

MINUTES OF A MEETING OF THE TOWN AND COMMUNITY COUNCIL FORUM
HELD IN THE COUNCIL CHAMBER, CIVIC OFFICES, ANGEL STREET, BRIDGEND
ON MONDAY, 22 JULY 2013 AT 4.00PM

Present:

Councillor D Sage - Deputy Leader - Chairperson

| <u>Councillors</u> | <u>Councillors</u> | <u>Councillors</u> | <u>Councillors</u> |
|---------------------------|------------------------|--------------------------|---------------------------|
| M W Butcher H E Morgan | C L Reeves M Reeves | R Thomas H J Townsend | D B F White R Williams |

Town and Community Councillors:

| | | |
|-------------------|---|-----------------|
| Bridgend Town | - | R D L Burns |
| Coychurch Higher | - | N Oram |
| Coychurch Lower | - | B Nash |
| Garw Valley | - | G Walters |
| Laleston | - | T Berrow |
| Llangynwyd Middle | - | L M Jones |
| Maesteg | - | P W Jenkins |
| Newcastle Higher | - | M Wilkins |
| Ogmore Valley | - | M Jenkins |
| Pencoed | - | R J Hancock OBE |
| Porthcawl | - | M Clarke |

Officers:

| | | |
|------------|---|--|
| P A Jolley | - | Assistant Chief Executive – Legal and Regulatory Services and Monitoring Officer |
| D Exton | - | Group Manager Financial Planning and Budget Management |
| M Lewis | - | Integrated Partnership Manager |
| T Godsall | - | Traffic and Transportation Manager |
| J Jenkins | - | Manager Highways Network |
| A Rees | - | Senior Democratic Services Officer - Committees |

33 APOLOGIES FOR ABSENCE

Apologies for absence were received from the following Members for the reasons so stated:

| | | |
|-------------------------------|---|------------------------|
| Councillor E Dodd | - | Holiday |
| Councillor L Ellis | - | Work commitment |
| Councillor E M Hughes | - | Prior commitment |
| Councillor M E J Nott OBE | - | Other Council Business |
| Councillor D G Owen | - | Work commitment |
| Councillor G Phillips | - | Holiday |
| Councillor D R Pugh | - | Prior commitment |
| Councillor C E Smith | - | Work commitment |
| Councillor M Winter | - | Unwell |
| Community Councillor M Kearns | - | Prior commitment |
| Community Councillor A Morgan | - | Prior commitment |

34 DECLARATIONS OF INTEREST

The following declarations of interest were made:-

- Councillor H E Morgan - Agenda Items 4(3)(i) - Civil Parking Enforcement Update and Agenda Item 4(3)(ii) - Highway Maintenance of potholes - Councillor Morgan declared a personal interest as he had been dealing with issues of civil parking enforcement and potholes.
- Councillor L M Jones - Agenda Item 4(2) - Third Sector Budget Reductions - Councillor Jones declared a personal interest as a member of the BAVO Board and the Review Group.
- Councillor R J Hancock - Agenda Item 4(1)(i) - Local Resolution Protocol - Councillor Hancock declared a personal interest as he is a member of the Standards Committee.

35 MINUTES OF THE PREVIOUS MEETING

RESOLVED: That the minutes of the meeting of the Town and Community Council Forum of 16 April 2013 be approved as a true and accurate record.

36 LOCAL RESOLUTION PROTOCOL

The Monitoring Officer presented a report which informed the Forum that Council at its meeting on 3 April 2013 had approved the adoption of the Local Resolution Protocol, which set out what was expected of Members and the procedure by which complaints may be dealt with in-house. He stated that Members would still have the ability to take up a complaint directly to the Ombudsman if they so wished and legislation did not formally create the ability for sanctions to be imposed under a local protocol, the Monitoring Officer had recommended that Members agree to abide by the Protocol.

He requested that the Forum note the Local Protocol for the determination of low level complaints without the need for referral to the Ombudsman and the Standards Committee had recommended that he offers support to Town and Community Councils in a similar capacity to that undertaken within the Council's Local Resolution Protocol and to offer an independent mediation between Town and Community Councils.

