

ENVIRONMENTAL & PUBLIC PROTECTION SCRUTINY COMMITTEE

4 OCTOBER 2021

PRESENT: Councillor J.D. James (Chair)

Councillors:

J.M. Charles, T.A.J. Davies, J.A. Davies, K. Davies, S.J.G. Gilasbey, T.M. Higgins,
E. Morgan, B.D.J. Phillips, J.S. Phillips, D. Thomas, A. Vaughan Owen and A.D.T. Speake

Councillor D.M. Cundy - Substitute for Councillor P.M. Edwards.

Also in attendance:

Councillor C.A. Davies, Cabinet Member for Communities and Rural Affairs;
Councillor H.A.L. Evans, Cabinet Member for Environment;
Councillor P.M. Hughes, Cabinet Member for Public Protection;
Councillor J. Tremlett, Cabinet Member for Social Care and Health.

The following Officers were in attendance:

R. Mullen, Director of Environment;
J. Morgan, Head of Homes & Safer Communities;
S. Pilliner, Head of Transportation & Highways;
A. Williams, Head of Waste and Environmental Services;
G. Ayers, Corporate Policy and Partnership Manager;
K. Barlow, Senior Manager-Complex Needs and Transition;
K. Davies, Sustainable Development Manager;
J. Edwards, Business Improvement Manager;
D.W. John, Environmental Services Manager;
Y. Thomas, Waste Transformation Project Manager;
M. Evans Thomas, Principal Democratic Services Officer;
E. Bryer, Democratic Services Officer;
R. Morris, Members Support Officer;
J. Owen, Democratic Services Officer;
A. Eynon, Principal Translator.

Virtual Meeting: 2:00pm - 3:57pm

1. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor P. M. Edwards.

2. DECLARATIONS OF PERSONAL INTEREST INCLUDING ANY PARTY WHIPS ISSUED IN RELATION TO ANY AGENDA ITEM.

There were no declarations of prohibited party whips.

Councillor	Minute Item(s)	Nature of Interest
J. Gilasbey	6 -2021/22 Quarter 1 Performance Report (1 st April to 30 th June 2021)	An action within the report includes a reference to a school located within her ward in which she has an interest. She has dispensation to speak but not vote.

3. PUBLIC QUESTIONS (NONE RECEIVED)

The Chair advised that no public questions had been received.

4. EXPLANATION FOR NON-SUBMISSION OF SCRUTINY REPORT

The Committee received an explanation for the non-submission of the following scrutiny report:

- Highway Asset Management Plan (HAMP)

Members noted the revised submission date of 25th November 2021.

UNANIMOUSLY RESOLVED that the explanation for the non-submission be noted.

5. EMERGENCY FLOOD RESPONSE - STORM EVENT ARRANGEMENTS

The Committee received a report on the Emergency Flood Response Storm Event Arrangements. The report, presented by the Cabinet Member for Environment provided detailed information on how the Council currently deals with and responds to storm events that cause widespread flooding and included the actions that could be expected of the Council.

Committee members considered the principles that were set out in the report for responding to flood events during the emergency response phase.

Members noted that the pattern of more frequent winter storms that required an emergency response had escalated over recent years.

The report concentrated on the main aspects of the operational emergency response phase and information relating to the immediate physical clean-up operation which was part of the recovery phase and in addition, it made reference to the wider aspects of the post event recovery response phase.

In response of a storm event resulting in significant flooding, the following distinct phases to manage such an event was reported:

- The **pre-storm planning** phase;
- **Reactive immediate response** phase during a flood event;
- A **recovery response** phase immediately following the event.

Members considered the following content within the report:

- Partner agencies
- Carmarthenshire County Council's Emergency Flood Event Teams(overview)
- Statutory Responsibilities and Functions (flood related)
- Carmarthenshire County Council's Planned Flood Response Process.
- Private Property Owners Responsibility
- Post-storm Long Term Actions

The following comments/queries were raised on the report:-

- Thanks was expressed to Officers for compiling a comprehensive report which provided information which had been clearly set out.
- Clarification was sought on the level of responsibility that Welsh Government and Natural Resource Wales (NRW) had on the river which caused the significant flooding in Pensarn, Carmarthen. The Head of Waste and Environmental Services clarified that in general terms, main river flooding resides under the responsibility of the NRW under the umbrella of the Welsh Government's flood and wider environmental functions. In relation to the flooding incidents in Pensarn, it was reported the flooding was caused by a combination of factors including the fact that rainwater was not able to discharge from behind the flood defence due to high river water level of the river Towy. The Head of Waste and Environmental Services informed the Committee that the Council were pursuing Welsh Government funding in order to undertake further work to explore what can be achieved to alleviate the flooding issues within the area of Pensarn, Carmarthen.
- A comment was raised that the information reported in terms of the increase in the number of storms and the subsequent impact on communities was distressing and was likely to be attributed to climate change.

