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CORRESPONDENCE FOLLOWING THE COMMITTEE MEETING

Committee COMMUNITY & ADULT SERVICES SCRUTINY COMMITTEE

Date and Time of Meeting WEDNESDAY, 13 OCTOBER 2021, 4.30 PM

Please find below correspondence send by the Committee Chair following the meeting, together with any responses received.

For any further details, please contact scrutinyviewpoints@cardiff.gov.uk

a Correspondence Following Committee Meeting(Pages 3 - 36)

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My Ref: Scrutiny/Correspondence/Cllr Jenkins
8 November 2021

Councillor Susan Elsmore
Cabinet Member Social Care, Health & Wellbeing
Councillor Lynda Thorne
Cabinet Member Housing & Communities
Sent via e-mail

Dear Cllr Elsmore & Cllr Thorne,

COMMUNITY & ADULT SERVICES SCRUTINY COMMITTEE – 13 OCT 2021 – QUARTER 1 PERFORMANCE AND CURRENT PRESSURES

As Chairman of the Community and Adult Services Scrutiny Committee, I wish to thank you and officers for attending Committee, providing Members with an opportunity to consider the Quarter 1 Performance Report and to also receive an update on the current position for both Adult Services and Housing & Communities.

The seriousness of the current pressures and their ramifications is acutely recognised by Members, and we firstly wish to thank you and officers for bringing this to our attention and for the presentations offered at the meeting. Following the update on the current context and the steps being taken to address current pressures, we explored the possibility of service failure and the implications this would present for those vulnerable individuals requiring service. It was confirmed that yourselves and officers are working to ensure service failure does not occur, and that the service areas are not at 'breaking point' due to the current backlog being of a manageable number. We were further informed that it is essential the service areas both recognise and prepare for the situation potentially worsening in line with winter pressures. In accordance with this, we then sought clarity on your continuity plans and it was confirmed the focus will be on supporting those most vulnerable, to expand reablement opportunities and to grow the market and strengthen the council's long-term relationship with care providers.

We welcome the focus on preparing for pressures worsening however we feel it is essential that adequate projections are used to forecast pressures on the service area. For this

reason, we **recommend** that to prepare for the upcoming winter months, the service area recruit a statistician (or similar) to provide accurate information on key pressures, which in turn will offer critical insight into the possible shortfalls and requirements.

Should the pressures indeed worsen in the winter months, we ask we be made aware as soon as practically possible to provide us with a further opportunity to explore the situation and the measures put in place to mitigate risk. Furthermore, and upon reflection, it was felt amongst Committee Members that the current pressures detailed at the meeting were so significant, they in-turn eclipsed the Quarter 1 Performance data and due to constraints, we were not able to explore both past and current performance in adequate detail. As a result, we request that in the future these updates be separated from Performance Monitoring items.

Q1 Performance & Current Pressures – Adult Services

Given the current context, Members were advised that individuals may see some deterioration in the quality of their service they receive. However, it was confirmed the service area will continue to work to monitor the quality of care through contact officers and regular liaison with providers. Although Members understand and empathise with the current context, given the typical clientele in receipt of services we wish to stress that high levels of quality of care continue, or where these may be impacted, they continue to be addressed and resolved as a matter of urgency through the escalating concerns process.

As stated at the meeting, the innovative proposals and speed of establishing the Carers Academy is welcomed and commended by Members. However, in line with our earlier comments regarding the need to employ a statistician (or similar), Members are concerned that the current aim of the Academy supporting 120 people into employment over a six-month period may not be adequate for the pressures which potentially lie ahead. Members wish to again reiterate and emphasise the benefit of using data to adequately inform and address current issues.

In line with the current situation Members welcome the steps taken to address challenges which were detailed at the meeting. In particular, we note the 'Trusted Assessor' pilot which sees Occupational Therapists assisting with the increased demand for social care assessments and pressures on domiciliary care. In line with this and remaining mindful to the current and potential pressures, Members **recommend** you explore more innovative

ways of coping with current and future pressures by expanding the use of Occupation Therapists and other professionals where demand is high.

Concern was further raised regarding the end of the Welsh Government's Covid-19 Hardship fund. However, we were pleased to be informed that the upcoming Recovery Fund should help to offset the ending of Hardship funding stream. We note detail on the Recovery Fund should be received in December 2021.

In terms of the continued challenge of sickness rates we sought clarity on the proposed action plan, and it was confirmed there is ongoing assessments of long-term sickness case. We note there is a current rise in short term sickness cases as a result of the pandemic and we hope that your ongoing work to expand the market will help to address this issue.

Regarding the recognised challenge of lack of equipment and aids, Members feel additional efforts to contact existing individuals to see if they still require their equipment is needed. Members note social media posts have gone out on this matter however not all our Committee Members saw the post, signalling an increase in social media presence is required. We also feel more communication methods need to be utilised to reach a wider audience. Leading on from this, we also feel an overall review of how we retrieve, recondition and reallocate equipment may be required. We therefore **recommend** more communication is done on the call for equipment, including through the continued use of social media outlets, notification on the council and hub websites, posters in hubs, liaising with Adviceline staff to make initial enquires and a letter drop, targeted at relevant residents or family members. We also **recommend** an overall review on how we retrieve and reallocate stock. We deem the review should focus particularly on if adequate support is provided to residents who may have heavier equipment, such as stairs lifts or hoists, redundant in their properties.

Q1 Performance & Current Pressures – Housing & Communities

As you are aware, detail on the current status of the Council House New Build Programme could not be provided at the meeting. Given that this is such a significant objective, Members were surprised that this information was not readily known. As such, Members would like to **request** information on how many houses are currently complete, how many are currently under construction and confirmation on if the target of 1,000 council properties by December 2022 will be met.

During the meeting, we explored with trepidation the potential pilot to house clients out of county, and we sought assurance that families would not be separated against their will and

it was pleasing to note this concern was shared by yourself and officers. As it was confirmed further information on the detail of this work is required, we would be grateful to be kept informed of its progress.

In relation to the issue with private rented accommodation, we aligned this with the continued challenge of voids and it was confirmed although the challenge with supplies remains, due to the recruitment of additional operatives, officers are confident properties can now be turned around quicker. We also sought assurance that the council is purchasing properties from private landlords to address the current challenges and it was pleasing to note this avenue is being utilised by the service area.

Finally, Members were disappointed to note that the regional service for Male Domestic Abuse victims due in July 2021 has been delayed. We would like to **request** further information on the reasoning for its delay and when we can expect the service to be launched.

