

MINUTES OF A MEETING OF THE TOWN AND COMMUNITY COUNCIL FORUM
HELD IN THE COUNCIL CHAMBER, CIVIC OFFICES, ANGEL STREET, BRIDGEND
ON TUESDAY, 16 APRIL 2012 AT 4.00PM

Present:

Councillor M E J Nott - Leader

<u>Councillors</u>	<u>Councillors</u>	<u>Councillors</u>	<u>Councillors</u>
M W Butcher	C J James	H E Morgan	D Sage
E Dodd	J E Lewis	C L Reeves	R L Thomas
E M Hughes	J R McCarthy	M Reeves	R Williams

Town and Community Councillors:

Bridgend Town	-	R D L Burns
Coity Higher	-	J Brett
Coychurch Higher	-	N Oram
Coychurch Lower	-	B Nash
Llangynwyd Lower	-	J Roberts
Maesteg	-	P W Jenkins
Ogmore Valley	-	M Jenkins
Porthcawl	-	A E Davies
Pyle	-	M Kearns
St Brides Minor	-	J Lewis

Officers:

A Evans	-	Menter Bro Ogwr
C Howell	-	Head of Street Scene
M Lewis	-	Integrated Partnership Manager
G Ennis	-	Group Manager Business Support
M Jenkins	-	Principal Sustainable Development Officer
M Morgan	-	Data Centre Manager
M A Galvin	-	Senior Democratic Services Officer - Committees
P Williams	-	Equalities and Engagement Officer

23 INTRODUCTIONS

The Leader welcomed all those present to the meeting and the necessary introductions were made.

24 APOLOGIES FOR ABSENCE

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

Councillor S Aspey	-	Work commitments
Councillor B McCleer	-	Prior commitment
Councillor D White	-	Work commitments
Councillor G Phillips	-	Teaching commitment
Councillor D Owen	-	Holiday
Councillor D Pugh	-	Work commitment
Councillor A Y Morgan	-	Prior commitment
Councillor J Hancock	-	Recuperating

25 DECLARATIONS OF INTEREST

None.

26 APPROVAL OF MINUTES OF THE PREVIOUS MEETING

RESOLVED: That the minutes of a meeting of the Town and Community Council Forum dated 14 January 2013 be approved as a true and accurate record.

27 WELSH LANGUAGE SCHEME

Amanda Evans from Mentor Bro Ogwr gave a Presentation to the Forum on the subject of Welsh Language in Bridgend County Borough, that was supported by a report of the Assistant Chief Executive - Performance. She confirmed that advocating people to speak in Welsh was covered by the following policies:-

- Welsh Language (Wales) Measure 2011
- BCBC Welsh Language Scheme 2012-2015
- The Welsh Language Strategy 2012-17, A living language: a language for living
- BCBC Welsh Education Strategic Plan 2013-15.

Ms Evans explained that in terms of teaching the Welsh language to children at a very early age, there were 13 mother and toddler groups that were involved in this as well as 11 Welsh language nurseries.

In terms of primary schools, there were four of these within the County Borough as detailed, below that catered for the number of children as shown:-

- Ysgol Gynradd Gymraeg Bro Ogwr = 404
- Ysgol Gynradd Gymraeg Cwm Garw = 152
- Ysgol Gynradd Gymraeg Cynwyd Sant = 289
- Ysgol Gynradd Gymraeg Y Ferch o'r Sger = 240

Ms Evans then confirmed that there were two Welsh Secondary Schools in the area, namely Ysgol Gynradd Gymraeg Llangynwyd (516 pupils) and Ysgol Gynradd Gymraeg Llanhari (162 pupils).

The secondary school just outside the County Borough area she added in Llanhari, did contain pupils who resided in the Pencoed area.

Ms Evans then explained that Welsh second language short courses were in operation at ten English medium schools, and that it was compulsory for pupils to study Welsh at every County Borough secondary school in the form of either a half course or at full GCSE level.

There were 45 for adult classes within Bridgend, with 450 learners supporting these.

Ms Evans advised that there were groups known as Mentrau Iaith Cymru, who provided mainstream support to the work undertaken by organisations such as Menter Bro Ogwr in order to promote the Welsh language in communities across Wales.

