

Document Pack



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MONDAY, 18 FEBRUARY 2019

TO: ALL MEMBERS OF THE ENVIRONMENTAL & PUBLIC PROTECTION SCRUTINY COMMITTEE

I HEREBY SUMMON YOU TO ATTEND A MEETING OF THE ENVIRONMENTAL & PUBLIC PROTECTION SCRUTINY COMMITTEE WHICH WILL BE HELD IN THE CHAMBER, COUNTY HALL, CARMARTHEN AT 10.00 AM ON FRIDAY, 22ND FEBRUARY, 2019 FOR THE TRANSACTION OF THE BUSINESS OUTLINED ON THE ATTACHED AGENDA.

Mark James CBE

CHIEF EXECUTIVE



PLEASE RECYCLE

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YOUR COUNCIL **doitonline**
www.carmarthenshire.gov.wales

ENVIRONMENTAL & PUBLIC PROTECTION SCRUTINY COMMITTEE

14 MEMBERS

PLAID CYMRU GROUP – 8 MEMBERS

- | | | |
|----|-------------------|---------------------------------------|
| 1. | Councillor | Karen Davies |
| 2. | Councillor | Mansel Charles |
| 3. | Councillor | Jeanette Gilasbey |
| 4. | Councillor | Dorian Phillips |
| 5. | Councillor | Susan Phillips |
| 6. | Councillor | Alan Speake |
| 7. | Councillor | Dai Thomas |
| 8. | Councillor | Aled Vaughan Owen (Vice Chair) |

LABOUR GROUP – 4 MEMBERS

- | | | |
|----|-------------------|---------------------------|
| 1. | Councillor | Penny Edwards |
| 2. | Councillor | Amanda Fox |
| 3. | Councillor | Tina Higgins |
| 4. | Councillor | John James (Chair) |

INDEPENDENT GROUP – 2 MEMBERS

- | | | |
|----|-------------------|----------------------|
| 1. | Councillor | Arwel Davies |
| 2. | Councillor | Joseph Davies |

AGENDA

1. APOLOGIES FOR ABSENCE
2. DECLARATIONS OF PERSONAL INTEREST INCLUDING ANY PARTY WHIPS ISSUED IN RELATION TO ANY AGENDA ITEM.
3. PUBLIC QUESTIONS (NONE RECEIVED)
4. REVIEW OF LED CONVERSION PROJECT 5 - 12
5. HIGHWAY FOOTWAY AND ROAD SAFETY INVESTMENT PROGRAMME UPDATE 13 - 24
6. ENVIRONMENTAL ENFORCEMENT TEAM ACTIVITY UPDATE 25 - 46
7. HOUSEHOLD WASTE RECYCLING CENTRES POLICY REPORT 47 - 58
8. EXPLANATION FOR NON-SUBMISSION OF SCRUTINY REPORT 59 - 60
9. FORTHCOMING ITEMS 61 - 62
10. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING OF THE COMMITTEE HELD ON THE:-
 - 10 .1 10TH DECEMBER 2018 63 - 70
 - 10 .2 14TH JANUARY 2019 71 - 78

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ENVIRONMENTAL & PUBLIC PROTECTION SCRUTINY COMMITTEE

22ND FEBRUARY 2019

REVIEW OF LED CONVERSION PROJECT

To consider and comment on the following issues:

The updated phasing of the LED schemes and to be informed with the up to date progress of the LED lantern conversion project to date

Reasons:

For The Committee's information

To be referred to the Executive Board / Council for decision: NO

Executive Board Member Portfolio Holders:

Cllr. Hazel Evans (Environment)

Directorate:	Designations:	Tel Nos. / E-Mail Addresses:
Environment		
Name of Head of Service: Stephen Pilliner	Head of Highways and Transport	01267 228150 SGPilliner@carmarthenshire.gov.uk
Report Author: Arwel Price	Public Lighting Engineer	01554 742288 AWPrice@carmarthenshire.gov.uk

EXECUTIVE SUMMARY

ENVIRONMENTAL & PUBLIC PROTECTION SCRUTINY COMMITTEE

22nd FEBRUARY 2019

REVIEW OF LED CONVERSION PROJECT

To update the committee on the phasing and progress of the LED lantern conversion program.

The Executive Board approved the LED lantern conversion under the Street lighting PBB saving options on 27th July 2015. The department has secured the funding through a combination of the Welsh Government Invest to Save (I2S) and from the Council's reserves.

The third phase of the program is almost complete and the attached report gives the details of the phasing and the savings achieved.

The report is for the Committee's information.

DETAILED REPORT ATTACHED?

YES

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report.

Signed: **S.G. Pilliner**

Title: **Head of Transportation and Highways**

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
NONE	NONE	YES	NONE	NONE	NONE	NONE

3. Finance – Capital has been secured via the Wales Government Invest to Safe fund and from reserves. Budget efficiencies of £627,000 have been delivered to date with a further £107,000 efficiency to be delivered in phase 3 of the programme during 2018/19.

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below:

Signed: **S.G. Pilliner**

Title: **Head of Transportation and Highways**

1. Local Member(s) – N/A
2. Community / Town Councils – N/A
3. Relevant Partners – N/A
4. Staff Side Representatives and other Organisations – N/A

Section 100D Local Government Act, 1972 – Access to Information List of Background Papers used in the preparation of this report:

These are detailed below:

Title of Document	File Ref No. / Locations that the papers are available for public inspection
STREET LIGHTING PBB SAVING OPTIONS	http://online.carmarthenshire.gov.uk/agendas/eng/EXEB20150727/index.asp

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Report to Environment Scrutiny Committee LED Lighting Project Update.

1. Introduction and Background

1.1 The Authority Public Lighting section has continued to implement a programme to convert sodium lanterns to LED lanterns as approved by Executive board on 27th July 2015. The programme was developed to deliver a targeted efficiency saving of £627,000 over a three year period.

1.2 The report to Executive Board set out that £401,000 of revenue savings would be achieved through converting the Sodium lamps to LED with a further £227,000 to be delivered from reduced maintenance, labour and plant costs.

1.3 Executive Board resolved:

1.3.1 That the Technical Services Department be authorised to prepare a business case to pursue the option of funding the capital investment required to deliver the “Converting sodium lanterns to LED lanterns” option savings over the next years to implement Phases 1-3 noted in the report, via the WAG “Invest to Save” fund.

1.3.2 That the Technical Services Department’s reserves (Fleet Management Reserve) be utilized to fund the capital works (up to £1.875m) required to deliver the PBB savings identified in Phase 1 and Phase 2 of the report, and that the Department continues to investigate alternative funding for Phase 3;

1.3.3 That the Public Lighting section fully implements measures to deliver the options for reducing maintenance, vehicle and labour costs noted in the report thus reducing its operational costs in order to meet its PBB targets;

1.3.4 That, should the proposals noted above fail to be delivered, then a programme of “de-commissioning” lights on the road networks be prepared by the Public Lighting section to achieve the required budget savings for the outstanding amount and report thereon be submitted in due course.

1.4 The capital investment required to fund delivery of the first phases of the programme was secured from a Wales Government Invest to Save Fund and reserves.

The programme was structured into three phases as set out in the Table One overleaf:

Table One

Phase	Programme Detail	Capital Investment 000's £	Forecast Revenue Savings £
1	Convert 3,202 Lanterns to Dimmable LED	925	119
2	Convert 4,429 Lanterns to Dimmable LED	950	153
3	Convert 4,776 Lanterns to Dimmable LED	1090	137
Total		2,965	409

2.0 Progress

Funding for the programme was secured through a £1.4 million Invest to Save Loan and the balance from the reserves, as approved by Executive Board. Further provision has been made from the Public Lighting section.

The original programme was reviewed and amended to exploit advancement in technology and improve efficiency during the installation phase. The detail is set out in Table Two below:

Table Two

Phase	Original Detail	Progress	Capital Investment Incurred/Forecast 000's	Variation	Revenue Savings Realised/Forecast
1	Convert 3,400 Lanterns to Dimmable LED	Converted 3,400 lamps	586	- 339	145
2	Convert 2,945 Lanterns to Dimmable /high Wattage LED	Converted 2,945 lamps	530	- 420	162
3	Convert 6,074 Lanterns to Dimmable LED	Ready for Implementa tion in 18/19	985 (Forecast)	-105	137
Total			2101	-864	444

The total PBB saving delivered to the end of Phase Three is **£734,000**.

The saving delivered to the end of the current financial year is consistent with the budget profile as set out in Table Three below.

Table Three

	2015/16 £000's	2016/17 £000's	2017/18 £000's	2018/19 £000's
PBB Savings Target	258	196	173	107
Cumulative	258	454	627	734

In terms of capital investment, the authority has drawn down the full £1,400,000 of an agreed invest to save loan.

The forecast savings moving forward are reliant on the Department continuing to sustain the efficiencies, the programme is subject to risk particularly with regards to energy costs.

The efficiencies gained from the procurement process has enabled all three phases of the LED conversion program to be delivered below the original forecasted budgeted costs. This has enabled us to fund all of the LED lantern conversions as set out in Phase 3.

The project to date has been successful in delivering the efficiencies forecast at the outset and we envisage that phase 3 will continue in the same vein.

Conclusion and Recommendation.

Members are asked to consider and comment on the progress to date as set out in the report.

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ENVIRONMENTAL & PUBLIC PROTECTION SCRUTINY COMMITTEE

22ND FEBRUARY 2019

HIGHWAY FOOTWAY AND ROAD SAFETY INVESTMENT PROGRAMME UPDATE

Purpose:

To provide an update on the current investment programme in relation to road safety and associated infrastructure.

To consider and comment on the following issues:

That the Committee considers and comments on the current investment programme in relation to road safety and associated infrastructure.

Reasons:

For the Committee's information.

To be referred to the Executive Board / Council for decision: NO

EXECUTIVE BOARD MEMBER PORTFOLIO HOLDER:- Councillor Hazel Evans (Environment)

Directorate: Environment

Name of Head of Service:
Stephen G Pilliner

Report Author:
Simon Charles

Designations:
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Transport Strategy and Infrastructure
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EXECUTIVE SUMMARY

ENVIRONMENTAL & PUBLIC PROTECTION

SCRUTINY COMMITTEE

22nd FEBRUARY 2019

HIGHWAY FOOTWAY AND ROAD SAFETY STRATEGY INVESTMENT PROGRAMME UPDATE

1.0 Introduction and Background.

1.1 The County Council employs many measures to prevent road traffic casualties including education, publicity campaigns, training, traffic management and other road safety initiatives as well as the construction of a number of road safety improvement schemes each year. The overall strategy is outlined in the Carmarthenshire County Council Local Transport Plan which is contained within the Joint Local Transport Plan for South West Wales.

1.2 These measures are funded from a variety of sources including both capital and revenue grants and other funds which are summarised as follows with further details provided in the Summary Table at the end of the report.

2.0 Local Transport Plan / Local Transport Fund

2.1 The South West Wales Integrated Transport Consortium (SWWITCH) was formally dissolved in early 2014 and Welsh Government required local authorities to prepare a Local Transport Plan. The four West Wales local authorities agreed to continue a collaborative approach which is linked to the Swansea Bay City Region and the emerging City Deal. The priorities within the Carmarthenshire County Council Local Transport Plan (LTP) were approved in 2015.