Recommendations to be Monitoring following this Scrutiny

The Committee makes four formal recommendation which are set out below.

As part of the response to this letter I would be grateful if you could state whether the recommendations are accepted, partially accepted or not accepted and summarise the Cabinet's response. If the recommendations are accepted or partially accepted, I would also be grateful if you could identify the responsible officer and provide an action date. This will ensure that progress can be monitored as part of the approach agreed by Cabinet in December 2020.

Recommendation	Accepted, Partially Accepted or Not Accepted	Cabinet Response	Responsible Officer	Implementation Date
To prepare for the upcoming winter months, the service area recruit a statistician (or similar) to provide accurate information on key pressures, which in turn will offer critical insight into the possible shortfalls and requirements.				

Explore more innovative ways of coping with current and future pressures by expanding the use of Occupation Therapists and other professionals where demand is high.				
More communication is done on the call for equipment, including through the continued use of social media outlets, notification on the council and hub websites, posters in hubs, liaising with Adviceline staff to make initial enquires where relevant and a letter drop targeted at relevant residents or family members.				
Conduct an overall review on how we retrieve and reallocate stock. We deem the review should focus particularly on if adequate support is provided to residents who may have heavier equipment, such as stairs lifts or hoists, redundant in their properties.				

Yours,



COUNCILLOR SHAUN JENKINS

Chairman - Community & Adult Services Scrutiny Committee

cc. Sarah McGill, Corporate Director People & Communities

Jane Thomas, Director, Adults, Housing & Communities

Helen Evans, Assistant Director, Housing & Communities

Khalid Osman, Into Work Co-Ordinator in Housing & Communities

Tim Gordon, Head of Communications & External Relations

Members of the Community & Adult Services Scrutiny Committee

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Fy Nghyf / My Ref: CM46703

Eich Cyf / Your Ref: Scrutiny/Correspondence/Cllr Jenkins

Dyddiad / Date: 19 January 2022

Councillor Shaun Jenkins
Chairperson
Community & Adult Services Scrutiny Committee
Cardiff Council
County Hall
Cardiff
CF10 4UW

Annwyl / Dear Shaun,

Community & Adult Services Scrutiny Committee – 13 Oct 2021 - Quarter 1 Performance Report and Current

Thank you for your letter dated 8 November 2021, it was pleasing to see that Committee Members identified and provided comment on some of the work being undertaken within Adult Social Services and the housing and communities, and recognised the pressures currently being experienced by the teams.

There were two requests for information made within the letter and we provide information regarding these below.

The Committee raised a query regarding the progression of the Council House New Build Programme as information had not been readily available at the meeting. 608 new council properties have been handed over to date, and 801 properties have been completed if including the homes built for market sale.

Furthermore, 199 homes are currently being built on site, 133 at the procurement stage, and 137 new homes with planning approved. There are also 249 new homes in the planning stage with 4 of our new build projects being considered at planning committee later this month. The programme incorporates 59 development sites with the capability of delivering around 3,600 new homes in the longer term: it is truly delivering at scale and pace. We are also setting new standards for the delivery of low-carbon projects and have recently confirmed that our modular scheme at Crofts Street will be our first scheme that delivers a below net zero standard where the new homes are projected to produce more power than the tenant needs - exporting all unused power to the grid. This is an exceptional standard and one that will ensure our tenants are not affected by fuel poverty.

GWEITHIO DROS GAERDYDD, GWEITHIO DROSOCH CHI

Mae'r Cynghor yn croesawu gohebiaeth yn Gymraeg, Saesneg neu'n ddwyieithog. Byddwn yn cyfathrebu â chi yn ôl eich dewis, dim ond i chi roi gwybod i ni pa un sydd well gennych. Ni fydd gohebu yn Gymraeg yn arwain at oedi.

WORKING FOR CARDIFF, WORKING FOR YOU

The Council welcomes correspondence in Welsh, English or bilingually. We will ensure that we communicate with you in the language of your choice, as long as you let us know which you prefer. Corresponding in Welsh will not lead to delay.



As Members will be aware the construction industry has been affected by both Covid-19 and Brexit. Most development programmes are experiencing delays and there has been significant and unprecedented increases in material costs, shortages in the supply of materials, and shortages in labour. This has inevitably affected our own programme. This is not unique to us and recent meetings with Welsh Government have taken place to consider the impact these conditions are having on new social housing development throughout Wales. We have also seen some main contractors struggling with current conditions with many long-standing construction firms closing. Nevertheless, the development team are doing what they can to mitigate against these delays and endeavour to achieve the target of delivering 1,000 new council homes by 2022. A more detailed update on progress against this target will be provided in the new year.

The Committee raised a query regarding the delay in the regional service for Male Domestic Abuse Victims and the following update has been provided by the Operational Manager for Partnerships and Joint Commissioning. The new proposed male victims service has grown in scope since its first conception. We have now purchased two properties to be used for male victims with children, disabilities or pets so that they are not excluded from accessing specialist accommodation and support services. There was a delay in securing these additional properties, purchased with Welsh Government funding, which have been subject to some minor works to get them ready for letting. Unfortunately, some delay has also been encountered with obtaining the necessary materials.

We are also establishing a safe remote evidencing site for male victims so that they can give evidence to court remotely, ensuring equity with women and children who are offered this option. This work is being developed in conjunction with multiple partners across Wales to ensure that a consistent service can be achieved across a multitude of new sites, and we are therefore subject to external timescales for delivery.

Due to the altered scope of the service, this has required regional project working with the Vale of Glamorgan Council and specialist third sector providers. Unfortunately, all services have been under enormous pressure trying to deliver their existing services and this has hindered the progression of this project with all its elements. However, we are now at the point of finalising all processes and funding arrangements with the Vale and it is anticipated that the service will be up and running from January 2022, taking referrals into the new accommodation units and ensuring delivery of community support across Cardiff and the Vale of Glamorgan region.

Regarding pressures in Adult Services, the Committee highlighted the innovative proposals and speed of establishing the Cardiff Cares Academy which was welcomed. However, Members felt that the aim to support 120 new people into a career in care was not ambitious enough to meet the current and potential future pressures in the sector. It has been made clear that the Cardiff Cares Academy is just one route for people to enter the care sector and it is done in partnership with care employers. There has been and continues to be well documented challenges throughout the care sector during the pandemic which continues to impact the attractiveness of care as a career.

Social Services continue to support the care sector with their own advertising and recruitment and the Cardiff Cares Academy is just one arm of this support.

