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## COMMUNITIES SCRUTINY COMMITTEE MAY 19<sup>TH</sup> 2016

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**PRESENT:**

**COUNCILLORS:**

Annwen Daniels, Annwen Hughes, Louise Hughes, Eric M. Jones, Dilwyn Morgan, Linda Morgan, E. Caerwyn Roberts, Angela Russell, Gruffydd Williams ac Eurig Wyn.

**OFFICERS:**

Arwel Ellis Jones (Corporate Support Senior Manager) and Lowri Haf Evans (Member Support Officer).

**ALSO PRESENT:**

- a) In relation to item 7 on the agenda - Councillor John Wynn Jones - Cabinet Member for the Environment, Gwyn Morris Jones (Head of Highways and Municipal Department) and Alun W. Jones (Municipal Group Engineer)
- b) In relation to item 8 on the agenda - Councillor John Wynn Jones - Cabinet Member for the Environment, Gwyn Morris Jones (Head of Highways and Municipal Department) and Steffan Jones (Senior Waste and Commissioning Manager)
- c) In relation to item 9 on the agenda - Councillor Ioan Thomas - Cabinet Member for Housing, Hywel James (Principal Librarian) and Catrin Thomas (Senior Community Learning Manager)
- d) In relation to item 10 on the agenda - Councillor Ioan Thomas - Cabinet Member for Housing and Arwel W. Owen (Senior Housing Manager)
- e) In relation to item 11 on the agenda – Councillor Dafydd Meurig – Cabinet Member for Planning and Regulatory, Rhun ap Gareth (Senior Solicitor - Services) and Cara Owen (Development Control Manager)
- f) In relation to item 12 on the agenda - Councillor Gareth Thomas - Cabinet Member for Education and Owen Owens (Senior Schools Manager)

The Chair, Angela Russell, took advantage of the opportunity to thank everyone for their support and contribution during her period as the Vice-chair and Chair of the Committee.

**1. ELECTION OF CHAIR**

**RESOLVED** to elect Councillor Caerwyn Roberts as Chair of this Scrutiny Committee for 2016/17.

**2. ELECTION OF VICE-CHAIR**

**RESOLVED** to elect Councillor Dilwyn Morgan as Vice-chair of this Scrutiny Committee for 2016/17.

### 3. APOLOGIES

Apologies were received from Councillors Stephen Churchman, Tudor Owen, Mike Stevens and Glyn Thomas.

### 4. DECLARATION OF PERSONAL INTEREST

The following members declared a personal interest in relation to the item noted below:

- Councillor Angela Russell, in item 9 on the agenda, due to the nature of her work.
- Councillor Linda Morgan, in item 12 on the agenda, as she worked at Coleg Meirion-Dwyfor.

### 5. URGENT ITEMS

None to note

### 6. MINUTES

The minutes of the previous meeting of this committee, held on 12 January 2016, were accepted as a true record of the meeting.

### 7. PUBLIC TOILETS

- a) Submitted - the report of the Cabinet Member for the Environment recommending a scheme to seek to keep those public toilets that are under threat of closure, open and operational into the future. Reference was made to the Gwynedd Challenge exercise where the Council, at its meeting on 3 March 2016, recommended making cuts including 'closing 50 out of 73 public toilets in the County' and cut £244,000 from the budget for the service. It was explained that the intention of this alternative scheme was to meet the cut by attempting to maintain the existing provision of public toilets in the County.

The Cabinet Member made a request for the Committee to consider the scheme and refer its recommendation to the Cabinet. It was explained that the Scheme depended on obtaining interest amongst Community and Town Councils in order to ensure the continuation of the provision, by contributing financially towards the scheme. Attention was drawn to the two options:

- Option 1 - contribution level of £4000 for each toilet that is open throughout the year and a contribution of £2000 for each toilet that is open seasonally.
- Option 2 - a contribution equal to a third (33.3%) of the average annual cost of operating the toilet

It was noted that the scheme was a means of maintaining the provision and unless the scheme would be approved, there would be a need to assess the local need.

- b) During the discussion, the following observations were noted against the recommendation:
- The scheme had not been sufficiently scrutinised.
  - A White Paper from the National Health Service (NHS) noting that the patient experience needed to be improved by 'listening and learning' and for organisations to develop clear strategies to address this - closing public toilets was contrary to this.
  - Insufficient consideration had been given to vulnerable residents and residents with health conditions.

