



RHONDDA CYNON TAF COUNCIL COMMUNITY SERVICES SCRUTINY COMMITTEE
Minutes of the Virtual meeting of the Community Services Scrutiny Committee held on Monday, 15
January 2024 at 5.00 pm

This meeting was recorded, details of which can be accessed [here](#)

**County Borough Councillors – The following Community Services Scrutiny Committee
Councillors were present:-**

Councillor J Bonetto (Chair)

Councillor S Bradwick	Councillor R Davis
Councillor D Evans	Councillor A Fox
Councillor N H Morgan	Councillor D Owen-Jones
Councillor D Parkin	Councillor A Roberts
Councillor G Stacey	Councillor T Williams

Officers in attendance:-

Ms L Davies, Director of Public Health, Protection and Community Services
Mr N Elliott, Director of Social Services
Mr C Hanagan, Service Director of Democratic Services & Communication
Ms R Hope, Head of Service for Public Protection and Regulatory Services
Ms S Nowell, Director of Adult Services
Mr N Pilliner, Environmental Protection and Housing Standards Manager
Ms C Miles, Childcare Solicitor

County Borough Councillors in attendance:-

Councillor B Harris

25 APOLOGIES FOR ABSENCE

Apologies for absence were received from County Borough Councillors G Jones and A Ellis.

26 DECLARATION OF INTEREST

In accordance with the Code of Conduct, there were no declarations of interest made.

27 MINUTES 21.11.23

It was **RESOLVED** to approve the minutes of the 21st November 2023 as an accurate reflection of the meeting.

28 CONSULTATION LINKS

Members acknowledged the information provided through the consultation links

in respect of open consultations, Welsh Government consultations and those matters being consulted upon by the local authority.

29 BI-ANNUAL CABINET MEMBER ENGAGEMENT

The Chair welcomed the Cabinet Member for Public Health and Communities to the Committee and thanked her for attending. The Service Director, Democratic Services & Communications presented his report to Members and advised Members that they have an opportunity to scrutinise any arising matters with the portfolio holder responsible for Public Health and Communities and to ensure that the appropriate mechanisms are in place to effectively scrutinise the Executive.

Discussions ensued regarding the progress of the establishment of the Community Safety Partnership board and a Member queried regarding engagement and ensuring in terms of community engagement that this would carry through in to the new structure. The Cabinet Member shared that a multi-agency focus group is currently in place and working towards a regional Cwm Taf Morgannwg Community Safety Partnership Board implementation date of the 1st April 2024. A progress report is due to be presented to the Joint Overview and Scrutiny Committee on the 23rd February and to the RCT Community Services (Crime and Disorder Scrutiny Committee on the 28th February.

A Member queried whether consideration been made regarding the potential for one Local Authority to dominate the partnership with the Cabinet Member acknowledging that this is a concern that has been raised, and recognised the risks associated with this issue. Members were informed that to keep local autonomy and accountability within each individual Local Authority, the partnership will recognise that any review of the structures must deliver not only a suitable integrated regional structure, but one which ensures that arrangements for local accountability are comprehensive and precise.

Therefore, the Partnership will ensure that each Local Authority will be monitored and held accountable for their contributions. When pressed further on the risk of one local authority dominating the partnership the Cabinet Member added the development of a regional strategic partnership should not impact adversely on those Councils and respective agencies that are successfully operating and delivering local safety initiatives to the community it serves. The new Terms of Reference of the Community Safety Partnership will include the importance of upholding local community safety arrangements, and also upholding the current local scrutiny arrangements that are in place for Community Safety.

Discussions continued and focussed on the Local Toilet Strategy with a Member asking whether the Council is doing enough to communicate with residents over what facilities are available and where. The Member also referenced vandalism in public toilets and asked what is being done to tackle this. The Cabinet Member recognised the issue of vandalism and the impact this has on the Council and funding challenges to repair damage. With regards to communications, the Cabinet Member shared that a plan has been developed with other service areas and an RCTCBC web page is being developed to provide public toilet locations throughout the borough. The potential of an app will also be explored. Public toilets will also be identifiable through use of a logo sticker. The Cabinet Member also highlighted the locations of available changing spaces within the County Borough.

