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Scrutiny Committee A – 15 June 2017

MINUTES OF A MEETING OF THE SCRUTINY COMMITTEE A HELD AT COMMITTEE ROOM A - COUNTY HALL, LLANDRINDOD WELLS, POWYS ON THURSDAY, 15 JUNE 2017

PRESENT

County Councillor G I S Williams (Chair)

County Councillors K W Curry, S C Davies, E Durrant, D O Evans, L George, E Jones, G Jones, G Morgan, G Pugh and J Pugh

Cabinet Portfolio Holders In Attendance: P Davies, L Fitzpatrick, S M Hayes, M Weale, A W Davies and R Powell

Officers: Paul Griffiths, Strategic Director Place, Nigel Brinn, Head of Highways, Transport and Recycling, Ashley Collins, Strategic Operations Manager, Clive Jones, Professional Lead, Trading Standards, Dylan Owen, Head of Transformation and Fay Smith, Community Safety Partnership Co-ordinator

1.	APOLOGIES
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Apologies for absence were received from County Councillors K M Roberts-Jones and D Selby

2.	ELECTION OF VICE CHAIR
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RESOLVED that County Councillor Emily Durrant be elected Vice Chair for the ensuing year

3.	DECLARATIONS OF INTEREST
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There were no declarations of interest.

4.	DECLARATIONS OF PARTY WHIPS
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There were no declarations of party whips.

5.	DRAFT DIRECTOR'S REPORT - ADULT SOCIAL CARE HEAD OF SERVICE STATEMENT
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Documents:

- Scrutiny Briefing Note
- Draft Director's Report – Adult Social Care Head of Service Statement

Discussion:

- The Head of Transformation gave a presentation regarding the work of the service area

- Members questioned what percentage waste had been discovered through the Vanguard project – the Portfolio Holder responded that the project realigned delivery to the outcomes for the client rather than the processes that had become embedded over a number of years and that this was where efficiencies would be made.
- Members asked for an update on day care services. The Portfolio Holder explained that a number of projects were happening across the County and reminded Members of the previous decision that day centres would remain open until new methods had been implemented and evaluated. It was likely that different opportunities would emerge for different locations.
- It was noted that the young tend to migrate out of the county whilst older people are moving in – Members asked how this was affecting budgets. The proportion of elderly residents is increasing. Powys is a popular destination for those able to retire early. There is no increase in younger residents to augment the workforce providing care etc. The Department of Health undertook a study some years ago and reported on the costs of rural social care. Rural care costs are typically 25% higher than in urban areas. The rural nature of the County limits the number of visits care workers can achieve. The formula for allocating funding has been amended to reflect rurality.
- Members thought that greater opportunities were needed to encourage younger persons to remain in the county. This was a county wide issue and the whole Council should take ownership. Loneliness could increase as younger people leave the area. The Portfolio Holder reported that housing was the biggest issue and a strategy for older peoples' accommodation had been devised. The Authority was now in a position to build houses for rent and it was necessary to avoid residential and necessary to reduce use of residential care and to invest in extra care housing. A considerable amount of work had been undertaken with the Health Board in working towards keeping people out of expensive interventions.
- The Portfolio Holder was asked if increasing attendance fees at day centres had impacted on attendance. Attendance at day centres was subject to assessment. There was inequality of provision across the county. Consultation had indicated that people were prepared to pay more for the service. Three years ago the Council agreed to withdraw from direct provision of day services and it was assumed savings would be made. However the proposals were not implemented and the savings that should have been made continued to accumulate leading to an overspend. The Council has a statutory duty to meet assessed needs and alternative provision, if day centres were to close immediately, could have been more expensive. The Portfolio Holder secured sufficient funding to continue to deliver day services until a satisfactory method of meeting need has been established and that could be by a number of means including community support, early intervention and befriending.
- The Portfolio Holder was asked if the overspend of £3.125M at the end of the last financial year would be reduced? A large part of the overspend was attributable to historically unachieved savings in day centres and the requirement to quickly transfer domiciliary care in-house last year. Additional funds have been put into Adult Social Care to fund these activities but future efficiencies are still to be made. It will be challenging to achieve these efficiencies but core funding issues have been resolved.

