

PLACE, SUSTAINABILITY & CLIMATE CHANGE SCRUTINY COMMITTEE

21 JULY 2023

PRESENT: Councillor K. Madge (Chair) (In Person)

Councillors (In Person):

J.D. James; K. Davies; T.A.J. Davies; N. Lewis;
B.D.J. Phillips; G.B. Thomas; S. Godfrey-Coles.

Councillors (Virtually):

S.M. Allen; T.M. Higgins;
Councillor D. Cundy - Substitute for Councillor P. Cooper;
Councillor R. Sparks - Substitute for Councillor C. Evans.

Also in attendance (In Person):

Councillor A. Vaughan Owen, Cabinet Member for Climate Change, Decarbonisation and Sustainability;
Councillor E. Thomas, Cabinet Member for Transport, Waste and Infrastructure Services;

Also Present (In Person):

S. Pilliner, Head of Transportation & Highways;
D.W. John, Interim Head of Waste and Environment;
L. Jenkins, Cabinet Member Support Officer;
L. Davies, Simultaneous Translator;
R. Morris, Member Support Officer;
J. Owen, Democratic Services Officer.

Also Present (Virtually):

S.E. Watts, Environmental Protection Manager
M. Runeckles, Members Support Officer

Chamber, County Hall, Carmarthen, SA31 1JP and remotely: 2:00pm - 3:35pm

1. APOLOGIES FOR ABSENCE AND OTHER MATTERS

Apologies for absence were received from Councillors P. Cooper and C. Evans.

The Chair, on behalf of the Committee wished Mr Stephen Pilliner, Head of Transportation and Highways best wishes in his upcoming retirement in September. Gratitude was expressed to Mr Pilliner for his dedication and hard work over the years within the Council and his invaluable support to the Scrutiny Committee.

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

There were no declarations of interest.
There were no declarations of any prohibited party whips.

3. PUBLIC QUESTIONS

The Chair advised that no public questions had been received.

4. PLACE, SUSTAINABILITY & CLIMATE CHANGE SCRUTINY COMMITTEE - ANNUAL REPORT 2022/23

The Committee received its Annual Report on the work undertaken during the 2022/23 municipal year. It was noted that the report had been prepared in accordance with Article 6.2 of the Council's Constitution and provided an overview of the work programme and key issues addressed, whilst also incorporating any issues referred to, or from, the Cabinet, Task and Finish reviews and development sessions.

The former Chair of the Place, Sustainability and Climate Change Scrutiny Committee presented the report and provided an overview of the Committee's work programme together with the key issues that was considered during the year. An expression of gratitude was provided to Committee members for their work and commitment throughout the year and to officers for their invaluable assistance and support.

UNANIMOUSLY RESOLVED that the Place, Sustainability and Climate Change Scrutiny Committee Annual Report 2022/23 be received.

5. FORWARD WORK PLAN FOR 2023/24

The Committee, in accordance with Article 6.2 of the Council's constitution, considered its draft Forward Work Plan for 2023/24.

The Committee, at its informal Forward Work Plan development session on 13th June, 2023 began the process of formulating the forward work plan for 2023/24. The outcome of the development session was now presented to the Committee in the Forward Work Plan for confirmation.

Members developed the Committee's Forward Work Plan considering the issues and any subjects of concern within the remit of the Place, Sustainability & Climate Change Scrutiny Committee, managing each agenda by way of the Gateway Methodology.

In addition, throughout the year Members noted that they would be considering the Cabinet's Forward Work Plan to identify pre-decision reports they wish to place on the Scrutiny Forward Work Plan.

UNANIMOUSLY RESOLVED that the Place, Sustainability and Climate Change Forward Work Plan for 2023/24 be endorsed.

6. **TASK AND FINISH GROUP FINAL REPORT - REVIEW OF THE MANAGEMENT OF FLYTIPPING IN CARMARTHENSHIRE**

The Committee received a report of the Task & Finish Group it had established on 24th November 2022, to review the Management of Flytipping in Carmarthenshire.

The Chair of the Task and Finish Group explained that the recommendations contained within the report had been formulated by the Group following the consideration of a range of evidence, over a series of meetings held between December 2022 and June 2023.

It was reported that the Group, in line with the scope of the review, considered and evaluated the current internal processes, operational issues, and partnership arrangements of fly-tipping on public and private land and sought to maximise the effectiveness of the resources available.

Information was gathered on the issues in relation to fly tipping on both private and public land and as part of the process to make sure there were clear findings and recommendations. The following areas were identified as areas of focus under a strategic approach:

- Current approach to data systems and recording.
- Approach to education and prevention.
- Management arrangements and joint working.
- Enforcement approach; and at
- Communication and publicity.

The Chair of the Task and Finish Group took the opportunity to thank all the organisations, individuals and officers who engaged with and assisted the Group. Their time and commitment provided an invaluable insight into local issues regarding fly tipping and what was currently being achieved as well as what potentially could be done.

