

ENVIRONMENTAL & PUBLIC PROTECTION SCRUTINY COMMITTEE

14 JANUARY 2019

PRESENT: Councillor J.D. James (Chair)

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

Also in attendance:

Councillor G.R. Jones – Substitute for Councillor T. Higgins.

Also in attendance:

Councillor H.A.L. Evans, Executive Board Member for Environment;
Councillor P.M. Hughes, Executive Board Member for Public Protection.

The following Officers were in attendance:

R. Mullen, Director of Environment;
J. Morgan, Acting Head of Homes & Safer Communities
S. Pilliner, Head of Transportation & Highways;
S.E. Watts, Environmental Protection Manager;
R. Carmichael, Rural Conservation Manager;
A. Rees, Principal Environmental Health Practitioner;
R. S. Waters, Highways and Transportation Manager;
N. French, Grounds and Cleansing Manager;
R. James, Group Accountant;
J. Owen, Democratic Services Officer.

Chamber, County Hall, Carmarthen: 10:00am - 11:45am

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor T. Higgins.

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

There were no declarations of interest.

3. PUBLIC QUESTIONS

The Chair advised that no public questions had been received.

4. TASK & FINISH GROUP FINAL REPORT 2017/18

The Committee received a revised report of the Task & Finish Group it had established on 17th November 2017, to research the maintenance provision of highway hedgerows and verges.

The Committee noted that the Task and Finish Group had presented a final report to the Committee on 18th May 2018 where it resolved to refer the report to the Executive Board for its consideration. However, in accordance with the Constitution – Part 4.5-Scrutiny Procedure Rules, following the Executive Board Members informal discussion, the Chair of the Task and Finish Group agreed to refer the comments raised to the Task and Finish group for further consideration.

In addition, in response to a referral from Council on 12th September 2018 (minute 8.3 refers), the Task and Finish Group, following additional research had included a section on late-cut verges and subsequently included an additional recommendation (2c).

The recommendations contained within the report had been formulated by the Group following the consideration of a range of evidence over a series of meetings held between January 2018 and November 2018.

Members of the Task and Finish Group presented each of the recommendations to the Committee.

The report also included the following appendices:

- Map of the Carmarthenshire County Council County Gang Beats
- Managing Road Verges for Safety and biodiversity Guidance for Contractors
- Leaflet – Adjacent Landowners and the Public Highway
- Environmental Guidance for Community Councils when Managing your Land

The following queries were raised by the Committee in relation to the report:

- Following a commendation regarding the revised tendering process, the Highways and Transportation Manager reinforced that the aim of the new tendering process was to encourage and increase local interest. In addition, the Council, at the start of the tendering process, hold 'meet the buyer' events to provide an opportunity for interested contractors from Carmarthenshire and surrounding areas to discuss potential opportunities in an attempt to encourage potential suppliers to tender.
- In response to a concern regarding the lack of competition in the North of Carmarthenshire, the Highways and Transportation Manager acknowledged this as a challenge and that it was hoped that the Meet the Buyer events would help in addressing this.

- Following an observation raised that the report had emphasised heavily on rural areas and not urban areas, the Highways and Transportation Manager stated that whilst amenity grass cutting had been acknowledged within the report, the provision of such was not within the realm of this task and finish group and that the regime for managing verges in urban areas differed distinctly to the rural roads, details of which was covered within the report under section 2.3 Current Practice for Urban Roads. In addition, the next item on the Agenda on Amenity Grass Cutting included information regarding the provision of urban grass cutting.

RESOLVED that the report be received and referred to the Executive Board for its consideration.

5. AMENITY GRASS CUTTING

The Committee, at its meeting on 29th June 2018, requested a presentation on the current provision of amenity grass cutting. In response to this request the Committee received a presentation from the Highways and Transportation Manager and the Grounds and Cleansing Manager who provided information in relation to:

- Regimes for grass cutting
- Focus on Urban areas including number of cuts
- Purpose of amenity grass cutting
- Number of cuts and cutting timetable
- Areas cut within contracts
- Supervision
- Specification

Members were afforded an opportunity to ask questions following the presentation.