There were 23 of these groups who employed 280 members of staff who worked with over 1,300 volunteers. These groups held over 13,000 community activities a year, with over 160,000 participating in these.

Ms Evans then gave some background regarding Menter Bro Ogwr.

She informed Members that the group was established in October 1993, by a few enthusiasts who wanted to ensure that the Welsh language had a voice in the County.

The methods by which Menter Bro Ogwr promoted and further the use of the Welsh language, was by co-operating with associations, societies, businesses, learners and schools. Their intention was to raise the profile of the Welsh language in the locality, by increasing opportunities for residents to use the language in a variety of fields.

Ms Evans then advised of the number of officers that supported Menter Bro Ogwr, namely herself (Head Language Officer) M E Thomas (Field and Administrative Officer) S Stephens (Youth Officer) and K Campbell (Services for Children and Families Officer).

Ms Evans then elaborated upon a number of projects and events that Menter Bro Ogwr had been involved in, and she tabled for Members an events calendar that covered the period April - June 2013. An example of past events being:-

- (1) St. David's Day Mother/toddler group at Mearthur Glen
- (2) Cooking clubs at schools;
- (3) Millennium volunteers awards (for hours committed by individuals to the service;
- (4) Menter Bro Ogwr's trip to Patagonia (to extend the Welsh language there).

Ms Evans then gave examples of local support providers to the Welsh Language Scheme, such as:-

- (a) Siop yr Hen Bont;
- (b) HOGWR;
- (c) The Bridgend College (through extending Welsh opportunities to students;
- (d) Urdd.Org (Urdd Gobaith Cymru)

National support providers she explained came from the likes of the following:-

- (i) TWF
- (ii) Welsh Government (Llywodraeth Cymru)
- (iii) S4/C
- (iv) Radio Cymru
- (v) Gwefon.Org (Cymraeg ar y We)
- (vi) Cymorth.Com and
- (vii) Cym

In conclusion, Ms Evans urged Members to "Keep Welsh Alive Forever", and that when the local authority considered its business through the introduction of policies and plans, to allow opportunities for interaction in the medium of Welsh.

A Member noted that though engagement in Welsh was visible in schools between teachers and school children, it was difficult to expand this engagement between parents and their children. He felt that non Welsh speaking parents

should be encouraged more to take-up basic Welsh classes, as this will assist in their children continuing engaging in Welsh as they leave school and move forward in their lives.

Ms Evans agreed with this, but added the only two main organisations that gave support to parents to engage in the Welsh language, were Menter Bro Ogwr and Welsh for Adults. This is one of the reasons why she considered that further dedicated support avenues were required not only for children through schools, but also for the older generation, in order to encourage them also to take up the language.

She added that through Welsh for Adults, individuals could actually obtain a qualification in Welsh, whereas Menter Bro Ogwr supported more social type opportunities.

A Member enquired how the number of Welsh speakers in the County Borough of Bridgend compared to neighbouring authorities.

Ms Evans did not have any comparable data to hand, though she was aware that there had been an increase in Welsh speakers recently within the area of Caerphilly. She advised the Member that further information on this could be obtained online from the last Census results.

The Deputy Leader concluded the debate on this important topic.

As the appointed Champion in the Authority for Equalities, which covered Welsh language, he gave an assurance that the Council as a local authority were fully committed to the Welsh Language Scheme and that this was reflected through the Authority's Welsh Language Scheme 2012 - 2015 and its Welsh Education Strategic Plan 2013 - 15, both of which were connected to their Corporate Plan/other Corporate priorities.

The Council had and were continuing to make excellent progress he stated, in order to ensure that there was equality when comparing the Welsh and English language, in terms of the delivery of major plans, strategies and policies, and by offering bi-lingual choices for constituents through which to undertake any business they had with the Authority including via the web site.

He assured that the Authority would also look in the future to encourage partnership working with some of the organisations mentioned in the Presentation, to promote even further use of the Welsh language.

The Leader on behalf of Members thanked Ms Evans for her concise yet very informative submission.

