

No.

## ENVIRONMENT AND REGENERATION SCRUTINY COMMITTEE

Minutes of a Hybrid Meeting held on 20<sup>th</sup> February, 2024.

The Committee agenda is available [here](#).

The recording of the meeting is available [here](#).

Present: Councillor S. Lloyd-Selby (Chair); Councillor I.A.N. Perry (Vice-Chair); Councillors C.E.A. Champion, P. Drake, V.P. Driscoll, A.M. Ernest, M.J. Hooper, C. Iannucci, E. Penn, J. Protheroe and S.T. Wiliam.

Also present: Councillors A. Asbrey, J. Aviet, B.E. Brooks (Deputy Leader and Cabinet Member for Sustainable Places), I.R. Buckley, L. Burnett (Leader and Cabinet Member for Performance and Resources), C.P. Franks, H.C. Hamilton, Dr. I.J. Johnson, N.C. Thomas and E. Williams (Cabinet Member for Social Care and Health).

### 820 ANNOUNCEMENT –

Prior to the commencement of the business of the Committee, the Chair read the following statement: “May I remind everyone present that the meeting will be live streamed as well as recorded via the internet and this recording archived for future viewing”.

### 821 MINUTES –

RECOMMENDED – T H A T the minutes of the meeting held on 16<sup>th</sup> January, 2024 be approved as a correct record.

### 822 DECLARATIONS OF INTEREST –

Councillors C. Champion and P. Drake declared a personal interest in respect of Agenda Item No. 5 – Audit Wales Recommendations Regarding Governance And The Planning Service – Planning Committee. The nature of the interest was that both Councillors were also members of the Planning Committee. Both remained in the meeting for the duration of the item.

### 823 UPDATE REPORT: RECYCLING AND WASTE MANAGEMENT SERVICE CHANGES 2023/24 (REF) –

The reference from Cabinet of 18<sup>th</sup> January, 2024 as contained within the agenda was presented by the Operational Manager - Neighbourhood Services and Transport.

No.

In addressing the Committee, the Operational Manager provided a PowerPoint presentation which covered the following:

- A performance update for the new green waste subscription service.
- An update since the implementation of 3-weekly black bag collections.
- Infrastructure update.
- Legislative update.

The Chair asked for clarification as to whether black bag waste from the Vale was sent to China. In reply, the Operational Manager confirmed that it was not, and that all waste collected at kerbside or from the Household Waste and Recycling Centres, was sent to the Viridor Plant and used as a source of renewable energy.

In reply to a query regarding the collection of vapes, the Operational Manager stated that a new recycling initiative was due to be introduced as vapes needed to be collected separately from batteries.

Councillor Champion queried plans for the collection of waste and recycling for flats. In response, the Operational Manager advised that there had been a transition period in which the Council was working with landlords to address some of the issues and to ensure that landlords were aware of their responsibilities.

The Committee noted that the move to 3 weekly waste collections had not impacted on the rate of fly tipping, but there had been an impact on the amount of material, particularly food waste, dumped at Council litter bins. Therefore, the Council was disseminating literature to advise that it was an offence to deposit certain waste in public litter bins.

Councillor Hooper referred to a proposal around the removal of litter bins due to misuse and asked whether there was a more appropriate response other than taking litter bins away. In reply, the Operational Manager advised that education and awareness raising were also important. The Council was currently assessing the sort of materials being deposited into the litter bins, so when the full data was available, the Council would be able to draft some priority tasks on how the situation could be managed more effectively. Where it was deemed appropriate some bins may be removed, but the Operational Manager highlighted that the Council still had a statutory duty for cleansing and to ensure that it met that duty, it was necessary to have bins in certain locations such as retail areas and routes to schools. In being invited to comment further, Councillor Hooper stated that it was important to ensure that enforcement action was used for those misusing the bins, as removal of bins may not necessarily solve the problems. The Operational Manager commented that identifying those that misused the bins was extremely difficult which required evidence. Enforcement was carried out by the Council, but it was also extremely challenging.

The Chair commented that it was important for residents to be notified of when bins were to be removed.

It was suggested that it would be useful if all Vale Councillors were offered an opportunity to visit the Viridor site and for the Scrutiny Committee Members to see

No.

the anaerobic digestion facility. The Operational Manager confirmed that visits would be arranged.

Councillor Ernest raised a series of queries and comments, beginning with whether proposals in England for the collection of waste and recycling would be replicated in Wales. In reply, the Operational Manager commented that Welsh Government had different targets to those in England and Wales also had its own blue print which covered the collection of waste and the recycling of materials. Councillor Ernest also commented on the difficulties that some residents were having regarding the recycling of large pieces of cardboard, which had to be folded down to fit into the container bags. In addition, Councillor Ernest also raised an issue of waste paper placed in clear bags not being collected at the kerbside. In reply the Operational Manager stated that the current system of collecting cardboard and paper was more sustainable and he stressed the importance of residents using the container bags provided in the correct manner to protect the materials and to avoid unnecessary contamination. It was also important to recognise that the apertures on the waste vehicles married up to the size of the containers.