Regarding the concerns raised by the Committee of the challenges of lack of equipment and aids, I am able to provide the following information. The Disabled Facilities Service currently operate a removal and recycling service covering hoists and lifts across all tenures. Hoists and lifts that are serviceable are identified and reinstalled as complete units whereas hoists and lifts that have effectively gone beyond their useful lives are broken down to provide spare parts.

The Service receives referrals to collect redundant equipment from internal teams including Joint Equipment Service, Housing (inc. accessible housing), Occupational Therapists and Social Workers. Outside of the Council referrals are generally received from homeowners who no longer require the equipment. When awarding grant assistance for this equipment each recipient signs a document agreeing to return the equipment once it is no longer required.

Following receipt of a referral the equipment is collected by the Framework contractor and placed into stock. A stock list is maintained by the contractor.

Within the letter a table was provided to respond to the recommendations made and this has been completed below with the information provided from the appropriate service areas:

Recommendation	Accepted, Partially Accepted or Not Accepted	Cabinet Response	Responsible Officer	Implementation Date
To prepare for the upcoming winter months, the service area recruit a statistician (or similar) to provide accurate information on key pressures, which in turn will offer critical insight into the possible shortfalls and requirements	Not accepted	Work has been undertaken throughout 2021 to improve our monitoring and understanding of statistical information that is being utilised to understand service pressures. This is being rolled out to all Operational Managers within Social Services to provide timely information regarding their services. This is discussed monthly at Adult Services Management team meeting as a formal item and Service Pressures is a regular item on the agenda used to identify pressures on all service areas, individually and collectively, such as assessment backlogs. The team continue to work together to identify solutions to service pressures and this is ongoing.		

Explore more innovative ways of coping with current and future pressures by expanding the use of Occupation Therapists and other professionals where demand is high.	Accepted	<p>We are taking the greater use of Occupational Therapy further by reviewing and redesigning the front door into community services in the following ways.</p> <p>Community Occupational Therapy into Hospital setting: We have experienced recent success with a community Occupational Therapist (OT) working hand in hand with social work and hospital staff to review referrals for care. Out of 13 referrals, 3 were destined for residential care and the remaining 10 were prescribed Domiciliary Care. The community OT right-sized the care for each person resulting in:</p> <ul style="list-style-type: none"> • 3 Residential placements right-sized to go back to their own home with Domiciliary Care • 10 Domiciliary Care referrals rightsized and reduced by 98 hours per week <p>This has resulted in care cost being £168k pa less, and enabled people to go home living independently.</p> <p>Care Home Liaison role We are exploring the possibility of a Care Home Liaison Officer, who will take on the role of a conduit between the Care Home, the cared for person and their support network. This will release the Social worker as the role would focus solely on ensuring, when a placement is the right outcome for an individual, all parties involved are as informed as possible to aid a safe, timely and smooth transition either from hospital or from their home.</p> <p>First Point of Contact (FPOC) Upskill We will build upon the current skills of our contact services and upskill</p>	<p>Carolyne Palmer</p> <p>Claire Gilhooly & Lisa Wood</p>	Ongoing through to April 2022

		<p>our Contact Officers to order equipment directly and assess and refer for Safety at home, such as, hand and grab rails. In addition to all the support currently provided, this will reduce the number of people referred into Occupational Therapy, allowing them the capacity to triage and right-size care packages.</p> <p>Front Door MDT triage In addition to the upskilling of Contact Officers, we will be introducing an OT led triage, which will review all new noncomplex requests for domiciliary care, with a view to right-sizing, linking in with family support, aids, adaptations, and equipment. This will enable the most complex cases to go directly to the social workers, for example individuals who suffer from Mental Health, who lack capacity, or require nursing care. The Occupational Therapists and Social Workers will also work as a Multi-Disciplinary Team as and when necessary.</p>	<p>Claire Gilhooly/Carolyn Palmer</p> <p>Carolyn Palmer & Lisa Wood</p>	
<p>More communication is done on the call for equipment, including through the continued use of social media outlets, notification on the council and hub websites, posters in hubs, liaising with Adviceline staff to make initial enquires where relevant and a letter drop targeted at relevant residents or family members</p>	Accepted	<p>Initial Social Media campaign launched, and this has been replicated across the Vale of Glamorgan and through Health. This work is ongoing, and work is being undertaken with the communication team to develop posters to be utilised in Hubs and community settings.</p> <p>The Joint Equipment Service (JES) has seen an increase in the equipment returned to store. However, the quality of these items is, overall, poor – likely because they have been stored for quite some time as citizens did not know how to return them. It is hoped this will slowly improve.</p> <p>The current system does not capture the equipment that is on loan for short periods such as to support rehab, so work is being undertaken</p>	Neal Hall (Service Manager)	December 2021 continuing through early 2022

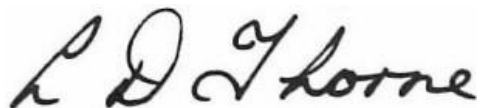
		<p>to ensure that there is a search function through the Council website and develop a 'search' option to provide information to citizens on available equipment and also organising returns.</p> <p>All JES equipment has a contact telephone number on the sticker, and this will continue.</p> <p>There is further work underway to develop a more detailed web page for JES as part of a project being undertaken in the Independent Living Services (ILS). Though this has been delayed due to Covid, some work is being undertaken to provide some more detailed information.</p>	Part of a wider project with ILS	TBC – Project dates moved due to COVID-contingency plan. Update to corporate site requested in interim (review of basic information available digitally to customers)
Conduct an overall review on how we retrieve and reallocate stock. We deem the review should focus particularly on if adequate support is provided to residents who may have heavier equipment, such as stairs lifts or hoists, redundant in their properties	Accepted	<p>The ILS communications plan will also include information regarding the Disabled Facilities Grant Team (DFG)</p> <p>The JES team are fully aware of the DFG and rapid response team and refer all enquiries in relation to the recycling of these items to the relevant teams. Work is being undertaken to identify all internal teams who may receive enquiries regarding equipment collection and providing all up-to-date information for them.</p> <p>Disseminate a pathway for referrals and where appropriate meet/attend team meetings to raise the profile of JES</p> <p>NOTE: Stair lifts, ceiling track hoists etc. are serviced but not installed or provided through JES – this is via Disabled Facilities Grant Team (DFG)</p>	Neal Hall (Service Manager)	December 2021

We hope this has provided a comprehensive response to the current work being undertaken in Adults, Housing and Communities to address the concerns raised by the Committee.

Yn gywir / Yours sincerely,

A handwritten signature in black ink that reads "Susan Elsmore". The script is cursive and fluid.

