



REGENERATION AND ENVIRONMENT SCRUTINY COMMITTEE

**MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH ON
TUESDAY, 28TH MARCH 2017 AT 5.30 P.M.**

PRESENT:

Councillor D.T. Davies - Chair

Councillors:

M.A. Adams, J. Bevan, C.J. Cuss, N. Dix, R.W. Gough, L. Harding, Mrs A. Leonard, Mrs P. Leonard, P.A. Marsden, M.J. Prew

Cabinet Members:

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

Together with:

C. Harrhy (Corporate Director - Communities), M. Lloyd (WHQS and Infrastructure Strategy Manager), G. Richards (Highways Maintenance Manager), T. Stephens (Development Control Manager), E. Sullivan (Scrutiny Officer), A. Wyburn (Corporate Solicitor) and R. Barrett (Committee Services Officer)

1. CHAIR'S ANNOUNCEMENT

In noting that this would be the last meeting of the Regeneration and Environment Scrutiny Committee before the local elections, the Chair thanked Members and Officers for their support and contributions to the meetings over the past five years. Members in turn thanked the Chair for the professional manner in which he had conducted the meetings. Tributes were also paid to the long standing Members who were retiring and to the manner in which they have undertaken their duties, and they were wished well in their retirement from local government.

2. COUNCILLOR ELIZABETH ALDWORTH

The Scrutiny Committee were advised that Councillor Aldworth's husband was currently recovering from an operation. Members extended their best wishes to Councillor Aldworth and wished Mr Aldworth a speedy recovery.

3. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Mrs E.M. Aldworth, C. Elsbury, S. Kent, Mrs D. Price and Mrs E. Stenner.

4. DECLARATIONS OF INTEREST

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

5. MINUTES - 14TH FEBRUARY 2017

RESOLVED that the minutes of the Regeneration and Environment Scrutiny Committee meeting held on 14th February 2017 (minute nos. 1 - 12) be approved as a correct record and signed by the Chair.

6. CALL-IN PROCEDURE

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

7. REPORT OF THE CABINET MEMBERS

The Scrutiny Committee noted the contents of the reports received from Councillors N. George, T.J. Williams and Councillor K. James, which had been circulated to Members in advance of the meeting. Questions and comments were invited on the report contents.

The report from Councillor N. George (Cabinet Member for Community and Leisure Services) highlighted the Authority's positive recycling performance (65% to September 2016 and 67% between July-September 2016) which is encouraging in view of the future Welsh Government target of 64% in 2019/2020. However the Authority will need to make a number of decisions later this year in relation to future waste management services. Members expressed a need to identify and address areas of the county borough where recycling uptake is low and discussed whether socio-economic factors can affect recycling participation. Officers explained that the Council currently use national data to examine recycling trends but that a more targeted approach is being developed to establish why some households choose not to recycle their waste, and which will give the Council the opportunity to engage with these residents accordingly to promote and encourage recycling.

Members were also advised of the relocation of the Community Centre Service to the Community and Leisure Services Division, and of the workable succession plan and future staff structure that will be implemented over the coming months in this area. A Member queried whether this arrangement could impact on the future of community centres within the county borough. It was explained that a number of areas across the Communities Directorate are currently being reviewed to determine how efficiency savings can be made over the next few years, with community centres being one area that will require consideration.

The report from Councillor T.J. Williams (Cabinet Member for Highways, Transportation and Engineering) updated Members on the public consultation process for the Council's draft Active Travel Integrated Network Map, which sets out the Authority's aspirations for improving active travel routes across the county borough over the next 15 years. Members were also provided with an update on the enhancement works in Lansbury Park, together with plans to commence the Council's annual carriageway surface dressing and resurfacing programmes in April/May. Additionally, Members were advised that the Council's £2m bid for Local Transport Funding has been successful, which will support road safety education initiatives, road safety projects and improvements to Pwllypant roundabout.

