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## COMMUNITIES SCRUTINY COMMITTEE 02.12.14

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- 1. PRESENT**
- Councillor Angela Russell (Chair)
  - Councillor Mandy Williams-Davies (Vice-chair).

Councillors:- Stephen Churchman, Louise Hughes, Llywarch Bowen Jones, Dilwyn Morgan, W Tudor Owen, Caerwyn Roberts, Mike Stevens, Gruffydd Williams

**OFFICERS:** Arwel Ellis Jones (Senior Manager - Corporate Commissioning Service) and Lowri Haf Evans (Members' Support and Scrutiny Officer).

**ALSO PRESENT:**

- i) In relation to item 5 on the agenda – Mr Greg Guthrie (Royal Haskoning Company) and Mr Cefin Edwards (Gwynedd Consultancy Chief Engineer)
- ii) In relation to item 6 on the agenda – Councillor John Wyn Williams – Cabinet Member for Planning, Mr Aled Davies (Head of Regulatory Department) and Mr Gareth Jones (Senior Planning and Environment Service Manager)
- iii) In relation to item 7 on the agenda – Councillor Gareth Roberts - Cabinet Member for the Environment, Mr Aled Davies (Head of Regulatory Department), Mr Dafydd Wyn Williams (Senior Transportation Manager)
- iv) In relation to item 8 on the agenda – Councillor Gareth Roberts - Cabinet Member for the Environment, Mr Aled Davies (Head of Regulatory Department), Mr Dafydd Wyn Williams (Senior Transportation Officer), Councillor Selwyn Griffiths (Cambrian Conference Chair), Councillor Eryl Jones Williams (Local Member), Councillor Gareth Thomas (Local Member)
- v) In relation to item 9 on the agenda – Councillor Gareth Thomas – Cabinet Member for Education, Debbie Ann Williams Jones (Members' Manager – Democratic Service)

**APOLOGIES:**

Apologies were received from Councillors Craig ab Iago, Annwen Hughes, Eric M. Jones, Linda Morgan and Bob Wright

**2. DECLARATION OF PERSONAL INTEREST**

The following members declared a personal interest for the reasons noted:

- Councillor Mandy Williams-Davies in item 5 on the agenda as her husband was responsible for Planning, Landscape, Energy for Natural Resources Wales - she left the Chamber during the discussion.
- Councillors Caerwyn Roberts and Gruffydd Williams in item 9 on the agenda as they had to withdraw from the Post-16 Education Transport Scrutiny Investigation work as members of their families were receiving a service. As a result, they did not take part in the discussion.

**3. URGENT ITEMS**

None to note

**4. MINUTES**

The minutes of the previous meeting, held on 1 October 2014 were accepted subject to:

- (i) Removing Councillor Gruffydd Williams' name under 'present' on page 1.
- (ii) Adding to paragraph 5(b) Elected Members' Protocol

*In response to concern that the contact with Members was insufficient - the current system was a systematic one which meant that it was not possible to have a definite conversation / discussion, follow-up or conclusions on matters that had been raised, it was noted that the Elected Members' Protocol sought to ensure information flow to one direction with every enquiry and response recorded appropriately. It was stated that providing a single contact point provided a professional aspect to the procedure and there was no intention of changing the procedure. It was reported that last year over 300 complaints had been received by Councillors but as the improvement works were nearing completion it appeared that the number of complaints were reducing. In terms of sharing information regarding completed work, it was agreed that it was possible to improve and fully close the enquiry cycle.*

