

## **COMMUNITIES SCRUTINY COMMITTEE**

Minutes of a meeting of the Communities Scrutiny Committee held in Conference Room 1A, County Hall, Ruthin on Thursday, 26 June 2014 at 9.30 am.

### **PRESENT**

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

Lead Member Councillor Eryl Williams attended at the Committee's request.

Councillor Martyn Holland attended as an observer.

### **ALSO PRESENT**

Corporate Director: Economic and Community Ambition (RM), Head of Highways and Environmental Services (SP), Head of Education and Customers (JW), Head of Planning and Public Protection (GB), Section Manager: Network Management (TT), Public Protection Manager (EJ), Acting Strategic Procurement Manager (SA), Catering Manager (IK) & (HJ), Service Manager: Business and Carers (AHJ), Scrutiny Coordinator (RE) and Administrative Officer (CW).

#### **1 APOLOGIES**

Apologies for absence were received from Councillors Win Mullen-James and Huw Williams

#### **2 DECLARATION OF INTERESTS**

No Members declared any personal or prejudicial interests in any business identified to be considered at the meeting.

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

No items were raised which in the opinion of the Chair, should be considered at the meeting as a matter of urgency pursuant to Section 100B(4) of the Local Government Act, 1972.

#### **4 MINUTES**

The Minutes of a meeting of the Communities Scrutiny Committee held on Thursday, 15<sup>th</sup> May, 2014 were submitted.

Matters arising:-

8. Corporate Communications Strategy – In response to a question from Councillor P.A. Evans, the Corporate Director: Economic and Community Ambition agreed to

provide details of timescales pertaining to the approval of the draft protocol by the Senior Leadership Team.

9. Better Regulation of Caravan Sites – The Scrutiny Coordinator agreed to seek clarification regarding the implementation date of the “1 October, 2014” referred to in the report.

**RESOLVED** – *that, subject to the above, the Minutes be received and approved as a correct record.*

## **5 MODERNISING EDUCATION PROGRAMME - FUTURE PROPOSALS**

A report by the Head of Customers and Education Support (HCES), which reviewed progress with implementing the Programme, had been circulated with the papers for the meeting. The Appendix to the report was the draft financial programme for the wider Modernising Education Programme. This illustrated the Council’s 21<sup>st</sup> Century Schools Programme together with options for wider investment.

The Lead Member for Education (LME) explained that the Council was progressing an ambitious programme for investment in the school estate, and that the proposal would support the Corporate Priority of “improving performance in education and the quality of our school buildings”.

The LME and the HCES detailed the background to the Programme and to each school project listed. They emphasised that whilst Welsh Government (WG) had changed the funding ratio from 70% WG and 30% Local Authority to 50:50 for the 21st Century Schools Programme, Denbighshire had been able to fund the additional apportionment through astute financial management and by managing expectations for each individual project.

Members were advised that proposals regarding the establishment of a new joint faith secondary school in the County were likely to be presented to Cabinet in the autumn. Whilst the problem of surplus school places in the south of the County was being addressed through a number of area reviews, current projections indicated that there would be a shortage of primary school places in the Rhyl area in the future. Consequently a meeting had been arranged between the LME, officers and primary headteachers in the Rhyl area to discuss possible solutions.

Dr. Marjoram asked that Ysgol Plas Brondyffryn was not left out of any future proposals under the Programme, as Ysgol Tir Morfa would benefit greatly by being part of the new Rhyl High School Redevelopment Project.

In response to Members' questions with regard to potential risks to the projects from e.g a further reduction in WG funding or planning permission set-backs, the LME and the HCES emphasised that there were risks with each project and that all risks had to be appropriately managed.

Questions were also asked regarding the risk to the Programme if the WG Minister for Education and Skills overturned the Cabinet's decision to close Ysgol Llanbedr

Dyffryn Clwyd, the timetable for the proposed new primary school for Ruthin and the current position with respect to the federation of Ysgol Llanfair Dyffryn Clwyd and Ysgol Pentrecelyn and their language categorisation. Responses were provided to these questions informing Members that it was anticipated that a new school would be built in Ruthin within the next five years, the federation of Llanfair D C and Pentrecelyn had now been agreed in principle and the decision on the new school's language categorisation would be taken on the basis of the expected outcomes for the pupils i.e. that they would be fully bilingual by the time they were 11 years of age. The language categorisation would form part of the Business Case for the school. It was explained that the pending Ministerial decision with respect to Llanbedr D C did not pose a significant risk, as the Authority would only realise revenue savings from the school's closure as the Council did not own the asset itself.

To deliver the entire 21st Century Schools Programme, as detailed in the report, the Council would need to contribute funding of £24,414,684. The total Programme cost being the £51,283,196 with the remainder of the cost being dependent on WG 21st Century Schools funding. Cabinet at its meeting on the 29<sup>th</sup> July would be asked to approve the Council's financial commitment to deliver the Programme.