Councillor Penn queried whether the increase of garden waste collected seen during Covid was because of people being at home more. In reply, the Operational Manager stated that the rate of green waste collection was mainly dependent on the weather, with grass not growing as well during long spells of hot weather. Councillor Penn also queried the future amount of waste sent to the Viridor Plant. The Operational Manager advised that the Council had a 25-year contract with Viridor which had factored in the statutory targets of reduced waste collections. That meant that the amount of black bag waste sent to the plant should reduce year on year.

Councillor Iannucci queried how much would the move to 3 weekly collections for flats assist the Council in achieving its 70% target recycling rate. In response, the Operational Manager stated that it would assist the Council's performance, but the exact amount of recycling generated was unknown as calculating the amount of recycled material was more challenging. It was noted that from contacting landlords, some had not been providing any recycling, so the change would likely have a positive impact.

Councillor Hooper commented that society needed to consume less so that targets could be met. Councillor Hooper queried the vehicle fleet parking at the Atlantic Trading Estate, and the Committee was advised that the project was currently on hold due to the financial challenges facing the Council's capital programme.

Subsequently, it was

**RECOMMENDED – T H A T** the Environment and Regeneration Scrutiny Committee supports the changes as outlined in the report and recognises the challenges facing the Council, while wishing to ensure that for proposals, such as, the move to three weekly collections for flats and apartments and the removal of some litter bins, that appropriate steps be taken to communicate the changes to those affected.

No.

### Reason for recommendation

Having regard to the contents of the report and discussions at the meeting.

### 824 AUDIT WALES RECOMMENDATIONS REGARDING GOVERNANCE AND THE PLANNING SERVICE (REF) –

The reference from Planning of 25<sup>th</sup> January, 2024 as contained within the agenda was presented by the Head of Sustainable Development.

In March 2023 Audit Wales advised the Council that their local audit work for 2023-2024 would be regarding Planning. In July 2023 Audit Wales forwarded their project brief, which explained that the review would be focussed on the Planning Service's Governance Arrangements. The project brief was attached as Appendix A to the report.

The review was subsequently undertaken by Audit Wales in July/August 2023 to gain further assurance that there were appropriate arrangements around governance of the Planning service, and that there was value for money in its use of resources.

The report at Appendix B outlined the key findings of this work. The report stated that the review findings were generally positive, and the key finding was: 'We found that the Planning Service has a positive working culture and effectively supports the Council to deliver its well-being objectives but there are some gaps in governance arrangements which need addressing'.

It was noted that the report had been presented to the Planning Committee on 25<sup>th</sup> January, with comments made at the meeting relating to the size of agendas for Planning Committee meetings and the number of planning applications determined under officer delegation.

The Chair, Councillor Lloyd-Selby, asked for clarification in relation to the scheme of delegation and whether Members would still be able to call in a planning application. In reply, the Head of Sustainable Development confirmed that the call-in procedure would remain and it was Audit Wales' view that the call-in procedure remained valuable. One thing that Audit Wales would encourage Members to exercise was a duty to be mindful of the purpose of the Planning Committee and what matters warranted Committee attention.

The Head of Sustainable Development also confirmed that in terms of developing a Plain Language Planning Protocol, the drafting of that would be done by himself. The officer added that feedback from this Committee, the Planning Committee and the Governance and Audit Committee would be taken into consideration. In addition, any Member of the Council would also be able to submit comments at any point.

Councillor Iannucci stated that from an equalities perspective and the use of plain language, it would be important to carry out the consultation on a wide basis and she queried the current plans. It was noted that there was not a programme to consult

No.

outside of the three Committees, but wider consultation around equalities was something that would be picked up.

The Committee agreed to a recommendation for engagement and consultation on the proposed changes be considered further, particularly in relation to the perspective of equalities. It was noted that there was an Equalities Forum which would be able to consider the use of plain language and whether any draft planning protocol was fit for purpose.

Subsequently, it was

RECOMMENDED –

(1) T H A T the report be referred on to the Governance and Audit Committee for its consideration of the findings of Audit Wales.

(2) T H A T in terms of developing a detailed plain language planning protocol, for consideration to be given for further engagement activity practically around the benefit of consulting with the Equalities Forum to ensure that the plain language used was fit for purpose.

#### Reasons for recommendations

(1) To allow the Governance and Audit Committee to consider the findings of the Audit Wales review of the planning services governance arrangements and to present the proposed response to those recommendations.

(2) To ensure that the draft planning protocol was fit for purpose from an equalities perspective.