Councillor / Y Cyngorydd Susan Elsmore
Cabinet Member for Social Care, Health & Well-being
Aelod Cabinet dros Ofal Cymdeithasol, Iechyd a Lles

A handwritten signature in black ink that reads "Lynda Thorne". The script is cursive and fluid.

Councillor / Y Cyngorydd Lynda Thorne
Cabinet Member for Housing & Communities
Aelod Cabinet dros Dai a Chymunedau

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My Ref: Scrutiny/Correspondence/Cllr Jenkins

8 November 2021

Councillor Michael Michael
Cabinet Member for Clean Streets, Recycling & Environment
Councillor Lynda Thorne
Cabinet Member for Housing & Communities
Sent via e-mail



Dear Cllr Michael & Cllr Thorne,

**COMMUNITY & ADULT SERVICES SCRUTINY COMMITTEE – 13 OCT 2021 –
NOISY NEIGHBOURS BRIEFING -**

Please accept my thanks on behalf of Committee, to you and officers for providing a detailed briefing on the process for noise complaints which derive from private, domestic properties. We note a 'noise policy' is currently being drawn, and with that in mind, we hope the comments and recommendations provided in this letter can assist in the policy's development.

Members note that due to the breadth of services offered by the Shared Regulatory Services, this undoubtedly results in a difficult balancing act in how its services and priorities are managed. During the meeting we referenced how, along with Shared Regulatory Services being responsible for noise pollution, it is also responsible for trading standards and consumer rights and the difficulties and conflicting priorities this could entail. We note the comments received at the meeting that there is ongoing work with Welsh Government and other bodies to ensure the Shared Regulatory Services role as an advocate for quiet communities is adequately managed.

As a Committee, and as democratically elected Members of the Council, we are acutely aware of the issues our residents face, and as detailed at the meeting, we too have also experienced noise issues and have personal experience of the Shared Regulatory Service's process currently in place. It is for these reasons why we believe that the current system is not fit for purpose to adequately meet the needs of Cardiff

residents and would benefit from a refresh. We understand the resource limitations however we feel more could be done within these constraints to ensure the service is more efficient. We feel the service is not widely advertised, there is confusion amongst residents about what responsible bodies they should contact, the resolution they can expect along with frustrations amongst residents on the ability to receive immediate support. We are of the view that the service and its remit should be better publicised through social media, detail in local hubs, holding local community events and so on. We feel this will ensure residents receive adequate information on what can and can't be done to ensure the right expectations are set.

We feel residents require clear, informative detail on the concept of a Statutory Noise Nuisance, the types of noise issues the service can and cannot assist with, the investigation process for addressing noise complaints and the solutions offered. We note it is the intention of the upcoming noise policy to provide this information and we wish to stress the need for the information to be provided to residents in a clear, engaging manner and to cover all of the key information. It is paramount that the information provided to residents sets realistic expectations and should also include a form of 'complainants pathway' providing clarity on who the residents should contact, how and when.

During the meeting we discussed in detail, the process for an individual making a complaint and sought clarity on the support offered to residents for one-off issues they encounter. We also note that at present, there is very limited provision to help residents in real-time and we again reference you to the example provided by our Committee Member who was unable to receive immediate support for their domestic noise issue. Although we understand that due to resource constraints this impacts the ability for residents to receive immediate support, we still feel this is unacceptable and would urge you to explore ways in which more real-time support can be offered and to accept our recommendation on a review detailed later in this letter. Further to this we also wish to reiterate the importance of ensuring strong, collaborative working is in place with all involved partners. We note the Night Time Noise Service use to previously operate on both weekdays and weekends, however due to financial pressures and resource limitations its operating hours have been reduced. We also understand due

to these limitations there is an ongoing challenge of targeting and focusing the limited resource on where it is most needed.

As a Committee, we are of the view that the matter of dealing with domestic noise complaints is a priority area which should receive additional funding to help address the resource limitations detailed at the meeting. During our deliberations at the end of the meeting, we considered the disparity in the service offered on weekdays and weekends and contemplated if work was required to understand what it would cost to revert to a seven nightly service. However, as the case study presented by our Member detailed their personal experience with the service at the weekend, it was agreed it may be better to instead invest in expanding the weekend service to provide residents with a wider service. We therefore **recommend** a review of the current service is undertaken to understand where investment would be of the most use and how much this would cost.

During the meeting the level of issues which can reside from student properties was highlighted and we welcome the information provided surrounding the level of work Shared Regulatory Officers do to address this matter. However, as stated at the meeting, we strongly advise more onus and responsibility is placed on universities in ensuring their students are aware of their responsibility toward their local community. We hope this can be reiterated in the Leader of the council's meeting with the university vice-chancellors.

We note with concern that at present there is no tool to measure the satisfaction rates of complainants who have received support from the service. From the discussion at the meeting, we are aware you are intending to initiate a survey during the next 2 to 3 years as part of the noise policy which is currently being developed. However, we feel it is essential that the service has insight into the current service standards and satisfaction rates of those who have used the service; providing critical information and insight into how the service is doing, and possible areas for development and have concerns in this not being developed for a number of years. To this end, we **recommend** that a survey with complainants is prioritised and implemented as soon as possible.

Recommendations to be Monitoring following this Scrutiny

The Committee makes two formal recommendation which are set out below.

As part of the response to this letter I would be grateful if you could state whether the recommendations are accepted, partially accepted or not accepted and summarise the Cabinet's response. If the recommendations are accepted or partially accepted, I would also be grateful if you could identify the responsible officer and provide an action date. This will ensure that progress can be monitored as part of the approach agreed by Cabinet in December 2020.

Recommendation	Accepted, Partially Accepted or Not Accepted	Cabinet Response	Responsible Officer	Implementation Date
A review of the current service is undertaken to understand where investment would be of the most use.				
A survey with complainants is prioritised and implemented as soon as possible.				

Yours,



COUNCILLOR SHAUN JENKINS

Chairman - Community & Adult Services Scrutiny Committee

cc. Members of the Community & Adult Services Scrutiny Committee
Will Lane, Operational Manager Neighbourhood Services
Sian James, Team Manager
Tim Gordon, Head of Communications & External Relations

Fy Nghyf / My Ref: CM46704

Dyddiad / Date: 6th December 2021

Councillor Shaun Jenkins
Cardiff Council
County Hall
Cardiff
CF10 4UW

Annwyl/Dear Councillor Jenkins

CASSC - 13 Oct 2021 Noisy Neighbours Briefing

Thank you for your letter and the opportunity to appear before the Committee.