It was raised that whilst householders and businesses had their own responsibilities it was asked what work was being undertaken to encourage communities and in particular vulnerable communities to have an emergency plan and trained emergency wardens? The Head of Waste and Environmental Services agreed that it was important that communities should aim to be in a strong position to organise self-help and explained that following Storm Callum, engagement took place with those communities most affected. It was reported that following a recent discussion with NRW in relation to flooding matters, Members were informed that whilst NRW would not be directly involved in the future, there was scope to assist communities in the setup of their own flood defence committees. Whilst further discussions with NRW would take place to support this, Councillors were encouraged to raise this option within their respective Town and Community Councils.

- In suggesting that there was a direct correlation between climate change and the recent increase of storms, reference was made to the upcoming COP 26 Conference in Glasgow in November 2021. It was proposed that the Environmental and Public Protection Scrutiny Committee write to the First Minister and the Minister for Climate Change as the Welsh Government representatives attending the COP 26 Conference, to request that they pursue to mitigate climate change. This was duly seconded. It was emphasised that decisions by leaders in the upcoming months are vital and would not only support Carmarthenshire County Council's ambition to cut carbon emissions by 2030, but also for the future of Wales and beyond.
- Reference was made to the new flood map published by NRW recently, it was asked in light of the new map if plans were being made to improve on flood defences? The Head of Waste and Environmental Services reassured Members that the new map would be studied and utilised to inform the Council's future strategy as a longer-term plan. The Director of Environment re-iterated that the new NRW maps would be used in the longer-term planning of the strategies in terms of flooding and the impact of flooding. In addition, Members were informed that the Forward Planning Team were also examining the new flooding maps in association with TAN 15 in terms of what alterations would be required and how it would be applied to future planning applications.
- In response to a concern raised in relation to the vulnerable coastal areas, the Head of Waste and Environmental Services stated that a Shoreline Management Plan was in place which defines coastal areas and how they are managed. Furthermore, it was reported that following any storm, all coastal and highway flood defence assets were inspected and programmed for repair subject to available funds.
- Committee members were complimentary of the comprehensive report and hoped that the Welsh Government representatives would contribute in making important decisions at the COP 26 Conference in November 2021, in order to remedy climate change.

UNANIMOUSLY RESOLVED that:

- 5.1 the Emergency Flood Response – Storm Event Arrangements report be received;**
- 5.2 the Environmental and Public Protection Scrutiny Committee write to the First Minister and the Minister for Climate Change requesting that in support of Carmarthenshire County Council's ambition to cut carbon emissions by 2030 they pursue to mitigate climate change at the COP 26 conference in November 2021.**

6. 2021/22 QUARTER 1 PERFORMANCE REPORT (1ST APRIL TO 30TH JUNE 2021)

(Note: Councillor J Gilasbey earlier declared an interest in an action within this item).

The Committee received the 2021/22 Quarter 1 Performance Report for the period 1st April to 30th June 2021 presented by the Cabinet Members for Environment, Public Protection, Communities and Rural Affairs and Social Care and Health in respect of the areas falling within their portfolios and the Committees remit.

The report detailed the progress made against the actions and measures within the Corporate Strategy and on the delivery of the 13 Well-Being Objectives. The Committee noted that 2021/22 was the first year the Council would self-evaluate and report on under the terms of the Local Government and Elections (Wales) Act 2021, especially Part 6 relating to Performance and Governance.

The following comments/queries were raised on in relation to the actions attributed to the Environment portfolio:-

- In response to a query raised in regard to action PAM/043, the Cabinet Member for Environment confirmed that the increasing targets were due them being a cumulative quarterly target.
- Reference was made to the fire at CWM Environmental materials recovery facility, Nantycaws, Carmarthen. It was asked if the insurance would cover any fine incurred subject to any targets not being met? The Cabinet Member for Environment confirmed that the insurance would not cover any fines incurred however, reassured members that strong discussions would take place with the Welsh Government at the end of the year, if necessary.

The Director of Environment informed Members that insuring against matters which were a legal/statutory requirement was not permitted. In addition, she reported that insurers for CWM Environmental Ltd had accepted liability in relation to the fire and that negotiations were currently taking place. Furthermore, the Welsh Government had been advised of the situation and the current position and whilst a target league table would continue to be reported, due to the steps in place to correct matters a fine was unlikely.

