



REGENERATION AND ENVIRONMENT SCRUTINY COMMITTEE

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH ON TUESDAY, 20TH MAY 2014 AT 5.30 P.M.

PRESENT:

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

Councillors:

J. Bevan, Mrs A. Blackman, C.J. Cuss, R.T. Davies, N. Dix, Ms J.G. Jones, S. Kent,
Mrs P. Leonard, M.J. Prew, Mrs D. Price, Mrs E. Stenner.

Cabinet Members:

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

Together with:

S. Aspinall (Acting Deputy Chief Executive), P. Elliott (Head of Regeneration and Planning), M.S. Williams (Head of Community and Leisure Services), R. Hartshorn (Head of Public Protection), M. Lloyd (Highway Operations Group Manager), M. Headington (Principal Officer, Outdoor Facilities and Bereavement Services), D. Lucas (Principal Planner, Strategic and Development Plan Team), R. Amundson (Principal Planning Officer), D. Whetter (Bargoed Regeneration Programme Manager), C. Forbes-Thompson (Scrutiny Research Officer), S.M. Kauczok (Committee Services Officer).

1. APOLOGIES

Apologies for absence were received from Councillors C. Elsbury and R.W. Gough.

The Chair confirmed that Councillor Alan Higgs was no longer able to continue as a member of the Scrutiny Committee due to work commitments. The Chair placed on record his thanks to Councillor Higgs for his past attendance and contribution to the Scrutiny Committee.

2. DECLARATIONS OF INTEREST

The following Members, who are also members of Community Councils, declared a personal interest in agenda item 7(2) - Community Infrastructure Levy (CIL) - Approval and Implementation of the Caerphilly County Borough CIL Charging Schedule.

Councillors Mrs E.M. Aldworth, J. Bevan, Mrs A. Blackman, D.T. Davies, R.T. Davies, S. Kent, Mrs D. Price and Mrs E. Stenner.

3. MINUTES

RESOLVED that the minutes of the Regeneration and Environment Scrutiny Committee meeting held on 1st April 2014 (minute nos. 1 - 11; page nos. 1 - 7) be approved as a correct record and signed by the Chair subject to the following being noted: -

1. Minute no. 10 (iii).
The information requested related to vehicle restraint systems.
2. Minute No. 9, paragraph 5.
Clarification was received that this was a VAT exempt activity.

4. CALL-IN PROCEDURE

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

5. CABINET REPORTS

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

6. REPORTS OF THE CABINET MEMBERS

Councillor D.V. Poole, Cabinet Member for Community and Leisure Services, advised that the views of the Scrutiny Committee would be sought later in the year on the options for increasing the level of fixed penalty fines for dog fouling and littering within the County Borough. At present most offences are dealt with by way of a fixed penalty fine which is set at £75, reduced to £50 if paid within 14 days. Under the legislation Local Authorities have the discretion to set the level of the fine up to a maximum of £150.

Welsh Government has recently issued a consultation document on draft statutory guidance for the separate collection of recyclables. The implications for this Authority are potentially significant (in financial, performance and citizen satisfaction terms) and will be dependent on how this consultation is responded to, what WG decides to do with the responses and what then develops in terms of statutory guidance. Caerphilly has hosted a meeting of the 11 Welsh Authorities that collect recyclables in a similar way. The group has decided to submit a robust, joint response to the WG consultation in accordance with its July deadline and is also engaging a specialist waste lawyer to assist with the legal aspects of the response.

The Environment and Sustainability Committee of Welsh Government is undertaking an enquiry into recycling and is seeking views from members of the public on recycling services across Wales. In previous consultation exercises residents have responded emphatically that they are satisfied with the Authority's collections system and would not want to change back to a kerbside system involving boxes. The deadline for submissions to the committee is 10th June. More information can be found on the web site, the link to which would be forwarded to all Members. All members of the Scrutiny Committee were encouraged to respond.

Discussion ensued on the issues raised within the Cabinet Member's report and in particular on the initiatives being pursued within the county borough to try and combat the problem of dog fouling. A Member queried progress on the memorandum of understanding with the Police in relation to the issuing of fixed penalty notices by PCSO's and whether advisory posters could be erected in streets where prosecutions for dog fouling/littering had been made. Members were advised to submit a request for a dog waste bin if they felt that there was a need for additional bins in their area.

At the last meeting the Committee received an update on the collapse of the HoV Joint Organic Waste procurement. Since then members of the project board have met with WG and are carrying out a scoping exercise to establish the options that exist for the group of authorities to procure a new long term anaerobic digestion contract in the most efficient, cost effective and speedy manner. Future updates will be provided to Members as the process develops.

