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Am unrhyw ymholiad yn ymwneud â'r agenda hwn cysylltwch â Rebecca Barrett
(Rhif Ffôn: 01443 864245 Ebst: barrerm@caerphilly.gov.uk)

Dyddiad: 23 Hydref 2019

Annwyl Syr/Fadam,

Bydd cyfarfod **Pwyllgor Craffu yr Amgylchedd a Chynaliadwyedd** yn cael ei gynnal yn **Ystafell Sirhywi - Tŷ Penallta, Tredomen, Ystrad Mynach** ar **Dydd Mawrth, 29ain Hydref, 2019** am **5.30 pm** i ystyried materion a gynhwysir yn yr agenda canlynol. Gall cynghorwyr a'r cyhoedd sy'n dymuno siarad am unrhyw eitem wneud hynny drwy wneud cais i'r Cadeirydd. Mae croeso i chi hefyd ddefnyddio'r Gymraeg yn y cyfarfod. Mae'r ddau gais hyn yn gofyn am gyfnod rhybudd o 3 diwrnod gwaith, a bydd cyfieithu ar y pryd yn cael ei ddarparu os gofynnir amdano.

Mae pob cyfarfod Pwyllgor yn agored i'r Wasg a'r Cyhoedd. Gofynnir i arsylwyr a chyfranogwyr ymddwyn gyda pharch ac ystyriaeth at eraill. Sylwer y bydd methu â gwneud hynny yn golygu y gofynnir i chi adael y cyfarfodydd ac efallai y cewch eich hebrwng o'r safle.

Yr eiddoch yn gywir,

A handwritten signature in black ink, appearing to read 'Christina Harrhy'.

Christina Harrhy
PRIF WEITHREDWR DROS DRO

AGENDA

Tudalennau

- 1 I dderbyn ymddiheuriadau am absenoldeb
- 2 Datganiadau o Ddiddordeb.

Atgoffi'r Cynghorwyr a Swyddogion o'u cyfrifoldeb personol i ddatgan unrhyw fuddiannau personol a/neu niweidiol mewn perthynas ag unrhyw eitem o fusnes ar yr agenda hwn yn unol â Deddf Llywodraeth Leol 2000, Cyfansoddiad y Cyngor a'r Cod Ymddygiad ar gyfer Cynghorwyr a Swyddogion.

A greener place Man gwyrddach

Correspondence may be in any language or format | Gallwch ohebu mewn unrhyw iaith neu fformat



I gymeradwyo a llofnodi'r cofnodion canlynol:-

- | | | |
|---|---|--------|
| 3 | Pwyllgor Craffu yr Amgylchedd a Chynaliadwyedd a gynhaliwyd ar 17eg Medi 2019. | 1 - 6 |
| 4 | Ystyried unrhyw fater a gyfeiriwyd at y Pwyllgor hwn yn unol â'r drefn galw i mewn. | |
| 5 | Blaenraglen Waith Pwyllgor Craffu yr Amgylchedd a Chynaliadwyedd. | 7 - 14 |
| 6 | I dderbyn ac ystyried yr adroddiadau* Cabinet canlynol:-

<ol style="list-style-type: none">1. Awdurdodi'r Swyddogion o fewn Diogelwch y Cyhoedd - Ymadael â'r UE – 2il Hydref 2019;2. Dull o gyflawni'r Fenter Nofio am Ddim ar gyfer Oedolion Hŷn a Ariennir gan Lywodraeth Cymru - 16eg Hydref 2019;3. Prosiect Ansawdd Aer Hafod-yr-ynys - Caffael Eiddo a Chyllid lawndal - 16eg Hydref 2019;4. Tir yn Ystâd Ddiwydiannol Pont-y-meistr - 16eg Hydref 2019. | |

**Os oes aelod o'r Pwyllgor Craffu yn dymuno i unrhyw un o'r adroddiadau Cabinet uchod i gael eu dwyn ymlaen ar gyfer adolygiad yn y cyfarfod, cysylltwch â Rebecca Barrett, 01443 864245, erbyn 10.00 a.m. ar ddydd Llun, 28ain Hydref 2019.*

I dderbyn ac ystyried yr adroddiadau Craffu canlynol:-

- | | | |
|---|---|---------|
| 7 | Gorchmynion Diogelu Mannau Cyhoeddus - Rheoli Cŵn ar Gaeau Chwaraeon. | 15 - 34 |
| 8 | Gorfodi Parcio Sifil - Adroddiad Diweddar. | 35 - 50 |

Cylchrediad:

Cynghorwyr M.A. Adams, A. Collis, D.T. Davies (Cadeirydd), C. Elsbury, M. Evans, A. Gair, Ms J. Gale, A. Hussey (Is Gadeirydd), S. Kent, Mrs A. Leonard, D.W.R. Preece, J.E. Roberts, J. Scriven, G. Simmonds, A. Whitcombe a T.J. Williams

A Swyddogion Priodol

SUT FYDDWN YN DEFNYDDIO EICH GWYBODAETH

Bydd yr unigolion hynny sy'n mynychu cyfarfodydd pwyllgor i siarad/roi tystiolaeth yn cael eu henwi yng nghofnodion y cyfarfod hynny, weithiau bydd hyn yn cynnwys eu man gweithio neu fusnes a'r barnau a fynegir. Bydd cofnodion o'r cyfarfod gan gynnwys manylion y siaradwyr ar gael i'r cyhoedd ar wefan y Cyngor ar www.caerffili.gov.uk. ac eithrio am drafodaethau sy'n ymwneud ag eitemau cyfrinachol neu eithriedig.

Mae gennych nifer o hawliau mewn perthynas â'r wybodaeth, gan gynnwys yr hawl i gael mynediad at wybodaeth sydd gennym amdanoch a'r hawl i gwyno os ydych yn anhapus gyda'r modd y mae eich gwybodaeth yn cael ei brosesu. Am wybodaeth bellach ar sut rydym yn prosesu eich gwybodaeth a'ch hawliau, ewch i'r Hysbysiad Preifatrwydd Cyfarfodydd Pwyllgor Llawn ar ein gwefan <http://www.caerffili.gov.uk/Pwyllgor/Preifatrwydd> neu cysylltwch â Gwasanaethau Cyfreithiol drwy e-bostio griffd2@caerffili.gov.uk neu ffoniwch 01443 863028.



ENVIRONMENT AND SUSTAINABILITY SCRUTINY COMMITTEE

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH ON
TUESDAY, 17TH SEPTEMBER 2019 AT 5.30 P.M.

PRESENT:

Councillor D.T. Davies - Chair
Councillor A. Hussey - Vice Chair

Councillors:

M.A. Adams, A. Collis, C. Elsbury, M. Evans, A. Gair, Ms J. Gale, S. Kent, D.W.R. Preece,
J. Roberts, J. Scriven, G. Simmonds, T.J. Williams

Cabinet Members:

N. George (Neighbourhood Services), Mrs L. Phipps (Homes and Places), S. Morgan
(Economy, Infrastructure, Sustainability and Wellbeing of Future Generations Champion),
Mrs E. Stenner (Environment and Public Protection)

Together with:

M.S. Williams (Interim Corporate Director of Communities), R. Hartshorn (Head of Public
Protection, Communities and Leisure Services), M. Lloyd (Head of Infrastructure), R. Kyte
(Head of Regeneration and Planning), M. Williams (Interim Head of Property Services), M.
James (Principal Valuer), C. Forbes-Thompson (Scrutiny Manager), M. Jacques (Scrutiny
Officer), R. Barrett (Committee Services Officer), S. Hughes (Committee Services Officer)

Also present:

Councillor J. Pritchard (Morgan Jones Local Ward Member), Mr C. O'Brien (RSPCA)
Councillor B. Owen (Risca West Local Ward Member), Mrs D. Crahart (Local Resident)

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Mrs A. Leonard and J. Scriven.

2. DECLARATIONS OF INTEREST

Councillor Bob Owen declared a personal and prejudicial interest in Agenda Item 8 (Sale of
Land at Pontymister Industrial Estate). Details are minuted with the respective item.

3. MINUTES – 25TH JUNE 2019

RESOLVED that the minutes of the Environment and Sustainability Scrutiny Committee held on 25th June 2019 (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. ENVIRONMENT AND SUSTAINABILITY SCRUTINY COMMITTEE FORWARD WORK PROGRAMME

Cath Forbes-Thompson (Scrutiny Manager) presented the report, which outlined details of the Environment and Sustainability Scrutiny Committee Forward Work Programme (FWP) for the period September 2019 to March 2020, and included all reports that were identified at the Scrutiny Committee meeting on 25th June 2019.

Members considered the forward work programme and agreed that a report in respect of a Green Infrastructure Strategy be scheduled for the meeting of 11th February 2020. A Member also sought clarification on the legislative requirements for forward work programmes as referenced in the report. The Scrutiny Manager explained that statutory guidance in respect of the Local Government (Wales) Measure 2011 contains guidance on forward work programmes, and the Member requested that a copy be forwarded to them.

Subject to the foregoing report addition, it was unanimously agreed that the Environment and Sustainability Scrutiny Committee Forward Work Programme be published on the Council's website.

6. CABINET REPORTS

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

7. NOTICE OF MOTION – BAN ANIMALS AS PRIZES ON CAERPHILLY COUNTY BOROUGH LAND

Consideration was given to the Notice of Motion submitted by Councillor J. Pritchard and supported by Councillors Mrs E.M. Aldworth, W. David, P. Bevan, L. Whittle, G. Kirby, S. Morgan, A. Hussey, Mrs B. Jones, Mrs T. Parry, R. Gough, A. Farina-Childs, C. Cuss, G. Johnston, B. Owen, K. Etheridge, C. Mann, Mrs D. Cushing, A. Whitcombe, Mrs D. Price, Mrs A. Gair, Mrs C. Andrews, Mrs P. Marsden, Mrs A. Leonard, A. Collis, A. Angel, Mrs P. Leonard, L. Jeremiah, W. Williams, A. Higgs, S. Morgan, S. Cook, J. Simmonds, J. Taylor, T.J. Williams, D.W.R. Preece and Mrs E. Stenner. The Scrutiny Committee were asked to consider the Notice of Motion as set out in paragraph 5.1 of the report and make an appropriate recommendation to Council, in accordance with Rule 11(3) of the Council's Constitution.

Councillor Pritchard presented his Notice of Motion which requested that the Council :-

- Ban outright the giving of live animals as prizes, in any form, on Caerphilly County

Borough Council land.

- Write to the Welsh Government, urging an outright ban on the giving of live animals as prizes on both public and private land in Wales.

The Committee heard evidence from Mr Chris O'Brien (RSPCA representative) that supported the Notice of Motion. Committee members were advised of the impact upon animal welfare in regards to giving animals as prizes, with it noted that goldfish can be easily stressed and can very often suffer from shock, oxygen starvation or die from changes in water temperature before their new owners can get them home. The Committee were advised that people that are acquiring a new pet should only do so after careful planning and consideration, and that anyone given goldfish as prizes normally do not have an aquarium set up. The RSPCA believe that a Scottish-like outright ban on animals as prizes by Welsh Government is the most effective means to prevent animals being given as prizes.

During the course of the ensuring debate, Members offered their support for the Motion and were keen that a ban is applied to all parts of the county borough. It was felt that by supporting a ban on county borough land, that this would highlight the issue and might encourage private landowners to follow suit. The Committee sought further information on whether Licensing could also be used to prevent the offering of animals as prizes on applications for events on private land.

Following discussion on its contents, it was moved and seconded that the Notice of Motion be supported and that its acceptance be recommended to Council. By a show of hands this was unanimously agreed.

RECOMMENDED to Council that the Notice of Motion be supported.

REPORTS OF OFFICERS

Consideration was given to the following reports.

8. SALE OF LAND AT PONTYMISTER INDUSTRIAL ESTATE

Councillor B. Owen declared a personal and prejudicial interest in this item, being the owner of a commercial property on Tredegar Street, Risca, which is currently vacant but re-leased as a café from November 2019. He explained that having sought advice from the Monitoring Officer, he would leave the meeting once he had made his representations, unless there were questions from the Committee.

Consideration was given to the report, which outlined proposals to sell a plot of surplus Council-owned land at Pontymister Industrial Estate to M. Seven Real Estate (the owner of the adjacent land at this estate), for the purpose of constructing a 'drive-thru' facility for Costa Coffee. Members were advised that the sale of land is usually agreed by the Head of Property Services under delegated powers. However in this instance, because two local ward members raised objections during the consultation process, the matter was being reported to Cabinet to seek a decision on whether the sale should proceed. The Environment and Sustainability Scrutiny Committee were therefore asked to consider this proposal and make its recommendations to Cabinet.