- The Head of Highways and Transportation, in response to a query raised in relation to gully cleansing stated that the Council currently operate within the budget allocated and currently there was a compliment of 2 full-time and 2 part-time gully cleansing operatives to cover Carmarthenshire. In response to a further query regarding the allocated budget, the Head of Highways and Transportation stated that in addition to managing the programme of pre-planned inspections there were reactive situations in the main attributed to the weather.

- It was commented that in relation to previous observations regarding setting relevant targets, it was observed that the current targets did not seem to set ambition or strive to improve process or performance by continuing to do what was always done. The validity of the targets quoted was questioned.
- Reference was made to action number 14813 cited on page 38 of the agenda pack '*Deliver Re:fit Cymru (Energy Efficiency) Phase 1 project to achieve energy / carbon savings (NZC-01)*'. Clarity was sought in relation whether this action should read 'off target' as the comment stated 'Phase 1 completed apart from solar PV installation at Parc Dewi Sant'. The Sustainable Development Manager explained that whilst Phase 1 had been completed in order to allow for a bat survey to be completed the Welsh Government had extended the target date and on reflection acknowledged that this explanation should be included and that the target should have been changed for clarity.
- Reference was made to action number 13272 cited on page 42 of the agenda pack '*We will conclude the study into the feasibility of developing an overnight lorry park/s within the County*'. An observation was raised that this action had been on ongoing for a number of years with a moving target, raising a concern regarding the language of the actions. To provide clarity the Cabinet Member reported that the feasibility had been undertaken and that the final report was currently being finalised.
- Reference was made to action number 14962 cited on page 42 of the agenda pack '*We will continue to work with national and regional bodies to develop the public transport network to support carbon reduction and economic development*'. More detail on this action was requested. The Head of Highways and Transportation stated that the Welsh Government had recently published the Wales Transport Strategy included key projects in accordance with the Regional Transport Plan. The development of a METRO for South West Wales as well as studies had been undertaken in regard to rail infrastructure development for the METRO. It was reported that from a wider Welsh Government policy perspective, in terms of the model shift, interventions were required to the transport and rail network. In addition, the investment in relation to the Active Travel development had enabled a significant improvement to the Active Travel infrastructure.
- Reference was made to action number 15106 cited on page 43 of the agenda pack '*We will ensure that the Council works with partners to develop community transport opportunities across the county, which should consider all feasible means of transport to address local needs*'. A query was raised in relation to addressing local needs including if the Council was looking to expand services such as Country Cars? The Head of Highways and Transportation explained that work was ongoing with the Welsh Government and Transport for Wales in relation to the previously known Bwcabus project which operated in the North and West of the County, which had now integrated to Transport for Wales Flexi demand responsive travel. In addition, the shopmobility schemes and a number of community transport operators e.g. Country cars would be continued to be supported.

- Reference was made to action number 14963 cited on page 43 of the agenda pack *'We will continue to develop the infrastructure for the use of electric vehicles across the county including in rural areas'*. In response to the location of the electrical charging points, the Head of Highways and Transportation stated that there would be significant developments in electrical charging infrastructures over the next 5 years and that an electrical charging infrastructure was currently being developed which would be shared to Scrutiny Members in due course.

The following comments/queries were raised on in relation to the actions attributed to the Public Protection portfolio:-

- Reference was made to action number 15099 cited on page 45 of the agenda pack *'We will develop a pro-action Air Quality Delivery Plan, in conjunction with other Council Divisions and key partners'*. In response to a query in relation to the air quality of specific areas, the Cabinet Member for Public Protection stated that specific areas throughout the County was currently being monitored. The Head of Homes and Safer Communities echoed the Cabinet Members response in that there were a number of air quality management areas throughout the County namely; Llandeilo, Carmarthen and Llanelli which the monitoring of these areas was reported to this Committee. It was confirmed that a Corporate Steering Group had been established which would monitor the targets and progress against the Air Quality Delivery Plan.
- In response to a query relating to agency staff being utilised to carry out inspections on food establishments, the Cabinet Member confirmed that over the period of the pandemic this was necessary as staff had been redeployed to cover other emergency roles. However, since the end of redeployment, the inspections had been caught up and was now on target. The Head of Homes and Safer Communities added that during the Covid-19 pandemic many food outlets and premises were closed. In terms of the economic recovery post pandemic, it was reported that the Food Standards Agency had set revised targets and that the department was confident the targets would be met. Furthermore, it was highlighted that a significant number of new food establishments had opened up over the last 18 months and one of the key priorities was to ensure that each new establishment was visited in addition to contacting all existing premises. Reassurance was provided to Committee Members that the department had the necessary number of staff members to deliver what was required by the Food Standards Agency, however there were aspirations to consider the wider resources going forward into the future.
- Reference was made to action number 15065 on page 46 of the agenda pack *'We will work with departments to ensure compliance with the new corporate CCTV policy'*. In response to a query raised in relation to the new CCTV Lead Officer role, the Corporate Policy and Partnership Manager clarified that the role would be to manage the Council's internal systems and not the town centre CCTV systems as these were being monitored by the Police. The action was in reference to a piece of work that was being undertaken internally

in terms of all the systems that the Council manage.