A Member asked if there was information available on how different groups are

affected by the strategy and information available in progress in engaging with local businesses in town centres to encourage them to allow the public to use their facilities. And the impact of footfall in Town Centres. The Cabinet Member recognised there is a need for more diverse facilities and whilst figures were not available in the meeting, the Cabinet Member shared this would be something that they would feed back to the Member directly. The Cabinet Member emphasised the view that challenges faced by individuals should not be a barrier to accessing toilets and the Cabinet Member confirmed this is something that will be looked into. In relation to the engagement with local businesses, Members were advised that Officers in the Community Development Team and the Prosperity and Development Team will be engaging with businesses shortly, with initial focus on Pontypridd town centre businesses in readiness for the Eisteddfod Genedlaethol.

A Member asked what is being done to provide facilities out of town centres and queries about funding available from Welsh Government. The Cabinet Member acknowledged the decrease in the number of facilities available across the borough whilst also highlighting to Members that the provision of local toilets for public use is not a statutory requirement of local authorities in Wales. The Cabinet Member also commented regarding the challenge of funding new facilities in the current financial climate and acknowledged the suggestion of communicating with Welsh Government around funding opportunities available for this issue.

Members took the opportunity to also discuss the Houses of Multiple Occupancy (HMO) Licensing Review and a Member asked the Cabinet Member to what extent do they consider Landlord HMO non-compliance to be an issue, especially within the Treforest ward and whether the Council is doing enough to ensure enforcement actions are in place for those who are wilfully non-compliant. The Cabinet Member responded that Landlord non-compliance poses a significant issue for the Council and our residents for many reasons. The Additional Licensing Scheme for 2024 is vital for ensuring that the Council can mitigate these negative impacts and hold those who are wilfully non-compliant accountable using enforcement action.

A Member sought clarification on whether, with evidence of student numbers declining in Treforest over recent years, the Council anticipates a potential decline in the number of HMOs going forward. The Cabinet Member shared that the private rented market is difficult to predict. Considering the current state of the financial climate with the cost-of-living crisis, the impact of welfare reform, changes to Housing Benefit, and the high demand for smaller accommodation, HMOs are becoming an increasingly viable options for many residents. Despite the decline in student numbers, HMOs continue to be seen as a housing choice by young professionals, who are new to the employment market.

Another Member referenced the concerns that had previously been raised about unsafe living standards in HMO's and sought clarification that the inspection process through the strategy would provide Members with confidence that safety standards are being met. The Cabinet Member shared confidence with the Councils Officers addressing safety issues as a matter of high importance when these arise.

The Chairperson thanked the Cabinet Member for attending and thanked Members for their questions. It was **RESOLVED** to:

1. Scrutinise the Cabinet Member for Public Health and Communities in respect of matters considered and agreed by Cabinet, and any key decisions taken, during the period 11 May 2023 – 15th January 2024
2. Identify any areas arising from those matters determined within this period which Committee wish to further scrutinise, as part of revisions to the committees published work programme, in relation to Public Health and Communities.

30 CONTAMINATED LAND STRATEGY

The Service Director Democratic Services and Communications outlined the purpose of the report for Members to pre-scrutinise the detail provided in the report and to provide the comments and observations of the Committee to Chief Officer and relevant Cabinet Member prior to their consideration of the proposed Contaminated Land Inspection Strategy for RCT, through the delegated decision process.

The Environmental Protection & Housing Standards Manager outlined the background to the Contaminated Land Inspection Strategy (CLIS) and Members were informed that following a public consultation Rhondda Cynon Taf County Borough Council published its initial CLIS in January 2004. Members were also informed that the Council's CLIS was designed to achieve the following set of priorities with respect to potential contaminated land:

- a. To protect human health and well being
- b. To encourage the redevelopment of damaged land/ reuse of Brownfield land
- c. To encourage voluntary remediation
- d. To communicate and work effectively with other organisations to protect other receptors
- e. To engage with local communities to establish their priorities
- f. To ensure compliance with and enforcement of the legislation and statutory guidance.

