

# Monmouthshire Select Committee Minutes

**Meeting of Performance and Overview Scrutiny Committee held at The Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA and remote attendance on Tuesday, 17th January, 2023 at 10.00 am**

## **Councillors Present**

County Councillor Alistair Neill (Chairman)  
County Councillor Peter Strong (Vice Chairman)

County Councillors: Jill Bond, Ian Chandler,  
Paul Pavia, Ann Webb, Laura Wright and  
Sue Riley

Also in attendance: County Councillor Paul  
Griffiths

## **Officers in Attendance**

Hazel Ilett, Scrutiny Manager  
Robert McGowan, Policy and Scrutiny Officer  
Cath Fallon, Head of Economy and Enterprise  
David Jones, Head of Public Protection  
Jennifer Walton, Registration Service Manager  
Steve Robinson, Head of Procurement  
Huw Owen, Principal Environment Health Officer  
(Public Health)  
Gareth Walters, Trading Standards & Animal Health  
Team Leader

**APOLOGIES:** Councillors Tony Kear and J. Watkins

### **1. Declarations of Interest**

None.

### **2. Public Open Forum**

No submissions were received.

### **3. Public Protection 2021- 22 Performance Report - To review the performance of the service area**

The Chair thanked the team for its extraordinary work during the pandemic, on behalf of the committee. David Jones presented the report and answered the members' questions with Huw Owen and Gareth Walters.

#### **Challenge:**

*Can 'TTP' be explained in the report? What about the likely Covid peak in March?*

Yes, 'Track, Trace and Protect' can be included in the report. Monmouthshire TTP was disbanded as a service last summer – it is now all held regionally at Caerphilly. The service is reduced; they are dealing with care homes, specifically. We still have an interest, particularly with schools that have queries. A potential peak is now for Caerphilly to manage for Gwent, but Dave Jones is involved in the governance and we support Caerphilly through our Environmental Health colleagues.

*Are the 2 staff members on secondment coming back?*

We encourage secondments when there is a benefit to the service e.g. one of our licensing colleagues is at Welsh Government, dealing with Tax Policy and Licensing, which will be a great benefit to us when he returns.

*Is flytipping up because of closed sites? What are the learning and indications to date?*

In 21-22 the total number of incidents increased, due somewhat to more accurate recording but nevertheless there was a substantial increase, correlated with more home working and home building during Covid. We take this very seriously. In the last few years, Welsh Government has given local authorities powers to issue fixed penalty notices for those who don't dispose of waste properly – we will target that as best as we can throughout this year i.e. if a household entrusts their waste to someone who then flytips, without having checked that that person was a certified disposer of waste.

*Why is Pest Control up? What is the learning from that?*

There was a marginal increase. The service provided by Environmental Health on Pest Control is one of enforcement. The discretionary pest control service provided by the Council was removed in 2013/14. The enforcement we administer is in an instance such as someone reporting that refuse is collecting in their neighbour's garden, attracting rats – we would pay a visit and ensure that appropriate baiting is being done. One of the reasons we keep the statistics is to monitor the impact over the years of the pest control service being removed from the council.

*Could we have a brief explanation of the Public Spaces Protections Orders for Dog Controls consultation? What's the progress with the public consultation?*

Currently, the rule is that an owner must pick up after their dog if it fouls *certain* areas – there has been pressure in recent years to explore expanding the controls.

There was a big public consultation from July-October 2020, with around 1500 responses, which fed into our report to scrutiny in March 2022 with certain recommendations, namely to engage with the main stakeholders to consider the controls further. Around December, we wrote to all town and community councils and major landowners, Brecon Beacons National Park, the major housing associations, etc., to ask what controls they would like in their area. We hope that there will be a mandate that fouling in any public area must be picked up. We are in the middle of that process, awaiting feedback from those stakeholders, and scheduled to report back to this committee in early March on dog fouling and with recommendations for exemptions and dogs on leads areas. We need to produce a draft public protection order to be amended/approved by committee, and then go out to a full public consultation on a draft PSPO.

*Environmental checks and monitoring: which are the 4 main towns, are they based on population? Could other monitoring be included e.g. particulates?*

Air quality improved over 2021-22, as expected, due to less traffic on the roads. the 4 major towns in which we do monitoring are Abergavenny, Monmouth, Chepstow and Usk. We have two air quality management areas, Usk and Chepstow. The air quality hasn't exceeded the objective levels for Nitrogen Dioxide in Usk for 5+ years, and 2

years in Chepstow. We do particulate monitoring – those levels are also falling in Chepstow, where we monitor, but we will have to keep a close eye as traffic levels pick back up.

