

COMMUNITIES SCRUTINY COMMITTEE

Minutes of the Communities Scrutiny Committee held in Conference Room 1a, County Hall, Ruthin on Thursday, 1st March, 2012 at 9.30 a.m.

PRESENT

Councillors D.I. Smith (Chair), I.W. Armstrong, J. Cahill, T.R.. Hughes, E.R. Jones, P.W. Owen, S. Thomas and C.H. Williams.

Councillor W.L. Cowie attended as an observer.

ALSO PRESENT

Corporate Director: Learning and Communities (HW), Principal Regeneration and Investment Strategy Officer (RW), Street Works Engineer (TD), Strategic Regeneration Manager (MD), Project Manager: Business, Planning and Performance (SLP), Maritime Regeneration and Development Manager (MB), Supporting People Team Manager (JE), Corporate Improvement Officer (EW), Head of Finance and Assets (PM),

Mr Bill Newton and Mr David Clayton, members of Rhyl Yacht Club and representatives of the Foryd Harbour Forum, and Tony Mead (ex Harbour Master) attended for Item 6 – Foryd Harbour Mooring Fees and Charges

Mr Colin Evans and Mr Tom Barham, representatives of the Community Foundation in Wales, attended for Item 9 – Community Funding

1. APOLOGIES

Councillors B. Blakeley, J.M. Davies and D. Hannam and Co-opted Members Ms D.Houghton and Dr D. Marjoram.

2. DECLARATIONS OF INTEREST

Councillor I.W. Armstrong declared a personal and prejudicial interest in business item 6 as Chair of the Foryd Harbour Forum and a member of Rhyl Yacht Club. However, the Committee requested that he participated in business item 6 as a witness.

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, 19th January, 2012 were submitted.

Councillor T.R. Hughes suggested that the reported resolution for Item 8 on 'Highway Verge Grass Cutting' should be amended to reflect more clearly that the Committee agreed that Area Member Groups were to be consulted in order to establish which roads within the Area of Outstanding Natural Beauty (AONB) could safely receive the 'Biodiversity Cut'.

The Committee agreed that otherwise, the Minutes represented a true and accurate record of the previous meeting. It was:

RESOLVED – *that the Minutes be amended so that the resolution of Item 8 read as follows:*

“a) Option 1 is implemented in the AONB on all routes which are deemed safe for a biodiversity cut following consultation with the Local Member Area Groups, and that Option 2 is implemented across the remainder of the County’s roads;”

and that subject to the above that the Minutes be received as a true and correct record.

5. ETAPE CYMRU CYCLING EVENT

The Principal Regeneration and Investment Strategy Officer (PRISO) introduced a report, circulated prior to the meeting, which gave details of the arrangements put in place for the 2012 Etape Cymru cycling event. The Committee was informed of the difficulties that had affected last year's event, particularly relating to the lack of communication and consultation with local businesses and communities, and explained the measures that had been taken to ensure that arrangements were improved for future events. The PRISO indicated that the Chief Executive Officers of both Denbighshire County Council and Wrexham County Borough Council were in favour of an event taking place again this year under new organisers Participate Sports, with Sunday 9th September earmarked as a potential date.

Councillor T.R. Hughes, local Member for Llangollen, raised a number of issues stemming from last year's Etape Cymru event that had negatively affected the local community, and sought assurances that if the event was to take place this year that processes would be put in place to ensure that the same problems are not repeated. Last year's event had caused concerns relating to:

- Communication with the local community
- Engagement of local businesses
- Loss of trade due to road closures
- Ineffective marshalling of the event

The PRISO explained that the Council had learnt from the mistakes made in the organisation of last year's event and that the experience had emphasised the need for consultation and communication with the local community to be significantly improved this year. Many of the problems had been attributed to poor management by previous organisers K-Extreme, particularly the ineffectiveness of the company that K-Extreme engaged to provide marshalling services for the event. The PRISO expressed confidence that the experience and expertise of the new organisers would ensure that the event would be run much more efficiently and that the improvements in consultation would promote the involvement of local businesses in the event, with the hope that the opportunities that hosting this type of large event would bring to the area could be maximised through effective business engagement.

