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Minutes of Communities Scrutiny Committee held on Thursday, 28 May 2015 at 9.30 am at Conference Room 1a, County Hall, Ruthin

Present:

Councillors Bill Cowie, Peter Evans, Huw Hilditch-Roberts (Chair), Rhys Hughes, Bob Murray and Cefyn Williams.

Lead Member David Smith attended at the Committees request.

Councillors Bobby Feeley, Jason Mclellan and Barbara Smith attended as observers.

Also Present:

Corporate Director: Economic & Community Ambition (RM), Development Planning & Policy Manager (AL), Public Protection Business Manager (IM), Scrutiny Coordinator (RE) and Democratic Services Officer (KE).

1 APOLOGIES

Apologies for absence were received from Councillor Win Mullen-James and Councillor Cheryl Williams

The Chair welcomed Councillor Bill Cowie to his first meeting as a member of the Committee, representing the Independent Group.

2 ELECTION OF VICE-CHAIR

Nominations were sought for a member to serve as the Committee's Vice-Chair for the 2015/16 municipal year. Councillor Rhys Hughes was nominated and seconded. It was therefore:

Resolved: - that Councillor Rhys Hughes be appointed as the Committee's Vice-Chair for the 2015/16 municipal year.

3 DECLARATION OF INTERESTS

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

4 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.

5 MINUTES

The Minutes of a meeting of the Communities Scrutiny Committee held on Thursday, 24 April, 2015 were submitted.

RESOLVED – *that the Minutes be received and approved as a correct record.*

6 CONCLUSIONS AND RECOMMENDATIONS FROM THE AFFORDABLE HOUSING TASK AND FINISH GROUP

The Lead Member for Public Realm introduced the report which included the Task and Finish Group's conclusions and recommendations. He explained that the Task and Finish Group had been established to address the concerns raised by the Wales Audit Office (WAO) in its May 2014 Council Annual Improvement Report on the need for the Authority to clarify its approach towards delivering affordable housing.

The Committee was advised that the Task and Finish Group had made a total of 20 recommendations, all of which were detailed in the report. Issues raised by members at a recent Council Briefing session at which the Task and Finish (T&F) Group's report had been discussed were listed in appendix II, along with the relevant recommendations in the report that would address these issues. Whilst, the recommendations from the Task and Finish Group's work would be used to inform the new draft housing strategy, and would form part of the delivery plan for that strategy, some actions had already been commenced with a view to addressing identified problems e.g. pending Welsh Government legislation and guidance permitting partial reviews of Local Development Plans (LDP) a Supplementary Planning Guidance (SPG) had been submitted and approved by the Council's Planning Committee with respect to permitting the conversion of redundant rural buildings for market housing.

Responding to members' questions the Lead Member for Public Realm and officers confirmed that:

- the Council was obliged to undertake a comprehensive review of its LDP four years after its adoption. Denbighshire's review would be due in 2017;
- latest indications from the WG suggested that the legislation required to permit partial reviews should be in place sometime during the summer of 2015, and that the associated Guidance would be available at the same time. This would hopefully enable the Council to implement some of the T&F Group's recommendations;
- the process relating to applying and permitting planning applications in hamlets was extremely onerous, however this process may be able to be reviewed as part of the partial review - subject to the provisions of the new legislation;

