



REGENERATION AND ENVIRONMENT SCRUTINY COMMITTEE

**MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH ON
TUESDAY, 12TH DECEMBER 2017 AT 5.30 P.M.**

PRESENT:

Councillor D.T. Davies - Chair
Councillor Mrs C. Forehead - Vice-Chair

Councillors:

C. Elsbury, R.W. Gough, A. Hussey, S. Kent, J. Ridgewell, J. Scriven, A. Whitcombe, T.J. Williams, W. Williams and B. Zaplatynski

Cabinet Members:

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

Together with:

C. Harry (Corporate Director - Communities), M.S. Williams (Head of Community and Leisure Services), J. Reynolds (Sports and Leisure Facilities Manager), M. Lloyd (Deputy Head of Programmes), T. Stephens (Development Control Manager – Planning) and C. Evans (Committee Services Officer)

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors J. Bevan, A.G. Higgs, Ms P. Leonard and G. Simmonds.

2. DECLARATIONS OF INTEREST

Mr M.S. Williams (Head of Community and Leisure Services declared an interest in Agenda Item 9 (Outcome of Consultation on the Potential Closure of Pontllanfraith Leisure Centre.). Details are minuted with the respective item.

3. MINUTES – 1ST NOVEMBER 2017

RESOLVED that the minutes of the Regeneration and Environment Scrutiny Committee meeting held on 1st November 2017 (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. REGENERATION AND ENVIRONMENT SCRUTINY COMMITTEE FORWARD WORK PROGRAMME

Emma Sullivan (Scrutiny Officer) presented the report, which outlined details of the Regeneration and Environment Scrutiny Committee Forward Work Programme (FWP).

Members were advised that the FWP outlines the reports planned for the period December 2017 to June 2018. The Scrutiny Committee were asked to consider the FWP alongside the Cabinet Work Programme as appended to the report and suggest any changes prior to it being finalised and published on the Council's website.

In addition, the Scrutiny Committee were advised that, should they be in agreement, site visits would be arranged at the tourism venues across the Borough. The Committee were in agreement and Officers agreed to make the arrangements in the new year.

6. REPORT OF THE CABINET MEMBERS

The Scrutiny Committee received the reports of Councillors Mrs E. Stenner, N. George and S. Morgan. Questions and comments were invited on the report contents.

Councillor Mrs E. Stenner (Cabinet Member for Environment and Public Protection) provided Members with an update on Development Management, and it was noted that the biggest challenge for the planning service remains the lack of a five year housing land supply, attracting speculative applications for planning permission from the volume homebuilders and making local the local planning authority vulnerable at appeal.

The Cabinet Member also detailed work undertaken on the Strategic Development Plan, which was a commitment as part of the City Deal Agreement. A report will be presented to City Deal Joint Cabinet on the Strategic Development Plan and later to Council, outlining how this will be progressed alongside the development of a new Local Development Plan (LDP). A Member raised concerns about the number of housing developments being proposed and under construction, with particular concern for the impacts on highways infrastructures, in particular Pwll-Y-Pant. Officers assured Members that the infrastructure improvements underway at Pwll-Y-Pant were designed to manage current and future pressures. In addition, the LDP has to have consideration for all developments across the Borough as a whole, which will also include the developments to the Metro.

Councillor N. George (Cabinet Member Neighbourhood Services) provided Members with an update on his portfolio and asked the Committee to note that the annual Pride in your Place Awards, in which the work of community volunteers is rewarded for the work undertaken to enhance the look and feel of the County Borough. The Committee noted that, on the back of the Pride in your Place success, Caerphilly CBC has been shortlisted in the Communities Category in the Local Government Chronicle National Awards. The entry is framed around "maximising social capital by encouraging people to do their bit to improve the quality of their local environment". The submission has significant links to the Well-being for Future Generations Act as it involves getting people active by volunteering and creating pride and a better sense of well-being in our communities.

A Member sought clarification on the entry into the Local Government Chronicle National Awards and what work has been undertaken in order to improve the quality of the local environment. The Cabinet Member confirmed that there has been a significant amount of work undertaken within communities from voluntary and environmental services and community groups.