2.2 Funding which was previously allocated to the Regional Consortium is now allocated to the individual local authorities on a competitive basis and bids for the Local Transport Fund (LTF) are submitted to Welsh Government on an annual basis. This LTF Grant is subject to an ever increasing level of scrutiny as the all Wales funding is limited. The annual bid for 2018-19 was limited to a maximum of three projects, one of which had to be linked to the provision of walking and cycling related initiatives as a result of the now enacted Active Travel (Wales) Act; Welsh Government recently advised that future funding for Active Travel related projects will be based on these Integrated Network Maps (INM) submitted by Local Authorities and approved by Welsh Government.

2.3 Bids listed below for next year's LTF funding have been submitted to Welsh Government on 18th January 2019:

- Cross Hands Economic Link Road - £2,370,000
- EV Charge Points - £219,882
- Llanelli Urban and Coastal Belt Network Improvements - £750,000
- Access to Pembrey County Park - £150,000
- Towy Valley Path - £1,875,000. Please note this is being submitted to 2 funding streams
- Ammanford Distributor Road - £100,000.

3.0 Local Transport Network Fund

3.1 Similar to the Local Transport Fund, Local Authorities could also submit bids for grant from the Welsh Government Local Transport Network Fund (LTNF).

3.2 LTNF Grant provides a funding opportunity for the Authority to deliver projects / implement measures so as to improve public transport journey time reliability, to reduce public transport journey times and to connect communities and enable access to employment, education and key services.

3.3 A bid listed below for next year's LTNF funding has been submitted to Welsh Government on 18th January 2019. Details are set out below:

- Carmarthenshire Strategic Public Transport Corridors - £450,000

4.0 Safe Routes in Communities

4.1 The Safe Routes in Communities (SRiC) grant provides direct funding from the Welsh Government for the County Council to deliver projects that create or enhance active travel within communities with the aim of improving accessibility and safety. This will help create greater social inclusion and improved community safety. Safe Routes in the Communities funds capital works such as: -

- crossings
- traffic calming measures
- shared use paths
- footpaths
- secure cycle facilities (including stands and CCTV), lockers and changing facilities.

4.2 The County Council must bid for this funding on an annual basis. The Welsh Government has advised that schemes must link directly with the Integrated Network map or have been included in a schedule of works to upgrade safe walking routes to schools included in a response to the Minister in the summer of 2014.

New guidance suggests that only one bid can be submitted along with one ongoing scheme. Two projects are included in the current 2018-19 financial year for works in the Llanelli West (2 year works programme) and Newcastle Emlyn areas. A total of £587,647 has been secured for these areas with £20k included in the current Capital Programme to utilise as match funding to the 2018-19 grant.

4.3 Carmarthenshire County Council has been highly successful in securing this SRiC funding being consistently among the highest awards for this particular grant.

4.4 Bids listed below for next year's SRiC funding have been submitted to Welsh Government on 18th January 2019:

- Llanelli West (Phase 2) - £409,572
- Ammanford & Betws - £440,172
- Efailwen - £44,250

5.0 Active Travel Act and Local Authority Obligations

5.1 The Active Travel (Wales) Act makes provision for a number of items including the development of approved maps of existing active travel routes, the promotion of active travel journeys and to enhance the infrastructure provision made for walkers and cyclists among others.

5.2 A number of key obligations have been passed to Local Authorities to implement, including the mapping of routes, the need to have regard for the active travel route network in the development of transport policies, the promotion of active travel journeys and to enhance the provision made for walkers and cyclists.

5.3 One of the obligations require Local Authorities to submit details of walking and cycling routes for inclusion in all Wales database of such routes (known as Existing Route Map). These details included an audit of all routes and Carmarthenshire County Council were one of only five Local Authorities that secured Welsh Government approval without the need for further work. The Authority was also required to submit an Integrated Network Map (INM) during 2017 which also received formal approval from the Welsh Government.

5.4 Welsh Government have confirmed that future funding for Active Travel related projects will be based on these INMs.

In the current financial year 2018-19, a total of £240,000 has been awarded under LTF (Active Travel Design) for the development of routes identified on the INM for works such as feasibility studies, scheme design, land purchase and consultation/engagement.

In addition to this, we have secured £532,800 via Welsh Government **Active Travel Fund** for capital works constructing schemes identified on the INM; these include completing the missing active travel link on the A4138 in Llanelli and works on the Ammanford to Cross Hands masterplan.

5.5 Bids listed below for next year's **Active Travel Fund** have been submitted to Welsh Government on 18th January 2019:

- Strategic (Towy Valley Path) - £1,875,000. Please note this is being submitted to 2 funding streams.
- Local (Carmarthenshire Walking & Cycling Linkages) - £1,043,000

6.0 Road Safety Improvement and Footway Improvement Programme

6.1 At its meeting on the 14th November 2011 the Executive Board approved the criteria for assessment, selection and prioritisation of Road Safety Improvement and Footway Improvements to be funded from the Council's capital budget allocation for such works. A new 3 year rolling programme was developed and implemented from 2013-14. The prioritised programme is subject to an annual review to allow for new requests to be assessed and to re-assess locations where circumstances are known to have changed since the last prioritisation assessment, with a fundamental review at periodic intervals. The criteria for assessment was updated in the spring of 2017 and formally approved by Executive Board on 27th February 2017.

6.2 During the summer of 2017 the prioritised programme was reassessed in accordance with the criteria to determine the 3 year rolling programme (commencing in 2018-19); the schemes will be subject to further feasibility works in future years, subject to the availability of funding.

6.3 Previously committed schemes continue to be developed and implemented as funding and any other constraints permit. The committed schemes included in Table 1 will continue to be developed and implemented as funding and other constraints permit.

7.0 Road Safety Grant (Capital & Revenue)

7.1 The Road Safety Grant was introduced in 2000. The Capital Grant provides direct funding from the Welsh Government for the County Council to provide engineering solutions to road safety problems on the county road network. The Revenue Grant is used to provide a programme of road safety related education and training initiatives.

7.2 The County Council must bid to the Welsh Government for both capital and revenue funding on an annual basis. The revenue allocation is set for each LA by use of a formula based on the latest available population numbers (60%) and casualty numbers of those killed or seriously injured (40%).

7.3 The County Council prioritises the selection of road safety engineering projects for its capital bids on the basis of historic collision and casualty statistics along rural routes and at urban cluster sites. The Council assesses the collision and casualty reduction performance of each scheme delivered using the grant. There is a strong partnering approach to all initiatives funded from this grant through groups such as 1) the Carmarthenshire Speed Limit Working Group; 2) Dyfed Powys Police and 3) GoSafe.

7.3 For its revenue bids priority is given to high risk groups of young people and motorcyclists and also to child pedestrian and cycling training. The programmes are designed to improve people's awareness, knowledge, skills, and behaviour and develop safer attitudes towards using the highway.

7.4 Bids listed below for next year's Road Safety Grant funding have been submitted to Welsh Government on 18th January 2019:-

Capital:-

A485/A4243 Carmarthen – Cwmann Route

Total Bid = £497,700

Revenue:-

Kerbcraft

National Cycle Training

Biker Down! Cymru

Dragon Rider Cymru

Pass Plus Cymru

Older Drivers' Refresher Programme

Rural Roads Project

Total Bid = £129,200

8.0 Traffic Management and Accident Prevention Programme

8.1 The following traffic and accident prevention elements are provided on the county road network using the Councils revenue budget allocation for such works: -

- Traffic orders for speed limits, one way working, weight restrictions, width restrictions, buses only, no entry order, no motor vehicles order, disabled persons parking bays, waiting restrictions, residents parking zones;
- Traffic calming elements, road humps, narrowing's and chicanes, gateway and entry treatments, vehicle activated message signs, speed limit roundel markings, coloured surfaces, surface texture – skid resistant material;
- Hatched road markings, countdown signs, bollards, disabled parking bays.

8.2 The current programme of traffic management and accident prevention projects being delivered using the revenue funding is shown in Table 1 at the end of the report.

9.0 Recommendations.

Members are asked to note the report.

SUMMARY OF FUNDING FOR ROAD SAFETY RELATED AND OTHER INFRASTRUCTURE SCHEMES FOR 2018 – 19

PROJECT	COMMENTS	2018/19 BUDGET
Road Safety Improvement Programme - (previously committed proposals)		£286,434
C2134 Tycroes	Ongoing development, negotiations, view to commence – potential s. 106 contributions	
Rhos / Saron Footway Improvement	Phase 2 – feasibility design only : completed	
Bronwydd	DFS installations	
Prioritised Programme for Highway Infrastructure and Road Safety Improvements -		
Allt y Cnap Road / Llanstephan Road, Johnstown, Carmarthen (B4312 / C2078)	Design only	
Llanstephan Road flyover, Johnstown (B4312)	Complete	
Ponthenri (B4317 / C2077)	Design only	
Llanybydder Square to Pencarreg (A485)	Design only	
A484 between Idole and Cwmffrwd (A484)	Design only	
Nantgaredig to Abergorlech (B4310)	Design only	
Oaklands Junction, Cwmffrwd (A484 / B4309)	Design only	
Nantycaws (C2071)	Design only	
Carway / Pontyates	Subject to design / feasibility due to commence in Yr 18/19	
Llangain (NR Lodge/Llwyn-du) (B4312)	Complete	
Llangain (Belmont to kiosk) (B4312)	Complete	
Kidwelly (Carmarthen Road) (A484)	Design only	
Carmarthen Road, Cwmann (A485)	Location included in bid for WG Active Travel Fund Yr 19/20	
Safe Routes in Communities -		<i>External Grant allocation:</i>
Llanelli West	Funded by WG Grant	£398,647.22
Newcastle Emlyn	Funded by WG Grant	£189,000
Active Travel Projects -		<i>External Grant allocation</i>
Active Travel Design (LTF 18/19)	Feasibility designs only	£240,000

PROJECT	COMMENTS	2018/19 BUDGET
Local Transport Fund Projects -		<i>External Grant allocation:</i>
Ammanford Economic Regeneration Highway Infrastructure: <u>Wind Street / Tirydail Lane Jct</u>	Completion of construction in current FY	£650,000
Cross Hands Economic Link Road Phase 2	Continuation of land acquisition and completion of northern section (i.e. Llandeilo Road to Norton Road)	£2,185,000
Carmarthenshire Walking and Cycling Linkages	Active Travel projects including development of Tywi Valley Path from Carmarthen to Llandeilo (a 21km traffic free, shared use route along the River Tywi)	£200,000
Llanelli Urban and Coastal Belt Network Improvements	Continuation of detailed junction modelling and design of interventions subsequently identified	£100,000
Road Safety Schemes (funded by WG Road Safety Grant - Capital)		£512.5k
B4302 Llandeilo - Crugybar	Route treatment engineering works	
B4312 Johnstown - Llansteffan	Route treatment engineering works	
C2130 Capel Hendre - Ammanford	Route treatment engineering works/New footway	
Road Safety Education & Training (funded by WG Road Safety Grant - Revenue)		£133.5k
Pass Plus Cymru	An established initiative aimed at new drivers between the ages of 17 and 25 who have less than one year driving experience	
BikerDown! Cymru	A training process that has been tailored for motorcyclists who wish to enhance their knowledge and broaden their experience in dealing with road related incidents or collisions that may require basic First Aid intervention at the roadside	
Dragon Rider Cymru	The training package encourages post-test motorbike riders to improve their riding skills and follows the syllabus as laid down by the Driver and Vehicle Standards Agency Enhanced Rider Scheme.	
Young Driver Programme	A responsible driver/car-owner <i>education</i> course suitable for pre-drivers, learners, newly qualified drivers and their passengers. It is targeted mainly to Year 12s in 6th form and to students at tertiary/apprenticeship college.	
Kerbcraft	The scheme is designed to teach children to be safe pedestrians by giving them practical roadside training and showing them how to make the right decisions to keep safe when crossing the road.	
National Standards Cycle Training	The scheme is aimed at pupils in their last year at Primary school i.e. year 6 pupils, which in turn will encourage active travel to their chosen secondary school	

