
Communities Scrutiny Committee, Thursday 6 February 2020

PRESENT: Councillor Elfed Roberts (Chairman)
Councillor Gethin Glyn Williams (Vice-chairman)

COUNCILLORS: Stephen Churchman, Glyn Daniels, Elwyn Edwards, Annwen Hughes, Aled Wyn Jones, Berwyn Parry Jones, Elwyn Jones, Kevin Morris Jones, Dafydd Owen, Edgar Wyn Owen, Angela Russell, Mike Stevens, Gruffydd Williams and Owain Williams.

OFFICERS: Bethan Adams (Scrutiny Advisor) and Eirian Roberts (Democratic Services Officer).

ALSO IN ATTENDANCE:

In relation to items 5 and 6 on the agenda - Councillor Catrin Wager (Cabinet Member for Highways and Municipal Services), Steffan Jones (Head of Highways and Municipal Services) and Peter Simpson (Street Services Manager).

In relation to item 7 on the agenda - Councillor Gareth Griffith (Cabinet Member- Environment), Gareth Jones (Assistant Head of Environment Services) and Cara Owen (Planning Manager - Development and Enforcement Control).

1. APOLOGIES

Apologies were received from Councillors Simon Glyn and Linda Morgan.

2. DECLARATION OF PERSONAL INTEREST

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

3. URGENT ITEMS

None to note.

4. MINUTES

The Chairman signed the minutes of the previous meeting of this committee held on 5 December 2019, as a true record.

5. STREET ENFORCEMENT

The progress report of the Cabinet Member for Highways and Municipal Services was submitted on the following:-

- Use of cameras by maritime staff;
- The impact of changes to recycling arrangements;
- Collaboration with other neighbouring counties to improve provision;
- Reconsider current staffing levels in the Street Enforcement Unit;
- Expand the interdepartmental collaboration where other Council staff receive delegated enforcement powers on the street.

The Cabinet Member set out the context noting that:-

- The changes to the recycling arrangements in Dwyfor had been very positive, with a reduction in missed collections. It had been more problematic in Arfon due to a number of factors, including inclement weather, vehicles breaking down and a great deal more waste being produced over the Christmas period. She wished to apologise to those communities that had been affected and noted that she was confident that the service was much better by now. As a result of the difficulties in Arfon, the changes in Meirionnydd had been postponed until after Easter.
- In terms of collaboration with other neighbouring counties to improve provision, it appeared that every county was addressing the work in different ways, consequently there was more demand on this Council to develop its own way of operating.
- She had recently had an opportunity to go and see the new CCTV system. She noted that it was a particularly good quality system, and there was an opportunity to use this type of provision much more in the future. In addition, the workers who ran the system had been asked to attend the area forums to explain more about the provision.
- It was extremely important for the county's communities to be clean and tidy and to be a pleasing place to live. There were three parts to this, namely to ensure that the collection arrangements were good, that the Council worked with volunteers and communities to maximise the area's appearance, and also the enforcement element.

Officers elaborated on the content of the report, and members were invited to ask questions and offer observations.

During the discussion, the following observations were submitted by members:

- It was noted that materials continued to fall out of the recycling vehicles, as they were driven off with the doors still open. It was accepted that it was inevitable in urban areas as it was not practical to close the doors between every property, however, drivers should be reminded to close the doors in rural areas, where houses are scattered.
- Satisfaction was expressed regarding the new collection service in Dwyfor and it was noted that matters had been tidied up considerably following these changes.
- It was noted that dog faeces continued to be a contentious issue and it was suggested that the only way to deal with this was to install temporary cameras on some of the paths where the problem was worst.
- It was noted that street bins should be emptied twice a day during school holidays.
- Attention was drawn to the fact that the county's road signs were dirty.
- It was suggested that work should be undertaken with the Maritime Department to erect enforcement signs on beaches, as this would have a positive impact on the environment, together with a scheme to respect the area in line with the enforcement element.

In response to the above and questions from members, it was noted:-

- The new CCTV system was not a system on the lorries, but a street system. The system was more digital than the previous system, with more and better quality cameras, this meant that no workforce was required in the CCTV unit anymore. It was also confirmed that this workforce had by now left the Council.
- That losing materials from vehicles had been a constant complaint. It was agreed that the doors should be closed when working out in the countryside and this message would be conveyed to the worker gangs.