## **5. COASTLINE PROTECTION SCHEME (West Wales)**

- a) A short presentation was given by Mr Greg Guthrie (Rooyal Haskoning Company), author of the West of Wales Shoreline Plan, on the background to the plan which assessed the impact should the sea level be likely to raise 50 - 150m in the future due to the climate changes with a range of effects and impacts, that some areas would need to adopt, and in areas that were likely to be affected in the short term, there would be a need to identify those important things that must be changed.
- b) It was noted that the Council's action plan was an exceptional one. Gwynedd Council was the first Council to face the challenge and to accept the matters. They had responded by speaking to communities, explaining the outcomes to the local people, ensuring that villages / towns were aware of the effects and including the communities in the discussions. It was explained that information leaflets had been prepared per community and that the implications had been discussed with the villages. Sharing information had been completed in 2013 with a second round of visits to be arranged for 2015.
- c) One member had expressed concern regarding how the Assembly could justify the fact that they would not be protecting areas of the plan after 15 years. A request was made for clarity, and for a clear definition of the word 'protect'. It was added, as an example, that there were 400 dwellings in Y Friog, and therefore how would these be relocated? Did 'rolling back' mean building houses from anew? If the houses were to be left, who would pay the cost? If money would not be spent on defences, why could the money not be used for relocating and redeveloping villages? If it would be necessary to realign the coast, would it not be better to plan rather than leave it. In the context of managed realigning, had the information been shared with the public? It would be necessary to ensure that the people of Y Friog were safe.
- ch) In response to the concerns, it was explained that the Shoreline Plan was a high level document that drew attention to areas that could not be protected. Where 'managing defences' were noted, it was necessary to identify the need to change. It was a Policy, not details, highlighting possible opportunities and options by opening discussions with communities to discuss the need to change.
- d) A Member drew attention to the fact that the Borth area in Ceredigion had received millions of pounds to defend communities and therefore why could y Friog not be protected. It was explained that 6 million had been spent on defences to the back of Y Friog, and that Borth's geographical situation was also different.

- dd) Challenging the report, one Member noted that it only contained theories. The method had appeared to be practical, but this was the response and opinion of one specialist. The commitment of the Welsh Government and Gwynedd Council was needed to protect the Welsh coastal communities and to make positive decisions to protect Y Friog. The Local Authority's decision would be to protect or compensate the coastal communities. Y Friog was now part of a national debate and there would be a need to ensure that Gwynedd Council was a part of this discussion.

**RESOLVED to accept the report but the following points are noted:**

- i. **That a plan is needed in place and that Gwynedd Council's response to the plan has been successful and that including communities in any discussion is key.**
- ii. **It should be praised that initial discussions have been held, though it is necessary to ensure that this continues.**
- iii. **That the national discussions are slow and create difficulties for the community. As a result, a message should be sent to the Minister, highlighting concerns and pressing for a quick response and clarity.**

## **6. MONITORING ENFORCEMENT OF CARAVAN PARKS**

- a) A report was submitted by the Head of the Regulatory Department providing the context for monitoring work and enforcement of caravan sites.
- b) The Cabinet Member highlighted that monitoring enforcements of caravans had recently received considerable attention due to planning applications being approved for caravan parks to remain open from ten and a half to 12 months. It was expressed that there was a need to develop a method of monitoring caravan parks in a proactive manner to ensure compliance with the planning permission and the relevant conditions, but that this was dependent on staff resources and it was not practically possible to monitor every site. Also, it was expressed that it was intended that current information about caravans would be gathered to establish a baseline that would ultimately facilitate working arrangements in terms of monitoring work and responding to complaints regarding caravan sites.
- c) It was added that the Planning Enforcement Unit had undertaken research work with the Public Protection Unit and that discussions had been held with Snowdonia National Park Authority in an attempt to respond to the monumental task of monitoring every site in Gwynedd. Since the beginning of the year, the Council had approved an Enforcement Strategy that established a framework for the Enforcement Unit's proactive and reactive work, and the strategy noted the intention of monitoring 20 sites a year.
- ch) The members were reminded that there was no statutory requirement to do the proactive work, that it was considered good practice on a national level as the work brought added value and contributed towards achieving the Council's priorities. Due to the concerns regarding granting planning permission for a 12 month holiday season, it was explained that the proactive monitoring work had included prioritising those sites that had received permission for a 12 month holiday season. It was reported that only four out of the 13 sites that had received permission had taken advantage of the 12 month holiday season, though it was expected that this number would increase as further applications were submitted. It was noted that this was a discretionary service, therefore it was completely dependent on resources, and there would be a need to consider if the service was a priority within the wide range of services provided by the Council. It was reported that the service had been earmarked as one that could be reduced or abolished as it was not a statutory service.
- d) One concern the Members had was that approving these 12 month applications would lead to people permanently living in caravans that would, as a result, create new

communities / destroy Welsh communities. There were already examples, such as in Morfa Bychan, where the number of caravans on the site was higher than the number of houses in the village. The members were reminded that the Planning Committee had refused the first planning application, contrary to the recommendation, and as a result the applicant had taken the application to an appeal and had succeeded with a cost of £15,000 against the Council. A request was also made for councillors to provide the Planning Service with information if they had evidence / concerns that planning rules had been breached in order to assist with ensuring compliance.

