

**ENVIRONMENTAL & PUBLIC PROTECTION
SCRUTINY COMMITTEE
12th NOVEMBER 2015**

(NOTE: THESE MINUTES ARE SUBJECT TO CONFIRMATION BY THE COMMITTEE AT ITS NEXT MEETING)

Present: Councillor A.P. Cooper (Chair)

Councillors: J.A. Davies, D.C. Evans, I.J. Jackson, A. James, S.E. Thomas, D.E. Williams

**Councillor D.J.R. Bartlett – Substitute for Councillor W.G. Thomas
Councillor C.A. Campbell – Substitute for Councillor W.J. Lemon
Councillor J.D. James – Substitute for Councillor K.P. Thomas
Councillor M.J.A Lewis – Substitute for Councillor A. Davies
Councillor D.W.H. Richards – Substitute for Councillor D.B. Davies**

The following officers were in attendance:

Mrs. R. Mullen – Director of Environment
Mr. M. Cresci – Head of Street-Scene
Mr. M. Davies – Interim Head of Property Maintenance & Construction
Mr. S. Pilliner – Head of Transport & Engineering
Mr. R. Staines – Head of Housing & Public Protection
Ms. R. James – Group Accountant
Mr. R. Edmunds – Trading Standards Services Manager
Ms. J. Edwards – Principal Business & Development Officer
Mr. J. McEvoy – Road Safety & Traffic Manager
Ms. K. Thomas – Community Safety Manager
Mrs. S. Watts – Public Health Services Manager
Mr. A. Williams – Street-Scene Manager
Mr. M. Hughes – Assistant Consultant

Present as an observer: Mrs. M. Kathrens – Technical Assistant

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

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors A. Davies, D.B. Davies, W.J. Lemon, A.D.T. Speake, K.P. Thomas and W.G. Thomas.

Apologies were also received from Councillor H.A.L. Evans (Executive Board Member for Technical Services) and Councillor T.J Jones (Executive Board Member for Environmental & Public Protection).

The Chair welcomed Mrs. Ruth Mullen to her first meeting as the new Director of the Environment Department.

2. DECLARATIONS OF PERSONAL INTEREST

Councillor	Minute Item(s)	Nature of Interest
Cllr. D.W.H. Richards	6. Revenue & Capital Budget Monitoring Report 2015/16	Owner of land adjacent to Trebeddrod Reservoir in Llanelli

3. DECLARATION OF PROHIBITED PARTY WHIPS

There were no declarations of party whips.

4. PUBLIC QUESTIONS

No public questions were received.

5. FORTHCOMING ITEMS

The Chair reminded the Committee that the Environment Departmental Budget Seminar for members was being held on Tuesday 8th December at 2:00pm in Y Ffwrnes, Llanelli.

RESOLVED that the list of forthcoming items to be considered at the next scheduled meeting on Friday 11th December 2015, be noted.

6. REVENUE & CAPITAL BUDGET MONITORING REPORT 2015/16

Cllr. D.W.H. Richards declared an interest in that he owns land adjacent to Trebeddrod Reservoir in Llanelli

The Committee considered the Revenue & Capital Budget Monitoring Report for the Environment Department, Public Protection Services and the Community Safety Team, as at 31st August 2015 in relation to the 2015/16 financial year. The following issues were raised in relation to the report:

Reference was made to the recent suspension of eight members of staff from the Environment Department and it was asked how the services were coping without their full complement of staff and what impact this was having on the Department's budget. The Head of Street-Scene informed the Committee that the services had alternative arrangements in place to accommodate staff absences, as was the case when dealing with sickness absence or annual leave. In certain situations, agency workers were employed to cover for core staff and such costs were provided for within the departmental budget. The Director of Environment informed the Committee that there was no impact on the delivery of the relevant services and whilst the Department wished to bring this matter to a close as soon as possible, the Authority was duty bound to adhere to the relevant legislation and human resources policies to ensure that each case was heard and dealt with fairly.

