

ENVIRONMENT AND REGENERATION SCRUTINY COMMITTEE

Minutes of a meeting held on 25th June, 2019.

Present: Councillor Ms. B.E. Brooks (Chairman); Councillors V.J. Bailey, Mrs. P. Drake, V.P. Driscoll, G. John, M.J.G. Morgan, A.R. Robertson, L.O. Rowlands, Ms. S. Sivagnanam and S.T. Wiliam.

Also Present: Councillor P. King (Cabinet Member for Neighbourhood Services and Transport).

81 APPOINTMENT OF VICE-CHAIRMAN –

RESOLVED – T H A T Councillor S. Sivagnanam be appointed Vice-Chairman for the Municipal Year.

82 MINUTES –

RECOMMENDED – T H A T the minutes of the meeting held on 4th April, 2019 be approved as a correct record subject to it being noted that Councillor Ms. B.E. Brooks was also present.

83 DECLARATIONS OF INTEREST –

No declarations were received.

84 WELTAG STAGE TWO M4 TO A48 UPDATE (REF) –

The Head of Neighbourhood Services and Transport presented the report which had been referred to the Scrutiny Committee for its consideration.

She outlined that the report provided an update on progress of the WelTAG Stage Two transport study that was being undertaken on the M4 Junction 34 to A48 transport corridor. The report also identified the further work as part of a WelTAG Stage 2 plus that was being undertaken in respect of the following:

1. Undertaking environmental surveys and investigations to further inform the recommendations of the Stage Two report;
2. Taking further account of the consultation responses to update the concept design of the highway link and junction options;
3. Progressing the proposed Parkway Station at the M4 junction 34 to a GRIP2 Feasibility Study process (i.e. Governance for Railway Investment Projects);
4. Making recommendations for the progression to a WelTAG Stage Three (Full Business Case) following completion of the additional studies being undertaken as part of the WelTAG Stage Two process and award of Capital Transport Grant funding by Welsh Government.

The Stage Two report options examined against a do-minimum option were as follows (Appendix A of the Cabinet report referred to in detail)

- Option B – a highway route to the east of Pendoylan;
- Option C – a highway route to the west of Pendoylan; and
- Option G – a Parkway Station with Park and Ride facility and bus integration near to M4 Junction 34.

In terms of funding, the Head of Neighbourhood Services and Transport stated that the Authority had applied for Stage Three funding requesting an amount of £940k. Welsh Government had allocated a sum of £750k with further funding possibly available in year depending on the outcomes of the studies. The Head of Neighbourhood Services and Transport reminded the Committee that the objective of the Report today was to update Members and that a decision on the final outcomes of the study would be made at a later date.

The Chairman then invited Ms. Abigail Phillips, member of the public, to make her verbal representations to the Committee.

Ms. Phillips stated that she worked in the role as a Town and Countryside planner and she outlined that there had not been a buy-in to the strategic recommendation for a new trunk road. She stated that a new route to Cardiff Airport was not required as the growth and success of the Enterprise Zone was not dependent on a new road. She also stated that the car manufacturing industry was at present very fragile so she questioned how sustainable was the new Aston Martin facility. Ms. Phillips went on to state that the new route would increase congestion at Culverhouse Cross and she asked why had no other options been considered such as improvement to Junction 35 and also Culverhouse Cross. She also queried why public opinion had been ignored and she stated that the Parkway train link was unreliable and was at a very early stage.

The second public speaker was Mr. Paul Waite, who was speaking on behalf of Pendoylan Community Council and he stated that the WeLTAG Stage Two study was flawed and consultation with local residents had been ignored. He queried why the Stage Two process did not include the “Do minimum” option as the creation of a new road was against recent Welsh Government policy. Mr. Waite queried the purpose of consultation if other alternative options had been ignored and he asked how could the Council make a decision without all the relevant information. Mr. Waite stated that the world we were living in was changing and he referenced to a rapid drop in car sales alluding to the objectives within the Welsh Government’s Well-being of Future Generations Act and a commitment for Wales to be carbon neutral. In summary, he stated that the consultation exercise had been flawed, that there was no requirement for a new road and the proposals were no longer fit for purpose.