In response to discussion regarding highway conditions, Members were advised of the regular inspection patrols in place to ensure that road standards are maintained. It was noted that nationally the Council is placed in the top quartile for pothole identification and reactive maintenance. Members were also updated on the Council's new velocity patcher machine, which is used to repair potholes and will be of benefit to the highway repair process.

The report from Councillor K. James (Cabinet Member for Regeneration, Planning and Sustainable Development) provided an update in respect of Business Support and Funding, including new business developments at Penyfan Industrial Estate (BBI Group) and Oakdale Business Park (IG Doors). The report also updated Members on Community Regeneration, grant funding opportunities across Urban Renewal, Town Centre Management and Countryside and Landscape Services, and high visitor numbers across tourism venues and events. In response to a Member's query, the Cabinet Member provided details of the consolidation of the BBI Group at the Penyfan site and the Scrutiny Committee noted the potential for expansion and job opportunities in the future.

The Cabinet Member referred to the phasing out of the Communities First programme and highlighted the short timescales given for the Council to submit their Outline Transition Plan and Detailed Transition Plan to Welsh Government (31st March 2017 and 31st May 2017 respectively). A letter will be sent to Carl Sargeant AM to comment on the short timescales for these Plans and to highlight the need for thorough consultation on its contents (including approval by Cabinet) prior to submission to WG. Members referred to the outcome of the Partnership Cluster meetings recently held to discuss the changes to the programme and requested that this letter be circulated to all Councillors.

The Cabinet Members were thanked for their reports and for responding to the queries raised.

8. 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 includes all reports identified at the Scrutiny Committee meeting held on 14th February 2017 and outlines the reports planned for the period March 2017 to September 2017. Members were asked to consider the FWP alongside the Cabinet Work Programme as appended to the report and to suggest any changes prior to it being finalised and published on the Council's website.

It was agreed that the Scrutiny Committee meeting of 23rd May 2017 and the items listed on the FWP for that meeting (Car Parking Review, Road Speed Review and Vibrant Viable Places Proposals) be rescheduled to 8th June 2017, and that the witness names listed against Road Speed Review be updated.

It was agreed that subject to the foregoing amendments, the final version of the Forward Work Programme be published on the Council's website. Members noted that scrutiny committee workshops will be held in the coming months to identify future FWP items for consideration.

9. CABINET REPORTS

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

REPORTS OF OFFICERS

Consideration was given to the following reports.

10. TIPS MAINTENANCE – OPERATIONAL PLAN

Marcus Lloyd (WHQS and Infrastructure Strategy Manager) and Gareth Richards (Highways Maintenance Manager) presented the report, which responded to a Member's request for a report outlining the procedures and processes for routine tips maintenance operations within Caerphilly County Borough Council (CCBC). The views of the Scrutiny Committee were sought on the current Tips Maintenance Operational Plan as appended to the report.

With the aid of a slideshow presentation, Officers provided an overview of the Operational Plan and explained that this Plan specifically relates to coal spoil and spoil tips arising from coal and ore mining activities. Municipal/landfill tips are a separate matter that fall under the remit of Environmental Health and are therefore not included in this Plan.

Members were advised of the primary legislation that lays down the safety and stability requirements for these coal tip sites (including the Mines and Quarries (Tips) Act 1969) and how this Act and associated regulations are applied to both Council-owned and privately owned tips. Of the 229 tips within the county borough, 102 are within the Authority's ownership and 127 are privately owned. Although the Act and regulations do not impose a statutory requirement for routine inspections, these are carried out across Council-owned sites. The Council does not undertake inspections on privately owned tips, although the Act makes provision for local authorities to carry out inspections, require a tip owner to take action or undertake action themselves if there are instances of tip instability and imminent danger.

Officers gave an overview of the tip inspection and maintenance regime adopted by the Authority, which has been recognised by the Coal Authority as an example of best practice. Members were provided with details of the risk rating process applied to inspection frequencies, which ranges from 6 months to 2 years depending on the categorization. 15 of the Council-owned tips are classed as higher priority and inspected on a 6-monthly basis. A list of tip types and location, together with the risk rating and inspection frequency for those Council-owned tips, were appended to the report.

