

Environmental and Public Protection Scrutiny Committee Annual Report 2017-18



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Scrutiny

in Carmarthenshire

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Chair's Foreword

As the Chair of this Committee I take great pleasure in presenting this Annual Report of the Environmental & Public Protection Scrutiny Committee covering the period May 2017 to April 2018.

It has been a very interesting and busy year for this Committee and this report provides a valuable opportunity for Members to reflect on all our hard work whilst looking forward to the coming year.



The Committee received a wide range of reports and the varied work programme continues to reflect the wide range of services within our remit. These reports have enabled us to gain an appreciation for the excellent work being carried out by officers within the different services.

The Committee considered and scrutinised a number of reports and I am grateful to Officers and Executive Board Members for taking the time to provide us with information and for being so constructive in their sessions with us.

It is great to see that there has been a good level of media coverage for scrutiny work over the last 12 Months and I hope this will continue.

I am sincerely looking forward to being the Chairing for 2018/19 and hope together as a Committee we will have a positive impact on the outcomes for the Communities within Carmarthenshire.

Cllr. John James

Chair of Environmental and Public Protection Scrutiny Committee

1. Introduction

Article 6.2 of the Council's Constitution requires all scrutiny committees to *"prepare an annual report giving an account of the Committees activities over the previous year."*

The main aims of the report are to highlight the work that has been undertaken by the Environmental and Public Protection Scrutiny Committee during 2017/18. It outlines the potential future work of the Committee. The document may also facilitate discussions on other items that could be included within future work programmes.

The Committee is chaired by the Cllr John James and is made up of 14 Elected Members. Support is provided to the Panel by the Democratic Services Team and other Council officers as and when required.

The Committee helps deliver a number of key outcome measures within the Council's Corporate Strategy 2018-23:

- Wellbeing objective 8 –
Live Well-Help people live healthy lives
- Wellbeing objective 9–
Live Well/Age Well – Support good connections with friends, family and safer communities
- Wellbeing objective 12–
Healthy and Safety Environment – Look after the environment now and in the future.
- Wellbeing objective 13 –
Healthy and Safe Environment – Improve the highway and transport infrastructure and connectivity

Some of the measures and actions within Wellbeing objective 12 overlap with Community Scrutiny, however the necessary information would also be provided to this Committee.

This report provides an overview of the work of the Environmental and Public Protection Scrutiny Committee during 2017/18 municipal year. It aims to give Members the opportunity to reflect on the achievements during the year and to identify what worked well and where improvements could be made. This analysis is instrumental in developing scrutiny.

2. The Work of the Scrutiny Committee during 2017/18

2.1 Number of Meetings

The Environmental and Public Protection Scrutiny Committee met on 6 occasions between May 2017 and April 2018. The Joint Scrutiny Committee meeting with the Social Care and Health Committee scheduled for 17th November 2017 was postponed and rearranged to take place in March 2018, which unfortunately had to be cancelled due to adverse weather conditions. The Joint Scrutiny Committee took place on 21st May 2018 within in the 2018/19 municipal year.

2.2 The Forward Work Programme

Following the election process in May 2017 the Environmental and Public Protection Scrutiny Committee, in the main, was made up of a new cohort of Members.

The Environmental & Public Protection Scrutiny Committee's key responsibilities are as follows:-

- Visible front line services (e.g. highways, street cleaning, waste and recycling services, town-centre management, grounds maintenance, public conveniences, bus shelters and maintenance of car parks)
- Regional Waste Plan
- Transport
- Trading Standards
- Vehicle Maintenance
- Road Safety
- On/Off Street and Residents' Car Parking
- Conservation
- Shoreline Management & Coastal Protection
- Contaminated Land
- Public Protection (Air Pollution, Trading Standards, Pest control & Environmental Health)
- Community Safety issues —identified in the Corporate Community Safety and Crime and Disorder Reduction Strategies, working with the relevant partners
- Environmental Enforcement (e.g. litter, dog fouling)
- Planning Enforcement
- Pest Control

In July 2017, the Committee met informally to meet Officers and identify, discuss and programme agenda items for the next year. This included the inclusion of standard items such as performance and budget monitoring reports and action plan monitoring reports. Additional reports were also requested by the scrutiny committee during the year and the Forward Work Programme was amended accordingly.

