

**COUNTY BOROUGH OF BLAENAU GWENT**

**REPORT TO:** **THE CHAIR AND MEMBERS OF THE  
COMMUNITY SERVICES SCRUTINY COMMITTEE**

**SUBJECT:** **COMMUNITY SERVICES SCRUTINY COMMITTEE –  
19<sup>TH</sup> JULY, 2021**

**REPORT OF:** **DEMOCRATIC & COMMITTEE SUPPORT OFFICER**

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**PRESENT:** COUNCILLOR M. MOORE (CHAIR)

Councillors C. Meredith  
P. Baldwin  
M. Cook  
M. Day  
P. Edwards  
S. Healy  
W. Hodgins  
J. Holt  
J.C. Morgan  
L. Parsons  
T. Sharrem  
B. Summers  
L. Winnett

**WITH:** Head of Community Services  
Service Manager Neighbourhood Services  
Team Manager Street Scene  
Senior Engineer Land Drainage  
Estates Manager  
Scrutiny & Democratic Officer/Advisor

<b><u>ITEM</u></b>	<b><u>SUBJECT</u></b>	<b><u>ACTION</u></b>
<b>No. 1</b>	<b><u>SIMULTANEOUS TRANSLATION</u></b>  It was noted that no requests had been received for the simultaneous translation service.	
<b>No. 2</b>	<b><u>APOLOGIES</u></b>	

	No apologies for absence were reported.	
<b>No. 3</b>	<b><u>DECLARATIONS OF INTEREST AND DISPENSATIONS</u></b>  No declarations of interest or dispensations were reported.	
<b>No. 4</b>	<b><u>COMMUNITY SERVICES SCRUTINY COMMITTEE</u></b>  The minutes of the Community Services Scrutiny Committee held on 7 <sup>th</sup> June, 2021 were submitted.  The Committee AGREED that the minutes be accepted as a true record of proceedings.	
<b>No. 5</b>	<b><u>ACTION SHEET – 7<sup>TH</sup> APRIL, 2021</u></b>  The action sheet arising from the Community Services Scrutiny Committee held on the 7 <sup>th</sup> April, 2021 was submitted.  <i><u>Highway Capital Works Programme 2021-22</u></i>  The Head of Community Services reported that the Members Briefing Session had been arranged for 29 <sup>th</sup> July, 2021 at 2.00 p.m.  The Committee AGREED, subject to the foregoing, that the action sheet be noted.	
<b>-----</b>	<b><u>CHANGE OF AGENDA ORDER</u></b>  It was agreed that Item No. 9 would be considered next on the agenda.	
<b>No. 9</b>	<b><u>FORWARD WORK PROGRAMME 4<sup>TH</sup> OCTOBER, 2021</u></b>  Consideration was given Forward Work Programme for the meeting scheduled for the 4 <sup>th</sup> October, 2021.  A Member requested that a report on Safe Routes to School be brought to Committee as soon as possible, to include the Flexi Bus.	

	<p>A brief discussion ensued when the Head of Community Services explained that the scope of Safe Routes to School had been widened and was now 'Safe Routes to Communities' and a report on the criteria for bids would be brought to the Committee.</p> <p>Another Member suggested that the winter maintenance policy be reviewed in light of new housing developments within the Borough.</p> <p>The Service Manager Neighbourhood Services confirmed that the major new housing developments currently under construction were already on the winter maintenance schedule. However, the schedule would be reviewed to take into account any future new developments.</p> <p>In response to a further question the Officer confirmed that there was provision for salt bins for any properties not on the main gritting route, and the criteria for those would be considered for new developments when they become occupied.</p> <p>The Committee AGREED, subject to the foregoing, that the Forward Work Programme be agreed.</p>	
<p><b>No. 6</b></p>	<p><b><u>FLOOD RISK MANAGEMENT PLAN (2016-2022)</u></b></p> <p>Consideration was given to report of the Head of Community Services/Team Leader Natural Environment.</p> <p>The Senior Engineer Land Drainage presented the report which updated Members on progress in delivery of the Blaenau Gwent Flood Management Plan of 2016-22. Appendix 2 highlighted progress made since the Plan was adopted in December 2015, and progress made since the last annual review in 2020.</p> <p>The Officer went through the report and highlighted points contained therein.</p> <p>A Member referred to section 2.2 of the report and asked what work was being done with other parties to establish responsibility for drainage.</p>	

The Officer confirmed that the Council worked with other parties including Welsh Water and Tai Calon. However, it was sometimes difficult to identify responsibility, particularly when Tai Calon properties had been sold.

Another Member asked whether there was a rolling programme in place to clean drains in order to prevent flash flooding.

The Team Manager Street Scene confirmed that funding had been received from Welsh Government last year to undertake additional gully cleaning operations across the highway infrastructure. There was a schedule in place and some gullies were inspected every 2 weeks, and others every 6 weeks.