In response to a further query, the Corporate Policy and Partnership Manager stated that the role of CCTV Lead Officer would be to ensure that the Council's CCTV systems comply with the Surveillance Camera Commissioner requirements and that the different systems would be monitored by the individual services and not by a central centre.

It was asked if there was a possibility to place CCTV cameras in known fly-tipping areas. The Corporate Policy and Partnership Manager stated that whilst the Council's CCTV was in the main attributed to the security of Council buildings, it was acknowledged that a future discussion could be arranged with Police to utilise the CCTV within town centres and neighbourhood systems.

The following comments/queries were raised on in relation to the actions attributed to the Communities and Rural Affairs portfolio:-

- In response to a concern raised regarding the targets set in relation actions attributed to Net Zero Carbon, the Sustainable Development Manager provided reassurance that the targets set for 2030 were continuously monitored and that milestone targets would be set to assist in the long-term monitoring process as advised by the guidance received from the Welsh Government earlier this year.

The following comments/queries were raised on in relation to the actions attributed to the Social Care and Health portfolio:-

- With reference to action number 14987 - public conveniences, it was commented that this was a basic human need and that it was pleasing to note the outcome of the review.

The Head of Waste and Environmental Services, in response to a query relating to the public conveniences within Burry Port explained that these toilets were under the jurisdiction of Burry Port Harbour and therefore was unable to provide an update on the future plans.

UNANIMOUSLY RESOLVED that the report be received.

7. FUTURE WASTE STRATEGY

The Committee considered the Future Waste Strategy report which was presented by Cabinet Member for Environment.

The report information on the proposed future strategy, actions and considerations for the Waste Service, in order to achieve 70% recycling by 2024/25 and provide a base for improvements to achieve zero waste by 2050.

The following comments/queries were raised on the report:-

- Reference was made the Service Comparison and Performance Section of the report. In relation to the table which depicted the performance against collection methodology of the 22 Welsh Authorities in 2019/20, it was observed that the percentage rate of the average reuse, recycling and composting rate across the Authorities seemed to portray little difference despite some already having adopted the Blueprint methodology. The Cabinet Member for Environment emphasised that the Welsh Government would only provide the necessary funding if the Authority adopted the Blueprint methodology.

In addition, it was explained to Members that this methodology would facilitate cleaner materials lessening contamination enabling expediate recycling within the UK. The Head of Waste and Environmental Services explained that the difficulties in relation to the comparison table was that the baseline where Local Authorities started prior to the adoption of the Blueprint methodology was not identified.

Furthermore, Members were informed that fundamentally the Blueprint methodology embraced a circular economy, enabling better use of existing materials and adopting better quality of materials supporting the composition of the circular economy.

- In order to raise awareness and inform householders of what material to place in which colour bag and to promote recycling, it was suggested that a leaflet be distributed alongside the annual deliveries. The Environmental Services Manager stated that in respect of both black bag and blue recycling bag collections, educational letters would be distributed to households where an issue had been identified, this would be supported by a visit if necessary.
- It was asked if the Blueprint methodology were to be adopted, would the glass recycling centres remain in situ as they were a vital service for all communities? The Environmental Services Manager explained that the current network of Glass Bring Sites would be reduced which would be considered on the basis that the most utilised site would be retained. However, this process would not take place until the weekly glass kerbside collections were in place across the County in 2024.
- A concern was raised echoing the concerns raised within the Waste Collection Engagement Thematic Analysis appended to the report regarding the collection of 3 black bags every three weeks and the possibility that the proposal would increase the likelihood of vermin, odour and fly-tipping in communities. The Cabinet Member for Environment referred a section within the report, which stated that in 2017, Carmarthenshire County Council commissioned a waste analysis survey to identify the recyclable element of residual waste disposed of through the kerbside residual waste collections. The results from this study presented in the table, exhibited that 46.1% the contents of residual waste bags (black bag) comprised of recyclable material, food waste and garden waste. It was reported that should householders increase their household recycling, the 3-week collection of 3 black bags would be sufficient.