The Environmental Protection & Housing Standards Manager highlighted to Members that historically a number of key strategic sites have been investigated and remediated by the Council in partnership with the Welsh Development Agency (WDA) and other stakeholders, giving the examples of Coed Ely Colliery and Coking Works, and the Phurnacite works in Abercwmboi. The remediation of many other sites has been secured through the planning process. A geographical information system (GIS) developed by the Public Health and Protection Department has proved invaluable at the planning consultation stage in identifying such areas of land. Members were informed that contaminated land issues are often complex and dealing with potential contaminated sites is difficult especially as information is often limited or unavailable.

Members were also informed that since 2010, the Welsh Assembly Government has not provided a capital funding programme for the investigation and/or remediation of contaminated land. In addition to this, the Council has no specific capital budget for the investigation and/or remediation of contaminated land. As a result, the Council has focused its resources on ensuring effective site investigation and remediation via the Development Control process, by conditioning planning consents where necessary. Investigations are carried out prior to development and seek to characterise the exact nature of any potential pollutant linkages and ensure they are appropriately remediated.

The Environmental Protection & Housing Standards Manager continued to present key aspects of the CLIS and of the most recent review. Members were advised that the CLIS review process has been used to assess the effectiveness of the original CLIS in meeting the requirements of Part 2A legislation and statutory guidance. The first full review of the CLIS was completed in December 2008. In 2016, the strategy was then revised to take account of the change in statutory guidance in 2012. It was highlighted to Members that timescales in the original Contaminated Land Strategy were deemed to be arbitrary, which needed to be redefined in light of experience, demands on resources and changes in funding provision. As a result, each review of the CLIS has redefined inspection targets in order to provide a realistic and achievable programme. Members were directed to Appendix 1 which contained a copy of the most recently reviewed CLIS from December 2023.

The Environmental Protection & Housing Standards Manager pointed out that the withdrawal of capital grant funding significantly impacted Welsh Local Authorities in their ability to undertake the formal investigation of potential contaminated land. As a result, the Council focused its resources on providing input into the Development Control process, whereby conditions are added to planning consents requiring investigations/remediation to be undertaken where necessary. This involves a significant amount of Officer time but it does provide an effective alternative mechanism for dealing with contamination by ensuring that the land is suitable for use and securing remediation on a voluntary basis. There are no current funding opportunities available and the Council will continue to utilise its resources via the Development Control process.

Members were referred to Appendix 2 which outlined examples to demonstrate the use of contaminated land conditions to ensure the safe redevelopment of land with a potential source of contamination in RCT.

A Member referred to Mountain Waters / Mine Waters coming down Mountain Sides and threatening houses and requested clarification that responsibility lies with Natural Resources Wales (NRW). The Environmental Protection & Housing Standards Manager confirmed NRW are the national regulator for controlled waters, meaning the water running off mountain sides would be within their remit. Members were advised information is available regarding contacting NRW with concerns.

A Member commented that the strategy is comprehensive, clearly written and technical.

Another Member referenced the increased instances of flooding in recent years and questioned whether there are sufficient connections between this and the Council's flood risk management strategy and went on to enquire whether, in flooding events there are protocols in place for risk assessing any contamination that could arise. The Environmental Protection & Housing Standards Manager acknowledged the impact of climate change and flood risk on developments and shared that these matters would have to form part of the risk assessments on developments which would be reviewed by NRW as well as the Council.

A Member referred to the information in the report regarding NRW's responsibility for special sites where most contamination is present and asked whether the Council is happy with scrutiny arrangements in terms of the work of NRW and whether there is there adequate monitoring in place given Council's

responsibility to residents in the local areas. The Environmental Protection & Housing Standards Manager explained that when an area is declared a special site, NRW become regulator for the site with the Council working alongside. NRW have responsibility for future remediation and it remains a special site until remediation is resolved.