Suggestions for the event to be re-routed away from the Horseshoe Pass were not deemed to be viable given that the Pass was held as the crucial selling point of the event. Members recognised that improvements in organisation would help minimise the negative impact of the event on the local community, but emphasised that the loss Sunday lunch-time trade remained a significant problem. The Committee asked for assurances that the race would have passed through the Horseshoe Pass in time for the road to be re-opened in time for businesses not to suffer inconvenience during their peak trading time for Sunday lunch. The PRISO said that this could not be guaranteed until the meeting of the Safety Advisory Group on 2nd March, but that the target of having the Horseshoe Pass open to traffic by 11am would be pursued. The start time had already been brought forward to work towards this and the PRISO said that roads were able to re-open when the slowest cyclists drop below a speed of 11mph.

The Chair summarised the debate, noting that the Committee was not opposed to the event taking place but could only support the event if the organising and communication procedures were refined, and asked for reassurances that all interested parties would receive clear communication as a priority. The absence of effective monitoring of last year's event was also noted and the Chair asked that arrangements be put in place to examine the impact that the race would have on the local community both before and after the event.

RESOLVED – *that the Committee endorsed the road closure to allow the Etape Cymru 2012 to take place, subject to:*

a) full consultation with the communities and local businesses impacted by the road closures taking place, including consultation with the local Area Member Group;

b) the impact the event has on local communities being monitored before, during and after the race, with a report on this aspect being submitted to the Communities Scrutiny Committee in Autumn 2012; and

c) the Committee receiving a guarantee that the Horseshoe Pass will be re-opened to traffic by 11am.

6. FORYD HARBOUR MOORING FEES AND CHARGES

The Maritime Regeneration and Development Manager (MRDM) presented a report, circulated prior to the meeting, which asked the Committee to consider and support changes made to charges for mooring boats at the Foryd Harbour. The item had been originally scheduled for discussion at the Committee's meeting on 19th January but had been deferred to allow for consultation with the Foryd Harbour Forum, which had since taken place.

The MRDM explained the works that had been undertaken to replace moorings and the need for the Harbour to charge mooring fees to allow the project to generate its own funds rather than relying on Denbighshire County Council funds. The charges were specified in the report and a 50% discount was proposed for the period between 1st April 2012 to 31st March 2013 to allow for the programmed development works to be completed.

Members of Rhyl Yacht Club, who also served on the Foryd Harbour Forum, were in attendance at the meeting and were invited to make representations to the Committee. Mr Bill Newton, Honorary President of Rhyl Yacht Club, expressed his concern with the way the redevelopment and charging process had been handled by the Council so far and presented a document that summarised the Foryd Harbour Forum's issues to the Chair. Mr Newton referred to specific concerns about the quality of the replacement moorings and the decision to implement charges prior to the redevelopment of the harbour being complete. Councillor Ian Armstrong confirmed that he was present when the Chief Executive of the Council had given assurances, via a telephone conversation at a meeting of the Harbour Forum in March 2011, that there would be no charges implemented until phases 2 and 3 of the harbour redevelopment project had been completed.

The MRDM attributed the problems with moorings to over-specification rather than deficiency and said that he would be meeting with the contractors to resolve the issue. The Project Manager: Business, Planning and Performance also noted that the retention fee on the moorings contract had not yet been paid and would not be until a satisfactory resolution could be found.

The Chair observed that under the proposed charging arrangements that half fees would be payable from April 2012 when development works would still be taking place. He suggested that the service that boat users received from the harbour would be worse than it had been prior to the developments and so it would not be fair to introduce charges before completion of the improvement works. It was recognised that the Communities Scrutiny Committee did not have the final authority to determine how the fees should be implemented, but the Committee was able to make a formal recommendation. In consideration of this, the Committee supported the suggestion that the introduction of the fees should be deferred for 12 months until the harbour was fit for use.

RESOLVED – that the Committee recommend that :

(a) the proposed scale of charges contained in the report be supported in principle, but that the implementation of levying any of the charges detailed in the report be deferred until 1st April 2013 to take account of programmed development works within the harbour;

(b) the discounted rate proposed in the report be reviewed annually taking into account market demand; and

(c) local rates be applied to Kinmel Bay and Towyn (wards 12 & 13 in Conwy County Borough Council.)

7. CHANGES TO THE SUPPORTING PEOPLE STRATEGY FOR 2012-14 AND SUPPORTING PEOPLE OPERATIONAL PLAN FOR 2012/13

The Supporting People Team Manager (SPTM) introduced a report, circulated prior to the meeting, which gave details of the Supporting People Strategy for 2012-14 and the associated Operation Plan for 2012/13, and asked for the Committee's views on the plans. It was explained that the Operation Plan was an element of the Supporting People Strategy which had to be produced annually in accordance with the Welsh Government's regulations. The SPTM summarised a number of changes that had been made to the planned actions for 2012-14 as a result of consultations, which were detailed in the report.

