

No.

ENVIRONMENT AND REGENERATION SCRUTINY COMMITTEE

Minutes of a Remote meeting held on 14th January, 2025.

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

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

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

Also present: Councillors B. Brooks (Deputy Leader and Cabinet Member for Sustainable Places), L. Burnett (Executive Leader and Cabinet Member for Performance and Resources), C.P. Franks, G. John (Cabinet Member for Leisure, Sport and Wellbeing), B. Loveluck-Edwards, R. Sivagnanam (Cabinet Member for Community Engagement, Equalities and Regulatory Services) and M.R. Wilson (Cabinet Member for Neighborhood and Building Services).

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”.

MINUTES –

RECOMMENDED – T H A T the minutes of the meeting held on 10th December, 2024 be approved as a correct record.

DECLARATIONS OF INTEREST –

No declarations of interest were received.

BATHING WATER QUALITY AT DESIGNATED BATHING BEACHES IN THE VALE OF GLAMORGAN (DEH) –

The report, presented by the Director of Environment and Housing and Head of Service – Neighbourhood Services, was intended to provide the Committee with an update on bathing water quality in the Vale of Glamorgan. There were also a number of contributions from external partners about their work in achieving this, namely Natural Resources Wales (NRW) and Dwr Cymru / Welsh Water (DCWW).

Following on from the previous report to the Committee, the report explained the proposed arrangements to assist in improving bathing waters at designated bathing

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beaches in the Vale of Glamorgan and the Council's role in this with the relevant partners, as well as the key issues, legislative framework and context, such as the challenges faced at Ogmores-by-Sea Beach and its designation as having poor water quality for the 2023 bathing period and on 21st May, 2024, NRW, declaring an abnormal situation at Ogmores-by-Sea following a report of pollution in the River Ogmores, adjacent to the Pen-y-Bont wastewater treatment works. It was emphasised however, that the overall picture for the Vale of Glamorgan in 2023-2024 also included a number of beaches which were 'excellent' and 'good', with only one beach remaining now as 'poor' (Ogmores-by-Sea Beach).

The representative from NRW outlined the work that was being done around bathing water sampling and modelling to help improve water quality and better identify sources of pollution, in collaboration with the Council and DCWW.

The representative from DCWW outlined the work of the not-for-profit water company and shared a presentation on this with the Committee. This included the work undertaken to improve water quality at local beaches, such as the planned improvement of water quality at Jackson's Bay and other Barry bathing waters, through a range of catchment measures which could include RainScape style solutions, with the aim of securing 'good' status in the long term. The aim of the sampling and investigation regime for water quality by the DCWW and NRW for Ogmores by Sea Beach, following its designation as 'poor', was to ensure that investment could be targeted in the right place to address the relevant sources of bacteria and if found to be DCWW assets that the revenue from DCWW customers was spent wisely. The impact of the storm overflow next to Ogmores-by-Sea Beach (at the nearby waste waterworks) and the subsequent six spills that happened during the bathing season in 2024 were also discussed, with the efforts to reduce such incidents further. An explanation on storm overflows was given, as well as a description of how combined sewer overflows worked and the move away from this antiquated system to a 'separate' one in newer housing developments, since the 1970s, as well as the investigations on those overflows identified as the ones that were frequently causing spills within the County. The Future Investment Programme to be undertaken by DCWW around these areas of concern was highlighted, as well as the EDM / storm overflow website to make the public aware of these and the headlines for its Business Plan (i.e. £1.1bn planned for classification and improvement of storm overflows, as well as targeting those with the highest environmental impact first). They also addressed the 'abnormal situation' at Ogmores-by-Sea beach in 2024 and the work involved with this (with no further evidence of a leak identified and the classification removed in June 2024).