- It must be ensured that plenty of public toilets were available - Gwynedd was an area that depended on tourism, therefore, high quality public toilets were needed.
  - A petition against the decision to close the toilets was gathering momentum with over 2000 names on it - there was no sufficient reason to close the public toilets
- c) In response to the observations, Members were reminded that a cut to the service had already been agreed in the Full Council in March 2016, therefore, there was a need to consider a way to move forward. The Cabinet Member accepted the comment that the subject was one that highlighted concerns amongst communities. He also noted that he completely sympathised with residents with health conditions and that he would give full consideration to this. It was reiterated that the toilets would remain open until consultation would have taken place with the relevant communities.
- ch) In response, the following observations were noted in support to the recommendation:
- To accept the report and congratulate the department for considering an alternative plan for public toilets in a positive way. Reference was made to good examples throughout the County where toilets were already being managed by Community Councils.
  - To welcome the report. A good opportunity to establish a community partnership - this was the way forward. A good opportunity to collaborate.
  - For those who were vulnerable or had a health condition, it was suggested that they arranged their journey ahead and that there was excellent information about the county's public toilets on the Council's website.
  - Some Community Councils had already held discussions locally on the matter.
  - A request was made for additional information on the income of toilets and the contribution of the Trunk Road Agencies.
  - A suggestion to charge a fee in those toilets that were expensive to maintain.
- d) In response to a question regarding inconsistencies in the use of toilets and the additional workload facing the Community Councils, it was highlighted that grants were available for Community Councils to apply for and that Officers from the Economy Department were available to offer information on these grants. It was noted that the transfer process could take up to 3 years to realise.
- dd) In response to a question regarding the community toilets grants, it was noted that the grants available were continuing - Head of Department to report individually to Councillor L Morgan.

It was proposed and seconded to support option 1.

**RESOLVED to accept the recommendation noted in 3.1 of the report with the Committee supporting option 1 - contribution level of £4000 for each toilet that is open throughout the year and a contribution of £2000 for each toilet that is open seasonally.**

**The Department was encouraged to;**

- **look further into opportunities to charge a fee at the most expensive toilets (and advise Community and Town Councils on how to do this)**
- **look into the possibility of further extending the Welsh Government Grant Scheme for Public Toilets**

## 8. A REVIEW OF THE COUNCIL'S WASTE COLLECTION ARRANGEMENTS

Councillor Angela Russell left the room during the discussion.

- a) Submitted - the report of the Cabinet Member for the Environment highlighting the Highways and Municipal Department's intention to charge a fee for garden waste collections.

At a meeting held on 16.12.14, the Cabinet approved the implementation of a range of efficiency savings plans including 'A Review of the Garden Waste Service' to achieve savings of £750,000 in the 2017/18 financial year.

Under the Controlled Waste Regulations 2012, authorities can charge residents a fee for the collection of garden waste (excluding the cost of its disposal) and the Environment Protection Act 1990 provides flexibility on charging a fee should there be a wish to charge a reasonable fee for the service.

Welsh Government, in its good practice 'Collections Blueprint' recommends that residents should be charged a fee for the fortnightly collection of garden waste in order to reduce the amount of garden waste put out by household for collection and in order to save on collection and landfill costs.

It was reported that garden waste contributes towards achieving recycling targets and in March 2016 the Council had managed to achieve 58.75% (statutory target of 58%). It was noted, should the recycling percentage reduce below the target then the Council would face fines. It was highlighted that there would be a likely reduction in the demand for the service in the first year, but it was anticipated that there would be an increase in the following year.

An observation was made that charging a fee on any service was not a popular issue; however, there was a need to respond to the cuts or consideration would have to be given to further cuts in other services.

The Options Considered;

- Option 1: Continue to collect garden waste for 12 months a year and set a fee level of £33 per annum (annual saving - £750,000)
  - Option 2: Collect garden waste for 9 months a year and set a fee level of £30 per annum (annual saving - £756,410)
- b) In response to an observation regarding concern about being fined for failing to meet national recycling targets, the Head of Highways and Municipal Service said that the department shared those concerns and emphasised the need to continue to achieve and maintain the service to the same standard and monitor the situation carefully.
- c) During the discussion, the following observations were made:
- That introducing these changes was not timely considering the recent changes made to recycling arrangements - this would be a step back
  - That six jobs were at stake - this was not good news
  - A request for the Council to consider Hessian sacks as an option
  - Did not support the payment

- A likely increase in fly tipping and misuse of the residual waste bin - how would this be policed?
- A need to consider how vulnerable individuals would cope
- More use of the brown bin should be encouraged
- A request to consider a reduced fee for a smaller sized bin
- It appeared that the County's people were being punished for composting - Welsh Government needed to amend the recycling formula.

