

ENVIRONMENTAL & PUBLIC PROTECTION SCRUTINY COMMITTEE

3RD MARCH 2017

PRESENT: Councillor A.P. Cooper (Chair)

Councillors:

D.B. Davies, J.A. Davies, P.M. Edwards, W.J. Lemon, I.J. Jackson, A. James,
J.P. Jenkins, A.D.T. Speake and D.E. Williams

Councillor D.J.R. Bartlett Substitute for Councillor D.C. Evans

Councillor W. T. Evans Substitute for Councillor A. Davies

Councillor J.D. James Substitute for Councillor W.G. Thomas

Also in attendance:

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

Councillor P.A. Palmer, Executive Board Member for Communities (Deputy Leader)

The following Officers were in attendance:

R. Mullen, Director of Environment

A. Williams, Head of Waste and Environmental Services

S. Pilliner, Head of Transportation & Highways

L. Quelch, Head of Planning

A. Kenyon, Performance Management Officer

P. Morris, Environmental Enforcement Manager

R. Carmichael, Rural Conservation Manager

K. Thomas, Community Safety Manager

R. James, Group Accountant

J. Owen, Democratic Services Officer

Chamber - 3 Spilman Street - 10.00 - 11.05 am

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors A. Davies, W.G. Thomas and D.C. Evans.

2. DECLARATIONS OF PERSONAL INTEREST

There were no declarations of interest.

3. DECLARATIONS OF PROHIBITED PARTY WHIPS

There were no declarations of prohibited party whips.

4. PUBLIC QUESTIONS (NONE RECEIVED)

The Chair advised that no public questions had been received.

5. FORTHCOMING ITEMS

Following a query regarding the Committee's request for a seminar on Corporate Manslaughter, the Chair stated that following the decision made by the Executive Board, the seminar would be delivered to all Council members and had since been included in the Induction Programme post-election in May 2017.

RESOLVED that the list of forthcoming items to be considered at the next scheduled meeting on Friday 21st April, 2017, be noted.

6. ENVIRONMENTAL ENFORCEMENT UPDATE

The Committee considered the Environmental Enforcement Update which provided the Committee with an update of enforcement matters including Public Space Protection Orders, Community Protection Notices, tackling fly-tipping and other enforcement issues.

The Committee noted that the Anti-social Behaviour, Crime and Policing Act 2014 had introduced several new tools and powers for use by local authorities and partners to address anti-social behaviour (ASB) in their local areas. This included the Public Space Protection Order (PSPO) which was implemented on the 1st September 2015 and gave Councils the authority to draft and implement PSPOs in response to the particular issues affecting their communities, provided certain criteria were met. This included the power to issue fixed penalty tickets to persons who let their dogs foul anywhere in Carmarthenshire where the public had access. Also included were other powers such as requesting persons to put their dog on a lead and the banning of dogs from enclosed children's play areas.

The following issues were raised in relation to the report:

In response to a query regarding consistent fly-tipping in some rural areas, the Environmental Enforcement Manager stated that it was a challenge to get witnesses that were prepared to attend court, however, if CCTV was available, the evidence would be less challenging to obtain.

It was asked whether Enforcement Officers were able to approach dog walkers to enquire if they were carrying a dog waste bag. The Environmental Enforcement Manager highlighted that whilst in some local authority areas it was an offence not to carry a dog waste bag when walking a dog, there were legal challenges surrounding this matter and that Carmarthenshire would not be adopting this approach at this time.

In response to a query, the Environmental Enforcement Manager explained that currently eight Enforcement Officers were trained to tackle fly-tipping and other environmental crime. This work was backed up by officer intelligence and information received from Councillors and the public.

Whilst it was acknowledged that incidents of fly-tipping had decreased significantly in some rural areas, concerns were expressed in relation to the new working arrangements as it was felt that the previous arrangements had been working effectively. It was stated that should the review reveal that the new arrangements were not working as effectively as planned, Members would be happy for the previous working arrangements to be re-instated. The Director of Environment stated that Councillors' views were important and would be an instrumental part of the review.

