

ENVIRONMENTAL & PUBLIC PROTECTION SCRUTINY COMMITTEE

1ST OCTOBER 2018

PRESENT: Councillor J.D. James (Chair)

Councillors:

J.A. Davies, K. Davies, P.M. Edwards, A.L. Fox, S.J.G. Gilasbey, T.M. Higgins, A.D.T. Speake, T.A.J. Davies, A. Vaughan Owen, B.D.J. Phillips, J.S. Phillips, and D. Thomas.

Also in attendance:

Councillor P.M. Hughes, Executive Board Member for Public Protection;
Councillor D.M. Jenkins, Executive Board Member for Resources.

The following Officers were in attendance:

R. Mullen, Director of Environment;
R. Hemingway, Head of Financial Services;
J. Morgan, Acting Head of Homes and Safer Communities;
S. Pilliner, Head of Transportation and Highways;
A. Williams, Head of Waste and Environmental Services;
K. Thomas, Community Safety Manager;
S.E. Watts, Environmental Protection Manager;
H. Morgan, Economic Development Manager;
R. D. Williams, Public Health Lead;
R. James, Performance Planning & Business Officer;
E. Jones, Licensing Lead;
L. Morris, Senior Press Officer;
J. Tillman, Information Governance and Complaints Manager;
J. Owen, Democratic Services Officer.

Chamber, County Hall, Carmarthen – 10:00am - 11:05am

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor A. James and Councillor H.A.L. Evans – Executive Board Member for Environment.

The Chair welcomed Councillor Karen Davies to the Committee.

**2. DECLARATIONS OF PERSONAL INTEREST INCLUDING ANY PARTY WHIPS
ISSUED IN RELATION TO ANY AGENDA ITEM**

There were no declarations of interest.
There were no declarations of prohibited party whips.

3. PUBLIC QUESTIONS

The Chair advised that no public questions had been received.

4. DEALING WITH INFESTATION INCIDENTS - ENVIRONMENTAL PROTECTION SERVICE

The Committee at its meeting held on the 29th June, 2018, gave consideration to a Scrutiny Topic Suggestion received from Llanelli Town Council (Minute 11 Refers) in which the Committee duly accepted and requested a report to be submitted to its next meeting.

In accordance with that recommendation, the Committee received a report on dealing with infestation incidents which outlined how the Council manages infestation incidents and confirmed the statutory obligations. The Committee noted that the report had been prepared in the context of the fly infestation in South Llanelli during May/June 2018.

It was brought to the attention of the Committee that Natural Resource Wales (NRW) were in the process of carrying out an investigation in relation to the recent fly infestation and therefore it was not appropriate for a representative to be present at this meeting.

The following queries were raised during consideration of the report:-

- In response to a query regarding departmental cutbacks, the Acting Head of Homes and Safer Communities informed the Committee that the Authority had stopped the pest control treatment service in 2010 to support efficiency savings at the time. However, a business case is currently being considered to ascertain if it is viable to deliver this service in the future.
- It was asked, if the site had a Pest Management Plan in place? The Acting Head of Homes and Safer Communities stated that this matter was being considered as part of the ongoing investigation by NRW. In response to a further query, he confirmed that going forward a Pest Management Plan would be developed by the operators in conjunction with NRW.
- With regard to the complaints received, the Acting Head of Homes and Safer Communities explained that from the time the initial sporadic complaints were received, officers worked to investigate certain areas in order to ascertain the source of the flies. As the numbers of complaints increased, this investigative work escalated.
- It was queried if the public were entitled to compensation and if legal action could be taken in the future? The Acting Head of Homes and Safer Communities stated that an investigation was ongoing by NRW and it was too early to speculate at this time on the outcome of this investigation and any likely recommendations.
- It was suggested that an update on this matter be provided to the Committee. The Acting Head of Homes and Safer Communities agreed to provide an update to Committee members following the completion of the investigation by NRW.

UNANIMOUSLY RESOLVED that the report on Dealing with Infestation Incidents – Environmental Protection Service be noted.

5. BUDGET MONITORING 2017/18

The Committee considered the Revenue and Capital Budget Monitoring Report as at 30th June in respect of the 2018/19 financial year. The report provided members with budget monitoring information for the Environment Service, Public Protection Service and the Community Safety Service and considered the budgetary position.

In summary, the revenue budget for the services within the Environment and Public Protection Scrutiny remit were forecasting a £307k overspend.

