

MINUTES OF A MEETING OF THE COMMUNITY, ENVIRONMENT AND LEISURE OVERVIEW AND SCRUTINY COMMITTEE HELD IN COMMITTEE ROOMS 2/3, CIVIC OFFICES ANGEL STREET BRIDGEND CF31 4WB ON THURSDAY, 28 JULY 2016 AT 2.00 PM

Present

DK Edwards	CA Green	CJ James	CL Jones
JR McCarthy	HE Morgan	G Phillips	JH Tildesley MBE
KJ Watts	R Williams		

Officers:

Cllr C Reeves	Cabinet Member Communities Cabinet Member Resources Head of Neighbourhood Services Corporate Director - Communities Skills and Sustainable Development Manager
Carly McCreesh	Community Asset Transfer Officer

Officers:

Sarah Daniel	Democratic Services Officer - Committees
Rachel Keepins	Democratic Services Officer - Scrutiny
Carly McCreesh	Community Asset Transfer Officer
Andrew Rees	Senior Democratic Services Officer - Committees
Zak Shell	Head of Neighbourhood Services
Mark Shephard	Corporate Director - Communities
Sue Whittaker	Skills and Sustainable Development Manager

51. APPOINTMENT OF CHAIRPERSON

RESOLVED: That Councillor CL Jones be elected Chairperson for the meeting.

52. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor JC Spanswick.

53. DECLARATIONS OF INTEREST

None.

54. APPROVAL OF MINUTES

RESOLVED: That the minutes of the meeting of the Community, Environment and Leisure Overview and Scrutiny Committee of 23 March 2016 be approved as a true and accurate record.

55. WASTE SERVICES PROVISION

The Corporate Director Communities introduced a report on the progress made on the procurement for the provision of residual waste and recycling collection services and the provision of services as the Council's Community Recycling Centres. He stated that changes were being made to waste management arrangements in order to meet the performance targets for recycling set by the Welsh Government, due to there being significant penalties imposed on local authorities where targets were not met. This was set against the context of the contract with the current contractor, Kier ending on 31 March 2017. He informed the Committee that the Council has one of the most cost effective waste collection contracts in Wales, but one of the most costly waste disposal contracts in Wales.

The Corporate Director Communities informed the Committee of the timescale for the procurement process in that tenders for the provision of waste services are due to be returned in mid-August 2016, a contractor would be appointed in the Autumn followed by a period of mobilisation in order to allow the contract to start in April 2017. He stated that Cabinet at its meeting on 26 July 2016 had agreed a period of consultation on whether to allow dispensations for households with a high number of occupants and households disposing of ash from coal fires. He stated that a dispensation for the disposal of pet waste had been ruled out. He also informed Cabinet it was proposed under the new contract, that all requests for service and complaints are referred directly to the contractor in the first instance.

The Committee discussed what implications the recent vote for the UK to leave the EU would have on the pressure to meet recycling targets and asked officers if this would have an impact on the targets set as they were primarily driven by EU legislation. Officers responded that the Welsh Government has tried to push Wales ahead of the rest of the UK in that it had set a target of zero waste by 2050, officers did not envisage the referendum result affecting the targets. The Cabinet Member Resources informed the Committee that Wales wanted to lead in Europe in how it dealt with waste and that up to a 1/3 of materials currently sent to landfill could be composted or recycled.

Members questioned how the parameters for the tenders for the new waste provision could be set when there was a consultation still ongoing. Officers responded that the two bag limits had been set and would not change, with tenderers bidding on that basis. The 8 week public consultation that would be launched on the 2 August would be a consultation on a dispensation policy for larger families with occupants over 6 people. Members were concerned about the fairness of the process and felt there was a risk the Authority would be open to challenge. Officers responded that what was being proposed was consistent with other Local Authorities where there are restrictions on residual waste.