In response to a question from Members on the setting up of a process of local resolution within Town and Community Councils, the Monitoring Officer stated that he would offer to mediate between members of Town and Community Councils who had a low level complaint, or Town and Community Councils could formally adopt a procedure.

RESOLVED: That the Town and Community Forum note the content of the Local Resolution Protocol and the offer of support of the Monitoring Officer.

37 SCHEDULE OF AGENDA ITEMS

The Monitoring Officer submitted a report which informed the Forum of the requests for items to be presented to future meetings.

RESOLVED: That the Forum noted the report.

38 THIRD SECTOR BUDGET REDUCTIONS

The Group Manager - Financial Planning and Budget Management reported on an update of the Third Sector Review currently being undertaken and the potential funding implications arising from the Medium Term Financial Strategy. She stated that the Council commissioned a number of services from the Third Sector and made a number of grant payments to a range of third sector organisations from a number of budget headings across the Council.

The Group Manager - Financial Planning and Budget Management reported that the Bridgend compact is a Partnership Agreement, set up with the Local Service Board which supported strategic working relations between the third sector and the public sector and the impact of the compact would be considered during the Third Sector Review. She stated that the Council currently paid over £4.9m to third sector organisations, £2.4m of which is from the Council's resources, with the balance from grant funded sources e.g. Welsh Government Grant (Families First, Flying Start). Some of the funding was used to commission certain services, whilst the rest is provided to organisations to assist them with their general running costs. The Council currently funded over 70 separate organisations, with some organisations receiving funding from a number of different sources within the Council. The highest amount of funding received by one organisation is £912k, of which £812k is from specific grants which was used for Families First and Flying Start. The highest amount of BCBC funding paid to one organisation is £277k which was for Bridgend County Crossroads which funded short breaks of older people with dementia.

The Group Manager - Financial Planning and Budget Management reported that there were a variety of governance arrangements in place for third sector funding with some funding arrangements having robust contracts in place, for others there were service level agreements, for some there were no governance or performance monitoring arrangements in place at all.

The Group Manager - Financial Planning and Budget Management reported that a Project Board had been set up within the Council, comprising of officers from all Directorates and resources, with representatives from the third sector and the Council's external auditors. The aim of the review was to evaluate the extent to which the current arrangements support the Council's improvements priorities and links with the Medium Term Financial Strategy. The review would also consider the extent to which the third sector supports the relevant priorities in the Single Integrated Partnership Plan. The aim was also to ensure that working in partnership ensured that the third sector delivered best value and value for money, with a view to increasing the third sector's role as the provider of high quality services which complement or are additional to public services. The review would give the Council a better understanding on the strengths and weaknesses of the sector and to see how the resources can be used most effectively. The Council's Medium Term Financial Strategy had identified target savings from third sector funding of at least £450k the current revenue savings, with a minimum saving of £100k in any financial year. The savings target would need to be identified from within the £2.4m currently funded from the Council's resources. The outcome of the review will be a clear set of budget proposals for third sector partners for the next three years.

The Group Manager Financial Planning and Budget Management informed the Forum that a number of work streams had been established under the project board, namely Governance and Financial control; Value for Money and Alignment to Council priorities; Strategic Capacity and future development; the implications

of national and regional reviews on any recommendations and Budget Proposals. Fieldwork was underway within the various work streams, involving discussions with a selection of organisations and internal managers, a review of service level agreements and consideration of potential future options for service delivery. This could include the creation of service delivery arrangements with different organisations to those currently in partnership with the Council, or could include consideration of the balance of services provided by the Council or the Third Sector. Reports from work streams were due to be presented to the project board between June and September 2013, with a final report being submitted to Cabinet during October 2013, with any financial implications arising from the review feeding into the Medium Term Financial Strategy for 2014-15 onwards and being subject to consultation with the Overview and Scrutiny process prior to the approval of the final budget by Council in February 2014.

Members of the Forum commented that a number of Third Sector organisations could feel threatened by the review and could also be unable to keep up with the pace of change with the commissioning and procurement of services. The Forum was also concerned that without the support of the Third Sector, some of the most vulnerable would be most affected and that some services were better delivered through the third sector than through statutory services.

