

THE OVERVIEW AND SCRUTINY COMMITTEE

19 January 2015

Attendance:

Councillors:

Pines (Chairman) (P)

Byrnes (P)
Cook (P)
Evans (P)
Gemmell (P)
Learney (P)

Power (P)
Sanders (P)
Stallard (P)
Wright (P)

Others in attendance who addressed the meeting:

Councillors Miller (Portfolio Holder for Business Services), Southgate (Portfolio Holder for Communities and Transport) and Tait (Portfolio Holder for Housing Services).

Others in attendance who did not address the meeting:

Councillor Humby (Leader).

1. **DISCLOSURE OF INTERESTS**

Councillors Learney, Evans and Stallard declared personal interests with regard to matters referred to within Report OS119 that related to the Council's contract with DC Leisure, as they were the Leader of the Council and members of the Cabinet respectively during parts of the periods referred to. Each of the Members considered that there was no conflict of interest and they participated in the subsequent debate.

Councillor Byrnes declared a personal interest with regard to matters referred to within Report OS117, Community Safety Partnership – Performance Update due to his existing employment. Councillor Byrnes decided to not take part in discussion, or ask questions during the Committee's consideration of that report.

2. **MINUTES**

RESOLVED:

That the minutes of the previous meeting of the Committee held on 8 December 2014, be approved and adopted.

3. **PUBLIC PARTICIPATION**

Rose Byrnes spoke in her own capacity and also on behalf of Martin Wilson during the general public participation period further to their concerns, previously raised at the Committee, about the Council's relationship with the contractor and operator of River Park Leisure Centre, DC Leisure (DCL) now known as Places for People Leisure (PFPL).

Rose Byrnes advised that since the Committee's previous meeting, a letter had been sent to the Chairman providing a comprehensive response to the Chief Executive's Report (Report OS112 refers) and highlighting their additional matters of concern. It was hoped that a response to this letter would be sent soon.

In summary, the letter included requests that matters be independently investigated, including why the contract had not been put out for tender since 1992. It also included queries with regard to the Council's financial liabilities and expenditure and income over the period of the contract, savings from rate relief and whether this was passed onto the contractor. It had also questioned whether reduced management fees had been negotiated with the intention of bringing the contract out of Part A and into Part B of the procurement regulations? The letter also questioned whether the facility had been purposely run down following a commitment to DCL for a design, build operate contract (DBOM) and whether the contractor should bear the costs of repair? The Council's contract monitoring procedures were also called into question.

Finally, Rose Byrnes also advised that the Freedom of Information Commissioner had appointed a senior officer to investigate their concerns that information sought in Mr Wilson's requests had not been disclosed properly by the Council. Concerns about process had also been raised with the Council's internal and external auditors.

In conclusion, she considered that both she and Martin Wilson had both been treated with scant regard by the Council during the period since their concerns had first been drawn to the attention of the Committee. An external investigation of the matters was necessary and that The Overview and Scrutiny Committee should look to undertake this, as per its terms of reference. An External Audit investigation had also been requested. If no other external review was undertaken, they would refer the matters to central Government requesting a best value investigation under the Local Audit and Accountability Act 2014.

The Chairman thanked Rose Byrnes for her representation and advised that he would formally respond to the letter sent to him shortly.

Councillor Tait addressed the Committee in his capacity as a Ward Member for St Michaels. He highlighted his concern about commercial refuse bins being left on the public highway. Despite previously receiving assurances that this matter

was being addressed, it appeared to be on-going and the situation was now at its worse in some areas, including Hammonds Passage. Councillor Tait stated that it was essential that businesses in the town area and in other settlements across the District acted responsibly. He reported that he had spoken with the relevant Portfolio Holder and with senior offices in order to urgently resolve the issue.

In response, the Chief Executive reminded that commercial waste was not collected by the Council's waste contractor; rather, each business had their own private arrangement. He reported that the Council was currently working with the Winchester Business Improvement District (BID) to resolve the issue. The Chairman thanked Councillor Tait for his representation.

4. **COMMUNITY SAFETY PARTNERSHIP – PERFORMANCE UPDATE**
(Report OS117 refers)

The Chairman welcomed to the meeting Chief Inspector Darius Hemmatpour (Winchester District Commander, Hampshire Constabulary) and Barbara Swyer from the Community Rehabilitation Company (CRC).