- the new Housing Strategy, which would be presented to scrutiny in September and full Council in October 2015, would have five main themes. Affordable Housing would be theme two of the Strategy, but matters relating to affordable housing would also feature in the majority of the six themes;
- with respect to land banking, time limits for developing a site following planning permission being granted could not be changed locally. The rules in relation to this were subject to WG legislation. It would be too late now to make representations with respect of amending the time limits as part of the consultation on the new Planning Bill. However, the Council would continue to lobby WG with respect to the matter;
- the new Interim Head of Finance and Assets would be exploring the options for realising the optimum value for the Council for re-investing the £500K that was estimated to be realised following the Council's exit from the Housing Revenue Account Subsidy (HRAS) system - options which would be considered would include the building of new council housing (possibly in partnerships with a third party); undertaking further improvement work on the Council's current housing stock (e.g. exterior or environmental work - work which was not covered under the Welsh Housing Quality Standard (WHQS) scheme, utilising the money saved for the purpose of drawing down external funding etc.);
- work had commenced on a review of the Council's land holdings to assess whether any holdings were located in areas of highest need for affordable housing. In future work would need to be undertaken in partnership with other public sector bodies to identify whether they had any land holdings that would be suitable for the development of affordable housing. Detailed and constructive discussion would be needed with all parties if land was to be secured for affordable housing as in the majority of cases land earmarked for this type of housing would not realise its full open market value;
- the Affordable Housing Action Plan, which had been developed with a view to delivering the T&F Group's recommendations, which included target dates for the delivery of each recommendation, would form part of the Council's overall Housing Strategy in due course

Councillors emphasised :

- that future affordable housing provision should include a mix of two, three bedroom family dwellings which would provide opportunities for families to move up the housing ladder and enable first-time householders to enter on to the housing ladder, be they tenants, shared-ownership or owner-occupiers;
- the need for any future social housing that is built to include a caveat that they are exempt from any 'right to buy' scheme in order to reduce the risk of a shortage of such housing in the medium to long-term;
- the need to focus on the housing needs of residents and the value for money aspect for ratepayers - investing in good quality affordable homes for some

of the County's most vulnerable residents would in the long-term realise financial benefits for the Council, as less of the ratepayers money would be used to supplement excessive private sector rents through Housing Benefit;

- the need to raise awareness of the affordable housing register and the process for registration without raising people's expectations. Officers advised that they were currently working with estate agents and other local authorities in North Wales to develop a more streamlined approach to this process, with a view to avoiding duplication and the need to complete lengthy registration forms until much later in the allocation process

Councillors who had been members of the T&F Group commented on how well both members and officers had worked together during this review, it had been a truly worthwhile and constructive process. They now hoped that the momentum could be kept and that the recommendations could be delivered as soon as possible for the benefit of residents. Officers agreed to send members a briefing note updating them on the progress to date with the delivery of the Affordable Housing Action Plan, and members agreed that the draft Housing Strategy be presented to the Committee for examination in September 2015. It was:

Resolved:

(i) subject to the above observations, to receive the conclusions and recommendations put forward by the Affordable Housing Task and Finish Group; and

(ii) that the Council's draft Housing Strategy be submitted to the Committee for examination at its September 2015 meeting, prior to its submission to County Council for approval and adoption in October 2015

7 FOOD SAFETY, STANDARDS AND PROCUREMENT - UPDATE

The Lead Member for Public Realm introduced the report and the Public Protection Business Manager detailed the work which had been undertaken within the last twelve months with respect to the regulatory aspect of food safety and standards and to improve procurement and contract management of the Council's own food procurement practices for the various establishments it operates. The Lead Member advised that he had accompanied food safety and trading standards officers on some of their visits, including visits to school canteens. He had been greatly impressed by the thoroughness of their work and their professionalism in conducting their day to day business.

Responding to members' questions the Lead Member and Public Protection Business Manager confirmed that:

- it was a statutory requirement for food outlets to display their 'scores on the doors' food hygiene rating (now known as the Food Hygiene Rating Scheme). Non-compliance with this could result in a Fixed Penalty Notice;
- all food outlets, be they private or public, were subject to food hygiene and standards inspections;

