
ENVIRONMENT COMMITTEE 26.01.12

Present – Councillor Dewi Llewelyn (Chairman)

Councillors Anwen Davies, Elwyn Edwards, Evie M. Jones, Eryl Jones-Williams, June Marshall, Linda Morgan, Caerwyn Roberts, Trevor Roberts, Gwilym Williams, R.J. Wright along with Stephen Churchman and Arwel Pierce (Portfolio Leaders)

Also present - Dilwyn Williams (Corporate Director), Gwyn M. Jones (Head of Highways and Municipal Department), Gareth James (Corporate Scrutiny Manager), John Reynolds (Senior Public Protection Manager), Nia H. Davies (Planning Manager(Policy)), Dafydd W. Williams (Chief Engineer – Transportation and Street Care), Peter Simpson (Streetscene Services Manager), Gareth Jones (Environmental Services Manager), Alun W. Jones (Senior Municipal Officer), Amanda Murray (Projects Manager) and Gwyn Parry Williams (Committee Officer)

Apologies - Councillors H.P. Hughes, John G. Jones, Llinos Merks, Ieuan Roberts, Sion Roberts, W. Gareth Roberts

1. DECLARATION OF PERSONAL INTEREST

No declarations of personal interest were received from any member present.

2. MINUTES

The Chairman signed the minutes of the meeting of the Environment Committee held on 1 December 2011 as a true record.

3. DOG CONTROL ORDERS

(a) Submitted – the report of the Head of Regulatory Department and the Head of Highways and Municipal Department on the advantages, disadvantages and the practicality of the proposals to introduce Dog Control Orders.

(b) The following matters were raised by members:-

(i) A member asked if it was intended to employ more Dog Wardens.

In response the Head of Highways and Municipal Department referred to one post in the structure to assist with implementation, administration and enforcement in order to support to the current officers.

ii) A member noted that more Enforcement Officers were needed and referred to cases in Dolgellau where the dogs were on a

lead but there were problems with dogs fouling the pavements, public places etc. The member referred to one football match that had to be postponed for a period of time as there was so much dog fouling on the field.

- (iii) A member asked if the officers worked outside normal working hours as it was assumed that some dog owners would commit the offence early in the morning or late at night.

In response, the Streetscene Services Manager informed the committee that the work conditions of the enforcement team referred to the need for them to work outside normal working hours. It was noted that some began working at 06.30 and others worked after 18.00.

- (iv) A member referred to the fact that some dog owners committed a crime for the second and third time, and he was of the opinion that in such cases, they should be punished in court rather than receiving a further fine by the Council.
- (v) A member asked if it would be possible to force every dog to be on a lead in an area with a speed limit of 30mph.

In response, the Streetscene Services Manager informed the committee that the group that had considered the matter decided that as Gwynedd was such a large and rural area, having such a rule throughout Gwynedd would be very unpopular. However, it had been recommended that dogs should be on a lead where they cause nuisance. This would need to go through the consultation process and as a result emphasis could be placed on placing the dogs on a lead in urban areas. He referred to the possibility of placing an order to prohibit dogs from play grounds.

- (vi) In response to a question by a member regarding the trouble on the Marian, Dolgellau the officer informed the committee that the Enforcement Team was already concentrating on this area in collaboration with the rugby club.

Another member referred to the problems that had existed for years on the Marian, Dolgellau as vehicles parked in the nearby car park and the owners let their dogs wander without a lead. He was of the opinion that dogs should be prohibited from public places.

- (vii) A member asked what was the outcome of the bid that had been made in October 2011 to maintain this provision.

In response, the Head of Department informed the committee that the bid had been considered by the Leadership Team but had not gained their support. However, if the bid were to be supported by this committee then the matter would have to be considered at the next meeting of the Council Board when the bids were to be

considered.