The Committee heard evidence from Ms D. Crahart (a member of the public) and Councillor B. Owen (Risca West local ward member). Ms Crahart outlined her concerns regarding the proposal to construct a 'drive- thru' Costa Coffee and the consequential impact on traffic.

She explained that the access to this plot of land is directly off a roundabout that also leads to and from Risca Town Centre and the main by-pass, and stated that it is already a very busy area which can become very congested due to the existing presence of Tesco, KFC and Aldi on the same roundabout. Ms Crahart expressed concerns that an additional 'drive-thru' facility will have a significant impact on the volume of traffic and have a knock on effect upon the Town Centre and local residents.

Having declared a personal and prejudicial interest, Councillor Owen expressed his concerns regarding the potential impact upon Risca Town Centre High Street, if the proposal to construct a 'drive-thru' facility for Costa Coffee were to be approved. He outlined the ambition stated in the Councils' 'Town Centres - Unique Places' document, which states that Town Centres play an increasingly important role in shaping the communities they serve. He stated that businesses on the High Street in Risca are working hard to attract customers and have recently seen the benefit of civil parking enforcement freeing up parking spaces and resulting in an increase in footfall. However, he feared that the proposal for a 'drive-thru' Costa Coffee would have a detrimental impact upon the High Street, thereby undermining the aims of the 'Town Centres - Unique Places' document and the effort of local businesses. In response, the Interim Corporate Director stated that the proposed development was outside the boundary of Risca Town centre as defined in various corporate strategies.

Councillor Bob Owen thanked the Committee for their attention and then left the meeting.

During the course of the ensuing debate, Members made enquiries regarding consultation with Tesco and were advised that this would not be required for the sale of a plot of land. The Committee asked if there was any information on the number of potential employees for a 'drive-thru' facility for Costa Coffee and any potential impact on employees at similar businesses. Officers confirmed that a typical outlet has the potential to create up to 18 full/part time jobs, and advised that Planning can request a retail impact study but it was unlikely that this would be required in this instance due to the distance from the Town Centre and size of the proposed use.

Members sought clarification regarding the links to the Corporate Plan identified in the report, and particular reference was made in respect of Objective 1 and the link to education opportunities. It was explained that there may be job opportunities for those in further education. A further query was raised regarding Objective 4 and the proposed development complementing the strategic highway. Officers explained that this kind of development would be considered similar to a service station, therefore complementing the highway.

The Scrutiny Committee sought clarification on the purpose of the report and it was confirmed that the only matter for consideration in the report was in respect of the sale of land, and that planning considerations regarding the proposal for a 'drive-thru' Costa Coffee is a matter for Planning Committee. It was also noted that the completion of any sale, if agreed by Cabinet, is dependent upon planning consent being granted. Therefore if Planning is not approved, the sale of land will not proceed.

Following consideration of the report it was moved and seconded that the following recommendations be forwarded to Cabinet for approval. By a show of hands (and in noting there was 1 against with 3 abstentions) this was agreed by the majority present.

RECOMMENDED to Cabinet that:-

- (i) it be agreed to sell the land to the owners of the adjoining Pontymister Industrial Estate subject to planning consent and "stopping up" and otherwise on terms to be agreed to enable the construction of a 'drive thru' for Costa Coffee.

- (ii) the approval of other terms be delegated to the Interim Head of Property Services in conjunction with the Cabinet Member for Homes and Places.

9. **YEAR END PERFORMANCE REPORT FOR PUBLIC PROTECTION, COMMUNITY & LEISURE SERVICES AND INFRASTRUCTURE DIVISION**

The Cabinet Member for Environment and Public Protection presented the report, which provided Members with a year end (2018/19) performance update for the Public Protection, Community and Leisure Services, and Infrastructure service divisions within the Communities Directorate. The report provided an overall summary for these service divisions and highlighted service performance over the past year, whilst identifying key risks, areas for improvement, and key service priorities for 2019/20.

Overall, 2018/19 offered a 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 2019/20 service plans and the new Directorate Performance Assessment framework. The biggest challenge across service areas remains how to balance the demands of increasing legislation and rising public expectations against reducing budgets and the pressures of the Medium Term Financial Plan (MTFP). Whilst challenging, the service areas are well placed to respond to them but it must be recognised that reductions to some current service delivery standards and changes in how services will be delivered over the medium term will be inevitable.

Officers highlighted the new performance reporting format of Directorate Performance Assessments (DPA), which will ensure consistent and streamlined reporting across the Authority. The DPA covers a range of factors that collectively contribute to the performance story of the Directorate (service priorities, performance, customer intelligence, resource, risk and wellbeing objectives). It was explained that the new format now captures all the data in one place to give a fuller picture of overall service performance, and the Scrutiny Committee noted the high level overview for each service division and the details of the DPA as set out in the report and its appendices.

Heads of Service for the Communities Directorate were in attendance and invited questions from Members regarding performance across their individual service areas. There were no queries in respect of Public Protection performance.

Infrastructure

A Member referred to the completion of the Pwllpant Roundabout Improvement scheme, and in seeking clarification on the amount of cost over-run for the scheme, expressed concern over this expenditure in view of the Council's savings requirements for 2019/20. Officers explained that they did not have the exact costs to hand, but that these had been previously provided in a detailed response to the Member. They also outlined the reasons for the changes to the scheme which had resulted in the cost over-run. It was emphasised that the cost over-run had been agreed with and paid for by Welsh Government, and therefore had no impact on the Council funding of the scheme or the level of MTFP savings.

Another Member acknowledged the reduction in travel time as a result of the improvements to the Pwllpant roundabout and the Cabinet Member referenced the positive feedback received from the public in this regard.

The Scrutiny Committee also discussed the potential for future reductions across bus subsidies and it was noted that the situation will be difficult to predict moving forward in view of the potential for a new collaborative transport authority across Wales, as well as the need

for the Council to continue to make MTFP savings.

Community and Leisure Services

Discussion took place regarding the work carried out by Sports Development in regards to the Gwent Police Positive Future, which aims to reduce instances of antisocial behaviour through a sport based social inclusion programme. Officers confirmed that efforts will be made to increase the number of sessions available in the county borough.

Concerns were expressed regarding the future of community centres and Members were reminded that MTFP proposals on this matter were deferred during 2018/19. However, consideration will need to be given to the support given by the Council to these centres in view of ongoing budget challenges.

The Scrutiny Committee discussed Welsh Government's planned changes to the Free Swimming Initiative and Officers confirmed that a proposal will be put to Cabinet to sustain opportunities to access the scheme. Members queried if the proposed changes could affect the funding available for the attainment target in respect of every child swimming 25m by the age of 11. Officers explained that the budget responsibility for this area is delegated to schools and is a different matter to that of the Free Swimming Initiative. Members were advised that schools are not required to ring-fence this budget to meet the 25m swimming target.

Having fully considered the report, the Scrutiny Committee noted its contents and the overview of service performance in respect of the Public Protection, Community and Leisure Services, and Infrastructure divisions for 2018/19.

The meeting closed at 6.50 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 29th October 2019, they were signed by the Chair.

CHAIR



ENVIRONMENT AND SUSTAINABILITY SCRUTINY COMMITTEE – 29TH OCTOBER 2019

**SUBJECT: ENVIRONMENT AND SUSTAINABILITY SCRUTINY COMMITTEE
FORWARD WORK PROGRAMME**

**REPORT BY: CORPORATE DIRECTOR FOR EDUCATION AND CORPORATE
SERVICES**

1. PURPOSE OF REPORT

1.1 To report the Environment and Sustainability Scrutiny Committee Forward Work Programme.

2. SUMMARY

2.1 Forward Work Programmes are essential to ensure that Scrutiny Committee agendas reflect the strategic issues facing the Council and other priorities raised by Members, the public or stakeholder.

3. RECOMMENDATIONS

3.1 That Members consider any changes and agree the final forward work programme prior to publication.

4. REASONS FOR THE RECOMMENDATIONS

4.1 To improve the operation of scrutiny.

5. THE REPORT

5.1 The Environment and Sustainability Scrutiny Committee forward work programme includes all reports that were identified at the scrutiny committee meeting on Tuesday 17th September, 2019. The work programme outlines the reports planned for the period October 2019 to March 2020.

5.2 The forward Work Programme is made up of reports identified by officers and members. Members are asked to consider the work programme alongside the cabinet work programme and suggest any changes before it is published on the council website. Scrutiny committee will review this work programme at every meeting going forward alongside any changes to the cabinet work programme or report requests.

5.3 The Environment and Sustainability Scrutiny Committee Forward Work Programme is attached at Appendix 1, which presents the current status as at 21st October 2019. The Cabinet Work Programme is attached at Appendix 2. A copy of the prioritisation flowchart is

attached at Appendix 3 to assist the scrutiny committee to determine what items should be added to the forward work programme.

5.4 **Conclusion**

The work programme is for consideration and amendment by the scrutiny committee prior to publication on the council website.

6. **ASSUMPTIONS**

6.1 No assumptions are necessary.

7. **LINKS TO RELEVANT COUNCIL POLICIES**

7.1 The operation of scrutiny is required by the Local Government Act 2000. The Local Government Wales Measure 2011 and subsequent Statutory Guidance include requirements to publicise the work of scrutiny committees. The operation of scrutiny committee forward work programmes was agreed following decisions by Council in October 2013 and October 2015.

7.2 **Corporate Plan 2018-2023.**

Scrutiny Committee forward work programmes contributes towards and impacts upon the Corporate Well-being Objectives by ensuring that the Executive is held to account for its Corporate Objectives, which are:

Objective 1 - Improve education opportunities for all

Objective 2 - Enabling employment

Objective 3 - Address the availability, condition and sustainability of homes throughout the county borough and provide advice, assistance or support to help improve people's well-being

Objective 4 - Promote a modern, integrated and sustainable transport system that increases opportunity, promotes prosperity and minimises the adverse impacts on the environment

Objective 5 - Creating a county borough that supports a healthy lifestyle in accordance with the sustainable Development Principle within the Wellbeing of Future Generations (Wales) Act 2015

Objective 6 - Support citizens to remain independent and improve their well-being

8. **WELL-BEING OF FUTURE GENERATIONS**

8.1 This report contributes to the well-being goals and is consistent with the five ways of working as defined within the sustainable development principle in that by ensuring the scrutiny function is effective when reviewing services and policies and ensure it considers the wellbeing goals.

8.2 The Forward Work Programmes contribute to the following Well-being Goals within the Well-being of Future Generations Act (Wales) 2016 by ensuring there is an effective scrutiny function and that council policies are scrutinised against the following goals:

- A prosperous Wales
- A resilient Wales

- A healthier Wales
- A more equal Wales
- A Wales of cohesive communities
- A Wales of vibrant culture and thriving Welsh Language
- A globally responsible Wales

9. EQUALITIES IMPLICATIONS

9.1 There are no specific equalities implications arising as a result of this report.

10. FINANCIAL IMPLICATIONS

10.1 There are no specific financial implications arising as a result of this report.

11. PERSONNEL IMPLICATIONS

11.1 There are no specific personnel implications arising as a result of this report.

12. CONSULTATIONS

12.1 There are no consultation responses that have not been included in this report.

13. STATUTORY POWER

13.1 The Local Government Act 2000.

Author: Mark Jacques, Scrutiny Officer

Consultees: Mark S. Williams, Interim Corporate Director of Communities
 Robert Tranter, Head of Legal Services/ Monitoring Officer
 Lisa Lane, Head of Democratic Services and Deputy Monitoring Officer, Legal Services
 Councillor Tudor Davies, Chair of Environment and Sustainability Scrutiny Committee
 Councillor Adrian Hussey Vice Chair of Environment and Sustainability Scrutiny Committee

Appendices:

Appendix 1 Environment and Sustainability Scrutiny Committee Forward Work Programme
 Appendix 2 Cabinet Forward Work Programme
 Appendix 3 Forward Work Programme Prioritisation Flowchart

