

**ENVIRONMENTAL & PUBLIC PROTECTION
SCRUTINY COMMITTEE
11th JANUARY 2016**

Present: Councillor A.P. Cooper (Chair)

Councillors: A. Davies, D.C. Evans, I.J. Jackson (Vice-Chair), A. James, W.J. Lemon, A.D.T. Speake, S.E. Thomas, W.G. Thomas, D.E. Williams

**Councillor P.M. Edwards – Substitute for Councillor K.P. Thomas
Councillor T. Theophilus – Substitute for Councillor D.B. Davies**

Also in attendance:

**Councillor H.A.L. Evans – Executive Board Member for Technical Services
Councillor T.J. Jones – Executive Board Member for Environmental & Public Protection**

The following officers were in attendance:

Mrs. R. Mullen – Director of Environment
Mrs. L. Quelch – Head of Planning
Mr. S. Pilliner – Head of Transport & Engineering
Mrs. R.A. Carmichael – Rural Conservation Manager
Mr. D. King – Highway Services Manager
Mr. M. Hughes – Assistant Consultant

Present as an observer:

Mr. K.J. Thomas – Democratic Services Officer

Venue: County Hall Chamber, Carmarthen (10:00am – 12:00pm)

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors D.B. Davies, J.A. Davies, J.P. Jenkins and K.P. Thomas, as well as Councillor P.A. Palmer (Executive Board Member for Communities).

2. DECLARATIONS OF PERSONAL INTEREST

There were no declarations of interest.

3. DECLARATIONS OF PROHIBITED PARTY WHIPS

There were no declarations of party whips.

4. PUBLIC QUESTIONS (NONE RECEIVED)

No public questions were received.

5. FORTHCOMING ITEMS

Reference was made to discussions at the previous meeting during which a request for a development session on corporate manslaughter was made. It was asked whether a report on the matter could be included on the forthcoming agenda and it was proposed that a date for a development session or report be confirmed by the next meeting. It was also suggested that if a development session were arranged, it be open to all elected members and not just members of this Committee. The Committee endorsed the proposals.

The Committee:

5.1 RESOLVED that the items to be considered at the next scheduled meeting on Friday 26th February 2016, be noted.

5.2 UNANIMOUSLY RESOLVED that a date for the submission of a report to the Committee or a development session for elected members in relation to corporate manslaughter, be confirmed by the date of the next meeting.

6. RURAL CONSERVATION UNIT UPDATE

The Committee received an annual report on the work of the Rural Conservation Business Unit during 2015. Members were reminded of the Unit's services, including the provision advice to other Council departments as well as the general public on matters relating to landscape, trees, woodlands, hedgerows, biodiversity and common land. Key highlights from the previous year were also noted and these included the Coed Cymru partnership, the implementation of the Tree Safety Strategy, the Caeau Mynydd Mawr Special Area of Conservation (SAC) Project and the Carmarthenshire Bogs Project which involved a high level of quality research input from Swansea University.

The following issues were discussed during consideration of the report:

It was asked where the Coed Cymru officers were based and how much the Local Authority contributed to the funding of their posts. The Rural Conservation Manager informed the Committee that the officers were based in Llandeilo, one officer being full-time and the other part-time. Funding for the posts came from a variety of sources including Natural Resources Wales and the Welsh Government (60% combined) and whilst she was unable to confirm the Authority's exact contribution, this information could be circulated to members. The Rural Conservation Manager also informed the Committee that these officers generated income for the Authority through the administration of the tree planting grant fee.

The implementation of the Tree Safety Strategy was welcomed and it was asked how safety work on trees deemed to be posing a risk, were prioritised. The Rural Conservation Manager and Head of Planning informed the Committee that the

strategy had been developed over the past year as previously, there had been no central repository holding such information. The new arrangements were reliant on other departments providing the necessary details of trees located on Local Authority land and bringing trees posing concern, to the Unit's attention. Schools had also been contacted in order to ascertain which sites had trees that would require to be inspected. Schools with trees on site would be prioritised due to the possible danger posed to pupils whilst in country parks, priority was given to those trees within falling distance of paths.

In response to a question about who had responsibility for undertaking site visits to deal with high-hedge cases, the Head of Planning stated that there had been an anomaly with such cases in the past where the Head of Service had been directly involved. New processes were now in place and the responsibility delegated to the Development Management Manager to work with the Tree Officer.