The following query was raised on the report:

- In response to a query regarding the provision of CCTV, the Head of Waste and Environment explained that in terms of CCTV capability, whilst there were a number of units currently in operation across the county, the issue in increasing the provision lay in the capability and capacity to deploy the units. The Task and Finish Group considered the use of CCTV and as the evidence highlighted, the use of CCTV was a valuable commodity in the prevention of fly tipping and evidence gathering for a potential prosecution. In order to tackle fly tipping, the Task and Finish Group had recommended that as part of a fly tipping strategy the use of CCTV units be increased in a strategic manner across the County which would be achieved by way of a robust action plan.

UNANIMOUSLY RESOLVED that the report be received and referred to Cabinet for its consideration.

7. UPDATE FOR THE CONSIDERATION OF ADDITIONAL PUBLIC SPACE PROTECTION ORDER (PSPO) FOR CARMARTHENSHIRE DOG ORDERS

The Committee received a report, presented by the Cabinet Member for Climate Change, Decarbonisation and Sustainability, which provided an update for the consideration of additional public space protection order (PSPO) for Carmarthenshire Dog Orders.

The Committee, at its meeting on the 24th November, 2022 recommended to introduce a County wide ban of dog's entering a marked up sports pitch and the introduction a Fixed Penalty Notice for the offence of not having the means of cleaning up after their dog. It was highlighted to members, that Legal Advice had stated that any PSPO needed to be evidence based, and a proportionate response to the problems which were occurring. From a legal perspective it was deemed that insufficient evidence had been received to date to sufficiently demonstrate that the introduction of a County Wide PSPO to address this problem was proportionate.

In light of this, the report provided Committee Members with an update and the options available to the Authority based upon legal advice given. The report included information and provided the proportionality of the proposed approach to Public Space Protection Orders for dog fouling on sports pitches. The Committee was asked to review the following recommended options as provided in the report in terms of tackle Dog Related Anti-Social Behaviour issues.

- The Authority to draft a standard proforma and toolkit for sports groups / town and community councils to support for community action.
- Provide evidence template to capture the nature and extent of the problem in specific locations to support additional orders that may be appropriate on a site-by-site basis.
- Introduction a Fixed Penalty Notice for the offence of not having the means of cleaning up after their dog in public spaces.

The following comments/queries were raised in regard to the report:

- It was commented that due to the lack of signage, it was difficult for the public to be aware of where the PSPO's were in force and therefore it was suggested to introduce more signage which should be achieved by working jointly with Town and Community Councils.
- It was commented that PCSO's within Dyfed Powys Police Force should be given the powers to enforce the law of the PSPO as they do in other forces in Wales.

- In reference to the number of complaints received, it was observed that the number stated within the report seemed very low considering that Members representing Community Councils receive a high volume of complaints regarding dog fouling. It was therefore highlighted that incidents of dog fouling and complaints thereof were not formally being reported to the County Council.

The Cabinet Member for Climate Change, Decarbonisation and Sustainability in agreement with the point raised, stated that Council Members both Town/Community and Authority tend to just deal with dog fouling matters, excluding the extra step to report it to the Authority. This results in the Authority not gaining the much-needed local intelligence and evidence required to manage the issue. In acknowledging this, it was reported that during the engagement process with communities, it was important to demonstrate clearly what the process entailed. This would enable enforcement officers to be deployed based on local intelligence received. In addition, in reference to the comment raised earlier regarding signage, the Cabinet Member explained that the toolkit would be designed to assist Town and Community Councils with a generic signage which can be adapted to suit the needs of the area and suit a more local perspective.

- In response to a query raised in regard to devolving the enforcement powers to Town and Community Councils, the Cabinet Member explained that whilst the enforcement powers would have to remain with the Authority, the data collecting would derive from the Town and Community Councils which would provide vital information in enabling the Authority to direct the limited resources to identified hotspot areas. The recommended option of developing a toolkit would empower Sports Groups and Town and Community Councils to gather sufficient evidence in order to support the work of Enforcement Officers.
- In recognition of the vast rural areas within Carmarthenshire, it was asked how the challenge of directing resources was overcome? The Cabinet Member explained that at present, the Authority employed 8 Enforcement Officers to cover the whole area of Carmarthenshire and therefore the receipt of local intelligence from the public and local Councils would play a significant role in directing and prioritising resources effectively to the areas in need of attention.
- It was proposed that upon completion, the toolkit be made available to the Scrutiny Committee for comment. This was duly seconded. The Cabinet Member welcomed the Committee's interest in receiving the toolkit and would ensure that it was made available for comment prior to it going live.
- In response to an earlier comment regarding PCSO's, it was raised that PSCO's currently have the powers to enforce in the case of a breach of a PSPO, however it appeared that this was not the priority. It was suggested that the Cabinet Member contacts the Police Constable and/or Commissioner for their comment and report back to the Committee.

