



## **REGENERATION AND ENVIRONMENT SCRUTINY COMMITTEE**

**MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH ON  
TUESDAY, 18TH SEPTEMBER 2018 AT 5.30 P.M.**

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PRESENT:

Councillor D.T. Davies - Chair

Councillors:

J. Bevan, C. Elsbury, R.W. Gough, S. Kent, Ms P. Leonard, J. Ridgewell, J. Scriven, G. Simmonds, T.J. Williams, W. Williams, B. Zaplatynski

Cabinet Members:

S. Morgan (Economy, Infrastructure, Sustainability and Wellbeing of Future Generations Champion)

Together with:

M.S. Williams (Interim Corporate Director of Communities), R. Hartshorn (Head of Public Protection, Community and Leisure Services), R. Kyte (Head of Regeneration and Planning), M. Lloyd (Head of Infrastructure), I. Raymond (Performance Management Officer), A. Davies (Energy and Water Assistant), L. Lane (Interim Deputy Monitoring Officer), C. Forbes-Thompson (Interim Head of Democratic Services) and R. Barrett (Committee Services Officer)

### **1. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Mrs C. Forehead (Vice-Chair), A.G. Higgs, A. Hussey and A. Whitcombe, together with Cabinet Members N. George (Neighbourhood Services) and Mrs E. Stenner (Environment and Public Protection).

### **2. DECLARATIONS OF INTEREST**

There were no declarations of interest received at the commencement or during the course of the meeting.

### **3. MINUTES - 26TH JUNE 2018**

RESOLVED that the minutes of the Regeneration and Environment Scrutiny Committee meeting held on 26th June 2018 (minute nos. 1 - 10) be approved as a correct record and signed by the Chair.

#### **4. CALL-IN PROCEDURE**

There had been no matters referred to the Scrutiny Committee in accordance with the call-in procedure.

#### **5. REPORT OF THE CABINET MEMBERS**

The Scrutiny Committee noted the contents of the reports from Councillors N. George Mrs E. Stenner and S. Morgan, which provided an update on their respective portfolios, and had been circulated to Members in advance of the meeting.

In that Councillor Stenner (Cabinet Member for Environment and Public Protection) and Councillor George (Cabinet Member for Neighbourhood Services) had given their apologies for absence, their reports were noted without comment, and Members were asked to raise any queries with the relevant Cabinet Member at the next meeting of the Scrutiny Committee.

The report from Councillor S. Morgan (Deputy Leader and Cabinet Member for Economy, Infrastructure and Sustainability) provided an update on developments across Business Support and Funding, Community Regeneration, Tourism, Urban Renewal and Town Centre Management, the Engineering Projects Group, the Highway Operations Group, and Transportation Engineering Group.

A Member sought further information on the level of improvements works identified for Crescent Road car park and Dafydd Williams Park, and the Cabinet Member explained that an initial clean up exercise will be operated by Cadw. Further improvement works will be guided by the Caerphilly Basin Masterplan recently approved by Council.

Reference was made to Civil Parking Enforcement (CPE) and Members expressed concerns at the three-month gap between Gwent Police ceasing parking responsibilities at the end of December 2018 and the Council taking up these duties in April 2019. Officers confirmed that Gwent Police have been asked to reconsider the end date. It was also explained that the other Gwent authorities are examining whether they can align their CPE start dates in order to create a unified takeover in April 2019.

In response to a Member's query on progress made across the resurfacing programme, it was confirmed that 15 schemes have been completed for 2018/19, with the remainder being weather dependent, and that the resurfacing of Pwllypant roundabout is planned for November 2019. Clarification was also sought on further details of the breakfast meetings arranged for local businesses which will enable them to network and share information (with the first one taking place in Oakdale on 19th September and the second one taking place in Rhymney on 25th October) and the Cabinet Member confirmed that he would arrange to forward the specifics to the Member following the meeting.

The Cabinet Member was thanked for his report.

#### **6. REGENERATION AND ENVIRONMENT SCRUTINY COMMITTEE FORWARD WORK PROGRAMME**

Cath Forbes-Thompson (Interim Head of Democratic Services) presented the report, which outlined details of the Regeneration and Environment Scrutiny Committee Forward Work Programme (FWP) for the period September 2018 to June 2019. The FWP included all reports that were identified at the Scrutiny Committee meeting on 26th June 2018. Members were asked to consider the FWP alongside the Cabinet Work Programme as appended to the report and to suggest any changes.