The next public speaker was Miss. Ushenke Rajapakse who was a representative on the Vale’s Youth Forum. She wanted to speak from the perspective of a young person whose future would be effected by the “climate emergency” which required urgent changes. She stated that she would be joining the thousands of young people who had spoken out demanding action on climate change. Miss. Rajapakse

referred to the Wellbeing of Future Generations Act which stated the importance of consultation with young people. She questioned why young people had not been directly consulted on the proposals. She then outlined Welsh and UK Government policy to reduce carbon emissions which would not be met by building new roads. As an alternative, she called for greater investment in public transport, especially as the local bus service was every two hours. This meant that transport links were not good, and so people were being forced to use their cars. She stated that there was an alternative and she urged the Committee to reject the proposals.

The Committee's fourth public speaker was Mrs. Susan Armitage, who began by stating that she worked in the area of risk management for Welsh Government and also the UK Government. She stated that members of the public questioned the need for a new road and also whether sufficient consideration had been given to the viability of alternatives and also the impact on future generations. She referred to the Welsh Government's Climate Emergency that had recently been declared and a need to lower harmful emissions and to reduce traffic congestion. She pleaded with the Committee for a new road not to be their legacy, which went against the need to reduce carbon emissions and improve air quality. In addition, Mrs. Armitage queried whether a proper Environmental Impact Assessment had been carried out and she questioned as to what problems would be solved by the new route. Further, she asked whether alternative options had been properly considered and whether Members were satisfied with the robustness of the studies undertaken.

In responding to the comments made by the public speakers, the Head of Neighbourhood Services and Transport outlined the following:

- The report in front of Members was not looking for a final decision and Cabinet would be provided with additional environmental information, , at a later stage;
- In terms of the Well-being of Future Generations Act and climate change, she fully understood where the concerns were coming from but it had also been recognised that the road network was not up to "scratch" and did not meet the needs of businesses or locals;
- If the Council took the proposals forward, the objectives were greater than simply improving access to the airport. This she stated was a need of the Cardiff City Capital Region and therefore had been a regional response supported by funding from Welsh Government;
- In terms of further consultation, the Head of Neighbourhood Services and Transport stated that should the Council reach Stage Three, then more consultation would be carried out including further opportunities for local schools in the area to give their views.

The Local Ward Member, as a Member of the Committee, stated that a number of local objections had been raised and he read out an email that he had received from Dr. David Moody Jones, Member for Pendoylan Community Council. The main points from the email being:

- Any new road would have a significant impact on the environment, the risk to which had not been fully addressed;
- Alternative options had failed to be considered;

- There would be a negative impact on bio-diversity and eco-systems;
- The proposals were against Welsh Government targets to reduce dangerous emissions and greenhouse gases and targets around de-carbonisation;
- The impact on air quality;
- The environment impacts needed to be addressed now before progression to the next stage and
- Could the Council afford to spend money on the studies

The Member then highlighted the local concerns regarding the impact on the environment and he stated that things needed to change citing the recent announcement of a “climate emergency”. He added that a new road would be damaging to the environment and so a detailed Environmental Impact Assessment needed to be carried out and he queried why this had not been carried out sooner. The Member then referred to a new road being built in order to serve the Airport and he questioned the establishment of the Enterprise Zone. He also explained that local community groups were upset with the proposals, and so it was important to listen to local concerns. Back in November 2017, the Scrutiny Committee had referred options back to Cabinet which included the “Do Minimum” approach. This, the Member stated, appeared to have disappeared and he queried why the road could not be improved as part of the “Do Minimum” option. He questioned whether there was a need for a new road on the scale and cost that was being proposed that was not value for money and did not address the issues. In closing, the Member stated it was agreed that something had to be done, but an upgrade to the existing road would be better.

In reply to the Member’s comments, the Head of Neighbourhood Services and Transport stated that Environmental Impact Assessments was not part of Stage Two as not all information relating to the options had been gathered. This would be undertaken as part of Stage Three. She stated that she agreed that something had to be done and that the “Do something” approach was considered at Stage One and deemed not appropriate, but this could be reconsidered at any stage. Do-minimum continues to be an option against which all other options are considered against.