RESOLVED: That the Forum noted the contents of the report, the attached Appendix 'A' and the Presentation.

28 NEXT GENERATION BROADBAND WALES (SUPERFAST BROADBAND)
ROLL-OUT ACROSS THE COUNTY BOROUGH OF BRIDGEND

The Assistant Chief Executive - Performance submitted a report, in order to explain the current position with the availability of BT's Superfast Broadband with particular reference to Maesteg and Ogmore Valley exchange areas.

The Data Centre Manager explained that the aim of the national project was to provide 96% of Welsh homes/businesses with high speed broadband by the end

of 2015, with the majority of this scheme focussing on Fibre Optic Enablement of BT exchanges.

The Bridgend County Borough area was in a relatively advanced position on the fibre enablement of its BT exchanges, with the areas exchanges outlined in Paragraph 4.1 of the report presently eligible for Superfast Broadband.

The Data Centre Manager confirmed that the Maesteg and Ogmores Valley exchanges were currently planned for the end of 2014 according to information provided by BT Openreach.

He added that the local authority had no influence on BT and any commercial decision surrounding their Superfast Broadband Plans in these two areas, including the dates when they would be eventually rolled out.

A Member from Maesteg was concerned as the Town Council wanted to not only ensure that existing businesses in the Llynfi Valley are brought up to speed with the advances of technology, but it also wanted to have opportunities that may attract new business ventures there. He asked the Officer if he was aware of the reasons why exchanges were being delayed in the Maesteg and Ogmores Valley. He had endeavoured to contact both BT and BT Openreach to obtain an answer to this question, but had not received a response.

The Data Centre Manager advised that he was unsure of the reason for the delay, though he felt that it may be due to geographical reasons.

He added in response to a further question, that it was very unlikely that any pressure from the Council would result in the exchanges being awaited being put in place before the date specified in the report.

The Member for the Ogmores Valley was concerned with the fact that residents in the village of Glynogwr would not receive the Superfast Broadband Scheme when it was planned to be available, i.e. at the end of 2014.

The Data Centre Manager confirmed that 4% of the County Borough would not be able to receive this for the reason he gave earlier.

He added that he would endeavour to contact BT or BT Openreach, in order to establish a firm date for when the Maesteg and Ogmores Valley exchanges were going to be provided, and ask what areas (if any) would not receive Superfast Broadband, and the reasons why. He would in turn then write to the Maesteg Town and Ogmores Valley Community Councils and convey to them the response.

A Member noted from Paragraph 4.1 of the report, that it was specified that certain areas were currently 'eligible' to receive Superfast Broadband. He asked if he could expand on what exactly this meant.

He confirmed that he would look into this further, and come back to Members with the definition of this outside of the meeting.

The Leader concluded the debate on this item, by encouraging Members of the public and Town and Community Councils, particularly Maesteg Town Council and Ogmores Valley Community Council to write to the Director of BT and to put questions to her regarding the Superfast Broadband Scheme that they require answers to.

RESOLVED: That the Forum noted the present position on this national project and the current understanding with respect to BT exchanges in the Maesteg and Ogmore Valleys.

29 DOG FOULING

The Corporate Director - Communities submitted a report that provided the Forum with an update on the use of a private company to enforce dog fouling and dog-free zones by other local authorities.

The report gave some background information, which gave details of a survey conducted by Keep Wales Tidy which had revealed that around 90% of street litter related to smoking compared to 14% relating to dog fouling on streets.

The Head of Street Scene advised that all local authorities have a responsibility under legislation to ensure that highways and recreational areas are kept clear of dog faeces, though the responsibility of this when accompanying their dogs for a walk was down to the dog owner. Any owner not cleaning up after their dog faced a £100 fixed penalty notice imposed by a local authority.

The report then explained that the Council had only three full time enforcement officers who could issue the above fixed penalty notices, though aside of dog fouling problems they had a further role to play in the enforcement of litter problems, waste, fly-tipping, graffiti and fly posting etc.

The report then detailed information regarding a couple of neighbouring Welsh local authorities who were or had been using a private sector company to control litter enforcement issues, though for the reasons given in the sub-paragraphs of Section 4 of the report, the use of these type of private companies was not necessarily cost effective as well having other drawbacks.