The Scrutiny Committee developed its own Forward Work Programme (FWP) and in the main, meeting agendas were consistent with those outlined by the FWP, which was confirmed by the Committee at its meeting on 2nd October 2017.

To complement the work undertaken during formal meetings the Committee also undertakes other scrutiny activities, such as task and finish and Members development sessions.

The following sections will provide a snapshot of the main areas of the Committee's work.

2.3 Performance Management

The Environmental and Public Protection Scrutiny Committee considered performance monitoring reports at its meetings in October 2017 and April 2018. The reports provided the Committee with detailed progress against the actions and measures in the 2017/18 Well-being Objectives delivery plan relevant to the Committee's remit.

As part of its performance management role the Committee received relevant information from the Council's key strategies and plans. In October, 2017 the Committee considered the Council's draft Annual Report for 2016/17 which included the second year progress report on the Corporate Strategy 2015-20. Annual reporting was one of the prime opportunities for review, monitoring and reflection and an opportunity to capture on-going activity around meeting the Authority's general and specific duties.

The Committee, noted that when the Corporate Strategy was published in 2015/20 it was agreed that an annual progress report would be produced setting out 24 outcome measures to judge our progress against. The Corporate Strategy would be reviewed for 2018/19 as the Well-being of Future Generations (Wales) Act 2015 required the Well-being Objectives to be incorporated within the Corporate Strategy.

Outcome:

In October, 2017, the Executive Board approved the Council's Annual Report for 2016/17.

2.4 Revenue & Capital Budgets

The Committee received quarterly reports on the departmental and corporate revenue and capital budgets. These reports enabled members to monitor the level of spend in each area and the progress made in any capital works.

As well as monitoring the current budget, the Committee was also consulted on the Revenue Budget Strategy 2018/19 to 20/21. The report provided the Committee with the current proposals for the Revenue Budget for 2018/19 together with the indicative figures for the 2019/20 and 2020/2021 financial years.

The consultation of the Five Year Capital Programme 2018/19 – 2022/23 was considered by the Policy and Resources Scrutiny Committee on 12th January 2018. The feedback from this consultation process along with the final settlement informed the final budget report was presented to full Council in February 2018.

Outcome:

As part of the widespread consultation undertaken on the Revenue Budget Strategy 2018/19 to 20/21, the Environmental and Public Protection Scrutiny Committee considered the budget proposals and whilst a number of comments were raised the Committee did not put forward any recommendations to change the budget proposals.

With regard to the Five Year Capital Programme 2018/19 – 2022/23, Council at its meeting in February noted that within the Environment Department there was continued support for Highways Improvements, Bridge maintenance and Road safety schemes into 2022/23 and, as a consequence of additional Welsh Government Funding, spend on 'roads refurbishment' next year had been increased by a further £2.2m.

2.5 Annual Reports and Service Improvement

Performance Management and budget information provides the Committee with a basis to consider how well services are performing and whether or not further improvement is required. Members also receive other reports and presentation that complements performance management information and adds to the picture of how well a service is performing and the plans for continued development. For example, they receive business plans for their relative directorates, which outlines the plans each department has for the forthcoming years.

In addition to the standard business plans the Environmental and Public Protection Scrutiny Committee also received:

- **The Service Delivery Plan – Environmental Protection Services for 2017/18** - included a breakdown of resources provided, including staffing costs, administration, supplies and services, training etc. with comparisons between financial years
- **Environmental Health and Licensing Services Annual Report 2016/17** – outlined the roles and responsibilities of the Environmental Health and Licensing Service. The service encompassed food safety, communicable disease, health and safety, licensing, pollution (including air, land and noise), nuisances (including noise, odour, smoke etc), pest control advice and dog warden services. The work was predominantly statutory and illustrated the demands on the service and the challenges during 2016/17.
- **Fair and Safe Communities Annual Report 2016/17** - The Environmental and Public Protection Scrutiny Committee as the nominated Scrutiny Committee for Crime and Disorder considered the Annual Report which was presented by Councillor Cefin Campbell, Chair of the Fair and Safe Communities Group. The report provided Members with the progress made by the Fair and Safe Communities group and its predecessor, the Community Safety Partnership, in tackling crime and disorder in 2016/17. The report also reviewed progress made against the Integrated Community Strategy.

