

ENVIRONMENTAL SCRUTINY COMMITTEE

20 NOVEMBER 2019

Present: Councillor Patel(Chairperson)
Councillors Boyle, Derbyshire, Owen Jones, Lancaster,
Jackie Parry, Owen and Wood

34 : APOLOGIES FOR ABSENCE

Apologies were received from Councillor Peter Wong.

35 : DECLARATIONS OF INTEREST

The following declarations of interest were received in accordance with the Members Code of Conduct:

Councillor Derbyshire Agenda Item 7 Chair of Local Access Forum

36 : MINUTES

The minutes of the meeting held on 1 October 2019 were approved by the Committee as a correct record and were signed by the Chairperson.

37 : SHARED REGULATORY SERVICES - FOUR YEAR PROGRESS UPDATE

The Committee received a progress update report on the Shared Regulatory Service (SRS). The report provided the Committee with an opportunity to consider the performance of SRS since it was established in May 2015; consider the SRS Annual Report 2018/19; and to consider the finding and actions of the Wales Audit Office report entitled 'Delivering with Less – Environmental Health Services'.

The report provided an overview of the formation of SRS, which formed between the partner authorities of Bridgend, Cardiff and Vale of Glamorgan and which delivered a fully integrated service under a single management structure for the Trading Standards, Environmental Health and Licensing functions. Members were advised that formation of the partnership was driven by the need to address the reduction in Council budgets. The report included a summary of the range of services provided by SRS.

The SRS Annual Report 2018/19 was appended to the report. The Annual Report was received by the Cabinet on 10 October 2019. The key aspects of the Annual Report in terms of operational performance were set out. Members were asked to note:

- Sickness absence levels were 7.55 days per FTE which is below the Council's average of 11.53 days. The absence rate for the previous year was 6.89 days per FTE.
- The Gross Revenue Budget position for 2018/19 was a £496,000 overspend against a gross revenue budget of £8.504 million.

- SRS has consolidated service delivery in accord with agreed standards and delivered the requisite savings.
- Operational performance has been reported to both the Joint Committee and to Council.
- Agile working continues to be deployed to allow maximum flexibility.
- The Annual Report sets out the successful interventions through the Courts during 2018/19

The Chairperson welcomed Councillor Michael Michael, Cabinet Member for Clean Streets, Recycling and Environment, Councillor Lynda Thorne, Cabinet Member for Housing and Communities, Councillor Norma Mackie, Chairperson of the Licensing and Public Protection Committees and Dave Holland, Head of Regulatory Services. The Cabinet Members were invited to make statements. Dave Holland delivered a presentation on the SRS.

Members were invited to comment, seek clarification or raise questions on the information received. Those discussions are summarised as follows:

- Members asked what efforts are being made to bring empty properties back into use. The Head of SRS advised that owners of properties are liable for Council Tax if the property is unoccupied for more than 6 months. In 2018/19 there were 1568 empty properties in Cardiff. In 2019/20 the figure is 1451. This information is gathered from the Council Tax register, however properties in disuse are not included on that list. The Council has a target list of approximately 150 of the worst problem vacant properties.
- The Cabinet Member for Housing and Communities stated that the Council Tax premium was starting to have an effect. A Welsh Government empty properties scheme was also helping. Under the Welsh Government Scheme Councils are able to bid for funding to get empty properties back into use and also address homelessness. Small grant/interest free loans are available to enable properties to meet the relevant standards and Welsh Government will meet any management costs.
- Members asked whether the taxi marshals scheme was still operating in the City Centre. The Committee was advised that service formerly provided by City Centre Management was no longer operated following a cut to the budget agreed in 2018. A reduced number of marshals are funded by For Cardiff at peak times in the evenings/late nights on the busiest days of the week. Member raised concerns regarding the potential for illegitimate taxi drivers operating in the City. Officers stated that the taxi marshals did not have any enforcement powers and were primarily there to manage ranks and assist customers.
- Officers were asked to comment on measure being undertaken to target unlicensed Houses in Multiple Occupation (HMOs). Officers stated that not all HMOs are necessarily licenced. A report to Cabinet in July 2019 set out the position. The HMO licensing scheme in Cathays and Plasnewydd has approximately 2700 premises registered with more awaiting approval. Rent Smart Wales also requires anybody renting a property to register.

