

# CAERPHILLY COUNTY BOROUGH COUNCIL

## COMMUNITY COUNCIL LIAISON SUB-COMMITTEE

### MINUTES OF THE MEETING HELD AT THE COUNCIL OFFICES, TREDOMEN ON WEDNESDAY, 22ND JANUARY 2003 AT 7.00 P.M.

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PRESENT:

Councillor C.P. Mann - Chairman  
Community Councillor C.R. Roberts - Vice-Chairman

Councillors:

H.A. Andrews, J. Bevan, P.J. Bevan, D. Bolter, C.P. Mann, M.H. Newman, J.E. Newnham, D.J. Potter,  
H. Price, Mrs. J.A. Pritchard, K.R. Snell

Representing Community/Town Councils:

Aber Valley	-	J.E. Roberts, Mr J.S. Humphreys (Clerk)
Argoed	-	A.S. Williams
Bargoed	-	Mrs H. Harris (Clerk)
Bedwas, Trethomas & Machen	-	Mrs G. Howell
Blackwood	-	J.B. Criddle
Caerphilly	-	Mrs M.J. Hallam, Mr M. Evans (Clerk)
Darran Valley	-	C.R. Roberts, Mrs P. Cooper (Clerk)
Gelligaer	-	Mrs M.R. Richards
Llanbradach	-	Mrs J.R. Hanson, Mr W.M. Thompson (Clerk)
Maesycwmmmer	-	Miss J. Rao, Mr D. Cooper (Clerk)
Nelson	-	Mrs Derrett
New Tredegar	-	E. White, Mr W.T. Powell (Clerk)
Penyrheol, Trecenydd & Energlyn	-	Mrs A. Nash, Mr R.B. Williams (Clerk)
Rhymney	-	
Rudry	-	Mr J.L. Matthews (Clerk)
Van	-	J. O'Brien (Clerk)

Together with

A. Brown (Environmental Health Manager), J. Morgan (Senior Trading Standards Officer), H.C. Morgan  
(Senior Committee Services Officer)

### APOLOGIES

Apologies for absence were received from Councillors Mrs E.M. Aldworth, Mrs A. Collins, Ms E.E. Forehead, Mrs. M.E. Hughes, Community Councillors Mrs J. Rao, Mrs E. Macey and H. Williams and Mr D. Allinson, Mr I. Palmer, Mrs A. Davies and A. Hoskins (Clerks of Bedwas, Trethomas and Machen, Blackwood, Gelligaer and Nelson Community/Town Councils respectively).

1. **MINUTES**

The minutes of the meeting held on 18th September 2002 (a copy had been sent to each member) were received and noted.

**MATTERS ARISING**

2. **Abandoned Supermarket Trolleys (minute no. 4)**

The Environmental Health Manager indicated that Safeway had made arrangements to put in hand the introduction of a fee reclaim system for trolleys but in view of the uncertainty of the sale of the Safeway chain, those plans had been put on hold. In the meantime, the Company have undertaken to regularly clear abandoned trolleys in the area.

3. **Budget Process (minute no. 5)**

It was noted that the budget process is currently underway and it would not be possible to provide feedback on schemes suggested until the final budget allocation has been assessed and each service area has determined its priorities.

4. **Off Road Motorcycling (minute no. 6)**

It was noted that the Countryside and Rights of Way Act has substituted a new section 34 in the Road Traffic Act 1988. This means that it is now an offence to drive a mechanically propelled vehicle (which includes motor bikes specifically designed for off road use, such as motor cross bikes) without authority on land that is not a road. The Police Reform Act 2002 which came into force on 1st January 2003 gives the police the power to seize cars and motorbikes driven carelessly, inconsiderately or 'off road' in a manner that causes alarm, annoyance or distress.

It was requested that Superintendent I. Johnson be invited to the next meeting to discuss this and other policing issues generally.

5. **Animal Trespass Problems (minute no. 7)**

It was noted that the meeting has now been held with interested parties to specifically discuss animal trespass problems and issues raised at that time are being pursued. The Environmental Health Manager indicated that he would report in more detail to the next meeting.

A query was raised as to when farmers are advised that their animals have been found straying. It was confirmed that they are contacted after they have been impounded and not before as intimated. It was agreed that a letter be sent to all Clerks to advise them of the policy that has been adopted.

6. **Site Visit - Pant Glas Industrial Estate (minute no. 8)**

It was noted that there had been a planning site visit held earlier in the day, and it was felt that community/town representatives should have been invited to attend. It was confirmed that the current policy of the Council is that planning site visits are informal meetings which are to enable members to view the site of the proposed development and as such are deemed to be private.

Each Clerk is advised of planning applications via a weekly schedule and any observations received are included within the content of the report for all members to view when the application is under consideration by the Planning Committee.

**TOWN AND COMMUNITY COUNCILS LIAISON COMMITTEE**

Consideration was given to the following items raised by the community/town councils.

## 7. **Controls on the Storage and Use of Fireworks**

It was noted that every trade premises that stores/sells fireworks must register with the local authority. The authority cannot refuse to register an application only, revoke it later if storage conditions are not complied with. It is an offence to store explosives (fireworks) without being registered. In 2002, 78 applications were received (4 being for wholesalers). There is however, an exemption to the keeping of fireworks by private persons. The latter can store unlimited quantities for 14 days without the need to register as long as they are stored safely.