Councillor K. James, Cabinet Member for Regeneration, Planning and Sustainable Development, updated the Scrutiny Committee on the Vibrant and Viable Places funding for Rhymney. It was noted that CCBC has received in principle approval for £1million from the Tackling Poverty Fund via the Vibrant and Viable Places bid, subject to project details being approved. The Cabinet Member confirmed that local ward members would be consulted on the proposals.

The aim of the Tackling Poverty Fund is to tackle poverty by creating jobs, encouraging skills, improving housing, providing facilities and helping people into work. Regeneration staff are meeting with WHQS and other colleagues to ensure integration with all Tackling Poverty Activity projects. Detailed guidance is awaited from WG and staff are attending liaison meetings to clarify the way forward. This will no doubt help to build on the regeneration and anti poverty work already underway in Rhymney. An update would be provided in due course.

Arising from a request for clarification on the criteria for the provision of bins in country parks, the Cabinet Member agreed to investigate this matter and report back to the Member concerned.

Finally, Members received a report from Councillor T.J. Williams, Cabinet Member for Highways, Transportation and Engineering.

On 9th May Councillor Williams and Transportation officers attended the CILT (Chartered Institute of Logistics and Transport) Cymru Wales National Transport and Logistics Awards in Cardiff. On behalf of Caerphilly CBC awards were accepted for first place in the 'Partnerships' category for the Pengam park and ride scheme and first runner up in the 'Transport Policy, Planning and Implementation' category for the Sewta park and ride package. Councillor Williams congratulated the officers concerned and thanked them for all their hard work.

EPG Group are currently progressing extensive re-lining works to a defective section of the Monmouthshire and Brecon Canal at Pontywaun. The works are dealing with a long-standing leak, which has caused issues with maintaining water levels and water supply to the lower reaches of the canal. These works will be completed by mid July 2014 at which time the canal water levels will be restored and the towpath re-opened to members of the public.

The A469 between New Tredegar and Pontlottyn has re-opened after major works by the Authority's in-house contractor NCS and Welsh Water. The Engineering Design Consultancy is continuing to monitor movement, which is now considered negligible. It was noted that monitoring will continue for the foreseeable future. Further carriageway surfacing improvements and drainage works to the embankments above and below the road are being considered and are likely to be undertaken during the summer/autumn. These works will be undertaken whilst the road remains open albeit under traffic signal control. The Cabinet Member and a number of local members have met with Minister Edwina Hart to consider future long-term options for the area and an update was awaited.

Following the Cabinet Member's report, Members sought clarification on whether there were cost implications for the Authority in relation to the works to the A469. Officers confirmed that the Authority would incur costs for some of the work but the exact amount was not known at this stage.

SCRUTINY REPORTS

Consideration was given to the following reports.

7. REGIONAL TECHNICAL STATEMENT FOR THE SOUTH WALES REGIONAL AGGREGATES WORKING PARTY

The report set out the Regional Technical Statement (RTS) for the South Wales Regional Aggregates Working Party (SWRAWP) and sought the views of Members on the recommendations contained therein.

Members were advised that the South Wales Regional Aggregates Working Party (SWRAWP) has issued a first review of the Regional Technical Statement (RTS) originally published in October 2008. The RTS sets out a strategy for the provision of aggregates within Wales until 2036, developing national mineral planning policy and providing apportionments and allocations for each local planning authority (LPA) which will be carried through into the Local Development Plan (LDP). The Council, as a member of the SWRAWP, is required to consider the provisions set out in the document and to consider whether to endorse its findings.

The RTS is a strategic document and does not give site-specific guidance. It gives a recommendation to each local planning authority regarding the amount of aggregates that need to be supplied from its area (apportionment) and the total tonnage of any new areas of future working (allocation) which should be made through the LDP.

In terms of paragraph 4.10 in the report, local members expressed concern with regard to the future of the railhead. It was noted that Machen Quarry is currently mothballed and the RTS states that if it does not reopen when the market picks up consideration may be given to the allocation of reserves elsewhere to compensate. Members were concerned that this could affect the railhead, which the report states should continue to be safeguarded regardless of the quarry's operational status. The feasibility of the former Machen Quarry Liaison Group being reinstated was discussed.

Following consideration and discussion, it was moved and seconded that the recommendations in the report be endorsed. By a show of hands they were unanimously agreed.