*Why is Caldicot not monitored, as the third largest in Monmouthshire?*

We do some diffusion tube monitoring, and more localised monitoring, in the town. In recent years we have monitored the nitrogen dioxide levels and found that they were well below the objective level. We follow Welsh Government guidance in where to monitor, based on traffic levels.

*Why has there been an increase in trading standards complaints and advice?*

We are starting to see the cost of living crisis kick in – people are becoming more attentive to what they are spending, value for money, etc. – and therefore we are receiving more enquiries. But there isn't a specific reason. There has also been a large increase across Wales concerning vapes.

*This is an excellent report. One concern is the backlog of inspections. Could we have reassurance or an indication of how to catch up, particularly in food hygiene and animal health inspections? Are abattoirs included?*

In a typical year, there are 500 food hygiene visits, but dropped significantly due to the Covid response. In 22/23, we expect to have recovered that position – we are on schedule to do that by the end of March. Regarding Animal Health, in recent years we have become intelligence-led and reactive. It is positive to have recently appointed 2 officers. Also, in the previous year, we took away the temporary status of 2 AH officers, so we now have 3 and are able to undertake more proactive inspections. This year, visits have focussed on feed – the Critical Control Point inspections (e.g. markets) are undertaken. There are no abattoirs in the county, except for one small abattoir in Raglan, but our remit ends at the gate, effectively (the turkey plant on the heads of the valleys is covered by the Meat Hygiene Service, an arm of the Food Standards Agency.) However, in recent years, at a national level, there have been concerns about abattoirs and the welfare of employees so we are working with Welsh Government to see how we can improve that, starting in the larger plants with measures such as improved CCTV – hopefully these measures will then roll out to smaller ones.

*Following the inquest into mould in Rochdale and the resulting new guidelines are there any implications for poor housing in Monmouthshire and our response?*

The role of Environmental Health is to respond to complaints regarding housing conditions, including tenants of social landlords. The three main hazards are damp, excess cold and fire safety. We haven't seen a substantial increase in damp and mould complaints this year. When we do, particularly with the social landlords, we work closely with them to require appropriate works to be done, where needed.

*Can you unpack the housing enforcement action, to understand where our level is? What about the number of adults and children mentioned in the report?*

We are responsible for looking at the private rented sector and responding to complaints. In the first instance, we try to work with the landlords about the necessary works following inspection of the property; in the vast majority of the cases, the landlords comply within the timeframe, without any enforcement being needed. Measures then available to us include serving an improvement notice (a legal document specifying the works to be completed within a particular timeframe) and, ultimately, a prohibition order. We don't want to serve these and we tend to find that the initial approach to the landlord is successful. We decided a number of years ago that we need to record the numbers of adults and children involved in the properties.

Under the Energy Efficiency Private Rented Property England and Wales regulations, Trading Standards has an involvement in looking at the minimum standards in all rented properties such that they are E or above for energy efficiency – we are therefore identifying all of the properties that are compliant in the county. They might not be properties of immediate concern but could be a concern in future. This work should support the housing enforcement work. We are always working with organisation such as Rent Smart to improve standards generally, not just respond to complaints.

*There doesn't seem to be any work with partners to mitigate the air quality issues in Chepstow? How is the information shared with Welsh Government?*

There are two air quality management areas: Usk and Chepstow. We provide an air quality report to Welsh Government every year. Air quality in Chepstow is very much linked to the Welsh Government trunk roads. We have Welsh Government attendance to the air quality steering groups each year. Welsh Government is therefore aware of the problems and feeds into the meetings. There are transport studies feeding into the next steps for improving air quality and the transport issues in the Chepstow area, led by Welsh Government working with MCC Highways.

*Given the significant backlog, with services trying to return to normal after the pandemic, and budgetary pressures, has there been a request for more resources?*

We are considering here the 21/22 year, but in 22/23 there was investment of £223k, which was helpful. This time last year we presented the report as the evidence base for increasing the budget for 22/23; there is a budget mandate now about a restructure, so there is a saving there. 2.4 additional EHOs is a lot for a small team, an additional TSO and extra half for licensing – this will give a boost for 22/23, reflecting in the capacity and wellbeing of the teams.

