



HEALTH SOCIAL CARE AND WELL BEING SCRUTINY COMMITTEE

MINUTES OF THE MEETING HELD AT THE COUNCIL OFFICES, PENALLTA HOUSE, YSTRAD MYNACH ON TUESDAY 9TH FEBRUARY 2016 AT 5.30PM

PRESENT:

Councillor Miss. L. Ackerman - Chair
Councillor Mrs. P. Cook - Vice - Chair

Councillors:

Mrs E.M. Aldworth, A.P. Angel, Mrs A. Blackman, M. Evans, Ms J. Gale, C. Gordon, G.J. Hughes, Miss L. Jones, J.A. Pritchard, A. Rees and S. Skivens.

Councillor N. George (Cabinet Member for Community and Leisure Services)

Together with:

D. Street (Corporate Director Social Services), J. Williams (Assistant Director Adult Services), G. Jenkins (Assistant Director Children's Services), M. Jones (Interim Financial Services Manager), R. Hartshorn (Head of Public Protection), L. Ross (Senior Environmental Health Officer), M. Sprague (Development Officer for Older People), L. Lane (Solicitor), and A. Dredge (Committee Services Officer).

Also Present:

Users and Carers: Mr C. Luke and Mrs M. Veater.

APOLOGIES

Apologies for absence were received from Councillors J. Bevan, L. Gardiner, A. Lewis, R. Woodyatt (Cabinet Member for Social Services), Miss L. Price and Mrs J.M. Morgan (User and Carers).

1. DECLARATIONS OF INTEREST

There were no declarations of interest received at the commencement or during the course of the meeting.

2. MINUTES - 23RD NOVEMBER 2015

RESOLVED that the minutes of the Special meeting of the Health, Social Care and Wellbeing Scrutiny Committee held on 23rd November 2015 (minute nos. 1 - 6) be approved and signed as a correct record.

3. MINUTES - 1ST DECEMBER 2015

RESOLVED that the minutes of the meeting of the Health, Social Care and Wellbeing Scrutiny Committee held on 1st December 2015 (minute nos. 1 - 10) be approved and signed as a correct record.

4. CONSIDERATION OF ANY MATTER REFERRED TO THE SCRUTINY COMMITTEE IN ACCORDANCE WITH THE CALL-IN PROCEDURE

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

5. CABINET REPORT

The Cabinet report listed on the agenda had not been called forward for discussion at the meeting.

6. REPORT OF THE CABINET MEMBER

The Scrutiny Committee received a verbal report from Councillor N. George (Cabinet Member for Social Services).

Members were informed that the Food Standards Agency recently undertook a statutory audit of food hygiene, food standards and law enforcement activity in Environmental Health and Trading Standards and concluded that there were no significant issues identified. Their draft audit report is awaited and their final report and action plan will be reported to Members in due course.

It was noted that during 2015 a total of 23 residents within the Borough were granted UK citizenship from 14 different countries and that each citizen attended a citizenship ceremony officiated by the Registration Service at Penallta House.

It was explained that the Catering Service has just completed an annual performance audit for 95 kitchens across the Borough, finding good performance across the board. Representatives from all sites will be invited to celebrate their success at the Catering Award Ceremony in June.

The Scrutiny Committee were advised that on 25th of January 2016, Gwent Magistrates Court dismissed an appeal by a local convenience store against the revocation of their alcohol licence by the Authority's Licensing Committee, in October 2015. The premises, was a source of complaint with serious concerns about the management of the premises and breaches of Licence conditions. The Magistrates agreed with the decision of the Licensing Committee and dismissed the appeal and awarded the Authority costs of £1,500.

The All Wales launch of the "Free Swim" initiative for the Armed Forces community took place at Risca Leisure Centre on 3rd February and was attended by Public Services Minister Leighton Andrews and the Deputy Minister for Culture, Sport and Tourism, Ken Skates. Members were pleased to note that the All Wales launch of "X-Forces" will take place at Penallta House on 11th March 2016. This is a national social enterprise with proven track record in supporting ex-armed forces and their families in starting up businesses, providing loans, mentoring and business and personal support.

Members thanked the Cabinet Member for his informative report.

REPORTS OF OFFICERS

Consideration was given to the following reports.

7. **STRATEGY FOR OLDER PEOPLE IN WALES - 'LIVING LONGER AGEING WELL' LOCAL DELIVERY PLAN**

Mrs Mandy Sprague (Development Officer for Older People) gave a presentation on the latest Caerphilly County Borough 50+ Positive Action Delivery Plan. She advised that a wide range of partners have been consulted in the development of this Plan (including the Local Service Board Delivery Group, older people, CCBC Older Peoples Champions, the 50+ smarter working network, CCBC equalities) and referred to the partnership with local public services.

Members were advised that the Plan supports the local implementation of Phase 3 of the Strategy for Older People in Wales 'Living Longer Ageing Well' and is aimed at public services and partners across the county borough. It sets out where local public services and partners have a role to play in providing information and support (as well as services) and how they can help residents of the borough to help themselves.