Following this, there were a number of comments and queries from a public speaker and from Members of the Committee:

- Mr Max Wallis, a local Friends of the Earth representative, spoke at the Committee and wished to raise a number of issues, which included his view that the categorisation of water quality currently used was crude; the detail in the relevant reporting, including data on rainfall which was absent or limited; the operation of storm flows, which seemed to be operating even outside of storm type conditions; the 'poor' designation of two (now one) beach(es) in the Vale; four false alarms made concerning water quality / storm overflows at

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several beaches locally; the perceived delay in lifting the abnormal situation status by NRW which he believed to be a misuse of the bathing water regulations; and various other discharges at other Vale beaches, as well as a lack of joined up communication between the Council, NRW and DCWW. These issues and others he referred to, he felt needed to be addressed by the appropriate bodies.

- Councillor Penn referred to the delay or separation of rainwater from the sewage system, and that new building and housing developments should be looking to implement systems to help achieve this and to stop discharges and overflows. He stated that work needed to be done with farmers concerning run offs from fields into rivers and waterways causing pollution. He also stated that the River Ely had a better biodiversity than had been suggested in the NRW data charts on the DCWW presentation.
- Councillor Champion referred to the 'Top of the Poops' website which stated that the Vale of Glamorgan had been polluted by sewage over 1,000 times, lasting 18,133 hours. He also referred to the beach at Ogmores-by-Sea, with its recent designation as a bathing beach and therefore water quality issues had not been picked up prior to this.
- Councillor Protheroe referred to the poor water quality status at Ogmores-by-Sea, within her ward, which was upsetting for her and local residents but not surprising. She welcomed the additional testing being undertaken by NRW at this stretch of water and the further investment at the nearby waterworks, where an additional overflow tank would be coming online. She would also welcome further engagement between NRW, DCWW, local residents and other stakeholders on keeping them up to date on the progress being made on water quality and to encourage less water use. She also referred to the importance of the lifeguards for the local beaches and the negative impact on them due to these instances of pollution.
- The Chair also raised her concerns on the water quality at Ogmores-by-Sea, and sought reassurance on this being improved and that the overflows occurring outside of storm conditions should be addressed. It was also important to have more public engagement over this and to know whether the Vale of Glamorgan would be a priority for investment by DCWW due to the issues it faced around overflows, etc.
- Councillor William welcomed the more 'holistic' approach offered by the various bodies at the meeting tonight in order to improve bathing waters at designated bathing beaches in the Vale of Glamorgan, including the greater dialogue between the Council, DCWW and NRW. He had observed a slight improvement in some local beaches and wondered if this was to do with less rainfall / overflows or the result of measures that had been undertaken. It was important to know what the results and conclusions from the investigation of the water quality at Ogmores-by-Sea Beach would be. He also queried what responsibility Severn Trent Water Authority had around the waterways connected between them and Dwr Cymru's area and what collaboration between them occurred. He also asked that Dwr Cymru come back to Committee again to speak on the various individual schemes cited in their presentation and what the protocol there was in place for reporting on faults or other issues, similar to those raised by Mr. Wallis.

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In response to the comments and queries above, the following points were made by Council officers and external representatives:

- The NRW representative stated that in terms of the bathing water regulations and the abnormal situation, this was set out in the regulations as an event or combination of events impacting bathing water quality which the appropriate agency would not expect to occur on average more than once every four years. The regulations did not fully provide any more detail than that in terms of declaring an abnormal situation and NRW had interpreted it in that way and then integrated it within their response to pollution incidents within their incident response manual, so on the day the decision was taken regarding the abnormal situation incident, this was on the basis of risk and NRW and DCWW had responded very rapidly to this incident. However, it would take time for evidence to be gathered, analysed and interpreted, and following NRW's own internal guidance it needed to take a decision quickly because there was only a short distance of travel between this reported incident and the bathing water downstream, which was used by many recreational bathers and surfers. Due to this, an abnormal situation was declared and work undertaken with partners to ensure that signage was put up, etc. It took a considerable amount of time for NRW to be presented with enough evidence to feel confident that the abnormal situation could be lifted. The risk to bathers and surfers needed to be weighed up with the evidence prior to a final decision being made.
- The DCWW representative stated that concerning the miscommunication and other issues around the false alarms at local beaches, work had been undertaken to improve communication between DCWW, NRW, the Vale of Glamorgan Council and others. Pre-bathing season workshops were also being held via DCWW wherein the lifeguards and their supervisors as well as DCWW and NRW operational staff met to discuss how they would handle communication throughout the bathing season and to ensure that there were measures such as 24-hour contact numbers in response to incidents to limit the risk of false alarms.
- On Mr. Wallis's comments on long and short outflows at the Knap, these would be taken back and looked at by DCWW and they confirmed the failure of the Penarth overflow sensor, due to its constant exposure to sewage and waste water. Even though this was a robust piece of technology it could still fail. The DCWW representative stressed the importance of reacting to overflow incidents quickly and the use of other technologies, such as the live storm overflow map and to ensure that as robust digital technology as possible would be used to upgrade and replace sensors such as the one at Penarth.
- With reference to the separation of waste and surface water flows in terms of new housing developments, the DCWW representative was in agreement with the point made and believed there was a statutory duty on such developments to install sustainable urban drainage systems and thereby not add to peak flows that were going into local sewers at any point. Other challenges were the retrofitting of pre 1970s housing developments with surface water removal and to mitigate misconnections (i.e. the accidental connection of household

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- waste into a surface water line, contributing to pollution and overflows) which required cross agency work in order to identify and address.
- On the River Ely water quality, this data was based on the adverse impact on Invertebrates which drove the 'poor' rating, following sampling there. This did not detract from the beauty or wider biodiversity of the river, but further work was needed to restore parts of the River Ely with DCWW working with partners. The NRW representative would reach out to Councillor Penn about this.
 - On the data around the Vale of Glamorgan, from the 'Top of the Poops' website, the related issues were taken seriously by DCWW and partners, but the context around this data was also important to consider as well: the County and other areas covered by DCWW experienced a considerable amount of rainfall, significant numbers of pre 1970s housing and a steep geography which meant significant amounts of rainwater flowed very quickly into the sewage system. The 5-year investment programme would be looking to make significant on the ground changes to the water system in order to minimise overflows, etc. Some modelling work had also been undertaken to compare DCWW storm overflow performance against some other water authorities in the U.K. and this had turned out to be positive.
 - The DCWW representative referred to the issues raised by Members of the Committee concerning the beach at Ogmores-by-Sea and their concerns were taken seriously, but both the investment and investigation into these issues would take time and it was important to first identify the cause or source of these issues (i.e. storm overflows operating, diffuse runoff from the land or local bird populations) and establish where that bacteria were coming from and then target the necessary investment to resolve it. There was already ultraviolet (UV) treatment on the back end of the wastewater treatment works meaning that it was disinfecting the wastewater before it went into the bathing water. The issue around overflows operating outside storm conditions would be investigated and those causing the worst environmental impact would be prioritised and investment targeted there, included those identified within the Vale of Glamorgan.
 - Arrangements would be made to have DCWW representatives come to the Vale of Glamorgan and raise public awareness around water conservation and resilience.
 - On co-operation between DCWW and Severn Trent Water Authority, this was only as and when it was needed, such as with major projects, as these authorities did not have sufficient overlap in terms of geographical coverage. However, greater co-operation would be welcomed, particularly during the next investment cycle.
 - On working with farmers in order to prevent field run offs into waterways causing nutrification etc., DCWW did this indirectly through collaboration or partnership with various bodies which covered these areas or issues. The NRW representative also stressed the importance of engaging with farmers and other land managers, plus dog owners.
 - The DCWW representative would provide Members with contact details for pollution reporting (24-hour telephone / online contact).
 - The Head of Service – Neighbourhood Services stated that with regard to the concerns raised about the false alarms around water quality / pollution at local