- dd) In response to the question of charging taxes on 12 month caravans in order to fund and create an income to pay for enforcement resources, it was noted that there was an opportunity to charge a fee through the licensing unit but new legislation was required to allow this. The Head of Regulatory Department expressed that this was unlikely, especially in the short term. In terms of cross-departmental discussions and holding a broader conversation regarding the caravans' residents, it was noted that there was no formal mechanism in place to gather information. It was explained that the best information usually came from the communities or the local elected members. Although there was no formal procedure in place to try to ensure that information was gathered across departments, it was agreed that it would be possible to examine this further. Members expressed their desire to see this happen.
- e) A further request was made for information regarding the location and the number of caravan parks per ward, along with the nature of the permission i.e. static / touring etc. to allow the local member to monitor the situation. It was agreed that this could be considered and that information in terms of planning history could be shared appropriately with members in relevant cases. It was outlined that once the baseline was in place, the work would become easier (it was also noted that the National Park was undertaking similar work of establishing a baseline).

**RESOLVED to accept the report that provides an honest picture of the situation and to accept the work on the baseline and emphasise the following matters:**

- i) Members should be encouraged to bring key information to the department's attention**
- ii) Collaborate with other departments to improve the level of information**
- iii) Keep an eye on the possibility of raising the income to fund the service in future if the legislation permits it**
- iv) Despite the importance of the work, accept that proactive elements are discretionary, and is therefore an option that will need to be considered for achieving savings.**

## **7. PRIORITISING THE PROVISION OF PUBLIC TRANSPORT**

- a) A report was submitted by the Head of Regulatory Department, presenting the possible impact which implementing the changes to the public transport system based on the results of the matrix could have on the residents of Gwynedd. The Cabinet Member reiterated that the funding for the transport was decreasing, but that the demand and cost was increasing and therefore it would be impossible to continue with the current situation. The matrix had been introduced to try to ensure fairness. It was emphasised that the matrix had been developed with an emphasis on the most important factors and that the committee had been a core part of its development.
- b) It was explained that five headings had been measured; area, volume, alternative choice, type of service and facilities with emphasis on the need for further work to analyse the 'alternative choice'. The need for a better definition of 'area' was also suggested.

- c) It was highlighted that some of the journeys were optional services and that difficult decisions needed to be made in order to address the savings. It was emphasised that the service was public Transport, and that some considered it as personal transport. It was recognised that everyone's needs could not be addressed. The intention behind submitting this report was to share the best information available in order to support and assist members with difficult decisions. The members were reminded that the changes were not responses to the cuts, rather a response to the loss in grant and the deficit in the existing budget.
- ch) Some passengers would need to adapt their routines to coincide with the transport timetables in future and they should not expect the transport to be arranged based on their personal requirements.
- d) A member suggested that a second review of the matrix was needed in order to improve the outcomes and revisit the weighting table to ensure that the information was correct. It would be unfair to cut evening services as they transported people to their work (not used for leisure and pleasure only). It was proposed that, rather than reducing night services, frequent services during the day should be extended. The request was to review the matrix and to decide whether there was a better option or another choice. It was accepted that changes needed to be implemented, but that it was necessary to understand what was acceptable.
- e) It was explained that there was further work to be completed that would include mapping per community and building on the existing information in detail. The additional information would be considered by the Cabinet Member before a final report would be submitted to the Cabinet for decision. It was anticipated that an equality impact assessment on the journeys in question would be a part of the process before a final decision was made.

**RESOLVED to accept the report emphasising the following matters:**

- i. To accept the process and consider the picture, purpose and reasoning when developing and implementing the matrix.**
- ii. That local Councillors should hold local discussion groups with communities to inform local people of the changes and to prioritise the community's transport requirements.**

**8. UPDATE ON THE BRIWET BRIDGE PLAN**

- a) Submitted – a report by the Head of the Regulatory Department providing information and context on the progress of the Briwet Bridge project. The report responded to the concern of Committee members about the timescale of the work and who would be responsible for any financial or additional losses that would need to be met should the work slip further than the completion date.
- b) It was reported that a barrister had given an independent opinion about the claims for additional payments. It was expressed that the barrister was of the opinion that there were no grounds for these allegations.
- c) It was reported that good communication continued with Hochtief, the bridge construction contractors, and it was expected to be completed by June 2015. It was outlined that the slippage arose as a result of problems with Welsh Water, BT, National Grid and high tide. It was noted that there was concern regarding a risk that European funding would be withdrawn should the bridge not be completed on time. In response to the concern, it was noted that an additional risk of 23 days had been agreed and that it was the final account settlement that was the biggest risk in terms of financial procedures.

