

ENVIRONMENTAL & PUBLIC PROTECTION SCRUTINY COMMITTEE

18 APRIL 2019

PRESENT: Councillor J.D. James (Chair)

Councillors:

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

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:

S. Pilliner, Head of Transportation & Highways;
A. Williams, Head of Waste and Environmental Services;
J. Morgan, Head of Homes & Safer Communities;
L. Quelch, Head of Planning;
K. Harrop, Community Safety Manager;
D.W. John, Waste Services Manager;
R. James, Performance Planning & Business Officer;
A. Kenyon, Senior Performance Management Officer;
R. James, Group Accountant;
J. Owen, Democratic Services Officer.

Chamber, 3, Spilman Street, Carmarthen: 10:00am - 11:30am

1. APOLOGIES FOR ABSENCE.

Apologies for absence were received from Councillor A. Davies.
The Chair welcomed Councillor Eryl Morgan to the Committee.

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

There were no declarations of interest.

3. PUBLIC QUESTIONS

The Chair advised that no public questions had been received.

4. QUARTER 3 - 1ST APRIL TO 31ST DECEMBER 2018 PERFORMANCE MONITORING REPORT

The Committee received for consideration the Quarter 1 – 1st April to 31st December 2018 Performance Monitoring Report detailing the progress made against the actions and measures in the New Corporate Strategy 2018/19 on the delivery of the Well-Being Objectives within its remit.

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

- It was raised that the presentation of the report was inadequate, reference was made to missing text and the general formatting of the data presented. The Senior Performance Management Officer acknowledged that there had been difficulties with formatting reports which had been extracted from the Performance Information Management System (PIMS) and assured the Committee that improvements would be made to future reports.
- Reference was made to the measure relating to the average number of working days taken to clear fly-tipping incidents. A question was raised regarding the off-target performance status and if this was a result of the introduction of the new rules. The Head of Waste and Environmental Services proclaimed that whilst there had been a slight increase in fly-tipping, in the main the off-target was attributed to the changes in categorisation and recording methods.

In response to comments raised in relation to the increase in fly-tipping and the responsibility of general fly-tipping on private land, the Head of Waste and Environmental Services emphasised that if fly-tipping took place on private land, it would be the landowner's responsibility to dispose of any items deposited. However, the Council currently work with partner agencies when appropriate including the Police, Natural Resources Wales and other organisations on a multi-agency basis to help address fly-tipping on private land.

In response to a further query, the Head of Waste and Environmental Services stated that he would liaise with the internal enforcement groups to explore possible avenues of support for instances of fly-tipping on private land.

Several queries were raised in relation to the recent changes to the recycling centres. The Head of Waste and Environmental Services reiterated to the Committee, the reasons why the changes were necessary and explained that the Council website contained information including:-

- What the opening times for recycling centres are
- What is required as Proof of residency
- Why a permit scheme is being introduced
- How the permit scheme works
- Information on applying for a permit
- What type of vehicles require a permit.
- Which vehicles have been banned

The Head of Waste and Environmental Services, in response to a query explained that in principle the leaflet on the vehicle guidance for access to recycling centres provided to Committee Members in February hadn't changed, as the overall aims of the restrictions remained the same. However, there had been amendments to how it was presented to provide more clarity on vehicle types/groupings and would forward the final version to Committee Members.