Members noted the details of the special Scrutiny Committee meeting arranged for 8th November 2018 to consider the outcomes of the consultation on the draft Sport and Active Recreation Strategy. They also agreed that two reports (one on a Public Toilet Strategy, and the other on the Ystrad Mynach Masterplan) be added to the FWP for 11th December 2018.

Subject to the foregoing additions, it was unanimously agreed that the revised Forward Work Programme be published on the Council's website.

## **7. CABINET REPORTS**

None of the Cabinet reports listed on the agenda had been called forward for discussion at the meeting.

## **REPORTS OF OFFICERS**

Consideration was given to the following reports.

## **8. YEAR END PERFORMANCE REPORT FOR PUBLIC PROTECTION, COMMUNITY AND LEISURE SERVICES, INFRASTRUCTURE, AND PLANNING AND REGENERATION**

Mark S. Williams (Interim Corporate Director - Communities) introduced the report, which provided Members with a performance update of the Communities Directorate. The report reviewed performance against objectives within each service area, highlighted the exceptions, and set out key objectives/priorities for the next twelve months, including any future challenges or risks and areas for improvement.

Overall, 2017/18 offered a generally positive year in terms of service performance. However, a number of future challenges have been identified, and action plans have been developed and captured in 2018/23 service plans. Balancing the demands of increasing legislation and rising public expectations against reducing budgets remains the biggest challenge across the service area. However, the service areas are well placed to respond to such challenges, but it must be recognised that reductions to some current service delivery standards over the next few years will be inevitable.

An update across each service area was then provided by the relevant Head of Service, who highlighted areas of note as set out in the report and responded to queries from Members in turn.

### **Infrastructure**

Members noted improved performance levels across service request response rates and a decrease in third party insurance claims. Of the percentage of roads classed as in poor condition, there has been a slight increase across A roads, B roads are comparable with 2016/17, and there has been an improvement across C roads. There was a drop in performance across the time taken to repair street lamp failures, repair highway surface defects and carry out non-emergency repairs, but Members were reminded of the challenges produced by two major snow events and their after-effects on the highways network. The service area faced resource pressures during 2017/18, which will be improved going forward with new contract arrangements and changes to delivery methods. The implementation of Civil Parking Enforcement in 2019 will also present further challenges. Succession planning and recruitment has been identified as a future need and the service area has recently taken on a number of apprentices in this regard.

A Member referred to request response rates and in giving a recent example of a call he had logged, queried whether service requests made by Councillors are actioned more quickly than those reported by the general public. Officers explained that the target response time is 4 working days in regard to street lighting repairs regardless of who made the request and offered to investigate further to determine whether the Member's example was a coincidence.

Reference was made to the deterioration of the road surface at Ysbyty Ystrad Fawr junction, and Officers explained that an issue with the types of materials used had been identified and repairs have now been carried out. A Member queried future plans for the Velocity Patcher pothole repairer and Officers explained that they currently hire one in, which is mainly utilised to fix issues in more rural areas and they are purchasing one in the new year.

Members highlighted damage caused to kerbs by snowploughs during the snow events earlier in the year. Officers explained that this may be due to a new lighter design of kerb block which is more susceptible to damage, and that the service area is aware of these issues. A Member raised concerns regarding breaking or splintering of these blocks and it was confirmed that although no other reports have been received in this regard, this information will be passed to the Highways team. It was also suggested that the newer kerb surfaces can be slippery in cold weather and Officers explained that these have an anti-slip design but that this could be due to moisture or ice forming on the plastic surface.

### **Regeneration and Planning**

Performance has been maintained across the Development Management Service with 88.35% of all planning applications determined within 8 weeks, and there has been a slight improvement in customer satisfaction. The Building Control Service vetted 83% of applications within 15 days, and whilst this level has dropped compared to 2016/17, a high turnaround was sustained despite a significant increase in full plan applications. The Strategic Planning Team delivered the Annual Monitoring Report by the WG deadline and successfully prepared the Council's new Regeneration Strategy and associated Caerphilly Basin Masterplan. A high number of business development and start up grants were awarded, resulting in employment opportunities, and the Business Funding and Support Team also supported a number of Community Regeneration/Benefit Fund projects. Occupancy rates for the industrial and office property portfolio have been maintained at over 95%, generating an income of £2.35m. The Council saw increases in the numbers visiting the county borough and to several of its main tourist attractions.