- ch) It was acknowledged that the bridge would be of significant benefit to the community after completion, but 'today' the problems were obvious and were having an impact. The general feeling was that people had felt let-down with mixed and inconsistent messages being shared. It was noted that Hochtief had appointed a Public Relations Officer but that this officer had left. The post had then been advertised locally, but without success. Consequently, two Council officers had been appointed to undertake the work, which had been in addition to their responsibilities and under very difficult circumstances. Members thanked Patricia Jones (Briwet Bridge Project Co-ordinator) and Cheryl Ann Morgan (Public Protection Officer – Briwet Bridge) for their good work. It was believed that one lesson to be learnt would be securing a relevant officer at the beginning of the project to develop a relationship with the local community.
- d) It was accepted that several factors had angered local people and it was obvious that a lack of clear and consistent communication had been the main factor. It must be ensured that an honest and transparent message was shared with the local community stating the current situation. There was no doubt that businesses in the Harlech, Talysarn, Penrhyndeudraeth and Porthmadog areas had been affected following the delay and therefore it must be ensured that there would be no further delays.
- dd) It must be ensured that Hochtief complied with the proposed completion date. A promise had been made and therefore it was important not to lose trust. It was highlighted that a new Project Manager had been appointed and that the programme was now acceptable and achievable.
- e) In relation to recent damage to the convoy system, it was noted that this was entirely unacceptable and that it raised health and safety risks.
- f) In terms of successes within the scheme, it was noted that good work had been done to ensure a financial package for the scheme, that there was good collaboration between the key organisations, that the scheme had created work for local people and that thus far, no accidents had been reported. In terms of the split of quality (40%) v commercial (60%), it was accepted that consideration must be given to this balance when tendering large infrastructure projects in the future and to evaluate every situation individually.

Officers were thanked for the update and the honest information.

**RESOLVED to accept the message that lessons have been learnt from this process, and note concern about risk management within the scheme and the timescale of this scheme.**

An additional comment was made by a Local Member expressing concern that several people walked across the bridge. It was expressed that, should an accident occur, this would cause further delays.

## **9. SUBMITTING THE RECOMENDATIONS OF THE POST-16 EDUCATION TRANSPORT SCRUTINGY INVESTIGATION**

- a) A summary of the investigation background was given by the Chairman of the investigation, Councillor Stephen Churchman. It was outlined that the investigation's brief was to consider how the Council's policy was being implemented at grass roots level, and what effect had implementing this policy had on post-16 education providers, the learners and their families.

In September 2014, a request was made by the Cabinet Member for Education for the brief of the investigation to be extended in order to consider further options for identifying

possible savings within the post-16 education transport service. This meant the need to consider more creative options and recommendations for providing the service in future. The request was welcomed as an opportunity to add value to the investigation with emphasis on placing the customer central to the service.

While considering the creative options the investigation's members had agreed on the following principles:

- Fairness for everyone
- Open to everyone
- Flexibility
- A reasonable cost
- Flexible travel times

It was noted that the investigation had been a detailed one and that various individuals and establishments had been questioned and had been given the opportunity to have an input into the investigation. Everyone was thanked for their contribution.

- b) The recommendations were submitted to the Cabinet Member. It was recognised that acting on them would be a matter for the Cabinet Member, but a request was made for a report on his response to the recommendations at the next meeting along with a progress report within six months.
- c) In response to the investigation, it was noted that the investigation was detailed and easy to read.
- ch) In terms of a, it was noted that *13. Other Matters for Consideration by the Cabinet Member (page 8)* was a political point, and the observation that it needed to be adapted was accepted.
- d) An additional proposal was made for the Cabinet Member to discuss the obvious differences between the English and Welsh arrangements with Edwina Hart. Fairness must be ensured for everyone.

**RESOLVED to adopt the Investigation's report and to welcome the fact that the Cabinet Member accepts the recommendations in the report, and await a report back within six months.**

## **10. SCRUTINY FORWARD WORK PROGRAMME 2014 - 2015**

- a) Submitted – an amended forward work programme to members for information.

Everyone was thanked for their contribution. Mandy Williams Davies was thanked for her contribution to the Communities Scrutiny Committee over the years and she was wished every success in her new post as a Cabinet Member. Debbie Anne Williams Jones was also thanked for her contributions to the Communities Scrutiny Committee – Debbie would be supporting the Corporate Scrutiny Committee from now on.

The meeting commenced at 10:00am and concluded at 1:40pm.