- As recent discussions regarding collaboration had not led to a regional solution, it was proposed to look at this as a department and service and undertake a Ffordd Gwynedd review regarding the team, and how the service was being delivered, with the aim of drafting a new structure that would lead to improving the element of dropping litter and dog faeces. The initial meeting had already taken place and it was hoped to present a report to the Leadership Team in March with the aim of operating the scheme very soon afterwards.
- In terms of the problem with dog faeces, that the use of mobile cameras may be something that could be looked at, to be more firm with enforcement. In addition, there were schemes outside the Council to try and change behaviour. It would also be necessary to review the dog orders, and it may be possible to look at all this as a package.
- The department was very supportive in looking at the use of electric / hydrogen vehicles. It was intended to try and identify what type of vehicles the Council would need, bearing in mind the county's rural nature. Electric vehicles were certainly an option for the small fleet, however, this was more difficult with waste collection vehicles. The department was currently keeping an eye on the trial of hydrogen vehicles, currently taking place in Scotland. It was also noted that a bid had been submitted for a grant from the Circular Economy Fund.
- The department had a system for cleaning streets, this included emptying street bins. If street cleaners were in the area, they would empty the bins, even if they were only a quarter or half full. Members were requested to contact the department if they saw examples where this had not occurred. It was further noted that it was proposed to review the street cleansing arrangements across the county. A new document had been published by Welsh Government giving details of how to clean streets, and this could be an opportunity to look at how the service responds in certain areas, such as Llanberis.
- Six cameras had been provided to the Maritime Team at a cost of £550 each, and as those staff have enforcement powers to penalise people for dropping litter or allowing their dogs to foul, there were opportunities for them to assist with municipal services work.
- The CCTV cameras were operational in Caernarfon, Bangor, Porthmadog and Pwllheli, and requests had also been received from other areas. The police and the relevant town/city council contribute towards the cost of running the system.
- It was agreed that there was a need to review the arrangements to empty street bins at different times of the year, e.g. on a Bank Holiday and during the summer, especially so in those areas that are under a great deal of pressure during these times.
- That the service has a responsibility to clean road signs and they would get to grips with this.
- The Department would further discuss with the Maritime Team to address matters concerning beach enforcement.

RESOLVED to accept the report and to note the observations.

6. SCRUTINY INVESTIGATION ON WASTE ENFORCEMENT - RESPONSE TO THE RECOMMENDATIONS

The progress report of the Cabinet Member for Highways and Municipal Services was submitted on the implementation of the Scrutiny Investigation on Waste Enforcement in the following categories:-

- Immediate implementation;
- Collaboration in the medium term with other services / partners to implement the recommendations.

The Cabinet Member set out the context noting that:-

- She wished to thank the Street Services Manager for all his work in this area.
- The work will highlight the fact that ensuring good collection arrangements, collaboration with communities and enforcement will maximise the county's appearance for everyone's benefit.
- As a result of introducing the new collection system in Dwyfor and Arfon, implementation of enforcement powers was postponed because of the importance of providing a proper service first, prior to looking at enforcement.
- The report gave a great deal of attention to Bangor. Collaboration had commenced with different partners and a Bangor Focus Group was established, working with the Students' Union and the University, and the police were also part of the first meeting. The Department was also part of the Bangor Image Group, a wider group looking at the city's appearance.
- It was proposed to trial QR code stickers in the Upper Bangor student areas, and possibly Hirael as well, and it was hoped that there would be an update regarding this time-schedule soon.
- A great deal of work could be done in promoting services offered and to change behaviour.
- The Council needed to reach a recycling target of 64% by March this year, with the target then increasing to 70%.
- She was eager to develop an engagement and communication programme with the Communication Unit in order to go out into the communities to speak with people and raise awareness and understanding of waste issues.

The officers elaborated on the content of the report, and members were invited to ask questions and offer observations.

During the discussion, the following observations were submitted by members:-

- The Scrutiny Investigation's recommendations were welcomed. It was noted that officers had taken notice of the investigation members' opinion and it was deemed that implementing those recommendations would make a difference to the service and the environment for residents.
- It was noted that there was a tendency to deviate towards Bangor, however, this was where the most profound problems were due to the student population and the city's geography.
- It was emphasised that Gwynedd needed to be recycling champions. This would require further investment, but there was no other option. The Council undertook very good work in the field, however, it was necessary to do a little bit more again.
- Concern was expressed that fines could lead to an increase in fly tipping, especially in rural wards.
- The good work of the recycling centre at Ffridd Rasus was praised and the head officer was asked to convey this message to the workers.
- The emergency department who deal with fly tipping and overflowing street bins, was thanked.

In response to the above observations and questions from members, it was noted:-

- That the purpose of introducing fines for disposal on the wrong day, or incorrectly was to target where there are problems, rather than trying to catch people out. A policy was drafted that encouraged an initial link, with an officer visiting a house where there was a problem to see if it was possible to offer an additional service. There were 3-4 further steps in the policy and the only people who would be fined

would be those who could comply, but refused to do so. It was necessary to look at individual locations weighing up the risk element and the image the bin conveyed if left on the street. It was accepted that there was no option in many places but to place bins on the street and the service would work with residents in difficult areas to seek a solution.