Councillor S. Morgan (Deputy Leader and Cabinet Member for Economy, Infrastructure and Sustainability) provided the Scrutiny Committee with an update on the developments within his portfolio. Members were keen to note the progress on Pwll-Y-Pant Roundabout improvements and it was noted that Officers within Engineering Project Group have been working closely with colleagues and the contractor to look at options to reduce disruption to the travelling public, businesses and local residents caused by the extensive works. As a result, the Committee noted that 2-lane running was re-introduced on 30 November for a limited period, until 8 January 2018. In addition, it was noted that Cabinet had made a decision to allow 2-hours free car parking in Caerphilly Town Centre car parks for 2 weeks leading up to Christmas in response to concerns raised by town centre businesses. However, the Committee notes that all avenues are being explored in order to minimise the disruption caused by the works, any changes to the works phasing results in increased costs and possible delays to completion, therefore additional funds are being sought from Welsh Government, which would be required to allow any fundamental changes to the approach taken to complete the works.

In noting that there has been a significant decrease in traffic congestion and delays as a result of the 2-lane running at Pwll-Y-Pant, a Member queried whether an impact assessment was undertaken. Officers explained that there was no impact assessment undertaken, however, detailed discussions took place with Welsh Government prior to commencement of works and discussions are currently underway in order to seek additional funding to limit the impact to users.

The Cabinet Member detailed that the gritting crews have been very busy over the last few weeks in order to meet the winter pressures and inclement weather conditions, to ensure that gritting routes remain safe for road users. Continuous monitoring of weather forecasts and conditions will continue until the end of the season in April.

A Member sought assurance that, following the recent snow, there were sufficient salt supplies in stock. Officers assured Members that there is sufficient stock and a delivery is also expected. Stock is regularly monitored and maintained.

7. CABINET REPORTS

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

8. NOTICE OF MOTION – PROVISION OF RECYCLE BINS TO RESIDENTS

At the request of the Member submitting the motion, the Scrutiny Committee agreed to defer this item until the next meeting.

REPORTS OF OFFICERS

Consideration was given to the following reports.

9. OUTCOME OF CONSULTATION ON THE POTENTIAL CLOSURE OF PONTLLANFRAITH LEISURE CENTRE

Mark S. Williams (Head of Community and Leisure Services) declared an interest in the item in that he is Vice Chair of Governors at Blackwood Comprehensive School and left the meeting during its consideration.

The report provided Regeneration and Environment Scrutiny Committee with an update on the outcome of the consultation undertaken with respect to the potential closure of Pontllanfraith Leisure Centre.

At the Regeneration and Environment Scrutiny Committee on 1st November 2017, the Committee considered the proposal to close Pontllanfraith Leisure Centre as key consultees in the consultation process. The consultation process commenced on 9th October 2017 and, as a result of a request from the Scrutiny Committee, the consultation period was extended from by a further 2 weeks and the outcome of the consultation be reported back to Scrutiny, prior to consideration by Cabinet.

Members noted that the consultation process included notices in the Leisure Centre, paper comment forms, notification of the consultation on the Caerphilly County Borough Council website, on-line questionnaire, 2 public meetings were held, meetings were offered with local Ward Members, notification sent to the Town and Community Councils in the area seeking their views and discussions with staff and Trade Unions.

The report provided the Committee with a graphical analysis of the wider public consultation, which was outlined within the summary report appended to the report. In addition, the report detailed 3 consultation questions, including the impact of the closure of Pontllanfraith Leisure Centre on users, whether alternative provision is available and how the impact of the closure could be further reduced. Some of the key themes that came as a result of the consultation were that people would have further to travel for alternative services, the loss of the 3G pitch at the site and impact on the teams that use the site for competitive senior matches, impact of housing growth in the area on alternative service provision, impact on elderly users of the facility and impact on fitness classes currently provided.

Members were assured that, where possible Officers have sourced alternative provisions and services in order to meet and address concerns raised, which included locating classes at alternative venues or leisure centres, a 21st Century Schools bid has been submitted to Welsh Government in order to provide a 3G pitch at Blackwood Comprehensive School, however alternative grass based compliant pitches have been suggested favourably to the 2 teams currently using the 3G at Pontllanfraith Leisure Centre, retro-fitted barriers are able to be fitted at Islwyn High School's 3G pitch, in order to meet Welsh FA requirements. In addition, Members noted that there is scope to keep the 3G pitch in use until 31st March 2018.

The Scrutiny Committee were also asked to consider a request from Councillor K. Etheridge to hold a local referendum in the Pontllanfraith and Blackwood area on the closure of the Leisure Centre, due to the strong feeling and public representation for the proposal.

The Scrutiny Committee thanked the Officers for the detailed report and discussion ensued.

