

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Strong Communities Select Committee held
at Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA on Thursday, 10th
December, 2015 at 10.00 am

PRESENT: County Councillor S.G.M. Howarth (Chairman)

County Councillors: D. Dovey, A. Easson, V.E. Smith, A. Webb and
K. Williams

OFFICERS IN ATTENDANCE:

Mark Howcroft	Head of Operations
Liz Williams	Senior Management Accountant
Richard Jones	Improvement Support Officer
Rachel Jowitt	Head of Waste & Street Services
Carl Touhig	Recycling Strategy and Business Manager
Hazel Ilett	Scrutiny Manager
Paula Harris	Democratic Services Officer

1. Apologies for absence

Apologies received from County Councillors P. Jordan, S. White and S. Jones.

2. Declarations of Interest

No declaration of interests were received.

3. To confirm minutes of the previous meeting

The Committee resolved to confirm and sign the minutes of the meetings of Strong Communities Select Committee held on

- 10th September 2015
- 14th September 2015 (Special meeting)
- 12th October 2015 (Special meeting)
- 22nd October 2015 (Special meeting)

4. Pre-decision Scrutiny of the Future Food Waste Treatment Strategy

Context:

For Members to scrutinise the proposal for Monmouthshire County Council to formally join the Heads of the Valleys Organic Project to seek a long term solution to kerbside collected food waste.

Key Issues:

In Dec 2014 following scrutiny by Select Committee, Cabinet agreed to sign a Memorandum of Understanding with the existing Heads of the Valleys partnership LAs (Blaenau Gwent, Torfaen

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& Caerphilly) to progress the development of an Outline Business Case for the delivery of appropriate long term food waste treatment in the region.

Over 2015 the partnership has undertaken:

- Soft market testing exercise to inform the partnership on:
- Market appetite and capacity for the procurement
- Appropriate procurement strategy
- Potential costs
- Detailed waste flow modelling to determine tonnage requirements
- Financial modelling
- Review of the Inter Authority Agreement which outlines the relationship between the parties during the procurement phase
- Engagement with Welsh Government to ensure policy compliance, secure gate fee support through the life of the project and financial support to undertake the procurement
- An assessment of the project needs with the withdrawal of Caerphilly.

Member Scrutiny (IN COMMITTEE):

A Member asked what caused Caerphilly County Council to withdraw from the Project. We were advised that Caerphilly County Council withdrew because of internal issues.

It was commented on by a Member that there was still a lot of food waste and that we should increase public awareness to drive this figure down. An Officer answered that it was still a relatively small volume and that as part of the project Monmouthshire had not agreed to a guaranteed a volume/tonnage.

It was asked if the length of the contract had been discussed and were advised after research & market feedback, a short contract does not offer value.

Councillor Kevin Williams entered 10.31am

A Member asked about the inter-authority scrutiny. We were advised that Torfaen and Blaenau Gwent scrutiny had already taken place and that the Project Manager from the scheme can be asked to speak to Strong Committees Select Committee to answer questions.

A member asked where the site was likely to be situated and we were advised of various sites and their feasibility regarding capacity and haulage costs.

Committee's Conclusion:

Chair's Summary: The Committee were encourage by the detailed report and happy to move this project forward.

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5. Scrutiny of Waste Enforcement

Context:

To seeks Select Committee's views on a proposal from Waste & Street Services to be given enforcement powers. Below is the draft Cabinet report for Member's consideration. Comments received from Members will feed into the final draft presented as a Single Member Decision in the New Year.

At the meeting officers will present examples of where we believe these additional tools would be beneficial in achieving the outcomes around local environmental quality and recycling.

Key Issues:

Additional resource for enforcement for environmental crimes

- The Council's functions regarding the environment are extensive, and it has a duty to enforce a wide range of 'environmental' legislation. This covers, public health, food safety, housing standards, flytipping, litter and dog fouling. The Council regards prevention as better than cure, and it offers information and advice to those it regulates and seeks to secure co-operation avoiding enforcement action where possible.
- Natural Resource Wales deal with the Big Bad and Nasty being very large quantities, organised crime and hazardous materials. At present the delegated powers to take enforcement action against businesses and individuals regarding environmental crimes sits with Environmental Health. Environmental Health Officers have a wide range of duties and public health protection is clearly the priority. They have been very successful with a number of prosecutions in regard to flytipping but the majority of small scale domestic dumpings are not reported as flytipping and therefore not investigated. Dumpings relate to one or two bags deposited close to the property but without regard for collection or proper containment of the waste. These smaller incidents make up over 90% of all reported waste issues but are rarely investigated and as such no enforcement action is taken.
- There is a waste enforcement protocol between Environmental Health and Waste Services but this is no longer fit for purpose. The recent changes to service provisions within waste management have highlighted resource issues in taking enforcement action against businesses and individuals that do not comply with waste legislation. Sending several officers to check waste before it can be collected is time consuming and can result in evidence being burnt or added to by the time it is collected.
- At present the powers to serve notices on businesses and individuals that do not comply with Duty of Care legislation are not enforced by any department. There is a growing concern amongst residents that some small sections of the community are not engaging in recycling or complying with waste collection policies and the local community and environment is suffering. Whilst this is a very small section of the community the challenging targets for waste recycling coupled with the budgetary constraints mean that everyone in the community needs to participate positively in sustainable waste management. W&SS provide advice and information regarding waste and recycling but currently have no power to enforce where education, awareness and encouragement fail to engender behavioural change.