Forward Work Programme - Environment & Sustainability

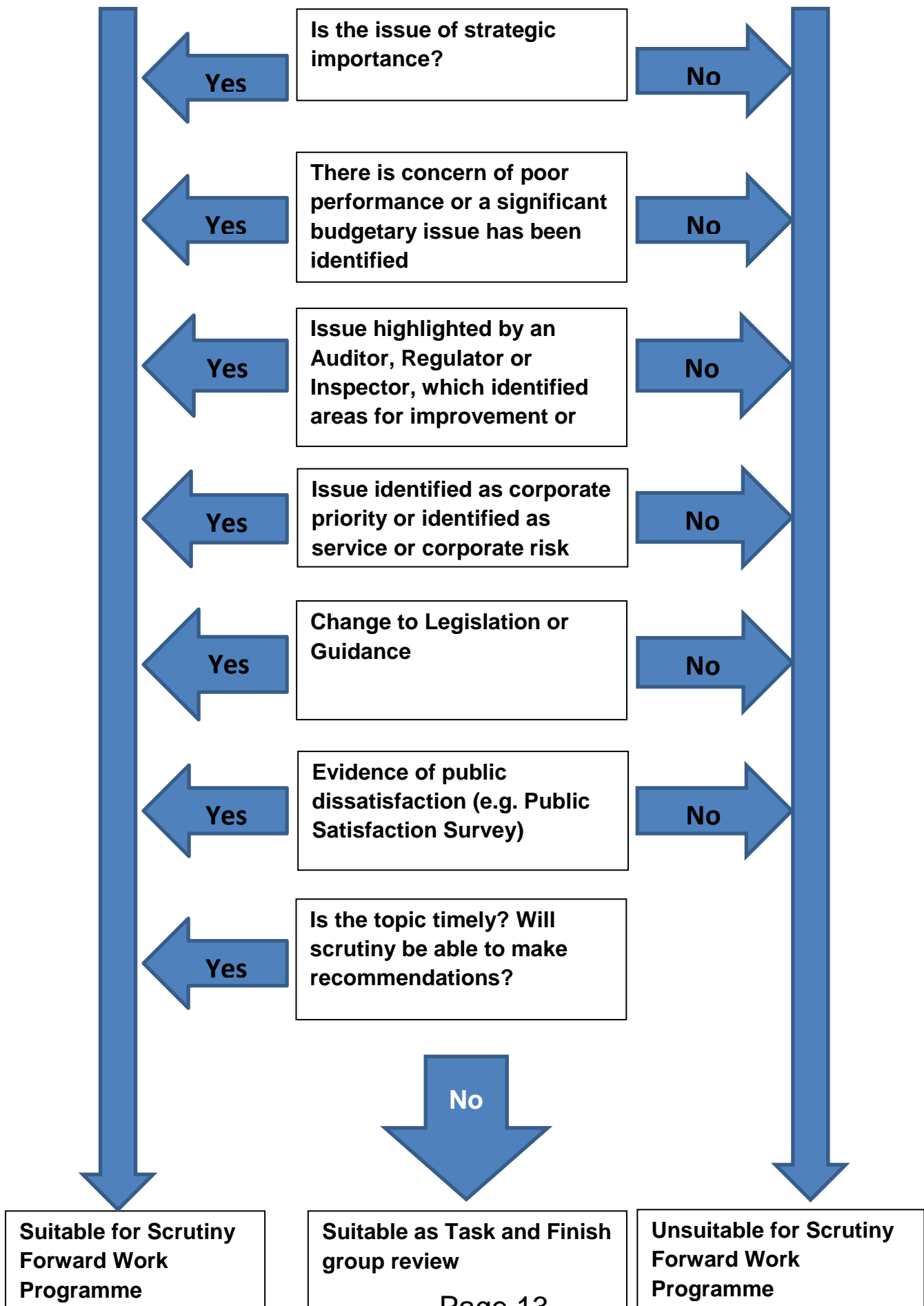
Date	Title	Key Issues	Author	Cabinet Member
29/10/2019	Public Space Protection Order relating to Dog Control	Cabinet 6/917 resolved not to exclude dogs from all council owned marked sports/playing pitches on a seasonal basis, but to revisit this issue on following impact assessments of provisions.	Hartshorn, Robert	Cllr. Stenner, Eluned
29/10/2019	Civil Parking Enforcement Implementation Update	CPE was implemented on the 8th April following transfer of powers from Gwent Police. The report provides an update on progress with implementation and future considerations.	Lloyd, Marcus	Cllr. Morgan, Sean
29/10/2019	Information Item - Budget Monitoring Report	The report notes that the services face significant ongoing financial pressures due to the requirement to achieve budget savings in support of the Councils medium term financial plan. Overall the Directorate is presently projecting over spend of £3k, but exclusive of ring fenced budgets this over spend is increased to £14k. Appendices 1a to 1d provide more detail on the budget variation projections for each Service Division. In line with the Councils reserves protocol, general revenue underspends not subject to specific ring fencing are appropriated to Directorate strategic reserves and Council working balances on a 50/50 basis, however any Directorate over spends will be appropriated to Service Directorate reserves in full and will require funding from previous years reserve balances where they exist or future years revenue budgets.	Eedy, Michael	Cllr. Stenner, Eluned
10/12/2019	Medium-Term Financial Plan (Environment & Sustainability)		Williams, Mark S	Cllr. Stenner, Eluned
11/02/2020	Performance Management		Harris, Stephen R	Cllr. Jones, Barbara
11/02/2020	Metro Plus Update and Metro CVL (Core Valley Line) Progress	The Cardiff Capital Region City Deal provides a significant investment into the transportation infrastructure of the region. This report provides an update of progress to date within the region and specifically any Caerphilly related projects.	Lloyd, Marcus	Cllr. Morgan, Sean
11/02/2020	Green Infrastructure Strategy		Hartshorn, Robert	Cllr. Morgan, Sean

Forward Work Programme - Cabinet

Date	Title	Key Issues	Author	Cabinet Member
30/10/2019	Chartist Gardens - Development Options	To seek approval of the development proposal and associated financial model prior to submitting scheme for planning approval.	Couzens, Shaun; Williams, Mark	Cllr. Phipps, Lisa
13/11/2019	20/21 Draft Budget Proposals	To discuss the draft budget proposals	Harris, Stephen R	Cllr. Jones, Barbara
13/11/2019	Funding Formula for Cwm Rhymni	To consider proposals to change the current funding arrangements for YGG Cwm Rhymni and the possible funding sources.	Richards, Sue	Cllr. Marsden, Philippa
13/11/2019	European Social Fund Operation - Inspire to Achieve (ISA)	To seek approval from CMT to deliver Inspire to achieve as part of a regional operation lead by Blaenau Gwent CBC	Richards, Sue	Cllr. Marsden, Philippa
13/11/2019	Integrated Wellbeing Hubs	To provide an update to Cabinet	Street, Dave	Cllr. Cuss, Carl J
13/11/2019	(9) Structured programme of service reviews to be agreed	Strategic Action Plan - item to be agreed.	Harris, Stephen R	Cllr. Jones, Barbara
13/11/2019	(11) Commercial and Investment Strategy to be drafted and approved by Cabinet	Strategic Plan - item to be approved	Harrhy, Christina	Cllr. Jones, Barbara
27/11/2019	Renewable Energy Generation - Tredomen Campus	To present a basket of options to Cabinet for achieving carbon neutrality at the Tredomen Campus	Williams, Mark	Cllr. Morgan, Sean
27/11/2019	Waste and Recycling Collection Systems	To advise Cabinet of the findings of the Regeneration and Environment Scrutiny Waste Review Working Group and to seek Cabinet approval for recommendations relating to the Authority's waste and recycling services.	Hartshorn, Robert	Cllr. George, Nigel
27/11/2019	Regeneration Board - Project Proposals	To recommend the allocation of £370k Regeneration Project Board Development Funds towards two previously endorsed and re-evaluated projects, namely Llanbradach and Ystrad Mynach Park & Ride schemes	Kyte, Rhian	Cllr. Morgan, Sean
27/11/2019	Making of a Compulsory Purchase Order - Land and buildings at Woodside Terrace, Hafod-yr-ynys	For Cabinet to authorise the making of a Compulsory purchase Order to acquire land and buildings known as 1-20 Woodside Terrace, 1 & 2 Woodside Shops and Yr Adfa at Hafod-yr-ynys Road together with ancillary rights to achieve compliance with the Air Quality Direction 2019 and the EU Ambient Air Quality Directive (2008/50/EC) in the shortest possible time.	Godfrey, Maria	Cllr. Stenner, Eluned
27/11/2019	Cabinet Forward Work Programme	For discussion and update	Tranter, Robert J	Cllr. Jones, Barbara
15/01/2020	Community Asset Transfer Policy to be finalised and approved by Cabinet (16- #Team Caerphilly Strategic Action Plan)	Approval by Cabinet of Community Asset Transfer Policy	Harris, Stephen R	Cllr. Phipps, Lisa
15/01/2020	Community Sport - Regional agenda	To consider future delivery options for community sport on a regional (pan "Gwent") basis.	Lougher, Jared	Cllr. George, Nigel
15/01/2020	Develop a Consultation and Engagement Framework to support empowered communities to come on this journey with us. - (17- #Team Caerphilly Strategic Action Plan)	To approve the consultation and engagement framework	Harrhy, Christina; Peters, Kathryn	Cllr. Jones, Barbara
15/01/2020	Corporate Volunteering	To consider our options for the establishment of a Corporate Volunteering Scheme on a Directorate or Whole Organisation basis.	Peters, Kathryn; Street, Dave	Cllr. Cuss, Carl J

29/01/2020	Caerphilly County Borough Council's Strategic Equality Plan 2020-2024	To seek approval of the Strategic Equality Plan 2020-2024 to be formally adopted as Council Policy.	Cullinane, Anwen	Cllr. Jones, Barbara
29/01/2020	Proposed Use of Reserves	To consider proposals for the use of reserves.	Harris, Stephen R	Cllr. Jones, Barbara
12/02/2020	Heads of the Valleys Masterplan	The report is seeking the view of members prior to its presentation to Cabinet, where Cabinet will be asked to endorse the Draft Masterplan as the basis for a public consultation exercise.	Kyte, Rhian	Cllr. Stenner, Eluned
11/03/2020	EAS Business Plan		Cole, Keri	Cllr. Marsden, Philippa
	Hafodyrnyns Air Quality Direction - Compulsory Purchase Order Process	To obtain Cabinet agreement on the Compulsory Purchase process on Hafodyrnyns Road.	Godfrey, Maria	Cllr. Stenner, Eluned

Scrutiny Committee Forward Work Programme Prioritisation



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ENVIRONMENT AND SUSTAINABILITY SCRUTINY COMMITTEE – 29TH OCTOBER 2019

SUBJECT: PUBLIC SPACES PROTECTION ORDER - DOG CONTROL ON SPORTS PITCHES

REPORT BY: INTERIM CORPORATE DIRECTOR, COMMUNITIES

1. PURPOSE OF REPORT

- 1.1 To update Scrutiny Committee regarding the issue of dog fouling on sports pitches and to seek Scrutiny Committee views on the amendment to the Public Spaces Protection Order (PSPO) to include the exclusion of dogs from marked sports pitches on a seasonal basis prior to presenting a draft Order to Cabinet for approval to commence a ten week consultation exercise with a range of stakeholders.

2. SUMMARY

- 2.1 Public Spaces Protection Orders were introduced by the Anti-social Behaviour, Crime and Policing Act 2014 and can be used to regulate activities in particular public places to ensure that the law-abiding majority can use and enjoy public spaces safe from anti social behaviour. As such, these Orders provide an opportunity to enhance the Council's enforcement ability to respond to public opinion regarding dog fouling.
- 2.2 In September 2017 Cabinet approved and adopted the Public Spaces Protection Order 2017; the Order includes the following restrictions:
- Excluding dogs from all enclosed children's play and multi-use games areas
 - Requiring dogs to be kept on leads in enclosed memorial gardens
 - Requiring dog owners to remove dog faeces in public places
 - Requiring dog owners to carry an appropriate receptacle for dealing with the waste that their dogs produce (that is to always have the means to pick their dog faeces)
 - Requiring dog owners to put their dogs on a lead when directed to do so by an authorised officer on any public land where the dog is considered to be out of control or causing harm or distress to prevent a nuisance.
- 2.3 In addition to the decision to proceed with the above proposals Cabinet also resolved at an earlier meeting (held on the 18th January 2017) that the proposal to exclude dogs from all council owned marked sports/playing pitches on a seasonal basis should be omitted at that stage of the process, and be reviewed after a period of 12 months or once the impact of the above provisions had been established.
- 2.4 Consequently, the report presents a review of the current position regarding dog fouling since implementation of the Order including the results of an informal consultation undertaken with sports clubs across the county borough; (the results of which are detailed in the report below)

with 88% agreeing that dogs should be prohibited from marked sports pitches. An overview of the consultation responses (summary report) is attached at Appendix 1.