*Is it possible for members to visit the Hardwick Hill Air Monitoring Station in Chepstow?*

Yes, we can accommodate this for any members who would like to go. Our next report to committee might want to focus on a particular area of public protection: our report 4-5 years ago focussed on air quality, so we could do that again, if members wish.

*Do we have numbers in relation to enforcement actions that have been made: those complied with and those outstanding?*

We have the figures but not to hand – they can be provided.

*How do you organise things to ensure a good standard of out-of-hours coverage and can this be continued in light of budget pressures?*

For out-of-hours, officers can be contacted in the case of an emergency, and senior managers can then be contacted. We are led by intelligence, working closely with the Police, Fire Service, etc., so there is usually an indication of events coming that could be a problem – such as a rave – and officers are therefore made available.

*p10 of the report states that services might struggle to take on any more statutory duties – are we aware of any in the pipeline?*

Additional responsibilities to the authority: the Public Health Act Wales 2017 includes the Toilets Strategy (which takes officer capacity), minimum unit pricing, and special procedures for tattooists. The cost for those will be recovered via the licensing regime: they will pay a certain amount for a 3 year licence. Generally, if there is any additional burden we look to recover the costs.

*Is the increase in notifiable diseases a trend or within normal variation?*

Yes, communicable diseases have increased. People might have lost a bit of focus in terms of food safety and the measures learned from Covid, so we will continue to monitor this closely.

*4.4 has a reference to 15k+ Covid cases – is that the total number in that timeframe that we know of, or were there others?*

That is the number reported, which came through the CRM system, with people notifying that they had had Covid using their phones. This triggered a response from the TTP team to call them. So the number related to TTP and isn't necessarily the total number.

### **Chair's Summary:**

Cabinet Member Paul Griffiths noted how informative today's meeting has been, and will do what he can to take forward the suggestion of how annual reporting could evolve to build in a learning process into future practice.

The committee accepted and moved the report.

It is requested that the 22/23 Public Protection report (May/June) includes a review of specific lessons learned that can be used to be better prepared for future Covid waves and other crises, as well as improvements that managers and officers would be keen to develop – **ACTION**

Officers to send further information to members on the number of housing enforcement actions, to understand the outstanding numbers, particularly – **ACTION**

#### **4. Registration Services Annual Report 21/22 - To review the performance of the service area**

Jennifer Walton presented the report and answered the members' questions with David Jones.

## **Challenge:**

*Alistair: The Monmouthshire birth-rate reduced significantly in this period – is that an aberration or trend? Does it reflect more widely?*

There hasn't been a dramatic drop in births but Monmouthshire residents are now going to The Grange, in Torfaen.

*If the birth-rate is now split with The Grange, how do we know what the numbers and trends are?*

The maternity services in Nevill Hall have been downgraded with The Grange's opening, so it is midwife-led only. The majority of births in Aneurin Bevan now occur in Torfaen, therefore. The figures are fed into ONS, so those for Monmouthshire can be retrieved at any time, but we only have access for those births that occurred in the county. Also, following Covid, there were times this year when the maternity departments in Nevill Hall had to be closed due to staff pressures.

*5.1, Is there information on the development of partnership working? To what extent has it been part of the thinking in the budget process?*

We intend that partnership working will expand to include death registrations as well. Currently, a birth can be registered at any office in the Aneurin Bevan HB area, which has proven very popular and helped us to manage the backlog coming out of Covid. The ceremonies programmed last summer were so extensive that we couldn't look at developing the service for death registrations but we hope to begin planning meetings soon, and the logistics are already in place.

*What access do residents have to registrations and records?*

Any resident can put in a request for a historical certificate, any details they have they can submit and we will search the records for them. The records are kept in a temperature-controlled strong room so we don't generally allow public to view them themselves but anyone can submit a request and we will do our best to track down the information.

*Customer feedback is good, though anecdotal – will digital feedback allow more quantitative information about residents' views on these services and whether we can improve?*

Customer feedback is generally fantastic, especially as we're often dealing with people who have experienced a bereavement, for example. But we can quantify it better, yes. We are hopeful that the digital service will make a difference and that it will get underway soon.

*Is there a way of baselining or relating the feedback to other areas, and is there any learning there?*

The Register Office publishes monthly Performance data across England and Wales, so we can see our rank against everyone else, and we have regular visits from the compliance officer, who will raise any concerns with us based on the figures.