Members were informed that there were a number of risks currently being managed at a programme level by the Modernising Education Programme Board, and all individual projects would include risk management procedures.

**RESOLVED** – *that based on the information provided, and subject to the detail that would be contained in the report to Cabinet on 29th July 2014, the Committee support the ambitious vision for modernising education facilities across the County.*

## **6 PROVISION OF DAY CARE SERVICES IN NORTH DENBIGHSHIRE**

A copy of a report by the Head of Adult and Business Services (HABS) had been circulated with the papers for the meeting.

The Service Manager: Business and Carers (SMBC) introduced the report which detailed the provision of day care services for elderly residents in the North of the County twelve months after the service had been remodelled. She explained that although the proposals related to changes in North Denbighshire the intention to roll out the underlying strategic principles for promoting people's independence through reablement, and the use of community resources, across the County was also stated.

The reasons for reviewing day services in north of the County were detailed in the report. They formed part of a wider approach taking account of the importance of prevention, early intervention and recognising that within an ageing population some people would have complex, long term care needs which required responsive and person centred approaches.

The SMBC responded to questions from Members and provided a summary of the implementation to date as outlined in the report. A decision had been taken by the Adult and Business Senior Leadership Team to concentrate the service

permanently in Hafan Deg in Rhyl in a building purpose built for providing day services and being fully DDA compliant. Details of the needs of individuals currently attending day services in the North of the County were outlined in the report, and confirmation was provided that there was no intention to reduce the service to current service users.

Alongside the arrangements outlined in the report, details of on-going work to further develop opportunities for meaningful day activities within the community in North Denbighshire were highlighted, and these included details of service provision at Nant y Môr, Prestatyn. The report also provided staffing and usage figures pertaining to service provision.

The SMBC advised Members that due to flooding at the Llys Nant Day Unit in Prestatyn all service-users who attended that Centre had been transferred to Hafan Deg in Rhyl. Despite the upheaval of having to travel a little further there had not been any complaints from the service-users or their families and the Hafan Deg and Llys Nant staff were working well together. There were no plans to relocate back to Llys Nant once the building was habitable, however discussions were progressing with the operators of the Nant y Môr Extra Care facility with a view to Social Services' clientele accessing services at that Centre.

In reply to a question from Councillor J.M. Davies, the SMBC explained that feedback received from service users had indicated that they were happy with the service currently being provided.

Confirmation was provided that it was too early at this stage to report on the effectiveness of the Reablement service as it was still a fledgling service. During the ensuing discussion Members supported the recommendations in the report and agreed that the Committee receive a further information report following a period of 12 months.

**RESOLVED** – *that the Committee:-*

- (a) receives the report and supports the actions being taken to move the service forward as consistent with the principles of supporting the citizens of Denbighshire to remain as independent as possible for as long as possible, and*
- (b) that an information report be submitted to the Committee in twelve months time evaluating the effectiveness of the Reablement Service in delivering the above vision and in realising efficiencies for the Council.*

## **7 FOOD REVIEW TASK AND FINISH GROUP**

A copy of a report by the Head of Planning and Public Protection (HPPP), which provided an update and progress report on the food review undertaken by the Task and Finish Group, had been circulated with the papers for the meeting.

Members were advised that the Task and Finish Group had met within the last three months to review the progress with the implementation of the recommendations which had been formulated last year. Officers detailed the work undertaken by both the Regulatory Services and the Procurement Service with a

view to complying with food hygiene and food safety requirements in food establishments across the County, along with the procurement processes for food for the local authority's establishments and the contract management and monitoring procedures for the Council's food procurement contracts.

The Food Standards Agency (FSA) had audited the Council's food service in July 2013, but their final report was still awaited.

In response to Members' questions assurances were given that Welsh/British food products, including meat, were procured wherever possible, although this did increase the cost. Members were also advised that as well as inspecting food outlets officers did inspect alcohol retailers to check for illicit alcohol and sample the contents and strength of the alcohol for sale and to ensure that the alcohol and cigarettes had been subject to Customs and Excise duty.

Members enquired whether officers had been alerted to potentially dangerous spices which were being sold in some parts of the UK. Officers advised that none of the regular alerts they had received related to spices, the Public Protection Manager undertook to make enquiries with respect to the matter and report back to Committee Members.

In reply to questions on whether school meal portions were sufficient for the pupils, officers advised that portions were compliant with the WG school meal policy 'Appetite for Life'. It was also explained that Catering Services had frozen the price of school meals for the fifth year in succession. Members complimented the Services on their collaborative work in implementing the Task and Finish Group's recommendations and following further discussion, it was:-

**RESOLVED** – *that the Committee:-*

- (a) note the progress made against each of the recommendations.*
- (b) commends the quality of school meals across the County, but to register concerns about the small portion size, and*
- (c) agrees that another progress report be presented to the Committee in twelve months' time detailing the progress made with food hygiene and food standards compliance, and with the County's food procurement and contract monitoring procedures.*

## **8 HIGHWAYS ASSET MANAGEMENT STRATEGY**

A copy of a report by the Head of Highways and Environmental Services, which outlined the latest position regarding to the County road network and described how the future condition would be managed, had been distributed with the papers for the meeting.