In response to a question as to when the transfer of public conveniences would be completed, the Head of Street-Scene reminded the Committee that the transfer of the public conveniences to Town and Community Councils was into its second year of a three-year process but agreed to check the progress and inform the Committee accordingly.

An explanation was sought for the variance relating to the Emergency Planning service, the work of the Local Resilience Forum and why the Authority was funding a post at Pembrokeshire County Council. The Group Accountant and Head of Street-Scene informed the Committee that the Dyfed-Powys Local Resilience Forum was a multi-agency partnership comprising of key emergency and public services which would co-ordinate the response to a major incident in the region (e.g. severe weather, major transport or industrial accident). Outside normal office hours, an officer, employed by Pembrokeshire County Council, was on stand-by for the whole region and the £3,000 referred to in the report, was Carmarthenshire's contribution towards this regional arrangement.

Reference was made to the variance of £394,000 in the Property Services budget due to an unachievable income target and a question was asked as to what was being done to reduce this. The Interim Head of Property Maintenance & Construction acknowledged that this was a long-standing issue and that the Department was working with Financial Services to manage it. It was envisaged that the next budget monitoring report would show a reduction in this figure as the Department undertook a programme of restructuring and utilised workers in other areas.

The variance of £25,000 relating to car parking was questioned, as was the impact that the work of the Committee's Task and Finish Group would have on this and future budgetary proposals for this service. Reference was also made to the free-parking pilot scheme in Llanelli and the potential impact this would have on the service's budget. The Head of Transport & Engineering reminded the Committee that the variance was due to the proposed 20p increase to charges and introduction of evening charges not being implemented. The data gathered during the Llanelli pilot scheme were currently being analysed. He also informed the Committee that to date, the Task & Finish Group had met twice. The most recent meeting had focused on the policy and legislative basis for car parking charges and that it was envisaged that the review would be completed by March 2016 in order to inform the budget proposals for 2016/17 onwards.

In response to a query about the work at the Trebeddrod Reservoir, the Street-Scene Manager informed the Committee that work was continuing and that the final phase was due to be completed by the end of February 2016.

In light of the increased financial pressures faced by the Department, it was asked what steps were being taken to manage the workforce and prepare staff for possible changes and reductions in services. The Director of Environment acknowledged that it was right and proper to prepare for future efficiencies and that steps were in place to manage the workforce through this difficult time. These included the severance scheme and looking at opportunities to re-deploy staff to other duties within the Department.

Concern was expressed at the underachievement of fee income within the Trading Standards Service and it was asked why the Authority's fees had not been gradually increased in line with neighbouring authorities' fees. The Head of Housing

& Public Protection stated that this was being addressed but the underachievement could be traced back to the receipt of large sums of income for one-off events. This had subsequently been validated into future years' budgets even though the service would never have been able to achieve this same level of income in any 'normal' year. This was a problem faced by many other services across the Authority and needed to be resolved in conjunction with Financial Services.

Clarification was sought for the loss of the Community Safety Fund and where this funding had been allocated to instead. The Community Safety Manager informed the Committee that this was not an overspend but was a grant fund that had previously been received from the Police & Crime Commissioner as a contribution towards the operation of the CCTV service. However, this funding had been stopped by the Commissioner at the start of the financial year and in light of this the Executive Board had also ended the Authority's contribution to the service. However, until the service ended operations in July, the Authority continued to incur costs as outlined in the report. The figures continued to be shown in the report as the costs had been incurred during the current financial year.

The programme to replace the Authority's vehicle fleet was discussed and references made to the state of the current fleet and the reduction in the specialist vehicles available to service particular areas of the county. The Head of Transport & Engineering confirmed that an order worth £6m had been placed with suppliers which was envisaged to be fulfilled in 2016. This order had prioritised new waste collection vehicles and vehicles for social care services. Highways Services would be part of the next round of orders and that the priority was to identify the replacement strategy and work with the service users. He acknowledged that older vehicles were subject to longer down-time and this was monitored on a daily basis but it was not possible to finalise figures for the number of replacement vehicles as on-going service-reviews would impact on this. The Head of Street-Scene reminded the Committee that in light of the on-going financial pressures, the Department would need to redefine its service standards and these would be impacted by the number of vehicles available.