- 2.5 Environment and Sustainability Scrutiny Committee are asked to:
- consider the current position regarding dog fouling on sports pitches; and
 - provide views prior to presentation of a draft Order to Cabinet for a decision to conduct a formal public consultation exercise.

3. RECOMMENDATIONS

- 3.1 Members are requested to consider the report and recommend to Cabinet that a formal public consultation exercise is undertaken regarding the proposal to amend the Public Spaces Protection Order 2017 to include a provision to exclude dogs from marked sports/playing pitches on a seasonal basis.

4. REASONS FOR THE RECOMMENDATIONS

- 4.1 To protect public health and well-being.

5. THE REPORT

- 5.1 Dog fouling is unsightly, unpleasant and can lead to serious illness in humans such as Toxocariasis; which can develop from direct contact with contaminated dog faeces and in some cases potentially lead to blindness. Particular concern is therefore raised in relation to children and other sports pitch users coming into contact with dog faeces.

- 5.2 Public Spaces Protection Orders were introduced by the Anti-social Behaviour, Crime and Policing Act 2014 (the Act) and can be used to regulate activities in particular public places, to ensure that the law-abiding majority can use and enjoy public spaces, safe from anti-social behaviour. Whilst the Act allows local authorities to regulate activities in public places, the legislation specifies certain requirements which must be considered prior to making an Order.

- 5.3 A local authority may make a Public Spaces Protection Order (PSPO) if it is satisfied on reasonable grounds that two conditions are met. The first condition is that activities carried on in a public place within the authority's area have had a detrimental effect on the quality of life of those in the locality or it is likely that the activities will be carried on in a public place and that they will have such an effect. The second condition is that the effect or likely effect is likely to be of a persistent or continuing nature, is likely to be such as to make the activity unreasonable and justifies the restriction imposed by the Order.

- 5.4 In September 2017 Cabinet approved and adopted the Public Spaces Protection Order 2017; the Order includes the following restrictions:

- Excluding dogs from all enclosed children's play and multi-use games areas
- Requiring dogs to be kept on leads in enclosed memorial gardens
- Requiring dog owners to remove dog faeces in public places
- Requiring dog owners to carry an appropriate receptacle for dealing with the waste that their dogs produce (that is to always have the means to pick their dog faeces)
- Requiring dog owners to put their dogs on a lead when directed to do so by an authorised officer on any public land where the dog is considered to be out of control or causing harm or distress to prevent a nuisance.

- 5.5 In addition to the decision to proceed with the above proposals Cabinet also resolved at an earlier meeting held on the 18th January 2017 that the proposal to exclude dogs from all council owned marked sports/playing pitches on a seasonal basis should be omitted at that stage of the process, and be reviewed after a period of 12 months or once the impact of the

above provisions can be established. The Order came into force on 20th October 2017 and the requirement for dog owners to carry an appropriate receptacle for dealing with the waste that their dogs produce was the subject of an informal enforcement phase initially.

- 5.6 Since the introduction of the PSPO in October 2017 over 1527 complaints of dog fouling have been investigated. 31 Fixed Penalty Notices have been served for dog fouling and 58 have been served for failing to carry bags to clean up dog waste.
- 5.7 To further inform the review a consultation exercise recently carried out with 82 sports clubs in the borough yielded 24 responses. 33% of clubs responded that dog fouling on sports pitches had increased, 38% said it was the same, and 25% reported a decrease.
- 5.8 Out of the 24 clubs who responded 21 (88%) supported prohibiting dogs from marked sports pitches, 2 (8%) disagreed with the proposal and 1 (4%) did not know. A range of comments were provided by the respondents and are detailed with the survey summary attached as appendix 1. This is in contrast to the consultation undertaken in 2017 for the original PSPO, during which 54% of those who completed the survey agreed with the proposal to introduce a new requirement that makes it an offence to allow dogs onto all marked sports playing pitches owned by Caerphilly CBC. The proposal was supported by local sports clubs.
- 5.9 The council launched an environmental awareness campaign entitled 'Enough is Enough' to coincide with the introduction of the PSPO. Using an integrated approach, the campaign sought to clearly explain the various elements of the order and the possible consequences of non-compliance. A blend of digital (Facebook, Twitter, web, email, video content) and traditional (Newspaper, press, signage etc.) was used to communicate the changes, with pupils from Ystrad Mynach Primary School helping to launch the campaign with a clear message to irresponsible dog owners that 'Enough is Enough'.
- 5.10 The council has since continued to raise awareness of the order, in particular focussing on instances where individuals have been found to be in breach of it. This has helped reinforce the proactive stance that enforcement officers are taking in enforcing the PSPO, and has been well received by residents.
- 5.11 The Act requires that before it can make a PSPO the Council must carry out the *necessary consultation*, the *necessary publicity* and the *necessary notification*. This includes the publication of the text of the proposed PSPO on the Council's Website, consultation with Gwent Police and other community representatives the Council considers appropriate to consult, together with notification to Community Councils across the County Borough. It is proposed that a consultation will be conducted via an on-line survey. Additionally, other stakeholder groups will be contacted directly and invited to respond to the survey. Such stakeholders will include the Kennel Club, Dogs Trust, RSPCA, sports clubs, Parent Network, Voluntary Sector, Community Safety Networks, Head Teachers for the attention of parents (not exhaustive).
- 5.12 Scrutiny Committee's views are sought on the proposal to amend the Public Spaces Protection Order (PSPO) to include the exclusion of dogs from marked sports pitches on a seasonal basis prior to presenting a draft Order to Cabinet for approval to commence a ten week consultation exercise with a range of stakeholders.

6. ASSUMPTIONS

- 6.1 There are no assumptions associated with this report, as it is a factual statement of enforcement activity.

7. LINKS TO RELEVANT COUNCIL POLICIES

- 7.1 Enforcing public protection legislation is a statutory duty and this activity contributes to the Caerphilly Public Services Board's Wellbeing Plan, The Caerphilly We Want 2018 – 2023; and Objective 1 of the Council's Strategic Equality Plan 2016-2020.
- 7.2 The work also supports the following Corporate Well-being Objectives, identified within the Council's Corporate Plan 2018-23:
- WBO 5: Creating a county borough that supports a healthy lifestyle in accordance with the Sustainable Development Principle within the Well-being of Future Generations (Wales) Act 2015.

8. WELL-BEING OF FUTURE GENERATIONS

- 8.1 The Wellbeing of Future Generation (Wales) Act 2015 is about improving the social, economic, environmental and cultural wellbeing of Wales. It requires public bodies to think more about the long-term, working with people and communities, looking to prevent problems and take a more joined up approach. This will create a Wales that we all want to live in, now and in the future. Public Protection enforcement activity contributes to the following Well-being Goals within the Act:
- A resilient Wales
 - A prosperous Wales
 - A healthier Wales
 - A more equal Wales
 - A Wales of cohesive communities
 - A Wales of vibrant culture and thriving Welsh language
- 8.2 The Well-being of Future Generations (Wales) Act 2015 sets out the sustainable development principle against which all public bodies in Wales should assess their decision-making. The aim of the legislation is to ensure the well-being of future generations through maximising the contribution public bodies make towards the well-being goals. In using the sustainable development principle it is incumbent that the authority considers the whole of the population it serves and considers the effect of its actions on future generations. The principle, also known as the five ways of working is assessed as below:

LONG TERM – we aim to sustain our enforcement programmes over the long term and whilst we will always prioritise high risk issues we will endeavour to address low, medium, and unrated risks to ensure that issues do not worsen over time.

INVOLVEMENT- we rely on information and intelligence to inform both our programmed and reactive activities. We seek feedback from those that we regulate and work to promote compliance through information and awareness raising. We undertook consultation on the Public Protection Enforcement Policy.

PREVENTION - Any measures that reduce exposure to dog fouling will promote and protect public health and safety, thereby preventing harm from occurring.

COLLABORATION – Public Protection services collaborate extensively with partner agencies including Gwent Police..

INTEGRATION – Public Protection enforcement activity makes a contribution to a number of the Well-being Goals within the Well-being of Future Generation (Wales) Act 2015.

9. EQUALITIES IMPLICATIONS

- 9.1 Dog fouling legislation provides exemptions in particular cases for registered blind people, deaf people and for other members of the public with disabilities who make use of trained assistance dogs. Consideration will need to be given to the application of these exemptions across the different proposals. An Equality Impact Assessment has been drafted and is attached at Appendix 2. The draft EIA will be developed further using information received through the consultation.

10. FINANCIAL IMPLICATIONS

- 10.1 Experience suggests that following public consultation, there is likely to be significant officer time in developing the proposals. Thereafter, there will be the cost of producing and erecting new signage in the designated areas, amounting to circa £10,000. This will be funded from the Environmental Health Revenue budget; during 2019-20.
- 10.2 The income that is generated by the imposition of fixed penalty notices or recovery of court costs is included in the revenue budget.

11. PERSONNEL IMPLICATIONS

- 11.1 The Personnel implications include the temporary increase in workload to conduct the consultation and to develop the amended PSPOs. Any additional restrictions imposed may increase the potential for staff to be placed in confrontational situations. It would be important to ensure that the necessary training and procedures are in place so that staff are able to assist with the expectations in relation to enforcement of these proposals.

12. CONSULTATIONS

- 12.1 This report has been sent to the consultees listed below and all comments received are reflected in this report.

13. STATUTORY POWER

- 13.1 Section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014
The Anti-social Behaviour, Crime and Policing Act 2014 (Publication of Public Spaces Protection Orders) Regulations 2014

Author: Gary Mumford, Acting Senior Environmental Health Officer

Consultees: Cllr Eluned Stenner, Cabinet Member for Environment and Public Protection
Cllr Nigel George, Cabinet Member for Neighbourhood Services
Cllr Tudor Davies, Chair of Environment and Sustainability Scrutiny Committee
Cllr Adrian Hussey, Vice-Chair of Environment and Sustainability Scrutiny Committee
Mark S. Williams, Interim Corporate Director of Communities
Rob Hartshorn, Head of Public Protection, Community and Leisure Services
Ceri Edwards, Environmental health Manager
Rob Tranter, Head of Legal Services & Monitoring Officer
Anwen Cullinane, Equalities & Welsh Language
Mike Eedy, Finance Manager
Shaun Watkins, HR Manager
Mike Headington, Green Spaces and Transport Services Manager

Background Papers:

The Anti-Social Behaviour, Crime and Policing Act 2014. Statutory guidance for frontline professionals.

Home Office

2014 DEFRA Practitioners guide on dealing with irresponsible dog ownership.

Cabinet Report 6th September 2017 – Caerphilly County Borough Council (Dog Control) Public Spaces Protection Order 2017

Appendices:

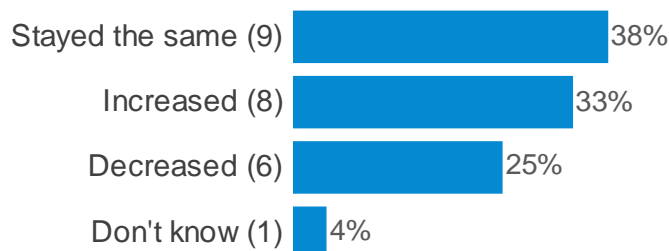
Appendix 1 An overview of the consultation responses (summary report)

Appendix 2 Equality Impact Assessment

This report was generated on 04/06/19. Overall 24 respondents completed this questionnaire. The report has been filtered to show the responses for 'All Respondents'.

The following charts are restricted to the top 12 codes. Lists are restricted to the most recent 100 rows.

During last season, has the amount of dog fouling on your club sports pitch increased, decreased or stayed the same?



Do you agree or disagree that dogs should be prohibited from marked sports playing pitches?



Please give reasons for your answers below.

The danger involved in respect of becoming infected as a result of coming into contact with dog fouling completely outweighs any reason why they should be allowed on these fields. There is ample availability of areas to walk pets with allowing the to ram and foul our fields. We have known games stopped 7 times in 80 minutes to clear dog mess that was missed during the pre match sweep and this is not acceptable. Dog fouling bins are not present at our pitch and I have never witnessed any sort of monitoring present.

There is no reason for dogs to be exercised on sports playing pitches.

We have had to stop games because of the amount of dog fouling on the Pitch at Fields Park. We try and check field before game, but sometimes we miss some.