The Environmental Services Manager added that, by January 2022 the Council would be rolling out an expanded Absorbent Hygiene Products (AHP) service to households who subscribe to the service, to include the collection of children's nappies. Furthermore, exceptions to include large households of more than 6 people would be retained. Reassurance was provided that the concerns raised within the consultation would be addressed in the service future design.

In response to a concern regarding the potential increase of fly-tipping as a result of the reduction of black bag collection to a 3 week collection, the Cabinet Member for Environment reiterated her earlier response regarding the high percentage of recyclable material being placed in black bags and emphasised that should householders make more use of the recycling facilities available, not only would fly-tipping be unnecessary, it would be irresponsible and enforcement would be carried out where necessary.

The Environmental Services Manager informed Members that prior to any changes to the waste services regime an engagement programme would take place and Officers would be available to provide support and guidance.

- A concern was raised regarding women's sanitary products and the unhygienic nature of these products being sat within black bags for up to 3 weeks prior to collection. It was asked, if these products could be added to the current collection service for incontinence products. The Environmental Services Manager stated that whilst sanitary products would not be accepted by the treatment provider, this was an area which would be considered as part of the future service design.
- In response to further concerns regarding the issues of fly-tipping, the Director of Environment reminded Members that fly-tipping was a criminal act and that enforcement action would be carried out where possible subject to the evidence available.

Committee Members wished to note their gratitude to officers for their prompt work in responding to fly-tipping matters.

UNANIMOUSLY RESOLVED TO RECOMMEND TO CABINET THAT THE FOLLOWING RECOMMENDATIONS BE APPROVED:

- 7.1 the direction of travel for service delivery set out for an interim solution followed by a longer-term service change. Including the interim proposals of:**
 - a. the move to weekly recycling collections.**
 - b. the change to three weekly residual collections.**
 - c. the separate collection of glass at the kerbside (3-weekly in the interim).**
- 7.2 to commence the procurement of the additional vehicles required for the interim solution;**

7.3 To develop the programme of longer-term service change for delivery in 2024 of:

- a. The move to Welsh Government “Blueprint” compliant recycling collections**
- b. Weekly Glass recycling as part of the kerbside sort collection methodology.**
- c. Additional material collections – textiles, Small Domestic Appliances and batteries.**

8. SCRUTINY COMMITTEE - ACTION UPDATE

The Committee received a report detailing the progress achieved in relation to requests or referrals emerging from previous meetings during 2020/21 and 2021/22 respectively.

UNANIMOUSLY RESOLVED that the report be received.

9. REFERRAL FROM THE COMMUNITY AND REGENERATION SCRUTINY COMMITTEE - PROVISION OF PAVEMENTS IN RURAL AREAS

The Committee received a report for consideration in relation to a referral from the Community and Regeneration Scrutiny Committee in relation to the provision of pavements in rural areas.

Community and Regeneration Scrutiny Committee Members noted during the consideration of the Council’s Draft Annual Report for 2020/21, at its meeting on 1st July, 2021 made reference to the increase in walking and cycling during the pandemic and to the lack of pavements on public highways in many rural areas to facilitate safe walking, with there being over 300 applications for pavements currently outstanding. A view was expressed that the Authority should examine this position, possibly via a Task and Finish Group. As this matter did not fall within the Committees remit Members of the Community and Regeneration Scrutiny committee agreed to refer the matter to the Environment and Public Protection Scrutiny Committee.

In addition, the report also included information of a discussion that took place within the Policy and Resources Committee on 21st July 2021 which expressed concern over the backlog of requests for the provision of pavements in rural areas.

In acknowledgement that this matter did fall under the remit of this Committee it was raised that this matter was a significant concern which needed to be explored further. It was therefore proposed that this Committee accept the referral and in order for the Committee to consider the matter appropriately, it was proposed that a report be included on the Committee’s Forward Work Programme to provide background information and the current position in relation to the provision of pavements in rural areas. This was duly seconded.

UNANIMOUSLY RESOLVED that:

- 9.1 the Referral from the Community and Regeneration Scrutiny Committee be received and accepted;**
- 9.2 a report be included on the Committee's Forward Work Programme to provide background information and the current position in relation to the provision of pavements in rural areas.**

10. FORTHCOMING ITEMS

The Committee received a list of forthcoming items to be considered at its next meeting to be held on the 25th November 2021.

RESOLVED that the list of forthcoming items for the Committee meeting to be held on the 25th November 2021 be agreed.

11. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING OF THE COMMITTEE HELD ON THE 2ND JULY 2021

RESOLVED that the minutes of the meeting of the Environment and Public Protection Scrutiny Committee held on the 2nd July, 2021 be signed as a correct record.

CHAIR

DATE