As the presentation from Officers illustrated, the demands on the SRS noise pollution service have risen significantly in recent years and we note that this is reflected in the recently released CIEH Noise survey for 2019-20, which we attach for information. It is pleasing to note that the SRS features heavily in the case studies given as examples of best practice and reflects the importance that the Council gives to investigating noise nuisance due to its effects on the individuals and communities affected. Cardiff is one of only two Authorities in Wales that has a reactive night time noise service in addition to the other options available to investigate complaints outside normal working hours.

We note the request of the Committee to review the service and identify what additional resource would be required to expand the existing arrangements for reacting in real time to noise complaints. We can confirm that this recommendation is accepted and a review will be undertaken in the New Year and a report provided for consideration by April 2022, the report to include a financial breakdown on the options for expanding the service further.

The recommendation in respect of undertaking a customer survey is also accepted. To ensure this is reflective of the seasonal peaks and demands on the noise service this will be scheduled for the next financial year.

GWEITHIO DROS GAERDYDD, GWEITHIO DROSOCH CHI

Mae'r Cyngor yn croesawu gohebiaeth yn Gymraeg, Saesneg neu'n ddwyieithog. Byddwn yn cyfathrebu â chi yn ôl eich dewis, dim ond i chi roi gwybod i ni pa un sydd well gennych. Ni fydd gohebu yn Gymraeg yn arwain at oedi.

WORKING FOR CARDIFF, WORKING FOR YOU

The Council welcomes correspondence in Welsh, English or bilingually. We will ensure that we communicate with you in the language of your choice, as long as you let us know which you prefer. Corresponding in Welsh will not lead to delay.



I trust this is of assistance.

Yn gywir
Yours sincerely

Michael Michael

Councillor / Y Cyngorydd Michael Michael
Cabinet Member for Clean Streets, Recycling & Environment
Aelod Cabinet dros Strydoedd Glân, Ailgylchu a'r Amgylchedd

Lynda Thorne

Councillor / Y Cyngorydd Lynda Thorne
Cabinet Member for Housing & Communities
Aelod Cabinet dros Dai a Chymunedau

CIEH Noise Survey 2019/20

Report on findings – Wales

Chartered Institute of
Environmental Health



Sefydliad Siartredig
Iechyd yr Amgylchedd



About the Chartered Institute of Environmental Health (CIEH)

The Chartered Institute of Environmental Health (CIEH) is a membership and awarding body for the environmental health sector, and the professional voice for environmental health representing over 7,000 members working in the public, private and third sectors, in 52 countries around the world. It ensures the highest standards of professional competence in its members, in the belief that through environmental health action people's health can be improved.

Environmental health has an important, and unique, contribution to make to improving public health and reducing health inequalities. CIEH campaigns to ensure that government policy addresses the needs of communities and business in achieving and maintaining improvements to health and health protection.

Overview

Noise, meaning unwanted or harmful sound, has a significant impact on the well-being of citizens.

Local authorities play a key role in controlling noise, through receiving and resolving complaints. It is largely environmental health professionals who undertake this work. The Environmental Protection Act 1990 places a duty on local authorities to investigate noise complaints.¹ They consider the type of noise, how loud it is, how often and what time it occurs. If they are satisfied the noise amounts to a statutory nuisance, or is likely to occur or recur, they must issue an abatement notice, prohibiting or restricting its occurrence or recurrence.

Many noise complaints are resolved informally, without the need for formal enforcement action by the local authority. For noise to be a statutory nuisance, it must 'unreasonably and substantially interfere with the use or enjoyment of a home or other premises' or 'injure health or be likely to injure health'.

Failure to comply with a noise abatement notice may result in prosecution and an unlimited fine, with further fines for each day the notice is not complied with.

Further powers are available to local authorities to deal with noise:

- The Clean Neighbourhoods and Environment Act 2005 enables local authorities to designate alarm notification areas to deal with noise from intruder alarms.²
- The Fireworks Regulations 2004 prohibit the use of fireworks at night (11pm - 7am). There are extensions for Bonfire Night, Chinese New Year, Diwali and New Years Eve.³
- The Anti-Social Behaviour, Crime and Policing Act 2014 provides noise powers, including civil injunctions, community protection notices and public spaces protection orders.⁴
- The Noise and Statutory Nuisance Act 1993 provides local authorities with powers to deal with noise in a street, loudspeakers and audible intruder alarms.⁵
- The Noise Act 1996 aims to deal with excessive night noise from licensed premises or residential dwellings between 11pm and 7am.⁶ Officers may enter premises where there is noise beyond prescribed levels, and remove noise making equipment.
- The Control of Pollution Act 1974 enables local authorities to control noise from construction and engineering works and from loudspeakers.⁷

Local authorities also take preventative measures to control noise, for example, through planning and licensing controls.

The Welsh Government recognises that creating healthy acoustic environments is more than simply the absence of unwanted sound, and that noise management must have a broader focus than simply clamping down on the decibels. They have set out their commitment to creating appropriate soundscapes, meaning the right acoustic environment in the right time and place. The Noise and Soundscape Action Plan 2018-2023 is the central noise policy document in Wales.⁸ It states the Welsh Government's expectation that public bodies subject to

the Well-Being of Future Generations (Wales) Act 2015⁹ should follow the five ways of working set out in that Act when carrying out noise and soundscape management. This means:

- Pursuing long-term, enduring solutions to any existing instances of noise nuisance;
- Seeking to manage noise and soundscapes at the same time as achieving other, related outcomes;
- Taking opportunities to talk to the public about the challenges associated with exposure to noise and unhealthy soundscapes, listen to their concerns and seek their views on potential solutions and their involvement in delivering them;
- Working actively with internal and external partners to mutual benefit in the delivery of desired outcomes; and
- Keeping exposure to noise (that is, unwanted or harmful sound) as low as reasonably practicable across the whole of the population, looking out in particular for areas where noise levels might qualify as a statutory nuisance or noise action planning priority area, or where public amenity might be adversely affected by noise at some point in the future, and acting pre-emptively to prevent those things from happening.

