

SUBJECT OVERVIEW AND SCRUTINY COMMITTEE 3 - MONDAY, 22 OCTOBER 2018

**MINUTES OF A MEETING OF THE SUBJECT OVERVIEW AND SCRUTINY COMMITTEE 3
HELD IN COUNCIL CHAMBER - CIVIC OFFICES ANGEL STREET BRIDGEND CF31 4WB
ON MONDAY, 22 OCTOBER 2018 AT 10:00**

Present

Councillor JC Spanswick – Chairperson

SE Baldwin	N Clarke	P Davies	A Hussain
DRW Lewis	JC Radcliffe	RMI Shaw	RME Stirman
E Venables	DBF White	JE Williams	

Apologies for Absence

TH Beedle and DG Howells

Officers:

Julie Ellams	Democratic Services Officer - Committees
Gail Jewell	Democratic Services Officer - Scrutiny

Invitees:

Darren Mephram	Chief Executive
Mark Shephard	Corporate Director - Communities
Guy Smith	Community Asset Transfer Officer
Kelly Watson	Head of Legal & Regulatory Services
Councillor Richard Young	Cabinet Member Communities

57. DECLARATIONS OF INTEREST

The following declarations of interest were made:

Councillor S Baldwin declared a personal interest in agenda item 4, Collaboration with Town & Community Councils as he was a member of Bridgend Town Council.

Councillor N Clarke declared a personal interest in agenda item 4, Collaboration with Town & Community Councils as she was a member of Porthcawl Town Council.

Councillor P Davies declared a personal interest in agenda item 3, Forward Work Programme Update as he had a family member working at Kier, Tondu and agenda item 4, Collaboration with Town & Community Councils as he was a member of Maesteg Town Council and a Director at Caerau Development Trust.

Councillor A Hussain declared a personal interest in agenda item 4, Collaboration with Town & Community Councils as he was a Community Councillor for Newcastle Higher.

Councillor D Lewis declared a personal interest in agenda item 4, Collaboration with Town & Community Councils as he was a member of St Brides Minor Community Council.

Councillor R Shaw declared a personal interest in agenda item 4, Collaboration with Town & Community Councils as he was the Chair of Garw Valley Community Council, a member of the Steering Group Garw Valley Community Sports Hub, Chair of Llangeinor Hub, Chair of Pontycymer Sports Association and Chair of Calon-Y-Cwm Charity.

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Councillor J Spanswick declared a personal interest in agenda item 4, Collaboration with Town & Community Councils as he was a member of Brackla Community Council.

Councillor R Stirman declared a personal interest in agenda item 4, Collaboration with Town & Community Councils as she was a member of Garw Valley Community Council.

Councillor R Young declared a personal interest in agenda item 4, Collaboration with Town & Community Councils as he was a member of Coity Higher Community Council.

58. FORWARD WORK PROGRAMME UPDATE

The Scrutiny Officer presented the feedback from previous meetings of the Subject Overview and Scrutiny Committee 3 and the list of responses including those still outstanding.

Members approved the feedback following the Highways item considered at the 12th June 2018 meeting and the feedback from the Plastic Free Bridgend County Borough Council item considered at the 23 July 2018 meeting.

Members considered the feedback form the Waste Services item considered at the 17 September 2018 meeting.

- Members asked when the welcome pack for new tenants of private landlords and registered social landlords would be implemented.
- Members asked for confirmation that the Leader had written to all local supermarkets and food manufacturers regarding phasing out the use of black plastic and query if any responses had been received.
- Members asked how many Environmental Protection Act 1990 S46 notices had been issued (not Fixed Penalty Notices as detailed in the response).
- Members asked that clarification regarding the vehicle types that were permitted into the Community recycling site be provided on the website.

Members raised concerns about feedback “slipping through the net” and the same item being considered by different Subject Overview and Scrutiny Committees and the need to ensure that recommendations were actioned.

A Member suggested that this be taken into account when the new scrutiny structure was reviewed.

The Scrutiny Officer reported that the budget would be considered at the December meeting and the CAT process at the January 2019 meeting. Members asked for the CAT report to include an update on the recommendations made by scrutiny, at their meeting 12 months ago. They also requested how many Task and Finish Group meetings had taken place and how many councillors sat on the group.

Empty Properties would be considered in February 2019. Members asked for an update on their recommendations in particular if a dedicated Empty Property Officer had been appointed and if recruitment was through the Shared Regulatory Service.

Members asked for an update on Bridge Maps training and suggested that it should be provided for all Members.