Following a query, the Environmental Enforcement Manager explained that the new working arrangements would require two Enforcement Officers to operate strategically in each corner of the County.

It was asked as to what was being done to deter dog walkers who allowed their dogs to roam freely without a lead in school playing fields, as this currently caused problems in many areas. The Environmental Enforcement Manager highlighted that it was important to gather intelligence and utilise mapping technology, which would assist in targeting offending areas affectively. However, there were difficulties from a legal perspective and that discussions would need to take place with the Authority's Legal Services.

Concern was expressed that the Committee had previously raised the problem of dogs roaming off their leads, with little or no success as a result. The Chair stated that the Committee had recommended to the Executive Board that dogs should be banned from playing fields 12 months of the year, but this had not been accepted. Furthermore, it was suggested that in order to alleviate the problem, a sign deterring dog walkers should be displayed next to playing fields.

RESOLVED that the report be received.

7. REVIEW OF LED CONVERSION PROJECT

The Committee considered a report on the review of the LED Conversion Project which provided Members with an update on the progress to date. It was noted that the Authority had continued to implement a programme to convert sodium lanterns to LED lanterns, as approved by Executive board on 27th July 2015, which was developed to deliver a targeted efficiency saving of £627k. Furthermore, the report to the Executive Board set out that £401k of revenue savings would be achieved through the conversion to LED with a further £227k being delivered from reduced maintenance, labour and plant costs.

The funding of programme was secured through a £1.4m Invest to Save Loan and the balance from the reserves. The Committee noted that the programme had been structured into three phases, all of which were detailed within the report along with the progress of each phase. The progress update demonstrated that a savings of £309k had been realised from changes to the operational delivery in areas of maintenance, vehicles, energy and labour with a total saving of £454k delivered at the end of Phase 1.

Committee Members noted that in terms of capital investment, the Authority had drawn down £950k of an agreed invest to save load of £1.4m with plans to draw down the full value of the loan by the end of Phase 3. It was reported that the project to date had been successful in delivering the planned efficiencies and as the programme was subject to risk particularly with energy costs, a further review would be undertaken near to the completion of Phase 2.

The following issues were raised in relation to the report:

In response to a query, the Head of Transportation & Highways stated that in order to generate savings in line with the programme it was necessary to tender for an external supplier to undertake the work.

It was asked whether any of the savings made could remain within the Department. In response, the Head of Transportation & Highways informed the Committee that no additional money had been realised as yet, the savings were in line with the budget requirements and was an example of how services can be delivered in a different way without cutting the front line service.

RESOLVED that the report be received.

8. CARMARTHENSHIRE COUNTY COUNCIL ENVIRONMENT ACT FORWARD PLAN

The Committee considered a report on the Carmarthenshire County Council's Environment Act Forward Plan. The report highlighted that under the Environment (Wales) Act 2016, all public bodies had to 'seek to maintain and enhance biodiversity in the proper exercise of their functions and in doing so, promote the resilience of ecosystems'. The new duty had been named the Biodiversity and Resilience of Ecosystems Duty, which strengthened and superseded the Biodiversity Duty placed on public bodies under the Natural Environment and Rural Communities Act 2016.

The Committee noted that the Act, required all public authorities to provide an Environment Act Forward Plan, which would contain details on how they intended to comply with the new duty to the Welsh Government by the 31st March 2017, as set out in legislation. In addition, in 2019, Authorities would be required to report on how they had met the Biodiversity and Resilient Ecosystem Duty which would make public authorities more responsible for showing how their actions had contributed towards enhancing biodiversity and ecosystems.

The Environment Act Forward Plan had been developed by and for the Environment Department through a series of workshops with both Heads of Service, and Officers within four of its divisions, held in November and December 2016. The Plan detailed twelve key actions that would be carried out to demonstrate how the Council embedded biodiversity into its decision-making and working practices. Should this approach be successful, similar workshops would be extended to other Council departments during 2017.

The following issues were raised in relation to the report:

In response to a query, the Rural Conservation Manager stated that the new duty was more active and was an enhancement to the previous duty.