Health effects of noise

The negative impact of noise on people mostly takes the forms of annoyance and sleep disturbance. Sleep disturbance is one of the most harmful effects of environmental noise exposure. Sufficient undisturbed sleep is necessary for daytime alertness and performance, quality of life, and health. The short-term effects of noise-induced sleep disturbance include impaired mood, increased daytime sleepiness and impaired cognitive performance.¹⁰

Environmental noise has been ranked by the World Health Organization (WHO) as the second biggest environmental contributor to the burden of disease in Europe after air pollution, and in 2011 they published *Burden of disease from environmental noise: Quantification of healthy life years lost in Europe*.¹¹ The report estimates that at least one million healthy life years are lost every year from environmental noise in the western part of Europe. In Wales, noise maps produced by the Welsh Government suggest that the homes of more than 200,000 people are exposed to road traffic noise levels exceeding the **WHO's 2009 night noise guidelines**.¹²

Aircraft noise is linked to an increased risk of cardiovascular disease, including stroke and diabetes mellitus, and to an increased risk of hospital admission and mortality.¹³ There is also evidence that road traffic noise is linked to an increased risk of hypertension and a small but consistent risk of coronary heart disease.¹³ However, it should be noted that EHPs do not have powers to deal with complaints about aircraft or road traffic noise. These complaints are referred to the relevant airport or Highway Authority.

With 24% of people in Wales reporting that they are regularly bothered by noise from outside their homes, some groups are more sensitive and vulnerable to noise, including chronically ill and elderly people, children and nightshift workers.¹⁴

The Chief Medical Officer for Wales' annual report 2016/17 highlights local noise pollution as an environmental health inequality and states that investment in environmental public health surveillance can help to shape priorities for future action and facilitate joined-up working to protect and improve the health of current and future generations.¹⁵

About the Survey

The CIEH Noise survey provides the only source of data on the vital contribution made by environmental health professionals working to resolve noise complaints in England and Wales. CIEH has been running its noise survey since 2000. *Northern Ireland and Scotland have separate arrangements in place to quantify the demand for local authority noise services.

Methodology

The 2019/20 CIEH Noise Survey collected data from local authorities in England and Wales. All 22 local authorities in Wales responded to the survey.

Data collected from local authorities included:

- Number of noise complaints received
- Source of noise complaints
- Number of notices served
- Number of prosecutions
- Number of staff allocated to noise related work
- Other formal action taken in response to complaints

Local authorities were also asked whether they:

- Use the **Noise App**
- Use a **MATRON** noise monitoring device
- Have arrangements in place to respond to noise complaints out of office hours

This report presents the findings for Wales. The findings for England were published separately and are available [here](#).

Key findings

These figures represent data from all 22 local authorities in Wales for the year 2019/20.

- In total **20,445** noise complaints were received by local authorities in Wales, 65 complaints for every 10,000 population. This is a 10% increase on the 18,567 complaints received in 2018/19
- The number of noise complaints ranged from 10 per 10,000 population on the Isle of Anglesey to 177 per 10,000 population in Swansea
- In respect of formal action, **323** notices were served (by 20 local authorities) under the Environmental Protection Act to deal with noise amounting to a statutory nuisance. Formal action was taken under other legislation to deal with noise in 22 cases (by five local authorities)
- Five simple cautions were issued in response to noise
- There were **34** noise-related prosecutions (eight local authorities)
- In total there were **72** officers involved in noise work although most undertook other duties in addition to controlling noise
- All but two local authorities reported that they were using the Noise App and all but one local authority were using Matron monitoring equipment to assist with noise investigations
- Eleven out of 22 local authorities have arrangements in place to respond to noise complaints out of office hours.

* We did not collect data for the years 2016/17 and 2017/18 as we worked to improve the method of data collection

Table of results

Local authority	Total population (Mid-year estimate 2019) ¹⁶	Total number of noise complaints	Number of noise complaints per 10,000 population	Number noise abatement notices served under EPA 1990	Total number of prosecutions (noise)	Number of staff allocated to noise**
Blaenau Gwent County Borough Council	69,862	373	53	3	0	1
Bridgend County Borough Council	147,049	803	55	9	3	2.5
Caerphilly County Borough Council	181,075	1,463	81	7	0	6
Carmarthenshire County Council	188,771	1,300	69	2	0	4.5
Ceredigion County Council	72,695	233	32	0	0	2
City and County of Swansea	246,993	4,368	177	76	12	5
City of Cardiff Council	366,903	3,038	83	111	11	6.5
Conwy County Borough Council	117,203	460	39	15	1	2
Denbighshire County Council	95,696	351	37	6	0	2.5
Flintshire County Council	156,100	432	28	8	1	2.5
Gwynedd Council	124,560	499	40	1	0	6
Isle of Anglesey County Council	70,043	67	10	1	0	2.5
Merthyr Tydfil County Borough Council	60,326	264	44	0	0	0.25
Monmouthshire County Council	94,590	374	40	1	0	5.9

Local authority	Total population (Mid-year estimate 2019) ¹⁶	Total number of noise complaints	Number of noise complaints per 10,000 population	Number noise abatement notices served under EPA 1990	Total number of prosecutions (noise)	Number of staff allocated to noise**
Neath Port Talbot Council	143,315	800	56	19	0	3
Newport City Council	154,676	2,181	141	25	0	2.5
Pembrokeshire County Council	125,818	485	39	11	2	2.5
Powys County Council	132,435	433	33	1	0	5
Rhondda Cynon Taf County Borough Council	241,264	1,270	53	4	0	4.7
Torfaen County Borough Council	93,961	241	26	3	1	1
Vale of Glamorgan Council	133,587	502	38	11	3	1.5
Wrexham County Borough Council	135,957	508	37	9	0	3

