
COMMUNITIES SCRUTINY COMMITTEE 21/05/15

Present:

Councillors: Stephen W. Churchman, Annwen Daniels, Annwen Hughes, Louise Hughes, Eric M. Jones, Dilwyn Morgan, W. Tudor Owen, E. Caerwyn Roberts, Angela Russell and Robert J. Wright

OFFICERS:

Arwel Ellis Jones (Senior Manager – Democracy and Delivery), Lowri Haf Evans (Members Support and Scrutiny Officer)

ALSO PRESENT:

- i) **In relation to items 7 and 8 on the agenda** – Councillor John Wynn Jones - Cabinet Member for the Environment and Mr Gwyn Morris Jones (Head of Highways and Municipal Department)
- ii) **In relation to item 9 on the agenda** – Councillor Dafydd Meurig – Cabinet Member for Planning and Regulatory, Dafydd Wyn Williams (Head of Regulatory Department), John Reynolds (Senior Public Protection Manager) and Alun Evans – Public Protection Manager – Welfare
- iii) **In relation to item 10 on the agenda** – Councillor Dafydd Meurig – Cabinet Member for Planning and Regulatory, Dafydd Wyn Williams (Head of Regulatory Department) and Gareth Jones (Senior Manager – Planning and Environmental)
- iv) **In relation to item 11 on the agenda** – Councillor Roy Owen (one of the Council's representatives on the North Wales Fire and Rescue Service)

APOLOGIES: Councillors Llywarch Bowen Jones, Mike Stevens and Linda Morgan

1. CHAIR

RESOLVED to elect Councillor Angela Russell as Chair of this Scrutiny Committee for 2015/16.

2. VICE CHAIR

RESOLVED to elect Councillor Caerwyn Roberts as Vice-chair of this Scrutiny Committee for 2015/16.

3. APOLOGIES

Apologies were received from Councillors Llywarch Bowen Jones, Linda Morgan and Mike Stevens along with Councillor Gethin Glyn Williams who was not a member of this Committee for item 11.

4. DECLARATION OF PERSONAL INTEREST

No declarations of personal interest were received from any members present.

5. URGENT ITEMS

None to note

6. MINUTES

The minutes of the previous meeting of this committee, held on 24 February 2015, were accepted as a true record of the meeting.

7. EFFICIENCY SAVINGS 2015/16 - 2017/18

- a) Submitted – a report by the Cabinet Member highlighting the Cabinet’s requirements for the Communities Scrutiny Committee to consider more broadly the efficiency savings scheme of the Highways and Municipal Department of a new procedure for replacing street lamps.
The observations of the Scrutiny Committee would be referred to the Cabinet for it to make a final decision.

The bulk changing system meant that the Council was changing lamps every three years in one street or one area, despite some lamps not appearing in need of replacement. As a result of recent developments in lighting technology, where the operational life of lamps such as LED was extending over more years, it replaced the need for a bulk changing system. Consequently, the bulk changing system at three yearly cycles could be abolished and it was anticipated that this could ensure annual savings of £97,000 to the Council in street lighting maintenance costs. In addition, by introducing LED lamps with a switchgear to enable dimming it would extend the lifespan of the lantern even more. This would also reduce energy costs and carbon emissions.

- a) In response, the following observations were made:
- The principle was welcomed but assurance that the lighting would be sufficient was required.
 - It must be ensured that there would be no impact on public protection.
 - The lifespan of the new lamps from 7 – 10 years was accurate and realistic.
 - The need to consider that different wards had different requirements. The change had already been welcomed in some communities.
 - There was a need to hold discussions with the community councils in terms of suggesting ideas and arrangements to switch off the lights.
 - What would happen to the electricians as the lamps would not need to be changed as often?
 - How did the scheme comply with the creation of a *dark sky* status?
- c) In response to the observations it was noted that the Council had 17 thousand lamps and that the scheme meant replacing 10 thousand of them with LED technology (1 thousand of them partly – night).
It was highlighted that the Cabinet had agreed for the Department to use £1.4m of investment funding to save the Council from having to undertake the work for

the reason that the new LED lamps would offer 260k of energy savings. Additionally, it was noted that creating a dimming effect and using LED was complying with the *dark sky* scheme, that the new lights would throw light downwards rather than upwards and to the side; that dimming would be trialled in some wards between 10pm and 6am. In terms of undertaking the change, it was highlighted that one less electrician would be required for bulk changes and that one additional electrician would be required for a period of three years for the LED changes. After four years, the number of electricians would need to be rationalised although a scheme would need to be in place by then to introduce suitable lamps for roads and junctions.

- ch) In terms of safeguarding the community, the Council would have to get accustomed to the lights prior to any opinion being reached on whether a change to the appearance of the lights was dangerous. Standards would have to be maintained in terms of protecting the public, therefore, the Department's attention had to be drawn to any cause for concern.