- (viii) A member drew attention to the fact that the former Streetscene Enforcement Officer in Pwllheli wore a yellow high-visibility jacket, and as a result some of the dog owners would disappear when they saw him coming. He asked if it would be possible for these officers to be given a less prominent jacket from then on. In addition, he asked if there was a connection between the Streetscene Enforcement Officers, the Dog Wardens and those who were responsible for cleaning the pavements as the dog fouling was left on some streets for days before it was cleaned.

In response, the Streetscene Services Manager informed the committee that one of the main principles of the Street Enforcement Team was that the Enforcement Officers wore official clothing making them visible. In terms of collaborating with other Officers within the Council he confirmed that this was taking place.

- (ix) A member drew attention to the fact that a percentage of the money from the fines was repaid to the Assembly at one point and he asked whether it was possible for the Council to keep the money by now.

In response, the Streetscene Services Manager informed the committee that the procedure of paying a percentage of the fines back to the Assembly was historical but by now that procedure had been changed as the money was now returned to the Council and he referred to regulations regarding how the money was used.

RESOLVED to accept that there is a need to establish and adopt Dog Control Orders and submit a bid to the Council Board in order to implement that.

4. PLAYING FIELDS

- a) Submitted – the report of the Chair of the Playing Fields Working Group which provided an update on the work of the Working Group that considered the maintenance of playing field equipment in the future in light of insufficient financial resources.

He noted that it was considered to consult with the community/towns councils on the possibility of receiving financial support to fund the ten year plan of renewing playing field equipment at the end of their operational life. However, the Working Group had decided that a consultation should not be held with the councils and there was a need to concentrate their efforts on submitting a new application with more accurate figures on funding the renewal of playing field equipment from the Council's Asset Management Plan.

- (b) The following matters were raised by members:-

- i) The Head of Highways and Municipal Department noted that when the original application had been made to fund the renewal of playing field equipment from the Council's Ten Year Assets Plan the details were insufficient. He noted that this committee in January 2011 had recommended that a consultation should be held with the community/town Councils but the sums of money that were expected from them over a period of ten years was excessive. He noted that one community council had seven playing fields within its area. The situation was fine for the next three years but after that and when the equipment would have reached the end of its lifetime it was anticipated that there would be a few problems.
- ii) Dilwyn Williams, Corporate Director informed the committee that there was a need to remember that a number of members had found it difficult to make decisions regarding prioritising capital matters when the assets strategy had been set up and that at a time when only £700,000 was needed and then it was considered that only £350,000 could be provided and that in light of other priorities. He noted that it was completely appropriate for members to consider whether playing field equipment was more of a priority than some of the other assets that would be included in the assets strategy such as schools, care homes, libraries, leisure centres etc. He asked members to evaluate whether they truly believed and whether they intended to vote to accept such a priority before requesting that the matter receive the consideration of the Principal Scrutiny Committee as this would involve a lot of work.
- iii) A member noted that some community/town councils had undertaken the work of renewing playing field equipment. He referred to a playing field that had been established in Dyffryn Ardudwy by attracting grants etc. from different sources to pay for the work as a local group had been established to take care of that.
- (iv) In response to a question by a member regarding obtaining a sponsor to take responsibility for the playing fields, the Head of Department informed the committee that this could be an option and that the Working Group had already considered other ways e.g. community councils, private sector, community groups etc. He noted that there was currently funding available to hold and undertake a survey as well as grass cutting, painting and repairing the equipment but it was anticipated that there would be problems to maintain the equipment within three years.
- (v) A member referred to the possibility of transferring the control of some of the playing fields to local groups so that they could submit applications for grants e.g. Sportlot towards the cost of renewing the equipment.

In response, the Head of Department referred to the experiences that had been gained through assisting community groups in this direction and that they proved to be more successful than the Council in attracting grants towards playing field equipment.