Members questioned how the Authority would engage with residents during the three month bedding in period in April 2017. Officers stated that the Authority would take a sensible approach and plan to educate residents first before taking enforcement action. Officers would be door knocking and speaking with residents who were not complying with the two bag limit and giving advice on how to increase what they recycle in order to reduce their residual waste. If residents still do not comply after the three month bedding in period then the Authority would take enforcement action. During the first 3 months of the contract the contractor will take what is presented to them at kerbside and after that period enforcement action be taken. Officers were looking at how other local authorities deal with enforcement action.

Members asked if the tender for the new contract included picking up the litter that was often left behind after the collection days. Officers stated that the new contractor would be asked to collect rubbish and recycling that was left out on collection days and any

litter left that was in the vicinity associated with the collections, i.e. split bags, boxes tipped over. Refuse collectors would not be expected to collect all litter on the streets. The Head of Neighbourhood Services informed the Committee that it was more expensive to employ refuse crews than litter picking crews and that the litter picking rounds did not mirror the refuse collection rounds.

Members asked how the Civic Amenity Sites would be managed under the new contract. Officers stated that the contractor would define the manning levels at the sites. The public would still be able to take household rubbish and recycling to the centres but would need to sort their rubbish into the appropriate containers to ensure that all items were recycled where possible. The contractors would have clear targets to reach and would be penalised if the targets were not achieved. Members suggested that clear bags could be provided.

The Committee requested that consideration be given to providing larger recycling boxes / containers and bags to enable residents to recycle more and their recycling could be secured more safely to prevent recyclable material being wind-blown. The Head of Neighbourhood Services informed the Committee that the specification of recycling boxes / containers and bags had been left quite open in the tender documentation to enable tenderers to come up with proposals. The options proposed by tenderers would also be dependent on the types of vehicle used to collect recycling. The current stock of containers had been offered to the tenderers.

The Committee questioned the means by which large households would be identified under the dispensation proposals and how would pet waste be managed. The Corporate Director Communities informed the Committee that pet waste would be placed in black bags and that the Council is already aware of the location of larger households. The Head of Neighbourhood Services informed the Committee that the Welsh Government had identified that approximately 49% of waste is recyclable and there was a need to change public behaviour so that more food waste is recycled.

The Scrutiny Officer stated that a query had been raised by a member of the public requesting details of the process for disposing of medical waste and how this would be dealt with. The Corporate Director Communities informed the Committee that there is already a clinical waste and sharps collection process in existence. The Head of Neighbourhood Services informed the Committee that there is also a separate collection service for absorbent products and this service is also planned to be included in the future contract

Members asked how Officers planned to address the potential increase in fly tipping due to the new restrictions on residual waste. Officers responded that there is a trend for a small increase in fly tipping initially but this tended to be during the first few weeks of a new scheme. Officers added that most fly tipping in the Borough was down to trade waste.

Members were concerned at the proposed management of complaints whereby they would be managed by the new contractor and would complaints received by the contractor be hidden from the Council. Officers responded that the process would be audited by the Authority and that by allowing the customer to go direct to the contractor they could potentially have an immediate response to a query. Officers added that if the new contractor was not performing well, they would directly feel the pressure from the public. The Head of Neighbourhood Services informed the Committee that the contractor would be expected to provide monitoring information and there would be financial penalties put in place based on the contractor's performance. He informed the Committee that at present complaints about the waste service were channelled through the Council's call centre which would in turn place the call through to the Waste Team

who would then contact the contractor to resolve and rectify the problem. He stated that the Council would soon know if the contractor is performing badly, the new arrangements for complaints being dealt with by the contractor would be self-motivating to the contractor, although there were some risks in terms of transparency.

The Committee questioned whether a dispensation for waste generated by households would be granted at Christmas. The Head of Neighbourhood Services informed the Committee that there would be no dispensation granted at Christmas as most packaging and food waste is recyclable. He stated that contractors would be scored during the contract evaluation process based on being able to recycle more types of materials.