Reference was made to the removal of hedgerows and clarification sought as to how the Unit responded to incidents such as the case highlighted in the report where a 1,300m section was removed by a landowner. The Rural Conservation Manager informed the Committee that under the Hedgerow Regulations 1997, the Unit could take enforcement action and in this particular case, issued a re-planting notice. Officers sought to work with landowners and instigate dialogue to ensure re-planting rather than issuing fines which due to a loophole in the legislation, might not be recovered. In response to a further comment relating to the removal of hedgerows on the site of the new Carmarthen West By-pass, the Head of Planning agreed to investigate the matter further.

It was asked how the Unit ensured the promotion of the Welsh language and Welsh culture as part of its commitment to Council's Improvement Plan. The Head of Planning stated that whilst the Unit itself did not necessarily take specific action to safeguard the Welsh language, the Planning Service's other units did and could influence the promotion of the language and culture. Additional Technical Notices issued by the Welsh Government were due to be published offering further advice to the Authority in relation to the Welsh language and its impact on the planning process.

It was also suggested that the well-being of human beings was as, if not, more important than that of wildlife and that increased charges for sports fields and the transfers of assets from Local Authority control was not benefiting the health of the county's residents. Reference was also made to the Gate Hall Welfare Association's playing field (near Pen-y-Groes) in which the grass could not be cut due to the presence of the marsh fritillary butterfly. Frustration was expressed that whilst conservation issues were important, at times these appeared to take precedence over the opportunities for children to play. The Director of Environment welcomed the comments but reminded the Committee that the work of the Unit was very specific and that the Authority had many other policies and strategies which sought to benefit and improve the well-being of the county's residents. The Rural Conservation Manager also welcomed the comments and assured that she would be willing to meet representatives of the welfare association to ensure that the matter could be resolved.

In response to a question about the membership of the Carmarthenshire Local Biodiversity Action Plan (LBAP) Partnership, the Rural Conservation Manager informed the Committee that this was a long-established arrangement dating from

around the year 2000 and included organisations such as Butterfly Conservation, the Wildfowl and Wetlands Trust, the Woodland Trust, National Resources Wales (NRW), the Royal Society for the Protection of Birds (RSPB) and Carmarthenshire County Council. The partnership had worked well since its inception and enabled relevant officers from a variety of different organisations to meet and share information and work together on projects.

The importance of the Conservation Unit's work was highlighted and in response to a request for a report on Special Areas of Conservation (SAC) and in particular, the Carmarthen Bay SAC, the Chair agreed to note this and include it on a future meeting agenda.

Reference was made to Tree Preservation Orders and disappointment expressed at the length of time taken to deal with a tree in the Llangadog area, especially as this was reliant on different stakeholders and agencies. The Director of Environment welcomed the comments and stated that progress on this matter would be checked. She reassured members that the department was training other officers in relation to tree maintenance / preservation issues which would provide additional staffing resources going forward.

In response to a question regarding landscaping linked to new road schemes, the Head of Planning confirmed that the Planning Service had the final say in relation to any changes made during the implementation of such schemes, adding that often changes had to be made if unforeseen issues were encountered.

The Committee welcomed the update and the work of the Unit and **UNANIMOUSLY RESOLVED that the report be received.**

7. HIGHWAYS UPDATE

The Committee received for consideration, an update on the Highways Service. The report included the services provided, details of the review to date and future service proposals. The following issues were discussed during consideration of the report:

Concern was expressed at the reduction in gully emptying frequency proposed in the report, especially if road sweeping frequencies were also reduced. The Director of Environment welcomed the comments but reminded the Committee that it would be for County Council to decide on this as part of the budget proposals to be debated during the next few months.

It was suggested that highways should be given a higher priority as without adequate and safe access to facilities of all kinds, residents would not be able to travel around the county and reassurance was sought that the Executive Board would reconsider its proposals for the service. The Executive Board Member for Technical Services acknowledged the comments and reassured the Committee that in light of the less severe settlement received from the Welsh Government, she would be fighting for further investment in the Department's services.

It was suggested that the Authority could no longer continue to operate with such severe cuts to services proposed within the report and that the Council was in a crisis situation. The Executive Board Member for Technical Services reminded the

Committee that the current administration were seeking to work within the constraints of the previous administration's budget, agreed by the County Council in March 2015.

Reference was made to the length of highway network maintained by Carmarthenshire and it was suggested that the amount of funding received from the Welsh Government should reflect this. Concern was also expressed that it would be the rural roads which would be affected most. The Executive Board Member for Technical Services and the Director of Environment reminded the Committee that the development of the new network hierarchy would benefit rural areas as it would be based on a prioritised network according to use as well as strategic importance, unlike the current system based on road classification (e.g. A, B, C and Unclassified).

In response to a comment welcoming the purchase of multi-role vehicles, the Director of Environment informed the Committee that the new 'swap-body' type vehicles could be used all year round thus increasing vehicle utilisation and efficiencies within the service. The tipper bodies would enable vehicles to undertake construction work during the day and gritter bodies would enable gritting operations to be carried out during the evening and night.

