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## COMMUNITIES SCRUTINY COMMITTEE 7/02/19

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### **PRESENT:**

**COUNCILLORS:** Peter Garlick, Simon Glyn (Chairman), Aled W. Jones, Berwyn Parry Jones, Elwyn Jones, Kevin Morris Jones, Linda Morgan, Edgar Wyn Owen, Mike Stevens, Catrin Wager, Gethin Glyn Williams, Owain Williams and Gruffydd Williams.

**OFFICERS:** Gareth James (Member Support and Scrutiny Manager) and Lowri Haf Evans (Member Support Officer).

### **ALSO IN ATTENDANCE:**

In relation to item 5 on the agenda - Councillor Gareth Griffiths (Cabinet Member - Highways and Municipal) and Rhydian Roberts (Principal Engineer, Gwynedd Consultancy)

In relation to item 6 on the agenda - Councillor Gareth Griffiths (Cabinet Member for Highways and Municipal), Steffan Jones (Acting Head of Highways and Municipal Department), Amanda Murray (Project Manager, Highways and Municipal) and Bethan Roberts (Community Councils and Community Groups Co-ordinator)

In relation to item 7 on the agenda - Councillor Dafydd Meurig (Cabinet Member for the Environment), Dafydd Wyn Williams (Head of Environment Department) and Dafydd Gibbard (Senior Manager - Corporate Property).

In relation to item 8 on the agenda - Councillor Dafydd Meurig (Cabinet Member for the Environment), Dafydd Wyn Williams (Head of Environment Department), Gareth Jones (Senior Planning and Environment Manager), Iwan Evans (Head of Legal Services / Monitoring Officer) and Rhun ap Gareth (Senior Solicitor)

### **1. APOLOGIES**

Apologies were received from Councillors Glyn Daniels, Elwyn Edwards, Keith Jones and Annwen Hughes

### **2. DECLARATION OF PERSONAL INTEREST**

None to note

### **3. URGENT ITEMS**

None to note

### **4. MINUTES**

The minutes of the previous meeting of this committee, held on 13.12.2018 were accepted as a true record of the meeting.

## 5. IMPLEMENT LAND DRAINAGE BYELAWS

Submitted - the report of the Principal Engineer of Gwynedd Consultancy detailing the background and the purpose of creating a new series of bye-laws to assist the Local Authority with flood prevention and managing activities along ordinary watercourses more effectively and more consistently. It was explained that this was in response to Councils in Wales receiving additional powers and responsibilities to manage flooding and surface water under the Flood and Water Management Act 2010. Reference was made to the new bye-laws attached to the report and it was reiterated that they had been planned to work alongside the current regulation framework provided under the Land Drainage Act 1991 and the Flood and Water Management Act 2010. It was noted that adopting the bye-laws would not have an impact on the Unit's current staffing level.

It was highlighted that a public consultation had been held between 15 November and 13 December 2018, and that no observations had been received from the public.

Along with assisting the Local Authorities to prevent flooding and to address the most serious risks, it was highlighted that the bye-laws, by amending the wording and outlining the type of activities in question, were overall, beneficial to the environment. In doing so, the bye-laws would benefit other work areas in the world of local government and would assist to realise the objectives of other acts including the Water Framework Directive and the Habitats Directive.

It was noted that the aim of the report was for Scrutiny Committee members to assess the new bye-laws and to recommend them to the Full Council for formal adoption. Following the Council's decision on 7 March, 2019, a policy statement would be drawn up to highlight how the bye-laws would be implemented and the changes involved.

The members expressed their thanks for the report.

In response to an observation regarding material being carried down river, it was highlighted that consideration would be given to observations relating to flood risk.

In response to a question regarding the protection of field animals, it was highlighted that the maintenance work was the responsibility of Natural Resources Wales.

In response to an observation regarding the consultation process, it was noted that Gwynedd Consultancy had followed Welsh Government's guidance on the consultation and had therefore not contacted developers directly as they accepted that Welsh Government had considered this. It was reiterated that consultation with the developer would be considered during the planning procedure where officers from the Water and Environment Unit would offer their observations on applications. In a further observation regarding consulting with Farmers' Unions, it was noted again that Gwynedd Consultancy assumed that Welsh Government had done this.

In response to an observation regarding the effect of additional responsibilities on the Water and Environment Unit's work load and staffing levels, it was noted, by working logically and sensibly, it was not considered that any additional resource would be required.

During the ensuing discussion, the following points were highlighted by individual Members:

- There was a need to notify people of the changes and outline when the bye-laws would come into force.
- Requiring permission to plant trees was a step too far (Chapter 3 (9))
- There was a need to ask Welsh Government whom they had consulted with and to include this information in the final report to the Full Council.
- Accepted that Gwynedd had received an 'order' to act from the Welsh Government, but needed to ensure a fair consultation.