Members questioned how collections in communal areas would be managed. Officers responded that residents would be issued with uniquely identifiable bags and would be provided with enough so that they could use 2 per fortnight. If households put out more than their allocation then they would run out of bags further down the line. The Head of Neighbourhood Services informed the Committee that educating households and enforcement will be key to the success of the new waste service contract. The Corporate Director Communities informed the Committee there had been significant interest from potential contractors in the tender process although it was not known how many companies would tender.

The Committee thanked the invitees for their contribution.

Conclusions

The Committee recommended the encouragement of a more adequate system for the recycling of household materials in the form of larger bags/ boxes / containers for recycling so that residents will be able to securely store their recycling and increase what they recycle. The Committee believed that this would actively encourage residents to recycle more of their materials instead of sending to landfill. The Committee promoted being able to recycle more items in order to achieve targets set by Welsh Government.

Members recommended that the tenders for the new Waste contract include providing residents with clear bags so that any additional recycling that households have could be taken to the recycling centres in the clear bags provided and recycled.

Members were concerned at the current staffing levels within the Communities Directorate as indications were that further cuts would be a significant detriment to services. The Committee therefore wished to put forward a strong recommendation that no further staffing reductions were imposed on the Directorate.

Members strongly supported the three month 'bed in' period and the engagement process proposed with residents but expressed concerns over how this engagement would take place. Officers suggested for example that this could be 'knocking on doors' and talking with residents; however Members questioned how this would be possible given the current staffing level. The Committee commented that investment in this 'bed in' period was essential in order to educate the public on the new changes.

Further Information

Members requested further information on the uniquely identifiable bags that would be issued to residents to coincide with the new two bag limits. Questions were raised over how potential issues would be managed and resolved such as:

- What if a bag splits, would residents be able to get additional bags?

- What if they do not receive a delivery of bags when they are due or they are missed out when they are delivered?
- Is there somewhere residents will be able to go to collect replacement bags if they run out?

Members would like more information on how Officers came to the conclusion of a dispensation policy for families of 6 or more residents. Members asked why residents with a household of 5 were to be given the same allowance as someone that lived alone and raised the question of whether or not this would be open to public challenge in terms of fairness in the policy.

The Committee asked for further information on any restrictions that would be put on recycling. For example if recyclable materials would not fit inside the boxes would they be left as they are now? Would residents be able to recycle black plastics as part of the new scheme?

56. COMMUNITY ASSET TRANSFER AND MANAGEMENT OF SPORTS PAVILIONS

The Corporate Director Communities reported on the progress made on the Community Asset Transfer (CAT) programme since its acceleration in November 2015. As a result of significant budgetary constraints there was a need to explore alternative models of service delivery. He stated that a Community Asset Transfer Officer came into post in November 2015 and to date; the majority of queries and interest had been received from sports clubs and associations in relation to the self-management of pavilions and playing fields. He stated there is a robust process in place to test an organisation's capacity to self-manage facilities.

The Corporate Director Communities informed the Committee that the Rural Development Programme had commissioned a report from the Wales Cooperative Centre on the Community Asset Transfer Programme which identified 10 recommendations for the Council to consider. He highlighted the key barriers identified which hindered the progress of the CAT process. He also highlighted the alternative options to CAT.

The Committee referred to the recent success of the Wales national football team at the recent Euros tournament and asked whether there would be the potential of extra funding and sponsorship for football due to the likely increase in youngsters playing football. The Committee also questioned what steps the Council proposed to take to protect pavilions and playing fields from falling out of use. The Corporate Director Communities informed the Committee that officers are acutely aware of the potential that the transfer of ownership of facilities could preclude some facilities from being used by the public. He stated that this would be mitigated by the placing of restrictive covenants and clauses into agreements so that the facilities the subject of a CAT remains in the public domain. He stated there was a balance which needed to be struck with clubs which allowed the general public to join clubs and participate and to remain to have access to facilities. The CAT Officer informed the Committee that the report commissioned by the RDP had identified the need for clubs who take on the management of facilities to diversify. She stated that appropriate covenants will be inserted in to the documentation to transfer facilities which protect existing users but at the same time allowing clubs to develop facilities enabling them to grow both on and off the field.

