

## COMMUNITIES SCRUTINY COMMITTEE

Minutes of a meeting of the Communities Scrutiny Committee held in the Council Chamber, Russell House, Rhyl on Thursday, 15 May 2014 at 9.30 am.

### PRESENT

Councillors James Davies, Peter Evans, Carys Guy, Huw Hilditch-Roberts (Chair), Rhys Hughes, Win Mullen-James, Bob Murray, Joe Welch, Cefyn Williams, Cheryl Williams and Huw Williams

Cabinet Members – Councillors Hugh Evans, Bobby Feeley and Hugh Irving attended for particular agenda items relating to their individual portfolios

Observers – Councillors Joan Butterfield, Stuart Davies and Meirick Davies

### ALSO PRESENT

Corporate Director Economic Ambition & Community Ambition (RM), Head of Housing and Community Development (PMc), Housing Care and Support Manager (JS), Supporting People Team Manager (KN), Design and Construction Team Manager (SE), Principal Development Manager (GF), Corporate Communications and Marketing Manager (GW), Development Control Manager (PM), Coastal Team Leader (MD), Scrutiny Coordinator (RE) and Committee Administrator (KEJ)

### POINT OF NOTICE

The Scrutiny Coordinator clarified the provisions contained within the Local Government (Wales) Measure 2011 for the appointment of overview and scrutiny chairs. Councillor Huw Hilditch-Roberts would retain the position of Chair unless an agreement was reached on an alternative appointment by the relevant political groups. Councillor Huw Williams paid tribute to the chairing skills of Councillor Hilditch-Roberts but expressed his disappointment that an agreement had not been reached between the groups concerned.

#### 1 APOLOGIES

Councillor David Smith (Lead Member for Public Realm) and the Head of Planning and Public Protection

#### 2 APPOINTMENT OF VICE-CHAIR

No CVs/statements had been received prior to the meeting for the position of Vice Chair. The Chair sought nominations from those present and Councillor Bob Murray proposed, seconded by Councillor Huw Williams that Councillor Win Mullen-James be appointed Vice Chair. There being no further nominations it was –

**RESOLVED** that Councillor Win Mullen-James be appointed Vice Chair of the Communities Scrutiny Committee for 2014/15 municipal year.

#### 3 DECLARATION OF INTERESTS

Councillor Cheryl Williams declared a personal interest in Agenda Item 7 – Council Housing Stock Refurbishment Programme because she was a council tenant.

#### **4 URGENT MATTERS AS AGREED BY THE CHAIR**

No urgent matters had been raised.

#### **5 MINUTES**

The minutes of the committee's last meeting held on 3 April 2014 were submitted.

Page No. 9 – Item 9 Highway Grass Verge Cutting Policy & Programme 2014/15 – Members made a number of observations regarding grass verges in particular areas and the Chair asked that comments be sent directly to the Section Manager: Network Management or raised at the relevant Member Area Group as appropriate. Councillor Win Mullen-James had not been provided with a copy of the maintenance schedule for Rhyl as requested and the Scrutiny Coordinator agreed to look into the matter.

**RESOLVED** that the minutes of the meeting held on 3 April 2014 be received and approved as a correct record.

#### **6 HOUSING RELATED SUPPORT FOR OLDER PEOPLE IN DENBIGHSHIRE**

Councillor Hugh Irving, Lead Member for Customers and Communities introduced the report (previously circulated) outlining changes being made to the Council's Sheltered Housing Warden Service following the Aylward Review of 2010 and revised Supporting People Grant Guidance introduced in 2012.

Members were advised that the changes were driven by Welsh Government initiatives, particularly changes to the Supporting People Grant, and would provide for a more equitable service for all residents who needed Supporting Independent Living (SIL) services, rather than being accessible only to those who lived in sheltered accommodation. Assurances were given that support would not be removed from current service users in need of such provision. Councillor Bobby Feeley explained the case for change and reported upon the roll out of the new service in some of the Council's sheltered accommodation.

The committee welcomed the new service as a means of delivering broader provision within existing resources with increased emphasis and focus on delivering enabling services rather than those that fostered dependency. Questions were raised regarding the new arrangements and the level of support provided, particularly for residents in sheltered accommodation to ensure they were not disadvantaged as a result, and to ensure service users did not feel isolated in their own homes. The importance of monitoring the new service and measuring outcomes together with ensuring effective links with other services in the provision of support and care was highlighted and assurances sought in that regard. Officers responded as follows –

- detailed the nature of support provided to ensure individuals maintained their independence and could access other care support services as appropriate
- explained the service would be delivered by a pool of specially trained SIL Officers which would facilitate the availability of staff to cover leave and sickness absence and out of hours provision would continue
- acknowledged the importance of social interaction for general wellbeing with the creation of four new posts to ensure social activities were supported
- confirmed the service would be available to local residents as and when they required it and it could be accessed repeatedly if appropriate and in conjunction with social or health care services
- a fairer charging policy would apply with certain categories exempt from charges and it was very unlikely that any particular category would be financially disadvantaged as a result of the changes
- service users would be fully engaged in developing their Support Plan for which they could hold the service accountable
- explained the difference between the support plans and care packages which were two separate functions and how they interacted
- provided assurances that the new service would be subject to regular evaluation and monitoring to ensure it delivered the support residents needed.