Concerns were expressed about the condition of the County's highway network and in particular, the rural road network. It was asked whether the Department had explored alternatives to the Local Government Borrowing Initiative which had ended in April 2015 in order to improve the roads and prevent the Authority from being held liable for any accidents caused by poor road surfaces. The Director of Environment acknowledged the comments but stressed that officers would be looking at generating and drawing down additional funding as well as prioritising the resources the Department already had to address the problem. As this was an issue facing all Welsh authorities, there were opportunities to work in conjunction with other local authorities to draw down additional funds and find innovative solutions to maintain the highway network. The Head of Street-Scene noted that local government officers with responsibility for highways, had been lobbying the Welsh Government via the County Surveyors Society for an extension to the Local Government Borrowing Initiative scheme but this had been rejected by ministers.

RESOLVED that the report be received.

7. HALF-YEARLY PERFORMANCE MANAGEMENT REPORT – 1ST APRIL TO 30TH SEPTEMBER 2015

The Committee received, for consideration, the Half-Yearly Performance Management Report for the services within its remit, for the period 1st April to 30th September 2015. The report included:

- Heads of Service Overview of Performance
- Improvement Plan Monitoring – Actions and Performance Measures
- Complaints and Compliments Monitoring
- Crime Statistics for Carmarthenshire

The following issues were discussed during consideration of the report:

Reference was made to the Community Safety Partnership initiatives and it was asked whether there was an opportunity for the Local Authority to utilise the disused Police house in Felinfoel, especially in light of the demand for social housing. The Head of Housing & Public Protection noted that the Authority did have funds to return empty properties to use as social housing and the Community Safety Manager agreed to clarify the matter with Dyfed-Powys Police.

In response to a question on the status of the public lighting upgrade, the Head of Street-Scene informed the Committee that an invest-to-save bid submitted to the Welsh Government had been successful according to a press release although officers had yet to be officially notified of this. The funding of £1.4m would assist in funding the replacement of about 12,500 street lights with LED units with expected savings of £600,000 per annum on energy and labour.

It was suggested that whilst the report noted reductions up until the end of 2014/15, the figures for road deaths would be higher following the number of fatalities during the summer of 2015. The Head of Transport & Engineering acknowledged that the accident figures had risen during the year and the research undertaken with Dyfed-Powys Police indicated that driver behaviour was the prime cause. The increase in motorcyclist fatalities was of grave concern and the Authority continued to work hard to reduce such incidents, especially through joint operations with Dyfed-Powys Police (e.g. 'Operation Darwen') and educational initiatives.

In response to queries regarding the Llandeilo By-Pass, the Head of Transport & Engineering reminded the Committee that there was a commitment to the by-pass in the National Transport Finance Plan and that various studies relating to the proposed route would be commencing by the end of the year. There were however, a number of hurdles to be overcome, prior to any construction work. He added that the preferred route had been identified and protected from any housing developments but that any changes to this route would be considered by the minister as part of the statutory process.

Further to a question on the joint working between National Resources Wales and the Local Authority in relation to shellfish poaching, the Public Health Services Manager confirmed that officers did indeed work with both National Resources Wales and the Welsh Government, both of whom had specific responsibility for different areas of the Carmarthenshire coastline. However, due to the size of the area in question, the coastline was difficult to monitor and police due to the lack of resources experienced by the relevant agencies involved.

It was suggested that the Executive Board Member be asked to lobby the Welsh Government to increase its monitoring of the shellfish beds in the Carmarthen Bay area in order to prevent and deter poaching activity. It was also suggested that due

to the aggressive behaviour of poachers, both HM Revenue & Customs and the UK Border Agency be copied in on any correspondence sent to the Welsh Government. The Committee agreed to this proposal.