UNANIMOUSLY RESOLVED that:

- 7.1 the report be received;**
- 7.2 the Cabinet note and consider the comments raised by the Committee in its consideration of the recommended options in respect of tackling Dog related Anti-Social Behaviour Issues as stated in the report.**
- 7.3 that the draft standard proforma and toolkit for sports groups / town and community councils as recommended in the report be shared with the Committee for comment.**

8. FREE PARKING REVIEW

The Committee received a report on the Free Parking Review for consideration. The Cabinet Member for Transport, Waste and Infrastructure in presenting the report stated that the Council had supported town centres with the provision of free parking schemes for several years and that there were two schemes in currently in operation. The first scheme provided town centres with five free parking days were annum to support events in towns, the second scheme as introduce at the end of 2018 and provides towns with free parking periods for set hours and days of the week.

The report provided members with comprehensive information and graphical data that considered the impact of the schemes from both an output and revenue perspective.

Following the consideration of the report, the Committee was asked to consider the 5 options as detailed within the report.

The following comments/queries were raised in regard to the report:

- The report was commended for its comprehensive information and inclusion and use of 7 years of robust data. However, it was raised that it would be beneficial to have had sight of the data/evidence in support of the statement – ‘Carparks serve extremely important environmental, economic and social objective that include... stimulate sustainable travel’.

In addition, it was raised that the data within the report did not bear any evidence that free car parking made any difference in footfall within the town centres.

Furthermore, it was commented that free car parking would go against the objective of working towards the objective of more sustainable travel and encourage drivers to use their vehicles above other modes of transportation such as public transport or cycle.

An opinion was aired that option 2 would not be supported, however options 4 and/or 5 was favoured.

- A concern was expressed in regard to option 5. Considering the current cost of living crises, the removal of free carparking would have a detrimental impact upon businesses.
- In response to a query raised regarding who would determine the budget allocation as cited within option 4, the Head of Transportation and Highways clarified that the allocation took place following the receipt of the funding in 2008. Furthermore, reference was made to the graphs within the report which signified different levels of parking activity within towns in terms of ticket sales.

The proportion of sales and revenue relative to each town together with consultation with the Town and Community Council determined the level of budget allocated.

It was strongly expressed that it was important to encourage footfall as far as possible in order to support businesses in towns and therefore free parking must remain an option.

- In acknowledging that town centres experiencing financially challenging times, concern was raised that the increase in charges by 5%, together with the proposed reduction of free parking would have a detrimental impact on both customers and traders. Based on the current statistics within the report, an opinion was expressed that the preference would be to remain as status quo.
- It was commented that the report was data rich and included tracking and the influence of the parking. In addition, it was raised that the Council should be congratulated for recognising the current cost of living crises and that the options provided for consideration were sensitive to the needs of the residents of Carmarthenshire. However, in context, it was emphasised that Members had recently took part in the budget review looking at saving £55k by closing St Clears Leisure Centre. The figures cited in this report appeared to be below target where an income of £817k was expected. In light of this, concern was raised in regard to the provision of free parking, particularly option 2, which would require an additional expenditure of circa £400k to provide the free parking.
- The importance of striking a balance between travel behaviour and encouraging people into the town centres was aired and therefore option 4 was the preferred option.
- It was expressed that Constituents would be grateful to save money on car parking during this current cost of living crises. However, in regard to events, it was highlighted that in any case large events would attract many people which would be an opportunity to raise the revenue from the car parks.

- In highlighting that the average spend of the parking term per year equated to less than £1 per week which was not unreasonable, it was important to consider the of loss of revenue for the local Authority, which was almost £250k with a total net loss of income £409k. Looking at these figures would enable a viable budget revenue. Concern was raised in relation to the loss of businesses within the towns due to many factors including post-pandemic and the increase of internet shopping. Seeking opportunities to bring resources and money back into Carmarthenshire should be of utmost importance.
- Reference was made to the poor air quality areas within Carmarthenshire. In recognition of the need to improve the air quality, it was raised that at the very least, the Authority needed to discourage the light use of vehicles and develop policies that encourage active travel, public transport with the choice of using a vehicle being a last resort on a daily basis.

It was proposed that:

Options 4 & 5 as detailed within the report be recommended to Cabinet for consideration. The proposal was duly seconded.

The following amendment was thereupon proposed and seconded:

“That option 4 only as stated within the report be recommended to Cabinet for consideration.”

Following a vote, the amendment fell and the substantive motion was voted upon, following which it was

RESOLVED TO RECOMMEND TO CABINET that options 4 and 5 as detailed in the report be considered.

9. FORTHCOMING ITEMS

The Committee received a list of forthcoming items to be considered at its next meeting to be held on the 3rd October, 2023.

UNANIMOUSLY RESOLVED that the list of forthcoming items for the Committee meeting to be held on the 3rd October 2023 be agreed.

10. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING OF THE COMMITTEE HELD ON THE 15TH MAY 2023

RESOLVED that the minutes of the meeting of the Committee held on the 15th May, 2023 be signed as a correct record.

CHAIR

DATE