The Head of Street Scene stated that, the private enforcement company used by the neighbouring authorities advised that with regard to dog related offences, there is often a problem of linking the location of the offence to the dog responsible and its owner. Irresponsible dog owners also tended to alter their behaviour when they noted the presence of enforcement staff, as officers carried small cameras to record CCTV footage. Therefore, patrols were seen as more of a deterrent.

The Head of Street Scene concluded by stating that having reviewed the use of private companies to control dog fouling in public places within other authorities particularly where it could be a health hazard such as on playing fields or children's playground, he was of the opinion that all things being considered, that the effectiveness of the use of private companies should continue to be monitored before a final decision is made on whether such companies should be employed in Bridgend County Borough.

A Member advised that there had recently been a meeting in Maesteg Town Hall that involved representatives of certain Town and Community Councils and members of the public where the topic of dog fouling and the dumping of waste was debated. He noted that this problem had been presented to the Town and Community Council Forum on at least three occasions previously, where emphasis had been made about educating people about the health problems associated with dog owners not clearing up their animals mess in towns and rural areas. He added that the report did not go far enough to address this longstanding problem and that more actions were required including financial support from Town and Community Councils.

The Head of Street Scene confirmed that 15 Civil Parking and Enforcement Officers had been in operation since the beginning of April, and their presence could have a positive outcome as a deterrent to owners allowing their dogs to foul and not cleaning this up after them.

He welcomed any financial support that Town and Community Councils may be able to offer to alleviate this problem also. He added however, that expectations should take into account the difficulties in effectively enforcing this issue, and reiterated that it is the responsibility of owners to remove the faeces.

The Head of Street Scene explained that Enforcement Officers had carried out a pilot scheme whereby they concentrated upon a renowned problem area for dog fouling which resulted in not one dog owner being fined as a result. This highlights the problem of effectively enforcing this issue, and the potential deterrent of a presence on the streets.

A Member recognised the scale of the problem, and how very difficult it was to manage. He felt however that something had to be seen to be done, as Councillors at County Borough and Town and Community Councils level were receiving a considerable number of complaints regarding this. He felt that further meetings to the one referred to above would be advantageous to share ideas and come up with positive actions to help reduce the problem.

A Member also noted that the Council was cutting its staff in parks and playing fields and asking users of Community Centres and Sports Pavilion to consider maintaining these buildings, meaning that there was a decrease in visible employees which encouraged irresponsible dog owners not to clear up after their animals mess after them in public places. He added that Maesteg Town Council had purchased dog litter bins needed along footpaths and cycle routes etc, however, the Council had not confirmed that they could erect these, as it was cutting back on staff in its cleansing team. He asked if the Council were able to devolve its powers and allow representative of Town and Community Council's to patrol the County Borough and help in the control of dog fouling.

The Head of Street Scene was encouraged by the positiveness of Members, and stated that he would be happy to see Town and Community Councils and any other organisations becoming involved in the fight to clean up dog fouling.

If future meetings were arranged in communities through Town and Community Councils, he advised that they should contact him if they required himself or an Enforcement Officer to attend the meeting(s) to ensure that there is a co-ordinated approach put in place to go forward to combat the problem.

A Member asked how much the Council had made through 'on the spot fines' in relation to dogs fouling and not being cleared up by owners.

The Head of Street Scene whilst acknowledging that this was only a nominal sum, confirmed that he would advise Members of this outside the meeting.

In terms of the Council devolving powers given to Enforcement Officers, he advised that this would not be easy to achieve for a number of reasons.

He acknowledged the efforts of Town and Community Councils in purchasing dog litter bins, however, if these were erected they had to be emptied or they would overflow and exacerbate the problem. There were cutbacks being experienced throughout the Council and the Street Cleansing Section had been affected by

these, so the provision of further bins would mean extra work for a reduced workforce. He stated that if representatives of Town and Community Councils wished to erect more dog litter bins and empty these themselves, then he would have no objection to this.