It was explained that the plan provides a framework for action that will develop over time to reflect progress and the changing social, political and funding landscape of the next 5 years. It reflects the Rights for Older People in Wales, includes the Caerphilly 50+ Positive Action 2014 objectives and those of the Ageing Well programme 2012. It will be a living document that will be monitored quarterly, reviewed and updated as required.

Mrs Sprague advised that reductions in public spending balanced with public expectations and aspirations inevitably make these challenging times difficult. However, public services in the borough will work towards meeting local requirements within available resources. In the climate of financial restraint and reduced resource in which the delivery plan has been developed, a number of approaches will be taken in the first 2 years including the identification and sharing of current good practice that promotes and facilitates the wellbeing of older people in the borough. The use of a range of media formats and campaigns will also be promoted which will enable residents and their families to help themselves by accessing appropriate information and supporting them to identify their own issues and solutions.

Clarification was sought on how the services are promoted and Mrs Sprague confirmed that a range of formats of media are used including the 50+ Forum Website (with Newsletter and Magazine), Facebook and Twitter and also that booklets and leaflets are distributed across the borough. She was happy to inform Members that the campaign will shortly be advertised on the Council's refuse trucks.

In concluding, Mrs Sprague emphasised the importance of referral systems and 'getting the message across' and confirmed the Local Authority has a wide range of partners and it is essential that strategies are continually promoted.

After due debate, it was moved and seconded that the recommendations in the report be approved (and by a show of hands this was unanimously agreed).

Members accepted the delivery plan and acknowledged its importance as a cross cutting theme of the Caerphilly Single Integrated Plan. They also agreed to share the Plan with organisations and where appropriate partners, and to ask Officers to inform the Development Officer for Older People of current and planned 50+ projects or work streams that impact on this Group, to enable collaboration where possible.

The Scrutiny Committee thanked Mrs Sprague for her informative presentation and responding to the questions raised.

8. BUDGET MONITORING REPORT (MONTH 9)

Mike Jones (Interim Financial Services Manager) presented the report which provided an overview of the projected revenue expenditure for the Social Services Directorate for the 2015/16 financial year. The report summarises the projected financial position for the 2015/16 financial year (based on information available as at month 9 - December 2015) and identifies the progress that has been made towards delivering the targeted savings that were included in the 2015/16 budget (details of which were appended to the report).

Members were advised that the expenditure of the Directorate is linked directly to its ability to shape and deliver its strategic objectives, which in turn assists the achievement of the Authority's stated aims. At month 9, there is a projected Directorate underspend of £714k, with a net movement of £390k from the £324k projected underspend that was reported to the Committee in October 2015. Specific reference was made to the review of Supporting People contracts, necessitated by a cut in Welsh Government grant funding for 2015/16 of around £359k coupled with additional cost pressures in respect of tenancy support and homelessness.

Reference was then made to the specific underspends/overspend in each of the service areas (Children's Services - projected underspend £241k, Adult Services - projected underspend £474k and Service Strategy and Business Support - projected to overspend by £1k) details of which were outlined in the report.

Members were then advised of the progress made against the 2015/16 revenue budget savings targets (as detailed in the report) and noted that of the £2.084m directorate savings target for 2015/16, £2.037m (98%) has now been achieved. This leaves just £47k of savings that the Senior Management Team will need to identify during the remainder of the current financial year. The remaining savings target of £47k is £154k less than the £201k reported to Committee in October and this reduction has been achieved by withholding 2 vacant posts within the Information, Advice and Assistance Team (£53k), the voluntary severance of a post holder in the Review Team (£33k), finalisation of the review direct care administrative support (£18k) and a review of supporting people contracts (£50k).

A query was raised in relation to vacancy management and the reduction and withholding of posts. Officers confirmed that the reduction of social worker posts has been achieved by the reorganisation of locality teams across Social Services, which has resulted a number of posts becoming vacant. With regard to the withholding of posts within the Information, Advice and Assistance Team, it was noted that this is currently being reviewed.

Following consideration and discussion, Members noted the projected underspend of £714k for 2015/16 and the progress made against the savings targets included in the 2015/16 budget settlement for the Directorate. It was moved and seconded that the recommendations in the report be approved (and by a show of hands this was unanimously agreed).

9. PROPOSAL TO UNDERTAKE INFORMAL PUBLIC CONSULTATION ON THE MAKING OF A PUBLIC SPACES PROTECTION ORDER RELATING TO DOG CONTROL

Consideration was given to the report which sought the views on the proposal to replace Dog Control Orders and the current enforcement provisions under the Dogs (Fouling of Land) Act 1996 with Public Space Protection Orders under the Anti-Social Behaviour Crime and Policing Act 2014 and the implications for dog control in the borough. It also sought authorisation to undertake an informal public consultation exercise on the proposed provisions of a Public Spaces Protection Order (PSPO) relating to dog control in accordance with the Anti-Social Behaviour, Crime and Policing Act 2014.