The HHES introduced the report which detailed the latest position with regards to the reactive and preventative maintenance work on the County's roads network. The report was the next stage following discussion with Members at a strategy Working Group meeting on the 10<sup>th</sup> October, 2013, following a report to the Communities Scrutiny Committee in July, 2013.

The importance of properly assessing and evaluating the benefits resulting from the significant investment in improving the condition of the carriageway were highlighted. The two methods for doing this included the Scanner data, which produced the Performance Indicator, and the Road Condition Indicator (RCI). Details of each of the processes had been included in the report.

Appendix A detailed Denbighshire's overall performance in terms of the Scanner output and, for context, included the County's relative position with respect to the 'Family Group'. It also indicated the ongoing improvement in the RCI, the visual appearance of the carriageway. Members noted that improvements had been made and sustained.

Since identifying roads as a priority for 2009/10 Denbighshire had invested over £18m and details of the funding allocation had been summarised in the report. It was explained that agreement of the Capital Programme to maintain the network properly would be crucial, and the report examined scenarios to manage assets to mitigate the risks. All Welsh local authorities had worked with consultants to build on best practice. Appendix B provided a range of likely and the most prudent way to manage the risk. A Code of Practice allowed for a variation in the regime and Denbighshire would need to agree what the regime should be in terms of a prioritised network and how the Highway Authority should manage it. Appendix C provided an example of how the network may be prioritised and the importance of consultation was emphasised.

Since The Highways Act 1980, case law had clarified some points relating to the frequency of highway inspections, definition of 'defect' and the length of time a highway could be left unrepaired. However, there was still some leeway and a definition of Denbighshire's MINIMUM level of maintenance would be required. Appendix D provided some proposals which would require discussion prior to agreeing a Highways Maintenance Policy.

Officers explained that it was pleasing to report that the County's performance was improving, particularly against a backdrop of WG funding cuts. Members were advised that with the Local Government Borrowing Initiative (LGBI) ending in March, 2015 some difficult decisions needed to be taken with respect to future investment in the highways network. Scarce resources would need to be spent wisely and in a targeted way. Unless this was done the condition of the roads would deteriorate very quickly.

The need to examine the classification of some routes in future was highlighted. A Member Workshop would be held with a view to defining a highways maintenance prioritisation process and explaining and understanding the principles of road maintenance. The HHES confirmed that having a well-defined road maintenance prioritisation process would mitigate the risk of successful litigation claims against the Authority. He also explained that a better structured road maintenance policy, which would include a clearly defined prioritisation process, should realise value for money from investment and reduce unnecessary spending. Responses were provided by the officers to Members questions relating to the proposal and to matters within their respective areas.

**RESOLVED** – that the Committee:-

(a) subject to the above explanations, note the progress made to date in improving the highways network across the County.

(b) accept the principles of a highways maintenance prioritisation process, and

(c) agrees that the holding of further workshops would be beneficial with a view to developing a clear strategy for the County's roads network and a well-defined highways maintenance prioritisation process.

## **9 SCRUTINY WORK PROGRAMME**

A copy of a report by the Scrutiny Coordinator, which requested the Committee to review and agree its forward work programme and which provided an update on relevant issues, had been circulated with the papers for the meeting.

The Committee considered its draft Forward Work Programme for future meetings and the following amendments and additions were agreed:-

11th September, 2014:-

Members agreed that a business item relating to “Additional Licensing of Houses in Multiple Occupation”, referred to in the information brief, be included on the forward work programme for September, 2014. The Committee agreed that Councillors H.H. Evans and D.I. Smith, respectively, be invited to attend the meeting as Lead Members.

The Scrutiny Coordinator informed the Committee that Members could forward suggestions for inclusion the Committee's forward work programme for October 2014 to her. The CD: ECA explained that Members may wish to consider the report submitted to Council, which highlighted the commitments in the Corporate Plan, when identifying issues for inclusion in the forward work programme.

The Scrutiny Coordinator confirmed that the Scrutiny Chairs and Vice Chairs Group was scheduled to hold its first meeting of the new municipal year on the 3<sup>rd</sup> July, 2014.

**RESOLVED** – that, subject to the above amendments and agreements, the Work Programme as set out in Appendix 1 to the report be approved.

## **10 FEEDBACK FROM COMMITTEE REPRESENTATIVES**

Councillor J. Welch reported that he and the Chair, Councillor H. Hilditch-Roberts, had recently attended meetings of the Schools Standards Monitoring Group. Councillor Welch provided a short and positive report on the proceedings of the meeting.

**RESOLVED** – that the Committee receive and note the report.

Meeting ended at 13.50 p.m.