**RESOLVED** that, subject to the above observations, to support the approach being taken to deliver housing related support to older people in the county.

## **7 COUNCIL HOUSING STOCK REFURBISHMENT PROGRAMME**

Councillor Hugh Irving, Lead Member for Customers and Communities introduced the report (previously circulated) detailing the approach taken to bringing the Housing Stock up to the Welsh Housing Quality Standards (WHQS), and outlining issues encountered and lessons learnt from the experience.

The Head of Housing and Community Development (HHCS) explained that the majority of the Council's housing stock had now been renovated to meet WHQS. The housing refurbishment programme had started in 2005 and eight housing contracts tendered. Contracts 1 – 7 had been carried out successfully but significant problems had been experienced on Contract 8 which had been detailed within the report together with lessons learned for future housing capital contracts.

Councillors Cefyn Williams, Rhys Hughes, Hugh Evans and Stuart Davies reported upon the range of problems experienced by tenants in their areas during the refurbishment programme. Councillor Cheryl Williams commented on her own experience as a council tenant and those of her ward members in 2010, in particular the lack of respect for tenants and their property. She put forward a number of suggestions to improve practices including holding contractors to account when personal property was damaged; random checks on the quality of workmanship; swift repairs to defective workmanship, and better vetting of potential contractors.

Members questioned officers regarding the issues encountered in order to satisfy themselves that adequate measures were being introduced to avoid a repetition of such problems in the future. The committee was of the view that future large

projects, similar to this particular one, which involved a number of services, should be subject to a clear and strong procurement process supported by robust contract monitoring and contract management arrangements. The important role of a Clerk of Works with sufficient authority to act and sufficient support was particularly highlighted. In addition, contractors should be instructed to respect tenants' dignity and rights to privacy in their own homes, and to behave in a courteous, respectful and dignified manner in their presence.

The HHCS accepted the issues raised and apologised for the problems experienced. Officers elaborated upon the practices and procedures adopted during the programme together with factors contributing to the poor performance, including the quality of sub-contractors employed from outside the area. Details were given of the measures to be introduced to allay members' concerns and ensure that the problems experienced were not repeated, in particular –

- clauses in future contracts relating to the use of local labour and supply chains
- greater weighting provided to quality rather than cost in scoring future bids
- utilise sectional completion clauses within future contracts to provide more client control over the programme (this will assist in minimising disruption to tenants)
- to clarify roles and responsibilities and to evaluate and monitor the work as it progressed
- to ensure defective workmanship was rectified within a reasonable timescale.

**RESOLVED** that on all future housing refurbishment contracts –

- (a) *subject to the above observations, to note the lessons learned from the Welsh Housing Quality Standards Programme;*
- (b) *work be undertaken to strengthen procurement procedures with respect to big capital investment programmes and that the work also include strengthening contract management, contract quality and contract monitoring procedures;*
- (c) *future contracts stipulate a requirement that contractors respect tenants' property and privacy;*
- (d) *the revised procedure clearly define the parties' roles and responsibility;*
- (e) *all future invitations to tender for contracts should include, wherever possible, a requirement to employ local contractors or sub-contractors with a view to developing the local economy;*
- (f) *a briefing note be prepared for members outlining the current procurement process and advising on how the process will be strengthened in the future, and*
- (g) *the proposed revised contract monitoring and contract management procedure be presented to the Committee for observations in due course.*

At this juncture (11.20 a.m.) the meeting adjourned for a refreshment break.

## **8 CORPORATE COMMUNICATIONS STRATEGY**

The Corporate Communications and Marketing Manager (CCMM) introduced the report (previously circulated) providing an update on progress made with the Communications Strategy Action Plan and objectives for the next twelve months, and presented the draft protocol on communicating with members.

During discussion the following points were raised –

- the need for the 'Contact Us' link on the Council's website to be more prominent
- the need for the new events calendar 'EMMA' to be more easily accessible for members and signposted appropriately
- the need for members to be informed of events – Council, Welsh Government, UK Government or others taking place in their electoral division (not necessarily invited to the event, but to be made aware of them) together with better engagement with City, Town and Community Councils in local area events
- concerns were expressed by some members regarding the quality of the translation of committee reports, etc. since the work had been provided by Conwy County Borough Council
- a feeling that the Council was missing a trick when dealing with the media and that a more proactive approach needed to be taken
- the need to market the Council in the right way and better identify with local residents when writing press releases
- confirmation was given that media awareness sessions for members would form part of the Year 2 action plan for the Corporate Communications Strategy
- the need to assess when it was not appropriate to enter into a public debate on matters
- to assess the advantages of publishing a 'Denbighshire's perspective or views' on certain national matters or proposals.