The Member from Porthcawl Town Council advised that they had pre-cepted £15,000 a year in a bid to provide support for the enforcement of parking, and the depositing of litter & dog faeces etc, and had informed the local Authority of this but had not received a response.

The Member advised that Bridgend Town Council had pre-cepted a similar amount to the above, for the same purpose.

The Head of Street Scene advised Members that he would investigate these two issues.

A Member asked if the Civil Parking Enforcement Officers could expand their role to control dog fouling.

The Head of Street Scene confirmed that these Officers had only been with the Authority for two weeks, and as soon as they had become established in their role these powers would be given to the CPE Officers whilst their focus would remain on parking enforcement. He would also investigate giving extra hours of working to Enforcement Officers out of any money pre-cepted by the above mentioned two Town Councils.

RESOLVED: That the Forum noted the report.

30 UN-ADOPTED STREETS AND LANES

The Interim Corporate Director - Communities submitted a report, that advised on the current policy for the adoption of back lanes and private streets.

The report gave some background information, and confirmed that the Council had a policy in respect of private streets and back lanes agreed in 1996.

The Policy related to 22 private streets and 37 back lanes. The Head of Street Scene confirmed that these numbers were for below the total of the potential extent of private streets that existed within the County Borough, and further work was on-going into the matter.

The current list of un-adopted roads and back lanes was shown at Appendix 'A' to the report, however, this number was the potential extent of private streets that exists within Bridgend.

The Head of Street Scene advised that it was agreed to implement a rolling programme of the making-up of private streets and back lanes under the Private Street Works Code be implemented subject to available funding being available, to cover the Council's contributions to these schemes which could supplement funding contributions from owners of property fronting these areas, with the criteria for the selecting/prioritising of the streets/back lanes being as identified in paragraph 3.8 of the report.

The Head of Street Scene advised Members that the above rolling programme had not been embarked upon, due to the lack of allocated funding. As an alternative to adoption through further consideration was being given to the option of facilitating lower cost improvements to back lanes and private streets where

funding is made available by frontagers and/or Town and Community Councils. These improvements may not be to adoptable standard, and therefore in such cases, they would remain as private streets or back lanes under the responsibility of the residents or owners.

He added that he would be happy to discuss any private streets or back lanes that a Town of Community Council would like to be considered for improvements on this basis.

A Member noted that un-adopted back lane reference 29 was in fact adopted by a predecessor authority in 1965.

The Head of Street Scene advised that he would look into this point and come back to the Member outside of the meeting.

A Member advised that vehicles were parked on the service road near the Evergreen Hall, which he believed was not adopted. As a consequence Civil Parking Enforcement Officers had been targeting elderly members of the Evergreen Hall Bridge Club. He failed to see why the Enforcement Officers were questioning these elderly people and threatening to fine them for parking there if the road was un-adopted.

A Member asked if a partnership arrangement could be entered into between the Local Authority and Town and Community Councils, whereby un-adopted roads are throughout the County Borough adopted, even with a caveat that Town and Community Councils fund the cost of adoption, with Bridgend County Borough Council funding the maintenance costs thereafter. He was of the opinion that the Local Authority under the Highways Act 1980 had a statutory undertaking to keep highways, roads and lanes in a fairly satisfactory condition regardless of whether or not they had been adopted.

The Head of Street Scene advised that the Council would consider maintaining streets and lanes should a Town of Community Council wish to commit funding and bring them up to adoptable standard.

He added that whether a highway is adopted or not relates to who is responsible for maintaining it. If it was un-adopted, responsibility for it generally lies with either the owner or frontagers. If it was adopted then it was maintained at the public expense by the Highway Authority.

The Head of Street Scene further added for Members information, that the above is separate to whether a 'way' is a public highway or not. A public highway is a road (or footpath or verge etc), that the public have a right to pass and re-pass. It therefore did not necessarily matter who had the responsibility to maintain it. Sections of various legislation applied to public highways to protect their use, regardless of whether or not they were adopted.

He explained that therefore the Council, have a responsibility to ensure that even an un-adopted public highway can be passed and re-passed.