Whereas, the main variances on capital schemes showed a forecasted net spend of £16,589k compared with a working net budget of £16,565k giving a £24k variance.

The following issues were raised during consideration of the report:-

- In response to a number of concerns raised in relation to vacant posts, the Head of Transportation and Highways confirmed that the Street Works Inspector and Technician posts had recently been filled. The Director of Environment explained that vacancies, if necessary, would be covered temporarily by agency staff and that due to this there would be a variance throughout the year. The Director of Environment offered to forward trends in relation to vacant posts to the Committee for their information.
- Reference was made to Appendix D, in relation to the ongoing projects, concern was raised that the provision of play areas had not been considered. The Director of Environment stated that the projects listed within Appendix D were facilitating and enabling projects and that it was anticipated such community provisions would be included through s106 contributions which would not be available until the project reached the necessary trigger point.
- Clarification was sought on the availability of s106 contributions outside of affordable housing. The Director of Environment explained that s106 contributions could also be utilised for open spaces, play areas, etc. in order to mitigate against the developments impact on local facilities.
- In response to a further query regarding s106 contributions, the Director of Environment stated that each developer would negotiate the amount of s106 contributions at a different levels. The Director of Environment offered to provide Members with each developments summary of the contributions.

UNANIMOUSLY RESOLVED that the report be received.

6. REVIEW OF GAMBLING POLICY

The Committee received a report on the review of the Gambling Policy which included the Consultation Document 2018 and revised Gambling Policy -Gambling Act 2005.

Members noted that the current Gambling Policy was adopted by the authority in February 2016 which came into effect on the 11th of March 2016. The legislation required it to be reviewed at least every three years to ensure that it reflects feedback from the local community that the statutory objectives were being met.

The Gambling Policy document reflected the results of the consultation and review process and complied with relevant legislation and guidance.

The following issues were raised during consideration of the report:-

- Reference was made to the disappointingly low number of 23 submissions received as a result of the consultation exercise. The Licensing Officer agreed and reported that a survey had been made available through the Council's website with the link being widely distributed. Furthermore, despite consultation invites being sent to over 1000 individuals and organisations, it was a difficult subject to engage the local community in due to the technical nature of Gambling laws and policies.
- With the Well-being of Future Generations Act in mind, it was suggested that in addition to Carmarthen Citizen Panel and 50+ Forum, to include the younger generation in future consultations, such as the Carmarthenshire Youth Forum. The Licensing Officer agreed and noted the suggestion.

UNANIMOUSLY RECOMMEND TO THE EXECUTIVE BOARD that the amended Gambling Policy be approved.

7. LICENSING POLICY REVIEW

The Committee received a report on the Licensing Policy Review which included the Licensing Policy Survey, Consultation Document 2018 and the revised Licensing Policy Statement.

The Committee noted that when the current Licensing Policy was adopted in February 2016, it was resolved that a further consultation would be undertaken regarding the possible adoption of a Cumulative Impact Policy in relation to Lammas Street, Carmarthen. In April 2018 the legislation was amended to refer to Cumulative Impact Assessments instead of Cumulative Impact Policies.

The consultation exercise was undertaken between the 3rd of April and the 1st of June 2018 and was aimed at responsible authorities, local residents, businesses, existing licence holders and their representatives reaching 1000 individuals and organisations.

The survey was undertaken using the consultation facility on the Council's web site which enabled the majority of consultees to be contacted via e-mail, thus reducing the cost.

The Committee noted that the revised licensing policy document appended to the report, reflected the results of the consultation and review process. As a result of the consultation exercise, the key issue raised was that sufficient evidence had been provided to justify the adoption of a Cumulative Impact Assessment in respect of Lammas Street, Carmarthen. The scheme of delegation had been amended to reflect good practice and changes to the legislation.

UNANIMOUSLY RECOMMEND TO THE EXECUTIVE BOARD that the amended Licensing Policy be approved.

8. QUARTER 1 - 1ST APRIL TO 30TH JUNE 2018 PERFORMANCE MONITORING REPORT

The Committee considered the Performance Monitoring report which provided the progress against the actions and measures in the New Corporate Strategy 2018-2023 to deliver the 2018/19 Well-being Objectives relevant to the Committee's remit, as at 30th June 2018

The Committee noted that out of the 62 actions, 52 were on target with 4 being off target. Reporting was not yet required on the remaining 9 actions, in accordance with the start date of the action.