Loads of other areas available to take your dog

Strongly feel dogs should not be permitted on sports or children's play areas for risk of fouling pitches and harm to people. If they are in the vicinity they should be on leads at all times

Our field at Rhymney RFC is fully enclosed by security fencing, so fouling has not been an issue.

I walk my dog through the park but won't let her on the rugby pitch not even to wee. Fouling is a problem but it's lazy owners to blame not the dog.

Please give reasons for your answers below.

Unfortunately no one in my villave has taken any notice of the rule, as there is not a sign by the entrance of the football pitch to let them know. This is due to no one enforcing the rule. So as there is no one there to tell them about the rule, they still let their dogs run free on my football pitch. Unless there is someone there constantly, to enforce the rule most dog owners have not taken any notice of the rule. So for the health and safety of the football player at my club, the rule needs to be changed to Ban

Dogs should have their own areas like special dog parks. We have issues of where we can train also as council pitches shut down through the summer so we look to use the showfield which is an absolute disgrace. It's where people take their children to learn how to ride bikes, have picnics and enjoy the dry weather but get put off due to the dog mess and also dogs running freely off their leads. With a rise in dog attacks then I think it is vital that dogs have their own space away from public areas that children use

With all the teams adult and children that participate in sport on Abercarn Welfare it only takes one instance of dog excrement to infect a player and it could cause major health problems. I own a dog and would certainly not entertain walking him on a field that is used by for sports activities.

I think it's disgusting that children could fall in dog mess whilst playing football. This needs to be policed in a much better way with fines to dog owners to be visible and become a deterrent

Risk to health for ANYONE playing on the pitch.

It's a sports venue where it's obvious to all that people use

I agree that dogs shouldn't be allowed on marked playing fields due to owners not cleaning up after them

We have to pick it up before each game, which we should not have to do, it is dangerous if a player lands on it, our pitch (Llanfabon drive) it is open to the public so it is hard to stop people using it to walk their dogs on it and not pick their mess up, we would like to have it closed off but that's another story

No matter the diligence of the dog walker either small amounts or complete mess is still left on the field Children of all ages are encouraged to take part in physical activity and should not be put in a dangerous or filthy situation At this moment public fields are accessible with no means (bins) to dispose the waste The only option to prevent dog fouling is to completely fence off playing fields denying access

There is enough open space around this area to avoid dog owners walking on sports playing fields in my experience the main problem is the older age group who I have seen walk away without cleaning up after their pets and excuses range from not having enough bags to sheer arrogance and the younger generation leading the way here and being more responsible. It is a sorry state that when before our children can play on these areas a inspection as to be made to clear dog mess and never once have I had a empty bucket

Banning dogs from sports pitches isn't the issue it's the irresponsible owners who are at fault. More wardens should be employed to punish those who are to blame for allowing their dogs to foul on sports pitches, although where possible more strategically placed waste bins may help the situation.

we play at 11.30 so are generally the second game of the day so any dog fouling issues have been cleared by then it is acknowledged that it is almost impossible to stop dogs from access to playing pitches when they are in public parks

There is no problem with the dogs on the pitches it is the owners who do not clean up after them that is the problem.

As a coach I have to pick up dog mess off the pitch every training session and match days

There are ample areas within the Borough for dogs to be walked. Sports pitches have a defined purpose and dogs should not be allowed on them under any costs, people are in regular contact with the ground during some sports and the risks that dog faeces carry are far too great to take any chances.

Please give reasons for your answers below.

Dog fouling creates a hazard for those who play sport on the marked pitches contained in the parks within the borough. There are enough open grass areas within parks for dog owners to exercise their dogs without encroaching on the marked pitches. There are still instances where dog owners exercise their dogs on marked pitches and do not pick up the faeces deposited by their pets. I'm sure many of these people do not realise the risk this presents to those who partake in the sports which are played on the pitches

EQUALITY IMPACT ASSESSMENT FORM

October 2019

THE COUNCIL'S EQUALITIES STATEMENT

This Council recognises that people have different needs, requirements and goals and we will work actively against all forms of discrimination by promoting good relations and mutual respect within and between our communities, residents, elected members, job applicants and workforce.

We will also work to create equal access for everyone to our services, irrespective of ethnic origin, sex, age, marital status, sexual orientation, disability, gender reassignment, religious beliefs or non-belief, use of Welsh language, BSL or other languages, nationality, responsibility for any dependents or any other reason which cannot be shown to be justified.

EIAs are a legal requirement under equalities legislation (Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011) where the potential for a significant negative impact has been identified. This legislation has been in place since 2000. We also have a legislative duty to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010
- advance equality of opportunity between people who share a relevant protected characteristic and those who do not
- foster good relations between people who share a protected characteristic and those who do not.

The Act explains that having due regard for advancing equality involves:

- removing or minimising disadvantages experienced by people due to their protected characteristics
- taking steps to meet the needs of people from protected groups where these are different from the needs of other people
- encouraging people with protected characteristics to participate in public life or in other activities where their participation is disproportionately low.

The protected characteristics are:

- | | |
|----------------------------------|----------------------------------|
| • Age | • Race |
| • Disability | • Religion, Belief or Non-Belief |
| • Gender Re-assignment | • Sex |
| • Marriage and Civil Partnership | • Sexual Orientation |
| • Pregnancy and Maternity | • Welsh Language* |

* The Welsh language is not identified as a protected characteristic under the Equality Act

2010, however in Wales we also have to treat Welsh and English on an equal basis as well as promoting and facilitating the use of the Welsh language.

THE EQUALITY IMPACT ASSESSMENT

NAME OF NEW OR REVISED PROPOSAL*	Amendment of Public Space Protection Order on Dog Control Issues
DIRECTORATE	Communities
SERVICE AREA	Public Protection
CONTACT OFFICER	Gary Mumford
DATE FOR NEXT REVIEW OR REVISION	If Cabinet is minded to proceed with the proposal, the EIA will be reviewed and further informed by public feedback

***Throughout this Equalities Impact Assessment Form, ‘proposal’ is used to refer to what is being assessed, and therefore includes policies, strategies, functions, procedures, practices, initiatives, projects and savings proposals.**

The aim of an Equality Impact Assessment (EIA) is to ensure that Equalities and Welsh Language issues have been proactively considered throughout the decision making processes governing work undertaken by every service area in the Council as well as work done at a corporate level.

The Council’s work across Equalities, Welsh Language and Human Rights is covered in more detail through the **Equalities and Welsh Language Objectives and Action Plan 2016-2020**.

When carrying out an EIA you should consider both the positive and negative consequences of your proposals. If a project is designed for a specific group e.g. disabled people, you also need to think about what potential effects it could have on other areas e.g. young people with a disability, BME people with a disability.

There are a number of supporting guidance documents available on the **Corporate Policy Unit Portal** and the Council’s Equalities and Welsh Language team can provide advice as the EIA is being developed. Please note that the team does not write EIAs on behalf of service areas, the support offered is in the form of advice, suggestions and in effect, quality control.

Contact equalities@caerphilly.gov.uk for assistance.

PURPOSE OF THE PROPOSAL

1	<p>What is the proposal intended to achieve? <i>(Please give a brief description and outline the purpose of the new or updated proposal by way of introduction.)</i></p> <p>We are considering amending the Council's current Public Spaces Protection Order (PSPO) relating to dog control in Caerphilly CBC</p> <p>PSPOs are a relatively new provision, created by the Antisocial Behaviour, Crime and Policing Act 2014 intended to deal with any particular nuisances or problems in a defined area that are detrimental to the local community's quality of life. They can help by giving local authorities and police additional powers to tackle anti-social behaviour. The aim is to stop individuals or groups committing anti-social behaviour in public spaces by introducing restrictions on the use of an area.</p> <p>The proposed amendment to the current Caerphilly CBC will amend the current Public Spaces Protection Order, to introduce new measures to help tackle irresponsible dog owners.</p> <ul style="list-style-type: none">• Caerphilly County Borough Council is proposing the introduction of additional new controls under the public space protection order relating to dogs. Consideration will need to be given to the application of these exemptions across the different proposals. Excluding dogs from all Council owned marked sports/playing pitches. <p>Failure to comply with a PSPO would result in the dog's owner being issued with a fixed penalty notice. In the event of the fixed penalty notice not being paid, it is the Council's policy to prosecute.</p>
2	<p>Who are the service users affected by the proposal? <i>(Who will be affected by the delivery of this proposal? e.g. staff members, the public generally, or specific sections of the public i.e. youth groups, carers, road users, people using country parks, people on benefits etc. Are there any data gaps?)</i></p> <p>The proposed PSPO will affect everyone in the County Borough and affect anyone who is in control of a dog(s).</p> <p>Exemptions will be implemented for registered assistance dogs.</p>

IMPACT ON THE PUBLIC AND STAFF

3	<p>Does the proposal ensure that everyone has an equal access to all the services available or proposed, or benefits equally from the proposed changes, or does not lose out in greater or more severe ways due to the proposals?</p> <p><i>(What has been done to examine whether or not these groups have equal access to the service, or whether they need to receive the service in a different way from other people?)</i></p> <p>The proposal will not adversely affect service users as they will apply equally across the County Borough.</p> <p>In addition the orders will clarify the requirement in respect of dog control for everyone within the County Borough</p> <p>Dog Control Order and dog fouling legislation provides exemptions in particular cases for registered blind people, deaf people and for other members of the public with disabilities who make use of trained assistance dogs. Consideration will need to be given to the implementation of these exemptions.</p>
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4	<p>Is your proposal going to affect any people or groups of people with protected characteristics? <i>(Has the service delivery been examined to assess if there is any indirect effect on any groups? Could the consequences of the policy or savings proposal differ dependent upon people's protected characteristics?)</i></p>	
Protected Characteristic	Positive, Negative, Neutral	<p>What will the impact be? If the impact is negative how can it be mitigated?</p>
Age	Positive & Negative	<p>The exclusion of dogs from playing pitches will benefit children, youths and adults that play sport on marked sports pitches, as it will help provide a clean and safe area for sports to be played on.</p> <p>There may be a negative impact on older people with mobility difficulties if they are less able to access alternative areas to exercise their dog(s).</p>
Disability	Positive	<p>Dog Control Order and dog fouling legislation provides exemptions in particular cases for registered blind people, deaf people and for other members of the public with disabilities who make use of trained assistance dogs. Consideration will need to be given to the application of these exemptions</p> <p><u>Exemptions for Disabled People</u> The provisions in this Order do not apply to a person who:</p> <ul style="list-style-type: none"> (a) is registered as partially sighted or blind, in a register compiled under section 29 of the National Assistance Act 1948; or (b) is registered as "sight-impaired", "severely sight-impaired" or as "having sight and hearing impairments which, in combination, have a significant effect on their day to day lives", in a register compiled under section 18 of the Social Services and Well-being (Wales) Act 2014; (c) has a disability which affects their mobility, manual dexterity, physical co-ordination or otherwise move everyday objects, in respect of a dog trained by a prescribed charity and upon which they rely for assistance. <p>The dog exclusion provision in this Order does not apply to a dog trained by a registered charity to assist a person with a disability and upon which a disabled person relies for assistance. However, it is expected that all reasonable measures should be undertaken to prevent assistance dogs going onto marked sports pitches.</p> <p>When sporting activities take place on the pitches, dogs should be kept under control and not allowed to go onto the marked pitch.</p>

		For the purposes of this Order, a “disability” means a condition that qualifies as a disability for the purposes of the Equality Act 2010 and a “disabled person” means a person who has such a disability.
Gender Reassignment	Neutral	
Marriage & Civil Partnership	Neutral	
Pregnancy and Maternity	Neutral	
Race	Neutral	
Religion & Belief	Neutral	
Sex	Neutral	
Sexual Orientation	Neutral	

5	<p>In line with the requirements of the Welsh Language Standards. (No.1) Regulations 2015, please note below what effects, if any (whether positive or adverse), the proposal would have on opportunities for persons to use the Welsh language, and treating the Welsh language no less favourably than the English language.</p> <p><i>(The specific Policy Making Standards requirements are Standard numbers 88, 89, 90, 91, 92 and 93. The full detail of each Standard is available on the Corporate Policy Unit Portal. Although it is important that what is outlined in the proposal is available in Welsh and English, please consider wider impacts on Welsh speakers.)</i></p> <p>All signage and documents will be displayed and produced in Welsh and English.</p>
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INFORMATION COLLECTION

