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**COMMUNITIES SCRUTINY COMMITTEE 04.07.2014**

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

Councillors:- Annwen Hughes, Eric M. Jones, Dilwyn Morgan, Linda Morgan, Tudor Owen, Nigel Pickavance, Gruffydd Williams, Robert J. Wright and Eurig Wyn.

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

**ALSO PRESENT:**

- ii) In relation to item 5 on the agenda – Councillor John Wyn Williams – Cabinet Member for Planning, Aled Davies (Head of Regulatory Department), John Reynolds (Senior Public Protection Manager).
- iv) In relation to item 6 on the agenda – Aled Davies (Head of Regulatory Department), Bethan Rowlands (Integrated Transport Manager).

**APOLOGIES:** Councillor Stephen Churchman, Caerwyn Roberts and Gethin Glyn Williams

**1. DECLARATION OF PERSONAL INTEREST**

No declaration of personal interest was received.

**2. MINUTES**

The minutes of the previous meeting held on 13 May, 2014 were accepted as a true record of the meeting.

**3. FOOD STANDARDS AGENCY'S FOCUSED AUDIT OF GWYNEDD COUNCIL'S ARRANGEMENTS FOR ENFORCEMENT OF THE FOOD SAFETY ACT 1990: 6 AND 7 MARCH 2014**

- (a) **A report was submitted by the Cabinet Member – Planning noting the findings of the audit. It was acknowledged that the report did not make pleasant reading as many serious cases of non-compliance had been identified. It was emphasised that this was an audit of the Council's internal procedures only, and it did not relate to individual businesses.**
- (b) **Additional information was received from the Senior Public Protection Manager noting that the department had responded urgently to the audit and that an action plan had already been completed and put into action by 1 July 2014. It was explained that there were weaknesses in the Council's existing systems, e.g. forms needed to be updated, systems needed to be modernised and although additional resources had been given to the department, this had not had the desired effect. The Head of Regulatory Department acknowledged that numeric targets were being achieved, but that operational methods and managerial arrangements were letting the Service down.**
- (c) The Head of Service noted that the situation was being taken seriously and that attention needed to be given to managerial arrangements and processes. Although a number of the recommendations from the 2011 report had been implemented, it was possible that too much emphasis was being placed on numerical targets and not on ensuring robust arrangements.
- (ch) The following matters were considered during the discussion:

- i. It was noted that processes had failed and that the Service needed to have correct and robust processes in place. Some procedures had been in place since 2007 but they had not been updated. Councillor John Wyn Williams confirmed that Internal Audit was responding to a request from the Delivery Panel (Sustainability and the Environment), to investigate the shortcomings in this element of the Service's work. Confidence was expressed in terms of the Service's front line staff, but not in relation to work processes, managerial arrangements and technical elements.
- ii. It was acknowledged that the Department had been astounded that so many matters appeared inadequate following a brief period between the audits of the two fields. The Head and the Cabinet Member confirmed that they were considering inviting a full audit of the Service on a broader level, in order to obtain assurance that there were no similar weaknesses in other areas.
- iii. Concern was expressed that the County's economy depended on tourism and that the results of this audit was very likely to raise concerns in terms of food hygiene. Although in-house arrangements were responsible for the audit's poor results, it could have a negative impact on residents and visitors to the County. It had to be ensured that there was clear communication with the press before the Council's formal responses were released.
- iv. It was noted that a clear and robust programme with specific dates was required to satisfy the Food Standards Agency (FSA), that firm action was being taken. It was not expected that the Council would receive a response from the FSA regarding the contents of the action plan; however, ongoing discussions were being held with them regarding the propriety of the Council's response. It had to be ensured that the action plan responded to the FSA's requirements.

The Senior Public Protection Manager, who was leading on the work, noted that the requirements arising from the audit were very specific and that they were simple requirements that were not open to discussion. It was reported that a Task and Finish Group had been established to coordinate the work and temporary appointments had been made to respond to the situation in terms of maintaining front line services whilst resources were being directed to respond to the audit's findings. The procedures needed to be changed quickly. The Unit was aware of what needed to be improved; therefore, it was important to act without delay.