Clarification was sought as to the status of the TEEP (Technically, economically and environmentally practicable) Assessment of Carmarthenshire's waste and recycling collection arrangements, in response to the Welsh Government's desire to standardise processes across Wales for kerbside sort systems. The Head of Street-Scene confirmed that an external consultant employed by the Authority was undertaking an initial high-level overview assessment of Carmarthenshire's collection methodology, and would be reporting back in due course. The Authority had made its views on collection methodologies clear to Welsh Government officers in the past. The Director of Environment informed the Committee that the Chief Executive and the Leader of the Council had also met with the Welsh Government and made strong representations to ministers on Carmarthenshire's views that local authorities should be free to use whichever process suited their needs best.

Disappointment was expressed that the Compliments and Complaints section of the report continued to omit Councillor enquiries which were often complaints but submitted via a different process. It was felt that the report was therefore not a true reflection of the complaints or compliments received by the Authority. The Chair and Assistant Consultant agreed to forward the comments to the relevant officer with responsibility for these reports.

RESOLVED that:

7.1 The report be received.

UNANIMOUSLY RESOLVED that:

7.2 The Executive Board Member (Environmental & Public Protection) be asked to lobby the Welsh Government to allocate (in conjunction with the relevant agencies), additional resources to enable increased monitoring of the Carmarthen Bay area in order to prevent shellfish poaching.

8. REFERRAL TO THE ENVIRONMENTAL & PUBLIC PROTECTION SCRUTINY COMMITTEE

The Committee considered a referral from the Policy & Resources Scrutiny Committee. The Assistant Consultant explained the background for the referral and updated the Committee on the proposals for a new format for the performance monitoring reports received by scrutiny committees which would be shared with elected members at a briefing session on the 14th January 2016 (2:00pm).

The Head of Housing & Public Protection suggested that this session offered an ideal opportunity for members to highlight their opinions regarding the content of the Compliments and Complaints section to officers.

Disappointment was expressed that the proposed briefing session would be held in the afternoon as such afternoon meetings made attendance difficult for elected members who worked and had children of school age.

The Assistant Consultant agreed to feed back members comments to the relevant officers.

RESOLVED that the report be received.

9. EXPLANATION FOR NON-SUBMISSION OF SCRUTINY REPORTS

UNANIMOUSLY RESOLVED that the reasons for the non-submissions of the Review of the Gambling Policy and the Review of the Licensing Policy, be noted.

10. 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 following issues were discussed during consideration of the report:

Reference was made to the joint meeting held with the Education & Children Scrutiny Committee in September in order to discuss the proposals for Sustaining Post-Sixteen College / School Transport and it was asked when this matter and the views expressed by the committees' members, would be considered by the Executive Board. The Head of Transport & Engineering reminded the Committee that the consultation had come to an end on the 10th November 2015 and that all comments received would be considered and form part of the final report. Part of the process would also include updating the Equalities Impact Assessment.

In response to further questions about the consultation process, the Head of Transport & Engineering and Principal Business & Development Officer reminded the Committee that all members had been welcome to attend the open evenings held at the county's secondary schools and further education college campuses and that a newsletter and email informing elected members of the process, had been circulated in October 2015. However, elected members were welcome to contact officers should they wish to discuss or clarify any matters relating to the consultation process.

Reference was made to the continued opposition expressed by elected members to proposals to charge for transport to education establishments. The Head of Transport & Engineering acknowledged the strength of feeling expressed by elected members but reminded the Committee of the context within which the proposals had been presented, namely a £39m revenue reduction faced by the Local Authority. The budget strategy agreed by Council in February 2015 had included this proposal which was now being consulted on but any change to the policy would ultimately require the approval of County Council before it could be implemented.

RESOLVED that the report, be noted.

11. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING OF THE COMMITTEE HELD ON THE 18TH SEPTEMBER 2015

RESOLVED that the minutes of the meeting held on Friday 18th September 2015 be signed as a correct record.

12. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE JOINT MEETING OF THE ENVIRONMENTAL & PUBLIC PROTECTION AND EDUCATION & CHILDREN SCRUTINY COMMITTEES, HELD ON THE 18TH SEPTEMBER 2015

RESOLVED that the minutes of the joint meeting held on Friday 18th September 2015 be signed as a correct record.

SIGNED: _____ (Chair)

DATE: _____