Rural Roads Project	Engagement events in targeted rural areas where there is a history of local resident casualty issues.	
Traffic Management Schemes - Miscellaneous		£242k
Minor TM Schemes (100 locations)	Road signs and markings	
Meidrim Village (Phase2)	Traffic Calming	
Park Lane, Llangennch	Weight Limit	
Four Roads	Speed Limit Reduction	
Glenalla Road, Llanelli	Residents Parking Scheme	
Llanelli (Various Streets)	Waiting Restrictions	
Carmarthen (Various Streets)	Waiting Restrictions	
	OVERALL TOTAL 2018/19 BUDGET	£4,023,000
DETAILED REPORT ATTACHED?	NO	

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: **S. Pilliner** Head of Highways and Transport

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
YES	YES	YES	NONE	YES	NONE	NONE

1. Policy, Crime & Disorder and Equalities

Road Safety is one of the Carmarthenshire Integrated Community Strategies. Road Safety strategies are also set out in the Carmarthenshire County Council Local Transport Plan which is contained within the Joint Transport Plan for South West Wales.

Delivery of sustainable transport projects is also one of the objectives of the Carmarthenshire County Council Local Transport Plan which is contained within the Joint Transport Plan for South West Wales.

2. Legal

The Council has a statutory responsibility to manage and maintain public roads. That duty includes the investigation of road traffic accidents, the provision of road safety measures and enabling the expeditious movement of traffic.

The Council has a statutory responsibility to promote walking and cycling and other sustainable modes of transport as outlined in the Active Travel (Wales) Act.

3. Finance

The budgets for the current financial year to deliver sustainable transport and road safety projects are set out in the report.

5. Risk Management Issues

Potential for challenge to the Council's management of sustainable transport and road safety project grant claims.

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: S. Pilliner

Head of Highways and Transport

1. Local Member(s) - N/A.
2. Community / Town Council - N/A.
3. Relevant Partners - N/A.
4. Staff Side Representatives and other Organisations - N/A.

Section 100D Local Government Act, 1972 – Access to Information
List of Background Papers used in the preparation of this report:
THESE ARE DETAILED BELOW

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Joint Transport Plan for South West Wales		http://www.carmarthenshire.gov.wales/media/1085004/Joint-Transport-Plan-300115.pdf

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ENVIRONMENTAL & PUBLIC PROTECTION SCRUTINY COMMITTEE

22nd FEBRUARY 2019

ENVIRONMENTAL ENFORCEMENT TEAM ACTIVITY UPDATE

To consider and comment on the following issues:

To receive information relating to the work undertaken by the Environmental Enforcement activities.

Reasons:

For the Committee's information; this report provides an update on the type of work and activity undertaken by the Environmental Enforcement Unit.

To be referred to the Executive Board / Council for decision: NO

Executive Board Member Portfolio Holders:

Cllr. Philip Hughes (Public Protection)

<p>Directorate: Environment</p> <p>Name of Head of Service: Ainsley Williams</p> <p>Report Author: Paul Morris</p>	<p>Designations:</p> <p>Head of Waste & Environmental Services</p> <p>Environmental Enforcement Manager</p>	<p>Tel Nos. / E-Mail Addresses:</p> <p>01267 224500 AIWilliams@cararthenshire.gov.uk</p> <p>01554 784164 PMorris@cararthenshire.gov.uk</p>
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EXECUTIVE SUMMARY

ENVIRONMENTAL & PUBLIC PROTECTION SCRUTINY COMMITTEE

22nd FEBRUARY 2019

ENVIRONMENTAL ENFORCEMENT TEAM ACTIVITY UPDATE

1. Introduction

- 1.1** The Environmental Enforcement Unit consists of 4 teams that cover Carmarthenshire and are split into 4 areas or beats. These beats are: the North West covering Carmarthen/Whitland/Newcastle Emlyn, the North East covering Llandeilo/Ammanford/Crosshands, the South West covering Llanelli West/Burry Port/Kidwelly and the South East covering Llanelli East/Llywnhendy/Bynea.
- 1.2** The unit is primarily focused on dealing with litter, dog fouling and fly tipping however they are responsible for dealing with environmental crime that has an adverse impact on local environmental quality namely graffiti, fly posting, abandoned and nuisance vehicles, highways offences and waste offences. Preventing offences is equally important and officers conduct talks in schools highlighting the issues surrounding litter and dog fouling.
- 1.3** The Officers are responsible for reactive and pro-active enforcement by responding to complaints and also providing a patrolling element detecting offenders who commit offences within the officer's authorised powers.
- 1.4** The officers respond to around 300 to 350 incidents per month dealing with the spectrum of environmental crime utilising the Flare operational system that is shared between Public Protection, Trading Standards and the Environmental Enforcement Section this allows for data sharing between the teams.

2. Background

- 2.1** The unit was originally created in response to the need to take action to deal with dog fouling, litter and fly tipping. Once established the unit began to issue fixed penalty fines, interview suspects under the Police and Criminal Evidence Act which led to prosecutions in both the Magistrates/Crown Court and issued notices in compliance of our waste policies.
- 2.2** To ensure the section was adhering to good enforcement principles the enforcement concordat was adopted, this promoted best practice values that have recently been implemented into the current Corporate Enforcement Policy (Appendix A).

2.3 Legislation has dictated how the unit can function and over the years the law has evolved to reflect current society. The section has been at the forefront of interpretation and implementation of these laws an example being the current Public Space Protection Orders.

2.4 There has been much research undertaken that without effective and efficient enforcement areas would become degraded, anti-social behaviour increases which links in with an increase in crime. The unit aspires to undertake all enforcement activities across the spectrum of environmental crime to restrict and reduce incidents of anti-social behaviour.

2.5 Offences dealt with are:

- Dog Fouling
- Litter
- Fly- tipping
- Duty of care- including waste related offences
- Graffiti and fly posting
- Abandoned/ nuisance vehicles
- Highway Offences

3. Current situation

3.1 The section utilises the Flare operational system to manage complaints from a variety of sources and operates the system for case file preparation and letter generation. The system is shared between Environmental Health and Trading Standards and allows for data sharing as there is cross departmental working between the respective units.

3.2 Officers provide input into the Local Environmental Quality forum whereby agenda items are provided via Grounds, Cleansing, Refuse, Policy and Enforcement. As a result of the meetings, actions are created in order to provide a holistic approach in dealing with Waste and Environmental issues.

3.3 Officers attend the National Enforcement Forum in order to obtain the latest updates in Enforcement and share best practice.

3.4 The Unit work closely with the Council's Communications Unit in highlighting fines and prosecutions for maximum effect in deterring individuals to commit crime.

3.5 Officers attend local groups like the needle exchange programme and CCTV operational meetings, to provide expertise and direction.

3.6 The Unit follows a work programme that encapsulates current trends and focus on the issues at hand. (Appendix B). By the nature of the work undertaken, the programme of work must be flexible to allow reactive work to take place.

DETAILED REPORT ATTACHED?

YES and

Appendix A – Enforcement Policy

Appendix B – Enforcement Work Programme

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report.

Signed: A I Williams Title: Head of Waste & Environmental Services

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
NONE	NONE	NONE	NONE	NONE	NONE	NONE

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below:

Signed: A I Williams Title: Head of Waste & Environmental Services

- 1. Local Member(s) – N/A**
- 2. Community / Town Councils – N/A**
- 3. Relevant Partners – N/A**
- 4. Staff Side Representatives and other Organisations – N/A**

**Section 100D Local Government Act, 1972 – Access to Information
List of Background Papers used in the preparation of this report:**

These are detailed below:

Title of Document	File Ref No. / Locations that the papers are available for public inspection
Environmental Protection Act 1990	Legislation.gov.uk/ https://www.legislation.gov.uk/ukpga/1990/43/contents
Anti-Social Crime and Policing Act 2014	Legislation.gov.uk/ http://www.legislation.gov.uk/ukpga/2014/12/contents/enacted
Clean Neighbourhoods and Environment Act 2005	Legislation.gov.uk/ https://www.legislation.gov.uk/ukpga/2005/16/contents
Highways Act 1980	Legislation.gov.uk/ https://www.legislation.gov.uk/ukpga/1980/66
Welsh Government Stats	Welsh Government Webpage/ https://statswales.gov.wales/Catalogue/Environment-and-Countryside/Fly-tipping