Officers summarised the training that is undertaken by Inspectors and the inspection methodology/process applied to tips. An example of the inspection form was appended to the report. It was explained that water is the most likely cause of tip instability and is taken into consideration (along with other factors) during the risk rating process. Members were also given examples of issues identified during tip inspections, including erosion of concrete channels, scour of embankments, illicit tipping/vandalism and damage by off-road vehicles.

The Scrutiny Committee noted examples of improvements that had been carried out as a result of proactive tip inspections and maintenance, including the development of concrete canvas channels, the re-establishment of existing channels and channel cleansing. Officers also outlined how inspection methods are constantly being improved and updated, including the use of electronic records, revised methodology and risk prioritisation, and new technologies such as specialised handheld GPS devices to record information and the use of drone cameras to generate 3D models of the tip terrain.

In response to a Member's query, it was confirmed that there is one privately owned tip within the county borough which is currently operational. Discussion took place regarding the costs associated with the inspection and maintenance of Council-owned tips and Officers explained that it is possible to access funding in cases where there is a need to carry out emergency remedial works. It is anticipated that new technologies will assist in reducing routine maintenance costs in the future. Officers also responded to general queries regarding several

of the tip sites listed in the report appendices.

Having fully considered and discussed the Tips Maintenance Operational Plan as appended to the report, the Scrutiny Committee noted its contents.

11. CAERPHILLY BIODIVERSITY DUTY PLAN

Tim Stephens (Development Control Manager) presented the report, which informed Members of the new Biodiversity Duty set out in the Environment Act 2016 and outlined how the Council proposes to fulfil this duty via the introduction of a Caerphilly Biodiversity Duty Plan. The views of Members were sought on the contents of the plan and the proposed actions to deliver the duty.

Members were advised that the Council has a legal duty to maintain and enhance biodiversity and in so doing promote the resilience of ecosystems under the Environment (Wales) Act 2016. This plan demonstrates how the duty will be fulfilled and will act as a driver for ensuring that all service areas consider and actively enhance biodiversity when carrying out their day to day activities. The Biodiversity Duty Plan not only delivers the Council's statutory duties with regards to biodiversity but also explains how, through meeting the Biodiversity Duty, the Council are delivering well-being objectives and ways of working through sustainable development. Members noted that the plan can be revised at any time but must be formally reported to Welsh Government by the end of 2019 and thereafter every three years.

It was explained that a draft Biodiversity Duty Plan has been prepared (as appended to the report) with the key features including an audit of the Council's current practices and biodiversity resource, which will form the basis of further discussions with service areas to refine and develop future actions for delivery. The Plan will be revised at the end of 2017 to take forward actions to maintain and enhance biodiversity following the outcome of the audit and discussions and all proposed actions will be reported to Welsh Government in 2019 as required by the Act. The draft Biodiversity Duty Plan will be refined following the finalisation of the Public Service Board Wellbeing Objectives, to ensure alignment and synergy. Once finalised, the Plan will be presented to Welsh Government and monitored thereafter.

During the course of the ensuing debate, Members acknowledged the importance of promoting biodiversity for the benefit of future generations, and expressed a need for wildlife corridors and green areas to be developed and maintained across the county borough. Officers confirmed that biodiversity considerations already form an important part of the planning application process, and explained that this could extend into other service areas as a result of the audit taking place across the Council.

Discussion took place as to the Council's remit in respect of biodiversity considerations within privately-owned Sites of Special Scientific Interest (SSSIs). Officers confirmed that any concerns regarding the management of such land would be raised with the Council's Ecologist so that a proactive approach to the matter can be established. Members also discussed biodiversity education opportunities, and it was explained that although this already takes place through the Council's Go Wild! event and activities across a number of schools, the new requirements will enable this approach to be developed across other service areas.

Following discussion on the report, the Scrutiny Committee unanimously endorsed the contents of the draft Biodiversity Duty Plan as appended to the report and the proposed actions within it to deliver the new Duty.

The meeting closed at 6.37 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 4th July 2017, they were signed by the Chair.

CHAIR