The following issues were raised during consideration of the report:-

- With regard to the review of existing household recycling participation rates to maximise landfill diversion, it was asked, if there was a possibility of a bespoke collection service and subsequent incineration of soiled nappies, similar to the incineration of clinical waste. The Head of Waste and Environmental Services stated that whilst the bespoke collection of nappies was a possibility for those who would qualify, it would be costly solution. Nappy waste was currently collected in our black bags and incinerated to avoid landfilling, as part of the black bag waste treatment process. He highlighted that alternative methods could be considered in future when we next come to review our waste collection service.
- A comment was raised in relation to the amount of fast food litter that affected the A48 dual carriageway leading to Crosshands and also along the A483 leading to Tycroes, which could possibly be attributed to the food outlets at Pont Abraham services. With regard to working with local stakeholders to pilot litter management arrangements, it was asked if there was anything the Council could do. The Head of Waste and Environmental Services stated that he would arrange for the Local Environment Quality Officer to engage with the management of the facility to highlight the problem.
- In response to a query, the Head of Waste and Environmental Services confirmed that the door knocking activity did take place throughout the summer period which targeted hotspot areas.

- A verbal update was requested in relation to the action – ‘we will work with Welsh Government to develop the County’s highways infrastructure in order to improve air quality particularly in Llandeilo’. The Head of Transportation & Highways reported that the Welsh Government was actively working on the Welsh Transport Appraisal Guidance (WelTAG) which was a framework for proposed changes to the transport system and used in the development and appraisal of transport proposals promoted or funded by Welsh Government. In addition, the initiation of the preparatory work had started and upon completion, a further update would be provided to members.
- Reference was made to the action relating to developing active travel routes for key settlements. The Head of Transportation & Highways informed Members that this action was predominantly linked to the Active Travel (Wales) Act 2013, which placed a statutory requirement on local authorities to identify and continuously improve routes for walkers and cyclists and to prepare maps that identifying current and potential future routes. Following the success in drawing significant Welsh Government local transport funding to progress walking and cycling linkages, the Council had submitted bids for further Active Travel Funds.

The Head of Transportation and Highways offered to provide Members of the Committee information on which areas have submitted bids.

RESOLVED that the Quarter 1 – 1st April to 30th June 2018 Performance Monitoring Report be received.

9. COMPLAINTS & COMPLIMENTS ANNUAL REPORT 2017/18

The Committee considered the Council’s Annual Complaints and Compliments report for the period 2017/18 with specific attention having been paid to Sections 9.4 and 9.6 which were relevant to its remit.

It was noted the report detailed:-

- the numbers of complaints investigated and responded to between April 2017 – March 2018 by department,
- statistics on communications received by the Complaints Team and redirected. Those related to enquiries and requests for assistance which, once presented, offered the opportunity to try and rectify difficulties before complaints arose,
- complaints with any equalities or Welsh language issues,
- complaints determined by the Ombudsman,
- analysis of complaints and compliments by department.

In response to a query regarding the recording of Councillor enquiries, the Information and Data Protection Officer highlighted that Council Enquiry Forms collected by the Democratic Services Unit would be included within future Complaints and Compliments reports.

RESOLVED that the Complaints and Compliments Annual Report 2017/18 be received.

10. EXPLANATION FOR NON-SUBMISSION OF SCRUTINY REPORT

The Committee considered the list of non-submission of scrutiny reports and noted the explanations and revised submission dates.

The Chair highlighted that due to administrative error, the Compliments and Complaints Annual Report 2017/18 had been included within this report as a non-submission, but had been considered at today's meeting.

RESOLVED that the non-submission of scrutiny reports be noted.

11. FORTHCOMING ITEMS

The Committee received the forthcoming items for the next meeting scheduled to take place on 16th November 2018.

Appended to the report was a revised Environmental and Public Protection Scrutiny Committee Forward Work Programme for 2018/19 along with the Executive Board Forward Work Programme 2018/19/20 as at 30th July 2018.

UNANIMOUSLY RESOLVED

11.1 that the list of forthcoming items be received;

11.2 that the revised Environmental and Public Protection Scrutiny Committee Forward Work Programme 2018/19 be received;

11.3 that the revised Executive Board Forward Work Programme 2018/19/20 as at 30th July 2018 be noted.

12. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING OF THE COMMITTEE HELD ON THE 29TH JUNE 2018

RESOLVED that the minutes of the Environment and Public Protection Scrutiny Committee held on the 29th June, 2018 be signed as a correct record.

CHAIR

DATE