



ENVIRONMENT AND SUSTAINABILITY SCRUTINY COMMITTEE

MINUTES OF THE DIGITAL MEETING HELD VIA MICROSOFT TEAMS ON TUESDAY,
22ND JUNE 2021 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, J. Gale, A. Leonard, B. Owen, J. E. Roberts, J. Scriven, J. Simmonds and T. J. Williams.

Cabinet Members:

N. George (Waste, Public Protection and Street Scene).

Together with:

Officers: M. S. Williams (Corporate Director – Economy and Environment), R. Hartshorn (Head of Public Protection, Community and Leisure Services), M. Headington (Green Spaces and Transport Services Manager), N. Kenny (Community Safety), M. Jacques (Scrutiny Officer), S. Hughes (Committee Services Officer) and J. Lloyd (Committee Services Officer).

RECORDING ARRANGEMENTS

The Chairperson reminded those present that the meeting was being recorded and would be made available to view via the Council's website, except for discussions involving confidential or exempt items. [Click here to view.](#)

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors S. Kent and D. W. R. Preece.

2. DECLARATIONS OF INTEREST

There were no declarations of interest received at the commencement or during the course of the meeting.

3. MINUTES – 18TH MAY 2021

RESOLVED that the minutes of the Environment and Sustainability Scrutiny

Committee meeting held on 18th May 2021 (minute nos. 1 – 7) 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

Consideration was given to the report which outlined the reports planned for the period June 2021 to March 2022 and included all reports that were identified at the Environment and Sustainability Scrutiny Committee meeting held on 18th May 2021. Members were asked to consider the Forward Work Programme, alongside the Cabinet Forward Work Programme, prior to publication on the Council's website.

The Scrutiny Officer proposed that an Antisocial Behaviour PSPO Consultation Outcome report and a Dog Control PSPO Consultation Outcome report be added to the Forward Work Programme for the Environment and Sustainability Scrutiny Committee meeting to be held on 14th September 2021.

Following consideration of the report, and subject to the additional reports proposed, it was moved and seconded that the recommendations be approved. By way of Microsoft Forms voting this was unanimously agreed.

RESOLVED that the Environment and Sustainability Scrutiny Committee Forward Work Programme be published on the Councils' website.

6. CABINET REPORTS

There had been no requests for any of the Cabinet reports to be brought forward for discussion at the meeting.

REPORTS OF OFFICERS

Consideration was given to the following reports.

7. TO RECEIVE A NOTICE OF MOTION – MEMORIAL BENCHES

Councillor M. Adams sought advice as he was a member of the cross party Task and Finish Group that reviewed the Council's Bereavement Service in September 2006. The Scrutiny Officer advised Councillor M. Adams that he did not need to declare an interest in this item.

Consideration was given to the Notice of Motion submitted by Councillors J. Roberts and C. Elsbury and supported by Councillors A. Farina Childs, B. Owen, C. Mann and T. Parry. The Scrutiny Committee was 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 J. Roberts and Councillor C. Elsbury requested that the Council immediately ends its blanket ban on grieving relatives erecting memorial benches on its cemetery sites. Councillor J. Roberts confirmed the details of the motion and provided background information as to why he was bringing the issue forward for consideration.

Officers outlined, in detail, the findings of the Task and Finish Group that had led to the introduction of the current policy and shared statistics in relation to the number of benches in cemeteries. Clarity was given in that the authority provides benches in cemeteries and allows memorial plaques to be placed on the benches at a cost.

The Scrutiny Committee was advised that there had been further reports in 2012 which had undergone extensive consultation with bereaved families and the initial decision made in 2008 was subsequently reinforced. It was highlighted that no reference was made to the lack of memorial bench provision at any particular cemetery during this consultation.

Following consideration of the Notice of Motion, the recommendation was moved and seconded. By way of verbal roll call voting (and in noting there were 4 for, 10 against and 0 abstentions) the motion was declared lost.

RECOMMENDED to Council:

- (i) That the notice of motion not be supported.