- The Cabinet Member stated that the authority has made a bid to Welsh Government to extend the Cathays/Plasnewydd scheme. It was considered that HMOs are being displaced into other areas. The Cabinet's ambition is to bring HMO licensing in for the whole of the City.
- Members asked whether there was any evidence to show how effective Rent Smart Wales has been in improving housing quality. The Cabinet Member for Housing and Communities stated that Rent Smart Wales aims to improve the quality of the landlord, not housing quality. The majority of landlords are now registered.
- Members raised concerns regarding the Pest Control service and its ability to compete with private sector contractors. The Cabinet Member for Clean Street, Recycling and Environment stated that efforts were being made to improve public 'buy in' for the service, including a new brochure and webpage development. The Cabinet Member stated that the Pest Control team do a great job, and more needs to be done to get that message out to the public.
- Members considered that the Food Hygiene Scheme was working well. Officers were asked whether inspections were being undertaken as scheduled. The Head of SRS stated that all premises were fully inspected during 2017/18. Food hygiene ratings provide a valid picture of food businesses in the City. Members were asked to note that there have been more prosecutions in the last two years than in the previous 10 years.
- Members noted that whilst sickness levels are low, a number of staff are leaving the service. Officers were asked to explain this. The Head of SRS stated that staff attendance is good and they enjoy what they do. Some officers have moved on and this has opened up opportunities for trainees and apprentices. A number of officers have moved to other agencies, e.g. 3 food hygiene officers have moved to the Food Standards Agency. Others have moved to other agencies on secondment. This reflects well on SRS.
- Members asked for comments on the use of cladding on high-rise properties in the City. The Cabinet Member for Communities and Housing stated that she has met with the South Wales Fire Service who have real concerns regarding the changes made in construction over recent years. Welsh Government has provided extra resource for inspections to be undertaken and discussions with the Fire Service are ongoing regarding 'collective' inspections. The question would then be how to undertake any remedial works required.
- Members welcomed the fact that SRS invests in its staff in terms of their professional development. The Committee asked whether the authority has measures, or plans to have measures, in place to protect their assets. The Head of SRS stated that there is provision for the Council to seek to recover funding. However, staff who leave under secondments often return to the authority and bring back greater experience and knowledge.
- Members asked if SRS were addressing the issue of unlicensed dog breeders. The Head of SRS stated that there were. An illegal breeder was recently

prosecuted and received a £50k fine.

- Officers were asked to comments on the cleanliness of taxis. Officers stated that all taxis are expected to comply with vehicle standards. Spot checks are undertaken and members of the public are encouraged to make complaints.
- The Committee discussed the former operation of cold calling zones in some wards.

RESOLVED – That the Chairperson writes to the Cabinet Members on behalf of the Committee to convey their comments.

The Chairperson welcomed Sam Clements of Wales Audit Office and Martin Ellender of Grant Thornton to the Committee. Sam Clements introduced the WAO report entitled 'Delivering with Less – Environmental Health Services'. Martin Ellender provided a summary of the main finding in the report.

Members were advised that the findings in Cardiff were positive. The base budget has been reduced by 20% without compromising services to the community. KPIs are also moving in the right direction.

Responding to questions from the Committee, Martin Ellender described SRS as an effective and mature shared service. Governance was robust yet there was some space for independent oversight and assurance. This should be reflected upon. There were also some opportunities to explore greater commercialisation.

38 : DRAFT TASK & FINISH REPORT - MANAGING BIODIVERSITY & NATURAL ENVIRONMENT IN CARDIFF

The Principal Scrutiny Officer presented the draft 'Managing Biodiversity and Natural Environment in Cardiff – Task and Finish Report'. Members were asked to consider and comment upon the draft report.

Members discussed the 'Section 6' obligation to build biodiversity into the decision-making process, tie in with the Well Being of Future Generations Act and the extent to which the planning authority will need to consider Section 6. The Principal Scrutiny Officer advised that Planning Policy Wales Version 10 will require that resilience will need to be built in to the Local Development Plan and the LDP will need to be revised to take account of the Wellbeing of Future Generations Act.

The Chairperson asked Members to note the supportive comments received from Welsh Government and Swansea Council on the report.

39 : NATIONAL DEVELOPMENT FRAMEWORK - MEMBER BRIEFING NOTE

The Committee received a briefing note on the National Development Framework Consultation. Member were asked to note the contents.

RESOLVED – That the report be noted.

40 : PUBLIC RIGHTS OF WAY IMPROVEMENT PLAN - MEMBER BRIEFING
NOTE

The Committee received a briefing note on the Public Rights of Way Improvement Plan. Members were asked to note the contents.

RESOLVED – That the report be noted.

41 : ENVIRONMENTAL SCRUTINY COMMITTEE - DRAFT WORK
PROGRAMME 2019/20

The Principal Scrutiny Officer presented the Committee's draft Work Programme 2019/20.

Members noted the request for the Committee to scrutinise the use of fireworks in the City, and agreed that a Member Briefing note should be added onto the March 2020 agenda to provide further information on the topic.

42 : URGENT ITEMS (IF ANY)

No urgent items were presented.

43 : DATE OF NEXT MEETING

Members were advised that the next Environment Scrutiny Committee is scheduled for 3 December 2019.

The meeting terminated at 7.00 pm