A Member of the Forum commented on the need for Directorates to speak to each other as a Flying Start Project had been allocated to Blackmill and there was also a possibility of a new community centre in Blackmill being funded through Section 106 monies. The Group Manager Financial Planning and Budget Management commented that Flying Start projects were subject to strict criteria for funding which came from the Welsh Government and stated that a working group had been established with its membership drawn from all Directorates with partners from the Police and Health Service represented to ensure the avoidance of duplication of services.

The Forum considered the importance of collaboration with the voluntary sector and that some services could be better provided and delivered by the voluntary sector instead of the statutory sector.

A Member of the Forum stated that there was a need to understand the role of a volunteer in relation to how services were discharged. The Group Manager Financial Planning and Budget Management stated that the review of the Third Sector would look at all arrangements including a review of the cost of premises which could involve the sharing of premises and back office support so as not to impact on frontline services.

RESOLVED: That the Forum noted the report.

39 CIVIL PARKING ENFORCEMENT UPDATE

The Traffic and Transportation Manager reported on an update on the current experience post implementation of Civil Parking Enforcement which had been implemented in accordance with national requirements, with revenue raised through penalty charge notices used firstly to offset the cost of providing the enforcement provision with any surplus being used in accordance with the legislative requirements. He stated that a Designation Order had been made by the Welsh Government which decriminalised parking and enforcement across the whole of the County Borough and made it a Civil Enforcement Area/Special Enforcement Area to include enforcement powers in respect of double parking and obstruction of pedestrian dropped kerb crossings. However, moving traffic offences such as obstruction in turning heads and locations such as footways

other than marked waiting restrictions remain solely enforceable by South Wales Police.

The Traffic and Transportation Manager reported that a collaborative approach to the delivery of Civil Parking Enforcement had been undertaken with the Vale of Glamorgan for a combined service delivery with a proportion of the staffing being allocated to the Vale. Staff had been recruited to oversee the operational management delivery of the civil parking enforcement with appointees undertaking an intensive two week training course and examination to qualify to undertake the duties of civil parking enforcement. He outlined the penalty banding which had been set for offences for on-street and parking infringements, which were in line with neighbouring authorities with the charges being reduced by 50% if paid within 14 days. There is an appeal mechanism in place through the Wales Penalty Processing Partnership which processes payments and appeals on behalf of the Council, and which was working on behalf of nine Welsh local authorities to support the enforcement operation by dealing with challenges, payments and processing for penalty charge notices issued. In addition to the shared appeals service, if an applicant is not satisfied with the outcome from this process, they may be able to appeal to the independent Traffic Penalty Tribunal.

The Traffic and Transportation Manager also reported that consultation on the implementation of civil parking enforcement it had been determined that an initial priority for the development of staff would be at key town centres such as Bridgend, Porthcawl and Maesteg as well as other high traffic generating areas such as school gate parking. In addition, a mobile patrol was in use to address the needs of the wider Borough. He stated that civil parking enforcement sought to encourage parking compliance in order to reduce traffic congestion and to maintain road safety, there had been anecdotal evidence that time limited parking facilities were now being used as intended. He informed the Forum that the Council had received a number of requests to undertake a review of some localised parking restrictions which are on-going and that there was a need to ensure restrictions continued to be relevant to local circumstances as needs and usage can change over time. In addressing school gate parking infringements, Civil Enforcement Officers had been present at school opening and closing times and their presence had been welcomed as a deterrent to indiscriminate parking, but generally did not result in the issuing of a penalty charge notice. The Traffic and Transportation Manager outlined the positive environmental impacts of civil parking enforcement, in that it provides a front facing public service which removes itinerant parking which may in turn assist traffic to flow more freely and mitigates against traffic congestion and air quality issues, as well as providing information of environmental issues such as fly tipping. He stated that a communication had been received from the Welsh Government which advised on the introduction of new regulations which could expand civil parking to bus lanes and some moving traffic contraventions subject to application to the Welsh Government. He stated that to implement civil parking enforcement, the Council had to fund the initial start-up costs, but it is the intention that the scheme be self-financing. With the scheme being in its first year of operation, it was too early to determine if it would meet that objective of self-financing.