- Reference was made to the absence of a target for the action relating to reducing energy consumption/carbon emissions in the Council's existing non-domestic building portfolio (Action 13251 refers). It was commented that a clear set target for this action was necessary in order for the Council to strive to work towards a results based outcome. It was further commented that currently, with no set target, the action was 'business as usual' and whilst it was pleasing to note that measures were being implemented to reduce energy consumption, it was asked how success was measured? The Head of Waste and Environmental Services stated that comments raised would be forwarded onto the relevant department and that there may be scope to include this measure in the Net Zero Carbon Action Plan.
- Reference was made to the review of existing household recycling participation rates to maximise landfill diversion and increase recycling. It was asked if the door-stepping programme had been completed and if so which households were part of the programme? The Head of Waste and Environmental Services stated that the door-stepping programme had now been completed and that he would forward a list of the households that were visited as part of the programme to Members.
- With regard to the investment of the Tywi Valley Cycle path (Action 13264 refers), it was acknowledged that whilst it was pleasing to see the development in progress, it was queried why a large monetary investment was required to develop cycle paths that were already in existence. The Head of Transportation and Highways explained that primarily successful funding bids to the Welsh Government submitted for Active Travel were subsequently prioritised by Active Travel.
- Following a request for an update on the action relating to improving integration of the public transport network including rail services in Carmarthenshire (Action 13269 refers), the Head of Transportation and Highways provided a verbal explanation on the position of the funding which unfortunately had been reducing year on year over the last 8 years. Studies were ongoing in connection to improving the East to West rail service and as stated in the action update, progress on improvements had started, however, it was acknowledged that a significant amount of work had yet to be carried out.

- Reference was made to the action on improving the infrastructure for the use of electric vehicles (Action 13270 refers). It was highlighted that Carmarthenshire County Council currently does not have an electric car charging policy and that the Council could be doing more in terms of ensuring that private commercial developments provide a provision of electric car charging. The Head of Transportation and Highways explained that in order to ensure that all new developments are equipped with the infrastructure required by the increasing numbers of electric vehicles, and to assist with Carmarthenshire County Council's aspirations for future uptake of electric vehicles, all future developments will be expected to provide charging points at a percentage of the full parking provision. This would be enabled through the Council's Highway Design Guidance which maintains that the Council will expect electric charging points to be provided at a rate of 3% of the overall parking provision at all commercial developments and that details of how developers would provide and manage this should be included within an accompanying Transport Assessment.
- A progress update was requested in relation to the Invest to Save LED project and the Town and Community Councils. The Head of Transportation and Highways reported that the Executive Board had approved the Invest to Save programme allowing the next phase of the project to commence. An offer would be forwarded to Town and Community Councils shortly.

In addition, the Executive Board Member for Environment stated that the offer would also be presented at the next Town and Community Council Forum scheduled to take place on 19th June 2019. Attendees would be afforded the opportunity to ask questions in relation to the LED conversion project and relay any concerns regarding the offer.

It was asked if there would be any opportunity for Town and Community Councils to take over the responsibility of lighting, particularly on unadopted roads. The Head of Transportation and Highways explained to the Committee that under section 38 of the Highways Act 1980, a local highway authority could enter into a legal agreement with the developer to adopt a highway, provided the highway had been constructed to a specified standard and to the satisfaction of the local highway authority. However, during the conveyancing process some residents often overlook that there is no compulsion for the highway authority to enter into a section 38 agreement.

The Chair reported that he was in receipt of a response to the Committee's letter sent to the Assembly Member in relation to the Section 38 agreement review (Agenda 5 on 10th December 2018 refers. The letter acknowledged the concerns of the Committee and highlighted that the Welsh Government had established a task force which would seek to resolve the ongoing problems with regards to unadopted roads.

- With reference to action 13191, concern was expressed regarding the wording of the action. It was felt that in place of 'we will continue to monitor' a clear target should be determined in order to work towards positively reducing the current NO₂ levels within the identified Air Quality Management Areas. The Head of Homes and Safer Communities acknowledged that there was no set target and that he would liaise with the team on this matter.

The Executive Board Member for Environment expressed the difficulties that the Council would have positively improving upon the air quality in isolation due to the increase in the volume of cars and homes. The Executive Board Member for Public Protection echoed the comments and agreed that the increase of vehicles on the roads would present difficulties in positively impacting on the air quality.

RESOLVED that the report be received.

5. REVENUE & CAPITAL BUDGET MONITORING REPORT 2018/19

The Committee considered the Revenue and Capital Budget Monitoring Report as at 31st December in respect of the 2018/19 financial year. The report provided members with budget monitoring information for the Environment Service, Public Protection Service and the Community Safety Service and considered the budgetary position.

