

# ENVIRONMENTAL & PUBLIC PROTECTION SCRUTINY COMMITTEE 11<sup>th</sup> DECEMBER 2015

**Present:** Councillor A.P. Cooper (Chair)

**Councillors:** A. Davies, J.A. Davies, D.C. Evans, I.J. Jackson (Vice-Chair), J.P. Jenkins, W.G. Thomas, D.E. Williams

**Councillor D.J.R. Bartlett – Substitute for Councillor K.P. Thomas**

**Councillor W.T. Evans – Substitute for Councillor W.J. Lemon**

**Councillor T. Theophilus – Substitute for Councillor D.B. Davies**

**Also in attendance:**

**Councillor H.A.L. Evans – Executive Board Member for Technical Services**

**Councillor D.M. Jenkins – Executive Board Member for Resources**

**Councillor T.J. Jones – Executive Board Member for Environmental & Public Protection**

In attendance as an observer: **Councillor J.D. James**

**The following officers were in attendance:**

Mrs. R. Mullen – Director of Environment

Mr. O. Bowen – Interim Head of Financial Services

Mr. S. Pilliner – Head of Transport & Engineering

Ms. R. James – Group Accountant

Mr. E. Jones – Principal Licensing Officer

Ms. K. Thomas – Community Safety Manager

Mrs. S. Watts – Public Health Services Manager

Mr. A. Williams – Street-Scene Manager

Mr. M. Hughes – Assistant Consultant

**Venue:** Spilman Street Chamber, Carmarthen (10:00 – 11:45am)

## 1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Daff Davies, Andrew James, Winston Lemon, Alan Speake and Keri Thomas.

## 2. DECLARATIONS OF PERSONAL INTEREST

Councillor	Minute Item(s)	Nature of Interest
J.P. Jenkins	8. Review of Gambling Policy	Works in the gambling industry.

### 3. DECLARATION OF PROHIBITED PARTY WHIPS

There were no declarations of party whips.

### 4. PUBLIC QUESTIONS

No public questions were received.

### 5. FORTHCOMING ITEMS

**RESOLVED** that the list of forthcoming items to be considered at the next scheduled meeting on Monday 11th January 2016, be noted.

### 6. REVENUE BUDGET STRATEGY CONSULTATION 2016/17 TO 2018/19

The Committee considered the Revenue Budget Strategy 2016/17 to 2018/19 (Appendix A) which had been endorsed by the Executive Board for consultation purposes at its meeting on 16th November 2015. The Interim Head of Financial Services advised that Welsh Government had announced the provisional settlement earlier that week (9th December) and that Carmarthenshire would see a 1% cut in budget rather than the 3.3% on which the Strategy was based. Whilst the settlement would mean an extra £7.5m for Carmarthenshire, most of this additional funding would be allocated to cover other requirements such the shortfall in efficiency savings and the recently agreed Employees Pay Offer. He added that the extent of the Welsh Government's protection of schools budgets was as yet unclear, even though the Council's strategy had been based on there being no protection of school budgets. The Director of Environment and the Public Health Services Manager also gave a brief overview of their respective service areas.

The following issues were discussed during consideration of the report:

Reference was made to the Welsh Government's settlement announcement and it was asked whether the figures outlined in the budget strategy would change and if so, would this not make consideration of the report irrelevant. The Interim Head of Financial Services strongly advised the Committee to consider and comment on the proposed efficiency savings and charging digests as delivery of the identified savings was essential and these would need to be confirmed early in the New Year. Deferring the report would not allow sufficient time for this.

Reference was made to the Environment Department's Policy & Performance Division and it was asked whether this, as an administrative function costing in excess of £900,000, should also be bearing significant efficiency savings when front-line services were being reduced or cut. The Director of Environment reminded the Committee that in order for the department to operate successfully, there would always be a need for a back-office function. However, there were always opportunities to make such functions more efficient and that this would be looked at as part of other corporate initiatives to rationalise back-office services, systems and infrastructure.

It was suggested that there was a dichotomy between the information presented in the report relating to public lighting and the information provided to members at the Environment departmental budget session earlier in the week. It was claimed that whilst the report stated that the proposal was to reduce operating costs without turning lights off, the information at the seminar indicated that the savings might not be achieved and would result in total shut-off of the public lighting system. The Street-Scene Manager clarified that the Welsh Government Invest to Save funding would be used to install LED lighting and timers for part-night illumination during the first two years. The scheme would then be evaluated to assess the extent of its success against expected outcomes. The Director of Environment added that the business case had been developed on the basis that the savings would be realised but an evaluation would still be required after two years.

It was asked whether the managed car pool system savings of £200,000 would be achieved if other departments did not sign up to the scheme and clarification was sought as to how the pool cars were monitored to prevent misuse. The Head of Transport & Engineering informed the Committee that staff mileage in the current year had reduced significantly and the proposal was to roll-out a managed pool car scheme per building/site across the Authority to assist with the savings target and this would impact on all departments. The business case included a proposal to fit the pool cars with a GPS tracking system to monitor performance and active monitoring of mileage was required. Approximately 75% of the Authority's existing vehicle fleet was already fitted with tracking devices.