A Member highlighted the information regarding the Public register noting this was only available on hard copy. The Member asked whether there were plans to make this available online in interests of transparency. The Environmental Protection & Housing Standards Manager shared that this would need to be enquired about further but recognition would need to be given to the amount of information available and the suitability of this being published online.

Another Member asked whether it was felt there should there be an additional risk assessment carried out when instances of significant flooding occur to ensure confidence that no contamination has occurred. The Environmental Protection & Housing Standards Manager explained this would form part of the flood risk management teams work and provided an overview of the actions taken since the impact of Storm Dennis and the involvement of other Council Departments and NRW.

Members acknowledged this point and felt it would be beneficial to request further information on this matter from the flood risk management team.

A Member acknowledged the information in the report which states that Welsh Government (WG) no longer provides funding for investigating contaminated land and how the Council relies on the Development Control and Planning process. The Member also highlighted that the report also states that in part 2 of Environmental Act that the Council must inspect its area in terms of contaminated land and asked whether the lack of resources impacts the Council's ability to carry out inspections and if the RCT approach is consistent with other Local Authorities in Wales. The Environmental Protection & Housing Standards Manager outlined for Members the inspection process, assuring Members that land is inspected but this is done through the development control process. The Environmental Protection & Housing Standards Manager also added that the Council identified the various range of sites when initial CLIS was developed and acknowledged that the Council is unable to proactively go out and complete inspections but that by working alongside the Councils Planning department this ensures risks are covered. Regarding other Local Authorities (LA's), the Environmental Protection & Housing Standards Manager informed Members that all LA's are in the same position regarding funding and the use of development control is consistent.

A Member asked how this strategy feeds in to the Council's wider plans such as the Corporate Plan and the Council's Carbon Reduction Strategy. The Environmental Protection & Housing Standards Manager shared that in terms of sustainability it is important to take into account of the possible impact on future generations and making sure land is safe. Clarification was provided that the main focus of the CLIS is to deal with risks of previous land use. The Environmental Protection & Housing Standards Manager also added there are links to Carbon reduction in terms of the development process going forward and ensuring there are no causes of contamination. Members were informed that there are more controls in place in terms of environmental permits and Health & Safety legislation to control pollution happening.

A Member queried how the Council can be certain that this approach does not pose a risk to our communities given the lack of resources available. The Environmental Protection & Housing Standards Manager assured Members that if there are complaints received from the community the Council acts upon these and if risks are identified in the community these are acted upon.

Following consideration Members **RESOLVED** to:

- Authorise the Service Director Democratic Services and Communications to provide the comments and observations of the Committee to Chief Officer and relevant Cabinet Member.

-Request further information from the Councils Flood Risk Management Team in respect of the queries identified in relation to significant flooding events.

31 PATHWAYS TO CARE DELAYS

The Director of Adult Services presented the report to provide Members with key Pathways of Care Delays information for Rhondda Cynon Taf residents between April and November 2023, an update on current winter pressures impact on hospital discharges and information relating to the use of electronic whiteboards and sharing of patient's information to support hospital discharge.

The Director also shared with Members that colleagues from Cwm Taf Morgannwg University Health Board were present in the meeting.

The Director outlined the background to hospital discharge delays as contained within the report explaining to Members that previous assumptions about delayed discharges often focused on limited capacity in social care as the root cause of delays, but there are a mix of other factors that can cause delays in discharging patients from hospital, including challenges accessing other NHS services in the community.

It was highlighted to Members that there has been three different data collections relating to hospital transfer delays which were:

- Delayed Transfers of Care (DToC) which were available from 2004 until February 2020.
- Management information reports on hospital discharge delays from July 2020 to March 2023 (generated and validated only by the Health Boards).
- Pathways of Care Delays introduced from April 2023.

Members were informed that there is a requirement for each Health Board to measure Pathways of Care Delays via a monthly snapshot census on the third Wednesday of the month and, after validation and agreement with social services and wider local government partners, to report this information to the Welsh Assembly Government.

The Director explained that there are a wide variety of reasons for a Pathways of Care Delay and Members were directed to the full list at Appendix 1.

