



## **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.**

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**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 of 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.

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CHAIR