In response to the observations, Members were reminded that the proposal had already been approved and that realising the saving was the subject being addressed. It was agreed with the suggestion regarding the untimeliness of the amendment; however, it was reiterated that the Council's financial position was forcing this change. It was confirmed that the situation would be monitored carefully.

It was noted that the use of Hessian sacks had been considered, but that the sacks were small in size and costed approximately £16 each. In the context of misusing the residual waste bin, it was highlighted that enforcement steps could be introduced to control this.

In response to a question regarding selling the compost being produced, it was noted that the department had considered the opportunities to market it; however, as it was a 'soil improver' rather than compost, it could not be sold publicly. It was reiterated that the 'soil improver' was being disposed of on brownland or distributed free of charge to Gwynedd residents through the Recycling Centres.

During the discussion on the scheme's options, the Senior Waste and Commissioning Manager noted that continuing to collect for 12 months a year would improve the possibility of succeeding to meet the national targets as approximately 200 tonnes of waste was being collected outside the growing season.

It was proposed and seconded to support option 1.

**Resolved to accept the recommendation to charge residents a fee for collecting garden waste for 12 months a year; however, attention was drawn to the following:**

- **Concern about the impact of the changes on the recycling targets, considering; -**
  - **That recycling was on the increase within the county**
  - **That the county's residents had just become accustomed to the new arrangements**
  - **That there were substantial fines for failing to meet the statutory target**
- **Concern that there were additional costs for some families as a result of introducing the scheme**
- **That there was a request for Cabinet Members to hold discussions with Welsh Government for the purpose of including home composting tonnages in the recycling calculation so that it does not affect the Council's performance against its targets.**

## 9. “MORE THAN BOOKS” STRATEGY GWYNEDD COUNCIL LIBRARY SERVICE

- a) A report was submitted by the Senior Community Learning Manager, Economy Department, asking members to scrutinise the process followed for drawing up the

'More than Words' Strategy. The Cabinet Member noted that providing a Library Service that is 'inclusive and efficient for all who wish to use it' is a statutory requirement under the Public Libraries and Museums Act 1964.

- b) It was reported that a public consultation to gather the views of residents, users and partners on the "More than Words" Strategy had been held during May - July 2015. It was reiterated that a range of recommendations had been submitted by the consultants who were gathering and analysing the feedback submitted by the public and partners. Some of the observations submitted by the consultants were noted;

- The need to adapt the vision and strengthen some of the priorities.
- that continuing with the existing situation was not sustainable.
- general unwillingness amongst the public to see any change to the network of libraries, even in a challenging financial context.

It was highlighted that the Strategy recommended that the Libraries Service focussed on four priority fields, namely, reading offer, information offer, health and well-being offer and digital offer.

In order to achieve the Strategy within the budget, it was recommended to categorise the type of provision required across the County and it was recommended to move to a provision based on four models.

- Catchment area libraries
- Community libraries under the Council's control
- Mobile Services
- Community Link

- c) During the discussion, the following observations were made:

- Concern that this placed an additional burden on Community Councils. It was noted that volunteers acted on behalf of the Councils and that the numbers of members were reducing due to the additional responsibilities that were being offered to them from every direction. It was highlighted that discussions needed to be held to highlight these additional expectations.

In response to the observation, it was noted that the concern regarding the capacity of volunteers to achieve had been considered and the recommendation was for the Council to make an 'offer of what it could achieve' with the response dependent on 'what community councils could achieve'. It was reiterated that solutions were not being shared but rather a statement of what the Council could offer...

