

COMMUNITY SERVICES SCRUTINY AND PERFORMANCE PANEL

Thursday 18 February 2010 at 6.00pm

Panel Members Present Councillor L. Harrison (Chair)
Councillor C. Creaney (Vice-Chair)
Councillor K. Aftab
Councillor P. Bott
Councillor D. Pitt
Councillor M. Pitt
Councillor I. Robertson
Councillor I. Shires

Co-opted Members Present Councillor E. Hughes – West Midlands Police Authority

Officers Present Jamie Morris – Executive Director – Neighbourhoods
Judith Sunley – Head of Public Protection
Paul Rooney – Environmental Health Manager
Bob Scrivens – Area Planning Manager, West
Mark Skidmore – Building Control Manager
Lorraine Boothman – Senior Principal Trading Standards Officer
Steve Hough – Group Accountant
Craig Goodall – Acting Principal Scrutiny Officer

67/09 APOLOGIES

Apologies were received on behalf of Councillor G. Perry, Portfolio Holder for Communities and Partnerships.

68/09 SUBSTITUTIONS

There were no substitutions for the duration of the meeting.

69/09 DECLARATIONS OF INTEREST AND PARTY WHIP

There were no declarations of interest or party whip.

70/09 MINUTES

RESOLVED:

That the minutes of the meeting held on 18 January 2010, copies having been previously circulated, be approved as a true and accurate record.

71/09 ENFORCEMENT AND PRIVATE PROPERTY

Members were informed of the regulatory tools available to the Council to use in tackling environmental crime involving private properties.

The Environmental Health Manager outlined the resources, legislation and current enforcement problems to the Panel. Members requested a further breakdown of the legislation.

The following are the principle points from the ensuing discussion:

- The Council could enforce works, such as boarding up a property, after giving notice to the owner asking for the work to be completed themselves. If the work was not completed by a specified date then the Council would complete the necessary work.
- It was possible to claim costs for work the Council completed on a property, for example to make it safe, back. Different pieces of legislation allowed the money to be claimed back in different ways, either through pursuing the property owner or putting a charge onto the property. In either case it was a long winded and difficult process to claim the money back.
- Section 77 on the Building Act 1974 provided provision to demolish dangerous or derelict properties once certain conditions had been met. Members were supportive of tough enforcement, such as demolition and enforced sales, as they believed it would encourage owners of problem properties to fulfil their obligations and make their properties safe. It was noted that demolition and enforced sale of properties was not a short term solution to problems as it would take a substantial amount of time to secure the necessary permissions to complete these methods of enforcement.
- It was potentially possible to use a compulsory purchase order (CPO) to secure a derelict or dangerous property and then sell it onto a developer to bring it back into use. It would be desirable to have a partner in mind before the Council considered used its CPO powers.
- The Panel were informed that the trial scheme by Streetpride for the removal of graffiti would be provided one day a week on a rotation basis across the new neighbourhood management areas.
- It was noted that it was undesirable to serve enforcement notices on the owners of occupied homes to clear graffiti from their properties when they had been a victim of crime.
- Members also stated that clean-up days operated by partners should be co-ordinated with Council based activity. Members were informed that it was hoped the still being designed 'Neighbourhood Intelligence Community Engagement' process would address this.
- There was potential to engage offenders completing community sentences in certain types of work through the community payback scheme.
- Planning conditions were only effective once development work had commenced.
- Training and awareness sessions on enforcement related issues was

suggested for all Members.

- Graffiti removal kits were available for street champions. The street champion scheme was currently being refreshed to establish which champions were still active.
- The sale of marker pens and spray cans was limited to over 16's but often they were stolen by those who created graffiti.
- Covert CCTV was being introduced in some bus shelters to reduce vandalism.
- Domehawk camera footage could be used as evidence in court.

The Vice-Chair thanked the Public Protection Team for all the good work that they did for the borough.

RESOLVED:

That:

- 1. the report be noted;**
- 2. the Panel support the trial to be commenced in April by Streetpride with limited resource which will focus in the removal of graffiti on private residential properties and, subject to a positive evaluation of the trial upon completion, support the mainstreaming of the service;**
- 3. the Panel support a proposed pilot to use Section 79 of the Building Act 1984 to tackle troublesome property;**
- 4. the Panel support the pilot currently being undertaken by the Void Property Group sub-group to employ an Enforced Sales Procedure to enable the Council to force the sale of properties in cases where it has paid for works in default of the owner who is unwilling to act or repay the debt;**
- 5. the Panel consider the outcome of the proposed pilot schemes during 2010/11;**
- 6. further work to improve the co-ordination of neighbourhood clean up events across partners should take place;**
- 7. training for all Members on enforcement should be provided;**
- 8. a flowchart of case studies and examples of when the Council would choose to use its different enforcement powers be provided to Members;**
- 9. Councillor Aftab be contacted with his specific problems in relation to graffiti;**

and;

- 10. the Panel consider an item on the Community payback scheme, including the involvement of the Probation Service, at a future meeting.**

72/09 REVENUE & CAPITAL MONITORING – 2009/10 THIRD QUARTER FORECAST

Members were informed of the predicted revenue and capital outturn position for 2009/10, based on the performance for quarter 3 (April to December 2009), for services within the remit of the Panel.

The Group Accountant reported that the financial position for services within the Panels remit was a net revenue under spend of £118,000 and a capital under spend of £1,968,000.

Members asked questions about the details in the appendices to which replies outside the meeting were agreed.

RESOLVED:

That:

- 1. Councillor Creaney be informed of the scheme that took place in Willenhall Memorial Park that required a capital contribution from Walsall Council;**
- and;**
- 2. Councillor Bott be informed of the make up of the financial contribution of the capital allocation to Kings Hill park improvements.**

73/09 ALOCOHOL RELATED ANTI-SOCIAL BEHAVIOUR WORKING GROUP – TERMS OF REFERENCE

The Panel considered the terms of reference, membership and appointment of a lead member for the Alcohol Related Anti-Social Behaviour Working Group (AWG).

Councillor Robertson introduced the terms of reference enclosed in the agenda papers and explained that the reduced focus of the AWG was due to time constraints in completing the investigations by the end of the municipal year.

RESOLVED:

That:

- 1. the terms of reference for the alcohol related anti-social behaviour working group be approved;**

2. Councillor Eddie Hughes be appointed to the Alcohol related Anti-Social Behaviour Working Group as a representative of West Midlands Police Authority;

and;

3. Councillor Ian Robertson be appointed as Lead Member for the Alcohol Related Anti-Social Behaviour Working Group.

74/09 WORK PROGRAMME 2009/10 & FORWARD PLAN

The Panel considered their work programme and the latest edition of the Cabinet forward plan of key decisions.

RESOLVED:

That the following items be considered at the next meeting of the Panel:

- a. Leisure Centre Strategy;**
- b. Grounds Maintenance Standards.**

75/09 DATE OF NEXT MEETING

The date of the next meeting was noted as 30 March 2010.

The meeting terminated at 7.12 p.m.

Signed:

Date: