



THE LIVING ENVIRONMENT SCRUTINY COMMITTEE

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH ON TUESDAY, 20TH MARCH 2012 AT 5.00 P.M.

PRESENT:

Councillor M.J. Prew - Chairman
Councillor K. Lloyd - Vice-Chairman

Councillors:

M. Adams, J. Bevan, Ms J.G. Jones, M.G. Parker, D.V. Poole, Mrs K. Presley, L.R. Rees

Cabinet Member: Councillor L. Ackerman (Public Services and Housing)

Together with:

A. O'Sullivan (Chief Executive), S. Couzens (Chief Housing Officer), R. Hartshorn (Head of Public Protection), D. Price (Parks and Outdoors Facilities Manager), K. Williams (Private Sector Housing Manager), J. Jones (Democratic Services Manager), R.J. Thomas (Committee Services Officer)

Tenant Representatives: S. Mark, A. Lewis

APOLOGIES

Apologies for absence were received from Councillors A.P. Angel, Mrs K.R. Baker, D. Cullen, A.G. Higgs, M.P. James, J.M. Wilson and Tenant Representatives S. Jones and O. Skym

COUNCILLOR ALLEN WILLIAMS

The Chairman referred to the recent death of Councillor Allen Williams and advised all persons present of the funeral arrangements. Members and officers stood in silence as a mark of respect and extended their condolences to the bereaved family.

CHAIRMAN'S ANNOUNCEMENT

The Chairman welcomed Caerphilly Youth Forum representatives, Joel Price and Geraint Jones-Griffiths, and invited them to take part in the meeting.

The Chairman also commented that the meeting was to be the last of the Scrutiny Committee before the forthcoming County Borough elections and he gave thanks to all attendees for their hard work and contributions.

1. DECLARATIONS OF INTEREST

There were no declarations of interest made at the beginning or during the meeting.

2. MINUTES

RESOLVED that the minutes of the last meeting held on 7th February 2012 (minute nos. 1 - 13, on page nos. 1 - 7) be approved as a correct record and signed by the Chairman, subject to an annotation to confirm that the Scrutiny Committee had supported the Youth Forum's priority.

3. CALL-IN PROCEDURE

There were no matters referred to the Scrutiny Committee in accordance with the call-in procedure.

4. CABINET REPORTS

The Cabinet reports listed on the agenda had not been requested to be brought forward for review at the meeting.

5. REPORT OF THE CABINET MEMBER FOR PUBLIC SERVICES AND HOUSING

Councillor L. Ackerman, Cabinet Member for Public Services and Housing, gave a verbal report to Members and made reference to the following:

Housing Stock - the ballot on the possible transfer of the Council's housing stock had concluded on 17th February 2012, with 66.7% of CCBC tenants voting (8,800 tenants) from which 65.2% voted in favour of stock retention. This was a significant vote of confidence in the Council and its housing service.

Tenants will play a key role in the delivery of the WHQS and to ensure that the commitments made by Council are met. To support the delivery of the programme, an All Party Housing Task Group is to be established, consisting of members and tenants to scrutinise performance and make recommendations to support the aims and objectives of the project.

Private Housing Sector Housing - the Welsh Government have just announced that they are making £5m available to support an all Wales initiative to bring long term empty homes back into use. The scheme involves giving interest-free loans repayable over a short term to owners of empty houses to encourage their return to beneficial use as rented accommodation.

Community Safety Partnership - the partnership will run the Project Bernie initiative over a six-week period covering the Easter school holidays. The initiative, now in its second year, aims to cut deliberate grass fires. The cost of grass and mountain fires within the South Wales area as a whole amounts to £7m per year and the majority of these fires (approximately 95%) are set deliberately. The target area used in 2011 has been chosen again, with Bargoed and surrounding wards receiving multi-agency attention. Last year saw a reduction in grass fires of 25% on 2010 figures across the authority. Project Bernie will be launched at Tesco, Ystrad Mynach on the 23rd of March.

Prosecutions - Environmental Health Officers exercised a warrant for entry earlier this month to seize equipment from a house where illegal tattooing is taking place. Tattooists need to be licensed and meet hygiene and safety requirements. The Authority had a number of cases in the past year of unlicensed individuals offering tattooing from unsuitable conditions in their own homes and a campaign was undertaken to raise awareness with young people of the

risks of using unlicensed tattooists. It is this campaign that has resulted in officers receiving information about illegal tattooists.

Project Gwyrdd - Cabinet recently approved the Authority's waste flow model. This was a fundamental decision in taking the Project Gwyrdd procurement exercise into the next phase: invitation to submit final tenders.

In addition, the joint Scrutiny Committee has just completed 2 long days where they gathered evidence on Waste to Energy, its advantages and disadvantages, Health Impact Information, etc. The Committee will agree its findings in due course.

Food Waste Service - the Authority has recently completed a comprehensive monitoring exercise on participation in the food waste collection service, combined with an analysis of material collected and delivered to the final destination. The results of these exercises are currently being collated and a report will be presented to this Committee in the near future.

Youth Forum Priority on Parks and Play Areas - the Youth Forum has recently identified vandalism to playgrounds as one of its priorities in addition to smoking within children's play areas. In terms of the costs of vandalism, within the 2011/12 playground budget, covering 97 playgrounds/MUGA and skate areas, the materials element equates to £112,000. Of this amount approximately £34,000 was been spent replacing vandalised equipment. Three inspection maintenance staff also spend around 12% of their time removing offensive graffiti from play equipment and other seating structures.

In relation to the smoking issue, the Authority was proposing to extend its No Smoking Policy to cover enclosed children's play areas.

Members thanked the Cabinet Member for her presentation.

REPORTS OF OFFICERS

Consideration was given to the following reports.

6. SMOKEFREE CHILDREN'S PLAY AREAS

The report sought Members endorsement of the proposal to ban smoking in the Council's children's play areas, as a result of the Caerphilly Youth Forum's presentation at the Scrutiny Committee's meetings of 7th February 2012.

Under the Health Act 2006 smoking in enclosed public places has been prohibited in Wales since April 2007, but the legislation does not extend to open public places. However, there is no legal impediment to the Council adopting a smoke-free approach to children's play areas and affixing appropriate signage.

The Council currently has 97 children's play areas in parks and other locations across the County Borough. It is proposed that smoking is not permitted in children's play areas owned by the Council and that appropriate "No Smoking" signage is provided. In addition, ASH Wales suggested that a youth competition be held to design the signage. The Youth Forum had been consulted regarding this and were happy to assist.

Members discussed the report and officers responded to general questions. In particular, they gave support to the proposals but questioned how the ban would be enforced. Officers confirmed this would be largely self-enforcing and examples of similar successful self-enforcing policies were given.

The Scrutiny Committee endorsed the proposal to prohibit smoking in all of the Council's children's play areas.

7. DOG CONTROL ORDERS

The report sought Members views on proposals to introduce Dog Control Orders to exclude dogs from enclosed children's play areas and Multi Use Games Areas (MUGAs), in response to a request by a Member of the Scrutiny Committee.

In 1997 Caerphilly County Borough Council adopted powers under the Dogs (Fouling of Land) Act 1996 to prevent fouling of public land by dogs. All recreational parkland is covered by the legislation. In addition, local authorities and Community and Town Councils may make Dog Control Orders, providing that they are satisfied that an order is justified and the necessary procedures have been followed. Regulations prescribe these procedures.

The Council needs to balance the interests of those affected by the activities of dogs against the need for those in charge of dogs to have access to areas where they can exercise them without undue restriction. Any authority considering a Dog Control Order has to be able to demonstrate that such an Order is a necessary and proportionate response to problems caused by the activities of the dogs and those in charge of them. Any failure to give due consideration to these factors could make any subsequent Dog Control Order vulnerable to challenge in the courts.

At this time officers propose to introduce Dog Control Orders to exclude dogs from enclosed children's play areas and MUGAs. Subject to the views of Members, draft Dog Control Orders will be developed for public consultation. The outcome of which will be reported to The Living Environment Scrutiny Committee to seek Members' final views and recommendation to Cabinet for adoption.

Members discussed the report and supported the recommendations therein, but questioned whether the Dog Control Order could be extended to prohibit dogs from all sports pitches as well as children's play areas, due to the known health risks. A request for a report exploring this proposal was made. A Member also commented on action taken by Blaenau Gwent CBC to tackle the issue of abandoned dog faeces by investing in a designated team with specialist equipment. Officers were asked to present a report on the responsibility, approach and costs of removing abandoned dog faeces within the CCBC.

Officers confirmed that Park Service's staff, at the time of marking a pitch, already survey the pitch and remove any dog faeces present. This happens once or twice a week.

The Scrutiny Committee endorsed the proposal to develop Dog Control Orders in relation to the following:

- a) the exclusion of dogs from enclosed children's play areas and from Multi Use Games Areas (MUGAs); and
- b) failing to remove dog faeces from enclosed children's play areas and from Multi Use Games Areas (MUGAs)

8. PROVISION / UPDATE OF BYE-LAWS FOR PARKS, PLEASURE GROUNDS, PUBLIC WALKS AND OPEN SPACES

The report sought to consult with Members of the Scrutiny Committee on the review to modernise the byelaws for parks, pleasure grounds, public walks and open spaces, prior to further consideration by Cabinet.

Members were advised the bye-laws were last updated in 1999 and there was now a need for well-defined and modern bye-laws to permit the police and council officers to deal with any anti-social issues quickly and efficiently.

The main changes to the document were highlighted and Members advised that the draft byelaws have been the subject of consultation with various groups in addition to the Scrutiny Committee. The draft byelaws will be presented to the Welsh Government (WG) for approval, prior to Cabinet viewing a final version to approve and adopt in Caerphilly County Borough. It is anticipated that discussions with the WG and relevant consultees will take a number of months and it is therefore likely that the byelaws will be adopted in late 2012.

Following discussions on the content of the report, the Scrutiny Committee made reference to a number of issues in their own wards and gave agreement to the modernisation of the byelaws.