- It was recognised that more needed to be done to promote the clinical collection service. There may be an opportunity to offer a service for reusable real nappies for parents when they register the birth of their child, as well as drawing the attention of carers to this service.
- The Council would receive a fairly substantial fine if it failed to reach the current recycling target of 64%, and there was considerable work to do to reach the target of 70% by March 2025.
- It would be beneficial for anyone to come to Caerylchu, or one of the other recycling centres, to see the processes being undertaken there.
- Several communities in Gwynedd had expressed an interest in being a non-plastic community, and members were asked to contact the service for assistance and support if a community within their ward wished to move in this direction.
- That the department provided a commercial waste collection service for businesses. Currently, it was believed that 2221 of the county's businesses received a residual waste collection and recycling service from the Council. The service sought to improve the recycling percentage, and there was work to be done in terms of e.g. assisting caravan sites to move the agenda forward. The recycling performance of the commercial service was 48%, slightly lower than the domestic element. Welsh Government was taking action to improve and place more emphasis on the business sector in general, and this was something that should be looked at next year.
- Use of the Blaenau Ffestiniog recycling centre by Conwy residents was not being monitored, and this may be something to look at, together with the use of Bangor Recycling Centre by residents from Conwy and Anglesey. It was also noted that the fact that Conwy charged for the disposal of items at their recycling centres could have an impact on the use made of sites in Blaenau Ffestiniog and Bangor.
- It was not anticipated that having fines would lead to an increase in fly tipping, but this was certainly something that should be borne in mind.
- As part of the review of street cleaning arrangements, it would be necessary to invest in multi-purpose bins, that would allow the sorting of paper, cans and plastic, in order to recycle these materials.
- That placing street bins in lay-bys could be problematic as this encouraged people to dispose illegally around the bins. The message was that people should take their litter home and place it in the correct bin, however, this was something to review when moving forward with the street cleaning agenda.
- Re-introducing community skips scheme was not an option due to the regulations of Natural Resources Wales regarding permits etc, and although skips had been an useful resource in the past, they had been misused.
- The bulky refuse service was an opportunity for residents who cannot get to recycling centres to dispose of items. The Council offered this as a service once every fortnight and a collection for up to 5 items at a time was permitted for one fee of £25. Over 4000 requests were received a year, and the bulky items were recycled, this was different to what used to happen to the materials in the community skips that went to landfill. It was explained that people could organise a bulky refuse collection via the Gwynedd app and it was noted that it was proposed to give more publicity to the service available.
- Dependent on the success of the trial with the QR stickers, the stickers may be placed on bins in general, and to also discuss this type of scheme with takeaway shops etc.

- That discussions had taken place with businesses in Bangor in an effort to encourage them to use less polystyrene in food the packaging, there was also a role within the community to work with businesses regarding this.

RESOLVED

- (a) To accept the report and to note the observations.**
- (b) To request that the service makes arrangements for committee members to visit Caergychu to learn more about the processes that are undertaken there.**

7. PLANNING MATTERS AND THE DELEGATION SCHEME (MONITORING REPORT ON THE NEW DELEGATION SCHEME)

The Cabinet Member's monitoring report on the implementation of the new Delegation Scheme for planning applications was submitted.

The Cabinet Member set out the context noting that this was a matter that was live and changing, and the report gave members a picture of what was happening, what had changed and what the procedure was.

Officers elaborated on the content of the report, and then members were invited to ask questions and offer observations.

During the discussion, the following observations were submitted by members:-

- Concern was expressed regarding the consultation arrangements with the AONB on the grounds that it would be more democratic if the observations on planning applications came from the Llŷn AONB Advisory Joint Committee, rather than the AONB Officer. It was further noted that there had been some conflict between officers and joint committee members regarding several contentious applications.
- Concern was expressed regarding the number of planning applications determined via the delegation scheme, compared with the number submitted to the Planning Committee e.g. in October 2019, a 107 applications were determined by officers compared to 3 by the committee. It was understood that the local member had the right to call in any application to a committee, but often the member missed the application and therefore missed an opportunity to call it in. It was also noted, due to Gwynedd's geography, that the type of applications received here were different to those received in populated areas such as Cardiff, Swansea and the south Wales valleys. There was also mention that presenting fewer application to the committee reduced the members' workload, however, the members were paid for undertaking this work.
- It was noted that what was important was that applications that come before the Planning Committee were applications that merited discussion, and the reduction in the number of meetings and applications that came before the committee was welcomed.
- It was noted that it was more difficult by now for the members to see the weekly list of planning applications due to IT changes, and it was emphasised that members had to be aware of the applications to hand in order to be pro-active and to convey the local feeling on those applications.
- It was noted that members should also receive a list of the applications determined via the delegation procedure.
- It was noted that Anglesey had made a profit of 5.9% last year on planning fees (a net expenditure of £767,000 and income of £812,000), however, Gwynedd had made a loss of 51.9% (net expenditure of £1.097,000 and income of £528,000).