Reference was made to the proposal for charging for post-16 transport and it was suggested that it should not be included in the budget report prior to the findings of the recent consultation. The Executive Board Member for Technical Services reminded the Committee that this was included in the proposals as it had been passed as part of the 2015/16 budget by County Council in February 2015. The Head of Transport & Engineering acknowledged elected members' feelings on this issue but reminded the Committee that officers were seeking to sustain the service for a modest charge of circa £5.60 per week and that following the extensive consultation, a report would be presented to elected members in due course. The Director of Environment noted that if the charge was not introduced, there would be a £516,000 gap which would need to be found. This might lead to a removal of the service completely. The proposal presented, sought to avoid this.

It was suggested that the annual budgetary proposals were about what the Council wanted rather than what residents needed and that there was no reference to opportunities to income generate. The Director of Environment noted that the proposals did include some income-generating proposals but it was an option that should be given more consideration.

It was asked what alternatives were in place for schools who faced not only cuts to their budgets but the loss of a school crossing patrol operative. The Executive Board Member for Technical Services reminded the Committee that assessments were made for all schools and where a road was deemed safe and a patrol was not required, such positions would not be re-advertised. However, no existing patrols were being removed. The Head of Transport & Engineering informed the Committee that where there was a vacancy, the Authority would always seek to recruit and when there had been difficulties covering absence due to illness or leave, schools and Police Community Support Officers had been contacted to

provide assistance. In response to an additional suggestion that teaching staff could undertake crossing patrol duties, the Head of Transport & Engineering confirmed that the Authority's insurance would indemnify school staff if they were required to undertake such duties on behalf of the Authority. He added that the assessments for the respective school sites (a Royal Society for the Prevention of Accidents assessment template), could be made available to local members if required.

Concern was expressed at the effects of global warming and reference made to the recent flooding in Cumbria. It was also suggested that the lack of specialist vehicles to maintain and empty gullies and culverts could also lead to unnecessary flooding in some areas of the county. The Street-Scene Manager clarified that the proposals outlined in the report would affect the provision of new works, but much of the County's flood defence infrastructure has been upgraded to modern standards over the past 10-15 years. Routine maintenance works on the existing defences would continue to be prioritised and the further development of flood risk plans would allow the Authority to target resources where required.

It was asked whether the current task and finish review of car parking charges would have any impact on the proposed 20p increase in car parking charges, outlined in the report. The Executive Board Member for Technical Services stated that this was also included in the proposals as it had been passed as part of the 2015/16 budget by County Council. Upon taking on her portfolio, she had requested that this not be implemented in 2015/16 and wished to wait for the Task and Finish Group to make its proposals.

Serious concerns were expressed at the state of the county's highways and bridges, the backlog of work that faced the Authority and its continued poor performance in respect of key performance indicators. It was also suggested that the Authority would be open to litigation due to poor maintenance of its infrastructure and it was asked when the corporate manslaughter development session, requested in a previous meeting, would be provided for elected members. The Executive Board Member for Technical Services acknowledged the concerns but reminded the Committee that Carmarthenshire did have the second longest highway network in Wales and that whilst it appeared that highway services were being reduced, officers were seeking to work in more effective and efficient ways in order to minimise the effect on these front-line services. The Assistant Consultant informed the Committee that its request for a development session had been included on the Elected Members' Development Programme but that a date had yet to be finalised. He agreed to clarify this with the Learning & Development Unit.

In response to a question on the tendering exercise for future waste and recycling services, the Street-Scene Manager informed the Committee that a significant amount of work had been undertaken to date, especially in conjunction with the Authority's Legal Services. Whilst no further details could be disclosed at this stage, the interim contract with CWM Environmental was still in place and he assured members that progress was being made with respect to scoping and preparatory work to provide valuable information to inform the debate with regard to the best solution for the future.

Concern was expressed at the potential 25% reduction in the Sustainable Waste Management (SWM) Grant and how this would impact on the Authority's ability to meet the Welsh Government's expectations in relation to reducing waste and

increasing recycling. The Interim Head of Financial Services noted that at the time of writing, the forecast had been up to 25% but recent indications were now of a 6.5% reduction (approximately £250,000) for Carmarthenshire.

It was suggested that the information provided in relation to the pumping stations in Appendix A(ii) was insufficient and further detail was requested. The Director of Environment informed the Committee that officers had since been in discussions with Welsh Water which would now carry out the work on behalf of the Authority and meant that these pressures would not now be as great. Discussions were on-going but more details could be provided for the Committee in due course.

It was asked why the Authority was continuing to fund CCTV operations as members were of the understanding that this service had ceased. The Community Safety Manager reminded the Committee that whilst the Executive Board had decided to cease 'live' monitoring of the cameras, it had made a commitment to cover on-going costs relating to the operation of the cameras, namely the electricity and links. The Police were able to review the recordings taken by the cameras should they be required in conjunction with a particular incident. However, the Police's contribution in the future had yet to be determined due to a Force review of the future use of CCTV. The Authority did not have any contractual agreements with the cameras' manufacturers/suppliers but a legal agreement between itself and the Police was being drafted in order to clarify the roles, responsibilities and financial contribution of each organisation in the future.