2.6 Progress Monitoring

The Committee receives update reports not only to ensure that progress is monitored but to provide an opportunity to scrutinise and properly question practices and methods. The Committee considered and noted the following reports.

➤ **Carmarthenshire Rights of Way Improvement Plan (ROWIP)**

The Carmarthenshire's ROWIP 2007-2017 was published in 2007 and under s60 (3) of the Countryside and Rights of Way Act (2000) all Local Authorities in Wales are required to undergo a statutory review of their present ROWIP not more than ten years after first publishing. Therefore, October 2017, the Scrutiny Committee considered the progress on the revision and amendments proposed to the existing ten year policy document - Carmarthenshire ROWIP 2007-2017.

Revisions to the actions and policies contained within the current plan were necessary in order to keep the document up to date and properly steer PROW management in the County.

➤ **Air Quality Management Area (AQMA) Annual Update**

The Environment Act 1995 placed a duty on local authorities to assess and manage air quality in its area. At its meeting in January, the Committee considered an update report on Current Air Quality Management Area (AQMA) in Carmarthenshire which provided the levels of NO² specifically with in the town of Llandeilo and areas of Carmarthen and Llanelli which had experienced increasing levels of NO² over the last few years. The increase had breached the air quality objective for NO² and had resulted in the Welsh Government requesting that the Council carry out a Detailed Assessment to ascertain the extent and level of exceedance of the Air Quality Objective.

The Committee receives annual updates in respect of the Air Quality Management Areas. Following consideration of the report at its meeting in January 2018, the Committee took the opportunity to raise concerns with regard to the significant congestion problems caused by the new traffic light system on Sandy Road, Llanelli. The Committees concerns were noted and it was confirmed that NO² levels were regularly monitored and that the matter was included as part of an ongoing action plan.

A suggestion was raised regarding the provision of real-time information on the current air quality. Whilst this was good idea, unfortunately, due to the method of collection, the data was only collated on a monthly basis and therefore currently it was not possible for 'live' or 'current' updates to be provided.

➤ **Highway Footway and Road Safety Investment Programme Update**

In February, 2018 the Committee considered a Highway Footway and Road Safety Investment Programme Update report which included information on the current investment programme in relation to road safety and associated infrastructure. The report provided a summary of funding for road safety related and other infrastructure schemes for 2017/18 and set out the prioritised programme for road safety, footway and other infrastructures.

➤ **Review of LED Conversion Project**

An update report providing information on the phasing and progress of the LED lantern conversion program was considered by the Committee in February 2018. The report provided details of the phasing and the savings achieved approaching the end of the second phase of the program.

The Committee raised queries regarding the likely impact this project had on Community Councils. The Committee was informed that whilst a number of Community Councils were not part of the current scheme, work was being carried out to develop a package in order to discuss further with Community Councils who were. Furthermore, with regard to the cost to Community Councils for lighting, it was confirmed that recharges would be modified and charged accordingly.

➤ **Highways Network Hierarchy**

In November 2017, the Committee received for consideration a report which provided an update on the proposed implementation of a functional hierarchy for highways infrastructure investment. The hierarchy supported the overall Highway Asset Management Plan which prioritised highway infrastructure investment through a risk based approach in accordance with the new updated National Codes of Practice – “Well Managed Highway Infrastructure.”

The Committee raised relevant questions which included:

- how the safety of roads in rural areas were prioritised?;
- if the impact on climate change had been considered particularly when laying tarmac? (with regard to the Well Being of Future Generations (Wales) Act 2015 and the 5 ways of working;
- how much work was undertaken with utility companies and was there any scope for improving integration?;
- could the Highways Network Hierarchy include the protection of green lanes/tracks?

Responses to the queries were duly provided by Officers present at the meeting.

➤ **Garden Waste**

In January, 2017 the Committee received a report on the Garden Waste Scheme which provided a summary of the position and outcomes from the first year of the separate chargeable Garden Waste service and set out the arrangements and operational delivery for the scheme for 2018-19. In addition, the report provided a detailed analysis of the first year operation along with the proposal for year two (2018/19).