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Member Scrutiny:

A Member asked the expense of clearing chewing gum and hedge cutting. We were advised that the chewing gum issue would be covered under the new enforcement powers. The cutting of hedges was a Highway issue and the power to enforce would sit with Highways as it falls within the Highways Act. The report refers to enforcement powers under The Environmental Protection Act.

It was asked by a Member why purple and red bags are not allowed to be brought to the waste sites by the general public. An Officer answered that the issue was contamination. We don't pick up contaminated bags at kerbside and that contaminated bags are stickered, we were finding that people were then bringing the bags to the waste site. When dry recycling was being sent for processing we were incurring extra cost due to the high levels of contamination.

It was asked if Officers would now be able to take people to court. It was answered yes, the plan is to have 8 officers with delegated powers who would have the power to prosecute after training.

Committee's Conclusion:

Chair's Summary: As a Committee we are happy to move this forward.

The Committee would like clarification on whether hedge trimming responsibly falls under Highways Act.

6. Budget Monitoring - Month 6 Budget

Context:

The purpose of the report is to provide Select Committee Members with information on the forecast revenue outturn position of the Authority at the end of reporting period 2 which represents month 6 financial information for the 2015/16 financial year.

This report will also be considered by Select Committees as part of their responsibility to,

- assess whether effective budget monitoring is taking place,
- monitor the extent to which budgets are spent in accordance with agreed budget and policy framework,
- Challenge the reasonableness of projected over or underspends, and monitor the achievement of predicted efficiency gains or progress in relation to savings proposals.

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Key Issues:

- That Members consider the position concerning the second period of revenue monitoring in 2015/16 (£1.066 million deficit) and seek a further report back to the next Cabinet outlining the Recovery Plans to be put in place to address the overspends in service areas
- That Members note the forecast use of earmarked reserves and, in order to ensure adequacy of reserves for the MTFP, approve the following change in practice:
 - Increase workforce planning and redeployment to reduce the need for reserves to cover redundancies
 - Any request for reserve funding must first explore whether existing budgets, or external funding sources can be used for the proposal accepting this may require a change in priorities if existing budget are used
 - Use of reserves to implement budget savings must use the saving first to repay the reserve
 - IT investment bids will need to be considered in the core capital programme when the IT investment reserve is extinguished, this may necessitate displacing some of the core capital programme allocations depending on the priorities agreed
- Members consider the position concerning period 2 Capital Monitoring with a revised budget of £60.496 million for the 2015/16 financial year.

Member Scrutiny:

It was asked which set of toilets were responsible for the billing control overspend of 20K due to the delayed implementation of transfer to Town Council. It was answered that the Officer would check and get back to the Committee. **(ACTION L.W.)**

It was asked if PTU should have pressures which actually come from other directorates. It was answered that there is a mandate 2016/17 which is looking to review the budget position.

A Member asked for a comment on Community hubs and Leisure Services. It was answered that the 3G pitch had a cost overrun and delays in the build influenced the amount of income the pitch could generate. The Hubs forecasted saving was a full year saving if all the personnel processes could have been undertaken prior to the 1st April 2015. There was a period full salary saving could not be made.

It was asked how much the Council had in reserve. An Officer answered it was in the considerations for Council at the next meeting.

It was asked about the under recovery of costs for the post of Digital Media Designer. An Officer offered to find an answer on this. **(ACTION M.H.)**

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Committee's Conclusion:

Chair's Summary:

The Chair thanked the Officers for updating the Committee.

7. Performance Management

7.1. Report on Improvement Objectives and Outcome Agreements

Context:

To present quarter 2 performance data for the Improvement Objectives and Outcome Agreement objectives which are under the remit of Strong Communities Select Committee:

Improvement Objective 3: We want to enable our county to thrive.

Improvement Objective 4: Maintaining locally accessible services.

Improvement Objective 5: We want to be an efficient, effective and sustainable organisation.