RESOLVED TO ACCEPT THE REPORT.

The Scrutiny Committee was satisfied with the saving and that it improved the experience for Gwynedd residents on the condition that:

- i) the Department monitored the output scale of the lights in terms of public safety,
- ii) and hold discussions with Community Councils in the context of part night operation if relevant.

8. ON-STREET ENFORCEMENT

- a) It was reported that the Communities Scrutiny Committee, while discussing their work programme for the year in the annual workshop, had prioritised a scrutiny investigation into the Council's planning arrangements and that any other scrutiny investigation would have to be undertaken after that investigation had been completed. However, it was noted that the Cabinet Member and the Highways and Municipal Department had proposed the need for a scrutiny investigation into the use of enforcement rights.

Members were asked to decide,

- whether there was a need to investigate the field
- how long they would be willing to wait before taking action
- to examine the field earlier and accept an initial discussion regarding opportunities and possibilities.

- b) Submitted – a report by Councillor John Wynn Jones proposing initial suggestions to establish terms of reference to carry out a scrutiny investigation into the Street Enforcement field during 2015/16. It was highlighted that the responsibilities of Gwynedd Council's Streetscene Service extended to awareness raising and public education on ensuring a clean and safe environment, monitoring street cleansing performance, managing dogs, rubbish, graffiti and posters, fly-tipping, introducing waste, traders' waste, waste transfer and duty of care.

It was reported that the enforcement field was in need of consideration by the

Council regarding how to move forward and how to get the best for those who try and seek control. It was noted that street enforcement matters, particularly the control of dog fouling, were of great importance to taxpayers and that how to get the best out of managing the service effectively should be addressed. The department's willingness to provide a general opinion on the situation and to seek modern suggestions on how to deal with street enforcement matters was also noted.

It was highlighted that responding to the matters had been challenging with scarce resources to maintain a very broad field in a period of cuts and efficiency savings. As a result, it was suggested that the matter proposed itself to be scrutinised and that new ideas should be considered (compare with other authorities and collaborate on a regional level to try to introduce services) and not scrutinise the work of the Council alone.

- c) In response to the observations it was noted that,
- there was a lack of dog fouling bins in areas where the problem was most prominent
 - clear and specific training and publicity were required
 - there was a need to highlight the use of the multi-purpose green bin
 - confirmation of service arrangements was required – who was collecting? Who installs the bins?
 - there was a request to consider a more effective collaboration with community councils.

RESOLVED TO RESPOND TO THE REQUEST OF THE CABINET MEMBER AND THE HEAD OF HIGHWAYS AND MUNICIPAL DEPARTMENT BY PRIORITISING A SCRUTINY INVESTIGATION INTO THE STREET ENFORCEMENT FIELD OVER THE PLANNING SYSTEM

9. FOOD HYGIENE

FOOD STANDARDS AGENCY FOCUSED AUDIT OF GWYNEDD COUNCIL'S ARRANGEMENTS FOR ENFORCEMENT OF THE FOOD SAFETY ACT 1990: 6th and 7th March 2014 - Update report

- a) Councillor Dafydd Meurig provided a second update on the progress made by the Public Protection Service in addressing the findings of the Focused Audit of the Food Standards Agency (FSA). Members were reminded that an Action Plan had been prepared which detailed how the service intended to correct the non-compliances. The action plan had been accepted by the FSA during autumn 2014 and a Task and Finish Group had been established to complete the work required. It was noted in the report that the action plan detailed 13 areas for improvements.
- b) It was highlighted that the Unit had now addressed the formal non-compliances identified during the audit. It was also reported that the Council had a responsibility to ensure that we met the requirements in relation to the Public Inquiry recommendations and the enforcement of legislation in new businesses and that the recent efforts of the service should continue. It was noted that the FSA had reported their intention to undertake a full audit of the Food Unit's activities in the near future.

- c) The Cabinet Member was asked whether or not the FSA had provided observations on the action plan or given their seal approval only. In response, it was noted that the FSA had offered support for working arrangements and that improvements had been developed on a joint basis – the service was confident that they were acceptable. It was reported that amendments to working arrangements had been referred to the FSA, but no written feedback had been received thus far.

RESOLVED to welcome the update and the team was congratulated on its work in ensuring that the department's internal arrangements complied with the recommendations of the Public Inquiry into the September 2015 outbreak of E-coli 0157 in south Wales, September 2005 and that all objectives had been achieved.