- v. It was noted that no request would be made for additional resources to improve the situation. The day to day work should not be affected; however, it was anticipated that some matters would slip as the responsibilities and functions of managers and officers changed in order to respond to the FSA's requirements.  
It was noted that many improvements had been put in place already and that work was underway to achieve all improvements by the target date.

**RESOLVED TO EXPRESS THE COMMITTEE'S REAL DISSAPPOINTMENT WITH THE REPORT AND TO REQUEST A REPORT BACK TO THE NEXT MEETING OF THE COMMITTEE ON THE ACTION PLAN AND PROGRESS MADE AND TO INVITE AN OFFICER FROM THE FOOD STANDARDS AGENCY TO ADVISE THE COMMITTEE ON THE EFFECTIVENESS OF THE ACTION PLAN.**

#### **4. UPDATE ON BUS SERVICES IN THE ARFON AREA**

- (a) Submitted – the report of the Cabinet Member for the Environment outlining the impact of the decision made by Padarn Bus Ltd to cease trading and provide transport services in Gwynedd. The steps taken to ensure that services continued and how the Regulatory Department, through the Integrated Transport Unit, would attempt to manage the finance over the coming months were noted

in the report.

The Cabinet Member expressed appreciation to the staff of the Transportation Service and the staff of the Integrated Transport Unit specifically, for the praiseworthy work done to reduce the impact on the residents of Gwynedd. The staff of other departments, in particular Finance and Legal, were thanked for their support also.

- (b) Everyone was reminded that there were legal considerations to this matter, and that the police's investigation continued. The report focused on the impact of the decision on the passenger, and the impact on the public purse.
- (c) The Head of Service reported that he was more than satisfied with the Council's response to the situation. He noted that very few problems had arisen considering the complexity of the situation. It was highlighted that the changes to the Transport budget were substantial and on top of that, it was anticipated that there would be a reduction in the Government grant, an increase in tendering costs in the Arfon area and an increase in the costs of the Education provision.
- (ch) The following matters were considered during the discussion:
  - i. The Integrated Transport Manager agreed to provide information to an individual councillor regarding the subsidy that had been received by the company. It was emphasised that the Padarn contracts had ended.
  - ii. It was noted that the Department had not been aware of the situation prior to March 2014 and no sign of the problem had been seen before the matter had come to light. It was noted that Internal Audit or the Government's Audit Department had not been aware of the situation either.
  - iii. In terms of the additional costs, it was noted that short tenders tended to be less cost-effective than long-term tenders, however, there was no other option to address the situation at the time in order to maintain the service. The intention was that the Transportation Service would retender all education services being provided by Padarn during the summer. Following the retendering, there would be an opportunity to offer more longer-term contracts in the hope of receiving more competitive prices that would ultimately reduce the cost to the taxpayer.
  - iv. In terms of reducing services in the future, it was noted that there were options for shaping the future of the transportation service and the decision of using the transportation matrix was being considered by the Cabinet Member (Environment) in the coming weeks. He would submit his final recommendations to the Committee in December. In terms of education transport, the Integrated Transport Unit was responsible for procuring services in the context of the Council's policies and guidelines.

**RESOLVED TO CONGRATULATE THE REGULATORY DEPARTMENT AND THE INTEGRATED TRANSPORT UNIT FOR THEIR WORK AND EFFORTS TO RECOVER A DIFFICULT SITUATION AND REDUCE THE IMPACT ON GWYNEDD RESIDENTS.**

## **5. SCRUTINY FORWARD WORK PROGRAMME 2014-15**

- (a) The latest version was submitted for information and it was noted that it had been accepted by the Scrutiny Forum and that it would be shared with the Cabinet at a meeting of the Informal Cabinet to ensure that there was better communication with Cabinet Members in terms of the timetable of matters to be scrutinised. Members were reminded that the work programme was a live programme that could be updated if required.
- (b) It was noted that the Crime and Disorder Annual Meeting had been moved from September to December.

- (c) In terms of the possible homelessness investigation, it was noted that a brief (draft) should be submitted at the next meeting and to nominate members and officers to support the investigation when the current Post-16 Education Transport investigation came to an end.

**RESOLVED TO ACCEPT THE WORK PROGRAMME.**

**Everyone was thanked for their contribution.**

The meeting commenced at 10:30am and ended at 1:00pm