- It was emphasised that any application to vary a condition/conditions on a planning permission granted by the Planning Committee should be referred back to the committee automatically, especially if the variation may be contentious.
- Concern was expressed regarding the inability of the public and Members to contact planning officers over the telephone.

In response to the above observations and questions from members, it was noted:-

- In terms of the AONB, that a service level agreement was in place. The AONB Officer was professional and independent from the planning service, as all other consultees. Planning officers had a duty to assess what was required in accordance with legislation, and therefore they did this in the context of the observations received from the AONB Officer. There was no statutory duty to consult with the AONB, however, this was done because of the importance of the work relationship between both units. It was deemed that there was no necessity to consult with the Joint Committee, although they were welcome to submit observations on applications, and it was considered that the duty to protect the AONB was undertaken by the planning officers and the AONB Officer.
- The current delegation scheme derived from a scrutiny investigation made on behalf of this committee, and it also stemmed from this committee's recommendation to the Cabinet Member to modify the delegation scheme. At the time, it was agreed that too many planning applications were submitted to the Planning Committee and the impact of modifying the delegation scheme was to ensure that only the applications that truly needed the committee's determination were submitted. The relationship of every member with the Planning Service was extremely important in terms of planning applications, and each member had the right to refer a planning application to committee, whatever the nature of the application. This change had brought this Council to a similar situation as several other authorities, with approximately 6% of the applications determined by the Planning Committee every year. It was further noted that it was risky to look at statistics for a short period of committee meetings and to consider what decisions had been made, and it was important to look at the figures over a period of a year. For example, it was noted that possibly the exact determinations to refuse or approve the three applications submitted to the committee in October last year, had not gone out for another two months for various reasons. It was further noted that it was recognised that a major development in Gwynedd was very different to a major development in Cardiff for example, and this is why the scrutiny investigation looked at examples of delegation schemes in areas similar to Gwynedd. Statistics indicated that approximately 94% of the applications of those authorities were determined by the delegation scheme, the changes as a result of the new delegation scheme in Gwynedd took this Council to the same place as planning authorities that were similar in character to Gwynedd. It was also noted that the comment regarding the workload of members was accepted, however, a higher number of fairly small in nature applications had influenced the number of Planning Committee meetings and the duration of those meetings.
- The Planning Service had been through a particularly challenging period transferring to a new IT system whilst the day to day work had to continue. It was acknowledged that a few problems had arisen, however, the service was confident that the new system would benefit residents, members and the service in the long term. It was confirmed that the weekly list of applications was still available for members and there was no intention to change this. From next week on, it was proposed to send a link to members to remind them that the new list of applications had been published, and it was also noted that the service would organise training for anyone who had difficulty to find the lists.

- The total planning fees for the year were totally dependent on the types of applications received, as some types of applications e.g. applications for supermarkets and substantial housing developments could bring in much higher fees than others. Therefore, comparing the fees of different authorities was not a comparison of the performance of one against the other.
- It was considered that the best way forward with applications to vary a condition/conditions on a planning permission granted by the Planning Committee would be to deal with each case as they arose. The weekly list and consultation came before the members and clearly stated that there was a variation in condition. In addition, what was considered contentious by officers could be different to what was considered contentious in the application's local area, therefore, officers were very dependent on the local member to act as a barometer for local feelings. Also, there was responsibility on the local member to jointly discuss the way forward with the officer.
- That the comment regarding difficulties contacting planning officers was accepted and discussions were under way to see what could be done to improve the system.
- The weekly list of delegated decisions was already available on the website.
- The AONB Officer and internal and other statutory consultees gave a professional opinion in terms of their own professional technical requirements. They did not make an assessment against planning policies, this was the role of the planning officers. Therefore, an objection to an application from a consultee did not mean that there was an objection on planning grounds.

A member noted that he had not been consulted on a planning application as a local member in the National Park area. A member of the committee noted, who was also a member of the National Park Authority, that he would raise this matter on his behalf.

A member noted that he had difficulty in finding the exact location of the AONB on a detailed map. He noted that the AONB Officer had not been consulted on a recent planning application at Bwlch Bridin, that abutted the AONB, and he was disappointed that there was no comment by the officer on an application that would affect the majority of Porthdinllaen bay.

RESOLVED to recommend:

- (a) **To continue to implement the statutory consultation procedure and use the new letter templates for consultations and to monitor the situation with the new back office system and review as required.**
- (b) **To continue to consult with the AONB Unit as per the current arrangement.**
- (c) **To continue to provide a programme of relevant training on a regular basis.**
- (ch) **To reduce the number of Planning Committees from 15 per year to 12 per year and to monitor how this works over a one-year period and for this to be operational in the next financial year.**

The meeting commenced at 10.15am and concluded at 12.15pm.