REPORT OF DIRECTOR OF ENVIRONMENT

**ENVIRONMENTAL AND PUBLIC PROTECTION SCRUTINY
COMMITTEE**

DATE 22ND FEBRUARY 2019

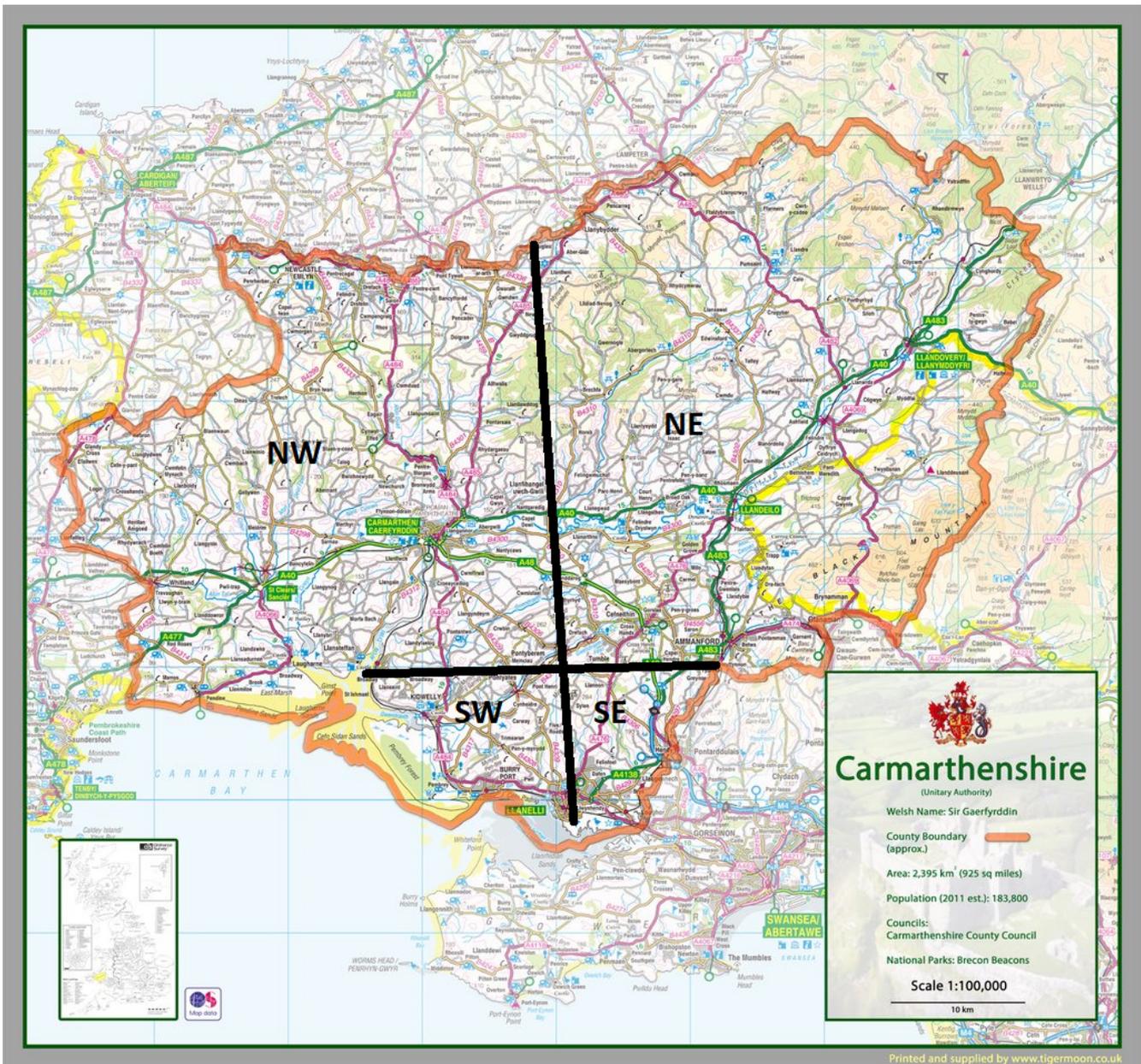
Environmental Enforcement Activity Update

HEAD OF SERVICE & DESIGNATION. A Williams Head of Waste & Environmental Services	DIRECTORATE Environment	TELEPHONE NO. 01267 224500
AUTHOR & DESIGNATION P Morris Environmental Enforcement Manager	DIRECTORATE Environment	TELEPHONE NO 01554 784164

1. Introduction

1.1. The Environmental Enforcement Unit consists of 4 teams that cover Carmarthenshire and are split into 4 geographical areas or beats.

These beats are: the North West covering Carmarthen/Whitland/Newcastle Emlyn, the North East covering Llandeilo/Ammanford/Crosshands, the South West covering Llanelli West/Burry Port/Kidwelly and the South East covering Llanelli East/Llywnehdy/Bynea.



- 1.2 The unit is primarily focused on dealing with litter, dog fouling and fly tipping however they are responsible for dealing with environmental crime that has an adverse impact on local environmental quality namely graffiti, fly posting, abandoned and nuisance vehicles, highways offences and waste offences. Preventing offences is equally important and officers conduct talks in schools highlighting the issues surrounding litter and dog fouling.
- 1.3 The Officers are responsible for reactive and pro-active enforcement by responding to complaints and also providing a patrolling element detecting offenders who commit offences within the officer's authorised powers.
- 1.4 The officers respond to around 300 to 350 incidents per month dealing with the spectrum of environmental crime utilising the Flare operational system. The staff in the contact centre directly input into the Flare system that generates an incident into the officer's inbox.

2. Background

2.1 The unit was originally created in response to requests from members and our communities for action to be taken in relation to dog fouling, litter and fly tipping. Once established the unit began to issue fixed penalty fines, interview suspects under the Police and Criminal Evidence Act which led to prosecutions in both the Magistrates/Crown Court and issued notices in compliance of our waste policies.

2.2 To ensure the section was adhering to good enforcement principles the enforcement concordat was adopted, this promoted best practice values that have recently been implemented into the current Corporate Enforcement Policy (Appendix a):

- **Standards**
- **Openness**
- **Helpfulness**
- **Complaints about service**
- **Proportionality**
- **Consistency**
- **Principles of Good Enforcement: Procedures**

2.3 Once created the unit was co-opted into the Corporate Enforcement Group which was integral in following the concordat for all enforcement bodies within the council and still continues today under the chair of the current Executive Board Member Cllr. Philip Hughes.

2.4 Legislation has dictated how the unit can function and over the years the law has evolved to reflect current society. The section has been at the forefront of interpretation and implementation of these laws an example being the current Public Space Protection Orders.

2.5 There has been much research undertaken that without effective and efficient enforcement areas would become degraded, anti-social behaviour increases which links in with an increase in crime. The unit aspires to undertake all enforcement activities across the spectrum of environmental crime to restrict and reduce incidents of anti-social behaviour.

3 Offences dealt with

3.1 Dog fouling

Dog fouling is now undertaken utilising Public Space Protections orders under the Anti-Social Crime and Policing Act 2014. In 2016 following a comprehensive public consultation it was approved to enforce on the following conditions:-

- A county wide order requiring people to clean up after their dogs on all public land within the County.
- A county wide order requiring people to place their dog on a lead of no more than 2m in length when directed to do so by authorised officer.
- An order excluding dogs from children's play areas.

Penalties for offenders is set in the legislation at £100 for a fixed penalty and £50 if paid within 10 days of the offence. Offenders can be taken to the Magistrates Court where they can receive higher penalties of up to £1000.

Since the introduction of the Public Space Protection Order on the 1st of July 2016 there have been 396 complaints received in relation to dog fouling; 73 fixed penalty tickets have been issued and 7 prosecutions have been undertaken for offenders who failed to pay the fixed penalty notice.

Prior to 2018 there have been 530 fixed penalty tickets issued for dog fouling.

3.2 Litter

The Environmental Protection Act 1990 gives the section the authority to undertake enforcement which includes cigarette butts and chewing gum. Fixed penalty tickets are given in the first instance which are currently set at £75 with an early repayment of £50 if paid within 10 days. If taken to the Magistrates Court they can increase the fine up to £2500. Since the unit has undertaken enforcement 2323 fixed penalty tickets have been issued with an income to the authority of £100,510.

3.3 Fly tipping

The main legislation in dealing with fly tipping comes under the Environmental Protection Act 1990 however there have been a number of amendments over the years and other pieces of legislation that allow us to tackle the waste carriers, these are the white van men and tipper lorry drivers who contribute to the offences of fly tipping.

Fly tipping is a problem across Wales and we are no exception receiving around 1500 incidents a year however this year there has been an increase to 2900 due to a change in recording techniques utilising a fly mapper app that accurately plots the tipping.

To scope the problem we are required to report to the government our complaints and investigations which is then broken down into the type of waste and quantity. Household waste tops the table by a long way followed by construction waste and white goods. Full analysis can be seen on the government webpage.

To tackle this problem the unit engages with external partners namely the Police and National Resource Wales. We conduct joint operations in stopping waste carriers at source to check they have the necessary waste documentation. Since undertaking this role we have issued 78 fixed penalties for not having a waste carrier's licence or not having any waste transfer notes.

The unit has undertaken 162 prosecutions for fly tipping also a successful prosecution for fraud whereby an individual used the Household Waste Recycling Centres (HWRCs) to dispose of his business waste using the domestic facility. The offender was fined £12000. The unit has successfully applied for 2 court warrants for the seizure of vehicles involved in fly tipping.

The unit is competent in utilising covert camera techniques and has deployed equipment on a number of occasions which has led to the successful prosecution of a number of offenders. However, it should be noted that there are strict controls on surveillance operations, ultimately controlled by the The Investigatory Powers Commissioner.

Since 2018 legislation has allowed the section to issue fixed penalties for fly tipping that has a penalty of £350. 11 fixed penalties have been handed out since the implementation.

3.4 Duty of Care

The law requires anyone dealing with waste to keep it safe, make sure it's dealt with responsibly and only given to businesses authorised to take it. The Code of Practice applies to if you produce, carry, keep, dispose of, treat, import or have control of the waste.

The section has undertaken 123 prosecutions for breaches of duty of care. It is an important area to Police as an example of a breach of duty of care could be waste escaping from the back of lorries that can have an impact on the cleansing service and in some instances cause traffic accidents. The officers have issued 248 notices requiring waste carriers to present their waste transfer notes.

Under the Environmental Protection Act 1990 the section has the powers to deal with residents and business who fail to comply with our waste policies. Examples are early presentation of waste, contaminated items in recyclable blue bags and excess waste being presented. Notices can be issued to the resident and business to which they would have a right to appeal in the Magistrates court and after that period has expired then fixed penalties can be issued of £100 for breaches of the notice. The unit has issued 114 fixed penalty notices and undertaken 12 prosecutions for this offence and issued 2007 notices to residents and 524 notices to businesses.

3.5 Graffiti and Fly posting.

Graffiti is wording or imagery that is written, painted, sprayed or scratched onto the surface of any property.

Fly-posters usually advertise or promote events and are placed without permission of the owner of the property and can take the form of stickers, signs or posters.

Both are deemed to be criminal offences and the severity can depend on the type of graffiti displayed i.e. racially motivated, xenophobic, sexual, and other forms that amount to hate crime.

Some individuals like to be recognised for their work and normally leave “tags” which can identify the individual. These “tags” can be collated as an evidence exercise and used against the individual when apprehended.

The section has issued 99 fixed penalty tickets for graffiti and fly posting and undertaken 11 prosecutions for flyposting with one case being challenged in the Crown Court that was upheld ending in a successful prosecution.

3.6 Abandoned Vehicles

Vehicles left abandoned can have a negative effect on the quality of the local environment, and fixed penalties can be issued if it is proven that the offender abandoned it. The section has issued 24 fixed penalties for this offence.

Also included in this section is nuisance vehicles, vehicles for sale and vehicles repaired on a road. The legislation is catered for under the Clean Neighbourhood Act 2005.

3.7 Highway Offences

Highways law is a wide scoping area and can include the following

- Mud on the road
- Obstructions to the Highway
- Unauthorised skips on the Highway
- Unauthorised scaffolding on the Highway.
- Depositing material on the Highway

The section works closely with colleagues in Highways to ensure the legislation is adhered to

4 Current situation

4.1 The section utilises the Flare operational system to manage complaints from a variety of sources and operates the system for file preparation and letter generation. The system is shared between Environmental Health and Trading Standards that allows for data sharing as there is cross departmental working between the sections.

4.2 Officers provide input into the Local Environmental Quality forum whereby agenda items are provided via Grounds, Cleansing, Refuse, Policy and Enforcement. As a result of the meetings actions are created in order to provide a holistic approach in dealing with Waste and Environmental issues.

4.3 Officers attend the National Enforcement Forum in order to obtain the latest updates in Enforcement and share best practice.

4.4 Officers work closely with the Communications Unit in highlighting fines and prosecutions for maximum effect in deterring individuals to commit crime.

4.5 Officers attend local groups like the needle exchange programme and CCTV operational meetings to provide expertise and direction.