A Member asked whether there were systems in place to check and maintain culverts on private land, or whether land owners were responsible for maintenance etc.

The Senior Engineer confirmed that the Council undertook extensive CCTV investigations of culverts which accounted for a large proportion of grant funding. In terms of land in private ownership, the general rule was that the land owners would be responsible for any water courses running through their land.

The Member asked whether private landowners would be liable for any damage caused as a result of culverts not being maintained.

The Officer said each case would be judged on its own merits, however, he was not aware of any cases where the Council had recharged residents for any works undertaken as a result of flooding. The Council's main focus was to resolve the problem and undertake any works that were needed. These were funded from within the existing budget or grant funded.

Members took the opportunity to thank the Team for their work in dealing with a number of flooding incidents during the past year.

A Member said many of the culverts within the Borough were extremely old and at risk particularly with the increased number of storms in recent years, and said the Council should consider establishing a fund to respond to emergency flooding situations.

He also referred to the flooding in Skewen caused by old mine workings, and asked whether the Council was working with the Coal Authority to ascertain the condition of old mine workings in the Borough.

In response the Officer said the Council worked well with the Coal Authority, however, there was a date when they would cease to be responsible for old mines. Also due to the legislation in place they were limited in what action could be taken. In terms of setting up a fund to undertake emergency works, the Officer explained that if the Council paid for works upfront, Welsh Government would not allow us to claim back monies.

The Member said flooding would become more frequent, and there was money available in reserves which could be set aside to undertake emergency works, similar to the winter maintenance budget.

A Member referred to section 2.7 and asked when Members could expect the Section 19 Flood Investigation Report.

In response the Officer said it was in the process of being finalised and would either be submitted to the next meeting of the Committee, or subject to a special meeting.

The Member then referred to section 4.10 and the Council's arrangement with Caerphilly in relation SuDS, and asked whether this was arrangement would be reviewed.

The Head of Community Services confirmed that the arrangement was up for review so it would not be appropriate to discuss any details. He reported that the WLGA were also looking at SuDS as the new guidelines were onerous with additional costs. However, he pointed out that all parties would have to move forward with SuDS as it was a major part of climate control and flood management.

	<p>The Committee AGREED to recommend that the report be accepted and noted progress made over the previous 12 months (Option 1).</p>	
<p><b>No. 7</b></p>	<p><b><u>POSITION REPORT – STRAYING ANIMALS</u></b></p> <p>Consideration was given to report of the Corporate Director Regeneration &amp; Community Services / Services Manager Neighbourhood Services.</p> <p>The Service Manager Neighbourhood Services presented the report which provided an overview on the issue of straying animals within the County Borough. The report outlined the scale of the issue, including identifying geographical locations where the problem was often reported and set out an Action Plan to resolve incidents. The report was a multi-departmental report and the Action Plan clearly sets out those responsible for each action.</p> <p>A Member expressed concern that the survey of land and work to identify responsibility of fencing had still not been completed. He said gates being left open and damaged fencing was not the fault of the farmers, but ultimately they were responsible for checking their animals and rounding them up when they stray.</p> <p>The Officer said part of the Action Plan was to develop a fully up-to-date list of farmers to be contacted when issues of straying animals are reported. He pointed out that the majority of farmers responded very quickly, but there were a small number that took longer, particularly those undertaking additional jobs. Work moving forward was about building relationships with farmers to see what we can do to support them, and also working with the Police to ensure that animals are moved on quickly.</p> <p>A Member referred to section 2.5 and asked when the Council last inspected its fence lines. Whilst she welcomed the Action Plan she said it was very similar to the work undertaken previously by the Straying Animals Forum. She also expressed concern regarding the time taken for the Council to respond to issues of damaged fencing.</p>	

In response the Estates Manager said the Council was a significant landowner and did not have the resources available to undertake regular inspections of its boundaries. It was undertaken on a reactive basis when reports of damaged fencing was received.

In relation to the response times the Officer said there was a number of factors slowing up the process. There was currently only one Terrier Deeds Officer available to identify land ownership. Officers also found it difficult to identifying the exact location of damaged fencing, and she suggested that it may be beneficial moving forward for Members to meet Officers on site to pinpoint where repairs were needed. Also the Council currently only had one fencing contractor, as there seemed to be a lack of appetite for this type of work, and there were also delays with the supply of materials.

She said part of Action Plan was to identify 'hot spot' areas on a plan, and identify responsibility for maintaining those areas. A procurement exercise for additional fencing contractors was also intended.

A Member referred to the legislation requiring private landowners to maintain fence lines adjacent to common land, and asked who was responsible for enforcing that legislation.

The Estates Manager confirmed that identifying responsibility for fence lines on common land would be prioritised within the Action Plan. However, she explained that some landowners may not be registered, and also the deeds may not indicate responsibility for boundaries, and she was unaware whether any action could be taken in this instance.