6	<p>Please outline any evidence and / or research you have collected which supports the proposal? This can include an analysis of service users. <i>(Is this service effectively engaging with all its potential users or is there higher or lower participation of uptake by one or more protected characteristic groups? If so, what has been done to address any difference in take up of the service? Does any savings proposal include an analysis of those affected?)</i></p> <p>Parks, sports pitches and public spaces are accessed by the community as a whole. With the proposed exemptions no individual or group should be adversely affected by the introduction of this proposal</p>
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CONSULTATION

7	<p>Please outline the consultation / engagement process and outline any key findings. <i>(Include method of consultation, objectives and target audience. What steps have been taken to ensure that people from various groups have been consulted during the development of this proposal? Have you referred to the Equalities Consultation and Monitoring Guidance?)</i></p> <p>An informal 12 week consultation took place with residents and stakeholders from April 2016 on a draft PSPO relating to dog control. 456 completed surveys were returned and a number of additional written responses were received from individuals and stakeholders.</p> <p>Fifty four percent of those who completed the survey agreed with the proposal to introduce a new requirement that makes it an offence to allow dogs onto all marked sports playing pitches owned by Caerphilly CBC. The proposal was supported by local sports clubs. However, a number of key stakeholders, including the Kennel Club, were in disagreement with the proposals and consequently, the draft order was amended to take on board the outcomes of the initial public consultation. As a result, the exclusion of dogs from council owned sports/playing pitches was removed from the revised draft order.</p> <p>A number of comments were received to the 2016 consultation that identified age and disability as areas for consideration when allowing dogs on sports and playing fields. A full list of comments is available in the Appendix of the report however a few comment have been included below as examples:</p> <p><i>“As a disabled person I often use sports and playing fields to exercise my dog as they are accessible and flat. My dog needs to be off lead so I can throw a toy as I cannot walk far. If I could not take my dog here I am unsure of where I could access. This goes for many elderly and disabled people in the county.”</i></p>
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“My age and disability make it difficult for me to access green spaces which requires me to walk up or down steep terrains. Without using a car I can not make use of the countryside. The only practicable green spaces available to me without a car are sports fields that are flat, allowing me to enjoy the fresh air, exercise myself and my dog. If I am denied access to these area, I feel it will detrimental to health and well being.”

In May 2019, an informal consultation was carried out with 82 sports clubs in across the county Borough. The informal consultation comprised of a questionnaire of closed questions regarding dog fouling on sports pitches Of the 24 clubs who responded, 71% (17 clubs) felt that the amount of dog fouling had increased or stayed the same, 88% (21 clubs) supported prohibiting dogs from marked sports pitches. No one who responses to the survey identified that their response had been impacted by any of the protected characteristics.

The informal consultation comprised of a questionnaire of closed questions regarding dog fouling on sports pitches.

It is proposed to repeat the informal public and stakeholder consultation as was carried out in 2016 for a period of 10 weeks and as previously, this will be is to be preceded by wide scale communication and engagement e.g. via the local press media, and the Council’s website, social media accounts and newsletter “Newslines”. Communication will continue throughout the consultation period with a view to raising awareness of the consultation and increasing the response rate.

The key consultation tool will be a questionnaire made available for online completion and pdf for printing if required, via the Council’s Website and shared on social media. The survey will also be provided in paper format at some key Council venues and with paper and alternative formats will be available on request.

Stakeholder groups will be contacted directly via e-mail or in writing and invited to respond to the survey. Those to be contacted will include the Kennel Club, Dogs Trust, RSPCA, Parent Network, Voluntary Sector, Community Safety Networks and all Head Teachers for the attention of parents. Groups representing the different equalities strands will also be consulted directly.

MONITORING AND REVIEW

8	<p>How will the proposal be monitored? <i>(What monitoring process has been set up to assess the extent that the service is being used by all sections of the community, or that the savings proposals are achieving the intended outcomes with no adverse impact? Are comments or complaints systems set up to record issues by Equalities category to be able analyse responses from particular groups?)</i></p>
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	<p>It is therefore proposed to monitor the proposals annually and review the number of service requests received.</p> <p>Any service requests received that identify any issues will be reviewed.</p> <p>We will be able to monitor to see how well they work, and to gather evidence to support the need for any further restrictions. If necessary, further PSPO's could be made in the future to address any ongoing problems</p> <p>-The PSPO will be reviewed every 3 years.</p> <p>Amendments and revisions can be considered before that time if the evidence is received that there is a need for additional controls or changes.</p> <p>The controls must meet the legal test and must be justified.</p>
<p>9</p>	<p>How will the monitoring be evaluated? <i>(What methods will be used to ensure that the needs of all sections of the community are being met?)</i></p> <p>The implementation of these proposals will be closely monitored by the Environmental Health Manager and their team to ensure that their introduction is having the desired effect of improving the area and ensure that no group has become adversely affected.</p> <p>Service requests will be analysed quarterly to see whether the proposals are having the impact desired.</p>
<p>10</p>	<p>Have any support / guidance / training requirements been identified? <i>(Has the EIA or consultation process shown a need for awareness raising amongst staff, or identified the need for Equalities or Welsh Language training of some sort?)</i></p> <p>Officers will receive training in the implementation of the underlying control measures contained within the proposal. Any additional requirements identified will be delivered in line with the Councils Policy and equalities team.</p>
<p>11</p>	<p>If any adverse impact has been identified, please outline any mitigation action.</p> <p>Dog Control Order and dog fouling legislation provides exemptions in particular cases for registered blind people, Deaf people and for other members of the public with disabilities who make use of trained assistance dogs. Consideration will need to be given to the application of these exemptions.</p>

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12	<p>What wider use will you make of this Equality Impact Assessment? <i>(What use will you make of this document i.e. as a consultation response, appendix to approval reports, publicity etc. in addition to the mandatory action shown below?)</i></p> <p>The EIA will be available as part of the Councils decision making process on the proposals and appended to the relevant report.</p>
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13	<p>An equality impact assessment may have four possible outcomes, through more than one may apply to a single proposal. Please indicate the relevant outcome(s) of the impact assessment below.</p> <p style="text-align: right;">Please tick as appropriate:</p> <p>No major change – the impact assessment demonstrated that the proposal was robust; there was no potential for discrimination or adverse impact. All opportunities to promote equality have been taken. <input checked="" type="checkbox"/></p> <p>Adjust the proposal – the impact assessment identified potential problems or missed opportunities. The proposal was adjusted to remove barriers or better promote equality. <input type="checkbox"/></p> <p>Continue the proposal – the impact assessment identified the potential problems or missed opportunities to promote equality. The justification(s) for continuing with it have been clearly set out. (The justification must be included in the impact assessment and must be in line with the duty to have due regard. Compelling reasons will be needed for the most important relevant proposals.) <input type="checkbox"/></p> <p>Stop and remove the proposal – the impact assessment identified actual or potential unlawful discrimination. The proposal was stopped and removed, or changed. <input type="checkbox"/></p>
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Form completed by:	
Name:	Ceri Edwards
Job Title:	Environmental Health Manager
Date:	2/10/2019

Head of Service Approval	
Name:	Rob Hartshorn
Job Title:	Head of Public Protection, Community and Leisure Services
Signature:	
Date:	18/10/2019



ENVIRONMENT AND SUSTAINABILITY SCRUTINY COMMITTEE – 29TH OCTOBER 2019

SUBJECT: CIVIL PARKING ENFORCEMENT – UPDATE REPORT

REPORT BY: INTERIM CORPORATE DIRECTOR – COMMUNITIES

1. PURPOSE OF REPORT

- 1.1 To update Scrutiny Committee on the implementation and impact of Civil Parking Enforcement (CPE) powers, since their introduction on 8th April 2019.

2. SUMMARY

- 2.1 Early indications are that the implementation of CPE has been broadly successful. Between 'Go Live' on the 8th April and the end of July 2019 there have been 514 requests for enforcement across the county borough. To the end of July 4,325 Penalty Charge Notices (PCNs) were issued, 70% of which have been paid with the remainder progressing through the appeals process.
- 2.2 Anecdotally there has been positive feedback about improvements in driver behaviour and greater parking availability and reduced congestion, particularly in the busiest areas. However, now that there is more pro-active enforcement of parking restrictions numerous requests have been received to consider changes to the Traffic Regulation Orders (TROs).

3. RECOMMENDATIONS

- 3.1 Members are asked to note the contents of this report and consider the following recommendations:
1. To note the content of this report and provide comments.
 2. To consider the outstanding requests for changes to parking related TROs and express views on what the priorities should be for the Council's limited resources.
 3. To consider whether or not to reconvene the Task & Finish group on the operation and management of highway owned Council car parks, and if so review the group's terms of reference.

4. REASONS FOR THE RECOMMENDATIONS

- 4.1 To enable Members to consider and comment on the impact of CPE and future work priorities and also to consider whether or not to continue the scrutiny review into the operation and management of the Council's car parks.

5. THE REPORT

5.1 Prior to CPE implementation, the following actions were successfully completed to enable the 'Go Live' on the 8th April 2019:

- A review was undertaken of the parking restriction related TRO across the county borough, to identify any remedial works necessary to bring them up to the required standard for CPE enforcement.
- The CPE application was submitted to and approved by Welsh Government.
- TRO remedial works were completed by March 2019.
- A TRO consolidation order was made.
- A Service Level Agreement for the back office function with Rhondda Cynon Taff County Borough Council (RCTCBC) was concluded for the notice processing service. This service provided by RCTCBC is known as the South Wales Parking Group (SWPG).
- Parking Enforcement Operational Policy: CCBC's enforcement protocol was revised and agreed.
- Resident Permit Parking Policy: a TRO was made to bring the existing permit parking schemes in Abercarn, Bargoed, Blackwood, Caerphilly, Risca, Newbridge, Rhymney and Ystrad Mynach in to line with the Council's approved resident permit parking policy. The charge of £15 per permit per annum was agreed by Cabinet on 28 November 2018.

5.2 The introduction of CPE across the county borough has been broadly successful and well received. The following provides an overview of the performance of the service up until the end of July 2019.

5.3 CPE Performance

5.3.1 Civil Enforcement Officer (CEO) Recruitment: the business case for CPE requires enforcement staffing resource of 8 full time equivalents. Since going live there has been a retirement and a resignation that means there is a slight shortfall in the complement of staff for which a recruitment exercise is ongoing. That said the service has managed to maintain a positive response to enforcement requirements across the county borough.

5.3.2 PCNs issued: between the Go live date and the end of July 4,325 PCNs were issued of which 3036 (70%) have already been paid. The remaining 30% are progressing through the appeals and debt recovery process.

5.3.3 Income received: The above PCNs have generated an income of £105,438. As there are still a number of PCNs progressing through the appeals and debt recovery process (which can take in excess of 3 months) a full picture against the original business case is not available at this time. However, early indications are that the service is on target to generate sufficient income to fund itself.

5.3.4 Appeals received/successful: The vast majority appeals have been upheld and payment received or is being pursued. So far only 11 cases have proceeded to the Traffic Penalty Tribunal (the ultimate external arbiter). Of the 2 so far heard, the Council has won both cases.

5.3.5 Requests for additional enforcement: since the Go Live up until the end of July 2019, 514 requests for additional enforcement have been received. Appendix 1 provides a summary of these requests by ward. Where possible these have been responded to as part of the ongoing enforcement rotas and routes. Now that the service is starting to settle down, more focus will be given to other areas of enforcement such as evenings.

- 5.3.6 Behaviour changes: early anecdotal information is broadly positive with reports of greater parking availability and reduced congestion in busy areas of the county borough.
- 5.3.7 Requests for changes to parking restrictions: since the Go Live up until the end of July 2019 numerous requests for changes to parking restrictions have been received. Appendix 2 provides Members with a list of the outstanding requests for changes to parking restrictions in the TRO's. This includes those requests received since the implementation of CPE up to the end of July.
- 5.3.8 Complaints/compliments/incidents/PR: despite the anecdotal feedback, only one complaint and two compliments have been formally received. While there have been some incidents of verbal abuse of the CEOs and throwing of eggs, fortunately there have been no serious incidents. Officers and managers will continue to ensure such incidents are not tolerated and are reported to Gwent Police.

