

# ENVIRONMENTAL & PUBLIC PROTECTION SCRUTINY COMMITTEE

10 DECEMBER 2018

**PRESENT:** Councillor A. Vaughan Owen (Chair)

**Councillors:**

K. Davies, J.A. Davies, P.M. Edwards, A.L. Fox, S.J.G. Gilasbey, T.M. Higgins, A.D.T. Speake, B.D.J. Phillips, J.S. Phillips and D. Thomas.

**Also in attendance:**

Councillor D. Cundy – Substitute for Councillor J. James;  
Councillor T. Evans – Substitute for Councillor A. James;  
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:**

R. Hemingway, Head of Financial Services;  
J. Morgan, Acting Head of Homes & Safer Communities;  
S. Pilliner, Head of Transportation & Highways;  
L. Quelch, Head of Planning;  
S. Charles, Transport Strategy and Infrastructure Manager;  
R. Edmunds, Consumer and Business Affairs Manager;  
K. Harrop, Community Safety Manager;  
D.W. John, Waste Services Manager;  
R. James, Group Accountant;  
A. Kenyon, Senior Performance Management Officer;  
J. Owen, Democratic Services Officer;  
L. Jenkins, Democratic Services Officer.

**Chamber, County Hall, Carmarthen: - 10:00am - 11:20am**

• **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors A. Davies, A. James and J. James.

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 (NONE RECEIVED)**

The Chair advised that no public questions had been received.

#### 4. REVENUE BUDGET STRATEGY CONSULTATION 2019/20 to 2021/22

The Committee considered the Revenue Budget Strategy 2019/20 to 2021/22 (Appendix A) which had been endorsed by the Executive Board for consultation purposes at its meeting on 19<sup>th</sup> November 2018. The report provided Members with the current view of the Revenue Budget for 2019/2020 together with indicative figures for the 2020/2021 and 2021/2022 financial years. The report was based on officers' projections of spending need and took into account the provisional settlement issued by Welsh Government on 9<sup>th</sup> October 2018.

The Head of Financial Services advised whilst the announced provisional settlement represented a 0.3% reduction as an average across Wales on the 18/19 settlement, the impact on Carmarthenshire, after taking into account factors such as meeting the cost of the teachers' pay award and free school meals eligibility was a 0.5% reduction equating to £1.873m.

In summary, the budget proposals would assume full delivery of the £28 identified savings over the plan period. Furthermore, the budget proposals assumed a Council tax increase of 4.89% for 2019/20.

The Head of Financial Services also advised that subsequent to the publication of the council's budget proposals for consultation the Welsh Governments Cabinet Secretary for Finance had announced an additional £13m to be added to the Welsh Revenue Support Grant for 2019/20. Whilst specific details of the announcement had yet to be received, it had been estimated that the impact for Carmarthenshire would be the reduction in funding to 0.2% over the 18/19 settlement. Additionally, the Welsh Government had announced an extra £7.5m grant across Wales to part fund the teachers' pay award.

The Committee noted that the current projection for the Revenue Outturn for 2018/19 and that the main reasons for the Environmental Department overspends were primarily due to non-achievement of car park income targets and a decrease in planning application income.

The Committee thereupon considered the following detailed budget information appended to the Strategy relevant to its remit:

- **Appendix A(i)** – Efficiency summary for the Environment and Public Protections Services;
- **Appendix A(ii)** – Growth Pressures summary for Environment Service;
- **Appendix B** – Budget extracts for the Environment, Public Protection and Community Safety Services;
- **Appendix C** – Charging Digest for the Environment and Public Protection Services.

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

- Reference was made to the Council's efficiency savings in relation to the Highways – Rural Road Sweeping within Appendix A(i). In response to a query regarding the safety impact of ceasing the scheduled mechanical sweeping on rural roads, the Head of Transportation and Highways stated that whilst the proposal was to discontinue to undertake scheduled and ad hoc sweeping, the department would be responding to emergencies on a reactive basis, which could involve the use of contractors. It was intended that savings would be realised on a part efficiency and part reduction of service basis, for example mechanical sweeper attachments can be fitted to JCB's at relatively low cost when patching works are undertaken.