- A query was raised with regard to who was responsible for the grass areas in Crosshands Industrial Park. The Grounds and Cleansing Manager explained that the Council was now responsible and that the areas were receiving 12 cuts per year as part of the grass cutting programme.
- Appreciation was expressed regarding the acknowledgement of the importance of biodiversity and conservation in both rural and urban areas. However, it was raised that there seemed to a concentration on the gateways into towns as key features and in turn other areas in towns were being neglected. The Highways and Transportation Manager stated the Task and Finish Group had considered conservation and biodiversity within the review and that cuts were made primarily for safety purposes.

The Director of Environment added that whilst there was a move to regime which would include undertaking less cuts it was acknowledged that it was important to maintain an attractive amenity view. To support this, a piece of work was ongoing to explore which species of grass would enhance a specific area without the need of too much maintenance.

- It was commented that in some rural areas, contractors drive too quickly and therefore not completing the work to an acceptable standard. The Highways and Transportation Manager explained that at the beginning of each cutting season, contractors are provided with information and guidance in terms of Managing Road Verges for safety and biodiversity, where each contractor is required to sign that they have read and understood. In addition, each beat/local area is assigned with a Highway Inspector to manage Contractors standard of work.
- In respect of the reduction in the cutting frequency, it was observed that the same amount of grass and growth would be required to be managed in reduced number of cuts. The Director of Environment explained that following the Councils agreement to reduce the cutting frequency during the budget consultation, the department would realise savings through resources and fuel and that the cutting regime would be managed accordingly.
- The Grounds and Cleansing Manager, in response to a query raised, explained to the Committee that Officers would be able to assist Members should they have any queries with regard to who was responsible for a specific hedgerow.

UNANIMOUSLY RESOLVED to note the presentation on Amenity Grass Cutting.

6. UPDATE ON THE CURRENT AIR QUALITY MANAGEMENT AREAS IN CARMARTHENSHIRE

The Committee considered the Update on the Current Air Quality Management Area (AQMA) in Carmarthenshire. The Committee noted that the Environment Act 1995 placed a duty on local authorities to assess and manage air quality in its area.

The report provided the Committee with a detailed information of the levels of NO₂ specifically within the town of Llandeilo and areas of Carmarthen and Llanelli during 2016, 2017 and 2018.

An Air Quality Management Action Plan for each area was appended to the report which provided identified measures to be considered to improve Air Quality. Following an 8 week formal public consultation period, the Action Plan comments received were incorporated into the “Carmarthen and Llanelli Action Plan” report.

The report noted that actions continued to be implemented as identified on phase 2 of the action plan, and that levels of NO₂ were continued to be monitored however, the report had recognised that the only likely long-term viable option for bringing about a permanent and definite improvement to air quality in Llandeilo would be the provision of a by-pass.

The following issues were raised in relation to the report:

- Following a comment that the Deputy Minister for Economy and Transport had recently spoken publicly against the Llandeilo by-pass, reference was made to the death of a 9yr old girl who, in 2013, died from breathing difficulties relating to asthma. This together with the recent news of the striking association between the hospital admissions and local spikes in air pollution had been found and that the family of the girl had recently been given permission to apply for a fresh inquest into her death had raised significant concerns for the Committee.

Together with the known air quality monitoring areas within Carmarthenshire evidencing increasing levels of NO₂ year on year, a number of strong concerns about public safety were raised. In order to safeguard public safety, the Committee was of the view that something needed to be done to reduce the NO₂ levels and in particular to ensure that the Llandeilo by-pass is completed swiftly.

It was therefore proposed, that the Scrutiny Committee write to the Minister for Economy and Transport to express the Committee's concerns. It was further proposed that a copy of the letter be sent to the Deputy Minister for Economy and Transport, Lee Waters AM.

The Head of Transportation and Highways provided a verbal update on the current position of the Llandeilo by-pass. The Council had been proactive in lobbying the Wales government to take the scheme forward. The Wales Government had set aside £50m and were currently awaiting the completion of the second stage appraisal of the scheme in accordance with the Welsh Transport Appraisal Guidance (WelTAG) process. The Principal Environmental Health Practitioner, in response to a query raised regarding the air quality at Jobs Well Road, Carmarthen, confirmed that the area was being monitored.