4.6 Officers follow a work programme that encapsulates current trends and focus on the issues at hand. (Appendix b)

5 Successes

5.1 The unit's success has been recognised outside the Authority which has resulted in Panorama producing a programme following the officers when out on patrol. BBC1 Street Patrol, ITV Week in Week out and a number of radio interviews. Presentations to other authorities highlighting our techniques including locations such as London, Birmingham and Northern Ireland.

5.2 The unit has access to a variety of surveillance equipment and following the Regulatory Investigatory Powers Act of 2000 ensures that any evidence gathering activity complies with the regulations. The section has deployed surveillance equipment on a number of occasions that has been successful in catching offenders who commit fly tipping.

5.3 Working with local fast food outlets the section is able to detect offenders who throw fast food packaging into the road.

5.4 The unit has consistently appeared in the top quartile as reported by the Welsh Government for its performance in enforcement.

6 Future

6.1 The Public Space Protection Orders that were implemented in 2016 are due for renewal in 2019 and will require renewal every 3 years due to the current statutory requirements.

6.2 The Welsh Government are in the process of legislating against householders with regard to their duty of care. At present the only opportunity to deal with this offence is to take the matter before the Magistrates however the new legislation will allow the section to issue fixed penalty notices of £300 with an early payment of £150 within 10 days.

6.3 To review the potential of adopting the devolved DVLA powers in dealing with untaxed vehicles.

6.4 The use of social media has been successful in the identification of fly tipping at bring sites and individuals who allow their dogs to foul without picking up. The Enforcement Unit together with the Communications Unit are exploring more ways in utilising this modern technology.

6.5 To review legislation that allows the council to seize vehicles involved in fly tipping whereby previously application for warrants were required to seize and certain criteria had to be applied.

6.6 To continue to work closely with other departments in the council and outside agencies like the Police, Fire Service and National Resource Wales in order to provide an effective and efficient enforcement deterrent that educates the residents to comply with the legislation and our waste policies.

6.7 To continue to play an integral role in addressing local environmental quality matters across the wide spectrum of environmental crime.

Appendix A - CARMARTHENSHIRE GENERAL ENFORCEMENT POLICY

1.0 Introduction

1.1 Carmarthenshire County Council is committed to protecting the community from harm and enforcement is one of the tools used by this Authority to fulfil this commitment. This Policy is intended to establish a uniform approach to enforcement. Carmarthenshire County Council (the Council) believes that 'prevention is better than cure' and that, through actively working with businesses and the community, by providing advice and assistance with regards compliance, we can reduce the need for enforcement action.

1.2 Where enforcement action is needed, the Council will take a consistent, fair and proportional approach so as not to place too onerous a burden on local businesses, organisations, customers and the public.

1.3 In the interest of the prevention and detection of crime/protection of public safety, the Council will exchange information with its agency partners and between Council Services, in compliance with relevant legislation.

1.4 A copy of this policy is available at:

<http://www.carmarthenshire.gov.wales/>

1.5 Areas we regulate

- Environmental Health
- Trading Standards
- Licensing
- Animal Welfare,
- Private Sector Housing,
- Public Sector Housing,
- Planning,
- Building Regulation,
- Waste Regulation,
- Highways,
- Education,
- Benefit Regulation

2.0 Carmarthenshire's approach to compliance and enforcement

2.1 Principles of Good Regulation

2.1.1 The Legislative and Regulatory Reform Act 2006, Part 2, requires Carmarthenshire County Council to have regard to the Principles of Good Regulation when exercising a specified regulatory function as set out in The Legislative and Regulatory Reform (Regulatory Functions) Order 2007

2.1.2 We will exercise our regulatory activities in a way which is:

- (i) Proportionate – our activities will reflect the level of risk to the public and enforcement action taken will relate to the seriousness of the offence,
- (ii) Accountable – our activities will be open to public scrutiny, with clear and accessible policies, and fair and efficient complaints procedures,
- (iii) Consistent – our advice to those we regulate will be robust and reliable and we will respect advice provided by others. Where circumstances are similar, we will endeavour to act in similar ways to other local authorities,
- (iv) Transparent – we will ensure that those we regulate are able to understand what is expected of them and what they can anticipate in return, and
- (v) Targeted – we will focus our resources on higher risk enterprises and activities, reflecting local need and national priorities.

2.2 Regulators' Code

2.3.1 Carmarthenshire County Council has had regard to the [Regulators' Code](#) in the preparation of this policy. In certain instances we may conclude that a provision in the Code is either not relevant or is outweighed by another provision. We will ensure that any decision to depart from the Code will be properly reasoned, based on material evidence and documented.

2.3 Human Rights Act 1998

2.3.1 Carmarthenshire County Council is a public authority for the purposes of the Human Rights Act 1998. We therefore apply the principles of the European Convention for the Protection of Human Rights and Fundamental Freedoms. This Policy and all associated enforcement decisions take account of the provisions of the Human Rights Act 1998. In particular, due regard is had to the right to a fair trial and the right to respect for private and family life, home and correspondence.

2.4 Data Protection Act 1998

2.4.1 Where there is a need for Carmarthenshire County Council to share enforcement information with other agencies, we will follow the provisions of the Data Protection Act 1988.

2.5 The Code for Crown Prosecutors

2.5.1 When deciding whether to prosecute Carmarthenshire County Council has regard to the provisions of [The Code for Crown Prosecutors](#) as issued by the Director of Public Prosecutions.

2.5.2 The Code for Crown Prosecutors is a public document that sets out the general principles to follow when decisions are made in respect of prosecuting cases. The Code sets out two tests that must be satisfied, commonly referred to as the 'Evidential Test' and the 'Public Interest Test':

- a. Evidential Test - is there enough evidence against the defendant?

When deciding whether there is enough evidence to prosecute, Carmarthenshire County Council will consider what evidence can be used in court and is reliable. We

must be satisfied there is enough evidence to provide a "realistic prospect of conviction" against each alleged offender.

b. Public Interest Test - is it in the public interest for the case to be brought to court?

Carmarthenshire County Council will balance factors for and against prosecution carefully and fairly, considering each case on its merits.

2.6 Regulatory Enforcement and Sanctions Act 2008 ('the RES Act')

2.6.1 The Regulatory Enforcement and Sanctions Act 2008, as amended, established the Primary Authority scheme. We will comply with the requirements of the Act when we are considering taking enforcement action against any business or organisation that has a primary authority, and will have regard to guidance issued by the Secretary of State in relation to Primary Authority.

3.0 Advice and guidance

3.1 Carmarthenshire County Council, where appropriate, will provide information, advice and guidance to make it easier for businesses to understand and meet their legal obligations and we will provide it in clear, concise and accessible language.

<http://www.carmarthenshire.gov.wales/home>

3.2 All investigations will be carried out under the following legislation and in accordance with any associated guidance or codes of practice, in so far as they relate to Carmarthenshire County Council:

- the Police and Criminal Evidence Act 1984
- the Criminal Procedure and Investigations Act 1996
- the Regulation of Investigatory Powers Act 2000
- the Criminal Justice and Police Act 2001
- the Human Rights Act 1998

3.3 These Acts and associated guidance control how evidence is collected and used and give a range of protections to citizens and potential defendants.

3.4 Our authorised officers will also comply with the requirements of the particular legislation under which they are acting, and with any associated guidance or codes of practice.

3.5 Powers of entry

Where applicable enforcement officers may exercise their rights of powers of entry under relevant legislation or obtain a warrant of entry from the Justices.

4.0 Enforcement action

4.1 Advice/warning letter

4.1.1 Where it is deemed appropriate by Carmarthenshire County Council, officers may provide compliance advice, guidance and support as a first response to a breach of legislation. Advice is provided, sometimes in the form of a warning letter, to assist individuals and businesses in rectifying breaches as quickly and efficiently as possible, avoiding the need for further enforcement action. A warning letter will set out what should be done to rectify the

breach and to prevent re-occurrence. If a similar breach is identified in the future, this letter will be persuasive in considering the most appropriate enforcement action to take on that occasion. Such a letter cannot be cited in court as a previous conviction but it may be presented in evidence.

4.2 Voluntary undertakings

4.2.1 In certain circumstances, Carmarthenshire County Council may accept voluntary undertakings that breaches will be rectified and/or recurrences prevented. Failure to honour voluntary undertakings are taken very seriously and enforcement action is likely to result from such a failure

4.3 Statutory and Legal Notices

4.3.1 Statutory notices and other legal notices include, but are not limited to: 'Stop Notices', 'Prohibition Notices', 'Remedial Action Notices', 'Emergency Prohibition Notices', 'Abatement Notices' and 'Improvement Notices'. Such notices are legally binding. Failure to comply with a statutory notice in some circumstances can be a criminal offence and may lead to prosecution and/or, where appropriate, the carrying out of work in default.

4.3.2 A statutory or legal notice will, where applicable, clearly set out what actions must be taken and the timescales within which they must be taken as well as the consequences of non-compliance and any appeals procedure.

4.4 Financial penalties

4.4.1 Carmarthenshire County Council have powers to issue Fixed Penalty Notices in respect to some breaches of legislation. A fixed penalty notice is not a criminal fine and does not appear on an individual's criminal record. If a fixed penalty is not paid Carmarthenshire County Council may commence criminal proceedings or take other enforcement action in respect of the breach. In some circumstances, in particular where breaches are serious or recurrent, it may be that prosecution is more appropriate than the issue of a fixed penalty notice.

4.5 Refusal/suspension/revocation of licences

4.5.1 Carmarthenshire County Council process and issue a number of licences, authorisations, approvals and permits. During the processing of applications, previous breaches, enforcement action and intelligence will be considered. Most licences include conditions which require the licence holder to operate the businesses in a manner that protects public safety for example. Certain legislation sets out specific licensing objectives which must be upheld. Where breaches of these conditions are found, this may lead to further enforcement action and/or a review of the licence/approval which may result in warning, suspension, amendment or revocation.

4.6 Detention/ seizure /Forfeiture proceedings

4.6.1 Where the legislation permits Carmarthenshire County Council has the power to detain/ seize/forfeit items

4.7 Injunctive Actions, Enforcement Orders etc.

4.7.1 In some circumstances Carmarthenshire County Council may seek a direction from the court (in the form of an order or an injunction) that a breach is rectified and/or prevented from recurring. The court may also direct that specified activities be suspended until the breach has been rectified and/or safeguards have been put in place to prevent future breaches.

4.7.2 Failure to comply with a court order constitutes contempt of court, a serious offence which may lead to imprisonment.

4.7.3 Carmarthenshire County Council is required to seek enforcement orders after issuing some enforcement notices, providing the court with an opportunity to confirm the restrictions imposed by the notice. Otherwise, Carmarthenshire County Council will usually only seek a court order if it has serious concerns about compliance with voluntary undertakings or a notice.

4.8 Simple cautions

4.8.1 Carmarthenshire County Council has the power to issue simple cautions (previously known as 'formal cautions') as an alternative to prosecution, if it is deemed appropriate in the circumstances. This can only be considered where a person admits an offence and consents to the simple caution. Where a simple caution is offered and declined, Carmarthenshire County Council is likely to consider prosecution.