Outcome agreement Theme 4: Living within environmental limits and acting on climate change.

To present the latest performance against wider key national performance indicators that are under the committee's remit.

Key Issues:

The Outcome Agreement and the Improvement Objectives have a different focus:

Improvement Objectives

- Improvement Objectives are set annually by the Council to deliver on priorities. Despite objectives being focused on the long term the specific activities that support them are particularly focussed for the year ahead.
- Activity that contributes to the delivery of some objectives cross cuts Select Committee remits and these will also be reported to the other relevant committee(s). Therefore it is suggested members particularly focus their scrutiny on the activity relevant to the committee with consideration of its contribution to the objective as a whole.
- This Improvement Objectives will be evaluated at the end of the year (2015/16) based on the council's self-evaluation framework, as set in the Improvement Plan 2015-17. Performance against them will be reported to Select Committee and in the Stage 2 Improvement Plan published in October each year.

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Member Scrutiny:

A Member raised a question regarding staff absence and we were informed that an Officer group had been recently set up to explore this. It was asked that the outcomes of this report should come to the Committee.

A Member asked for a breakdown of wages by community.

It was advised that Area Hubs would be discussed in the full Council meeting on the 17th December 2015.

Committee's Conclusion:

Chair's Summary:

The performance report has raised some concerns amongst the Committee in relation to sickness absence, Members concluding that an approximate 2 weeks of sickness absence is a fairly high figure in comparison to other Councils. Members are concerned as to the reasons for absence and what measures are being put in place to address the causes of sickness absence. The Committee is aware that People Services are doing some work on sickness absence and will be meeting in the new year to progress that work. The Committee therefore requests that a report is brought to the Committee on the outcome of that work before the Spring.

7.2. Risk Management Report

Context:

To provide members with an overview of the current strategic risks facing the authority.

Key Issues:

The risk assessment ensures that:

- Strategic risks are identified and monitored by the authority.
- Risk controls are appropriate and proportionate
- Senior managers and elected members systematically review the strategic risks facing the authority.
- The existing risks on the Strategic Risk Assessment have been updated based on evidence available in 2015, as presented at Appendix 1. Changes to the council's risk management policy were approved by Cabinet in March 2015. These are:
 - including pre-mitigation and post-mitigation risk scores, this was also a key recommendation from scrutiny of the 2014 risk assessment
 - ensuring greater clarity to the phrasing of risk so that each statement includes an event, cause and effect as shown below:

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Event	Cause	Effect
Risk of...Failure to...Lack of ...Loss of...Uncertainty of ...Inability to...Delay in...	Because of...Due to...As a result of...	Leads to...and/or... result in...

- The risk assessment only covers high and medium level risks. Lower level operational risks are not registered unless they are projected to escalate within the three years covered. These need to be managed and monitored through teams' service plans. The pre and post mitigation risk levels are presented separately. In most cases mitigating actions result in a change to the likelihood of the risk rather than the consequences as our actions are generally aimed at reducing the chance of a negative event occurring rather than lessening it's impact. Clearly there will be exceptions.
- Following presentation to select committees, the risk assessment will be presented to Cabinet for sign off. Prior to this, it will also form part of budget papers for discussion at Council to reflect alignment with strategic risks and proposed budget decisions the Council is taking.
- The risk log is a living document and will evolve over the course of the year as new information comes to light. An up-to-date risk log is accessible to members on the Council's intranet - The Hub. This will ensure as well as the ongoing specific scrutiny of the risk assessment annually, that select committees are able to re-visit the information at any point in the year to re-prioritise their work plan as appropriate.

Member Scrutiny:

A Member asked for an update on the rollout of ICT from SRS. It was advised that the information would need to come from the responsibility holder, with this information going to the next Economy and Development.

We were advised regarding the final risk relating to the recycling service, when the RSG was published that the cut to the grant was confirmed as 6.4%.

Committee's Conclusion:

Chair's Summary:

The Chair advised Members that the Shared Resource Service falls under the responsibility of the Economy and Development Select Committee and urged Members to raise any concerns relating to the delivery of this service to that Committee.

Members were content to agree the risk register be presented to Cabinet. The Committee recognised that the strategic risks had been aligned with the budget mandates and that as such, the key risks falling within this Committee's remit had been discussed at the time the mandates were scrutinised. However, the Chair advised that given that the risk log is a living document that will evolve over the course of the year as new information comes to light, the Committee would keep a watching brief on the risk log which will be updated continuously and will be accessible on the web in order to inform future scrutiny.

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8. Date and time of next meeting

Special Meeting - 11th January 2016 at 10 a.m.

Strong Communities Select Committee – 28th January 2016 at 10 a.m.

The meeting ended at 12.59 pm