In summary, the revenue budget for the services within the Environment and Public Protection Scrutiny remit were forecasting a £447k overspend.

Whereas, the main variances on capital schemes showed a forecasted net spend of £16,252k compared with a working net budget of £16,401k giving a £-149k variance.

RESOLVED that the report be received.

6. ENVIRONMENTAL AND PUBLIC PROTECTION SCRUTINY COMMITTEE ACTIONS UPDATE REPORT

The Committee received a report detailing the progress achieved in relation to actions, requests or referrals emerging from meetings since 18th May 2018.

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

- Action E&PP 009-18/19

In addition to the update provided within the report, the Head of Homes & Safer Communities provided a further verbal update assuring the Committee that the department had been working closely with Natural Resource Wales (NRW) who had issued a warning to the company involved the appropriate sanctions had been instated. In addition, the NRW had increased their number of site visits by way of control and that they were satisfied with the actions made.

In light of the progress made, the Head of Homes & Safer Communities stated that the department were confident that there would not be a reoccurrence of the previous year's fly infestation incident.

In response to a query regarding site visits, the Head of Homes & Safer Communities confirmed that the NRW had regularly visited the company's premises on an ad-hoc basis. The Executive Board Member for Public Protection stated that the extra planned site visits together with the introduction of additional pest control measures would avoid any potential infestation outbreaks.

- Action E&PP 011-18/19

With regard to S106 contributions, it was asked how the level of contribution sought is decided and who decides how the contributions are then spent. The Head of Planning explained that in terms of the level of contribution sought there was a different formula for different types of need identified. For example, the means of calculating contributions to be sought in relation to open spaces was different to how contributions were calculated for affordable housing or education needs.

The Head of Planning explained the importance for Local Members to get involved early in the process when the level of contributions were being discussed either at the pre-application stage or once a planning application had been received. The Local Member should at that time put forward any needs that they were aware of and were encouraged to discuss this with the relevant Department e.g. Education if the need related to schools as well as discussing with the Planning Case Officer. Furthermore, any needs identified must be accompanied by evidence to substantiate that need. The decision at the planning application stage sets the amount and type of need to be met. These details would set out in the in the s106. Once those monies have been collected by the Planning Division, applications could be submitted for using the various pots of money. The Local Member would then be consulted upon receipt of an expression of interest. The final decision as to whether the expression of interest was successful rests with the Head of Planning.

The Head of Planning noted that as a result of Asset Transfer there was a need to re-look at the methodology for identifying open space needs. This would be done as part of the new LDP and that in the meantime, an interim way forward needed to be identified. Officers were currently considering how to address this interim position.

A breakdown of the S106 contributions by ward was requested by Members. The Head of Planning confirmed that a report was produced by ward twice a year for the Communities Scrutiny and that a copy could be provided for information at the same time for Environment and Public Protection Scrutiny Committee. Furthermore, it was intended to coincide S106 discussions with the development of the LDP. This would be achieved through attendance by the Forward Planning Team at Group meetings which were planned to occur over the summer months this year.

In response to a further query regarding the S106 process and associated terminology, the Head of Planning explained that whilst the process had not changed and the definitions remained the same, there had however been some improvements made to the administration and monitoring process. Members were encouraged to report any concerns regarding the process directly to the Head of Planning.

RESOLVED that the report be received.

7. FORTHCOMING ITEMS

The Committee received the forthcoming items for the next meeting scheduled to take place on 17th May 2019.

UNANIMOUSLY RESOLVED that the list of forthcoming items for the Committee meeting to be held on the 17th May, 2019 be agreed.

8. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING OF THE COMMITTEE HELD ON THE 22ND FEBRUARY 2019

UNANIMOUSLY RESOLVED that the minutes of the Environment and Public Protection Scrutiny Committee held on the 22nd February, 2019 be signed as a correct record.

CHAIR

DATE