The Committee referred to the recommendations made in the report commissioned by the RDP and given that no assets had yet been transferred to clubs in Bridgend and that only 4 CATs had successfully taken place in Blaenau Gwent Council questioned whether there is an appetite for CAT amongst clubs. The Committee also questioned

how the CAT process fitted in with the Medium Term Financial Strategy and are alternative options to CAT being looked at. The Committee also questioned the reasoning behind CAT being pursued when the outcome of the Parks Strategic Review was not known and requested that the CAT process be halted. The CAT Officer informed the Committee that officers had visited Blaenau Gwent Council who had acted as mentors in the CAT process and had shared their experiences in getting CATs to a conclusion. Blaenau Gwent Council had approached CAT on the basis of full cost recovery, which would not be the approach in Bridgend. The Corporate Director Communities informed the Committee that carrying on in the same way would lead to financial pressures. He stated that some clubs are keen on the CAT process and it was to the advantage of the Council to progress CAT applications. He informed the Committee that there could be an issue with insufficient numbers of clubs wishing to pursue a CAT. He stated that the CAT Officer had commissioned the Wales Cooperative Centre to assist clubs due to a lack of capacity and knowledge within some clubs. The Corporate Director Communities informed the Committee that CAT links to the parks review which when complete will define the element of savings needed which may act as a catalyst for CAT applications to be pursued. The Skills and Sustainable Development Manager informed the Committee that officers have the experience in making the third sector successful and have provided support to clubs with compiling business plans where Blaenau Gwent has not done so.

Concern was expressed by the Committee that questions raised by clubs in relation to the potential closure of facilities had not been answered. The Corporate Director Communities informed the Committee that the financial settlement had dictated that savings have to be made, however a decision has not been taken as to which facilities may have to close. He highlighted the example of clubs in Pen-coed which have taken the initiative in pursuing CAT. He also informed the Committee that a number of organisations have submitted expressions of interest in pursuing CAT. The Skills and Sustainable Development Manager informed the Committee that the Wales Cooperative had spoken to all clubs and that the next step is to work on the 10 recommendations and to commission support for the clubs.

The Committee expressed concern that pursuing CAT would lead to a lack of control, governance and accountability in the management of facilities. The Corporate Director Communities informed the Committee that the CAT Officer is an internal co-ordinating resource and who ensures appropriate governance arrangements are in place. He stated that the CAT Officer does not have the capacity to undertake commissioning and to prepare business plans for clubs. It was not in the interests of the Council to transfer assets at will. He stated that the Council would be interested in pursuing a model of CAT with Town and Community Councils. He also stated that the Council would place covenants on CATs in order to exercise a level of influence and control as the Council no longer had the resources to manage the facilities itself.

The Committee expressed concern at how the third sector would give sound business advice when the Council had those skill sets. The Corporate Director Communities informed the Committee that the Wales Cooperative are expert in providing advice and stated that the internal resource for supporting clubs and managing parks had been severely diminished due to financial constraints. He stated that the process of CAT was about finding alternative ways of preserving community services. The Cabinet Member Communities informed the Committee that as large swathes of the budget, namely statutory services are ring-fenced from cuts, which had resulted in cuts being made to the Communities Directorate. Governance arrangements are being put in place in order to make CAT as successful as possible. The Head of Neighbourhood Services informed the Committee that the service had been required to make budget reductions of £470k with the loss of several experienced members of staff, which had not affected the service given to clubs. The Skills and Sustainable Development Manager informed the

Committee that there would be a competitive tender process undertaken with the third sector prior to any commissioning. She stated that the team had experience of sourcing the best support for working with the third sector. The CAT Officer explained the CAT process in that clubs would submit expressions of interest where she would carry out a due diligence process. She stated that 4 or 5 clubs are at the business planning stage.