In terms of the point made earlier with regard to Civil Parking Enforcement Officers looking to ensure that vehicles were not parking unauthorised near the Evergreen Hall, in practical terms, they were able to seek the removal of an obstruction (e.g. vehicle) blocking a road in accordance with a provision of the Highways Act, and could enforce parking restrictions on roads both adopted and un-adopted.

A Member from the Cefn Cribwr area asked if a representative of the Council could meet representatives of the Cefn Cribwr Community Council to discuss further lanes not up to adoptable standard that were not contained in Appendix A.

The Leader suggested that they pursue this with Officers through their local County Borough Council Member(s).

A Member asked if there was a set amount of work required to make a street or lane up to adoption standard or was there a minimum of work that could be undertaken to achieve this. He asked this, as it could be more cost effective if these sub-standard areas received minor work being undertaken to them rather than them being subject to more expensive work.

The Head of Street Scene confirmed that there was a sliding scale of levels of standard of work that could be carried out on these areas.

If an un-adopted road consisted of a number of properties and had significant pedestrian and traffic flow, then it would cost more to upgrade this road as opposed to a small back lane where there were no or few dwellings and little in the way of pedestrian/vehicular traffic. The works to the former would be more expensive as this would consist of not just upgrading the surface of the road, but also the provision of street lighting, footways and drainage etc.

The Head of Street Scene added that the maintenance costs associated with all the above features was required by the Local Authority after a road, lane or street was made up to adoptable standard.

He referred Members to paragraph 4.2 of the report, and suggested that a lane in a relatively poor condition could be upgraded to a smooth running surface for a relatively modest cost, and that Town of Community Councils could, following consultation with himself, arrange for work such as this to be funded.

A Member asked if the Council chose to adopt a lane or small street, and the frontagers to this could not give a contribution for the undertaking of this work, was it in order for the Council to recharge this amount against their property.

The Leader suggested to the Member that she engages directly with the Head of Street Scene on this issue outside of the meeting.

RESOLVED: That the Forum noted the report.

31 IMPLICATIONS OF THE SUSTAINABLE DEVELOPMENT BILL ON TOWN AND COMMUNITY COUNCILS

The Interim Corporate Director - Communities submitted a report, that was presented by the Group Manager Business Support, Communities that informed Members of the likely obligation that the Sustainable Development Bill (SD Bill) was going to place on Town and Community Councils.

The report gave some background information, following which the Principal Officer, Sustainable Development gave a summary of the main features of the SD Bill, as follows:-

- Sustainable development as the central organising principle will become a statutory obligation that is placed on WG and other public services in Wales.

- Public services will be held to account for their performance, and required to report on how higher level decisions comply with the duty.
- The duty will be specifically targeted at decisions that have the greatest influence over organisational behaviour.
- High level decisions will cover long term strategies, annual plans, general or specific policies. WG is consulting over whether high level budget decisions will also be covered.
- The Bill places an emphasis on long termism suggesting that the SD “duty” will apply to higher level decisions of public bodies assessed against SD factors.
- Auditor General Wales and the WAO will “police” the new legislation.
- A new advisory body will likely be setup to assist bodies to comply with the Bill and issue statutory guidance.
- Phased implementation of the Bill with Town & Community Councils scheduled for 2017.
- As stated in paragraph 3.3. of this report the consultation stage has only just closed and the draft Bill is not due to be considered until the Autumn of 2013, and therefore it should be stressed that the main features as detailed in paragraphs 4.1 to 4.8 of this report are merely outlined proposals and are subject to change as and when the Bill receives detailed consideration.

The Principal Officer, Sustainable Development emphasised that Town and Community Councils would be covered by the SD Bill but not until 2017, and that the regulations had not yet come into force, and until they were, it was not known if all components of the SD Bill would apply to them.

RESOLVED: That the Forum noted the report and that Town and Community Councils note the potential implications of the SD Bill for their operations, and that the progress of the Bill be monitored for the decision on whether their operations will be included in its scope.

32 SCHEDULE OF AGENDA ITEMS

The Monitoring Officer submitted a report that informed the Town and Community Council Forum of the request for items to be presented to future meetings, as outlined in Appendix A to the report.

RESOLVED: That the Forum noted the report.

The meeting closed at 5.55pm.