- It had been suggested that those moving into an area should have an element of their contributions transferred to Wales to cover social care costs but this would be challenging to implement and had not met with political acceptance.
- An issue to be considered was that the cap on care costs was significantly lower in Wales
- Committee noted that the discussion had not specifically addressed the Annual Director's Report. The Scrutiny Manager acknowledged that there were many new Members on the Committee who would not yet have had time to familiarise themselves sufficiently to address the Report in detail. However, it informed Members of what was to be expected in future years.
- The Head of Transformation was asked whether the report included all complaints and compliments or, if not, how those which had been included were selected. He agreed to investigate how this information was compiled and notify Members.

Outcome:

- **Details on the collation of information relating to complaints and compliments would be provided to Members**

6.	CRIME AND DISORDER
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Documents:

- Community Safety Partnership (CSP) Update

Issues:

- Members were briefed on the establishment of the Community Safety Partnership and the legislative background
- Crime statistics were increasing but there had been changes to recording methods
- Previously there had been increases in sexual offences, drug offences and antisocial behaviour but these had all decreased in Powys during the time in question
- Vehicle offences and non-dwelling burglary had increased
- Recording methods for violence against the person had impacted the figures – 42 of the 43 forces had shown a similar increase and it had yet to be determined if this was an actual rise in crime or as a result of recording
- Members were concerned that the lack of crime in the area was leading to criminalisation of young people as they were being cautioned for minor offences in an attempt to achieve targets. It seemed that there was a disproportionate number of young people receiving cautions in rural areas. There was anecdotal evidence that some local police officers agreed with this premise. Committee asked for statistics in this regard. The Youth Justice Service deals with children although it is a duty of the CSP to report and reduce offending. There were no figures available. The 'Bureau System' is employed which aims to prevent young people being criminalized and having criminal records. The Strategic Director, Place, informed Members that there were more cautions appearing in DBS checks. It was important to know how much advice and support was given to young people in accepting a caution.

- There had been a slight increase in Antisocial Behaviour but Powys had the lowest increase across Dyfed Powys and it was much reduced from previous levels. There was another query regarding recording practices.
- Road Safety data was provisional. Accidents were subject to fluctuations depending on the weather. The Committee had previously been advised that there were difficulties in obtaining data – Carmarthenshire had commissioned a study in which the Welsh Government is taking an interest. It is hoped that this will improve regional data.
- Domestic Abuse has increased by 12% but repeat victims remain static at 25%. Members asked what is being done to address the increase and whether there were any studies linking domestic abuse to the state of the economy. This work is undertaken by the Domestic Abuse Project Board. It would be suggested to them that this information would be useful.
- Every area has an Area Planning Board to deal with substance misuse. Two new posts are currently being filled. A substance misuse profile, to steer the Area Planning Board's work, has recently been produced. Members asked if more localised data could be provided. The data was available and informed the Police Tasking reviews. Once those reviews had been completed, the CSP Co-ordinator would be able to provide the Committee with more information. A link to the Dyfed Powys Police site information would be circulated to Members.
- The Brecon Community Alcohol Partnership has been in being for 5 years. Newtown have launched their Partnership in November and a number of successful events have been planned including at the High School and College. Members asked if this included John Beddoes School which was a satellite to Newtown High School. The Co-ordinator would take this forward.
- It was noted that there was a weakness in some data and Members asked if further data including infographs could be included to complement and support what had been produced. CSPs across Wales are being reviewed by Welsh Government and all areas were struggling with data. Further discussions were to be held with the Police and Crime Commissioner. Any comments and suggestions would be welcomed.
- Counterfeit tobacco is an increasing issue. Two illegal gangs have been apprehended but the product is still circulating. The counterfeit cigarettes have a significantly higher lead and cadmium content.
- The Committee asked about internet rogue traders. This is a significant issue. Dyfed Powys Police have a cyber investigation team. Although cybercrime is more difficult to investigate it is not impossible.
- Members noted that there had been successful operations originating at the Royal Welsh Agricultural Show. The Professional Lead, Trading Standards was asked if he thought his service was underfunded and under resourced. It was acknowledged that budgets had been reduced but the challenge was to ensure the service was dealing with current, relevant issues. Intelligence led policing allows priorities to be set.
- The service is governed by 100 Acts of Parliament with many more regulations below that
- The Committee asked what the costs of policing the Royal Welsh Show amounted to. Costs were reduced on previous years. Typically two officers a day attended the show but there was significant advice offered before the event as the service support 'good trade'. Details of costs would be obtained and circulated.