Members asked if when notification was sent regarding training sessions, all Members received a full description regarding the training and an invite to attend if applicable, even if the training was specifically for a particular committee.

Members asked if the group looking at Member Referrals had member representation on it.

RESOLVED:

The Committee:

1. Approved the feedback from previous meetings of the Subject Overview and Scrutiny Committee and noted the responses still outstanding.
2. Requested further information in relation to the feedback as detailed above.
3. Identified additional information they wished to receive when considering items delegated to future meetings.

59. COLLABORATION WITH TOWN & COMMUNITY COUNCILS

The Corporate Director Communities presented a report informing the Committee of the outcome of the review currently being undertaken by Welsh Government in relation to Town and Community Councils and its impact on the Council. The report also outlined how the Council were benefitting from collaborative work and the extent to which other local authorities were working in collaboration with T&CCs.

The Chairperson reported that One Voice Wales had been invited to the meeting but no response had been received and no representative was in attendance. Members requested that a letter be sent to One Voice Wales encouraging attendance when the matter was considered at a future meeting.

A Member stated that the report recognised the importance of the need to work together and it also touched on the quality of TCC staff and their ability to work with BCBC. BCBC did not always allow enough time for the TCC to respond and it was not appropriate to ask them to work at the same level because they did not have the number of staff or the capacity that BCBC had. There was a massive disparity with capability and appetite and it was imperative that a medium of exchange was found and a suitable way forward. The Committee discussed the differing skills and abilities of town and community councillors and clerks within the Borough. In order to understand all capabilities, Members recommended that a skills audit should be carried out and asked for the topic to be added to the Town and Community Council Forum agenda for discussion.

Members raised concerns about the need for a point of contact. The former Head of Democratic Services had been the contact for any issues and having a named individual avoided confusion trying to find the appropriate person to deal with a query. The Head of Legal and Regulatory Services explained that there had been an informal arrangement for the former Head of Democratic Services to deal with liaison with TCC's and this was currently being looked at. The role of the Community Asset Transfer Officer was discussed in relation to including liaison responsibilities with TCC's. The Committee voiced their concerns in relation to that role being extended and queried how the possible increased workload would affect his capacity to work effectively.

A Member stated that the report did not reflect her experience of working on a TCC. More activities were being devolved to TCCs but there were very few staff, some were unpaid and untrained with mixed capability and no appetite. She believed the main issue was accountability. There was a danger that one person or a small group could dominate the work.

A Member said that he would like to have a better understanding of how the TCC Forum and the Clerks meetings operated. The Corporate Director Communities reported that the TCC meetings were not always well attended. The intention was for the Forum to deal with the big strategic issues rather than the parochial issues.

A Member reported that there were issues with timing. It was difficult getting information from BCBC and there was information in the report that she had not previously received even though she also sat on the Town Council. The process had to be speeded up however with reduced staff and an increase in the uptake of CATS, this could be a problem. The Corporate Director Communities explained that the service did not run on a geographical basis and therefore it was not always easy to answer questions such as ' how much was spent on a particular service in a particular ward or area ' . In addition to the CAT Officer, legal, property and finance support was required to progress CAT requests . In order to resource this area they needed to know it was a worthwhile investment and that the potential financial savings would justify the investment.

The Chief Executive referred to the PSB and that it could be a useful mechanism if TCCs were serious about changing and it would also allow them to make a valuable contribution. It was important to consider how to create representative voices for certain areas and how to work with clerks in a different way.

A member stated that in Maesteg Town Council there was a lot of cynicism when it came to collaboration as it was seen as BCBC unloading services and costs. It was a challenge to counter the mind set of cynicism.

The Corporate Director Communities explained that the financial position was driving the agenda and they were not entirely offloading and there were good examples of how it could work. He was aware of the positive way some TCCs were reacting.

A Member explained that some TCC's had received letters saying that unless the TCC took over a facility, it would have to close. She explained that if the TCC were not aware of this when the precept was set, they would not be able to fund them. They had to know what they would be funding in advance of their budget meeting. The Corporate Director Communities explained that the authority had not been in a position to write earlier because that decision was only taken as part of the budget process in February of that year. There had been a budget consultation when these issues were discussed so many should not be a complete surprise and therefore it would be possible for TCC'S to prepare . Additionally a number of Members were "dual hatted" so should be aware of the potential decisions. The Committee understood the timing issues between the TCC's precept setting and the Council's budget setting process, but indicated the need for the Council to outline possible budget reductions to allow the TCC a longer time period to consider proposals for undertaking future services and assets from the Local Authority.