Whilst the reductions in budgets was acknowledged, strong concern was expressed regarding the impact of safety should budgets continue to be reduced in future years.

- With regard to the proposal in relation the charging or potential removal of the transport provision for post 16 education. It was commented that whilst this had been postponed by one year in order to allow the authority to meet the statutory obligations in terms of changes, a number of Members not in favour of this proposal.

**RESOLVED that:**

**4.1 The 2019/20 – 2021/22 Revenue Budget Strategy Consultation be received;**

**4.2 The Charging Digest for the Environment and Public Protection Services, as detailed in Appendix C to the report be endorsed.**

## **5. CARMARTHENSHIRE HIGHWAYS DESIGN GUIDE**

The Committee considered a report which appended the updated Highways Design Guide (HDG). The guide had been developed with the intention to provide guidance to Developers, Designers and other professionals in preparing transport infrastructure and associated interventions relating to a wide range of developments in Carmarthenshire.

The HDG would replace the existing Highway Design Guidance which dates back to 1997. The Committee noted that the principal aim of the HDG was to encourage developers to create Highway layouts which would have a distinctive character in their built environment and landscaping, whilst applying design standards which would achieve a safe sustainable provision for all users.

In addition, the Guide sets out the Authority's expectations for the design of highway infrastructure for developments in the County as follows:

1. Aims and Objectives of the Design Guide
2. The Planning Process
3. Policy context
4. Design Process
5. Design Standards
6. Construction, Maintenance and Statutory Agreements

The HDG would be used as a key policy document to be referenced by the Highways Planning Liaison officers, as well as the Local Planning Authority in the assessment and determination of planning applications.

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

Reference was made to the page 47 of the HDG. In relation to the adopted roads, further clarity was sought on the section 278 agreement. The Transport Strategy and Infrastructure Manager advised that some roads on new housing developments were not being adopted by the Local Authority due to the minimum standards for adoption as set out in the HDG were not being met. In addition, currently there were no legal powers in place to enforce developers to raise the standards of the roads to meet the required standard.

Furthermore, it was commented that the provision of parking on new housing developments was often insufficient. The Transport Strategy and Infrastructure Manager stated that guidelines within the CSS Wales – Wales Parking Standard 2014 seeks to minimise disruption and encourages the use of sustainable transport by not overproviding. The adoption of the revised Supplementary Planning Guidance may address these issues in the future.

In response to a concern raised regarding the ongoing maintenance of un-adopted highways and if there was anything the Council could do to improve the developer's timescale, the Transport Strategy and Infrastructure Manager reported that the Council was unable to influence developers. The Head of Transportation and Highways advised that the property holder, following a conveyance process, would be able to enquire for more detail from their solicitor.

Furthermore, the Committee noted that the HDG acknowledged that the maintenance of highway environment was a key aspect of safeguarding the safety and well-being of the people of Carmarthenshire and that poorly maintained highway environments had the potential to reduce the quality and ease of everyday travel. Therefore, when designing developments there should be a presumption that they would be adopted by Carmarthenshire County Council, and as such all streets should comply with the requirements and specifications set out in the HDG.

In addition, with regard to those streets not intended to be offered for adoption, the design should still be to an adoptable standard, to safeguard the efficient future maintenance of the highway environment within the development.

The Head of Transport and Highways emphasised that the Authority had no legal powers to enforce the adoption of a highway by a developer to ensure that street works were done to an acceptable and adoptable standard and that residents should refer this matter with their conveyancing solicitor.

The Committee, having been advised that elements of the Section 38 Agreement of the Highways Act was currently under review by the Welsh Government proposed, that in order to safeguard property owners on new housing developments from being left with un-adopted roads, the Assembly Member for each party be written to requesting to pursue that, as part of the Section 38 Agreement review, developers be legally required to ensure streets are developed to the required standard for adoption.