4.8.2 A simple caution will appear on the offender's criminal record. It is likely to influence how Carmarthenshire County Council and others deal with any similar breaches in the future, and may be cited in court if the offender is subsequently prosecuted for a similar offence. If a simple caution is issued to an individual (rather than a corporation) it may have consequences if that individual seeks certain types of employment.

4.8.3 Simple cautions will be used in accordance with Home Office Circular 016/2008 and other relevant guidance.

4.9 Prosecutions

In addition to specific powers to prosecute under certain legislation, s.222 of the Local Government Act 1972 allows Carmarthenshire County Council has the power to prosecute any criminal offence where they consider it expedient for the promotion or protection of the interests of the inhabitants of their area.

4.9.1 When deciding whether to prosecute Carmarthenshire County Council has regard to the provisions of [The Code for Crown Prosecutors](#) as issued by the Director of Public Prosecutions.

4.9.2 Prosecution will only be considered where Carmarthenshire County Council is satisfied that it has sufficient evidence to provide a realistic prospect of conviction against the defendant(s).

4.9.3 Before deciding that prosecution is appropriate, Carmarthenshire County Council will have due regard to the public interest test as set out in the Code for Crown Prosecutors

<http://www.cps.gov.uk/publications/codeforcrownprosecutors/index.html>

4.9.4 A successful prosecution will result in a criminal record. The court may impose a fine, community based penalty, and in respect of particularly serious breaches a prison sentence. The court may order the forfeiture and disposal of non-compliant goods and/or the confiscation of any criminal benefit which have resulted from the breach. Prosecution may also lead, in some circumstances, to the disqualification of individuals from acting as company directors.

4.10 Fixed Monetary Penalties

4.10.1 Carmarthenshire County Council has powers under certain legislation to impose Fixed Monetary Penalties, which are capped at a relatively low level and are not intended to be used for more serious cases of non-compliance. Fixed Monetary Penalties are not criminal fines and do not appear on an individual's criminal record. Fixed Monetary Penalties cannot be used in conjunction with any other sanction.

4.11 Discretionary Requirements

4.11.1 Carmarthenshire County Council has powers under certain legislation to impose Variable Monetary Penalties and Non-Monetary Discretionary Requirements.

4.11.2 Variable Monetary Penalties may be imposed up to a maximum level set out in the relevant legislation.

4.11.3 Non-Monetary Discretionary Requirements are requirements to take steps to ensure that a breach does not continue or recur. Where Carmarthenshire County Council chooses to impose Non-Monetary Discretionary Requirements it will clearly set out what those steps should be and the time period within which they must be completed. A failure to comply with the requirements is likely to result in a financial penalty.

4.11.3 Carmarthenshire County Council may use Variable Monetary Penalties and Non-Monetary Discretionary Requirements in combination.

4.12 Proceeds of Crime

4.12.1 Where applicable Carmarthenshire County Council may make an application under the Proceeds of Crime Act 2002 for the restraint/confiscation of assets.

5.0 Working in partnership

5.1 If an offender commits offences in a number of Local Authority areas it may be more appropriate for one Council to take a prosecution for all offences, including ones that took place outside of its area.

5.2 Where an offender commits offences across different Local Authority areas, consideration will be given to the provisions in s.101 of the Local Government Act 1972, which allows for one Local Authority to instigate a prosecution on another's behalf. Need to mention section 222? 5.3 Carmarthenshire County Council will work closely with our partners including other local Authorities and other Agencies. As such, we will exchange information on enforcement activities with our partner organisations and we will do so in

accordance with any established methods of information sharing and legal requirements. A decision may be made for a case to be passed to a third party for further action.

6.0 Review

We will review this enforcement Policy annually or where there are any significant changes for example to legislation.

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Appendix B - 2019 Planned Work Programme (in addition to the daily suite of reactive works).

Month	Activity
Jan	To provide talks to primary school children across the county engaging in Dog fouling, litter and recycling/waste matters. These talks are in conjunction with colleagues in waste ensuring consistent messages are applied to the schools.
Feb	To investigate and remove fly posting across the county.
Mar	Action day in Carmarthen and Ammanford concentrating on dog fouling in the recreational areas and parks.
Apr	To check waste carriers at the 3 CA sites namely Trostre, Nantycaws and Wernddu.
May	Action day in Llanelli concentrating on dog fouling in the recreational areas and parks.
Jun	Working in partnership with colleagues in waste, joint visits to properties in hotspot areas in an effort to improve recycling through education and enforcement.
Jul	Town centre litter patrol Carmarthen.
Aug	Town centre litter patrol Llanelli.
Sep	Town centre litter patrol Ammanford.
Oct	Bring site patrol across the county checking for excess waste.
Nov	Business waste compliance in Llanelli
Dec	Business waste compliance in Carmarthen/Ammanford.

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ENVIRONMENTAL & PUBLIC PROTECTION SCRUTINY COMMITTEE

22ND FEBRUARY 2019

HOUSEHOLD WASTE RECYCLING CENTRES POLICY REPORT

Purpose:

To provide information on proposed new policies in relation to waste restrictions on our Household Waste Recycling Centres (HWRCs).

To consider and comment on the following issues:

That the Committee considers the following draft proposals which Executive Board will consider in respect of our HWRCs:

- Reduce opening hours by 1 hour each day – 1st April 2019.
- Ban on commercial waste – 1st April 2019.
- Residency checks – phased from 1st April 2019.
- Permit system – 3rd June 2019 (see Appendix A relating to vehicle types).
- Black bag sorting – phased from 1st October 2019.

Reasons:

If the proposed policies are adopted this could lead to a 4.1% increase in our overall recycling rate and a potential net saving to the waste budget of approximately £275k for reinvestment into other initiatives to further increase recycling.

To be referred to the Executive Board / Council for decision: YES

EXECUTIVE BOARD MEMBER PORTFOLIO HOLDER:- Cllr. Hazel Evans (Environment)

Directorate: Environment

Name of Head of Service:
Ainsley Williams

Designations:
Head of Waste & Environmental Services

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EXECUTIVE SUMMARY
ENVIRONMENTAL & PUBLIC PROTECTION
SCRUTINY COMMITTEE

22ND FEBRUARY 2019

HOUSEHOLD WASTE RECYCLING CENTRE POLICY REPORT

1. Introduction

Carmarthenshire County Council provides waste services to approximately 89,000 households and offers a fortnightly residual black waste collection and co-mingled kerbside recycling service as well as a weekly food collection.

2. Background

In 2016-17 Carmarthenshire County Council was exceeding the Welsh Government 2019/20 recycling target of 64%, However, due to changes in our disposal arrangements for our residual waste, reclassification of some wood recycling, and increased residual waste deposited at Household Waste Recycling Centres (HWRC) this performance has now dropped to 61% in the first two quarters of 2018-19.

This means at present there is a significant risk of not meeting the statutory recycling target of 64% in 2019/20 and therefore being potentially exposed to significant financial penalties from Welsh Government.

In order to address this challenge a Household Waste Recycling Centre review has been undertaken to assess options available to the Authority for achieving both cost savings and improved recycling performance.

From analysis it can be seen that:

- From 2015/16 onwards significant increases in waste arisings are being experienced across the network.
- Total residual (non-recyclable) waste deposited at HWRCs has increased by over 5,000 tonnes since 2014/15 an increase of 126%.
- HWRC Recycling performance has decreased from 76.6% in 2015/16 to 68.25% 2018/19.

There are three main factors relating to the type and quantity of waste disposed of at the HWRCs that in turn affect our overall recycling performance:

- Commercial waste.
- Waste from neighbouring counties.
- Recyclable waste not being segregated and simply deposited in black bags.

3. Other considerations:

The HWRC's currently operate spring/summer and autumn/winter opening times.

April – September: 8.30am – 7.00pm.

October – March: 8.30am – 5.00pm.

Due to the significantly reduced site usage between 6 -7pm in summer and 4-5pm in winter it is proposed to reduce the spring/summer opening times to 8.30am – 6.00pm (1-hour reduction) and autumn/winter opening times to 8.30am – 4.00pm (1-hour reduction).

In undertaking this 1-hour reduction over a 12-month period would result in cost savings in the region of £40,000.

Summary

It is recommended that the following proposals are implemented as set out:

- Reduce opening hours by 1 hour each day – 1st April 2019.
- Ban on commercial waste at HWRC's – 1st April 2019.
- Residency checks – phased from 1st April 2019.
- Permit system – June 2019 (see Appendix A relating to vehicle types).
- Black Bag sorting – phased from 1st October 2019.

If the proposed polices are adopted this could lead to a 4.1% increase in our overall recycling rate and a potential net saving to the waste budget of approximately £275k for reinvestment into other initiatives to further increase recycling.

DETAILED REPORT ATTACHED?	YES
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IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: Ainsley Williams

Head of Waste & Environmental Service

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
None	NONE	NONE	NONE	NONE	NONE	NONE

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: Ainsley Williams

Head of Waste & Environmental Services

1. Local Members: N/A
2. Community / Town Council: N/A
3. Relevant Partners - Cwm Environmental Ltd.
4. Staff Side Representatives and other Organisations - N/A

Section 100D Local Government Act, 1972 – Access to Information
List of Background Papers used in the preparation of this report:

THERE ARE NONE

**Detailed Report of the Director of Director of Environment
ENVIRONMENTAL AND PUBLIC PROTECTION SCRUTINY COMMITTEE**

22ND February 2019

Household Waste Recycling Centres Policy Report

Head of Service & Designation. Ainsley Williams Head of Waste and Environmental Services	Directorate Environment	Telephone No. 01267 224500
Author & Designation Daniel John Environmental Services Manager	Directorate Environment	Telephone No 01267 225131

DETAILED REPORT

1. Introduction & Background

Carmarthenshire County Council provides waste services to approximately 89,000 households and offers a fortnightly residual black waste collection and co-mingled kerbside recycling service as well as a weekly food collection. Kerbside bulky and garden waste are also offered as chargeable services. In addition to the kerbside collection service, the Council provide four Household Waste Recycling Centres located at Whitland, Wernddu, Nanycaws and Trostre. A fifth site, located in Llangadog closed in March 2017. The future provision potential for a fifth site will be covered in a separate report.

In 2016-17 Carmarthenshire County Council was exceeding the Welsh Government 2019/20 recycling target of 64% with an overall recycling rate of 66%. However, due to changes in our disposal arrangements for our residual waste, reclassification of some wood recycling, and increased residual waste deposited at Household Waste Recycling Centres (HWRC) this performance has now dropped to 61% in the first two quarters of 2018-19.

This means at present there is a significant risk of not meeting the statutory recycling target of 64% in 2019/20 and therefore being potentially exposed to significant financial penalties from Welsh Government.

In the absence of any other developments, major changes to the way the service operates will be required to meet the targets of 64% in 2019-20 and 70% by 2024-25, with officials from Welsh Government already proposing the introduction of more challenging targets beyond this timescale.

In order to address this challenge a Household Waste Recycling Centre review has been undertaken to assess options available to the Authority for achieving both cost savings and improved recycling performance.