- Members asked why a 20% tolerance was allowed within the ingredients of animal feed – this was due to industry requirements in the manufacturing process. However, with modern technology it was thought that this could be tested more accurately. The Professional Lead would assess recent work on tolerances and report back.
- Reoffending rates had reduced. WISDOM was a new multi-agency partnership to undertake the management of cases where there was a high risk of harm. This complements PROP which manages prolific offenders.
- A review of PREVENT (counter terrorism) is ongoing to assess whether local authorities will assume a greater role.

Outcomes:

- **The CSP Co-ordinator would engage with the Police and Crime Commissioner's Office to discuss youth offending and endeavour to establish if there was a common theme across the force area**
- **The CSP Co-ordinator would investigate whether events with the Newtown Alcohol Partnership would include John Beddoes School**
- **The Domestic Abuse Project Board would be asked if there were any studies linking domestic abuse and the economy**
- **Information regarding the costs of the Royal Welsh Agricultural show to Trading Standards would be circulated**
- **Research regarding tolerances in animal feed would be reviewed and reported back to Committee**

The Committee adjourned at 1pm and reconvened at 1.30pm

7.	ACCESS TO INFORMATION
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RESOLVED to exclude the public for the following item of business on the grounds that there would be disclosure to them of exempt information under category 3 of The Local Authorities (Access to Information) (Variation) (Wales) Order 2007).

8.	BRECON CULTURAL HUB
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Documents:

- Review of Brecon Cultural Hub and Governance
- Appendix 1 – Cabinet Executive Report – 27 January 2017
- Appendix 2 – County Council report – 26 January 2017

Issues:

- A significant cost overrun was discovered in December 2016 and formally reported to Cabinet in February 2017
- The building is grade II listed and is within the National Park. The building had been intact and issues came to light as works began
- The financial aspects of the project will be reviewed by Audit Committee and Scrutiny Committee A were concentrating on governance issues

- The Portfolio Holder informed the Committee that the project was moving in the right direction but that there were many lessons to be learned. Members requested that appropriate protocols must be in place to ensure similar issues do not arise with future projects.
- Members discussed whether the Council should be running a café once the project was complete – the Strategic Director Place informed the Committee that the Council would not run the café but that such a facility would be expected in a venue of this type and would encourage visitors
- Technical assessments were currently being checked and a full breakdown of costs was being compiled
- The Project Board comprises a range of different parties depending on the stage of the project
- The project team now comprises a wide range of officers from different disciplines across the council and is chaired by the Portfolio Holder
- Members queried whether the project had gone too far to stop – it was considered that it had, otherwise the Heritage Lottery Fund grant and local organisation funding would have to be returned. The Authority would be left with the building and the National Park may take enforcement action. There were also contractual commitments in place.
- The site has been cleared and is awaiting steel work. Cost issues between the contractor and consultant are to be resolved. Financial issues would be considered in more detail by the Audit Committee.
- Members questioned why the project had been put out to contract prior to planning being obtained. There was one element of planning relating to a wall running through the site and determination had been sought regarding whether that would be demolished and rebuilt or remain intact throughout the project. Resolution of this issue caused a delay.
- Members reiterated the need for the project to be brought in within budget
- Members welcomed the open approach by new Cabinet Members
- The Strategic Director was asked what refresher training officers had for project management and whether this was extended to Cabinet Members – a Project Management training regime was in place. This would be extended to support staff where appropriate and briefings would be provided for Cabinet Members.
- The Project should have been subject to full scrutiny but this had not happened

Outcome:

- **The comments of the Committee and the lessons learned were noted**

9.	RECYCLING
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The Portfolio Holder for Waste and Recycling briefed the Committee on recycling issues.