Outcome:

As a result of the Committee's scrutiny, the following outcomes prevailed:-

- In relation to compost generation, the new Teckal Company would need to research the market and look to seek future arrangements for the outputs arising from the composting of grass and food waste.
- As the current scheme couldn't be made available to all members of the public where access is difficult and as the hessian sacks did not provide a viable long term solution to this problem, the Council would continue to review alternative options.
- The Committee unanimously resolved to receive the Garden Waste Scheme and note the proposal set out within the report.

2.7 Pre-Decision Scrutiny and Consultation

➤ **Future Waste Treatment and Disposal Arrangements**

During the end of 2016, the Council was in the process of exploring the latter stages of its options in establishing its future waste management arrangements. This was due to the Council's current contract with CWM Environmental who managed the provision of waste and recycling was coming to end in March 2018

In January 2018, the Committee were provided with a report on the future waste treatment and disposal arrangements which included an outline of the progress that has been made throughout the County.

The Committee considered a detailed analysis of an options appraisal which found that there were several advantages to using a Teckal¹ approach for the procurement of the Council's new waste treatment contract. Based on the results of the options appraisal, a business case methodology for the suggested option was also included within the report.

Outcome:

Following scrutiny of the report and in light of the clarification and responses to queries provided by officers from the Waste and Environmental Services department, the Committee unanimously resolved to receive the report and note the

- Outcome of options review for future waste treatment and disposal services;
- Current development of business case for the preferred option;
- The next steps for project delivery.

The report was then considered by the Executive Board at its meeting on 22nd January 2018 and unanimously resolved:

- To approve the business case for establishing a new Teckal compliant company for future waste treatment and disposal services;
- to delegate authority to the Director of Environment and Director of Corporate Services to establish the new company arrangements and finalise the governance structures, ensuring appropriate external legal, financial and technical advice as necessary (in consultation with Executive Board Members for the Environment and Resources);
- to delegate authority to the Director of Environment and Director of Corporate Services to develop a detailed business plan for the Council's proposed Shareholder Board.

¹Teckal' is a piece of European Union law allowing Councils to deliver services through externally managed entities without having to follow competitive tendering rules and procedures.

➤ Carmarthenshire Parking Strategy

The Executive Board, at its meeting held in July, 2016 endorsed the recommendations of the Environmental and Public Protection Scrutiny Committee's Task and Finish Group on Car Parking Charges. One of the recommendations required a review to be undertaken of the existing car parking strategy.

In accordance with that decision, in April, 2018 a revised car parking strategy had been developed and was considered by the Scrutiny Committee. The strategy had taken regard of a number of issues including parking policy, demand and capacity performance data, comparable technology, economic case for charging together with car park management.

Outcome:

Following scrutiny of the report and in light of the clarification and responses to queries provided by officers, the Committee resolved to recommend to the Executive Board that the Parking Strategy be approved.

Subsequently, the Executive Board at its meeting held on 30th July 2018 unanimously resolved to approve the updated Carmarthenshire Parking Strategy.

2.8 Referrals from other Scrutiny Committees

At its meeting in December 2017, the Policy and Resources Scrutiny Committee resolved that 'the Environment and Public Protection Scrutiny Committee be requested to scrutinise expenditure on the Towy Valley Path. The Environmental and Public Protection Scrutiny Committee duly accepted the referral and requested a detailed report be provided in order for the Committee to scrutinise the expenditure accordingly.

In February, 2018 the Committee scrutinised a comprehensive report which included:

- The project introduction and background
- Expenditure to date
- Expenditure profile including the funding breakdown to date
- Future Funding Profile
- Future Benefits

It was observed that the report had not included the financial aspects for the future maintenance of the path. Confirmation was provided that as part of the project, maintenance would be considered and that it would be included as part of the capital expenditure.

Following scrutiny of the report, the Committee unanimously resolved to receive the report on the Towy Valley Path – Expenditure, however, in order to for the Committee to gain a better understanding of the project as a whole a presentation on the Towy Valley Project was requested to be provided to the Committee.

The Committee received the presentation on the Towy Valley Path at its meeting in April 2018 which provided information and illustrated key aspects of the project which included:-

- The background and key objectives of the project;
- The proposed route;
- Economic benefits to the region;
- Associated health benefits;
- Impact on road safety;
- Benefits realised on other similar schemes.