Future challenges for the service area include required savings of approximately £0.75m over the next four years, as well as a staffing restructure and budget realignment. Regional work in respect of the Strategic Development Plan is placing pressure on existing resources which may be difficult to sustain moving forward. The lack of a 5 year land supply continues to create challenges for the planning process. A review of the provision of business and town centre support will be a key consideration moving forward and the lettings process for business units will be reviewed to improve its efficiency. The current review of town centre events and tourism venues will identify and maximise income opportunities, and the Council's regeneration grants are also being reviewed with a mandate to refocus grant awards towards business support.

Discussion took place regarding occupancy rates across the Council's industrial portfolio and the staffing pressures which had resulted in delays to tenant turnover. Officers explained that the upcoming transfer of the lettings process to Corporate Property will allow dilapidation surveys in a more timely manner to expedite turnover. It was also noted that a new Tenant Liaison Officer has recently been appointed who will ensure that tenants are complying with the maintenance and repair requirements of their lease. Members also expressed a need to optimise match funding and project opportunities arising from the Cardiff Capital Region City Deal, and Officers confirmed that an update

on the work of the Regeneration Project Board in this regard would be presented to the next meeting of the Scrutiny Committee. A Member also suggested the use of a mobile unit as a mechanism to improve links with businesses, and Officers explained that they are targeting a number of areas to identify concerns and will be developing session dates around the county borough to encourage participation by local businesses.

In response to a Member's query, Officers summarised the impact on planning applications for strategic planning going forward arising from the disapplication of TAN 1, the considerations that still need to be taken into account (including the need to have regard for the current adopted Local Development Plan) and the consultation that is undertaken with other service areas in respect of matters such as infrastructure, education and leisure requirements.

### **Public Protection and Community & Leisure Services**

Improvements across Public Protection in 2017/18 included improved communication and engagement with the licensed taxi trade and improvements to processes arising from safeguarding considerations. Trading Standards saw 15 cases brought to court which resulted in a number of fines and/or convictions. Future challenges include increasing capacity within the CCTV control room during periods of high demand and keeping ahead of the latest safeguarding requirements across the Licensing Service. The increase in on-line purchases continues to place further burdens on Trading Standards. Delivering satisfactory air quality across the county borough will continue to be a challenge, and progressing the Air Quality Action Plan at Hafodyrnyys is a priority for the Council.

Waste Collection Services are likely to exceed WG statutory targets for recycling (58%) for 2017/18, and have substantially reduced the level of collected waste going to landfill. The household survey shows that satisfaction levels have been maintained at a high level although there has been a dip in satisfaction across the board, but this had been anticipated due to specific changes to the way services are delivered. Building Cleaning Services has maintained contract levels and increased productivity levels, and recently won the APSE Award 2017 for most improved performer.

Future challenges include estimated savings of £4m over the next four years at a time when there are already financial budget pressures, particularly in relation to waste treatment and achieving future WG recycling targets. The service continues to face challenges relating to the quality of dry recycling waste, and a door stepping campaign recently took place to promote awareness of food waste recycling. Working Groups have been set up to explore opportunities for multi-functional service provision across Streetscene services and review all aspects of the waste service. High sickness levels are a concern and continue to challenge continuity of service delivery.

Across Sport and Leisure, Sports Development has seen participation figures increase this year by 4.2% to 87,042 people. There has been an increased focus upon Learn to Swim programmes and performance has improved, together with the number of free swim sessions for children aged 16 and under, whilst customer satisfaction levels remain high at 98%. Future challenges include achievement of the WG target of 91% for all children aged 11 being able to swim 25 metres by the year 2020, and delivering the Sport and Active Recreation Strategy over the next 10 years (which is currently out for consultation).

Across Green Space and Transport Services, the Council retained its Green Flag status for a number of its sites, over 1.3million people visited CCBC country parks despite the poor summer season and high satisfaction levels were recorded. Fleet Management have implemented a new managed service partnership and new software which provides enhanced data flow/intelligence to better manage the service. Future challenges include the impact of changing climate conditions on sports pitches, which has seen a year on year reduction on the number of outdoor sports facilities users. Countryside and Landscape Services are facing more financial and legislative burdens on the service

moving forward, particularly given the limited staff resources available to respond to large volumes of calls over the summer months.