*Are Marriage Registers now obsolete?*

Over a long period of time there were discussions about trying to include mothers on marriage entries, as well as fathers; the solution reached was to dispense with the marriage registers altogether. Previously, the registrar took a register to the wedding, in which everyone wrote and signed. There is now a 'Schedule', a piece of paper with all of the information, checked and signed by all parties, but this is not the legal document – the registration is completed when taken back to the office and logged on the system. We store the previous registers but everything going forward will be on the database.

*The team is comprised of 11 casual workers and 7 others?*

This is a mistake in the report: there are 6 in the office and 11 casual workers.

*Because of the new system, people aren't getting marriage certificates as quickly as they would like – what is being done to speed that up?*

There is a learning curve, and next year's report will show that the numbers have gone up significantly. We are conscious of needing to allow more time and resources so that the certificates go out more quickly. We have regular meetings with the Superintendent of registrars across Wales, in which we have discussed whether something can be produced for the couple to have on the day – we can look to do this in the future, but the advice has been not to do so for now, in order to avoid confusion. The aim now is to work on getting the certificates out within a few days.

*Can we, as a Council, make an input at a national level to the Citizenship Test? Some of the questions seem outdated or irrelevant, are we able to provide feedback?*

Officers can enquire as to whether MCC can have an input on a national level towards the Citizenship test having more sensible questions – **ACTION**

### **Chair's Summary:**

The committee accepts the report and thanks the officers and their team. It is always good to see areas for improvement in the report – we would encourage considering the ways that they can be built in.

## **5. Procurement Performance Review - Review of the joint working arrangements and benefits realised to date**

Steve Robinson presented the report and answered the members' questions with Cath Fallon.

## **Challenge:**

*Q7+8, concerning expectations for people, and a softer behavioural understanding, is identified as a gap – do the actions go far enough? Do we need more of the ‘how’ than the ‘what’?*

Yes, culture is one of the key enablers. There is no one thing that will achieve it. The strategy itself is important: as well as setting the direction of travel, it communicates the priorities for the authority and how we go about delivering them. The key focus is the MCC Community and Corporate Plan; we will doublecheck that we have a strong alignment with it after it goes to Cabinet tomorrow. We spoke yesterday with Communications about how to communicate the broader messages, assuming there is council approval in March. We recognise that sometimes the way in which we try to inform and educate officers could be better. We are developing a programme supported with online material to get key messages across as simply as possible – Comms is supporting that process as a critical friend. We need to better use technology such as SharePoint. For Buying Responsibly, we are building the proof of concept in Cardiff, looking to roll out later across the other authorities.

*More information about the partnership with Atebion would have been good. It would be good to know more about procurement savings and look at the social value of procurement spend – how much of the procurement spend stays in Monmouthshire? Without the survey methodology the numbers are a bit meaningless. It’d be good to see this come back with more numbers and detail. Are we able to identify, in hard terms/improved value terms, what joint working gives us?*

We’ve been trying to build from the ground up, from the basics – getting these right has been our primary focus. We have looked to baseline the current position around spend kept in Monmouthshire. In our strategy we have practical steps to take to improve that, looking at changes to our working practice, working with partners, etc. It has taken a lot of steps to enable to arrive at a position where we start to see value coming through. The market conditions are now a challenge when looking at savings; in many cases, we might now be looking at cost avoidance rather than a reduction. Value is a broad agenda for us.

## **Chair’s Summary:**

The Committee moved the report. For the next Procurement report, it is requested that officers identify, in more concrete terms, the benefits that joint working gives MCC – **ACTION**

## **6. Performance and Overview Scrutiny Committee Forward Work Programme and Action List**

The 23<sup>rd</sup> February meeting needs to move to 27<sup>th</sup> or 28<sup>th</sup> February – officers will confirm with members, subsequently.

## **7. Cabinet and Council Work Planner**

Note the Extraordinary Meeting of Council on 2<sup>nd</sup> March.



**8. To confirm the minutes of the previous meeting**

The minutes were confirmed and signed as an accurate record, proposed by Councillor Neill and seconded by Councillor Strong.

**9. Next Meetings:**

25<sup>th</sup> January 2023 at 10.00am – Special Meeting (Budget).

23<sup>rd</sup> February 2023 at 10.00am – Ordinary Meeting.

The meeting ended at **12.05 pm.**

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