5.4 **Issues**

- 5.4.1 Balance of enforcement activity: now that the implementation of CPE is starting to settle down, other areas of enforcement activity can be considered. Until now parking enforcement has been focused on the working day Monday to Saturday with regular routes in the main towns and busy commercial areas, with reactive enforcement elsewhere as requested and resources allow. Other areas of enforcement such as evenings and more outlying residential areas will receive more enforcement. Members' views are sought on whether this balance remains appropriate.
- 5.4.2 Agree a prioritised TRO programme: Appendix 2 provides Members with a list of the outstanding requests for changes to parking restrictions in the Traffic Regulation Orders. This will be included in the CPE Members' seminar arranged for the 23rd October, for which a summary of the views expressed will be reported verbally. Scrutiny Members are asked to consider these requests and express their views on where the priorities should lie for the limited resources available. Allowing for other day to day operational work and scheme related commitments, the Traffic Management team can generally progress up to 3 or 4 TRO area/ward reviews each year, depending on the level of consultation and engagement. The following advice may be beneficial:
- Revoking of parking restrictions is generally less contentious than adding them. Therefore a TRO to pick up all the requests for revoking/removing parking restrictions (e.g. double or single yellow lines) could benefit a number of wards at the same time.
 - For changes related to concerns over safety, congestion and improving public transport, it may be appropriate to afford them a higher priority.
 - Requests for changes to resident permit parking within the confines of the existing policy can be considered within the context of an area/ward TRO review, but can often be contentious and time consuming to progress. Where the request relates to a change of policy (e.g. extending the permit restrictions beyond 6pm) then they would require a broader more extensive debate given the implications for the whole of the county borough.
 - Requests could be prioritised simply based on the number of requests received/level of support expressed.
- 5.4.3 Regeneration & Environment Scrutiny Committee Car Parks Task and Finish Group: Scrutiny Committee agreed to suspend the work of the Task and Finish Group until after the implementation of CPE (refer to the background papers). Scrutiny Committee are now asked to consider whether or not to re-commence this Task and Finish Group work and review their Terms of Reference.

5.5 **Conclusion**

In light of the experience of CPE implementation since it went live on 8th April, all current indications are that it has been a successful launch and is having a positive impact on traffic congestion, the efficiency of public transport services, the economic attractiveness and future

vitality of all areas within the County Borough.

6. ASSUMPTIONS

- 6.1 No assumptions have been made in the preparation of this report. Only when a full 12 months of data is available will a full and clear picture be available on how the service is performing against the original business case and predicted income returns.

7. LINKS TO RELEVANT COUNCIL POLICIES

- 7.1 The following Council policies are relevant to the decision being requested.

7.2 Corporate Plan 2018-2023

- 7.2.1 This CPE service contributes towards the following Corporate Well-being Objectives:

Objective 4 - Promote a modern, integrated and sustainable transport system that increases opportunity, promotes prosperity and minimises the adverse impacts on the environment

Infrastructure Division Objective: To work towards a safer environment through positive measures to reduce road accidents and particularly by protecting and providing for vulnerable road users.

8. WELL-BEING OF FUTURE GENERATIONS

- 8.1 This service contributes to the following Well-being Goals:-

- A prosperous Wales
- A healthier Wales
- A more equal Wales
- A Wales of cohesive communities
- A globally responsible Wales

- 8.2 This proposal contributes to the Well-being Goals as set out in Links to Strategy above. It is consistent with the five ways of working as defined within the sustainable development principle in the Act in that:

- Long term resourcing of operation and management solutions of this specialised service provision allows for more effective and predictable resource/ financial commitments going forward.
- Taking direct control of CPE enables CCBC to increase prevention of parking disruption and congestion in conurbations contributing to the well-being of its communities.
- It forms part of an overall strategy integrating the traffic management of local roads to regional transport systems on which public transport, private users, cyclists and walking networks can operate.
- Collaboration with other organisations and local authorities enables a more effective and efficient service delivery.

9. EQUALITIES IMPLICATIONS

9.1 An EIA screening has been completed in accordance with the Council's Strategic Equality Plan and supplementary guidance. No potential for unlawful discrimination and/or low level or minor negative impact has been identified therefore a full EIA has not been carried out.

10. FINANCIAL IMPLICATIONS

10.1 There are no financial implications arising from this report.

11. PERSONNEL IMPLICATIONS

11.1 There are no personnel implications arising from the report.

12. CONSULTATIONS

12.1 All responses from consultations have been incorporated in the report.

12.2 A Members' Seminar has been arranged for the on 23rd October 2019. At the time of writing this report the seminar had not been held, so a summary of the meeting/discussion will be presented verbally to Members at the Scrutiny meeting.

13. STATUTORY POWER

13.1 The following enabling statutory powers apply to the CPE service.

- Traffic Management Act 2004.
- The Civil Enforcement of Road Traffic Contraventions (General Provisions) (Wales) Regulations 2013.
- The Civil Enforcement of Road Traffic Contraventions (Representations and Appeals) (Wales) Regulations 2013.
- The Civil Enforcement of Road Traffic Contraventions (Representations and Appeals) Removed Vehicles (Wales) Regulations 2013.
- The Civil Enforcement of Road Traffic Contraventions (Approved Devices) (Wales) Order 2013.
- The Civil Enforcement of Road Traffic Contraventions (Guidelines on Levels of Charges) (Wales) Order 2013

Author: Clive Campbell – Transportation Engineering Manager: campbc@caerphilly.gov.uk

Consultees: Cllr. D.T. Davies – Chair of Environment & Sustainability Scrutiny Committee
Cllr. A. Hussey - Vice Chair of Environment & Sustainability Scrutiny Committee
Cllr. Sean Morgan – Deputy Leader and Cabinet Member for Economy, Infrastructure, Sustainability and Well-being of Future Generations
Cllr. Eluned Stenner – Cabinet Member for Environment and Public Protection
Mark S Williams – Interim Corporate Director of Communities
Robert Tranter – Head of Legal Services and Monitoring Officer
Stephen Harris – Interim Head of Business Improvement Services & S.151 Officer
Marcus Lloyd – Head of Infrastructure
Dean Smith – Principal Engineer (Traffic Management)

Robert Hartshorn – Head of Public Protection, Community & Leisure Services
Ceri Edwards – Environmental Health Manager
Richard Crane – Principal Solicitor
Mike Eedy – Finance Manager
Shaun Watkins – Principal Personnel Officer
Anwen Cullinane – Senior Policy Officer – Equalities and Welsh Language
Kathryn Peters - Corporate Policy Manager

Background Papers:

Scoping of the Countywide Review of the Operation and Management of Highway Owned Car Parks
– Regeneration and Environment Scrutiny committee – 29 March 2016

Update on Task and Finish group review of the operation and management of Highway owned
Council car parks – Regeneration and Environment Scrutiny committee – 4 July 2017

Decriminalisation of Parking – Residents' Parking Amendment Order 2018 – Cabinet 28 November
2018

Civil Parking Enforcement Progress Report – Council 22 January 2019

Appendices:

Appendix 1 – Summary of requests for parking enforcement by ward (April – July 2019)

Appendix 2 – Summary of requests for changes to parking restrictions for existing Traffic Regulation
Orders

Appendix 3 – Equalities Impact Assessment Screening Form

Appendix 1 – Summary of requests for parking enforcement by ward (April to July 2019)

Ward	Total		Ward	Total
Aber Valley	6		Nelson	12
Aberbargoed	6		New Tredegar	1
Abercarn	25		Newbridge	14
Argoed	0		Pengam	9
Bargoed	43		Penmaen	3
Bedwas, Trethomas and Machen	24		Penyrheol	0
Blackwood	71		Pontllanfraith	23
Cefn Fforest	17		Pontlottyn	8
Crosskeys	10		Risca East	38
Crumlin	0		Risca West	3
Darran Valley	0		St Cattwg	0
Gilfach	1		St James	65
Hengoed	10		St Martins	8
Llanbradach	4		Twyn Carno	1
Maesycwmmmer	3		Ynysddu	8
Morgan Jones	65		Ystrad Mynach	32
Moriah	4		OVERALL TOTAL = 514	

These requests can be broken down in to type (i.e. double yellow lines, loading bay, schools, resident parking, obstruction at junctions, disabled bays, limited waiting bays, blocking of access and bus stops).

Appendix 2 - Summary of requests for changes to parking restrictions for existng Traffic Regulation Orders

WARD	LOCATION	DESCRIPTION
ABER VALLEY	BRYNHAFOD ROAD	DYLs
ABER VALLEY	CROSS STREET	DYLs
ABER VALLEY	THE SQUARE SENGHENYDD	DYLs
ABER VALLEY	BRYNHYRFYD TERRACE	DYLs
ABER VALLEY	SENGHENYDD	LOOK AT CENOTAPH
ABER VALLEY	BRYNGELLI	DYLs AROUND JCTS (SR050696)
ABERBARGOED	SCHOOL STREET	DYLs NEAR NEW BUILD
ABERBARGOED	BEDWELLY ROAD	DYLs TO CREATE PASSING PLACE
ABERCARN	CELYNEN DEVELOPMENT	DYLs
ABERCARN	HIGH MEADOW	DYLs
ABERCARN	ABERCARN POST OFFICE	DYLs
ABERCARN	RAILWAY TERRACE	REMOVE DYLs
ABERCARN	NEWPORT ROAD CWMCARN	REQUEST FOR LIMITED WAITING EXTENSION NORTHWARDS
ABERCARN	NEWPORT RD, CWMCARN	CHANGE SYL TO DYL AT NO 96-101
ARGOED	PENYLAN ROAD	DYLs
ARGOED	A4048/BANALOG TERRACE	DYLs AT JUNCTION
BEDWAS	GREENACRE GARDENS	EXTEND DYLs
BARGOED	CARDIFF ROAD	REPLACE BUS STOP OUTSIDE FAIRVIEW TRADE SALES WITH DYLs AS BUS STOP NOT USED
BARGOED	CARDIFF ROAD	REMOVE LTD WAITING/SINGLE YELLOW IN ONE-WAY SECTION/RESIDENTS ASSESSMENTS
BARGOED	GREENFIELD ST / FRANCIS STREET etc	AMEND LIMITED WAITING BAYS TO INCLUDE PERMIT HOLDERS
BARGOED	FRANCIS STREET	REDUCE LTD WAITING BAY SO IT DOES NOT RUN ACROSS PARKING BAY FOR 6A UPPER HIGH STREET
BARGOED	HILL STREET	CONSIDER REMOVAL OF DYLs OUSTIDE 23 HILL STREET
BLACKWOOD	WAUNBORFA / BRYN RD JUNCTION	DYLs NEAR PAPERSHOP
BLACKWOOD	PENYBRYN ROAD/PENCOED AVENUE	DYLs ON JUNCTION
BLACKWOOD	GOLWG Y BONT/HEOL DDERWEN	DYLs ON JUNCTION
BLACKWOOD	RHOSNEWYDD TERRACE	DYLs
BLACKWOOD	LANE TO REAR OF HOMELAND PLACE	DYLs
BLACKWOOD	GORDON ROAD/ST TUDORS	DYLs ON JUNCTION
BLACKWOOD	GARFIELD ST JUNCTION	DYLs
BLACKWOOD	37 GROESO SQUARE	REMOVE DISABLED BAY
BLACKWOOD	LANE TO REAR OF DAVID STREET	DYLs
BLACKWOOD	WILLIAM STREET	EXTEND RESIDENTS PARKING BAY BETWEEN 38-48
BLACKWOOD	WOODBINE CLOSE	DYLs ON LANE AND AROUND CORNER LEADINGTO HOUSES (SR075211)
BTM	CHURCH ROAD	EXTEND TIME ON LIMITED WAITING FROM 15 TO 30 MINUTES
BTM	GREENWAY	DYLs
BTM	TYDFIL ROAD	DYLs

