copies of the following documents for the information/comment of the meeting:-

- Current work programme (Appendix 1 refers)
- Forward Plan of Key Decisions for the period 1st March 2009 to 30th June 2009 (Appendix 2 refers)

RESOLVED – That the contents of the report and appendices be noted.

112 Date and Time of Next Meeting

Monday 20th April 2009 at 10.00 am. (Pre-meeting for Board Members at 9.00 am*) (*Please note revised time of Pre-Meeting)

(The meeting concluded at 11.30am)