The Chief Executive added that the Council were unable to continue to provide services in the same way and they were looking for TCC's to take on a different role. If the TCC could use funds more effectively working with local groups on local issues then potentially more could be achieved for the same money.

A Member commented that some TCCs were more transparent than others and there should be a willingness to collaborate before more services and more power were handed down. The Chief Executive explained that there was a criteria that covered how assessments were made. They tried to ensure that any CAT transfers were run properly in a sustainable way. They would not hand over an asset if there was no confidence in the way it would be run in future and an element of trust was already in place.

The Corporate Director Communities reported on a consultation on proposals to make the Council's provision of playing fields, outdoor sports pitches and parks pavilions more financially sustainable moving forward. He acknowledged if a proportion of services was taken on, some would probably fail.

A Member referred to the Independent Review Panel findings recommending against having dual members. She believed it was a huge advantage to sit on both because you could appreciate the complete picture. In relation to the findings and recommendations of the Independent Review Panel when considering the future role of Town and Community Councils, the Committee recommended that a whole Council response should be submitted outlining the comments below:

- The Committee raised concerns regarding the recommendation against dual-hatted Members, the Committee disagreed and emphasised the importance of working collaboratively with Town and Community Council's to share best practice and to maintain a constructive connection between both Council's;
- When discussing the devolvement of Council services and their associated budgets to TCC's, Members questioned their capabilities with dealing with County Borough Council budgets. These comments were heightened by the lack of accountability that TCC's needed to adhere to.

The Committee emphasised the need to streamline the process for TCC's, voluntary sector and individuals to undertake services on behalf of the Council. Members recommended that the liaison officer had delegated power to undertake a risk assessment for applications for supplying assistance and provide suitable permissions.

A Member raised federalisation of TCCs and suggested that a pilot could be trialled to see the pitfalls and opportunities. The Committee recommended that a pilot should be prepared to trial a 'federative Bridgend'.

The Chairperson thanked the officers for the report and presentation.

Collaboration with Town and Community Councils

Members requested that a letter be drafted to One Voice Wales in relation to no representative being present to attend the meeting to contribute on how best to facilitate collaboration between all Councils. The Committee emphasised that attendance should be encouraged in the future.

The Committee understood the timing issues between the TCC's precept setting and the Council's budget setting process, but indicated the need for the Council to outline possible budget reductions to allow the TCC a longer time period to consider proposals for undertaking future services and assets from the Local Authority.

The Committee recommended that the report 'Collaboration with Town and Community Councils' alongside the comments and recommendations made at this meeting be presented to the Town and Community Council Forum to initiate debate and gauge appetite for collaboration with Bridgend County Borough Council.

The Committee discussed the differing skills and abilities of town and community councillors and clerks within the Borough and that to understand all capabilities, Members recommended that a skills audit be carried out and asked that the topic be added to the Town and Community Council Forum agenda for discussion.

To strengthen working relationships between TCC's and Bridgend Council, Members recommended that a protocol be developed outlining appropriate contacts for legal issues and similarly for servicing queries along with estimated timelines for a response.

The Committee voiced their concerns in relation to the Community Asset Transfer Officer's role being extended to include liaison responsibilities with TCC's and queried how the possible increased workload would affect his capacity to work effectively.

In relation to the findings and recommendations of the Independent Review Panel when considering the future role of Town and Community Councils, the Committee recommended that a whole Council response be submitted outlining the comments below:

- The Committee raised concerns regarding the recommendation against dual-hatted Members, the Committee disagreed and emphasised the importance of working collaboratively with Town and Community Councils to share best practice and to maintain a constructive connection between both Councils;
- When discussing the devolvement of Council services and their associated budgets to TCC's, Members questioned their capabilities with dealing with County Borough Council budgets. These comments were heightened by the lack of accountability that TCC's needed to adhere to.

To assist with encouraging collaborative working between TCC's and for them to observe the added benefits of merging with other TCC's, the Committee recommended that a pilot be prepared to trial a 'federative Bridgend'.

The Committee emphasised the need to streamline the process for TCC's, voluntary sector and individuals to undertake services on behalf of the Council. Members recommended that the liaison officer be given delegated power to undertake a risk assessment for applications for supplying assistance and provide suitable permissions.

Additional Information

Members requested the rules and regulations for commissioning a formal merger.

60. **URGENT ITEMS**

None

The meeting closed at 12:35