The CCMM reported upon the Account Management Process to better communicate with departments and ensure potential media issues were identified at an early stage and a strategy planned to address them. He also elaborated upon strategies to raise the profile of the Leader and Chief Executive at a national level. In terms of tailoring press releases members noted that legislation prevented the Council from providing quotes on behalf of individual members other than Cabinet members because of political restrictions.

**RESOLVED** that –

- (a) subject to the resolution of the above matters, to note the progress made on the Year 1 Action Plan;*
- (b) the issues identified above be included in the Year 2 Action Plan, and*
- (c) to support the draft protocol on communicating with members pending its approval by the Senior Leadership Team and that the protocol once approved be drawn to the attention of staff.*

## 9 BETTER REGULATION OF CARAVAN SITES

The Development Control Manager (DCM) submitted a report (previously circulated) providing an update on relevant emerging Welsh Government legislation on the regulation of caravan sites and its implications for the Council.

Members were informed that the draft Caravan Strategy for the county had not progressed as originally anticipated due to a staffing restructuring exercise within the service and pending National Assembly legislation. The Holiday Caravan Sites (Wales) Bill was currently out for consultation and the Mobile Homes (Wales) Act 2013 came into force on 1 October 2014. Perceived all year round occupation of caravans in the county had been a long standing concern for members and officers alike. Planning and Public Protection and Licensing Officers met regularly to examine matters of concern and two prosecutions were pending for breach of licence conditions. Better regulation of caravan sites had been identified as one of the priorities for the restructured service.

Members referred to a number of suspected cases where caravans were being used for permanent residential use within the county. Reservations were expressed about the Service's ability to enforce any new legislation or breaches of planning/licensing conditions due to limited resources. It was noted that self-evaluation of caravan sites by owners and the possibility of establishing a charging regime for inspecting sites could be considered as a means of generating income to fund enforcement action. Members queried whether electoral registers, school records or council tax/housing benefit records could be used for residency validation purposes. They also raised concerns with respect to the potential impact on the Council's Housing Services if enforcement action was taken against people who were living all year round on caravan sites which were not licensed for 365 day habitation. The DCM reported upon the development of a draft Caravan Sites Strategy Framework based on the emerging legislation which would address the issues raised. He also responded to members' questions regarding the legalities governing park homes, the siting of caravans and planning issues.

Following a detailed discussion members –

**RESOLVED** that subject to the above observations, to note the direction of the project and that the draft Caravan Sites Strategy Framework be presented to the Committee in due course for examination.

## 10 RHYL GOING FORWARD PROGRAMME QUARTERLY REPORT

Councillor Hugh Evans, Leader and Lead Member for Economic Development presented the report (previously circulated) providing an update on the Rhyl Going Forward (RGF) Programme.

The committee was informed that the RGF Board had agreed to review the programme to ensure that the projects were current and fit for purpose. In future Ward Index of Multiple Deprivation information would be included with the ultimate aim of ensuring that no wards in Rhyl would fall into this category following delivery

of the programme. Whilst a number of the projects had been successfully delivered there were concerns about the number of employment opportunities created and this would need to feature strongly in future projects. There was also a need to be more strategic in terms of investment and the Council would be looking to the Welsh Government for a contribution towards funding for future initiatives.

Developments since production of the report included –

- no objections had been received with respect to the planning application for the Green Space provision in West Rhyl
- the development site at John Street/West Parade was now on the market
- discussions were underway on how best to utilise the £1m Vibrant and Viable Places monies allocated
- the Health Board had started to engage with officers about the community hospital.

Reference was made to the Programme's governance arrangements and assurances were given that the Programme had robust governance arrangements and that there was an expectation on Board members to report back to stakeholders on the Programme's progress. Members discussed the development of the Ocean Plaza site and raised concerns about its untidy appearance and the perceived lack of progress in enforcement action. Assurances were provided that efforts were being made to address the appearance of the site.

***RESOLVED*** that subject to the above observations, to note the progress made and request that future reports on the Rhyl Going Forward Programme be submitted to the Committee on a quarterly basis as an information report with a provision for the Committee to call the Programme in for scrutiny if areas of concern come to light.

## **11 SCRUTINY WORK PROGRAMME**

A report by the Scrutiny Coordinator was submitted (previously circulated) seeking members' review of the committee's future work programme and providing an update on relevant issues.

Members agreed the following revisions to the work programme –

- Town and Area Plans Review – deferred to September
- Modernising Education – June
- Streetscene (progress report) – September

It was suggested that members could identify areas for scrutiny within the Corporate Plan and feedback to the Chairs and Vice Chairs' Group.

***RESOLVED*** that –

- (a) *subject to the above and any other amendments agreed during the meeting the forward work programme as detailed in Appendix 1 to the report be approved, and*

(b) *the Committee's Scrutiny Representatives on the Service Challenge Groups and School Standards Monitoring Group be re-appointed.*

## **12 FEEDBACK FROM COMMITTEE REPRESENTATIVES**

Members reported that they had attended the following meetings –

Councillor Huw Hilditch-Roberts – Economic Ambition Board  
Councillor Cefyn Williams – Corporate Parenting  
Councillor Win Mullen-James – Children and Family Service Challenge

The meeting concluded at 1.20 p.m.