- it was each individual business' duty to register the fact that they were selling food or drink with the local authority. Officers would routinely as part of their visits to other businesses keep an eye out for new outlets operating in the area and check the Council's records to ensure that they had registered. If it transpired that they had not, contact would be made with the business to support them in that and other associated processes;
- businesses that score a 1 or a 2 food hygiene rating were classed as a 'higher risk' and therefore required more support to improve their rating. Food standards officers adopted a proactive approach towards these businesses and would offer advice and support to help them improve in time for the follow-up inspection. The majority of businesses welcomed the support given as it was in their interest to improve their 'scores'. The timing of follow-up inspections was dependent on the nature of the problem behind the initial rating and the time needed to rectify i.e. lack of cleanliness or aging specialist equipment which required replacing. Sufficient time would be given to rectify identified problems;
- follow-up visits etc. were built into the Service's business plan as officers expected to undertake a certain percentage of such visits per year
- food hygiene visits were undertaken on an unannounced basis and took place at intervals dependant on the category of risk given to the business, which can be between 6 months for Category A and 24 months for Category D. It was extremely rare for the business owner to refuse admission to a food hygiene/standards inspector. If they did refuse it was usually due to a lack of understanding and once the position was explained to them they usually permitted the visit to proceed;
- if a specialist food producer was required in attendance during an inspection the visit would then be pre-booked to ensure all relevant personnel were on hand;
- food hygiene inspectors operated County wide but would prioritise their work by area in order to cut down on travelling costs etc. However, if they were in an area responding to a complaint they may also undertake a number of routine inspections in the same area in order to be cost effective;
- travelling fairs and mobile food outlets were governed by the same food hygiene and safety regulations. These businesses were registered with the business owner's 'home authority', however this did not prohibit any authority which they were visiting from inspecting them or dealing with any complaints received;
- they would check and report back to members on the tender and due diligence process applied to the Council's Catering Service contract awarded to Hughes Meats of Bangor;
- with respect to low hygiene ratings given to two hospitals in the County in recent months they advised that the Health Board was keen to work with officers to rectify the problems identified. They confirmed that the Council had the required staff to support this work.

As these low hygiene ratings in local hospitals were a cause of concern to residents the Committee asked that they be furnished with copies of the inspection reports and a briefing note on the progress made to date to rectify the problems.

At the conclusion of the discussion the Committee asked the Lead Member for Public Realm and the Public Protection Business Manager to convey members' appreciation to the Service's staff for their hard work and efforts in this area. It was:

Resolved:

(i) subject to the above observations to receive the report and note the progress made against each of the recommendations in the Task and Finish Group's report; and

(ii) that an information report be presented to the Committee in twelve months time on the progress made during 2015/16 with food safety, standards and procurement.

8 SCRUTINY WORK PROGRAMME

A copy of a report by the Scrutiny Coordinator (SC), 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 SC confirmed that the new forms (appendix 2) to request items to be included on scrutiny agendas had now been implemented. As yet no forms had been received but items raised at the meeting would be included.

The Committee considered its draft Forward Work Programme for future meetings, Appendix 1. The SC informed the Committee that officers had requested that the car parking report be brought forward to July's meeting. The Chair had permitted this request.

The Committee was informed that the Welsh Government (WG) Minister had been invited to attend July's meeting for the discussion on the impact on the Council regarding late notification of allocation of central government grant funding. However, the invitation had been declined and he had suggested that it may be more appropriate for a representative from the Welsh Local Government Association (WLGA) to attend. The WLGA's Head of Finance had offered to attend the Committee's meeting on 10 September for the discussion.

It was agreed that the two items for July's meeting would be:

1. Car Parking Charging Policy
2. Better regulation of caravan sites.

Following Annual Council on 12 May the Committee was asked to appoint / reappoint members to serve on the Council's Service Challenge Groups (appendix 5). The following changes to appointments were agreed:

- Economic & Business Development – Councillor Bill Cowie,
- Customers and Education Support – Councillor Rhys Hughes,
- Legal, HR and Democratic Services – Councillor Pete Prendergast,
- Communication Marketing & Leisure – Councillor Huw Hilditch-Roberts,

9 FEEDBACK FROM COMMITTEE REPRESENTATIVES

No reports were received.

Meeting ended at 11:10am.

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