Members expressed significant concern that there was insufficient consultation undertaken on the closure and a lack of inclusion of Ward Members in the consultation process. Officers highlighted that the proposal is one of controversy and not one that has been taken lightly or easily, however Members were assured that there has been extensive consultation undertaken with all stakeholders, users and Ward Members. In addition, Members were asked to provide further suggestions on what could be done in order to meet expectations in consultation. No suggestions were offered.

Having consideration for the proposal for a referendum, a Member proposed that the report be deferred for further consultation. This was moved and seconded and by a show of hands the motion was lost.

A Member raised concerns around Safeguarding, with particular concern for the use of school halls in order to provide leisure/ fitness classes. Officers assured the Committee that Safeguarding is paramount and with this in mind, the proposal is primarily to provide accommodation for evening classes.

Members discussed the 3G pitch and it was recommended that, Officers continue to pursue options for additional funding in order to provide a 3G pitch at Blackwood Comprehensive School, and also consider underwriting costs.

Discussions took place around the use of school sites and facilities. Officers explained that informal discussions have been undertaken with Islwyn High School and an agreement would need to be finalised in terms of management, funding, supervision and opening times, however, Officers explained that there would be limited usage of school sites during the day.

Following consideration and discussion, it was agreed that Officers reflect the recommendations and views of the Scrutiny Committee to Cabinet that they felt that there was insufficient consultation with Ward Members around the proposed closure of Pontllanfraith Leisure Centre and that should the bid for 21st Century Schools Funding to provide a 3G pitch at Blackwood Comprehensive School be unsuccessful, alternative sources of funding be explored;

10. DECRIMINALISATION OF PARKING – STAGE 1 REPORT

The report asked the Scrutiny Committee to consider the outcomes from the options appraisal undertaken to date on the implications of taking on Civil Parking Enforcement (CPE) Powers, and sought their views on how these findings should be developed further, in order to propose the most economical, effective and efficient service delivery model for the Council.

It was noted that, on 16th February 2017, Gwent Police confirmed in writing to all 5 Gwent Local Authorities that they intend “to withdraw its officers and staff from activities that involve enforcing parking restrictions” as of 1st April 2018. Gwent is the only area of Wales where the local authorities have not taken on Civil Parking Enforcement powers, and the communication from Gwent Police now forces the local authorities in the area to decide whether or not to take on these powers.

As a result, the five local authorities have subsequently commissioned a study to investigate the feasibility of creating a Civil Enforcement Area and Special Enforcement Area (CEA/SEA) across each administrative area and for the whole of Gwent. The resulting financial viability of these options shows a mixed picture across the five local authorities however, for CCBC it shows that all options can generate an annual surplus but are unlikely to generate enough income to cover the set up costs after 5 years.

The report provided Members with details of the advantages of CCBC introducing CPE, which included control over where, when and how the parking in the county is controlled, thus enabling more flexible service provision where needed, the service could eventually become self-financing, improved compliance will be seen in permitted parking spaces and a reduction in congestion around amenities as drivers can find available space more easily. Some of the disadvantages included; based on the current free parking provision on and off-street across the County, any increased enforcement of parking restrictions would simply move the majority of vehicles to the off street areas that are available; the issue of physical violence after the start of CPE is also important to consider. In areas which have already adopted the powers, it has been found that Council CEOs are more prone to physical abuse and even attack than are Police personnel, so an excellent link to the police to request urgent assistance is essential.

The report provided details of collaboration in which, should CCBC decide to collaborate with the other Gwent local authorities to provide a joint service, for all the options considered in the financial models, an operational surplus is forecast for CCBC which increases with collaboration. This is not the case for all local authorities (whether operating individually or as a Gwent region) and may influence their decision making on whether to collaborate or not.

It was noted that the current notification is that Gwent Police will withdraw from parking enforcement by April 2018. Even if a decision is taken now to adopt CPE powers, it would not be possible to have them in place and enforceable by April 2018. Discussions are ongoing with Gwent Police for them to delay any withdrawal of their services in relation to parking enforcement until the Gwent authorities are in a position to adopt the relevant powers if the authorities support the decision. Should the Gwent authorities not support taking on the powers of CPE, it is currently unknown whether Gwent Police would continue to support enforcement.

In reference to Community Safety Wardens, it was noted that some Authorities have expressed a wish that the CEOs have a dual role in that they enforce other aspects of street management such as litter dropping and dog fouling. The legislation governing the CEO precludes this dual enforcement role being undertaken simultaneously and it could also affect the financial predictions should the CEOs be doing something other than parking enforcement.

Members were asked to consider whether the Authority should take on CPE powers, and if so, should the Authority have direct operation control, offer a shared service or outsource provision.