Following the presentation a number of queries were raised including:

- would have a detrimental impact on the other cycle routes within the County?
- could Officers provide further information with regard to opportunities for the local building trade?
- What would the costs be per kilometre of the path?
- what measures were being put in place to encourage cyclists to stick to the path?
- how many employment opportunities would the project create?
- would there be a cleaning plan for the leaves and debris which could prove to be hazardous to users?
- Would motorised vehicles (emergency) be able to gain access?
- how much was the total scheme was to the Authority?

Officers present provided in-depth responses to all queries raised at the meeting.

Recognition was given to the benefits and the Committee welcomed the project and unanimously resolved to receive the report.

2.9 Additional reports requested

➤ Energy Consumption in the Council's Non-Domestic Buildings

The Committee, at its meeting held in November, 2017 resolved to receive a report on the Council's energy consumption. In response to the request, the Committee at its meeting in January 2018 received a report which provided information on the energy consumption in the Council's non-domestic buildings. The Committee considered its contents which included details on:-

- Performance Measures
- Energy Efficiency programmes
- New Build Programme
- Opportunities for renewable energy

The Committee was informed that currently no targets had been set by the Welsh Government or internally, however the team were proactive in their work and sought ways to further reduce the Council's energy consumption. Any opportunities to improve would be researched and considered.

The Committee expressed thanks to the Officers for producing a clear and informative report and subsequently unanimously resolved to receive the report.

3. Other Scrutiny Activity

3.1 Task and Finish

At the Committee's forward work programme session held in July, there was some discussion about Task and Finish work and following on from this, Members were keen to ensure that this year the Environment and Public Protection Scrutiny Committee take up the opportunity of undertaking a Task and Finish review.

The Committee to provided suggestions for potential Task and Finish projects which were considered at the Committee's Scrutiny pre-meeting on 2nd October, 2017. Following the consideration of a number of suggestions, Members agreed to set up a task and finish group to '**Review the maintenance provision of Highway Hedgerows and Verges**'

At its meeting in November, 2017 the Committee considered the task and Finish scoping document and agreed on the following 6 group members:

- Councillor Alun Davies (Vice Chair)
- Councillor Jeanette Gilasbey
- Councillor Dorian Phillips
- Councillor Penny Edwards
- Councillor John James (Chair)
- Councillor Andrew James

The Task and Finish group considered of a range of evidence over a series of meetings between January 2018 and April 2018.

The sessions were structured and designed to provide the Group with the relevant information, context and background to the topic.

Based on the research and evidence provided the Task and Finish Group members worked together to formulate recommendations which would be included within the final report to be presented to the Executive Board for approval.

3.2 Site Visits

Whilst developing the Environmental and Public Protection Scrutiny Committee Forward Work Programme 2017/18, the Environmental and Public Protection Scrutiny Committee requested to a site visit relevant to their thematic responsibilities. A visit was arranged to two major facilities:-

- Waste recycling provision at Cwm Environmental;
- Winter maintenance fleet at Cillefwr, Johnstown.

The aim of the site visit was to provide Committee members with experience and gain a better understanding of these service areas. Members were afforded the opportunity to see the recycling plant in operation, view the current winter fleet and speak to operatives. The Site Visit also provided those present with operational knowledge with regard to the reception and processing of blue bag recycling, residual waste (black bag waste) and composting facilities.

To update those Members who were unable to attend the site visit, a presentation of the site visit was provided by Officers to the Environment and Public Protection Scrutiny Committee held on 18th May. The Managing Director and Operations Director of CWM Environmental were also present at the meeting.



3.3 Development sessions/seminars

Following the Elections held in May 2017, all Elected Members were provided a Councillor Induction programme. The programme was designed primarily for new Councillors but was also open to re-elected Councillors. The programme was aimed to provide Members with sufficient knowledge and understanding to enable a good start as a serving Councillor for Carmarthenshire County Council.