During the debate on the content and changes made to the Operational Plan the Committee raised a number of issues which included:

- Consideration of Denbighshire's provision for male victims of domestic abuse. The SPTM confirmed that provision had been made available to accommodate male victims in addition to women's refuge provision, and that two organisations, Hafan Cymru and North Denbighshire Women's Aid, worked with both genders
- A query regarding replacing supported housing within the two regeneration intervention areas. It was confirmed that, as the relevant landlords, Clwyd Alyn Housing Association (CAHA) were finding alternative provision for seven units. Replacement provision was said to be outside of the intervention areas but likely to be in the Rhyl area due to the availability of provision. CAHA were working with providers to ensure the suitability of replacement property and a supported housing strategy will be developed to look at this in further.
- Concerns regarding some individuals moving into Denbighshire and the operation of some B&Bs. It was noted that people were able to choose to live where they wish and that in some circumstances placements may be multi-agency arrangements, for example, in relation to public protection or risk management. Such arrangements operated on a reciprocal basis, so people from Denbighshire in similar circumstances may be placed in other counties. Members were advised that queries regarding homeless placements should be referred to the Head of Service, and queries relating to specific B&Bs

which may not be operating as B&Bs, should possibly be referred to Denbighshire's planning department.

- The need to clarify the numbers of supported housing units, which had not been specified clearly in the Operational Plan.

RESOLVED – *that, subject to the comments above, the Committee support the amended Supporting People Strategy for 2012-14 and the Operational Plan for 2012/13.*

8. DENBIGHSHIRE RESIDENTS SURVEY 2011

The Corporate Improvement Officer (CIO) introduced a report, circulated prior to the meeting, which detailed the findings of the Residents' Survey and asked for the Committee's views as to whether any issues required further scrutiny. The survey had had a lower response rate than the survey commissioned in 2009 but the response (38%) was said to be relatively high for a postal survey. The CIO gave a summary of the main findings of the survey and noted that responses had generally been targeted towards areas that respondents were familiar with. The survey had taken a broad line of questioning in order to highlight concerns which were then looked at in more detail and were being used to help services to develop their Service Plans for 2012/13, and to develop the new Corporate Plan 2012-16.

Councillor T.R. Hughes asked whether the themes picked up in the survey reflected the complaints received by different services. The CIO said that this was something that was being looked at by Customer Services and emphasised that the survey was intended to highlight problems that might not otherwise attract complaints.

Councillor J. Cahill reported difficulties using the CRM complaints system, which had registered complaints as having been resolved before they actually had. The Corporate Director: Learning and Communities said that this issue had been highlighted and that Customer Services were adapting their processes to monitor the resolution of complains rather than just administering them.

The CIO also explained that the questions had been set by officers in consultation with different departments to ensure their effectiveness, and that the statistics compiled would remain valid for reporting purposes for two years.

RESOLVED – *that the Committee notes the report and recommends that the Member Area Groups be encouraged to make regular and effective use of the data collected via the Residents Survey*

9. COMMUNITY FUNDING

The Corporate Director: Learning and Communities (CD:LC) presented a report, circulated prior to the meeting, which gave an overview of the system for allocating funds to Member Area Groups and how this money had been

used, and also outlined proposals to develop a Denbighshire Community Endowment Fund.

It was explained that a one-off underspend last year had allowed for £300k to be allocated to the 6 Member Area Groups (MAGs) to be spent on community based projects. Each MAG had received £50,000 to be spent on projects that they determined would benefit their communities, and details of individual projects and the funding were specified in the report. Due to the Council's financial situation it was not anticipated that the same level of funds would be available to MAGs in future years, but the Council had allocated significant funds to support the Town Plans that were in the process of receiving approval. It was observed that the Town Plans had helped the Council to recognise the priorities of each of the towns and this had prompted a similar consultative exercise which was due to be undertaken with local Councillors prior to the local authority elections to establish the priorities of the rural communities.

Members reported the positive impact that individual projects had made on their local communities, but a preference was raised for closer collaborative working where projects could be identified that could benefit separate areas across Denbighshire. The Head of Finance and Assets (HoFA) said that MAGs would need to be engaged to identify a preference for how potential funding for community projects could be allocated in future. The Chair added that the prospect of match funding for community projects presented an excellent opportunity to maximise benefits for all concerned.