- Members asked if fly tipping had increased following the implementation of reduced opening hours at HWRCs (Household Waste Recycling

Centres) – the Waste and Recycling Strategy Manager responded that this was more of a perceived issue as the amount of material collected has not increased significantly. Whilst there had been an increase in reported incidents in April and May 2017 compared to the same period in 2016 there had been increased awareness and hence reporting. Some fly tipping is collected through street cleaning and the overall tonnage collected (including all street cleaning and flytipping) had increased by 6%. However, larger flytips were collected by the refuse collections and tonnages have dropped over the same period. The data was only available for April and May which was a limited period and hence difficult to draw accurate conclusions. When reduced hours were implemented there were cases of waste being tipped at the gates to the HWRCs but this has since reduced significantly

- A further cause for concern was the prohibition of commercial vehicles at HWRCs as not all vans, trucks etc were used as commercial vehicles. This had been introduced as HWRCs had previously been abused by traders. There were challenges in being fair and removing trade waste from the sites.
- Officers were asked if targets would be met at any cost – the Committee was informed that fines would be levied if targets were not met. The Welsh Government provides an annual grant amounting to £3.5M which goes towards providing the recycling service. Powys is a large, rural authority which is successful in recycling.
- Trade waste is a significant issue. Powys operates a standard tariff which does not always compare favourably with private contractors who are able to price different businesses accordingly.
- Members asked for clarity in defining residential and commercial users
- Information was not available regarding the popular times HWRCs were accessed – but the view is that it tended to be weekends and early mornings on the commute to work.
- A permit scheme for householders using commercial vehicles was being considered to complement the trade waste permits scheme already in operation. Options were being considered.
- The Cabinet were congratulated on acting quickly to review the previous decision
- Members asked what measures were being taken to reduce waste at source through working with retailers, processors and partners.
- The Authority was developing its infrastructure – 70K tonnes of municipal waste were generated each year. Powys has a 65% recycling rate. The Authority has invested in baling equipment to bale recyclate and improve efficiency. Bulking stations were located in each shire but overall, the Authority deals with relatively low tonnages. There is collaborative work in the waste sector – a South Wales Partnership exists for textiles, Food Waste with Ceredigion and Pembrokeshire etc. Reducing waste from supermarkets etc will need to be dealt with by government but the WLGA were lobbying the government to reduce packaging.
- The limitations on kerbside collections are dependent on markets for recyclate. The Portfolio Holder reported that better information would be given to the public as to where material ends up. Initiatives were working well and Powys was at the forefront in recycling in Wales. He believed a clear message needs to be given to the public regarding where recyclate

goes and that investment in this area now will provide dividends in the future.

- Members asked if there were any grants that could be accessed to improve smaller town's recycling sites – any proposals could be considered but the County's main facilities would take precedence
- The Committee asked how many prosecutions for fly tipping there had been in the past twelve months. There had been none to date but there has been a significant increase in enforcement activities. Two thousand entries had been made on the enforcement data base and 800 letters issued. Several interviews have taken place and legal advice is being sought prior to moving to prosecution.
- It was considered that commercial waste presented opportunities – schools had been advised not to use Powys trade waste collections. At present there was a standard tariff which would be reviewed. It was also noted that private contractors were not bound by the same requirements as the local Authority. For example, all Powys refuse vehicles have a reversing assistant whereas many private contractors operate with only a driver.

Outcomes:

- **The Committees comments would be passed to Cabinet in consideration of revised proposals**

10.	APPOINTMENTS TO WORKING GROUPS
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It was noted that Chair and Vice Chair were ex officio members of all working groups.

RESOLVED that

- **The Adult Social Care Working group comprise County Councillors Kath Roberts Jones and Ange Williams**
- **The Chair, Vice Chair and County Councillor Gareth Pugh form a working group to scrutinize revised proposals for HWRCs which is to be considered by Cabinet on 11 July**

11.	CORRESPONDENCE
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There were no items of correspondence.

County Councillor G I S Williams (Chair)