

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the Special meeting of Strong Communities Select Committee held at Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA on Monday, 12th October, 2015 at 10.00 am

PRESENT: County Councillors: S. Howarth, D. Dovey, A. Easson and
K. Williams

OFFICERS IN ATTENDANCE:

Will McLean	Head of Policy & Engagement
Deb Hill-Howells	Head of Community Led Delivery
Debbie McCarty	Whole Place Manager
Andrew Mason	Project Officer ASB
Sharran Lloyd	LSB Development Manager
Kellie Beirne	Chief Officer, Enterprise
Mark Hand	Head of Planning
Hazel Ilett	Scrutiny Manager
Paula Harris	Democratic Services Officer

1. Apologies for absence

Apologies for absence were received from Councillors Webb, White and Jones.

2. Declarations of Interest

None received.

3. Crime and Disorder Training

The Committee received a presentation from the Scrutiny Manager, joined by Inspector Stefan Williams (Police) and Station Commander Matt Jones (Fire Service), outlining the committee's responsibility, covering:

Police and Justice Act 2006:

Required local government scrutiny to ensure Community Safety Partnerships (CSP's) fulfil their responsibilities for tackling crime, disorder and substance misuse in their locality

(Sections 19, 20 & 21 of the Police & Justice Act 2006)

Role of the Community Safety Partnership (CSP)

Statutory partnership (created by the Crime and Disorder Act 1998, developed via Police Reform Act 2002 and the Police and Justice Act 2006) to... develop and implement strategies to reduce crime and disorder.

The 'responsible authorities' must jointly agree and deliver community safety priorities...

The Community Safety Partnership (CSP)

- Local Authority

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- Police Force
- Police & Crime Commissioner
- Fire and Rescue Authority
- The Local Health Board
- Probation

CSP Requirements

To prepare an annual strategic assessment identifying the crime and community safety priorities in the area.

Produce an annual 3-year partnership plan to address those priorities

Undertake community consultation

Share information across the CSP.

Committee's Conclusion:

Chair's Summary:

The Committee have scrutinised the Community Assessment and the Safer Monmouthshire Plan for the forthcoming year and appreciate that when the Community Assessment data has been received for the next 6 months, we will be in a better position to be able to measure the success or otherwise of the outcomes of any work undertaken by the partnership during this year. Members were advised that the data received during this year would inform the future Action Plan and as such, the Committee agreed to scrutinise both reports as soon as they are available in summer 2016.

4. Crime and Disorder Scrutiny: Safer Monmouthshire Plan

Context:

To provide relevant performance information to the Stronger Communities Select Committee under the requirements of the Crime and Disorder Act 1998.

To focus on the activity and delivery within the Safer Monmouthshire Group.

The Safer Monmouthshire Group (SMG) formally undertakes the Local Service Board's Statutory responsibility in-line with the Crime and Disorder Act 1998 (Part 1: S6) which includes, strategies for the reduction of crime and disorder, strategies for combating the misuse of drugs, alcohol and other substances, and strategies for the reduction of reoffending.

Under the direction of the Monmouthshire Local Service Board, the SMG brings together representatives of the key organisations responsible for shaping and delivering community safety actions which contribute to the Monmouthshire Single Integrated Plan and are in-line with the Crime and Disorder Act.

The Safer Monmouthshire Group contributes to Theme 2; People are Confident, Capable and Involved and Outcomes 4, 5 & 6 of the Single Integrated Plan.

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These are:

- People's lives are not affected by alcohol and drug misuse
- Families are supported
- People feel safe

Key Issues:

In 2012 the Welsh Government Statutory Guidance "Shared Purpose, Shared Delivery" rationalised the partnership landscape, by reducing complexity and duplication, and freeing up resources, through the development of Local Service Boards and the Single Integrated Plan. The Single Integrated Plan replaced the existing statutory plans and strategies, which included the Community Safety Partnership Plan, that incorporated the three crime and disorder strategies; (1) the reduction of crime and disorder, (2) strategies for combating the misuse of drugs, alcohol and other substances, and (3) strategies for the reduction of re-offending.

The old Community Safety Partnerships were disbanded, and under the Monmouthshire LSB, the Safer Monmouthshire Group was formed and the statutory duties, of the Crime and Disorder Act, were discharged to the Safer Monmouthshire Group.