The Scrutiny Committee endorsed the report and recommended to Cabinet that, for the reasons contained therein, the draft bye-laws be submitted to the Welsh Government and agree to the aim of establishing a full set of up-to-date bye-laws covering parks, play areas and open spaces.

9. PRIVATE SECTOR HOUSING RENEWAL STRATEGY – EMPTY HOMES

The report sought to make Members aware of the Welsh Government's impending National Loan Scheme for empty homes and to seek a recommendation to Cabinet to amend the Authority's existing Housing Grant Policy, so that the opportunities presented by the loan scheme can be maximised.

The WG recently launched a £5m national loan scheme directly aimed at increasing the numbers of long term privately owned empty dwellings returned to beneficial use. The scheme will commence on 1st April 2012 and is to be delivered on a regional basis. The scheme will afford regions the opportunity to offer interest free loans to owners of long-term empty houses to assist in bringing empty properties back into use either as rental accommodation or via improvement for sale. While the detail of the scheme has yet to be finalised, the maximum loan where the end product is to be a rental unit is likely to be £25,000 and must be repaid within 3 years.

Unlike the other Gwent Authorities, Caerphilly CBC currently assists potential landlords of long term empty homes to bring them back into use by offering 50% grant aid. If this were to continue, CCBC's ability to offer the grant maximum (£15,000) will be effected.

Members were then requested to endorse a recommendation in addition to those detailed within the report; to amend the Caerphilly County Borough Council Private Sector Housing Renewal Strategy to facilitate the giving of interest-free loans via the Welsh Government's National Loan Scheme for long term empty homes.

In closing, officers offered to produce a further report for the Scrutiny Committee once the details of the loan scheme were finalised.

Members welcomed and discussed the report. Recognition was given to the associated problems with empty properties and Members requested a report on what action could be taken to resolve these issues. Officers confirmed that enforcement powers were available and that a review was currently being undertaken. A report would be brought forward once completed.

The Scrutiny Committee considered the report and recommended to Cabinet that, for the reasons contained therein:-

- (i) the introduction of a National Loan Scheme to target long term empty houses be noted;

- (ii) the award of grant aid to potential landlords of empty houses be restricted to those applicants who agree to rent out their properties at or below Local Housing Allowance level for the duration of the grant condition period; and
- (iii) the Caerphilly County Borough Council Private Sector Housing Renewal Strategy be amended to facilitate the giving of interest-free loans via the Welsh Government's National Loan Scheme for long-term empty homes.

10. PUBLIC SECTOR HOUSING CAPITAL PROGRAMME 2012/2013

The annual report gave proposals for the Public Sector Capital Programme for 2012/2013, including works that will contribute towards the achievement of the Welsh Housing Quality Standard (WHQS) by 2019/2020, for Members to review prior to consideration by Cabinet.

Work programmes, both Capital and revenue funded, are aimed at improving the Authority's housing stock whilst also addressing health and safety issues, structural defects and contributing towards meeting the WHQS. The submitted programme will contribute towards this objective, but further work will be undertaken throughout the year to develop longer-term programmes. Members were asked to note that the allocated budget is double the amount that the Authority usually spends.

The submitted programme contributes towards achieving and maintaining the WHQS by 2019/2020, but further work (including consultation with tenants) will be undertaken throughout the year to develop longer-term programmes, whilst new contract arrangements are established and the required annual funding is confirmed.

Members discussed the report and officers responded to general questions. In particular, clarification was given as to the amount and use of the contingency fund and scheduled energy efficiency works. A Member requested that a report be brought before the Scrutiny Committee to further illustrate the energy efficiency works and associated spends. Officers confirmed that all available funds would be utilised and that the Authority was well placed in comparison with other authorities.

Clarification was also given regarding the proposed all party Housing Task Group and Cabinet Sub-Committee, as agreed by Council on 29th February 2012, together with their anticipated composition.

The Scrutiny Committee considered and noted the report, and recommended to Cabinet that, for the reasons contained therein, the proposed Capital work programmes be approved.

11. CONTRACTOR PERFORMANCE

The report, in response to a Member's request, gave further information in relation to the performance of Building Maintenance Services, whilst undertaking a planned maintenance contract in the east area of the borough.

The Scrutiny Committee noted the report and supported the suspension of the Contractor.

12. REQUESTS FOR AN ITEM TO BE INCLUDED ON THE NEXT AVAILABLE AGENDA

There were no requests for any reports to be prepared for consideration at a future meeting of the Scrutiny Committee.

13. INFORMATION ITEMS

The following reports were received and noted without discussion:

- (1) Metal Thefts;
- (2) Damage to Memorials within Municipal Cemeteries;
- (3) The Living Environment Scrutiny Committee Forward Work Programme;
- (4) Minutes of the Prosiect Gwyrdd Joint Scrutiny Panel held on 5th December 2011.

The meeting closed at 6.25 p.m.

Approved as a correct record, and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 22nd May 2012, they were signed by the Chairman.

CHAIRMAN