A number of Members then aired their initial views and the following comments were made:

- Where was the demand for a new road coming from as it seemed that most local residents were opposed to the idea;
- It was time Welsh Government made up their mind, referring to the 2017 Plan to have a railway spur to improve access to the airport. This had been ongoing for many years and no final decision had been taken;
- Any new road would increase gridlock and the question was raised as to what would happen to all the extra cars on the road and where was the benefit to residents of the Vale of Glamorgan;
- The north access road in Llantwit Major cost millions of pounds despite local objections which were ignored by Welsh Government;
- What were Welsh Government’s objectives when it came to reducing traffic congestion and greater consideration should be given to reducing road traffic by improving the railways;

- Concern regarding the impact on the environment and future generations and the need for greater awareness as Welsh Government had issued a “climate emergency” with local objections not being fully addressed;
- Not convinced that a new road was the answer, particularly in the light of local objections and the need to improve sustainability and the impact on the environment;
- A Committee Member queried whether the Committee was convinced that the right solutions were being taken forward and he recommended that a message be sent to Cabinet for further consideration for the existing infrastructure to be upgraded and for any new road to be rejected. In addition, the Committee Chairman should also write a letter to the Welsh Government Minister outlining the Committee’s concern for the environment and the impact of new roads.

In replying to some of the comments made, the Head of Neighbourhood Services and Transport stated that the demand for a new road had come out of the Cardiff Capital City Deal Region project and had been supported by the Council’s Cabinet. In terms of the Rhoose train station and new spur road, she confirmed that nothing had been received from Welsh Government and she had no more information to provide.

In regard to sustainability, she stated that over 10,000 new houses were likely to be built in the Vale of Glamorgan to 2026. This would increase traffic congestion but she agreed that Welsh Government needed to look at the bigger picture.

With regard to climate change, this was set out in the Well-being of Future Generations Act and would be considered as part of the Stage Two plus process. In addition, she advised that Stage Three would be where the assessment of value would be undertaken and whether the final solution was acceptable.

In relation to the rail network, it had been agreed for this to be separated off from the new road in order that the park and ride was not held up by any road or vice versa.

Subsequently, it was

RECOMMENDED –

- (1) T H A T Cabinet give consideration to an additional option of improving the existing infrastructure without the need for a new road.
- (2) T H A T an additional report on the Stage Two Plus process should be reported back to the Committee.
- (3) T H A T a letter be sent to the Welsh Government Minister in light of the Welsh Government declaration of a climate emergency, requesting the Welsh Government to outline its vision and how the impact on the environment would be minimised.
- (4) T H A T Cabinet be requested to consider the impact on future generations and the environment should a new road be approved.

Reasons for recommendations

- (1) In order to ask Cabinet to consider an alternative option which includes the upgrade of the existing infrastructure with the removal of an option for a new road.
- (2) In order for the Committee to receive information on the Stage Two Plus process.
- (3) In order to gather the Welsh Government vision around transport and the impact on the environment.
- (4) In order to highlight the concern of the Committee in relation to the environment and the impact on future generations.

85 VALE OF GLAMORGAN TOILET STRATEGY (REF) –

Cabinet, on 17th June, 2019 had considered the Vale of Glamorgan Toilet Strategy which was approved in principle and referred to the Scrutiny Committee for its consideration.

The Head of Neighbourhood Services and Transport presented the Strategy, advising that there was no statutory duty for Local Authorities in Wales to provide public conveniences. As a non-statutory service at a time of austerity there was clearly a risk that Councils could reduce or even discontinue public convenience provision as financial pressures increased. However, any decisions taken on provision of public conveniences must be appropriately considered.

Part 8 of the Public Health (Wales) Act 2017 required Local Authorities to publish a Local Toilet Strategy by 31st May, 2019. Earlier reporting on this issue had not been possible, and the publication deadline had now passed. Officers had however written to Welsh Government to advise of the position.