** It should be noted that staff deal with other issues in addition to noise

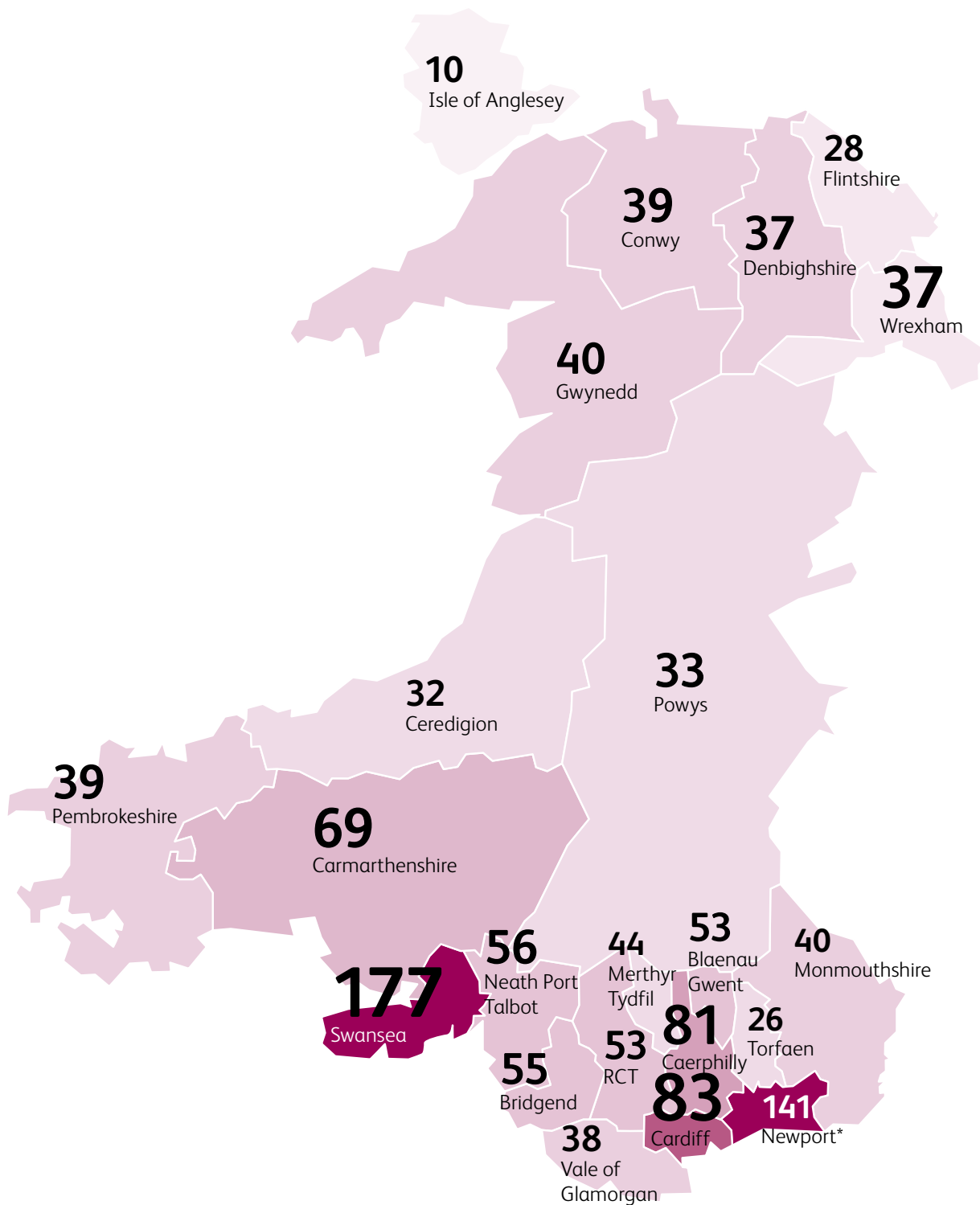


Fig.1: **Average number of noise complaints per 10,000 people by local authority.**
(Regions in darker colours represent more noise complaints, lighter colours represent fewer noise complaints.)

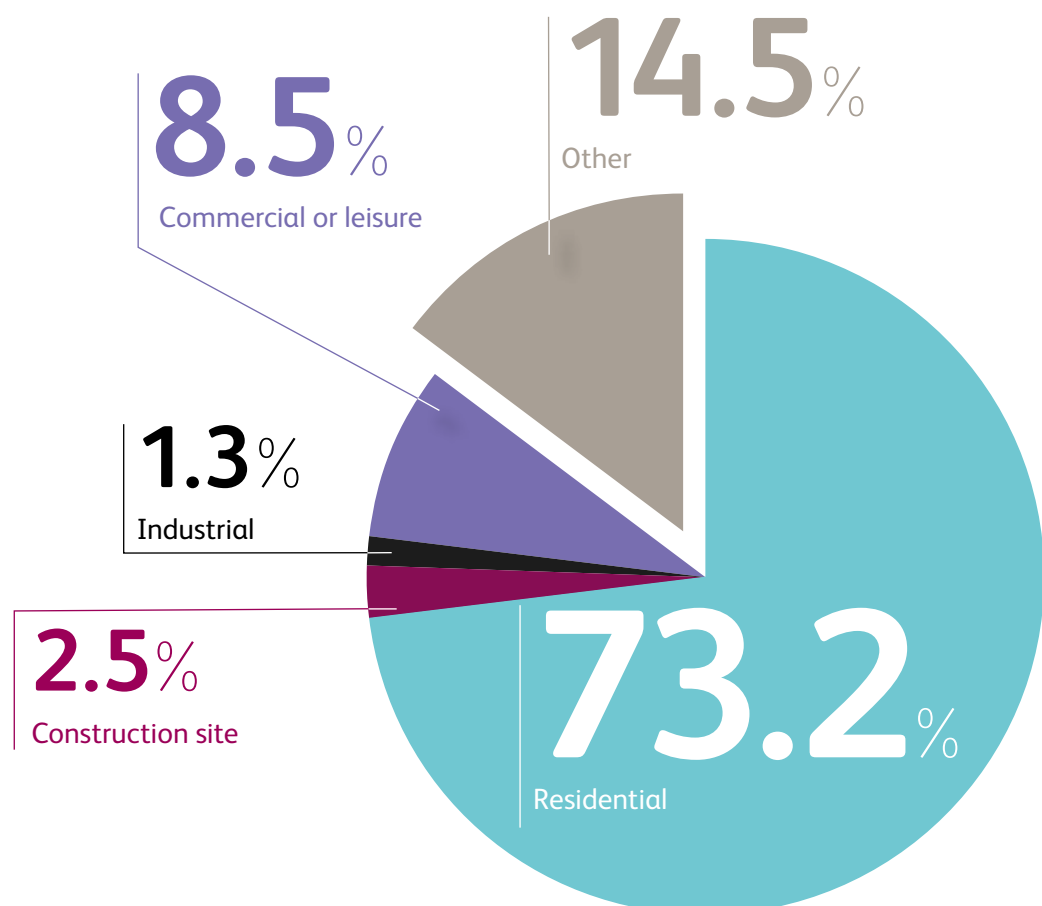
Source of noise complaints

We asked local authorities to indicate the source of noise complaints received. Sixteen local authorities in Wales provided this information.

Noise from residential premises accounts for the largest proportion of noise complaints. This is the case across all local authorities in Wales.

Industrial noise accounts for the lowest proportion of noise complaints compared to other sectors. This is the case in all local authorities except Carmarthenshire, Flintshire, Gwynedd and Torfaen, where construction noise accounted for the lowest proportion of complaints. Industrial and construction noise accounted for the lowest and same proportion of noise complaints in Gwynedd.

Other sources of noise reported to local authorities in Wales include noise in the street, noise from machinery and equipment, traffic and aircraft noise.