The Safer Monmouthshire Group embraces multi-agency working, with representation from a wide range of partner organisations, who work collaboratively to address community safety issues across Monmouthshire. Collaboration and partnership working forms a key part of the delivery of community safety actions across the county, and it is important that Select Committees have a strong oversight of this work and the actions that are being taken to address the challenges of crime & disorder across Monmouthshire's rural and urban landscapes.

Member Scrutiny:

A member asked for clarity on the classification of the areas. The Member asked how they would be referenced in future. The Officer answered that they would wait for the outcome of reorganisation.

A member asked why figures for fraud dropped so dramatically, 364 to 0. The Police Inspector answered that he would return an answer to the Committee. **(ACTION STEFAN WILLIAMS/POLICE)**

It was questioned how effective were CSAT and who did they report to. The Officer answered that a core member of each CSAT was a County Councillor and this was the mechanism by which information was cascaded back to full Council.

A Member asked about importance of CCTV. The Police Inspector felt from an operational Police point of view CCTV was invaluable.

A Member commented on the lack of technology mentioned by the Police and Crime Commissioner at their recent visit to Full Council.

A Member mentioned that technology could be instrumental in non-urgent crimes reporting crimes. The Station Commander advised there was an app (Android and Apple compatible) for reporting information to the Fire Service.

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A Member voiced concerns regarding youth crimes against society. An Officer replied that there was a structure in place to address anti-social behaviour. This was seconded by the Police Inspector who explained the use of behaviour contracts, injunctions and dispersal powers under new anti-social legislation.

A Member questioned the categorisation of crimes. It was advised that the Home Office set the categories of Crime.

A Member raised the issue of roadside advertising which has been suspended by MCC, and asked if the Police and Fire Bridge had an opinion. The Police Inspector was not aware of any issues but would report back. **(ACTION STEFAN WILLIAMS/POLICE)**

A Member questioned if a member of the Probation service would be available to attend a future meeting.

A Member mentioned that they felt the word 'older' should be removed from the vision.

A question was raised regarding new legislation requiring all rental properties to fit a mains powered smoke alarm; what work was being done with Landlords? The Fire Commander answered that he was aware of the new legislation, which would be led and policed by his Fire Safety Team. He will clarify what legislation applies to Wales and return to the Committee with answers. **(ACTION MATT JONES/FIRE SERVICE)**

Committee's Conclusion:

Chair's Summary:

On behalf of the Select Committee, the Chairman thanked the Officers, the Police Inspector and Fire Station Commander for their recommendations.

And look forward to receiving the report on a 6 monthly basis to compare data.

5. Whole Place: Feedback on the "Lessons learnt exercise" with communities and Report following the Community Governance Review and the Corporate Assessment

Context:

To update Members on the findings of the Community Governance Review and the conclusions of the Lessons Learnt review of the implementation of Whole Place in Severnside and Bryn y Cwm.

Key Issues:

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As members will be aware Community governance within Monmouthshire has been delivered through four Area Committees which were designed as an opportunity for communities to be

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involved in local democracy. No decision making is delegated to the Area Committees but it does provide an opportunity for issues of local concern to be raised and debated.

The implementation of Whole Place has resulted in an additional tier of local governance which sits outside the Council's Area Committee process.

Programme Boards have been established in Severnside and Bryn y Cwm and they manage the delivery of the local plan. They are made up of elected County, Community and Town councillors and representatives from community organisations.

The overlapping and complicated structures have led to dissatisfaction amongst community stakeholders. The loss of the Area Manager roles and the implementation of the Whole Place team has resulted in less clarity between the administrative processes and delivery frameworks set up to support community governance. An additional complication is caused by each area committee having been allocated a capital sum of £5,000 to allocate within its geographical boundary. This was previously managed on behalf of the Area Committees by the Area Managers, however these posts were deleted and currently no agreed process exists for the allocation, distribution and management of these grants.

Recognising these concerns a Community Governance Review was commissioned and following a tender exercise Keith Edwards was appointed to undertake this review in March of this year. The purpose of the review was to reflect on the experience of the dual processes to date and identify opportunities for a more streamlined and effective approach to delivery.

The conclusions of this review have now been documented in a report entitled *Whole Place and Community Governance in Monmouthshire*. The report outlines twelve recommendations around reducing complexity, having more clearly defined roles and responsibilities and streamlining local governance structures. There is also an associated action plan entitled *Key Challenges and Potential Responses*.