Councillor Southgate introduced the Report and Chief Inspector Darius Hemmatpour and Barbara Swyer each gave short presentations to the Committee.

In summary, Chief Inspector Darius Hemmatpour detailed new structural arrangements for the police across Hampshire in response to the Government spending review. Barbara Swyer explained the work of CRC established after restructure of the Hampshire Probation Service. Its partnership arrangement, as led by 'Purple Futures', to rehabilitate medium risk offenders was detailed as was work to reduce instances of reoffending.

The Chief Executive also highlighted the Council's close working with partners in relation to the community safety sector, which included the proactive work Community Safety Team and support to the Troubled Families initiative. He drew attention to the significant changes across the sector in recent years and that the Council may have to review its ongoing role in response to its own financial pressures.

The Committee then raised a number of issues and asked detailed questions, including on the performance information in the Report. Where appropriate, responses were given as summarised below:

- The Chief Inspector clarified that Police Neighbourhood Teams, each with its own district commander, operated in areas that were coterminous with District Council areas. However, response teams operated across all borders. For example, a matter that may require a police response in the Winchester southern parishes would be dealt with from the nearest geographical police unit. A neighbourhood team would work in the

community to support any longer term issue. CID was now based at Basingstoke, Portsmouth and Southampton – but would also work across areas. A Resolution Centre would consider whether officers needed to be involved in following up incident calls.

- Barbara Swyer explained that CRC had a mandatory obligation to work with all prisons as part of its work to rehabilitate offenders. Negotiations were ongoing as to whether the Hampshire team would additionally work to deliver services on the Isle of Wight.
- The Chief Inspector advised that although North Walls Police station was to close, the majority of its facilities would be relocated elsewhere within the Winchester Town area. Local taxpayers would therefore still continue to benefit from services in the area. There would be 10 response team 'hubs' across Hampshire, including at Winchester.
- Barbara Swyer highlighted that the new partnership arrangement would continue to work with prisons and with offenders with regard to their tenancy arrangements and having somewhere to live once they were released from custody. The multiple needs of some offenders and the vulnerabilities of the 18-25 years old group, especially for men, were reported on. There should be appropriate transition between youth and adult support teams. She also highlighted that there ideally should be more specific support services for women.
- Although there may be some instances where a police response may not be appropriate following analysis of a particular incident, this may inform the deployment of Neighbourhood Team officers over time. Furthermore, although shift patterns of Neighbourhood Team officers may be adapted accordingly, incidents were generally dealt with by Response Teams, including out-of-hours.
- The Chief Inspector highlighted to Members that although Appendix 2 to the Report indicated an increase in the number of reported sexual offences, this reflected national trends. He explained that was likely to do with improvements to detection methods and also in response to the number of high profile cases within the media. This had given confidence to individuals to report historic offences. Violent assaults in the Winchester District, although showing a slight increase since last year, were still below the national average. There had also been a significant reduction in the number of burglaries and car crime. Total reported crime for the area was now less than for the previous year, which he suggested was a significant achievement.
- The Chief Inspector reported that he was satisfied that the response to the Government's spending review had created a more streamlined service in directing police resources. Any vulnerability from the changes would be

dealt with by improvements to community mapping, including increased understanding of diversity within communities, so that proactive work could be undertaken with community leaders.

During subsequent debate, the Committee noted that, generally, Winchester remained a safe place to live and work. This was reflected by its successful night-time economy. Members also commended the work of the Community Safety Partnership. It was requested that the information on changes to the Police service for Hampshire as presented by Chief Inspector Darius Hemmatpour be circulated to all Members. It was also suggested that the Committee review the bedding-in of the changes in 12 months' time.

On behalf of the Committee, the Chairman thanked the Chief Inspector and Barabara Swyer for their attendance and for responding to the Committee's questions.

RESOLVED:

1. That the performance information in the Report be noted.
2. That the Head of Community Safety circulate to all Members details of the changes to the Police Service for Hampshire and how it affects the Winchester District.