Members noted that the Strategy must be available and published on the Council's website, and there was no requirement for the Strategy to be presented to Welsh Government for approval.

A breakdown of the costs to provide toilets was tabled at the Committee for Members' consideration. Attached at Appendix A to the report was the draft Toilet Strategy while Appendix B was the report and the consultation exercise which had received 1,040 responses. The main findings from the consultation included information regarding usage of each public toilet, public opinion regarding alternative methods of toilet provision, suggestions of how to improve existing facilities and ideas for cost savings.

Regarding the possibility of charging to use public toilets, 49% of respondents stated that they would be willing to pay. 38% of respondents were willing to pay 10p, 47% 20p, 3% 30p, 10% 50p and 2% £1. The main suggestions from the consultation

were to improve existing toilet facilities, improve cleanliness, modernise and improve facilities, and amend or extend opening hours.

Ideas for cost savings associated with the provision of public toilets from the consultation included implementation of charges or voluntary charges, improve efficiency, implementation of a community toilet scheme and rationalisation of the Council's toilets.

The Strategy also recommended that the Council continues to discuss the business potential of sharing facilities and the possibility of sponsorship at key locations such as Barry Island and Penarth sea front. In summary, the Strategy acknowledged that the Council would need to discuss with Town and Community Councils the merits of retaining public toilet provision in certain locations and whether a partnership arrangement was appropriate in ensuring that provision could be retained.

As a Local Ward Member for Llantwit Major, a Committee Member stated that it was important for all Council departments to work together as town centres and tourism relied on good public toilets and he referred to the issues being experienced by Bridgend County Borough Council. He outlined that this was raised with Llantwit Major Town Council over 5 years ago but no further approach had been made. He stated that he hoped that other Town and Community Councils would be approached but it would not be acceptable for the toilets to be paid out of an increase to the precept. In relation funding, he stated that the new housing developments around Llantwit Major would bring in extra Council Tax. In regard to Boverton, he stated that the public toilets were not used much and he asked whether opening times could be changed as 9:15am was too late. With regard to rail/bus interchange in Llantwit Major he stated that the bus shelter needed to be addressed as this represented a risk to public health, and again he asked for the toilet opening and closing times to be looked at in order to meet the town's needs.

In response the Head of Neighbourhood Services and Transport advised that opening times were covered in part 5 of the Strategy, and discussion on this would be held with Town/Community Councils and also on how they can help manage local toilets.

In relation to the Ward of Baruc in Barry, the Local Ward Member, stated that 8 of the 23 toilets were located in his Ward, which provided a lot of benefit for tourism. He stated that most visitors expected to pay to use toilets, and he queried who would be responsible for closing and opening toilets. The Head of Neighbourhood Services and Transport outlined that in most instances Vale staff would go around locking up facilities. She added that in relation to any charges should they be implemented at a further date, this had to be set at the right level, referring to Tenby as a good example.

The Chairman referred to the closure of public toilets at the Civic Office in Barry, stating that better information should be provided to the public and the language used by reception staff to advise the public needed to be considered. In addition the issue of public access should also be looked into.

The Cabinet Member, with permission to speak stated that problems around public toilets were well known and there was a need to look at charges. He also referred to getting business on board and encouraging them to open up their toilet facilities for the public.

Subsequently, it was

RECOMMENDED –

- (1) T H A T Cabinet give further consideration to the possibility of introducing charging for the use of public toilets.
- (2) T H A T Cabinet be asked to consider public access to toilets at the Civic Office, and also to look at how Reception staff inform the public that toilets are not currently available.
- (3) T H A T Cabinet give further consideration around how Business' can be involved in assisting the Council to deliver the Strategy
- (4) T H A T an update report be provided to the Committee outlining whether the strategy has been successful.

Reasons for recommendations

- (1) In order to ask Cabinet to consider an alternative option which includes the upgrade of the existing infrastructure.
- (2) In order for Cabinet to consider the public access to toilets at the Civic Office and how information on this is relayed.
- (3) To engage with Businesses so that these can assist the Council to deliver its Toilet Strategy.
- (4) To provide the Committee with update on progress.