8. PUBLIC PROTECTION ENFORCEMENT, CONSUMER ADVICE, AND COVID-19 RESPONSE 2020/21.

The Cabinet Member for Waste, Public Protection and Street Scene presented the report to the Scrutiny Committee to provide information on formal enforcement activities within the Public Protection Division including outcomes of investigations undertaken under the auspices of the Regulation of Investigatory Powers Act. The Scrutiny Committee was informed that the report also considers, in accordance with the Surveillance Camera Commissioner's Code of Practice, the Council's CCTV surveillance camera system to ensure that it remains necessary, proportionate and effective. The Scrutiny Committee was also informed that the report provided information to Members on the number and nature of complaints dealt with by the Consumer Advice function of Trading Standards in 2020/21. The decrease in enforcement and regulatory activities as a direct consequence of diverting Public Protection staff to respond to the pandemic was also highlighted.

The Head of Public Protection, Community and Leisure Services took Members through aspects of the report and shared with Members the impact of Covid-19 on the work of regulatory services during 2020/21 and the level and types of response provided by Public Protection teams.

In response to a Member's query regarding the storage of the relevant CCTV footage for use by the Police as evidence in the course of their criminal investigations, the Scrutiny Committee was advised that CCTV footage is stored for 30 days but if a request is received to preserve the footage it will be set aside and locked down. Members were also advised of the strict controls around the release of footage.

A Member raised concerns in relation to fixed penalties for dog fouling and questioned the advertising on the vehicles used by Dog Wardens. The Head of Public Protection, Community and Leisure Services acknowledged the concerns raised and advised Members that where people are seen committing an offence, they will be issued with a Fixed Penalty Notice. In relation to the vehicles used by Dog Wardens, the Officer explained that the vehicles are a way of trying to raise awareness and that Dog Wardens patrol in the locality away from the vehicle.

A discussion took place regarding Nitrous Oxide. In response to a Member's question, it was agreed that the number of businesses in the County Borough selling Nitrous Oxide canisters would be provided to Members following the meeting. It was also agreed that the Head of Public Protection, Community and Leisure Services would speak with Trading Standards regarding advertising campaigns warning about the dangers of Nitrous Oxide and update

Members subsequent to the meeting.

The Environment and Sustainability Scrutiny Committee considered the review of Public Protection Enforcement and other activities, including those associated with the pandemic and CCTV provision, and noted the activity in relation to Consumer Advice.

9. PUBLIC SPACES PROTECTION ORDER REVIEW

The Cabinet Member for Waste, Public Protection and Street Scene presented the report to seek the views of the Scrutiny Committee on the proposal to undertake a public consultation on the proposed changes to the current Public Space Protection Orders for anti-social behaviour (ASB) and drinking in a public place. The Scrutiny Committee was advised that the aim of a Public Space Protection Order (PSPO) is to ensure that the law-abiding majority can use and enjoy public spaces, free from anti-social behaviour. It was highlighted that PSPOs replaced a number of existing legal provisions including Designated Public Place Orders (DPPOs), Gating Orders, and Dog Control Orders. Existing Orders made under previous legislation transferred to become PSPOs in 2017 for a maximum period of three years. Due to the Covid 19 pandemic it was not possible to carry out a full review of the PSPOs in 2020 so they were renewed for a period of 12 months with the view to a full review being carried out in 2021. Members were advised that the report outlined the proposals for the next three years for the current PSPOs in place throughout Caerphilly County Borough that address ASB and drinking in a public place and also outlined proposals to vary several existing areas and consideration for a number of new locations.

The Chair requested a correction to Appendix 1 in that Commercial Street and Vere Street were listed under Bargoed, but that both locations are situated in the Gilfach Ward. The Officer advised that a correction would be made before the documents are sent out for consultation.

Several Members spoke in support of the additional PSPO areas and expressed the hope that enforcement measures would improve the situation at each locality. A Member queried how the list of new PSPO areas were identified and asked if there was flexibility in terms of adding other locations at a later date. The Community Safety Officer advised that following consultation with Gwent Police the 4 areas identified had met the criteria for a new PSPO based on an analysis of call data. Members heard how other areas could be added to the PSPO list as part of the consultation review if Gwent Police and the Council had received significant reports of antisocial behaviour within that area.

The views of the Environment and Sustainability Scrutiny Committee on the proposal to undertake a public consultation on the proposed changes to the current Public Space Protection Orders for anti-social behaviour (ASB) and drinking in a public place were noted.

The meeting closed at 6.45 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 14th September 2021, they were signed by the Chair.

CHAIR