- (vi) In response to a question by a member regarding the playing fields in the Penllyn area, Bala the officer informed the committee that these were part of a current discussion with Penllyn Partnership regarding additional responsibilities that included the play equipment.
- (vii) A member asked whether consideration had been given to closing some of the playing fields that were in poor condition, and should the community object, perhaps groups could be established in those communities to ensure that they remained open.

In response, the Head of Department informed the committee that if the recommendation that was before the committee today would be refused then another strategy would need to be considered as a way forward. He noted that the letter that had been intended to send to the community councils asked whether they would be interested in taking responsibility for the playing fields.

- (c) The Corporate Scrutiny Manager noted that the Working Group had completed its work and had come to an end.

RESOLVED to

a) Support the opinion of the Working Group that a new application should be submitted on the basis of more detailed and accurate figures developed with the Play Area Assets Plan for adequate budget to renew play area equipment from the Council's ten year Asset Management Plan.

b) Following receipt of the outcome of the application, that this matter receives further consideration by the Scrutiny Committee (or whichever committee that will have responsibility for the matter in the new arrangement) in terms of deciding on the strategy to be adopted by the Council for maintaining and providing play area equipment for the future.

5. SUPPLEMENTARY PLANNING GUIDANCE – ONSHORE WIND ENERGY

- (a) Submitted – the report of the Head of Regulatory Department on the consultation draft version of the aforementioned guidance.
- (b) The background and context of the report was set out by the Planning Manager (Policy). She asked for the members' comments on the current version of the document before it became subject of a public consultation.
- (c) The following matters were raised by members:-

- (i) A member referred to a Supplementary Planning Guidance that had been created jointly with Anglesey County Council and he asked whether the guidance that was before the committee today, and that was specifically for Gwynedd, was different to that guidance.

In response, the Planning Manager informed the committee, following a discussion with both Councils, that two separate SPG documents were needed as the local policy context was slightly different between both areas. She noted that a Consultation Draft version of the Supplementary Planning Guidance for the Anglesey area was currently subject of a public consultation and was a reflection of the policies that were in the Gwynedd Structure Plan and the Anglesey Local Plan and the Anglesey Unitary Development Plan that had been stopped. She also noted that the version that was before the committee today was the version for the Gwynedd Area that supported the policies within the Unitary Development Plan.

- (ii) A member asked if there was a policy that forced windmill owners to give the energy back to the community.

In response, the Planning Manager informed the committee that there was not a specific policy that referred to this. She noted that such an arrangement would be subject to a legal agreement between the Council and the developer. It would be possible to use a 106 agreement where appropriate in order to reduce the development's impact on the community. With regard to wind farm developments it would be possible to reach an agreement between the developer and the community in order to benefit the community but this type of agreement would not usually be a matter of consideration when making a decision on the planning application.

- (iii) In response to a question by a member regarding a consultation between the Planning Department and the community on applications received regarding windmills, the Planning Manager informed the committee that the statutory procedure would decide with whom and how the Planning Authority should consult on every application received, but discussing the matter beforehand with the community was a matter for the developer.

- (iv) A member noted that these windmills should not be located near highways and public footpaths.

- (v) In relation to the clause in the guidance on "Ecological Survey", a member referred to a clause in the Anglesey Supplementary Planning Guidance namely, "the danger of striking birds is more likely to happen when a windmill is erected exactly on the migration trail of birds". He noted that this clause had not been included in the Gwynedd Supplementary Planning Guidance. He also referred to the second paragraph in clause 18.2 - "Historic Landscapes, Parks and Gardens of Special Interest in Wales" and he

was of the opinion that it should read as follows – “Reference should be given to Cadw's Guide on Good Practice when using the Register of Landscapes of Historic Interest in Wales in the Planning and Development Process.”

In response, the Manager informed the committee that these matters would be addressed.

- (vi) A member was of the opinion that the consultation period of six weeks was too short and that extending this period should be considered.

In response, the Manager informed the committee that the usual consultation period was six weeks but she pledged to consider the possibility of extending the period slightly longer.

