



REGENERATION AND ENVIRONMENT SCRUTINY COMMITTEE

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH ON TUESDAY, 18TH SEPTEMBER 2012 AT 5.00 P.M.

PRESENT:

Councillor D.T. Davies - Chairman
Councillor Mrs. E.M. Aldworth - Vice-Chairman

Councillors:

J. Bevan, C.J. Cuss, R.T. Davies, C. Elsbury, R.W. Gough, A.G. Higgs, G. Johnston, Ms. J.G. Jones, M.J. Prew and Mrs. D. Price

Cabinet Member(s): Councillors D.V. Poole (Community and Leisure Services), K. James (Regeneration, Planning and Sustainable Development) and T.J. Williams (Highways, Transportation and Engineering)

Also in attendance to observe: Councillors C. Durham, A. Lewis and C.P. Mann

Together with:

A. O'Sullivan (Chief Executive), C. Campbell (Transportation Engineering Manager), R. Hartshorn (Head of Public Protection), R. Kyte (Team Leader Strategic and Development Plans), J. Morgan (Trading Standards and Licensing Manager), T. Shaw (Head of Engineering Services), R. Tanner (Strategic Planning and Urban Renewal Manager), M.S. Williams (Head of Community and Leisure Services), J. Jones (Democratic Services Manager), R.J. Thomas (Committee Services Officer)

CHAIRMAN'S ADDRESS

The Chairman referred to the recent death of Councillor P.J. Bevan's wife, and both Members and Officers stood for a minute's silence as a mark of respect. Condolences were extended to the bereaved family.

The Chairman also welcomed Councillor G. Johnston as a new Member of the Scrutiny Committee.

APOLOGIES

Apologies for absence were received from Councillors Mrs. A. Blackman, N. Dix, Ms. E. Forehead and S. Kent.

1. DECLARATIONS OF INTEREST

There were no declarations of interest made at the beginning or during the meeting.

2. MINUTES

RESOLVED that the minutes of the last meeting held on 17th July 2012 (minute nos. 1 - 12, on page nos. 1 - 5) be approved as a correct record and signed by the Chairman, subject to the removal of the "Chairman" from the sentence at the top of page 4. As a result, the sentence reads "the Chief Executive advised why this was not feasible."

3. CALL-IN PROCEDURE

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

4. CABINET REPORTS

The Cabinet reports listed on the agenda had not been requested to be brought forward for review at the meeting.

5. REPORT OF THE CABINET MEMBERS

Councillor D.V. Poole, Cabinet Member for Community and Leisure Services, gave a verbal report to Members and made reference to ongoing projects being undertaken with the Youth Forum, electric blanket testing around the county borough, reductions in crime and anti social behaviour statistics, CCBC's success at the annual APSE Awards, recent events held within the county borough, the forthcoming Prosiect Gwyrdd Member Surgery and consultation with constituents in regards to grave personalisation and enforcement of the Authority's Lawned Cemetery Policy at Bedwellty Cemetery.

Councillor K. James, Cabinet Member for Regeneration, Planning and Sustainable Development, gave a verbal report to Members and made reference to the ongoing regeneration of Bargoed, the proposed Bargoed cinema, BBC Proms in the Park and the recent Tour of Britain event.

Members thanked the Cabinet Members for their presentations and commented on the prestigious BBC Proms in the Park and Tour of Britain events.

REPORTS OF OFFICERS

Consideration was given to the following reports.

6. TRADING STANDARDS ENFORCEMENT OF AGE RESTRICTED PRODUCTS LEGISLATION 2011-2012

The report updated Members on enforcement work undertaken by the Trading Standards Service in relation to the under age supply of alcohol, tobacco and fireworks. In addition, the report gave Members an annual review, as required by legislation, on enforcement activity in relation to tobacco and aerosol spray paints; and informed Members of forthcoming changes in tobacco control legislation.

Members were asked to note that during 2011 – 2012 there was no intelligence received regarding spray paints and therefore no enforcement action to be reported. Up to date information was also given in regard to the number of prosecutions relating to the sale of alcohol and tobacco to under age persons.