Mr R. Hartshorn (Head of Public Protection) advised that the Anti-Social Behaviour, Crime and Policing Act 2014 brought in a new power for local authorities to deal with anti-social behaviour problems in a geographical area by imposing conditions on the use of an area. The aim is to ensure that the law-abiding majority can use and enjoy public spaces, safe from anti-social behaviour. The PSPOs replace a number of existing legal provisions including Designated Public Place Orders, Gating Orders and Dog Control Orders. Existing Orders made under previous legislation subsist for a period of 3 years from October 2014 at which point they will be treated as PSPOs.

It was noted that currently in Caerphilly dog control is enforced by two distinct regimes, Dog Control Orders introduced under the Clean Neighbourhood and Environment Act 2005 and under the Dog (Fouling of Land) Act 1996. Dog Control Orders were last reviewed, revised and implemented in the borough after a well-supported consultation exercise in 2013 and as a result a dog exclusion order was made for enclosed children's play areas and Multi Use Games Areas.

Members noted that Councils are able to decide to review the need for their current orders ahead of the transition and that a PSPO can be made on any public space within its area. They were advised of the requirements relating to dog control and, in order to introduce tighter dog controls throughout the county borough, the suggested offences to be included in the PSPO, as detailed in paragraph 2.4 of the report. They were advised that in advance of undertaking the required formal consultation, it is proposed to undertake informal public consultation on the proposed provisions of a PSPO and to report further on that consultation, with recommendations on the proposed controls to be included in a draft Order. The recommendations of the Committee will then be referred to Cabinet for consideration.

Members were pleased to note the making of the PSPO will create consistency in the enforcement provisions across the borough as all offences can be dealt with by issuing a fixed penalty notice of up to £100 (current level for littering offences in the county borough is set at £100, current fixed penalty notice for Dog Control Offences is £100 whereas under the Dog (Fouling of Land) Act it is £75.00).

Lyndon Ross (Senior Environmental Health Officer) informed Members that the consultation process will take approximately 12 weeks. The Dogs Trust, Kennel Club and the RSPCA would also be consulted and the Council is also looking to work in partnership with Keeping Wales Tidy.

A Member queried the fixed penalty notices for dog fouling offences and if raising the fee could be considered as part of the consultation process. Mr Hartshorn confirmed that this could be added to the proposals referred to in para 4.9.

After due consideration it was agreed to endorse the proposal that informal public consultation is undertaken on the provisions (as detailed in paragraph 4.9 of the report) with the additional consideration of consulting on increasing the amount of fixed penalty notices in relation to dog fouling. Each of the recommendations within the report were considered separately. In relation to para 9.1 (informal public consultation) this was moved and seconded (and by a show of hands this was unanimously agreed). In relation to para 9.2 it was moved and seconded to undertake additional consultation in relation to the proposal to exclude dogs from all Council Owned Marked Sports/Playing pitches, (this was supported by the majority present). With regard to Para 9.3, (to report the outcome of the consultation, with recommendations on the proposed controls to be included in the draft order), this was moved and seconded (and by a show of hands this was unanimously agreed).

RESOLVED that for the reasons contained in the officer's report: -

- (i) Members endorse the proposal that informal public consultation is undertaken on the provisions detailed in 4.9 of the report:

- a) Excluding dogs from all enclosed children's play areas within the County Borough;
 - b) Additional requirements for putting dogs on leads at all times in certain areas, for example canal tow paths;
 - c) Require dogs to be kept on leads in enclosed memorial gardens situated in the County Borough;
 - d) Require dog owners to remove dog faeces on any land defined in 4.11. of the report;
 - e) Require dog walkers to carry an appropriate receptacle for dealing with the waste that their dog/s produce. This requirement aims to ensure that dog walkers always have the means (i.e. a receptacle) to pick up their dog's faeces;
 - f) Require dog owners to put their dogs on a lead when directed to do so by an authorised officer on any public land where the dog is considered to be out of control or causing alarm or distress or to prevent a nuisance;
 - g) Consideration be given to increasing the fine for fixed penalty notices in relation to dog fouling.
- (ii) Members agreed that consultation be undertaken in relation to the proposal to exclude dogs from all Council Owned marked sports/playing pitches.
 - (iii) The outcome of such consultation will be reported back to Members with recommendations on the proposed controls to be included in a draft Order. The Committees recommendations will then be referred to Cabinet for consideration.

10. REQUESTS FOR REPORTS 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.

11. INFORMATION ITEMS

The Committee noted the following item for information, full details of which were included within the Officers report.

1. South East Wales Adoption Service – SEWAS

The meeting closed at 7.50 pm.

Approved as a correct record and subject to any amendments agreed and recorded in the minutes of the meeting held on 22nd March 2016, they were signed by the Chair.

CHAIR