RECOMMENDED that: -

1. The report be noted.
2. The amended RTS be referred to Cabinet for consideration and subsequently Council for approval and the Welsh Government be advised of the Council's decision.

8. COMMUNITY INFRASTRUCTURE LEVY (CIL) - APPROVAL AND IMPLEMENTATION OF THE CAERPHILLY COUNTY BOROUGH CHARGING SCHEDULE

The report sought Council approval for the Council's Community Infrastructure Levy Charging Schedule and recommended that CIL be implemented on 1st July 2014.

Members of the Scrutiny Committee who are also members of community councils declared an interest in this item.

In Wales, where all or part of a chargeable development is within the area of a community council then the charging authority i.e. the County Borough Council must pass 15% of the relevant CIL receipts to that community council. Whilst the CIL Regulations make provision for the community councils to spend their CIL funds according to their own priorities, the report recommended that the Council provide guidance notes and assessment forms to assist in ensuring that the CIL is used to fund infrastructure in accordance with the CIL Regulations.

The report also recommends that officers negotiate with community councils to agree annual payments of the CIL receipts, to make the administration of CIL less complex and to ensure the funding is considered as an integral part of the Council's own budgetary procedures. CIL Regulation 62A requires that all community councils must prepare a report for any financial year in which it receives CIL receipts. The Council would work in conjunction with community councils in preparing their monitoring report and offer guidance as necessary.

Following consideration of the issues relating to the administration of CIL and the prioritisation of CIL spend, the CIL Steering Group made 11 recommendations, which were highlighted at the committee for consideration and approval by Members. All the recommendations in the report were made in the knowledge that they will be subject to review as part of the annual monitoring process.

In April 2013 amendments to the Community Infrastructure Regulations were published that set out a requirement for the Council to pass a proportion of CIL receipts collected in their area to the respective community councils. Recommendations 6 - 11 consider how this process should be administered and monitored and what should happen in areas where there are no community councils/town councils. Arising from discussion on these recommendations it was proposed that officers arrange a seminar to brief and advise the Community and Town Councils on CIL. A Member commented that the report did not adequately set out the role of elected members in determining CIL spend and that it was unclear what role the councillors had in the process.

It was moved and seconded that the recommendations in the report be forwarded to Cabinet and thereafter Council for approval. By a show of hands this was unanimously agreed.

RECOMMENDED that: -

- (i) The Charging Schedule, as modified by the Examiner, be approved for implementation on 1st July 2014.
- (ii) The Regulation 123 list and the 4 Guidance Notes be approved for publication in accordance with the implementation of CIL.
- (iii) The 11 Recommendations from the CIL Steering Group be agreed.
- (iv) The setting up and implementation of appropriate processes and procedures be agreed to enable the implementation of the CIL Charging Schedule on 1st July 2014.
- (v) Officers commence discussions with the Community Councils to agree payment periods for paying the Community Councils their 15% of CIL receipts.

9. CAERPHELLY TOWN CENTRE AIR QUALITY ACTION PLAN

The report advised Members of the intention to seek Cabinet approval to endorse the final version of the Caerphilly Town Centre Air Quality Action Plan prior to its submission to Welsh Government.

The national nitrogen dioxide air quality objectives are being exceeded at receptor locations around Caerphilly Town Centre. The Local Authority is required to designate any area failing the national air quality objectives as an Air Quality Management Area (AQMA) and produce an Action Plan which details measures to bring the pollutant within acceptable limits.

The draft Air Quality Action Plan for the Caerphilly Town Centre AQMA has recently been through a 3-month public consultation process, with only one response received. The draft Action Plan needs to be formally submitted to Welsh Government and the actions detailed within it, once approved, will be implemented.

Following discussion on the content of the report, it was moved and seconded that the recommendation in the report be endorsed. By a show of hands this was unanimously approved.

RECOMMENDED that the final version of the Caerphilly Town Centre Air Quality Action Plan be endorsed prior to its submission to Welsh Government.

10. NON-RESIDENTS BURIAL FEES

The report sought Members' views on the proposal to cease the current policy of charging double fees for non-residents of the County Borough who wish to be interred in one of its ten municipal cemeteries. The proposal to cease the policy will protect the Authority from potential legal challenges on the grounds of discrimination. Bereaved families will be charged equally for council services regardless of the deceased's place of residence at the time of death.

Following consideration, it was moved and seconded that the recommendation in the report be endorsed. By a show of hands this was unanimously agreed.