**RESOLVED that:**

**5.1 the Carmarthenshire Highways Design Guide be received;**

**5.2 a letter be written to the abovementioned Assembly Members requesting to pursue that, as part of the Section 38 Agreement review, developers are legally required to ensure streets are developed to an adoptable standard.**

## **6. ENVIRONMENT DEPARTMENTAL BUSINESS PLAN 2019/20 – 2022**

The Committee considered the Draft Environmental Departmental Business Plan 2019/20 - 2022 which outlined the priorities for the department and identified how the department supported the five ways of working and the goals of the Well-being of Future Generations (Wales) Act 2015. The report included extracts of the aspects relevant to the Environmental and Public Scrutiny Committee including the following elements:-

- Highways and Transport
- Waste and Environmental Services
- Business Improvement

The following issues were discussed during consideration of the plan:

Reference was made to the significant increase in the percentage of municipal wastes sent to landfill from 4.73% in 2016/17 to 20.29% in 2017/18. The Waste Services Manager advised that incineration contract with CWM Environmental had come to an end and was currently going through the procurement process with a view to establishing a longer term solution. It was clarified at this point that the Landfill Grants previously administered by the contractor were now being administered by the Welsh Revenue Authority as part of a national scheme.

**RESOLVED that the Environment Departmental Business Plan 2019/20-2022 be received.**

## **7. COMMUNITIES DEPARTMENTAL DRAFT BUSINESS PLAN 2019/20 – 2022**

The Committee received the Communities Departmental Business Plan 2019/20 – 2021/2022 which provided Members with comprehensive overview of the Communities Departmental progress. It was noted that whilst the plan enveloped the whole of the Departments' priorities, the Committee's role was to scrutinise the Public Protection elements set out on 25 of the report.

**RESOLVED that the Communities Departmental Business Plan 2019/20-2022 be received.**

## **8. CHIEF EXECUTIVE'S DEPARTMENTAL BUSINESS PLAN 2019/2022**

The Committee considered the Report on the Chief Executive's Departmental Business Plan 2019/20 – 2021/22. The report contained extracts of the aspects relevant to the Environment and Public Protection Scrutiny Committee in relation to Community Safety.

In response to an observation made on the 2018/19 target relating to recorded crime, the Community Safety Manager reported that due to changes in the way that crime was now recorded it had been difficult to identify a challenging target. However, reassurance was provided that all crime figures would be closely monitored.

**UNANIMOUSLY RESOLVED that the Chief Executives Departmental Business Plan 2019/20 – 2021/2022 be received.**

## **9. BUSINESS AND CONSUMER AFFAIRS SERVICES ANNUAL REPORT 2017/18**

The Committee received the Business and Consumer Affairs Services Annual Report for 2017/18 for consideration. The report provided Members with information and statistics on work undertaken by the Service in 2017/18.

The Committee noted that the Service consists of Trading Standards, Licensing and Animal Health Services.

The following issues were discussed during consideration of the report:

- In response to a query raised regarding a trusted tradesman list, the Consumer and Business Affairs Manager, stated that in order to comply with legislation the Council would be launching a 'Buy with Confidence' scheme which would provide people in Carmarthenshire with a list of local businesses who have given their commitment to trade fairly. Further information with regard to the scheme would be presented to a future Scrutiny Committee meeting.
- In response to a query raised regarding external Food Safety Inspectors, the Head of Homes and Safer Communities confirmed that external Food Safety Inspectors had been contracted during the year to cover areas whilst the department was undertaking a review and therefore was not a long-term solution.

The Executive Board Member expressed his sincere gratitude to the teams within the Business and Consumer Affairs Section for their commitment and hard work over the year particularly throughout the restructuring process.

**UNANIMOUSLY RESOLVED that the Business and Consumer Affairs Services Annual Report 2017/18 be received.**

#### **10. FORTHCOMING ITEMS**

The Committee received the forthcoming items for the next meeting scheduled to take place on 14<sup>th</sup> January 2019.

**UNANIMOUSLY RESOLVED that the list of forthcoming items for the meeting of the Committee to be held on the 14<sup>th</sup> January, 2019 be agreed.**

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**CHAIR**

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**DATE**