86 CARDIFF CAPITAL REGION CITY DEAL – JOINT SCRUTINY COMMITTEE NOMINATED DEPUTY (MD) -

The Democratic and Scrutiny Services Officer sought nominations of a named deputy representative on the Cardiff Capital Region City Deal - Joint Overview and Scrutiny Committee (JOSC).

The report outlined that arrangements for the Cardiff Capital Region City Deal - Joint Overview and Scrutiny Committee (JOSC) were agreed by Council on the 18th July 2018 (minute no. 194), with the Chairman of the Environment and Regeneration Scrutiny Committee being appointed as the representative for the Vale of Glamorgan.

Members noted that the Terms of the Joint Working Agreement for the JOSC allowed constituent Local Authorities to name a deputy representative in the absence of the Scrutiny Chairman and Councillor Neil Moore was duly appointed to be the nominated deputy.

Following the Council's Annual General Meeting held on 20th May 2019, Councillor Bronwen Brooks was appointed Chairman of the Environment and Regeneration Scrutiny Committee, and so, had become the Vale of Glamorgan's JOSC representative.

As Councillor Neil Moore had become Council Leader, and therefore no longer eligible to sit on the Joint Scrutiny Committee a new nominated named deputy was required. The report therefore sought the Scrutiny Committee to recommend a nominated deputy in the absence of the Scrutiny Chairman.

The Committee's recommendation would be formally decided by Council on 29th July 2019.

Therefore, having considered the report, it was subsequently

RECOMMENDED - T H A T the Scrutiny Committee recommends to Full Council that Councillor S. Sivagnanam be appointed as the nominated deputy to represent the Council on the Cardiff Capital Region City Deal - Joint Overview and Scrutiny Committee in the absence of the Chairman of the Environment and Regeneration Scrutiny Committee.

Reason for recommendation

To appoint a named deputy representative to the Cardiff Capital Region City Deal - Joint Overview and Scrutiny Committee.

87 4TH QUARTER SCRUTINY DECISION TRACKING OF RECOMMENDATIONS AND PROPOSED WORK PROGRAMME SCHEDULE 2019/20 (MD) -

The Democratic and Scrutiny Services Officer presented the report, the purpose of which was to advise Members of progress in relation to the Scrutiny Committee's recommendations and to confirm the updated Work Programme Schedule for 2019/20.

Appendices A to D attached to the report set out the recommendations of the Scrutiny Committee and Members were requested to review progress against each recommendation, to assess whether further action may be required, ensure the required action was undertaken and to confirm which recommendations were to be agreed as completed.

Members were also requested to confirm approval of the proposed Scrutiny Committee Work Programme Schedule attached at Appendix E, it being noted that

the schedule was a proposed list of items for consideration and may be subject to change depending on prevailing circumstances.

Subsequently, it was

RECOMMENDED –

(1) T H A T the updated work programme schedule attached at Appendix E to the report be uploaded to the Council's website.

(2) T H A T the following recommendations be deemed completed:

10 January 2019	
Min. No. 653 – Town Centre Framework – Implementation Update (REF) – Recommended	
(1) That Cabinet be advised of the importance and emphasis for stakeholder consultation around what town centre traders want from the Council.	Cabinet, at its meeting on 18 th February, 2019, noted the contents of the report. (Min. No. C577 refers) Completed
07 February 2019	
Min. No. 732 – Directorate of Environment and Housing – Proposed Fees and Charges for 2019/2020 (REF) – Recommended	
(1) That where applicable the fees for 2019/20 should be either rounded up or rounded down to the nearest whole figure. (2) That the Committee receive a further report outlining the long term management of allotments and the associated breakdown of costs.	(1) To be progressed internally. Completed (2) Added to the Committee's work programme schedule. Completed
Min. No. 734 – 3rd Quarter Scrutiny Decision Tracking of Recommendations and Updated Work Programme Schedule 2018/19 (MD) – Recommended	
(2) That the updated work programme schedule attached at Appendix D to the report be approved and uploaded to the Council's website.	Uploaded to the Council's website. Completed
07 March 2019	
Min. No. 827 – Reshaping Services - Enforcement Services (REF) – Recommended	
(2) That a recommendation be referred to Cabinet to establish a central (to the Vale of Glamorgan area) base of operation for both the Environment and Highways Enforcement Team and the Civil Parking Enforcement Team under a	Cabinet, at its meeting on 18 th March, 2019, resolved [1] That the Cabinet proposals of 18 th February, 2019 together with Recommendations (1), (3), (4) (5) and (6) of the Environment and