2. Site Performance

At present the overall recycling rate for our facilities is on average 68%. The total waste received per household through the HWRCs in Carmarthenshire is amongst the highest across Wales. This means the recycling performance of our HWRC's has a greater effect on our overall recycling rate than many other Welsh authorities. Therefore, ensuring high performing sites is essential to increasing our overall recycling rate.

From analysis it can be seen that:

- From 2015/16 onwards significant increases in waste arisings are being experienced across the network.
- Total residual (non-recyclable) waste deposited at HWRCs has increased by over 5,000 tonnes since 2014/15 an increase of 126%.
- HWRC Recycling performance has decreased from 76.6% in 2015/16 to 68.25% 2018/19.

There are three main factors relating to the type and quantity of waste disposed of at the HWRCs that in turn affects our overall recycling performance:

- Commercial waste.
- Waste from neighbouring counties.
- Recyclable waste not being segregated and simply deposited in black bags.

3. Site Performance Factors

3.1 Commercial Waste

It has been identified that a number of commercial vehicles, thought to be depositing waste of commercial origin were observed using the facilities, with up to 30 commercial vehicles per hour using the Trostre facility witnessed. With this level of usage, commercial waste has significant contribution to the overall HWRC arisings.

Carmarthenshire's HWRC facilities are for the purpose of residents in the County to dispose of household waste. At present commercial waste enters the site unchecked and the following problems arise:

- Congestion on site, which may deter householders and create safety concerns;
- additional site demand and increased service vehicles being required on site incurring additional cost;
- costs of additional disposal;
- effects on the morale of site staff when they know it is difficult to manage the situation and they have great difficulty in taking preventative action.
- Commercial waste not being segregated into different recyclable streams, thereby affecting the recycling rate of the site.

All of these factors mean that commercial waste should be controlled. If commercial waste remains unchecked, other measures to improve the efficiency of the site are likely to be less effective.

These controls will take the form of an assessment of waste within vehicles entering the site by personnel together with controls on the type of vehicle entering the facility.

3.2 Waste from neighbouring counties

Current legislation stipulates local authorities will provide 'free access for local residents to household waste recycling centres to deposit household waste and recycling'. However, following the introduction of tighter restrictions across Swansea's HWRC network during 2016. In which residual waste was prohibited from a number of sites and residual waste sorting implemented at another, Carmarthenshire has experienced significant increases in wastes deposited at CCC HWRC facilities.

As a result of their restrictions Swansea have witnessed an 8,700t overall annual reduction of residual waste deposited at their HWRCs. A decrease of similar magnitude to the increase in material seen at Carmarthenshire's HWRC network over the same period.

Whilst it is impossible to say with any certainty that the increase in Carmarthenshire is a direct result of material being displaced from the Swansea region it is believed that there is partial correlation.

Analysis undertaken suggests approximately 18,000 households and wider neighbouring Authorities have a Carmarthenshire facility as their nearest HWRC. It can be assumed that these neighbouring household users may present up to 1,600t of residual waste at our facilities per year at a cost for disposal in the region of £190k.

In order to reduce costs and increase recycling performance targets it is proposed that the use of CCC HWRCs by 'non-local' residents is prohibited.

3.3 Recyclable waste

As previously indicated it can be seen that the total residual waste deposited at sites has increased significantly over recent years.

Whilst controls on commercial use and non-resident use would almost certainly result in a reduction to residual waste, further action to address the amount of residual waste entering the site is necessary.

The 2017 compositional analysis of CCC's HWRC residual waste suggests that more than 60% of residual waste material currently disposed is potentially recyclable, with nearly 42% being recyclable via facilities currently available at HWRC.

If it is assumed that half of the potentially recyclable materials within the remaining residual waste legitimately entering the site were diverted, an additional 1,960 tonnes could be recycled, which represents an increase to the HWRC recycling rate of around 6%. The estimated savings of a 50% increased recycling capture would be in the region of £200,000 per year.

4. Opening Times

The HWRC's currently operate spring/summer and autumn/winter opening times.

April – September: 8.30am – 7.00pm.

October – March: 8.30am – 5.00pm.

Site user numbers were monitored from July 18 – October 18 to establish level of site usage and vehicle throughput.

Month/Time	Average No. Vehicles	Daily Percentage
July (Summer Hours)		
8.30 – 9.30am	86	11.3%
5 – 6pm	33	4.3%
6 – 7pm	24	3.1%
August (Summer Hours)		
8.30 – 9.30am	60	7.2%
5 – 6pm	51	5.7%
6 – 7pm	42	4.7%
September (Summer Hours)		
8.30 – 9.30am	64	8.2%
5 – 6pm	56	8.0%
6 – 7pm	39	5.2%
October (Winter Hours)		
8.30 – 9.30am	74	10.00%
4 – 5pm	65	8.7%

Due to the significantly reduced site usage between 6 -7pm in summer and 4-5pm in winter it is proposed to reduce the spring/summer opening times to 8.30am – 6.00pm (1-hour reduction) and autumn/winter opening times to 8.30am – 4.00pm (1-hour reduction).

In undertaking this 1-hour reduction over a 12-month period would result in cost savings in the region of £40,000.

5. Recommendations including Savings and impact

Given the extent of increased waste, particularly residual waste, as a result of suspected commercial activity, use non-Carmarthenshire residents and a reluctance to recycle in general terms, the high level recommendations are as follows:

Intervention	Planned date	Additional Cost	Potential Savings	Potential Net Savings
Reduction in site opening times by one hour per day	April 2019	-	£40,000	£40,000
Ban commercial waste and divert via CWM Environmental Ltd.'s commercial route at Nantycaws	April 2019	£190,000 (additional staffing personnel across the sites)	£300,000	£110,000
Residency checks are conducted at HWRCs to ensure only Carmarthenshire residents use the sites.	From April 2019			
Introduce a permit system whereby some private vans can use the HWRCs for domestic purposes through a permit scheme (12 permits a year is recommended). *Vehicle Permit Proposal in Appendix A	June 2019			
Controls on residual waste is implemented through restrictions and checks on what is brought in to site. Provide areas for residents to segregate black bag waste into appropriate receptacles for recyclable materials.	From Oct 2019	£75,000	£200,000	£125,000
TOTAL	-	£265,000	£540,000	£275,000

Through the implementation of proposed policies it has been modelled that the impact on Carmarthenshire's recycling rates are likely to lead to a 4.1 percentage point increase. Financial benefit is likely to be realised through savings in the region of £110,000 per year from reducing trade and cross border use. In addition, a further £125,000 per year could be achieved from increased diversion and recycling of residual waste by sorting on site and a £40,000 saving from reduced operating times.

6. Summary

It is recommended that the following proposals are implemented as set out:

- Reduce opening hours by 1 hour each day – 1st April 2019.
- Ban on commercial waste at HWRC's – 1st April 2019.
- Residency checks – phased from 1st April 2019.
- Permit system – June 2019 (see Appendix A relating to vehicle types).
- Black Bag sorting – phased from 1st October 2019.

If the proposed policies are adopted this could lead to a 4.1% increase in our overall recycling rate and a potential net saving to the waste budget of approximately £275k for reinvestment into other initiatives to further increase recycling.

Appendix A – Vehicle Access Guidance List (carrying private domestic household waste only). No commercial/industrial waste will be allowed to enter into the facilities.

Type of vehicle	Access
 Car/Car type 4x4/SUV (including estate cars)	No permit required
 Car, car type 4x4/SUV with advertising/sign writing	No permit required
 Any car, car type 4x4/SUV with a single axle trailer	No permit required
 Compact pick-up 4x4/SUV with rear side windows, second row of seats with or without enclosed load bay (non-commercial waste)	No permit required
 Compact pick-up 4x4/SUV with rear side windows, second row of seats with or without enclosed load bay (non-commercial waste) with advertising/sign writing.	No permit required
 Car type van/people carrier with rear side windows, second row of seats.	No permit required
 Small Van (non-commercial waste)	Permit required
 Large van (non-commercial waste)	Permit Required
 Commercial Pick-up/Van with flatbed, cage and/ or drop-sider (including double cabs).	Vehicle not allowed at HWRCs
	Vehicle not allowed at HWRCs

Type of vehicle	Access
Small/large Van or Pick-up with a single axle trailer	
 Any vehicle towing a trailer with a more than one axle	Vehicle not allowed at HWRCs
 Horsebox or agricultural vehicles	Vehicle not allowed at HWRCs
 Large goods vehicle including Luton Box vans.	Vehicle not allowed at HWRCs

*Residents accessing the facilities with short term hired vans (with hire company sign writing) will be allowed to dispose of domestic (non-commercial) waste only, subject to providing a copy of the rental agreement to the site attendant.

Adapted vehicles for disabled use will not require permits.

ENVIRONMENTAL AND PUBLIC PROTECTION SCRUTINY COMMITTEE

22ND FEBRUARY 2019

Explanation for non-submission of scrutiny report

ITEM	RESPONSIBLE OFFICER	EXPLANATION	REVISED SUBMISSION DATE
Budget Monitoring	Rhian James	The report will be presented to the next Scrutiny Committee in correlation with the Budget Monitoring reporting cycle.	18 th April 2019

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ENVIRONMENTAL AND PUBLIC PROTECTION SCRUTINY COMMITTEE

22ND FEBRUARY 2019

FORTHCOMING ITEMS

for next meeting to be held on 18th April 2019

In order to ensure effective Scrutiny, Members need to be clear as to the purpose of requesting specific information and the outcome they are hoping to achieve as a consequence of examining a report. Limiting the number of agenda items may help to keep meetings focused and easier to manage.

Proposed Agenda Item	Background	Reason for report
Quarter 3 – New Corporate Strategy Performance Monitoring Report 2018/19	This item will provide a report on the progress against the actions and measures in the 2018/19 Well-being Objectives delivery Plan relevant to the Committee's remit, up to 31 st December 2018.	This item will enable the Committee to consider and comment upon progress achieved. To enable members to exercise their scrutiny role.
Environmental and Public Protection Scrutiny Committee Actions	These updates provide details on progress made in relation to actions and requests from previous Environmental and Scrutiny Committee meetings.	The Committee is being requested to consider and note progress.
Budget Monitoring 2018/19	This item enables members to undertake their monitoring role of the Environment Department, Public Protection Services and Community Safety Team's revenue and capital budgets.	To enable the committee to undertake its monitoring role of the budgets which fall within its remit

**Items circulated to the Committee under separate cover
since the last meeting held on 14th January 2019**

E&PP Action No	Description
E&PP 014-18/19	<p>At its meeting on 10th December, the E&PP Scrutiny Committee resolved that a letter from the Committee to send to Assembly Members reflecting the views of the Committee in relation to highway adoptions (Minute 6 refers).</p> <p>On 14th January 2019, Cllr John James sent a Letter on behalf of the Committee to the following AM's:-</p> <ul style="list-style-type: none"> - Mr Neil Hamilton AM - Mr Adam Price AM - Mrs Angela Burns AM - Mr Lee Waters AM <p>A copy of the letter was e-mailed to Committee Members on 14th January 2019</p>

ENVIRONMENTAL & PUBLIC PROTECTION SCRUTINY COMMITTEE

10 DECEMBER 2018

PRESENT: Councillor A. Vaughan Owen (Chair)

Councillors:

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

Also in attendance:

Councillor D. Cundy – Substitute for Councillor J. James;
Councillor T. Evans – Substitute for Councillor A. James;
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. Hemingway, Head of Financial Services;
J. Morgan, Acting Head of Homes & Safer Communities;
S. Pilliner, Head of Transportation & Highways;
L. Quelch, Head of Planning;
S. Charles, Transport Strategy and Infrastructure Manager;
R. Edmunds, Consumer and Business Affairs Manager;
K. Harrop, Community Safety Manager;
D.W. John, Waste Services Manager;
R. James, Group Accountant;
A. Kenyon, Senior Performance Management Officer;
J. Owen, Democratic Services Officer;
L. Jenkins, Democratic Services Officer.