In response to a question from the Forum, the Traffic and Transportation Manager stated that requests from Town and Community Councils for a review of localised parking restrictions would be considered. The Traffic and Transportation Manager also informed the Forum that civil enforcement officers worked seven days per week, working between the hours of 6.45am to 9.00pm with the powers the officers have being restricted to all parking restrictions and to car parks throughout the Authority.

Members of the Forum expressed concern at indiscriminate parking of taxis being observed throughout Bridgend town centre with fares being picked up away from taxi ranks. The Monitoring Officer requested that issues of indiscriminate parking by taxis and obstructing buses be raised with the Licensing Section in order that they can investigate with the matter.

A Member of the Forum commented on the improvement with parking compliance in Porthcawl since the introduction of civil parking enforcement. A request was made that the barrier at John Street at Porthcawl be closed earlier than 11.00am due to vehicles being driven at speed. The Traffic and Transportation Manager informed the Forum that it would not be possible to close the barrier at John Street earlier than 11.00am as this time had been prescribed in the Traffic Order.

A Member of the Forum asked whether attention could be given by civil enforcement officers to parking problems at West Park Primary School Porthcawl. The Traffic and Transportation Manager stated that he is aware that civil enforcement officers had visited West Park Primary School and that he would reiterate the parking concerns with the parking officer.

The Forum questioned whether the civil parking enforcement scheme could be rolled out to further areas in the County Borough and whether additional enforcement officers could be employed. The Traffic and Transportation Manager stated that the number of civil enforcement officers had been looked at prior to the introduction of civil parking enforcement and it was considered that the number of officers employed was appropriate for the scheme, however, the scheme would be reviewed after one year.

In response to a question from the Forum, the Traffic and Transportation Manager stated that he would present a monitoring report on Civil Parking Enforcement after its first year of operation.

Members of the Forum commented that civil parking enforcement had appeared to work well, but had resulted in pressures on parking in residential areas.

RESOLVED: That the Forum noted the report.

40 HIGHWAY MAINTENANCE OF POTHOLES

The Manager Highways Network presented a report on the current processes for the identification and the repair of potholes and explained how potholes form, which are generally created either when the foundation of the road fails causing the surface to sink and break up, or through the road surface allowing water to penetrate into the tarmac. The expansion and contraction of the water ice under a carriageway gradually displaces material until a large enough void/depression is created as well as causing further cracking and the ingress of water. Ultimately the void collapsed under vehicle traffic loading causing the breaking up and forming of the pothole, further vehicle traffic causing additional mechanical damage and widening and deepening of the pothole. He stated that the problem of potholes had been further exacerbated by severe winters and heavy rainfall not just throughout the Borough but throughout the UK as a whole.

The Manager Highways Network informed the Panel of the inspection regime, in that planned inspections of streets were carried out as recommended by national guidelines, which identify where potholes have occurred,. The frequency upon which carriageways and footways were inspected was based upon a categorised of traffic/pedestrian volume or traffic/pedestrian type which would result in

periodic inspections ranging from monthly to annually. He stated that highways such as the A48 and A473 were subject to a three month inspection, whilst roads in the Bridgend Town Centre were inspected once per month. Roads in residential areas were inspected annually. He stated that a pothole in excess of 40mm on the A4061 would require a repair within 24 hours, but the same pothole in a residential cul-de-sac would be repaired within 28 days. These intervention criteria and response times had been generally accepted in the courts as reasonable and complied with the Authority's duty to maintain under Section 41 of the Highways Act 1980. Apart from the scheduled inspections, members of the public were able to contact the Council with reports of potholes which are investigated and dealt with in accordance with the appropriate intervention criteria. In terms of preventative actions, where the Authority is aware of carriageway excavations by utility companies, inspectors check the quality of the work and reinstatement to ensure that the likelihood of issues is substantially reduced. Regular core testing is undertaken of a random sample of utility openings to ensure their compliance with the specification.