Members considered the report and sought clarification as to the work carried out in conjunction with youths and the Police relating to test purchases. In particular, officers responded to queries on the penalties available and the number of each used in the last year.

The Scrutiny Committee endorsed the report and the current approach to preventing access to all age-restricted products taken by officers; and discharged the Authority's obligation to consider annually its approach to tackling under-age sales of tobacco and spray paints.

7. ANNUAL REPORT ON THE CONSUMER ADVICE SERVICE PROVIDED BY TRADING STANDARDS

The report informed Members on the number and nature of complaints dealt with by the Consumer Advice function of the Trading Standards Service for the financial year 2011 to 2012. The report also informed Members of changes in the way consumer advice calls are being handled on a national basis due to the recent closure of Consumer Direct, the Government funded advice service, and the replacement service being run by Agilysis on behalf of Citizens Advice.

Members discussed the report and officers responded to general questions. In particular, clarification was given in regards to number and types of complaints received in relation to car traders and the enforcement action available to officers. Members were asked to notify officers if they observed any vehicles for sale at the roadside.

The Scrutiny Committee considered and noted the contents of the report.

8. PUBLIC PROTECTION ENFORCEMENT - 2011/12

The report provided information to Members on formal enforcement activities within the Public Protection Division during 2011 to 2012, in compliance with the Public Protection Enforcement Policy.

The Head of Public Protection gave an overview of the formal enforcement activity undertaken and highlighted some examples to illustrate these activities. Members discussed the report in depth, seeking further information in regard to food safety enforcement activity, underage drinking, doorstep charity collections and the control of scrap metal dealers. Officers advised that scrap metal dealers were not licensed, but that the Authority held a register. In this regard, officers worked in conjunction with Gwent Police, who had enforcement powers.

The issue of littering, primarily in regard to the action taken against dog fouling and stray dogs was also thoroughly discussed. Members were advised that a new campaign, aimed at discouraging dog fouling, particularly in enclosed children's parks and Multi Use Games Areas (MUGA's), had been developed and was about to go live. The need to change people's behaviour and attitudes was paramount.

The Scrutiny Committee considered and noted the contents of the report.

9. PRESENTATION ON THE FUTURE OF TOWN CENTRES

The Strategic Planning and Urban Renewal Manager gave a presentation on the future of shopping centres in response to recently published reports by the Javelin Group and Deloitte.

These reports suggested that there would be fewer non-food shops needed in the future and that they would fulfil a different role in a multi-channel environment.

The presentation highlighted the findings of the reports and the function of multi-channel retailing, while the components of a successful town centre were demonstrated. Members were shown the importance of town centres, the challenges they faced together with the ongoing activities to invest and enhance the town centres within the County Borough. In closing, the officer advised of further work that could be done, but concluded that as a result of previous investment, the Authority's town centres were better placed than most to overcome the challenges ahead.

Members thanked the officer for his informative presentation and a full discussion ensued. Concern was raised by Members of the changing scenes on the high street. Officers advised fashions changed and that under current planning legislation, the Authority could not constrain competition, particularly within town centres. In addition, the private sector largely controlled a store's location and the trader themselves controlled their own opening hours.

The Scrutiny Committee noted the report and requested that a similar report on small towns and villages within the county borough, be presented at a future date.

10. PROGRESS ON CIL TOGETHER WITH RECOMMENDATIONS IN RESPECT OF THE PRELIMINARY DRAFT CHARGING SCHEDULE

The report gave Members an update on the preparation of the Community Infrastructure Levy (CIL) and sought the Scrutiny Committee's recommendation of approval to Cabinet (prior to consideration by Council) of the following:

- (a) the rates which are to be included in the Community Infrastructure Levy (CIL) Preliminary Draft Charging Schedule as a basis for public consultation; and
- (b) the draft Infrastructure List as a basis for public consultation.

Members discussed the report and officers responded to general questions, in particular in regard to the relationship between the CIL and Section 106 Agreements, and the way in which CIL funds would be allocated across the County Borough.