Members commented on a drop in fixed penalty notices issued for dog fouling (23 compared to 48 in 2016/17). Officers explained that they rely on targeted patrols and information from Members and the public in order to identify the offenders, and that legal restrictions prevent them from carrying out covert operations in this regard. The Scrutiny Committee were reminded that the Public Space Protection Order introduced in 2017 places a number of requirements on the public in respect of dog fouling and dog control, including the need to carry a suitable pick-up receptacle at all times, however in respect of the introduction of restrictions on marked sports pitches Members were advised the restriction excluding dogs from all council owned marked sports/playing pitches on a seasonal basis were excluded from the PSPO introduced. This was to be reviewed after a period of 12 months and once the impact of the other provisions were established, together with the consideration be given to implementing an awareness raising campaign, in relation to sports pitches and responsible dog ownership. The Chair proposed that a request is now made to Cabinet to review the provisions of the PSPO.

In response to a Member's query, it was confirmed that the Authority employs one dog warden and that 5 enforcement staff and Community Safety Wardens (CSWs) are also trained to deal with littering, dog fouling and fly-tipping offences. Clarification was sought on the number of full-time enforcement Officers compared with 5 years ago. The Head of Service confirmed that he would arrange to forward this information to Members following the meeting but that no posts have been deleted and that any reductions to hours have arisen from flexible working requests from staff. A Member commented on the ratio of staff to the number of fixed penalty notices issued for dog fouling and expressed a need for improvements to be made in this regard. Officers outlined the limitations on resources given the wide range of other duties carried out by enforcement staff and CSWs, including dealing with littering and fly-tipping offences, carrying out foot patrols and attending public meetings. However, Members were advised that the service is open to improvements in this regard and are examining enforcement models used by other local authorities. A Member also praised the work of the Community Safety Warden within their ward.

Discussion took place regarding CCTV cameras and Officers confirmed that CCTV footage is made available to the police upon request. It was explained that sometimes cameras may be non-operational due to faults or maintenance work, but that local ward members will be informed if they are out of service for any significant period of time.

A Member sought an update in respect of the air quality situation at Hafodyrynys. It was noted that an information report on this matter had recently been circulated to the Scrutiny Committee and that a report on the Hafodyrynys Air Quality Direction is due to be considered by Cabinet on 3rd October 2018. The Council is required to report back in June 2019 on the final costing and preferred options and is currently liaising with residents and the Cabinet Member in this regard.

Reference was made to the use of leisure centres by primary schools and a Member asked that Officers write to him to confirm the position in relation to accommodating the school swimming lesson programme in the event of leisure centre closure(s).

A Member queried whether an increase in prosecutions for fly-tipping compared to the previous year might be due to the charges introduced at civic amenity sites, and also asked whether fly-tipping clean-up costs exceeds the income generated. Officers explained that the figure relates to number of prosecutions and should not be regarded as an indicator of the level of fly-tipping across the county borough. Clarification was also provided on the number of grass cuts this year and a Member commented on the number

of community facilities that had also received Green Flag awards but were not reflected in this report.

Having fully considered the report, the Scrutiny Committee noted its contents and the progress made against performance objectives within the Communities Directorate for 2017/18. Members thanked the Heads of Service for their updates and for responding to the queries raised during consideration of the report.

## **9. PUBLIC PROTECTION ENFORCEMENT, UNDERAGE SALES ACTIVITY AND CONSUMER ADVICE – 2017/18**

Rob Hartshorn (Head of Public Protection, Community and Leisure Services) presented the report, which provided an overview of the formal enforcement activity undertaken by the Public Protection Division during 2017/18, including outcomes of investigations undertaken under the Regulation of Investigatory Powers Act (RIPA). The report also asked Members to consider the Council's CCTV surveillance camera system to ensure it remains necessary, proportionate and effective, to consider the enforcement programme in respect of underage tobacco and spray paint sales, and provided information on the nature of Consumer Advice complaints dealt with by Trading Standards.

The Scrutiny Committee were reminded of the role of the Public Protection division, which has a major role in protecting, promoting and improving the health, safety and economic wellbeing of communities. This role includes the enforcement of numerous statutes, many of which include criminal sanctions on those who infringe the law. In order to ensure a fair and consistent approach to enforcement responsibilities, the Public Protection division has an Enforcement Policy which requires an annual review of activity.