The Manager Highways Network informed the Forum that the Authority repaired potholes with either a cold or hot material and in both cases the defect is completely cleared of any water or debris. He outlined the process involved in a cold material repair and in the event of a pothole being identified that required remedial measures within 24 hours a cold material repair is used and mitigated against injury or damage to third parties and reduced the risk to the Authority in the case of personal injury or damage claims. He informed the Forum of the process for a hot material repair of potholes which would be undertaken in the event of a failure of a cold lay repair. He stated that these repairs could be subject to failure if the structure of the road had failed, the surface around the repair was cracked or breaking up, or there were water springs under the surface, the repair had been carried out in very wet or cold weather, or the area suffered from a high level of heavy turning traffic. In some instances the only appropriate repair method was complete resurface, which was extremely expensive.

He reported that between 2011/12 the Council had in the order of 2,438 reports of potholes which were addressed according to the response and intervention criteria. Between 1 January 2013 and until the end of May, the highway inspectors and repair teams had received 481 reported potholes and sought resources to implement as many hot material repairs as possible to further reduce and reoccurrence of potholes. In the last financial year, 3,600 potholes had been repaired. He stated that there is an 80% success rate of repairs using the cold material method. He also stated that the Council only had resources to resurface up to twenty streets per year and streets were reassessed each year for their condition. He informed the Forum that hot box repairs were undertaken to reduce re-attendances apart from emergency repairs which were all undertaken using the hot material method. The use of hot material repairs allowed for a greater resilience of repair that may be more cost beneficial when compared to the cold material repair.

The Manager Highways Network also informed the Forum that overall between 30 and 40% of the highways funding for carriageway maintenance was expended on reactive repairs and due to this being a large proportion of expenditure, trials have been made with differing compounds of cold and hot repairs. The Council was trialling the utilisation of more hot material repairs where possible to mitigate against cold repair failures and the success of this operation will be monitored to ascertain if this meets the best value approach to repairs.

A Member of the Forum commented on a pothole repair where he resided, whereby the team carrying out the repair attended without having the appropriate equipment. The Manager Highways Network informed the Forum that the repair

teams received instruction sheets as to the method of reinstatement to be undertaken and it was not acceptable for the road to be repaired without the team being in possession of the appropriate equipment to carry out the repair. He also informed the Forum that an assessment had been made of the type of surface to be used in some streets which had been assessed to take into account their long term durability and skidding resistance.

The Forum referred to carriageway excavations by utility companies and questioned their responsibility for undertaking repairs and whether the quality of repairs was inspected. The Manager Highways Network informed the Forum that legislation had changed in 1996, in that local authorities could now only charge utility companies for inspections to 6% of utility openings in the highway. He stated that a regime is in place whereby highways test the reinstatement of repairs undertaken by utility companies and regular co-ordination meetings took place with utility companies on a quarterly basis where respective lists of carriageway repairs were compared with the utility companies planned works. The Highways Department would wait for the utility companies to undertake their works and then resurface the road. The Highway Authority did not have powers to prevent utility companies putting in new services or carrying out emergency repairs to a road which had been newly resurfaced. The Highway Authority did work with the utility companies to ensure there was no long term effect on the highway.

In response to a question from the Forum, the Manager Highways Network stated that highway inspectors will pick up problems and that responses from the public were welcomed and which would then be assessed. He stated that contact would be made with one of the teams should emergency repairs be required.

The Forum welcomed the introduction of repairs using hot materials to ensure that repairs were not repeated which was important for public perception and it was hoped that this method would lead to better quality repairs.

The Forum questioned the amount of time it would take for a repair to be undertaken once it had been marked. The Manager Highways Network stated that repairs would be undertaken within the 28 day timescale after the marking of the road surface.

The Manager Highways Network informed the Forum that the Council did not have a maintenance list of potholes, but had a list for resurfacing and surface dressing which would be sent out to all Town and Community Councils. In response to a question from a Member of the Forum, he stated that the delays to the repair of a junction at Penyfai which had been marked was due to problems with the arranging the correct traffic management at the traffic lights and he would ensure that the repair was undertaken as quickly as possible.

RESOLVED: That the Forum noted the report.

The meeting closed at 5.28pm.