Members were taken through the data analysis information as contained within the report with the Director highlighting an overall downward trend in the number of reported delays for Rhondda Cynon Taf over the year to date and despite having the largest population performance overall is good when compared to

wider Cwm Taf Morgannwg activity.

The Director provided an overview of the information provided within tables 2a-d in the report and explained that the top 4 delay reasons in Rhondda Cynon Taf reflect similar themes across Wales and other Local Authorities.

The Director continued the presentation by explaining from the report that an Integrated Discharge Board has been established to take overall accountability for discharge performance across the Health board footprint, including ensuring Pathways of Care Delays are reported effectively, and most importantly implementing an improvement plan to tackle the areas that pose the greatest risk to delay. Members were provided with an overview of the areas of greatest risk for Cwm Taf Morgannwg and action plans as required.

The Director explained to Members the current position with regards to the Pathways of Care Delays data and how Social Services staff have worked closely with the Health Board to expedite discharges especially from Royal Glamorgan and Prince Charles Acute Hospitals as part of an established Gold Command Structure.

The Director also provided additional information as requested at a previous meeting by Members, regarding the use of electronic whiteboards on Hospital wards and sharing of patient's information to support hospital discharge. Members were provided with an overview of the purpose of the whiteboards in hospitals and the benefits that have been felt to have been received by their introduction from the Health Board.

Members were also provided with re-assurance regarding the transfer of data through the use of the Whiteboards with the Director outlining from the report the methods and procedures in place to ensure effective information management.

A Member queried the data relating to disagreements and asked how these are managed. The Director acknowledged the difficulty in managing these cases but outlined the process of working together with hospital ward staff and managers in the Health Board to have discussions with the families to understand the reasons for the disputes and to try to navigate a solution with the best outcome for the patient. The Officer from Cwm Taf Morgannwg Health Board also confirmed to Members the process of having conversations with families and gave an overview of work being done within the Health Board relating to an integrated discharge policy and procedure. Members were also provided with details of the Optimise Programme which is aimed at supporting hospital staff with practical help around effective discharge. The Officer also highlighted how the Health Board are in line with the new hospital discharge policy recently published by Welsh Government including with guidance given around reluctant discharge.

Another Member questioned whether data is available around how long people have been waiting for discharge. The Director confirmed that the Pathways to Care delays is only snapshot of data on a single day and does not provide a story behind the figure. The Officer from Cwm Taf Morgannwg Health Board also reiterated that the information is only a point in time, and it is not known how long a patient has been subject to that delay as reasons can change day to day. The Officer shared with Members that the Health Board are developing a flow and discharge dashboard which will give an overall view of patient's length of stay and the value of the hospital stay.

Another Member raised a question regarding the assessment process before discharge and requested further information around care home placements availability within the County Borough. The Director outlined for Members the process of assessment prior to discharge and recognised there are cases where delays occur but generally Social Services ensure needs are met in interim. The Director also acknowledged that the availability of care homes fluctuates which can result in there being periods where some homes are full. Members were informed that there are times where people are placed out of county but the Director emphasised that the Council would make these as interim placements, and look to facilitate a move at a later date where these circumstances are preferred by families.

The Member also queried about care home fees and the difference between the levels of fees set by the Council and those in Private Care homes. The Director confirmed that care home fees for individuals are set in the policy of the Council each year and follow Welsh Government policy for residential charges. The Director also highlighted that Private care homes can apply their own fees for people that self-fund their care and referenced the influence of market forces in how those levels being set. It is acknowledged that costs for care homes have increased but Director confirmed to Members that the Council is working with providers locally to review their costs of care to consider Council fee setting accordingly.

Following consideration Members **RESOLVED** to:

- Scrutinise the content of the report
- Request further updates on the data following winter pressures to monitor trends.

32 CHAIR'S REVIEW AND CLOSE

The Chair thanked Officers for their attendance at the meeting and their comprehensive report presentations. The Chair also thanked Members for their contribution and questions during the meeting.

33 URGENT BUSINESS

None.

This meeting closed at 6.50 pm

**Councillor J Bonetto
Chair.**