The twelve recommendations are summarised as follows:

Monmouthshire County Council will implement the recommendations of the report to enable a simpler local governance framework with clear lines of accountability and responsibility and provide access to funds to support local priorities.

Terms of reference for each group integral to Whole Place will be developed in partnership and outlined in a single document.

Monmouthshire re-align Whole Place internally, developing streamlined decision processes, inter department working and embedding corporate responsibility for the delivery of this agenda.

Elected Members to undertake a local leadership role in engaging communities to deliver Whole Place. This involves replacing Area Committees with an annual joint Member/Programme Board summit, surgeries and the appointment of an Elected Member as a Whole Place Champion in each area who will sit on the Programme Board and updating Council.

Review of Programme Boards, their memberships, remits and how they relate to the Council and their community. Re-inforce the importance of Town and Community Councils in the delivery of Whole Place through Programme Board membership.

Town and Community Councils should build on existing networks and share resources.

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Re-inforce the independence of Community Forums and help build self-reliance.

Programme Boards need to audit the engagement with excluded groups and produce an action plan to address deficits.

Process for identifying new initiative and fast tracking their consideration and approval should be considered, whilst ensuring that it still meets all the legal and financial accountability tests.

The Council should review Whole Place support and resources and ensure it aligns with community hubs and developing more area based services.

The Whole Place team should work with communities to co-design the service.

During the summer, Whole Place officers undertook a review of the implementation of the Whole Place Plan in Severnside and Bryn y Cwm. A total of 10 interviews were undertaken with 4 representatives from Severnside and 6 from Bryn y Cwm. Given the limited number of participants, it is difficult to generalise these as the general conclusions of all stakeholders, however similar themes did emerge:

Engagement needs to be wider and deeper and include youth and those with disabilities.

Process should be led by the Council with clear levels of responsibility from Officers and Members.

Better communication on the process and the implementation of the plan

The plans should embrace the whole area and avoid being town centric.

There should be a delivery mechanism in place that provides support for groups delivering project strands (this should be officer time and finance).

The plans and their delivery mechanism should have been implemented much quicker.

Member Scrutiny:

A Member commented on the confusion with Community Groups at present and felt that the recommendations in the report did not help to clarify. Concerns were raised regarding the lack of involvement with Elected Members.

It was mentioned by a Member that they felt that the report had an Abergavenny bias, with little reference to rural areas. The Member also voiced concerns that local Members were becoming disenfranchised by lack of involvement.

The Committee asked if the Town and Community Charter still existed. The Officer answered that they had met with One Voice Wales to discuss the Charter, and it was believed that the Charter had become outdated and that a county wide charter did not reflect the needs of individual areas. It was also mentioned that over the last 2 year there had been meetings of the County Liaison Team, where Town, Community and County Councillors meet and the lead representative from the Community Council had received a letter from the Minister for Public Services, Leyton Andrews who was advocating working at a more local level.

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The Committee questioned if there would be different models for each local area. The Officer confirmed that each locality will be consulted, via public meetings, community groups and information stands in local areas, i.e. hospitals, garden centres and local high streets. This will allow for framework to be adapted locally.

A Member commented that they were aware of financial constraints, however they felt that MCC could be performing better with better quality control systems in place.

Committee's Conclusion:

Chair's Summary:

The Select Committee had reservations regarding some of the recommendations contained in the report but welcome the opportunity to scrutinise it further at a Members Seminar.

6. To consider a call-in in relation to the individual Cabinet Member Decision dated 23rd September 2015 'Employ consultant to undertake protected species surveys for Troy House'. The following papers are attached for Members consideration:

We received a call in request in respect of the decision taken by Cabinet on 23rd September 2015 regarding the employment of a consultant to undertake protected species surveys for Troy House as follows:

- To seek cabinet member approval to engage a consultant to undertake protected species surveys for Troy House, Mitchel Troy, at a cost of £9,665. The costs of the proposal are met fully by existing budgets.

The reasons for the call in were noted, as follows:

- The improper use of public money. Poor value for taxpayers, paying for a private individual to then develop the land.