RESOLVED to approve the Draft Supplementary Planning Guidance – Onshore Wind Energy to be released for public consultation for a period of at least six weeks.

6. GWYNEDD AND ANGLESEY JOINT LOCAL DEVELOPMENT PLAN

- (a) Submitted – the report of the Head of Regulatory Department on the Gwynedd and Anglesey Joint Local Development Plan.

The background and context of the report was set out by the Planning Manager (Policy). She noted that the process of preparing the plan had begun and she provided details of the main stages in the process and the schedule and she emphasised that the committee's role was to scrutinise the process of preparing the Joint Local Development Plan against the robustness tests that were referred to in the report.

- (b) The following matters were raised by members:-
 - (i) In response to a question by a member regarding the number of approved planning applications that had not been implemented the Manager informed the committee that she did not have the latest information but she could prepare the information for the member. She noted that the area's requirements were generally addressed at that time and that the next step would be to consider the contribution of approved planning applications. Consideration was given to the extant planning applications and the availability of land for housing studies that identified how many housing units had planning permission and were likely to be implemented within a period of five years.
 - (ii) In response to a question by a member regarding point CE4 in the guidance which noted that the plan should be flexible, the Manager informed the committee that the plan would need to be monitored on an annual basis and there would be indicators in the final plan

that would help the monitoring and an annual monitoring report had to be produced. A full review of the plan would be required every four years and if there would be a significant change in the circumstances then there would be an opportunity to change a part of the plan.

- (iii) A member asked whether existing vacant houses would be considered.

In response, the Manager informed the committee that they sought to identify how many vacant housing units existed in the area.

RESOLVED to agree that the self-assessment complies with the robustness tests.

7. REVIEW OF RESIDENT PARKING TICKET COSTS

- (a) Submitted – the report of the Head of Regulatory Department on reviewing resident parking ticket costs.

The Chief Engineer – Transportation and Street Care reminded the members of the report that had been submitted to this committee on 15 September 2011 regarding an overview of how the resident parking pilot schemes had been implemented in the county along with details of other schemes under consideration at the time. The committee had decided to ask the Parking Management Working Group to give further consideration to the options and the impact of reducing the cost of the parking tickets.

He noted that a meeting of the Working Group had been held on 20 December 2011 when reports had been submitted to them noting some of the options and the impact of those options on funding those schemes. The Working Group noted that they accepted that the residents did not like to pay this additional cost, however they were of the opinion that a price, which was the equivalent of £1 a week for the first vehicle and approximately £1.50 a week for the second vehicle, was very reasonable especially given the context that this level did not cover all the costs associated with the schemes and the financial context the Council currently faced. The Working Group recommended that the annual ticket prices should not be reduced. He emphasised that providing resident parking schemes was not a statutory duty on local authorities but was rather a function the Council could choose to provide if it believed it to be an appropriate weapon to use to solve parking problems in specific areas.

- (b) The following matters were raised by members:-
- (i) One local member for Dolgellau noted that this scheme was working well in specific streets in the town but that she had received information regarding an increase in ticket prices from

some of the residents.

In response, the officer informed the committee that he was not aware of the fact that there had been an increase in ticket prices but he pledged to address the matter and contact the member.

- (ii) Another member noted that the main problem was the cost of the tickets and that there were no designated parking spaces so that the residents could park in front of their properties. It was recognised that such a plan was needed in some areas.
- (iii) A member referred to the fact that the plan had been successful in some areas as the residents had asked for it to be introduced.
- (c) The Corporate Scrutiny Manager noted that the work of the Parking Control Working Group had come to an end by now.

RESOLVED to accept the recommendation of the Parking Management Working Group that there should be no reduction in the resident parking ticket prices and to note that the fees will be subject to annual reviews in accordance with the Council's financial regulations.

The meeting commenced at 10.00am and concluded at 11.40am.