In addition to the Committee training, the following all-member development sessions were held during 2017/18, to which all Scrutiny Committee members were invited:

- Decisions for Future Generations (Well-being of Future Generations Act) – July 2017
- Safeguarding & Violence Against Women & Domestic Abuse & Sexual Violence Act– September 2017
- Violence Against Women & Domestic Abuse & Sexual Violence Act – September 2017
- Social Services and Well-being (Wales) Act – September 2017
- Data Management & Freedom of Information Act – September 2017
- Health & Safety (including Corporate Manslaughter) – September 2017
- Welsh Local Government (WLGA) Regional Workshop – October 2017
- Education Consortia – The National Model for Regional Working’ – October 2017
- Substance Misuse – December 2017

4. Challenges

Following the elections in May, 2017 the Environmental and Public Protection Scrutiny Committee saw a new cohort of Members. The newly formed Committee worked together as a team to familiarise themselves with the decision making process and the subjects within the remit of the Scrutiny portfolio. Scrutiny pre-meetings, provides Members with an opportunity to discuss matters freely, without judgement empowering Members to embrace their Scrutiny role.

5. Future Work

Throughout 2017/18 the Committee has made significant progress and will continue to concentrate on topics where Member’s input will result in positive outcomes to drive forward service improvement. To ensure that the best use is being made of Scrutiny meeting time, with the benefit of pre-meetings, the Committee is keen to work as a team to ensure a more streamlined scrutiny process.

The future work of the Committee will be considered regularly as part of the Forward Work Programme and will continue to be monitored during the course of the year. The Committee are keen to promote the work of Scrutiny within Carmarthenshire and hope to see a greater participation from Town and Community Councils.

6. Support for the Scrutiny Function

Support for Carmarthenshire County Council's Scrutiny function is provided by the Democratic Services Unit, based in the Administration & Law Division of the Chief Executive's Department.

Support for the Scrutiny function includes:

- Providing support and constitutional advice to the Council's Scrutiny Committees and to members of those Committees as well as producing minutes of their meetings and ensuring items arising from those meetings are actioned
- Giving support and advice in relation to the functions of the Council's Scrutiny Committees to executive and non-executive members of the Council and its officers;
- Managing the strategic development of Scrutiny in Carmarthenshire through engaging in national and regional Scrutiny networks and initiatives, supporting the Chairs and
- Vice-Chairs of Scrutiny Forum, and the Scrutiny Chairs and Vice-Chairs Executive Board
- Forum;
- Advising and supporting the implementation of the requirements of the Local
- Government (Wales) Measure 2011 as guidance is published;
- Managing the co-ordination and development of the Scrutiny forward work programmes in conjunction with Scrutiny members;
- Managing and co-ordinating Scrutiny review work, including the operation of scrutiny task and finish groups, authoring reports in conjunction with the groups, and assisting in the implementation and monitoring of completed reviews;
- Managing the Scrutiny member development programme;
- Despatching agendas for Scrutiny Committee meetings a minimum of 4 working days prior to the meeting.

For more information on scrutiny in Carmarthenshire including work programmes, task and finish reports and annual reports, visit the County Council's website at: www.carmarthenshire.gov.wales/scrutiny

To contact the Democratic Services Unit, please call 01267 224028 or e-mail scrutiny@carmarthenshire.gov.uk

7. Committee Member Attendance

A total of 6 meetings were held between May 2017 and April 2018. Attendance by members of the Education & Children Scrutiny Committee during the 2017/18 year is shown in the table below.

Scrutiny Committee Member	No. of meetings attended	%
Councillor Arwel Davies	6	100
Councillor Alun Davies	2	33
Councillor Joseph Davies	6	100
Councillor Penny Edwards	6	100
Councillor Tina Higgins	5	83
Councillor Amanda Fox	5	83
Councillor Jeanette Gilasbey	4	67
Councillor Andrew James	2	33
Councillor John James	6	100
Councillor Aled Vaughan Owen	6	100
Councillor Dorian Phillips	4	67
Councillor Susan Phillips	5	83
Councillor Alan Speake	0	0
Councillor Dai Thomas	5	83

Substitutes	No. of meetings attended
Councillor Kim Broome	5
Councillor Deryk Cundy	1
Councillor Tyssul Evans	2
Councillor Jean Lewis	1
Councillor John Prosser	1
Councillor Elwyn Williams	2

Executive Board Members	No. of meetings attended
Cllr. Hazel Evans (Environment)	6
Cllr. Philip Hughes (Public Protection)	4
Cefn Campbell (Communities & Rural Affairs)	1