Chamber, County Hall, Carmarthen: - 10:00am - 11:20am

• **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors A. Davies, A. James and J. James.

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 (NONE RECEIVED)**

The Chair advised that no public questions had been received.

4. REVENUE BUDGET STRATEGY CONSULTATION 2019/20 to 2021/22

The Committee considered the Revenue Budget Strategy 2019/20 to 2021/22 (Appendix A) which had been endorsed by the Executive Board for consultation purposes at its meeting on 19th November 2018. The report provided Members with the current view of the Revenue Budget for 2019/2020 together with indicative figures for the 2020/2021 and 2021/2022 financial years. The report was based on officers' projections of spending need and took into account the provisional settlement issued by Welsh Government on 9th October 2018.

The Head of Financial Services advised whilst the announced provisional settlement represented a 0.3% reduction as an average across Wales on the 18/19 settlement, the impact on Carmarthenshire, after taking into account factors such as meeting the cost of the teachers' pay award and free school meals eligibility was a 0.5% reduction equating to £1.873m.

In summary, the budget proposals would assume full delivery of the £28 identified savings over the plan period. Furthermore, the budget proposals assumed a Council tax increase of 4.89% for 2019/20.

The Head of Financial Services also advised that subsequent to the publication of the council's budget proposals for consultation the Welsh Governments Cabinet Secretary for Finance had announced an additional £13m to be added to the Welsh Revenue Support Grant for 2019/20. Whilst specific details of the announcement had yet to be received, it had been estimated that the impact for Carmarthenshire would be the reduction in funding to 0.2% over the 18/19 settlement. Additionally, the Welsh Government had announced an extra £7.5m grant across Wales to part fund the teachers' pay award.

The Committee noted that the current projection for the Revenue Outturn for 2018/19 and that the main reasons for the Environmental Department overspends were primarily due to non-achievement of car park income targets and a decrease in planning application income.

The Committee thereupon considered the following detailed budget information appended to the Strategy relevant to its remit:

- **Appendix A(i)** – Efficiency summary for the Environment and Public Protections Services;
- **Appendix A(ii)** – Growth Pressures summary for Environment Service;
- **Appendix B** – Budget extracts for the Environment, Public Protection and Community Safety Services;
- **Appendix C** – Charging Digest for the Environment and Public Protection Services.

The following questions/issues were raised on the report:-

- Reference was made to the Council's efficiency savings in relation to the Highways – Rural Road Sweeping within Appendix A(i). In response to a query regarding the safety impact of ceasing the scheduled mechanical sweeping on rural roads, the Head of Transportation and Highways stated that whilst the proposal was to discontinue to undertake scheduled and ad hoc sweeping, the department would be responding to emergencies on a reactive basis, which could involve the use of contractors. It was intended that savings would be realised on a part efficiency and part reduction of service basis, for example mechanical sweeper attachments can be fitted to JCB's at relatively low cost when patching works are undertaken.

Whilst the reductions in budgets was acknowledged, strong concern was expressed regarding the impact of safety should budgets continue to be reduced in future years.

- With regard to the proposal in relation the charging or potential removal of the transport provision for post 16 education. It was commented that whilst this had been postponed by one year in order to allow the authority to meet the statutory obligations in terms of changes, a number of Members not in favour of this proposal.

RESOLVED that:

4.1 The 2019/20 – 2021/22 Revenue Budget Strategy Consultation be received;

4.2 The Charging Digest for the Environment and Public Protection Services, as detailed in Appendix C to the report be endorsed.

5. CARMARTHENSHIRE HIGHWAYS DESIGN GUIDE

The Committee considered a report which appended the updated Highways Design Guide (HDG). The guide had been developed with the intention to provide guidance to Developers, Designers and other professionals in preparing transport infrastructure and associated interventions relating to a wide range of developments in Carmarthenshire.

The HDG would replace the existing Highway Design Guidance which dates back to 1997. The Committee noted that the principal aim of the HDG was to encourage developers to create Highway layouts which would have a distinctive character in their built environment and landscaping, whilst applying design standards which would achieve a safe sustainable provision for all users.

In addition, the Guide sets out the Authority's expectations for the design of highway infrastructure for developments in the County as follows:

1. Aims and Objectives of the Design Guide
2. The Planning Process
3. Policy context
4. Design Process
5. Design Standards
6. Construction, Maintenance and Statutory Agreements

The HDG would be used as a key policy document to be referenced by the Highways Planning Liaison officers, as well as the Local Planning Authority in the assessment and determination of planning applications.

The following questions/issues were raised on the report:-

Reference was made to the page 47 of the HDG. In relation to the adopted roads, further clarity was sought on the section 278 agreement. The Transport Strategy and Infrastructure Manager advised that some roads on new housing developments were not being adopted by the Local Authority due to the minimum standards for adoption as set out in the HDG were not being met. In addition, currently there were no legal powers in place to enforce developers to raise the standards of the roads to meet the required standard.

Furthermore, it was commented that the provision of parking on new housing developments was often insufficient. The Transport Strategy and Infrastructure Manager stated that guidelines within the CSS Wales – Wales Parking Standard 2014 seeks to minimise disruption and encourages the use of sustainable transport by not overproviding. The adoption of the revised Supplementary Planning Guidance may address these issues in the future.

In response to a concern raised regarding the ongoing maintenance of un-adopted highways and if there was anything the Council could do to improve the developer's timescale, the Transport Strategy and Infrastructure Manager reported that the Council was unable to influence developers. The Head of Transportation and Highways advised that the property holder, following a conveyance process, would be able to enquire for more detail from their solicitor.

Furthermore, the Committee noted that the HDG acknowledged that the maintenance of highway environment was a key aspect of safeguarding the safety and well-being of the people of Carmarthenshire and that poorly maintained highway environments had the potential to reduce the quality and ease of everyday travel. Therefore, when designing developments there should be a presumption that they would be adopted by Carmarthenshire County Council, and as such all streets should comply with the requirements and specifications set out in the HDG.

In addition, with regard to those streets not intended to be offered for adoption, the design should still be to an adoptable standard, to safeguard the efficient future maintenance of the highway environment within the development.

The Head of Transport and Highways emphasised that the Authority had no legal powers to enforce the adoption of a highway by a developer to ensure that street works were done to an acceptable and adoptable standard and that residents should refer this matter with their conveyancing solicitor.

The Committee, having been advised that elements of the Section 38 Agreement of the Highways Act was currently under review by the Welsh Government proposed, that in order to safeguard property owners on new housing developments from being left with un-adopted roads, the Assembly Member for each party be written to requesting to pursue that, as part of the Section 38 Agreement review, developers be legally required to ensure streets are developed to the required standard for adoption.

RESOLVED that:

5.1 the Carmarthenshire Highways Design Guide be received;

5.2 a letter be written to the abovementioned Assembly Members requesting to pursue that, as part of the Section 38 Agreement review, developers are legally required to ensure streets are developed to an adoptable standard.

6. ENVIRONMENT DEPARTMENTAL BUSINESS PLAN 2019/20 – 2022

The Committee considered the Draft Environmental Departmental Business Plan 2019/20 - 2022 which outlined the priorities for the department and identified how the department supported the five ways of working and the goals of the Well-being of Future Generations (Wales) Act 2015. The report included extracts of the aspects relevant to the Environmental and Public Scrutiny Committee including the following elements:-

- Highways and Transport
- Waste and Environmental Services
- Business Improvement

The following issues were discussed during consideration of the plan:

Reference was made to the significant increase in the percentage of municipal wastes sent to landfill from 4.73% in 2016/17 to 20.29% in 2017/18. The Waste Services Manager advised that incineration contract with CWM Environmental had come to an end and was currently going through the procurement process with a view to establishing a longer term solution. It was clarified at this point that the Landfill Grants previously administered by the contractor were now being administered by the Welsh Revenue Authority as part of a national scheme.

RESOLVED that the Environment Departmental Business Plan 2019/20-2022 be received.

7. COMMUNITIES DEPARTMENTAL DRAFT BUSINESS PLAN 2019/20 – 2022

The Committee received the Communities Departmental Business Plan 2019/20 – 2021/2022 which provided Members with comprehensive overview of the Communities Departmental progress. It was noted that whilst the plan enveloped the whole of the Departments' priorities, the Committee's role was to scrutinise the Public Protection elements set out on 25 of the report.

RESOLVED that the Communities Departmental Business Plan 2019/20-2022 be received.

8. CHIEF EXECUTIVE'S DEPARTMENTAL BUSINESS PLAN 2019/2022

The Committee considered the Report on the Chief Executive's Departmental Business Plan 2019/20 – 2021/22. The report contained extracts of the aspects relevant to the Environment and Public Protection Scrutiny Committee in relation to Community Safety.

In response to an observation made on the 2018/19 target relating to recorded crime, the Community Safety Manager reported that due to changes in the way that crime was now recorded it had been difficult to identify a challenging target. However, reassurance was provided that all crime figures would be closely monitored.

UNANIMOUSLY RESOLVED that the Chief Executives Departmental Business Plan 2019/20 – 2021/2022 be received.

9. BUSINESS AND CONSUMER AFFAIRS SERVICES ANNUAL REPORT 2017/18

The Committee received the Business and Consumer Affairs Services Annual Report for 2017/18 for consideration. The report provided Members with information and statistics on work undertaken by the Service in 2017/18.

The Committee noted that the Service consists of Trading Standards, Licensing and Animal Health Services.

The following issues were discussed during consideration of the report:

- In response to a query raised regarding a trusted tradesman list, the Consumer and Business Affairs Manager, stated that in order to comply with legislation the Council would be launching a 'Buy with Confidence' scheme which would provide people in Carmarthenshire with a list of local businesses who have given their commitment to trade fairly. Further information with regard to the scheme would be presented to a future Scrutiny Committee meeting.
- In response to a query raised regarding external Food Safety Inspectors, the Head of Homes and Safer Communities confirmed that external Food Safety Inspectors had been contracted during the year to cover areas whilst the department was undertaking a review and therefore was not a long-term solution.

The Executive Board Member expressed his sincere gratitude to the teams within the Business and Consumer Affairs Section for their commitment and hard work over the year particularly throughout the restructuring process.

UNANIMOUSLY RESOLVED that the Business and Consumer Affairs Services Annual Report 2017/18 be received.

10. FORTHCOMING ITEMS

The Committee received the forthcoming items for the next meeting scheduled to take place on 14th January 2019.

UNANIMOUSLY RESOLVED that the list of forthcoming items for the meeting of the Committee to be held on the 14th January, 2019 be agreed.

CHAIR

DATE

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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