The Chairman invited the members who had called in the Cabinet decision to make comments and ask questions in respect of the decision and the following points were noted:

- Members who had called in the Cabinet decision were concerned that the application dated back to 2009 when Monmouthshire County Council were in a more prosperous position. In the current climate of austerity, with 35% of the discretionary budget being cut, it was felt that the Council were not in a position to meet these costs.
- There were concerns that the money would be better spent elsewhere.
- The Members believed that development needed to take place, but felt the budget was not fully stretched as the Accountant had advised the costs could be met from the current budget.

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The Chairman invited the Cabinet Member to address the Select Committee and the Members who had called in the Cabinet decision to outline the reasons for agreeing to cover the cost of the survey. Members were informed of the following:

- Under NERC Act 2006 there are certain types of development where survey information has to be received in advance.
- The Planning and Conservation teams are keen to preserve the building.
- Troy House is a 17th Century building which has had several uses over the years. The Grade 2 style listing recognises especially important buildings, Troy House is listed as an exceptionally fine County House with notable features in the interior.
- The report notes the ecological survey is required as part of any planning application to restore Troy House through the enabling development, enabling because the commercial work will fund the restorative work.
- The Council could take steps to Compulsory Purchase, but legal costs and undertaking specialist repair work would be dramatically more than the £9,665 for the survey, which would have to take place.

The Chairman invited Officers to address the Select Committee and the Members who had called in the Cabinet decision to outline the reasons for agreeing to cover the cost of the survey. Members were informed of the following:

- Protected species surveys have to take place in advance and cannot be conditioned.
- The case with listed buildings means the development is an enabling development, which means the amount of new development will have to be the absolute minimum required to fund the restoration of the listed building.
- The application had been with the Council since 2008, the building is deteriorating, and if work does not progress soon the Council could step in with enforcement action.
- The Welsh Government have recently increased planning application fees by 15% (with this money to be kept in the planning service) from 1st October 2015, this would help meet this cost.
- There will be zero 106 monies generated.
- The proposal is to spend some money now to facilitate a project and avoid incurring significantly higher costs at a later stage. Without the surveys, the planning application will have to be refused, the building's condition will continue to deteriorate, and the Council will have to step in and take costly enforcement action. Moreover, before undertaking that action, the Council will have to undertake the protected species surveys so the expenditure is required in either scenario.

The Chairman informed Select Committee Members that in terms of the call in procedure, three options were available:

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1. Accept the Cabinet's Decision.
2. Refer the matter back to Cabinet for re-consideration (with reasons).
3. Refer the matter to Council for consideration.

It was therefore proposed by County Councillor D. Dovey and seconded by County Councillor S. Howarth to refer the matter back to Cabinet for re-consideration as the reasons within the Cabinet Log did not adequately explain why the Council should pay the fee for the private developer.

Upon being put to the vote the following votes were recorded:

For the proposal	-	4
Against the proposal	-	0
Abstentions	-	0

The proposition was carried.

We resolved to refer the matter back to Cabinet for re-consideration as the reasons within the Cabinet Log did not adequately explain why the Council should pay the fee for the private developer.

- 6.1. **A copy of the call-in request**
- 6.2. **A copy of the Decision Log and Cabinet report**
- 6.3. **A copy of the call-in mechanism**

7. Strong Communities Select Committee Work Programming

The Committee discussed their Scrutiny Forward Work Programme and agreed that they would defer scrutiny of the Waste Strategy to their meeting on 28th January 2016 in order to provide adequate time to scrutinise Future Food Waste Treatment Strategy and the Gypsy and Traveller Assessment at their meeting on 10th December. The Committee acknowledged that they will have held 6 meetings between September and December, if they proceed to hold their diarised meeting on 5th November. Given that Scrutiny of 3rd Sector Partners has been deferred till the New Year due to current work being undertaken on this subject by officers in line with the budget mandate process, Members agreed that subject to the Budget Monitoring Report of Month 6 being able to be brought forward to the Budget Meeting on 22nd October, they would cancel their diarised meeting on 5th November.

8. Date and time of next meeting

Special Meeting – 22nd October 2015 at 10.00am – Agenda Items

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- Budget Scrutiny.

Meeting – 10th December October 2015 at 10.00am

- Future Food Waste Treatment Strategy
- Gypsy and Traveller Assessment
- Month 6 Budget Monitoring

The meeting ended at 1.41 pm