10. THE PLANNING SYSTEM - SCRUTINY INVESTIGATION BRIEF

- a) In light of the discussion held at the beginning of the meeting regarding giving priority to a street enforcement scrutiny investigation, the Senior Manager – Democracy and Delivery highlighted that the timescale of scrutiny investigations had now changed. Consequently, it was suggested that members accepted the brief and offered observations.
- b) A request was submitted by the Cabinet Member to undertake a scrutiny investigation into the Council's planning system. A suggestion was made that it should be ensured that the planning system corresponded with the needs of the county's communities and give full consideration to matters such as the economy when determining planning applications in addition to other factors. It was also noted that this investigation was specifically relevant to the Gwynedd Council Planning Authority Area only, as the Snowdonia National Park Authority was the Planning Authority for the Park area.
- c) It was noted that officers of the Planning Department were satisfied with the brief. Members were reminded that the planning system worked within a statutory framework and that the framework of national and local policies must be understood. In addition, the need to look in more detail at how the Council operated within that statutory system was welcomed.
- ch) In response, the need to give the planning department a public face and raise public awareness was highlighted. In terms of specifically investigating the Council's planning system only, it was noted that complications could arise if the National Park was included. It was added that there was good collaboration between the planning departments of the Park and the Council, but focus had to be placed on the Council's planning department for the investigation. It was noted that the Park was aware that the scrutiny investigation was underway. It was also noted that statutory changes to the planning system were being highlighted in the Welsh Government's Planning Bill which proposed new arrangements to simplify and reconcile the process across all Welsh Authorities.
- d) Matters arising from the discussion:
- It must be ensured that the customer is the one getting justice - the system requires clarity
 - Propose the need to 'walk through the experience / the process' by creating exemplary scenarios, including the Community Council, as a starting point for the investigation.

- clear guidance on how to submit or respond to an application
- hold a training programme on the system for members
- consider the order of Planning Committees
- ensure consistency with the Planning Bill

RESOLVED TO ACCEPT THE BRIEF and timetable the investigation into the work programme of the Scrutiny Committee for March 2016.

11. ACCOUNTABILITY OF THE NORTH WALES FIRE AND RESCUE AUTHORITY

- a) Submitted – a report by the Head of Corporate Support Department to scrutinise the Council's arrangements to challenge the effectiveness and accountability of the Fire Authority. It was noted that the Fire Authority had the right to set a precept on the councils of north Wales in order to pay for the service. This precept counted against the Council's expenditure. It was explained that this was different to the precept of the Police Authority which was allowed to raise a separate precept. As an example, the Fire Authority's precept on Gwynedd Council in 2015/16 was highlighted as £5,603,000. Therefore, every increase of 1% would mean a further £56,030 that the Council would have to find in cuts or tax increases.
- b) In terms of challenging the effectiveness of the Fire Service, like every other service within the Council, there was a need to consider whether there were opportunities to be more efficient. However, for the Fire Service, we did not have the opportunity as a Council and therefore we had to entrust our representatives on the Authority to ensure that this happened. Consequently, the Council's representatives on the Authority had been invited to this Committee in order to make an initial assessment of what information they had about whether the service was efficient and what evidence they had to support this. The Council's representatives were questioned on:
- The Authority's plans to seek a further increase in the precept in the coming years and the implications of that for the Council's own services;
 - The Fire Authority's own arrangements for challenging the efficiency of the Service and the evidence that it is as efficient as it can be;
 - The Authority's willingness to look at other similar areas spending less to assess whether there are lessons to be learnt from them;
 - The extent to which further efficiency ideas are being considered;
 - The role of individual members from the Council in scrutinising and ensuring accountability for the Authority's arrangements and the extent to which they are able to fulfil those roles.
- c) In response, the representatives highlighted that a number of options were being proposed in terms of improving the efficiency of the Fire Service and that Gwynedd representatives were not supportive of accepting a further increase on the precept. It was noted that a Scrutiny Sub-committee had been established within the Fire Service to ensure fairness when discussing options. It was highlighted that the discussion of the Sub-committee would be referred to the Operational Panel and then to the Principal Committee. In terms of support for the role of members, it was noted that the representatives were contacting the Finance Department to obtain information regarding financial matters. It was added that the Fire Service was now responding to requests for information. The representatives would like to see the Fire Service's finance duties shared (Conwy currently administrated them). The main aim of

the representatives was to protect Gwynedd and rural services in particular.

- ch) In addition, the Senior Manager – Democracy and Delivery highlighted that the Council's Chief Executive had received a letter noting the presence of the representatives at the Authority's meetings. Concern was expressed regarding the presence of one Gwynedd representative.

RESOLVED

i) To express the Committee's satisfaction with how Council representatives have challenged issues on the Fire Authority thus far and encourage them to continue to do so;

ii) To recommend that the Fire Authority makes a request to the Government to allow a different system of increasing the Fire Authority's precept which would not have such an impact on individual councils' decisions on tax and expenditure on their own services.

iii) To recommend that the Plaid Cymru Leader ensures the presence of one Plaid Cymru representative on the Fire Authority is improved.

The meeting commenced at Time Not Specified and concluded at Time Not Specified

CHAIRMAN