Reference was made to licence fee increases as it had been noted in a previous meeting that these would be reviewed. The Public Health Services Manager reminded the Committee that due to previous legal challenges brought against other local authorities, the Authority could only charge fees to cover the cost of its work and was not permitted to make a profit. She also reminded the Committee that this was the subject of the next item on the agenda.

Clarification was sought as to the funding prognosis for the Bwcabus service and its future operations. The Head of Transport & Engineering acknowledged that this was a flagship service and dialogue with the Welsh Government was on-going in order to secure future funding. A detailed report was also being prepared for the relevant minister.

In response to a question about fees for sports pitches, the Executive Board Member for Technical Services informed the Committee that a meeting between officers and sports clubs representatives was scheduled for January. She believed that agreements had been reached with most clubs although there were some difficulties with other clubs which had declining memberships (e.g. lawn bowls).

Clarity was sought as to whether vets inspection costs were included within the proposed dog breeding and riding establishment fees. The Public Health Services Manager stated that there might be specific contracts in place with certain veterinary providers for these services but that she would clarify this for the Committee.

**RESOLVED** that the report be received.



## 7. REVIEW OF LOCALLY SET FEES IN THE ENVIRONMENTAL HEALTH AND LICENSING SECTION

The Committee considered the Review of locally set fees in relation to the Environmental Health and Licensing Section which included stakeholders views on the proposed fees. The Public Health Services Manager informed the Committee that following its consideration by elected members, the proposed hackney carriage and private hire fees (outlined in Appendix 1) would be advertised for a period of 28 days, as required by the Local Government (Miscellaneous Provisions) Act 1976 for persons to submit objections. However, she noted that whilst the recommendations outlined in the report were that the new fees be implemented immediately, the political consultation process and period of advertisement would last until the end of March and therefore, it would be preferential for the fees to commence from the 1st April 2016 at the start of the new financial year. The Committee agreed to this proposal.

It was suggested that proposed increase in charges associated with processing stray dogs contradicted the comments made in the executive summary which suggested that higher charges were in fact deterring owners in neighbouring counties from retrieving their dogs. The Public Health Services Manager informed the Committee that the increase in the charges was being proposed to reflect the dog wardens' costs as well as kennelling costs. It was then proposed and seconded that the 'first/part day' charge fee for processing stray dogs should remain at £60 rather than being increased to £80. Following a vote, the motion was defeated.

It was asked why there was such a significant increase in the charges for safety inspections at sports grounds, from no current fee to a proposed charge of £930. The Public Health Services Manager informed the committee that the legislation relating to this charge only applied to the county's largest sports grounds/facilities (with capacities of 500+) of which there were three: Parc y Scarlets in Llanelli, Richmond Park in Carmarthen and the Ffos Las Racecourse. The proposed charge had been calculated utilising the relevant fees toolkit.

The Committee **RESOLVED** to recommend to Executive Board that:

- 7.1 The proposed hackney carriage and private hire fees in Appendix 1 be advertised for a period of 28 days as required by the Local Government (Miscellaneous Provisions) Act 1976 for persons to submit objections. Where there are no objections, the fees shall be implemented from the 1st April 2016.
- 7.2 The remainder of the fees in Appendix 1 be advertised for a period of 28 days and that the reviewed fees be implemented from the 1st April 2016.

## 8. REVIEW OF GAMBLING POLICY

*Cllr. J.P. Jenkins declared an interest in that he works in the gambling industry.*

The Committee **RESOLVED** to recommend to Executive Board that the amended Gambling Policy be approved.

## 9. REVIEW OF STATEMENT OF LICENSING POLICY (LICENSING ACT 2003)

The Committee considered the Review of Statement of Licensing Policy noting that the revised Licensing Policy document reflected the results of the consultation and review process. The Public Health Services Manager informed the Committee that sufficient evidence had been provided to justify retaining a Cumulative Impact Policy in relation to Station Road, Llanelli but that the responses received to the consultation justified the formulation of specific proposals for the adoption of a similar Cumulative Impact Policy for Lammas Street, Carmarthen and that a further consultation exercise would be required to look specifically at whether such a cumulative impact policy should be adopted.

The Committee therefore **RESOLVED** that:

- 9.1 The report be received.
- 9.2 The amended Statement of Licensing Policy be approved for consideration by the Executive Board.
- 9.3 The existing Cumulative Impact Policy be retained for Station Road Llanelli as detailed in Section 10 of the attached policy.
- 9.4 Further evidence be gathered in relation to the possible adoption of a Cumulative Impact Policy for Lammas Street, Carmarthen as a result of responses to the consultation exercise.

## 10. EXPLANATION FOR NON-SUBMISSION OF SCRUTINY REPORT

**UNANIMOUSLY RESOLVED** that the reason for the non-submission of the Capital Programme Budget Setting 2016/17 – 2020/21 report, be noted.

**SIGNED:** \_\_\_\_\_ (Chair)

**DATE:** \_\_\_\_\_