- In response to a reduction in the book-buying budget, a proposal was made to hold an 'Amnesty Day'
- A need to consider bringing services together - libraries, tourist centres, public toilets.
- The need to hold discussions locally in order to respond positively to the challenge was emphasised
- The models to be welcomed and ones that responded creatively to ensuring that this special libraries service continued in Gwynedd.
- What was the value of 'Lori Ni'?
- Further investment was needed in Welsh language bold print books

- ch) In response to observations, it was noted that the Gift Policy was one that had been considered and that libraries in the past had received very valuable gifts. Nevertheless, due to lack of staff, it was noted that it would be an additional task for staff to pick and choose suitable books to offer on loan.

In the context of the value of 'Lori Ni' it was noted that the lorry had a very important function within the service - ensuring that printed and digital books reached every child in the authority with the cooperation of schools. It was reiterated that the schools, that also faced budget cuts, were cutting down on books, therefore they appreciated a regular supply of books for children. Although the lorry's maintenance costs were approximately £30,000 per annum, it was reiterated that this was worth every penny.

- d) In the context of bold print books, it was noted that these were only available in the library, and that Gwynedd was leading on the production of Welsh language bold print books - other authorities needed to be encouraged to buy into the scheme.
- dd) The comment noting that all of the Council's assets needed to be considered was accepted. The hope was that discussion with Local Councils would release possible options so that better use could be made of the Council's resources.

**RESOLVED to accept the model in brief, however the following was highlighted:**

- **Concern regarding placing additional pressures on Community Councils as a result of the new models and that a discussion needed to be held on the capacity of this with the local community.**
- **The need to combine libraries with the Council's other assets.**

## 10. HOMELESSNESS

- a) Submitted - a report detailing the Housing Department's action plan that was developed in response to the recommendations of the Homelessness Investigation completed on 17.9.2016. Gratitude was expressed for Members' input into the investigation and the Cabinet Member noted that the majority of the recommendations had been implemented. The Senior Housing Manager added that the investigation had been valuable and useful to improve the service.
- b) In response, Councillor Eric M. Jones (Chairman of the Investigation) noted that he had been glad of the opportunity to be a part of the investigation and make a positive contribution to the homelessness service - he thanked the Housing Service staff for what had been achieved and for the progress report.
- c) When discussing the recommendations an update was provided on those that had been completed and on those in the pipeline. The Cabinet Member noted that the scrutiny investigation had been a part of the process and that it was to be welcomed.

ch) During the discussion, the following observations were noted:

- Concern that people from outside the County were presenting themselves as homeless and thus given priority over local residents due to the points system
  - Lack of social housing for local people.
- d) In response to the comment, the Senior Housing Manager noted that standard and local considerations were made for each application. It was noted that all attempts

had been made to escalate the 'local' element as much as possible in the priority list. It was agreed that the department did not always meet needs and that this was due to difficult situations. It was highlighted that over 80% of allocations were made to individuals with a link with 'the community' over 90% with a link with 'a nearby community' and a very small number (2%) with no link whatsoever. It was reiterated that they had to act within the Law and therefore priority was given to the 'need'.

In the context of 'escalating language', it was noted that contact had already been made with the Assembly and that this could not be escalated further. It was noted that England had a Localism Act but that this did not exist in Wales - Wales depended upon the Housing Act. It was proposed, as a result of the recent changes to the Assembly's Cabinet, that this message could be resubmitted.

**The progress report was accepted and the work already implemented on the majority of the recommendations in order to improve the service was welcomed.**

## 11. 106 AGREEMENTS

- a) Submitted - a report to the Scrutiny Committee reporting upon the observations and recommendations of a Task and Finish Group (a small group of councillors and officers) who were looking into possible options on the Council's use of 106 Agreements in future. Input from external specialists was received into these discussions.

It was noted that the group's work had been very useful and had considered the main matters relating to the use of 106 agreements. It had become apparent that improvements needed to be made to address the concerns that had arisen over the past years.

- b) The Cabinet Member highlighted that the Task and Finish Group meetings had been valuable and that the recommendations noted in the report were reasonable and obvious. The Committee was invited to consider the sub group's conclusions and recommendations.
- c) In response to the report, it was agreed with the criticism that 106 Agreements were suitable for major developments and that problems arose with small, single development and self-build developments.
- d) In response to a question regarding the viability of imposing a 106 agreement on a property, it was noted that each application had to be considered individually. It was reiterated that the service would need to consider the suitability and flexibility of the 106 agreement and tailor it to what was needed. To ensure whether or not it was viable, the service would use the District Valuer to better understand the situation, that the correct arrangements were being followed and that confirmation was given in terms of viability.
- e) In response to a question regarding educational contributions in situations where new housing developments are found in communities, it was confirmed that the cost of a school pupil was being considered and not the value of the house. It was confirmed that there was a legislative base to this and a specific formula to follow - it was very difficult to maximise this cost. In response, Councillor G Williams noted that these rules needed to be challenged.