Reference was made to the legislation contained within the Consumer Protection Act 1987 and the Firework Safety Regulations 1997. This legislation prescribes which fireworks retailers can legally sell to members of the public and those to be used only as part of professional displays (Category 4's). It also bans certain types of fireworks from sale and sales to anyone less than 18 years of age. It was noted that a controlled check had been undertaken with a 15 year old boy who had tried to purchase fireworks in 10 registered outlets. He had been refused on each occasion.

It was noted that the firework industry also operate a voluntary code whereby retailers only sell fireworks for 15 days prior to 5th November, a few days afterwards and for a few days over the New Year. Although voluntary this does tend to be complied with as wholesales only deliver just before this time scale. As it is only a voluntary code, officers are powerless if anyone decides to sell outside these timescales. Other controls under the Explosives act 1875 (enforced by the Police) and the Environmental Protection Act 1990 which gives local authorities the power to deal with statutory noise nuisance were detailed.

It was reported that Trading Standards have a national database and many authorities have raised the issue and requested ideas for solutions. COSLA (Scottish Convention of Local Authorities) has been instrumental in securing the introduction of a private members bill being proposed by Bill Tynon MP. They have called for a local authority-licensing regime and the support of the firework industry to minimise the noise element of fireworks. The ballot for this private members bill is 28th February 2003 and it was suggested that MP's be lobbied to vote for the bill to ensure that the sale of fireworks can be restricted. It was agreed that a letter be sent to the local M.P.'s on behalf of the Liaison Sub-Committee seeking their support for the proposal.

It was reported that the Department of Trade and Industry have been in discussion with the trade and have agreed further voluntary measures to reduce noise levels of fireworks sold to the public. Air bombs (the noisiest fireworks which cause the majority of all firework injuries) will be prohibited from sale from 1st January 2003. Though voluntary, the intention is that these companies will not manufacture or import these fireworks and so they should not find their way to local retailers. Other noisy items (more than 113 decibels) will be limited to higher priced packs and numbers limited within those packs.

The Senior Trading Standards Officer indicated that there is widespread concern and belief that current controls are ineffective and inadequate, as officers do not have the powers to deal with the problem. By-law introduction could be a lengthy process and opposition could prevent them entirely. Voluntary codes are sufficient for law-abiding businesses but do nothing to control those who are not prepared to comply. Many organisations including local authorities are campaigning to ban category 3 fireworks from sale to members of the public. Additionally the current British standard for the production of Fireworks is being amended in line with European controls. This would be an ideal opportunity to reduce noise levels in fireworks and to limit the size of debris in the fallout after they have been fired.

It was concluded that legalisation is needed to reduce noise levels of fireworks, limit availability in the first place and to give officers sufficient powers to deal with problems when they arise and as such, it was agreed to lobby the local MP's to support the private members bill put forward by Bill Tynon MP.

**8. Japanese Knotweed**

Consideration was given to the report which detailed the current contracts that are underway and those that have recently been let in Pwllpant, Maesycwmmmer, Blackwood and Argoed.

It was noted that the effectiveness of each seasons herbicide application is the subject of measurement at the end of May beginning of June each year following the works. Under the terms of the contract, completion is achieved when the area of knotweed remaining is measured at 5% or less of the original area measurement. To date none of the contracts has achieved this degree of success.

All information received in respect of the areas of knotweed are entered into a computer database which will continue to be expanded as more information becomes available. A request was made for details of knotweed infestation areas which will be added to the database.

**9. Dog Fouling**

The Environmental Services Manager detailed the existing legislation whereby it is an offence not to clear up dog faeces within an area of designated land. He indicated that officers have undertaken various publicity exercises (including leaflets, the erection of signs in problem areas, the provision of special receptacles and CCTV surveillance) and have targeted key areas. During this financial year to date, 27 fixed penalty notices have been served (all of which have been paid). It was suggested that details should be included in Newslines in order that members of the public are aware of the action being taken against offenders.

It was noted that the National Assembly are currently consulting on fixed penalty fines generally and the views of the members as to whether the fees should be increased and any other measures should be introduced were sought. Mr Brown indicated that a Task and Finish Group had considered the document and proposed that the fine should rise to between £50-£75 and the respective Council should retain any monies collected. It was a consensus that the fines should be increased to £75 (to be reviewed at a later date) and that the monies should be retained by the local authority to be used to increase enforcement action. Repeated offenders should be fined higher sums. It was also suggested that requirement for a dog licence should be revisited.

It was also requested that details of areas where regular offences are seen to occur be forwarded to the Environmental Health Manager in order that the area can be targeted and CCTV surveillance be undertaken as appropriate.

**10. Review of Caerphilly Maintenance Plan - Seminar - 10th February 2003**

Members were reminded of the Seminar to be held at the Council Offices Tredomen at 5.30pm Monday 10th February 2003. It was noted that an information report (which is to be considered in conjunction with a supporting presentation from Mr Mark Rees-Williams) will be forwarded in due course.

The meeting closed at 8.15 p.m.