<p>new in-house enforcement model.</p> <p>(3) That a recommendation be referred to Cabinet that body cameras be purchased and utilised by all members of Enforcement staff.</p> <p>(4) That a recommendation be referred to Cabinet that any alleged issues identified amongst staff employed by the current provider be addressed prior to the establishment of a new in-house enforcement model.</p> <p>(5) That a recommendation be referred to Cabinet that the Local Authority purchase and install its own supply of CCTV enforcement equipment.</p> <p>(6) That a recommendation be referred to Cabinet that the Vale of Glamorgan in-house Enforcement Service operates during weekend and bank holiday hours.</p> <p>(7) That the Environment and Regeneration Scrutiny Committee receives six monthly monitoring reports on progress achieved during a new in-house Enforcement Service model.</p>	<p>Regeneration Scrutiny Committee meeting of 7th March, 2019 be endorsed. (Min. No. C628 refers) Completed</p> <p>(7) Added to work programme schedule. Completed</p>
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Min. No. 828 - Strategic Transport Improvements In Dinas Powys - Update (REF) – Recommended

<p>(4) That the comments of the Scrutiny Committee, as well as the recommendations raised above, be referred to Cabinet for consideration.</p>	<p>Cabinet, on 15th April, 2019, resolved</p> <p>[1] That the recommendations of the Scrutiny Committee be noted.</p> <p>[2] That the progress made on the WelTAG studies relating to improving strategic transport in Dinas Powys be noted.</p> <p>[3] That the decision of Welsh Government in relation to further funding be awaited and should grant funding not be available from Welsh Government for the completion of the Stage 2 WelTAG work, as identified in paragraph 4.7 of the report, the Head of Neighbourhood Services and Transport be authorised to seek an alternative funding source.</p> <p>[4] That in pursuance of Resolution (2), the Head of Neighbourhood Services and Transport progress with Stage 2 works for the Green and Pink Route exclusively.</p> <p>(Min. No. C656 refers)</p>
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	Completed
Min. No. 829 - Penarth Heights Sustainable Transport Consultation Report (Call-In) – Recommended	
(4) That the Environment and Regeneration Scrutiny Committee be provided with brief updates regarding the Cogan tunnel, bicycle and walking routes from Penarth Heights towards the Tesco site, the route between Pont y Werin to Cardiff Sports Village and the use of installing traffic lights within the proposed scheme.	Added to work programme schedule. Completed
Min. No. 831 – Vale of Glamorgan Well-Being / Improvement Objectives and Improvement Plan Part 1 2019/20 (DEH) – Recommended	
(1) That it be recommended to Cabinet that the Vale of Glamorgan Well-being (Improvement) Objectives and associated priority actions for 2019/20 as aligned to Well-being Outcome 2 be endorsed. (2) That it be recommended to Cabinet that the Regeneration and Planning and Neighbourhood Services and Transport Service Plans for 2019/20 be endorsed. (3) That it be recommended to Cabinet that the proposed service improvement targets for 2019/20 aligned to Well-being Outcome 2 priorities be endorsed.	The Committee's views have been forwarded to the Improvement and Development Team for incorporation into an updated report to be presented to Cabinet. Cabinet, on 1 st April, 2019, noted the Scrutiny Committees' comments. (Min No C635 refers) Completed
8 November 2018	
Min. No. 476 – Civil Parking Enforcement Update (DEH) – Recommended	
(4) That a Member of the Committee be sought undertake a site visit to the Unit using the camera car at Cardiff City Council, and for the findings to be report back to the Committee.	No longer required as decision taken for a Camera Car to be introduced. Completed