- The Head of Transportation and Highways informed the Committee that the authority had developed and implemented a number of safer walking/cycling routes to school projects. However, this did involve an element of behavioural change and packages had been developed to encourage parents and pupils to change travel behaviours. Reference was made to Appendix 5 of the report which displayed the NO₂ passive tube results for 2017. Clarification was sought on why many of the figures on the spreadsheet symbolised red. The Principal Environmental Health Practitioner explained that the statutory Air Quality Objective for NO₂ is 40µg/m³ expressed as an annual mean. The figures highlighted in red are for illustrative purposes only, showing figures for individual months / locations that exceed 40µg/m³. It was explained that no conclusions should be made on individual months alone as it is only the annual mean figure that should be compared to the Air Quality Objective

- The Principal Environmental Health Practitioner, in response to a comment regarding real-time air quality results, explained that some Local Authorities, (particularly larger cities such as London, Cardiff and Swansea) have fully calibrated monitoring equipment which provide real-time results. However, the Committee was informed that this equipment was very costly and resource heavy in terms of calibration and ongoing maintenance. In addition, the equipment can require a relatively large space in which to be located which is not available at some of our AQMA's. It was explained that Carmarthenshire uses passive diffusion tubes to monitor NO₂ within the County, and this practice complies with relevant guidance and is the most widely used method throughout the UK.

It was further explained that Carmarthenshire has invested in portable indicative monitoring equipment to supplement the use of passive diffusion tubes. This can be useful for Action Plan related work, or specific projects. The Council is working collaboratively with Swansea University who have the same equipment; data obtained is being shared. Information from the equipment is not transmitted in "real time", but can be obtained remotely when required.

Whilst it was recognised that many initiatives to improve air quality were being explored, it was suggested that, in the meantime indicative air quality results could be prominently displayed within hotspot areas to better inform the public of the air quality. The Principal Environmental Health Practitioner advised that monthly NO₂ results are uploaded to a website that members of the public are able to view.

With regard to the Council's work towards improving air quality, the Head of Transportation and Highways reported Carmarthenshire had been positively leading the way to reduce its impact on the environment, by rationalising the refuse and highway fleet to one of the most modern and lowest emission fleets. In addition, electric charging points had been installed throughout the County in a bid to further growth in this sector.

RESOLVED that:

- 6.1 the update on the current Air Quality Management Areas in Carmarthenshire be received;**
- 6.2 a letter be written to the Minister for Economy and Transport expressing the Committee's concerns;**
- 6.3 a copy of the above mentioned letter to be forwarded to the Deputy Minister for Economy and Transport.**

7. REVENUE AND CAPITAL BUDGET MONITORING REPORT 2018/19

The Committee considered the Revenue and Capital Budget Monitoring Report as at 31st October 2018 in relation to 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. Overall, the Environment, Public Protection and Community Safety services are projecting to be over the approved budget by £511k.

Whereas, the main variances on capital schemes showed a forecasted net spend of £16,717k compared with a working net budget of £16,820k giving a £-103k variance.

Appended to the report was a Savings Monitoring Report which provided 'On target' and 'Off target' Managerial Savings proposals.

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

- It was asked if there had been any further developments in relation to Car Parks, the Head of Highways and Transport reported that this had been addressed as part of the budget proposals and that it was anticipated that a fund would be accessed to replace the current parking meters with more modern payment facilities.
- It was asked if the Committee would receive an update on the outcomes of the cleansing service review. The Director of Environment suggested that the Committee could include this report on its Forward Work Programme for 2019/20. The Chair reminded the Committee of the Forward Work Programme development session scheduled to take place on conclusion of the main Environmental and Public Protection Scrutiny Committee meeting on 22nd February 2019.

UNANIMOUSLY RESOLVED that the report be received.

8. FORTHCOMING ITEMS

The Committee received a list of forthcoming items to be considered at its next meeting to be held on the 22nd February 2019.

UNANIMOUSLY RESOLVED that the list of forthcoming items to be considered at the next scheduled meeting on the 22nd February 2019 be noted.

9. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING OF THE COMMITTEE HELD ON THE 16TH NOVEMBER 2018

RESOLVED that the minutes of the Environment and Public Protection Scrutiny Committee held on the 16th November, 2018 be signed as a correct record.

CHAIR

DATE