The Scrutiny Committee considered the report and noted the recommendations of the CIL Steering Group and those contained within the *Draft Infrastructure Assessment Report - June 2012*. Members recommended to Cabinet (prior to consideration by Council) that, for the reasons contained therein:-

- (a) the CIL Rates contained within Schedule 1 be approved and included within the Caerphilly Preliminary Draft Charging Schedule as a basis for public consultation.
- (b) the CIL Rates contained in the Alternative Schedule (Part 1) be approved and included within the Caerphilly Preliminary Draft Charging Schedule as a basis for public consultation; and
- (c) the Draft Infrastructure List be published as a basis for public consultation.

11. LOCAL DEVELOPMENT PLAN - ANNUAL MONITORING REPORT 2012

The report outlined to Members the contents of the Annual Monitoring Report (AMR) for their consideration and sought to gain the Scrutiny Committee's agreement (prior to consideration by Cabinet and Council) to adopt the report as the Council's formal Local Development Plan Annual Monitoring Report for 2012. The report also sought to gain agreement to submit the

AMR to the Welsh Government (WG) in order to satisfy the Council's statutory requirements and to make the Council eligible to receive funding from WG's Planning Improvement Fund.

Members were asked to note the statutory requirement for the Council to submit an annual report, and they were advised that overall the AMR concluded that both the LDP Strategy and the Policy Framework were being implemented appropriately and there was no requirement to review any policy or the LDP as a whole. However, the AMR had highlighted one issue that needs monitoring and consideration in next years AMR. This was the protection of the Caerphilly-Machen-Newport rail line to facilitate the potential reinstatement of a passenger service. This issue was likely be subject to an appeal and the appropriate course of action would be considered when the outcome of any appeal is known.

Following discussion on the content of the report, the Scrutiny Committee received confirmation that the Independent Planning Inspector had been made aware of situation in relation to the Caerphilly-Machen-Newport rail line.

The Scrutiny Committee noted the findings and recommendations of the Annual Monitoring Report and recommended to Cabinet (prior to consideration by Council) that, for the reasons contained therein:

- (1) the AMR be adopted as the Council's formal Annual Monitoring Report for 2012; and
- (2) the AMR be approved and submitted to the WG before 31 October 2012.

12. OPERATIONAL POLICY FOR VEHICLE RESTRAINT SYSTEMS

The report sought Members' comments on, and support for, the proposed operational policy to effectively identify and prioritise the need for Vehicle Restraint Systems on the local adopted highway network.

Members were advised an operational policy was necessary to more effectively manage the Council's statutory obligations and to facilitate officers' responses to requests using an evidenced based approach to identify and respond to real, as opposed to perceived, hazards and risks on the highway network.

Members discussed the report and officers responded to general questions.

The Scrutiny Committee considered and endorsed the recommendations contained in the report and recommended to Cabinet that, for the reasons contained therein:-

- (a) the proposed Vehicle Restraint Systems Operational Policy be approved; and
- (b) officers review the operational policy after 12 months of implementation and advise Members should any changes be considered necessary.

13. REQUESTS FOR AN ITEM TO BE INCLUDED ON THE NEXT AVAILABLE AGENDA

Councillor R.W. Gough requested a report on outstanding monies, including rent, relating to the Plaza Café at the Interchange Bus Station, Blackwood to be prepared for consideration at a future meeting of the Scrutiny Committee.

14. INFORMATION ITEMS

The following reports were received and noted without discussion:

- (1) Prosiect Gwyrdd Joint Scrutiny Panel Report – Inquiry into the Health and Environmental Concerns Associated with Energy from Waste Incineration Plants;
- (2) Registration Service Annual Report 2011/12;
- (3) Report on the Progress of the South East Wales Community Economic Development (CED) Programme in Caerphilly County Borough;
- (4) Regeneration and Environment Scrutiny Committee Forward Work Programme;
- (5) Minutes of the Prosiect Gwyrdd Joint Scrutiny Panel held on 30th January 2012;
- (6) Minutes of the Bryn Compost Liaison Group held on 11th July 2012;
- (7) Minutes of the Grants to the Voluntary Sector Panel held on 19th July 2012.

The meeting closed at 7.30 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 2012, they were signed by the Chairman.

CHAIRMAN