5. **HOW THE CITY COUNCIL RESPONDS TO DOMESTIC VIOLENCE**
INFORMAL SCRUTINY GROUP – RECOMMENDATIONS
 (Report OS114 refers)

As Chairman of the Informal Scrutiny Group (ISG), Councillor Evans drew attention to the ISG's recommendations. In particular, Recommendation 4 required updating as, subsequent to the ISG's final meeting, the Trinity Centre had stated that it would accommodate Winchester Domestic Violence and Abuse Forum meetings at no cost. Therefore, the Committee agreed that Recommendation 4 be amended as follows to ask Cabinet to:

“actively support the work of the Winchester Domestic Violence and Abuse Forum and welcome the offer that the Trinity Centre would accommodate its meetings at no cost”.

Councillor Southgate advised that he supported the Recommendations in broad terms, with a caveat that Cabinet would be required to carefully analyse any resource implications that may arise, such as increasing the number of Band 2 supported housing units.

During discussion, the Head of Community Safety acknowledged the need for suitable 'move on' accommodation for victims. It was also confirmed that the ISG had referred to domestic violence against men and although there was currently

no specific refuge in such cases, support services were currently available to individuals. It was agreed that the Winchester Domestic Violence and Abuse Forum be asked to specifically consider domestic violence against men further.

RESOLVED:

That the following recommendations of the Domestic Violence Informal Scrutiny Group be supported and recommended to Cabinet for implementation:

1. Put in place a formal partnership arrangement between Winchester City Council and the Refuge by developing a Memorandum of Understanding/Protocol between the two.
2. Investigate the possibility of increasing the number of Band 2 supported housing units by a further 10 e.g. identify unit locations and funding/grant opportunities.
3. That the Portfolio Holder for Housing Services review the corporate policy related to the allocation of housing and consider if there is an opportunity to provide more permanent accommodation at an earlier stage for those fleeing domestic violence.
4. Actively support the work of the Winchester Domestic Violence and Abuse Forum and welcome the offer that the Trinity Centre would accommodate its meetings at no cost.
5. Improve the opportunity for education and awareness training for all frontline staff and councillors in relation to Domestic Violence disclosure and access to support services e.g. ensure that staff and elected members are aware of the corporate policy around domestic violence.
6. Increase awareness opportunities for customers of the City Council by updating the corporate website to ensure helpline numbers are readily available, service web links are easily accessible and literature via customer services/reception/putting information on Council owned public conveniences etc. (healthy relationships) is provided.
7. Actively encourage the Police & Crime Commissioner to commission the continuation/expansion of the IDVA service at a local level (Independent Domestic Violence Advocates).

6. **ABBEY HOUSE INFORMAL SCRUTINY GROUP – RECOMMENDATIONS**
(Report OS118 refers)

Councillor Sanders introduced the Report as Chairman of the Informal Scrutiny Group (ISG) and he referred Members to the recommendations as set out. In particular, he highlighted that in its current state, it was questionable whether the building was fit for purpose for its current role and levels of usage for internal meetings and private hire. To facilitate greater use would require some expenditure by way of a rolling programme of refurbishment.

Councillor Miller thanked the ISG for its work and in response to questions of the Committee, he reported that some structural movement to the building had been detected which required further investigation. Councillor Miller also acknowledged that any savings to be achieved from increased internal use of the building would be difficult to quantify. He referred to the suggested improvements listed at paragraph 3.2 on page 4 of the report which he suggested should be prioritised accordingly to ensure the structural integrity of building and that it was safe. Internal decorations would be appropriate to the building and not especially ornate. Further to concerns about the safety of the Mayor's Secretary as predominately a lone worker in the building, he suggested that increased numbers of officer meetings would improve this situation and complement the existing security measures in place.

During discussion, the Chief Operating Officer drew the Committee's attention to paragraph 4.7 on page 8 which explained that the ISG had rejected 'splitting' the use of the house and remodelling the ground floor for internal and external hire.

Although recognising that an exact business case may be difficult to produce, the Committee agreed that it would be helpful for Cabinet to eventually see quantification of greater use of the building for officer meetings and the expenditure necessary to refurbish the house and to facilitate its increased use. It was also agreed that the Council had an obligation to ensure that its historic assets were properly maintained.

RESOLVED:

That the following recommendations of the Abbey House Informal Scrutiny Group be supported and recommended to the Cabinet for implementation:

1. Option to let building in entirety to private tenant

That as there few suitable clients or defined end users (having regard to the significant investment required to the building to adapt it for commercial use, as well as due the layout of the interior space, compounded by the ongoing constraints of the building's Grade 2* listing) this option be not progressed.