**RESOLVED to adopt the recommendations noted in paragraph 9 of the report.**



## 12. POST 16 EDUCATION TRANSPORT

Councillor Linda Morgan left the room during the discussion.

- a) Submitted - a report by the Cabinet Member on further progress made in relation to the to the recommendations of the Post-16 Education Transport Scrutiny Investigation. It was highlighted that the recommendations had been divided into three categories
- Immediate action
  - Collaboration in the medium term with other services / partners to investigate the practicality of implementing the recommendations
  - Not to consider these recommendations for the time being

It was reiterated that a number of the recommendations had been included in the new Transport Policy and that the remaining recommendations were subject to discussions. It was acknowledged that some of the discussions had been slow and that the greatest barrier had been holding discussions with the college, and resolving the 'flexible travel' problem. It was reported that a lot of work had been done in an attempt to resolve the above, however, this had not come into fruition yet. He accepted that the process was slow, along with any reprimand for this.

The Senior Schools Manager accepted that the formal response had been slow, but he reported that he had now received a letter (dated 16.5.16) from the College noting its wish to be an agent and that it was open to further discussions. It was added that these discussions were to commence on 21.6.16. It was reiterated that the College had noted in the letter that they were considering 'transferring the entire provision' therefore there was a need to discuss the content of the letter in detail. Reference was made to the fact that the letter was only from Meirion-Dwyfor, therefore, this needed full consideration also.

It was reported that there was an intention to establish a User Forum, however, there was a need to ensure that 'an offer was on the table' in the context of responding to the need to increase the flexibility without additional costs. It was highlighted that the Users Forum would include representatives from the College, Council Officers, Transport Providers and Students. It was hoped that the Forum would mature so that it would place emphasis on politicians to act.

It was noted that the monthly part-payments system had been established, however, in the context of students receiving late allowances to pay costs, this was not a priority for the Colleges. The intention of raising this during the discussions with the College was reiterated.

It was reported that 37% of travelling routes had a time restriction; 40% of routes were unrestricted and 23% were pure college buses. The greatest challenge was seeking a solution to the restricted travelling routes.

- b) In response to the report, Councillor G Williams noted that what was available in England needed to be compared with what was available in Wales. He had ongoing concerns that Gwynedd Council had not assisted the County's households with the costs and fairness of their children's education.
- c) During the discussion, the following observations were made:

- That the College was slow to accept responsibility for the students - travelling was not beneficial to children and the colleges did not give this enough consideration. It was suggested that the College should lead on the matter and seek a solution to the problem.
- The children and young people of Gwynedd must be placed at the centre of the service. It must be ensured that each child had equal opportunities.
- There was a need to solve the 'flexible ticket' problem and give all possible support to the county's children - they were our future.
- There was a need for a ticket that worked - an effective one.
- The well-being of the children had to be considered.
- There was a need to plead on the new Cabinet Member in the Assembly to look into this.

ch) In response to the above-mentioned observations, the Cabinet Member noted that the flexibility of the ticket was fundamental, but that the nature of the bus contracts varied. Therefore, there was a need to seek a solution to enable the 37% of restricted routes to be flexible without incurring additional costs for the Council.

It was noted that any information from the meeting with the College and from the Users Forum would be released to the Chairman of the Communities Scrutiny Committee once they would be held.

- d) It was noted that the Council's recommendations had been implemented but that there was a lack of action from the external partners. The following was suggested:
- To re-negotiate the contracts with the bus companies when timely to do so.
  - To consider looking at evidence of children who fall out of education due to the travelling / well-being aspect, which would then lead to a loss of income for the college - this business case could be drawn up.

**RESOLVED to accept the report.**

**Great disappointment was expressed regarding the most obvious elements and the Committee wished to place pressure to get things in place by September 2016.**

**It was noted that a Users Forum needed to be held soon and that a message needed to be sent to the new Minister seeking the same fairness for the children of Wales as the children of England.**