#### **RESOLVED**

- **to accept the report subject to including information about the details of the Welsh Government's consultation on the bye-laws in the report that will be submitted to the Full Council on 7 March, 2019.**
- **to recommend that the full Council formally adopts the bye-laws.**

## **6. LOCAL TOILETS STRATEGY**

Submitted - a report updating the Committee on the impact of cuts on the County's public toilets and the Service's plans for the future with the development of the proposed strategy to be adopted and published by 31 May 2019. It was noted that following the Her Gwynedd decision to implement a cut of £244,000 in the service by delivering the Partnering Scheme with Community and Town Councils, the Council had managed to keep up to 63 toilets open within the County. It was reiterated that the County had a provision of 35 community toilets that were part of the Community Toilets Grant Scheme.

In response to Section 8 of the Public Health Act (Wales) 2017, every Local Authority in Wales was required to assess its community's needs in relation to toilets and then use strategic and transparent methods to meet that need in the best possible way. In developing the strategy, it was highlighted that broader options had been considered that would address the current challenges relating to providing facilities in communities as well as a reduction in the service budget. Attention was drawn to the timetable which highlighted the key steps towards publishing the strategy.

Members welcomed the information and the positive work that had been achieved.

During the ensuing discussion, the following points were highlighted by individual Members:

- Road signage was needed to draw attention to facilities located off busy roads - the signs to offer information and directions.
- Welcome the Community Toilets Scheme, but needed to amend and improve the condition of some of the buildings - needed to ensure that the toilets were up to standard.
- Needed to be better at advertising and promoting community toilets.
- That any information on the website relating to toilets should be up-to-date and a printable version should be made available.
- Needed to encourage more community toilets - accepted there was a waiting list, but there was a need to review the situation.
- The distance between toilets was a concern - was it possible to map them

out every 10 miles?

- There was a suggestion to include information on the Gwynedd *app*.
- There was a need to consider establishments that offered longer and more flexible hours.
- That neutral facilities were needed - potentially consider that no designation was needed.
- Possible to create a link to Google Maps of the location of conveniences.
- Target some highway businesses to offer the use of their facilities.
- That more emphasis was being placed on tourists' needs; it was the local people who paid the taxes.

In response to an observation whether or not the community toilets scheme offered value for money, it was noted that the scheme was valuable in the full picture but there was an opportunity to review the scheme and look at areas with no facilities. It was noted that the scheme was funded by Welsh Government and that it was now money that was included as part of the annual settlement and it had been ring-fenced for this use only. It was noted that a grant was also received from the Trunk Road Agent. It was reiterated that it would be possible to review the numbers and also the locations and amend them as needed along with the amount paid to every participating business. It was also noted that as soon as the Strategy would be published in May 2019, some work would be carried out to map and identify the gaps.

In response to an observation on maximising the standard and quality of the facilities, it was highlighted that a grant had been received recently to upgrade three conveniences that included nappy changing facilities. It was reiterated that work was being done to attract funding to carry out upgrade work on five other properties and that grants were an opportunity for the services to look at new and innovative opportunities. In response to an observation that the service was reliant on grants to upgrade the standard and condition of the toilets, and should the grant be terminated the responsibility and the cost would fall on the Community Council, it was confirmed that it was the Council that was responsible for the condition of the conveniences.

In response to an observation regarding using Google Maps or a suitable app, it was highlighted that this was a statutory part of the strategy and it would be a natural step to create an app.

**RESOLVED to accept the report and to recommend that the Cabinet Member addresses the observations when drawing up the final Toilets Strategy.**

## 7. PARKING MANAGEMENT ARRANGEMENTS

Submitted - a report from the Senior Property Manager detailing the Council's parking management arrangements and responsibilities, its work outputs and its challenges for the future. The staffing structure showed that the Service, since 2012, had faced significant savings/ cuts despite responding to the same workload. It was highlighted that the pay and display arrangements that were in place in 60 of the County's car parks, along with Annual Parking Permits and payments from parking enforcement, had led to receiving an income of £2.65m by 2018/19. It was noted that the income was a key part of the Council's annual revenue income and contributed towards maintaining services. In accordance with legislative requirements, any income gathered from parking management would be reinvested in the highway network.

Attention was drawn to future challenges and finding a range of options to guarantee an increase in the parking income. If the effect of inflation was to be met and a contribution of £180,000 made toward the savings targets, by 2022/23 the annual income would need to be £450,000 higher than in 2018/19.

Gratitude was expressed for the information.

In response to an observation regarding losing approximately £45,000 in income from the free Christmas parking offer, individual members highlighted the following observations:

- There was a need to consider the time limits before abolishing the service.
- Possible that it did not offer value for money as it was being used by 9-5pm workers?
- Needed to consider methods to dissuade workers from using it.
- Needed better timings - end of November - to coincide with Black Friday? Weekends in the run up to Christmas?
- Offer free parking evenings when events were held in the town.
- Free parking was a good scheme and supported Local Businesses.

The Senior Property Manager accepted the observations and noted it was intended to review the current arrangement.