2. Abbey House – use by the Mayor of Winchester

That the predominate use of Abbey House continues to be the official Mayor's residence and that the Mayor's Secretary should continue to be located in the House due to the requirement for her to be in close proximity to the Mayor.

3. Limited private hire of Abbey House and increased use for officer internal meetings

That a rolling £50,000 per annum (total £250,000) refurbishment programme be phased as soon as possible so to facilitate increased use of Abbey House for internal officer meetings and some appropriate private hire, on the understanding that this use could be managed and staffed by the Guildhall or internal users so as to be least disruptive to the building's primary function as the official residence of the Mayor of Winchester. To bring the building up to minimum standard suitable for continued use and to make the premises available for Officer and Member internal meetings, it is recommended that a budget item be supported to fund a minimum of £250,000 that will need to be spent. It is suggested that this sum might be spread over five years to assist with budgeting. There is £59,000 already in the capital programme for Abbey House. Budget growth of £191,000 spread over the following 4 years will be needed, funded by the Asset Management Plan Reserve.

7. **RIVER PARK LEISURE CENTRE – (LESS EXEMPT APPENDIX 1)**

(Report OS119 refers)

The Chief Executive introduced the Report and drew Members' attention to the suggestion that representatives of DC Leisure (now Places for People Leisure) be invited to attend a future meeting of the Committee to respond to questions of the performance under the contract for the management of the Council's Leisure Centres at River Park, Winchester and Meadowside, Whiteley.

More detail of contract monitoring procedures would also be considered at a future meeting of the Audit Committee.

The Report also detailed, within an exempt appendix, details of the gross annual amount of revenue for the facilities. This information had previously been requested by a member of the public as part of Freedom of Information request which was subsequently refused under commercial interest exemption; however Councillors had requested that this information be presented to them.

RESOLVED:

1. That the Committee invite representatives of Places for People Leisure to a future meeting to discuss performance of the contract; and
2. That the figures for gross annual revenue generated by Places for People Leisure, as set out in Exempt Appendix 1, be noted.

8. **SCRUTINY WORK PROGRAMME AND FEBRUARY 2015 FORWARD PLAN**
(Report OS111 refers)

The Chairman reported that it had had been requested that an Informal Scrutiny Group (ISG) be established to consider the bidding mechanisms associated with Hampshire Home Choice. There had been concerns raised by a Member that the telephone and internet processes were, for example, difficult for some residents to engage with. He informed the Committee that he had recently been advised by officers that an Equality Impact Assessment had been undertaken of this area and that an ISG could therefore refer to the outcomes of this exercise. The Committee supported the establishment of this ISG and that its membership would be endorsed at the next meeting of the Committee. Councillor Byrnes agreed to chair the ISG.

The Chairman advised that an additional ISG topic with regard to Accessibility to Services by the Elderly would be considered later in the year. He also reported that officers had also suggested that a proposed Planning Rural Matters ISG be dealt with instead via training for Members and to the Parishes.

RESOLVED:

1. That the Scrutiny Work Programme and Forward Plan for February 2015 be noted.
2. That a Hampshire Home Choice Informal Scrutiny Group be established and chaired by Councillor Byrnes and its membership endorsed at the next meeting of the Committee.

9. **EXEMPT BUSINESS**

RESOLVED:

1. That in all the circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
2. That the public be excluded from the meeting during the consideration of the following items of business because it is likely that, if

members of the public were present, there would be disclosure to them of 'exempt information' as defined by Section 100I and Schedule 12A to the Local Government Act 1972.

<u>Minute Number</u>	<u>Item</u>	<u>Description of Exempt Information</u>
##	River Park Leisure Centre: (exempt appendix 1)) Information relating to the) financial or business affairs) of any particular person) (including the authority) holding that information).) (Para 3 Schedule 12A refers)

10. **RIVER PARK LEISURE CENTRE (EXEMPT APPENDIX 1)**
(Report OS119 refers)

The Committee considered Appendix 1 to the Report which contained exempt information, relating to Places for People Leisure income for Council owned leisure centres (detail in exempt minute).

The meeting commenced at 6.30pm and concluded at 9.00pm.