The Committee commented that some Town and Community Councils already have responsibility for managing pavilions and playing fields and would not be in a position to manage more facilities. The Corporate Director Communities commented that Town and Community Councils pursuing CAT have a lot of merit and one that would be encouraged. The Committee also commented that as the parks review and CAT are inextricably linked it would wish to see the review completed before transfers take place. The Head of Neighbourhood Services informed the Committee that the parks review would be completed in a few months. The review was likely to have a variety of outcomes and would also be dependent on the Council's financial settlement, which was giving rise to current uncertainty.

The Committee questioned whether the Council would assist with carrying out infrastructure works such as drainage to assist clubs in taking forward a CAT. The Corporate Director Communities commented that there may be a requirement to invest in pavilions prior to transfer but not with playing fields. He stated that if a case was made out and in order to give a CAT momentum, its feasibility would be looked at but there was need to work within financial parameters. The Corporate Director Communities informed the Committee that there is a public perception that the Council maintains and prepares sports pitches; however income from hiring facilities is approximately 10% of the actual cost. He stated that full cost recovery may have to be looked at in future or clubs taking greater responsibility for maintaining pitches.

The Committee requested information on the composition of the Strong Communities Connecting Service Board. The Corporate Director Communities stated that it is an internal board comprising officers from each Directorate.

The Committee commented on the difficulty it would cause some communities where an asset was transferred which could be the only such facility in that community. The Committee asked if co-locating sports clubs at school facilities could be explored. The Corporate Director Communities informed the Committee that a model already existed where facilities at Coleg Y Dderwen and Archbishop McGrath Schools have community use.

The CAT Officer informed the Committee that a CAT with Bryncethin RFC had been signed off and would be the first CAT to take place.

Conclusions

The Committee recommended the encouragement of Town and Community Councils taking on Community Asset Transfers, particularly Sports Pavilions and Playing Fields.

The Committee recommended that the Authority pursue other avenues as well as Community Asset Transfers as detailed in the report. The Committee recommended exploring options such as co-location of Sports Clubs, rationalising Services and promoting the use of School facilities for alternative use— particularly the new 21st Century Schools under the Schools Modernisation Programme.

The Committee recommended that the Authority explore further partnership working with organisations such as Halo and the Awen Trust to see if they could manage any of the assets.

Members asked that organisations in the Borough are given a better understanding of the timings involved in a Community Asset Transfer and what the deadlines are for the completion of the Community Asset Transfers.

The Committee expressed concerns over the implementation of Community Asset Transfers prior to the Strategic Review of Parks and Playing Fields being completed and requested that any future transfers are delayed in order to be informed by the Strategic Review.

Further Information

The Committee asked for evidence on how the Authority had responded to the 10 recommendations from a report commissioned by the Rural Development Programme on the impact to date of the Community Asset Transfer Programme, on clubs and societies operating in rural wards of Bridgend.

57. FORWARD WORK PROGRAMME 2016-17

The Scrutiny Officer presented a report outlining the suggested topics for consideration in the development of the Committee's Forward Work Programme for 2016-17. A draft list of items for possible inclusion on the Forward Work Programme had been developed arising from the workshop held in April 2016. There was also the potential for Collaborative Committees to deal with cross-cutting issues.

Conclusions

The Committee considered the suggested topics for inclusion in the Forward Work Programme for 2016-17 and identified 12 primary topics for inclusion in the programme. The Committee asked for an update on the Waste Services Provision before March 2017.

58. FORWARD WORK PROGRAMME UPDATE

The Scrutiny Officer presented a report which detailed the items to be considered at the next meeting of the Committee and sought confirmation of the information and invitees required.

Conclusions

The Committee agreed to reschedule the 8 September 2016 meeting due to annual leave of the Corporate Directors

59. CORPORATE PARENTING CHAMPION NOMINATION REPORT

RESOLVED: That Councillor HE Morgan be nominated as its Corporate Parenting Champion to represent the Committee at meetings of the Cabinet Committee Corporate Parenting.

60. URGENT ITEMS

There were no urgent items.

The meeting closed at 5.50 pm