Use of the Noise App

The Noise App is a smart tool which simplifies noise reporting and investigation, enabling users to accurately capture instances of noise nuisance and report it to the relevant organisation. All but two local authorities in Wales reported that they were using the Noise App.

Use of MATRON noise monitoring devices

All but one local authority reported using Matron noise monitoring devices to investigate time-consuming, intermittent domestic noise complaints.

Out of hours services

Eleven local authorities reported that they had arrangements in place to respond to noise complaints out of office hours. A further two local authorities reported that they carried out planned noise monitoring activities out of office hours as necessary.

Summary of formal enforcement action taken in response to noise 2019/20

Type of formal action	Number of formal actions in 2019/2020
Environmental Protection Act 1990, Notices Served	323
Section 60 Control of Pollution Act Notices – Construction Noise	15
Part 1, Anti-social Behaviour, Crime and Policing Act 2014 – Community Protection Warning	3
Part 1, Anti-social Behaviour, Crime and Policing Act 2014 – Community Protection Notice	1
Review of Licence Condition under Licensing Act 2003	3
Simple cautions	5
Prosecutions	34



Case studies

Noise from barking dogs

Officers from Shared Regulatory Services received continuing complaints about barking dogs in a case which had been the subject of a previous prosecution. In that case, in mitigation, the defendant told the court that he had lived at the Cardiff property for 12 years and only one of his four neighbours had ever complained about the dogs. He said that he had given one of his four dogs away and given another back to his daughter. He claimed that the remaining two dogs, which he had owned for 10 years, only bark when people approach the property. He also indicated that he was keeping the dogs inside more often, was not well and was suffering from early onset dementia. The court at that time issued a fine of £306 with costs awarded of £220 and a victim surcharge of £30.

In response to the continuing complaints, a further investigation was undertaken. In July 2019, officers from Shared Regulatory Services visited the defendant's property in the early hours of the morning following complaints about noise from barking dogs. Officers also attended the property late in the evening in September 2019. Evidence of two breaches of the abatement notice were witnessed.

The case was listed again before Cardiff Magistrates Court in February 2020. The defendant appeared in court however was unrepresented. The defendant pleaded guilty to two offences under the Environmental Protection Act 1990 in respect of noise from barking dogs at his property.

In mitigation, the defendant informed the court that he suffers from dementia and attends a memory clinic once a month. The defendant told the court he will try his best to prevent the dogs from barking repeatedly by calling them inside and will also continue to take them on regular walks in the morning and evening. The defendant is in receipt of a pension.

The magistrates took into account his early guilty plea and his only income being his pension.

The defendant was fined £120 per offence giving a total fine of £240, ordered to pay costs of £100 and a victim surcharge of £32.





Noise from Housing Association tenants playing loud music and shouting

Officers from Shared Regulatory Services received complaints about loud music and excessive shouting emanating from a Cardiff housing association property. Warnings were issued to the tenants by both the Housing Association and the local authority but in July 2019, officers working on the Night-time Noise service were called out and witnessed a statutory nuisance. A noise abatement notice was served. Complaints continued, so a reminder of the requirements of the notice was issued to the tenants. In November 2019 a duty officer was called out to witness the noise. A notice of intention to start legal proceedings was issued as a result of two breaches of the notice. The case was heard in Cardiff Magistrates Court in August 2020. The defendant was issued a fine of £400 and ordered to pay costs of £180 and victim surcharge of £44.

Noise from barking dog

Following the receipt of complaints, officers from Bridgend County Borough Council served an abatement notice under section 80 of the Environmental Protection Act 1990 in respect of noise from a dog barking excessively. Two breaches of the notice were witnessed. Unfortunately, the notice recipient failed to engage with the authority, refusing to attend an interview under caution. Prosecution was therefore recommended. The defendant failed to attend court and was subsequently found guilty in his absence. The defendant was fined £1,760 by magistrates and ordered to pay £350 legal costs, £450 investigation costs and £176 victim surcharge.

Noise from cockerels

In another Bridgend case, the owner of cockerels was prosecuted after failing to comply with a noise abatement notice served under section 80 of the Environmental Protection Act 1990. The notice was served in May 2019 following a long-standing complaint from nearby residents.

But the complaints continued and when enforcement officers visited to undertake a noise survey in July, the cockerels crowed every few seconds between 4.40am and 5.10am. A further visit by officers in October saw the cockerels crow 13 times between 6.15am and 6.20am – and a further 104 times between 6.45am and 7.20am with each crow lasting a few seconds.

The defendant pleaded guilty to breaching the notice and was fined £600 at Cardiff magistrates court, ordered to pay £300 legal costs, £250 investigation costs and a £60 victim surcharge.





References

1. Environmental Protection Act 1990
2. Clean Neighbourhoods and Environment Act 2005
3. The Fireworks Regulations 2004
4. Anti-social Behaviour, Crime and Policing Act 2014
5. Noise and Statutory Nuisance Act 1993
6. Noise Act 1996
7. Control of Pollution Act 1974
8. Noise and Soundscape Action Plan 2018-2023. Welsh Government
9. Well-being of Future Generations (Wales) Act 2015
10. Auditory and non-auditory effects of noise on health. Basner, Mathias et al. (2014). Auditory and non-auditory effects of noise on health. The Lancet, Volume 383, Issue 9925, 1325 – 1332
11. Burden of disease from environmental noise: Quantification of healthy life years lost. WHO Regional Office for Europe (2011)
12. Estimated population exposure to environmental noise. Welsh Government (2018)
13. Environmental Noise Guidelines for the European Region. World Health Organization 2018
14. National Survey for Wales: April 2017-March 2018. Welsh Government
15. Gambling with our Health Chief Medical Officer for Wales Annual Report 2016/17
16. Population estimates for the UK, England and Wales, Scotland and Northern Ireland: mid-2019. Office for National Statistics.



Appendix

List of participating authorities:

Blaenau Gwent County Borough Council
Bridgend County Borough Council
Caerphilly County Borough Council
Carmarthenshire County Council
Ceredigion County Council
City and County of Swansea
City of Cardiff Council
Conwy County Borough Council
Denbighshire County Council
Flintshire County Council
Gwynedd Council
Isle of Anglesey County Council
Merthyr Tydfil County Borough Council
Monmouthshire County Council
Neath Port Talbot Council
Newport City Council
Pembrokeshire County Council
Powys County Council
Rhondda Cynon Taf County Borough Council
Torfaen County Borough Council
Vale of Glamorgan Council
Wrexham County Borough Council

CIEH would like to thank all local authorities in Wales for participating in this survey



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