Reference was made to staffing levels and that previous reports to the Committee had referred to only forty members of staff being lost to frontline services during the past eight years. The Director of Environment reminded the Committee that efficiencies were sought in all areas such as plant, materials, procurement processes and that the aim was to keep as many frontline staff as possible. However, staff had been lost to the service in recent years due to ill-health, retirement and through the severance scheme.

In response to a question as to whether spraying of grass to prevent excessive growth on highway verges was an option for saving money, rather than cutting, the Director of Environment noted that whilst such spraying was legal and was used in urban areas to control weeds, it would still require a vehicle to travel out to the site in question. Therefore, whilst it could be considered, it was unclear as to whether there would be a financial saving.

Following a question on the suspension of staff in the department, the Director of Environment reminded the Committee that this related to the Waste Services Unit and whilst some members of staff had returned to work, it was not possible to comment further as investigations were on-going.

Disappointment was expressed at the tenure of the report and concern was expressed that on-going cuts were likely to lead to a continued deterioration in the condition of highways and bridges. It was also asked whether the Executive Board Member would consider redirecting funding from the construction of proposed cycle paths into highway maintenance. Executive Board Member for Technical Services acknowledged that the budget situation was difficult but that these constraints were as a result of the previous administration's budget. She added that much work was being undertaken to look at different ways of working which would not only bring about financial savings but ensure the minimum impact on services. The Director of Environment also added that there were larger capital sums earmarked for the department in the proposed budget for 2016/17 onwards.

In response to a question about depot centralisation, the Director of Environment confirmed that the depots would be looked at and whether a centralised approach would be suitable in terms of travel / response times to different parts of the county. Any depot rationalisation would need to be considered alongside the requirements of neighbouring authorities and the needs of the South Wales Trunk Road Agency.

Concern was expressed that experience staff members were being lost through the severance scheme and the current status of the staffing restructure was questioned. The Director of Environment acknowledged that succession planning was a key issue that officers were looking at, especially as the department had an older age profile. She added that the upper tier of management in the department would be considered in due course, whilst the Highway Services Manager informed the Committee that the highways operation which had formerly operated on an East-West basis, was now split into five sectors, namely: North East (Llandeilo to Llandovery), North West (Carmarthen to Newcastle Emlyn), South West (Carmarthen to Whitland), Eastern (Cross Hands to the Amman Valley) and South Eastern (Llanelli).

RESOLVED that the update be received.

8. ENVIRONMENTAL & PUBLIC PROTECTION TASK AND FINISH GROUP 2015/16 - PLANNING AND SCOPING DOCUMENT

The Chair presented the planning and scoping document for the scrutiny task and finish review of car parking charges to the Committee. To date, the Group had met on three occasions with a further two meetings scheduled to be held in January and February. The following issues were discussed during consideration of the report:

It was suggested that the list of stakeholders to be involved in the review should include chambers of trade. The Head of Transport & Engineering reassured the Committee that the Group would be presented with a summary of consultation undertaken in recent years in relation to car parking charges. He reminded the Committee that for any proposals relating to parking charge changes, the Authority always undertook consultation and these exercises drew responses from a whole range of stakeholders, including chambers of trade and town forums, as well as from members of the public.

In response to a question relating to the Llanelli free parking pilot, the Executive Board Member for Technical Services reminded the Committee that this had been undertaken to try and bring new footfall into the town centre at a traditionally quieter period of the day, with a particular emphasis on attracting parents who might need to visit the town after school.

Further reference was made to the free parking initiative in Llanelli and it was suggested that the Group consider similar initiatives for Carmarthen and the county's other towns. The Chair acknowledged the concerns of members from other parts of the county and reassured the Committee that the Group would be considering the county as a whole and not focussing on initiatives for individual towns.

UNANIMOUSLY RESOLVED that the update be received.

9. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING OF THE COMMITTEE HELD ON THE 12TH NOVEMBER 2015

RESOLVED that the minutes of the meeting held on Thursday 12th November 2015 be signed as a correct record.

10. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING OF THE COMMITTEE HELD ON THE 11TH DECEMBER 2015

It was stated that a question relating to suspension of staff in the Environment Department had not been recorded in the minutes of the December meeting. The Executive Board Member for Technical Services acknowledged that she had responded to a query at this meeting and at that time, had confirmed that the Committee would be informed of the outcome of any disciplinary action relating to the suspensions.

RESOLVED that subject to the amendment above, the minutes of the meeting held on Monday 11th December 2015, be signed as a correct record.

CHAIR

DATE