Reference was made to Key Action 6 relating to verge cutting and it was noted that councillors were regularly approached by members of the public enquiring when the hedgerows would be cut. Concern was expressed about the safety impact of any delay in cutting verges and hedgerows. The Rural Conservation Manager emphasised that the public's health and safety was first and foremost and that verges and hedgerows located on or near junctions were cut on a more regular basis to ensure increased visibility.

The Committee requested that its appreciation be forwarded to those officers who were involved in the development of the plan.

RESOLVED TO RECOMMEND TO THE EXECUTIVE BOARD that Carmarthenshire County Council Environment Act Forward Plan report be approved.

9. 2016/17 IMPROVEMENT PLAN PERFORMANCE MONITORING REPORT

The Committee received, for consideration, the 2016/17 Improvement Plan Performance Monitoring Report for the services within its remit, for the Quarter 3 period, 1st April to 31st December 2016. The report included:

The following issues were discussed during consideration of the report:

A comment was made that the report did not explain the figures and that it was difficult to know the meaning of the percentages and targets that were presented. The Director of Environment stated that she would feed the comments back to the relevant officers.

RESOLVED that the report be received.

10. REVENUE & CAPITAL BUDGET MONITORING REPORT 2016/17

The Committee considered the Revenue & Capital Budget Monitoring Report for the Environment Department, Public Protection Services and the Community Safety Service, as at 31st December 2016 in relation to the 2016/17 financial year. The following issues were raised in relation to the report:

In response to a query regarding the cost of green waste collection, the Head of Waste & Environmental Services confirmed that the cost was £48 per year with an early payment discount of £40.80.

It was noted that some Councils collected green waste for 12 months of the year and it was then asked why Carmarthenshire only collected green waste during the summer months. The Head of Waste & Environmental Services stated that this was due to the significant cost to hire vehicles required to collect the green waste throughout the County. However, this would be reviewed following the introduction of the scheme.

In response to a query raised regarding the progress at Parc Howard, Llanelli. The Director of Environment stated that the planning application was in progress and that the capital spend allocated, would be utilised as planned.

An update on the Ammanford Economic Regeneration Highway Infrastructure project was requested. The Head of Transportation & Highways provided the Committee with a brief verbal update on the work completed to date. Furthermore, Members were informed that longer term priorities were identified in the Local Transport Plan.

RESOLVED that the report be received.

11. ENVIRONMENTAL & PUBLIC PROTECTION SCRUTINY COMMITTEE ACTIONS AND REFERRALS UPDATE

The Committee considered an update detailing progress in relation to actions, requests or referrals emerging from previous scrutiny meetings.

The Chair made reference to a request made by the Committee at its meeting held on the 11th November, 2016 to invite Mr. Simon Wilkinson of the WLGA to a future meeting. The Chair provided an update on behalf of Roger Edmunds (Trading Standards Services Manager) which stated that Mr. Wilkinson had been contacted and was happy to accept the Committee's invitation. However, it was suggested that it would be beneficial for the Committee that Mr. Wilkinson attend a meeting following the County Council elections in May in order to include a new cohort of committee members. The Committee agreed to invite Mr. Wilkinson to a meeting in September/October 2017.

The Chair referred to the out-standing action relating to the Committee's request at its meeting on the 16th December 2016, to invite a representative from Valero to a future meeting. The Chair sought Members opinions on whether or not it was necessary to invite a representative from Valero, as the Committee had received regular updates from officers, both at Committee meetings and via e-mail. Following a discussion, the Committee agreed to invite a representative from Valero to attend a future meeting.

Following a query regarding compensation, the Director of Environment reminded the Committee that Valero had stated that any claims for compensation should be submitted to them directly.

It was unanimously RESOLVED that:

11.1 The update, be noted.

11.2 The Committee invite Mr Simon Wilkinson, WLGA to attend a Committee meeting in September/October 2017.

11.3 The Committee invite a representative from Valero to attend a future meeting.

12. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING OF THE COMMITTEE HELD ON THE 12TH JANUARY 2017

RESOLVED that the minutes of the Environment and Public Protection Scrutiny Committee held on the 12th January 2017 be signed as a correct record.

CHAIR

DATE