A brief discussion ensued when a Member expressed concern that there had not been a meeting with the farmers for 2 years. He said the last meeting was productive and it was agreed to meet with farmers in specific areas, and he expressed concern that this had not been progressed.

The Team Manager Street Scene said it was intended to hold local meetings to discuss 'hot spot' areas, however, the

Covid pandemic meant that those meetings were put on hold. However, he confirmed that the Executive Member was keen to progress those meetings and they would form part of the Action Plan moving forward.

A Member said money should be identified to address the issue of straying animals. He also suggested that the Council seek agreement with local farmers to impound sheep on the Council's behalf.

In response the Service Manager Neighbourhood Services said this had been considered previously with Powys CC, however, some farmers were reluctant due to the specific time needed to hold an animal.

A Member referred to the Local Authority comparison on page 53 of the report and pointed out that all LA's in the region were experiencing the same problems, and said a collaborative approach across the South East Wales Region be should be considered.

A further discussion ensued when a Member said the Council should consider reinstating the impounding service.

The Officer said the Council decided to cease the impounding service in 2014/15. Should the Council decide to reinstate the service a new facility would need to be sourced.

A Member said many Members felt that reinstatement of the impounding service was needed, and it would be beneficial to compare the current ongoing costs against those needed to bring the service back in-house. She said the Council had a significant amount of land in its ownership that could be used for that purpose.

The Officer said the report was not suggesting reinstatement of the impounding service, it was highlighting what it would cost. He understood the point being made by the Member, but stressed that a lot of work would be needed in terms of the practicalities and legislation to reinstate that service. However, he confirmed that costs could form part of the Action Plan.



	<p>In response to a question raised by a Member regarding the Gwent Wide Operations in relation to off-road motorcycles, the Team Manager Street Scene confirmed that the Police would be undertaking operations in the coming weeks, and meetings of the Working Group would be held every 3 months. He also confirmed that discussions were also ongoing regarding potential funding via the Active Travel initiative for the provision of stock-proof gates on active travel routes.</p> <p>The Committee AGREED to recommend that the report be accepted and made recommendations for changes to the approach / Action Plan set out in the report. (Option 2)</p>	
<p><b>No. 8</b></p>	<p><b><u>ADDITIONAL HIGHWAYS MAINTENANCE WORKS – 2021-2022</u></b></p> <p>Consideration was given to report of the Head of Community Services / Team Manager Street Scene.</p> <p>The Team Manager Street Scene presented the report which provided options for proposed additional works to deal with highways routine maintenance issues, such as potholes and patching works in the current financial year 2021/22.</p> <p>In response to a question raised by a Member, the Officer reported that in the coming weeks it was intended to meet with Ward Members to identify works within their wards.</p> <p>A Member asked whether the matrix works could be added to the existing contract, and the Officer undertook to report back on this matter.</p> <p>Members welcomed the report and looked forward to the ward meetings.</p> <p>The Committee AGREED to recommend that the report be accepted and identify necessary works across all 16 wards and tender to a private contractor; and undertake a tendering exercise to acquire a cost of highways patching works per sq. metre, targeting around 400 sq. metres of highways repairs per ward covering residential roads in all 16 wards. (Option 2).</p>	

<b>No. 10</b>	<p data-bbox="295 235 1236 324"><b><u>CENTRE OF OPERATIONS - PROJECT UPDATE AND OUTLINE BUSINESS CASE</u></b></p> <p data-bbox="295 369 1300 582">Having regard to the views expressed by the Proper Officer regarding the public interest test, that on balance the public interest in maintaining the exemption outweighed the public interest in disclosing the information and that the report should be exempt.</p> <p data-bbox="295 627 1300 840">RESOLVED that the public be excluded whilst this item of business is transacted as it is likely there would be a disclosure of exempt information as defined in Paragraph 14, Part 1, Schedule 12A of the Local Government Act, 1972 (as amended).</p> <p data-bbox="295 884 1157 974">Consideration was given to report of the Head of Community Services / Team Manager Street Scene.</p> <p data-bbox="295 1019 1260 1187">The Team Manager Street Scene presented the report which provided an update on the development of a new Centre of Operations, and presented the Outline Business Case (OBC) for the new facilities.</p> <p data-bbox="295 1232 1284 1310">A discussion ensued when the Officer clarified points raised by Members.</p> <p data-bbox="295 1355 1292 1523">The Committee AGREED to recommend that the report which contained information relating to the financial/business affairs of persons other than the Authority be accepted and that Members:</p> <ul data-bbox="343 1568 1292 1960" style="list-style-type: none"><li>• Acknowledge the progress currently been made on this key strategic project to date,</li><li>• Support the Outline Business Case (OBC) attached at appendix 1, subject to capital resources being identified and funding applications being put forward to external funding bodies, such as Welsh Government, to secure the funding for the project; and</li><li>• To progress to final business case stage for consideration.</li></ul>	