Members noted the information set out in the report and its appendix, which provided a broad picture of the range and number of formal enforcement actions initiated during 2017/18. The report detailed the Public Open Space CCTV system (comprising 156 cameras covering 28 town and village centres), the CCTV Control Room (which refers incidents and suspicious behaviour directly to the police for their action) and the instances where RIPA applications had been authorised for Trading Standards investigations during 2017/18 (with 3 of the 4 Directed Surveillance Authorisations granted during 2017/18 relating to underage test purchase operations).

The Scrutiny Committee were updated regarding underage sales complaints and the number of test purchases carried out by Trading Standards volunteers, the legislation and penalties applied in respect of underage sales, and details of consumer complaints received by Trading Standards during 2017/18. The majority of complaints about the supply of age-restricted products related to the sale of alcohol, and the importance of such reporting was emphasised in that it allows Officers to act upon intelligence, build a case against the premises and arrange test purchasing where needed. Members also noted the top products and services that were complained about to Trading Standards during 2017/18, with a total value of £2.013m and significant goods value across some categories, and which have resulted in several civil or criminal convictions.

A Member referred to recent advice he had received from Trading Standards in respect of consumer advice and asked that his thanks to the relevant staff be placed on record.

Clarification was sought on how Trading Standards deal with underage sales complaints. Officers outlined the strict criteria set out by RIPA legislation and the constraints this places on the Authority regarding the use of covert surveillance and test purchases. In addition, Trading Standards now utilise new intelligence-gathering exercises which allows them to issue preliminary warnings and advice to those premises suspected of underage sales. Members were also advised that the Council has recently undertaken a targeted

campaign within the main town centres in an effort to reduce instances of underage or proxy alcohol sales.

Having considered the contents of the report, Members noted the details of the annual review of Public Protection enforcement policy (including underage sales), the details of the Council's CCTV provision, and the activity in relation to Consumer Advice.

**10. WELLBEING OBJECTIVE: CARBON MANAGEMENT - REDUCE OUR CARBON FOOTPRINT - ANNUAL REPORT - YEAR END 2017/18**

Angela Davies (Energy and Water Assistant) presented the report, which highlighted key progress against Wellbeing Objective WO4 - Carbon Management: Reduce Our Carbon Footprint for the period April 2017 to March 2018. In line with the Carbon Reduction Strategy, the Wellbeing Objective focuses on 4 priorities to reduce emissions: Good Housekeeping, Invest to Save, Design and Asset Management, and Renewable Technology. Details of the actions taken against each of these priorities were outlined in the report and its appendix.

Officers highlighted the energy efficiency advice delivered to the Authority staff by way of school bulletins, intranet posts, bespoke advice to building managers, energy reporting to building managers, and training delivered to schools. The Authority has invested £112k across 11 projects through the Invest to Save Scheme that reduced carbon emissions by 61 tonnes per year, including a project at St Cenydd Comprehensive School that has resulted in estimated annual savings of £7137 and 27 tonnes of carbon.

With regards to asset management, Oakdale and Pontllanfraith Comprehensive Schools were replaced by Islwyn High school, which is providing net energy and carbon savings when compared to the two old schools. Annual carbon emissions in the region of 190 tonnes per year will also be saved via the leasing of the vacant Ty Dyffryn building. Across renewable energy technologies, photovoltaic (PV) solar panels have been installed at three sites, which have provided significant carbon savings, and small scale PV systems were also installed within 17 schools. Several electric vehicle charging points have been installed at corporate offices, and an electric powered van has been leased on a short term trial basis. Additionally, thirteen schools renewed their Eco School Green Flag award during 2017/18.

Overall, these projects and activities have resulted in significant energy, carbon and cost savings during 2017/18 and therefore Officers have judged this Wellbeing Objective as being "partially successful" at this time, given that two of the five measurable targets were not completed.

During the course of the debate, a Member referenced a grant for LED lighting received by a community centre and queried whether this is available for other locations. Clarification was also sought on the amount of energy produced by power-generated turbines. Officers confirmed that they would make enquiries following the meeting and respond to Members on these questions in due course.

Following consideration of the report and its appendix, Members noted the report contents and the progress made to date in meeting the actions set out against the Wellbeing Objective, and unanimously agreed with the Officer's judgement of "partially successful" for this objective during the period 2017/18.

Members thanked the Officers in attendance for their presentations and for responding to the queries raised during the course of the meeting.



The meeting closed at 7.34 p.m.

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 30th October 2018, they were signed by the Chair.

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CHAIR