WARD	LOCATION	DESCRIPTION
BTM	PANDY LANE	DYLs
BTM	LEWIS STREET MACHEN	DYLs
BTM	BEDWAS HIGH SCHOOL	DYLs AT MAIN SCHOOL GATE
BTM	PANDY ROAD, BEDWAS	DYLs
CEFN FFOREST	FAIRVIEW / STONEHOUSE	DYLs
CROSSKEYS	SILVER STREET, PONTYWAUN	DYLs (SR053973)
CROSSKEYS	CASTLE LANE PONTYWAUN	DYL ON HILL NEAR JNCN WITH NORTH ROAD
CROSSKEYS	RISCA ROAD	RESIDENTS PARKING (SR047289)
CROSSKEYS	COBDEN STREET	REMOVAL OF DISABLED BAY (SR060095)
	B4591 MEDART	
CROSSKEYS	PLACE/GREENMEADOW DRINE JCT	DYLs (SR075355)
CRUMLIN	PEN-Y-FAN POND	DYLs
CRUMLIN	COMMERCIAL ROAD/WHITETHORNE ST	DYLs TO STOP VEHICLES PARKING UP TO JNCN
CRUMLIN	CRUMLIN SQUARE	LTD WAITING & DISABLED BAYS OUTSIDE SHOPS (SR075064)
CWMCARN	NEWPORT ROAD	REMOVAL OF RESIDENTS PARKING BAY
CWMCARN	NEWPORT ROAD	REMOVAL OF LIMITED WAITING (SR069162 PLUS OTHERS - include section opposite PO)
CRUMLIN	PENYFAN ACCESS ROAD	DYLs ON POND ACCESS
DARRAN VALLEY	YSGWYDDWYN	DYLs
DARRAN VALLEY	HILLSIDE TERRACE	DYLs
DERI	GLYNMARCH STREET	REQUEST FOR PARKING RESTRICTIONS AT SCHOOL
FOCHRIW	BROOK ROW/GLYN TCE JUNCTION	DYLs
GELLIGAER	LANE TO SIDE OF SURGERY	DYLs
GILFACH	PARK PLACE	REMOVE SYLs
MAESYCWMMER	PREMIER STORES	LIMITED WAITING
MAESYCWMMER	HAWTIN PARK	DYLs
MORGAN JONES	CRESCENT ROAD	DYLs AT CROSSING POINT
MORGAN JONES	SIR STAFFORD CLOSE	DYLs NEAR FUNERAL HOME
MORGAN JONES	BEDWAS ROAD	DYLs NEAR DJ TYRES (SR030650)
MORGAN JONES	SIR STAFFORD CLOSE	DYLs ON BEND (SR030715)
MORGAN JONES	PARC Y FELIN STREET	DYLs AT ENTRANCE (SR032248)
MORGAN JONES	ACCESS ROAD MORGAN JONES PARK	DYLs
MORGAN JONES	GELLIR FELIN	DYLs
MORGAN JONES	LAWRENCE STREET	CONSIDER FILLING IN GAP IN PERMIT PARKING BAY BETWEEN NO.S 29 & 37
MORGAN JONES	MELVILLE TERRACE	REMOVE DYLs
MORGAN JONES	SOUTH PANDY LANE	RESIDENTS PARKING
MORIAH	WARNE TERRACE ABERTYSSWG	REMOVE SKC
MORIAH	HIGH STRET RHYMNEY	REMOVE PARKING BAYS FORMALISE BUS STOP
NELSON	LLANCAIACH VIEW / TAWEL FAN	DYLs

WARD	LOCATION	DESCRIPTION
NELSON	WERN CRESCENT	DYLs
NELSON	BROOKLANDS AT JNCNWITH B4255	DYLs BOTH SIDES
NELSON	HEOL FAWR	EXTENDED DYLs
NELSON	HIGH STREET	DYLs AT JUNCTION BETWEEN 79 AND 81 (SR67639) & OUTSIDE OR OPPOSITE CHURCH WHERE RD NOT WIDE ENOUGH TO PARK BOTH SIDES (SR070703)
NELSON	HIGH STREET	REMOVE DYLs
NELSON	HIGH STREET	LIMITED WAITING OUTSIDE WELLINGTON STORES
NEW TREDEGAR	BIRCHGROVE	DYLs FOR REFUSE
NEW TREDEGAR	BRISTOL TERRACE, BRITHDIR	DYLs OPPOSITE GARAGE (26)
NEWBRIDGE	MEREDITH TERRACE	RESIDENT PARKING PERMITS REQUESTED (SR074824)
NEWBRIDGE	FOX AVENUE	DYLs
NEWBRIDGE	TYNEWYDD TERRACE	EXTEND POW ACROSS NO 55
NEWBRIDGE	ENTRANCE TO TRECelyn HOUSE	DYLs
NEWBRIDGE	PARK ROAD / HOLLY TERRACE	DYLs
PENGAM	PENGAM ROAD	REVOKE DYLs
PENMAEN	NEW ROAD WOODFIELDSDIE	DYLs
PENMAEN	BRYN HOWARD TERRACE	POLICE VEHICLES ONLY (SCEU)
PENYRHEOL	PLAS HYFRED	DYLs NEAR TRAVELODGE
PENYRHEOL	GLENFEILDS ESTATE CAERPHILLY	DYLs AT ENTRANCE (SR050447)
PONTLLANFRAITH	VALLEY VIEW	DYLs
PONTLLANFRAITH	TRAM ROAD	DYLs (SR070571)
PONTLLANFRAITH	PENMAEN ROAD	REMOVE DYLs
PONTLLANFRAITH	NEWBRIDGE ROAD	DYLs AT JUNCTION WITH ELIM WAY (SR044293)
PONTLLANFRAITH	BRYNTEG AVENUE	CONSIDER REMOVING APPROX 15M DYLs FROM SCHOOL END & SOME FROM PENLLWYN LANE (SR074917)
RHYMNEY	HIGH STREET REAR LANE	DYLs OPPOSITE GARAGE (SR035158)
RISCA	COMMERCIAL ST OUTSIDE LIBRARY	DISABLED BAY (SR050444)
RISCA	FERNLEA	DYLs
RISCA EAST	THISTLE WAY	DYLs
RISCA EAST	SEVERN CLOSE	DYLs
RISCA WEST	TREDEGAR STREET	CONSIDER CONVERTING LIMITED WAITING TO UNRESTRICTED (SR039561 & SR073484)
ST CATTWG	NORTH ROAD, PENALLTA IND EST	DYLs SR050949
ST JAMES	VAN ROAD (IND EST)	DYLs AT WERNDDU COURT
ST JAMES	RUDRY	DYLs NEAR GARTH CLOSE (EXTENSION)
ST MARTINS	MAES GLAS/MEADOW CRESCENT	DYLs AT JUNCTION
ST MARTINS	CLAUDE ROAD	SHORTEN PARKING NEAR 130 (SR027021)
ST MARTINS	FFORDD TRAWS CWM	DYLs NEAR BUST STOP BY LAKE
ST MARTINS	WESTERN IND EST	REVOKE DYLs
ST MARTINS	LANE ACCESSING ABER STATION CAR PARK	DYLs (SR036748)
ST MARTINS	GOODRICH FLATS, VAN ROAD	DYLs SR051664

WARD	LOCATION	DESCRIPTION
ST MARTINS	SPORTS DIRECT SIDE LANE	DYLs FULL LENGTH (SR059018)
ST MARTINS	GOODRICH STREET REAR LANE	PROHIBITION OF DRIVING
ST MARTINS	LUDLOW STREET	INCLUDE RESIDENTS ONLY IN LIMITED WAITING BAYS
ST MARTINS	BARTLETT STREET	INCLUDE RESIDENTS ONLY IN LIMITED WAITING BAYS
ST MARTINS	SOUTHERN STREET	EXTEND LIMITED WAITING BAYS
ST MARTINS	MARKET STREET	DYLs NEEDED IN BUS LANE AS CAN'T ENFORCE FOOTWAY PARKING
ST MARTINS	NORTH VIEW TERRACE	RESIDENTS PARKING
TWYN CARNO	OAKLAND TERRACE	DYLs
YNYSDDU	WATTSVILLE	POD FOR COUNTRYSIDE
YNYSDDU	HILL VIEW	REMOVAL OF DISABLED BAY (SR073275)
YNYSDDU	WESTERN TERRACE, CWMFELINFACH	DYLs OPPOSITE LANE (SR037801)
YSTRAD MYNACH	GEORGE STREET	DYLs
YSTRAD MYNACH	BEDWLWYN ROAD	DYLs
YSTRAD MYNACH	LEWIS STREET	WHEN REVIEWING RESIDENTS PARKING INC NO 42
YSTRAD MYNACH	CEDAR WAY	DYLs AT JUNCTION WITH A472
YSTRAD MYNACH	BUZZARD WAY/Dragon Way JCT, CWM CALON	DYLs
YSTRAD MYNACH	DUFFRYN INDUSTRIAL ESTATE	DYLs
YSTRAD MYNACH	CHURCH STREET	CHANGE LIMITED WAITNG BAYS TO INCLUDE PERMIT HOLDERS
YSTRAD MYNACH	PARK STREET	DYLs
YSTRAD MYNACH	GEORGE STREET & GLENVIEW	CONSIDER DYLs AT JUNCTION WITH PENALLTA ROAD TO FACILITATE BIN COLLECTION
YSTRAD MYNACH	OAKFIELD STREET	REMOVE DYLs OPPOSITE THE SURGERY



CCBC - Equality Impact Assessment Screening Form

This completed form must be appended to any report being proposed for a decision if it determines that a full Equality Impact Assessment is not required

SECTION 1

Which service area and directorate are you from?	
Service Area:	Infrastructure (Transportation Engineering)
Directorate:	Communities

For the majority of these questions, you can tick more than one box as more than one option may be relevant

Q1(a) WHAT ARE YOU SCREENING FOR RELEVANCE?					
Service/Function	Policy/Procedure	Project	Strategy	Plan	Proposal
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Q1(b) Please name and describe here: <i>(Press F1 for guidance – top row on keyboard)</i>
Considering the impact of the implementation of Civil Parking Enforcement since the 8 th April 2019.

Q2(a) WHAT DOES Q1a RELATE TO?		
Direct front line service delivery (High)	Indirect front line service delivery (Medium)	Indirect back room service delivery (Low)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Q2(b) DO YOUR CUSTOMERS/CLIENTS ACCESS THIS...?			
Because they need to (High)	Because they have to (Medium)	Because it is automatically provided to everyone in the county borough (Medium)	On an internal basis i.e. staff (Low)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Q3 WHAT IS THE POTENTIAL IMPACT ON THE FOLLOWING... High, Medium and Low do not mean the same as positive or negative – a high impact could be a positive impact on a particular group... Is your proposal likely to impact disproportionately in any way (good or bad) on a particular group?

	High Impact (High)	Medium Impact (Medium)	Low Impact (Low)	Don't Know (High)
Children/Young People	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Older People (50+)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Any other age group	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Disability	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Race (including refugees)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Asylum Seekers	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gypsies & Travellers	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Religion or (non-)belief	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sex	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sexual Orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gender Reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Welsh Language	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Poverty/social exclusion	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Carers (inc. Young carers)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Community Cohesion	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Marriage & Civil Partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Pregnancy & Maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Q4 WHAT ENGAGEMENT / CONSULTATION / CO-PRODUCTIVE APPROACHES WILL YOU UNDERTAKE? Please provide details below – either of your planned activities or your reasons for not undertaking engagement. (Press F1 for guidance – top row on keyboard)

Officers will continue to review and respond to requests from Members and the public and any feedback on the service.

Q5(a) HOW VISIBLE IS THIS INITIATIVE TO THE GENERAL PUBLIC?		
High Visibility (High)	Medium Visibility (Medium)	Low Visibility (Low)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

(b) WHAT IS THE POTENTIAL RISK TO THE COUNCIL'S REPUTATION? (Consider the following impacts – legal, financial, political, media, public perception etc...)		
High Risk (High)	Medium Risk (Medium)	Low Risk (Low)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Q6 Will this initiative have an impact (however minor) on any other Council service?	
Yes	No
<input type="checkbox"/>	<input checked="" type="checkbox"/>
If Yes, please provide details below	

Q7 HOW DID YOU SCORE? Please tick the relevant box	
<p>Q3 counts as one despite the large number of groups – use the highest recorded impact when calculating your score.</p> <p>This is not an exact science – a high result might not necessarily result in a full EIA report e.g. it may be governed by other legislation or by Welsh Government, resulting in a lack of control at our end.</p> <p>The most important thing is your answer to Q8...</p>	
Mostly <u>HIGH</u> and/or <u>MEDIUM</u> → HIGH PRIORITY →	<input type="checkbox"/> EIA to be completed. Please go to Section 2.
Mostly <u>LOW</u> → LOW PRIORITY/NOT RELEVANT →	<input checked="" type="checkbox"/> Do not complete EIA. Go to Q8 followed by Section 2.

Q8 If you determine that this initiative is not relevant for an EIA report; you must provide a full explanation here. Please ensure that you cover all of the relevant protected characteristic groups. (Press F1 for guidance – top row on keyboard)

An EIA was considered at the time a decision was taken to implement CPE. This current report is only a review of CPE since implementation. No changes to the powers or policy under CPE are proposed at this time.

SECTION 2

Screening Completed by:

Name:	Clive Campbell
Job Title:	Transportation Engineering Manager
Date:	14 August 2019

Head of Service Approval:

Name:	Marcus Lloyd
Job Title:	Head of Infrastructure
Date:	19-9-19

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