RECOMMENDED that the proposal to cease the policy of charging double fees for non-residents who wish to be interred in one of the Authority's municipal cemeteries, if they have not been resident in the county borough for more than one year prior to death, be endorsed.

11. BARGOED RETAIL DEVELOPMENT PLATEAU

The report provided an update on the Bargoed Retail Development Plateau Phase 1 unit shops that the Council has leased for 25 years from September 2013; the three ERDF funded projects that are located in the immediate vicinity of the RDP, to be completed by June 2015 and the Bargoed Retail Development Plateau Phase 2 cinema project.

Arising from discussion on the cinema project, some concerns were expressed by Members in terms of the cost. It was noted that since December 2013 actions to reduce the project's funding gap have been and continue to be progressed. The building's form and its materials specification have been reviewed to identify potential savings in build costs and alternate procurement options for separate building and fit-out contracts are currently being examined with an aim to reduce overall cinema delivery costs. Officers are in discussion with Welsh Government officials and are preparing supporting information to establish the level of financial support that may be available. The revisions will require the construction contract to be retendered in due course when there is greater degree of certainty that the project's cost and its available budget are more closely aligned.

Members were advised that both Odeon and the Council remain fully committed to bringing a cinema to Bargoed. However, due to commercial confidentiality it was not possible to provide further details at this time. As soon as a way forward is agreed, the Council and Odeon would be issuing a joint statement and a further report would be brought back to Members in due course.

The Scrutiny Committee noted the report.

12. LOCAL GOVERNMENT BORROWING INITIATIVE BID FOR 2014/2015 - UPDATE (HIGHWAY WORKS)

The report sought Members' views on the Local Government Borrowing Initiative 2014/15 CCBC bid proposals prior to presentation to Cabinet.

Details were received of the proposed funding allocations for works to be undertaken during 2014/15. Savings have been achieved over the previous two years and additional allocations have been proposed for carriageway and footway resurfacing along with street lighting. The funding for the identified works will be provided by Welsh Government's Local Borrowing Initiative as previously reported to Scrutiny, Cabinet and Council.

It was noted that as this is the final year of LGBI there is a requirement by Welsh Government that the full allocation of funds is spent before the end of March 2015. In order to facilitate any further efficiency savings it is proposed that any underspend is allocated to carriageway and/or footway resurfacing.

Following consideration and discussion, it was moved and seconded that the recommendations in the report be endorsed. By a show of hands they were unanimously agreed.

RECOMMENDED that: -

1. The report and the bid proposal and works identified in Appendices 1 and 3 of be noted and presented to Cabinet for approval.
2. A final list of any additional carriageway and/or footway resurfacing schemes from highways prioritised lists be determined by the Head of Engineering Services in consultation with the Cabinet Member for Highways and Transportation in order to maximise the available funding should any savings be achieved.

13. MEDIUM TERM FINANCIAL PLAN (VERBAL UPDATE)

It was agreed that the special meetings of the Regeneration and Environment Scrutiny Committee which had been scheduled to discuss matters relating to the Medium Term Financial Plan would each deal with individual service areas as follows: -

- 12th June 2014 Engineering Services
- 7th July 2014 Community and Leisure Services
- 4th September 2014 Public Protection
- 29th September 2014 Regeneration and Planning

The special meeting scheduled for 23rd October 2014 would provide an opportunity for officers to summarise the discussions and proposals from each of the four service areas and would seek recommendations from Members on the way forward.

14. REQUESTS FOR REPORTS/ITEMS TO BE INCLUDED ON THE NEXT AVAILABLE AGENDA

The following requests were received: -

1. Councillor Mrs D. Price sought further information on the use and longevity of plastic kerbing within the county borough.

It was agreed that the Acting Deputy Chief Executive would ask the Head of Engineering Services to provide Members with this information.

2. Councillor Mrs A. Blackman sought information on the number and use of buildings within the remit of the directorate.

The Acting Deputy Chief Executive would investigate whether this information would be incorporated within the Asset Management Strategy.

3. Councillor C.J. Cuss requested a report on parking enforcement, to include initiatives that are being undertaken by other local authorities.

15. INFORMATION ITEMS

The Committee noted the following information items.

1. Review of the Management Restructuring in the Sport and Leisure Service.
2. Grants to the Voluntary Sector Panel Minutes - 18th March 2014.
3. Voluntary Sector Sub-Committee Minutes - 19th March 2014.
4. Regeneration and Environment Scrutiny Committee Forward Work Programme.

The meeting closed at 7.30 pm.

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 1st July 2014.

CHAIR