The Scrutiny Committee thanked the Officer for the detailed report and discussion ensued.

A Member raised concern that, should service provision be withdrawn from December 2017, what resources would be in place in order to provide a service. Officers explained that, following recent dialogue with Gwent Police, there is clear indication the service will not be withdrawn until 2018, Members were also asked to note that Gwent Authorities and Gwent Police have good working relationships and all will be done in order to ensure there is enforcement in place.

Detailed discussions took place around timescales for set up and cost implications and it was agreed to recommend to Cabinet that the delivery model best placed to serve the needs of the county borough and its citizens would be to seek a Gwent wide collaborative approach for the back-office arrangements and on-street Enforcement be undertaken within Caerphilly CBC.

11. PLANNING CONSULTATION PROCEDURE FOR APPLICATIONS THAT INVOLVE TELECOMMUNICATIONS MASTS

The report sought Members consideration on a proposal to amend the local planning authority's current consultation procedure with regard to telecommunications masts.

Members noted that the Council resolved in 2005 to adopt a consultation procedure whereby any application for planning permission, for, or a notification about telecommunications masts should be subject to a public consultation with all local education establishments within 300m, and all residential development within 250m of the proposed site.

The report requested Members consideration and comment on a proposal to reduce that requirement so that telecommunications masts are subject to the similar consultation procedures to other developments, i.e. only adjoining properties will be sent a letter, but a site notice will be posted in every case, and the need to consult local schools will be retained.

It was noted that the current approach reflects the concerns of members and the public about the effect of telecommunications masts on health. However, Members were asked to consider whether the consultation process is necessary, as it was evident from analysis that the number of comments received are very small compared to the number of consultations sent out. It was noted that a recent application required 730 consultations but only resulted in 2 responses. It was estimated that the total cost of carrying out that level of publicity, including postage, paper and printing is £508.80. That cost did not include staff time, or the cost of determining the application which included a professional officer's time, and members' time because it was reported to Planning Committee and involved a site visit. The statutory fee received for the application in that case was only £380. In addition, with the growing use of mobile phones, there is a greater acceptance of the associated masts.

Members were assured that there is a Code of Best Practice on Mobile Phone Network Development, which was adopted by Welsh Government in 2002. The document, amongst other things encourages telecommunications companies to consult ward councillors, community councillors and schools in certain cases. In addition, extensive advice is given by the code on the need to consult schools and FE colleges. Where it is proposed to install, alter or replace a mobile phone base station on or near a school or college, operators should discuss the proposed development with the relevant body of that particular institution before submitting an application for planning permission, or a notification to the local planning authority.

The Committee were further assured in that all applications for planning permission or notifications have to be accompanied by a certificate of compliance with the International Commission on Non-Ionizing Radiation Protection (ICNIRP) guidelines for public exposure to transmission from masts. That has long been regarded, including by environmental health officers, as sufficient assurance that the masts are acceptable from a public health point of view.

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

RESOLVED that for the reasons outlined in the Officers report and having consideration for the reasons and rational relating to the recommendation to reduce the level of planning consultation to that associated with other applications and notifications, and provide an amended procedure, the Scrutiny Committee supported the recommendation and referred the report to Council for endorsement.

12. ANNUAL PERFORMANCE REPORT – PLANNING

The report advised members of the contents of the Annual Performance Report (APR) for the Planning service of the Planning and Regeneration Division, which encompasses the Development Management and the Strategic Development Plan groups.

It was noted that the APR was proposed by Welsh Government as a result of the 'Positive Planning' consultation in December 2013. They consulted on a series of proposals for measuring the performance of key stakeholders in the planning service and proposed that stakeholders should prepare an annual report, discussing how their organisation had performed against the indicators, identifying what it had done well so that this can be shared with others, and what steps might be taken to address areas of performance in need of improvement.

The first reports were submitted in November 2015 the latest draft report, which was submitted to Welsh Government in early November 2017, was appended to the report. Members noted that, in summary, the report demonstrated that there has been improvement

in performance over the past year, compared to previous years and other local planning authorities in Wales. However, Members noted that there continues to be areas for improvement that need to be addressed over the coming year, and the APR is a useful means of identifying those areas, establishing appropriate actions, and measuring progress.

The Committee thanked the Officer for the report and discussion ensued. Members were pleased to note the improvements made and comments were made around the number of accepted appeals and implications to the Council, as a Local Planning Authority.

Following consideration and discussion, the Scrutiny Committee noted the report.

The meeting closed at 7.57 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 13th February 2018, they were signed by the Chair.

CHAIR