The Committee agreed that a review of how effective the spending of these funds had been and what lessons had been learnt for the future, would need to be considered by the Communities Scrutiny Committee following the election of the new Council, and it was agreed to add this as an item to the Committee's Forward Work Programme for the meeting scheduled for 14th June.

RESOLVED that under Section 100A of the Local Government Act 1972, the Press and Public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 14 of Part 4 of Schedule 12A of the Local Government Act 1972.

PART II

The meeting entered Part 2 to consider a confidential appendix to the report which detailed proposals to set up a Denbighshire Community Endowment Fund to manage moribund and ineffective trust funds which the Council held in trust.

Mr Colin Evans of the Community Foundation in Wales explained that his organisation had experience in assimilating inefficient trust funds so that they could be applied effectively, and outlined proposals to bring together the funds held in the County's name. It was explained that the Denbighshire Community

Endowment Fund would be able to use trust funds that had previously not been economically viable to administer in conjunction with potential external investment from local philanthropists to support local projects, initially through education grants but broadening the scope over time. Mr Evans explained that the Community Foundation in Wales would not be looking to make a profit from the management of the fund, its fees for administering the fund were specified in the report.

Councillor T.R. Hughes asked why a long standing trust fund which supported presentation of awards in schools had suddenly stopped and was told that this was potentially one of the trust funds that had become economically unviable due to the present day monetary value of the bursary. The HoFA also confirmed that trusts held by schools would be included in the scheme as they would be held in the Council's name.

RESOLVED – *that the Committee:*

- a) note the report on the system of allocating funds to Member Area Groups;*
- b) recommend that a review of how effectively the Member Area Groups had spent their allocations for community funding be reported on at the June meeting of the Communities Scrutiny Committee;*
- c) support the proposal that, subject to the support of the Charity Commission, the 55 moribund or ineffective trusts and their attaching assets be transferred to the proposed 'Denbighshire Community Endowment Fund' to be managed by and to become the legal responsibility of the Foundation; and*
- d) support the proposal to undertake the necessary legal actions and enter into the required agreement with the Community Foundation in Wales.*

10. 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 provided an update on relevant issues, had been circulated with the papers for the meeting.

The Scrutiny Coordinator explained that the next meeting of the Committee, to be held on the 12th April, would be the last meeting before the election. It was advised that the 3rd item scheduled for this meeting, a report on the Common Access Route to Housing, be deferred until after the election due to the issue being potentially controversial during the election period. The Committee agreed to reschedule the item for the June meeting of the Communities Scrutiny Committee. This would leave only two items scheduled for the next meeting so the Committee agreed that an update on preparations for the Etape Cymru cycling event would be received, with a further monitoring report to be considered in October 2012.

The Scrutiny Chairs and Vice-Chairs Group had determined that the Rhyl Going Forward Project was most closely aligned with the remit of the Communities Scrutiny Committee, and had asked the Committee to scrutinise the project. The Scrutiny Coordinator asked the Committee to scope this issue to determine how the project should be scrutinised and it was agreed that a representative of the Rhyl Going Forward Project would be asked to attend a July meeting of the Committee in order to give details of the project's progress so that potential areas for scrutiny could be identified.

The Committee confirmed that a report to review the benefits of the various projects undertaken as part of the MAG community funding would be considered at the Committee's June meeting, as previously discussed.

The Scrutiny Coordinator advised that the Scrutiny Chairs and Vice-Chairs group had decided to establish a joint task and finish group between the Communities Scrutiny Committee and the Partnerships Scrutiny Committee to consider the proposals for a North Wales Safer Communities Board, and the Group was scheduled to meet on 15th March. Following a discussion it was agreed that the Chair and Councillor J. Cahill would represent the Communities Scrutiny Committee on this Group, with Councillor T.R. Hughes to substitute if necessary.

The Committee also agreed to schedule consideration of a report on the impact of the cessation of free school transport for Ysgol Dinas Bran for the Committee's September meeting.

The Scrutiny Coordinator finally reminded the Committee of a questionnaire that had been circulated which asked for views on the Council's Scrutiny arrangements in order to inform the Annual Report of Scrutiny, and asked for responses to be returned by 8th March.

RESOLVED – that

(a) subject to the above amendments the Forward Work Programme set out in Appendix 1 be approved; and

b) Councillors D.I. Smith and J. Cahill be nominated to serve on the joint task and finish group established to consider the proposals for the North Wales Safer Communities Board.

The meeting concluded at 1:20pm.