In response to an observation regarding the appeals graph included in the report and the need for more detailed information about the numbers that were issued and the numbers that were challenged, it was accepted that the graph was basic and it would be possible to include more detailed data.

In response to an observation regarding how electric car charging facilities would be funded it was reported that the scheme was likely to be funded through grants in its initial phase. It was reiterated that the demand for this type of facility was currently very low, but there was a need to prepare beforehand by undertaking work to assess suitable locations within the County.

During the ensuing discussion, the following points were highlighted by individual Members:

- There was a need to highlight the difference between the ownership of a private car park and the Council's car parks.
- Double machines were needed, offering the facility to pay with cash or card.
- The total increases in parking fees appeared difficult in terms of pennies / cash - needed to keep the amounts straightforward.
- A suggestion to pay for an annual parking ticket in monthly instalments.
- What were the costs for maintaining the 57 free car parks? Would it be possible to transfer the resource for local communities to manage them, this would reduce costs for the Council?
- Needed to ensure that the service was effective. No excuse for the fact that machines did not work during busy weekends!
- There was a need to rationalise parking fees across the County.
- Local Parking Ticket - would it be possible to increase the ticket criteria for parking in long-stay car parks?
- With an increasing demand for enforcement, was it possible to consider installing cameras in some car parks to free up officers' time to enforce at other car parks?

In response to some of the above mentioned observations, the officers noted:

- The use of cameras was impersonal, covert and expensive but was a possible option for the future.
- Officers were under an increasing demand to enforce a wide range of fields. Although it was possible to offer a cross-departmental service, this involved intensive training for the officers in a number of legislative fields. It was reiterated that discussions were ongoing but there was a need to simplify the legislation and weigh up practical issues.
- That ensuring and establishing fairness in setting parking fees across the County had been one of the main considerations in submitting parking management arrangements in 2015. The intention was to continue to establish consistency and fairness throughout the County when considering possible options to increase income from parking in future.
- It was possible to hold 'case by case' discussions with Community/Town Councils regarding the transfer of the responsibility for free car parks within the County.
- It would be possible to introduce a range of possible options once the Full Council had decided on its budget for 2019/20 on 7 March 2019.

**RESOLVED to accept the report with a request for officers to consider the observations of the Members when providing an update in due course on the range of options to ensuring an increase in the parking income.**

## 8. PLANNING MATTERS AND THE DELEGATION SCHEME

Following discussions regarding the implementation of the Planning Delegation Scheme in the context of Plas Pistyll, Pistyll, Pwllheli; the Communities Scrutiny Committee on 13.12.2018 had resolved to defer the matter and to receive a further report which would address the basic issues in the delegation scheme, the thresholds for receiving an application to vary conditions, the thresholds of the delegation scheme along with a response to Members' observations and the evidence submitted to Committee.

Submitted - a report that had been prepared jointly by the Head of Environment Department and the Head of Legal Department addressing the above mentioned recommendation.

It was proposed and seconded to defer the decision as neither the members' observations nor the evidence submitted to the Committee on 13 December 2018 had been included in the amended report.

In response, the Monitoring Officer noted that the report responded to the minutes and that the minutes did not note the need to hold discussions with individual members or to include their input in the report. It was reiterated that the report was being submitted to Committee for scrutiny and there was an opportunity for individual members to challenge and ask questions at the meeting.

The Chairman noted that his impression was that members would have been included in discussions with officers and would have been part of creating the report.

In response, the Monitoring Officer noted that a detailed brief was required on

what needed to be submitted to the next Scrutiny Committee meeting.

During the ensuing discussion, a proposal was made for the need to include the following matters in the report:

- That the relevant policies were clearly interpreted
- That clear definitions of technical terms were required
- Needed to respond to observations made at the meeting in December 2018
- There was a need to weigh up the evidence referred to in December 2018
- There was a need to consider specific areas/landscapes
- That the examples in the report were not relevant

During the ensuing discussion, the following points were highlighted by individual Members:

- Lessons needed to be learned by setting a firm and clear direction
- A suggestion to hold a further discussion with individual members

#### **RESOLVED**

- **to defer the matter to the next meeting**
- **that an informal meeting is held between the Chairman, Councillor Seimon Glyn, Councillor Aled Wyn Jones, Councillor Gruffydd Williams, Councillor Dafydd Meurig (Cabinet Member - Environment) and the relevant officers to agree on the matters that need addressing in the report that will be submitted to the meeting on 4 April 2019.**

#### **9. PERFORMANCE MANAGEMENT MEETINGS**

Members were invited to express an interest or nominate people to attend the Environment Department's performance management meetings.

Councillor Berwyn Parry Jones was proposed and seconded

**RESOLVED to elect Councillor Berwyn Parry Jones to represent the Committee at the Environment Department performance management meetings.**

The meeting commenced at 10.30 am and concluded at 1.00 pm

**CHAIRMAN**