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beaches, particularly at Whitmore Bay, it had been recognised by all parties concerned that this was a mistake. The Council, in partnership with the Royal National Lifeboat Institution (RNLI) had subsequently established protocols on joined up communication and decision making in the event of such an event happening again. Clearer and more effective signage was also being used at such locations as well, which would be updated and improved in due course. On Councillor Wiliam's further query on the protocols for people reporting events, faults or issues and which body they should contact, that would be taken away by the Head of Service but in general it depended on whom spotted that event and where it was reported, with some members of the public reporting these straight to NRW or DCWW or the Council or, via the information on the relevant notice boards, where people could go directly through the links provided there. It was important to make the information clearer on the notice boards at all the beaches.

- The Cabinet Member for Neighbourhood and Building Services emphasised the importance of the Council maintaining good relations with DCWW, NRW and the regulators. There had been improvements to the water quality at beaches in the Vale, but Ogmore-by-Sea remained an issue.

Following the above discussions, the Committee subsequently

RECOMMENDED – T H A T the content of the report and the arrangements proposed to assist in improving bathing waters at designated bathing beaches in the Vale of Glamorgan, be noted.

Reason for recommendation

Having regard to the contents of the report, discussions at the meeting and following consideration by Committee Members concerning the arrangements proposed to assist in improving bathing waters at designated bathing beaches in the Vale of Glamorgan.

PROJECT ZERO UPDATE REPORT (DCR) –

The report and appendices, presented by the Council's Programme Manager for Project Zero, were intended to advise Members of progress across the Council in responding to the climate emergency, the nature emergency, and delivering its commitments as part of Project Zero including work being undertaken through the Public Services Board (PSB). The activities and progress across the Council, detailed in the report, related to the April to September 2024, period, as well as the Council's Carbon emissions for 2023/24 as reported to the Welsh Government, and other areas such as the development of the Carbon Management Plan and the new Public Services Board Climate and Nature Charter.

The Programme Manager shared with the Committee a presentation, to accompany the report, covering the main highlights from it which included:

- The joined-up approach undertaken throughout the Council with regard to implementing Project Zero.

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- The work being undertaken by the Council in relation to delivering the Climate Change Challenge Plan: demonstrating strong leadership; fulfilling the Council's responsibility to current and future generations; and making a difference now.
- The Council's Carbon emissions for 2023/24: the Committee were informed that there had been a small increase in CO2 emissions due to increases seen in the Council's supply chains / capital construction work and which contrasted with previous decreases in this area. However, PV renewable energy generation capacity had increased, and this now provided around 5% of the Council's total electricity consumption.
- Resources: reference was made of the existing resources used to support Project Zero and supported by established internal budgets and annual capital funds, as well as external annual funding pots which also supported work, including from the Welsh Government, and time bound UK Government funding pots such as the Shared Prosperity Fund (SPF) and the Welsh Government Assets Collaboration Programme Wales.
- The work involving the Council and PSB partners regarding the Asset Management and Climate Emergency Group, including the co-development of a Nature and Climate Charter to strengthen the previous Climate Emergency Charter, highlighting the role of nature and laying out how partners would demonstrate progress.

Following the presentation, Councillor Hooper referred to the Council not utilising its Project Zero Reserve due to budgetary pressures in the period outlined in the report, and his concern that the resources that were used were insufficient to make the progress needed to move to Net Zero. This was in light of a recent report that suggested that organisations such as the Vale of Glamorgan Council would need to quadruple their resources to achieve cleaner energy, etc. The Cabinet Member for Neighbourhood and Building Services outlined the initial high costs of installing renewable energy sources and insulation, but this would result in longer term cost savings and efficiencies. The Council was both implementing renewable energy sources at its facilities (i.e. installing solar panels on Council buildings) and encouraging public and private sector bodies to follow suit with this and in general with Project Zero and declaring a Climate Emergency. However, it was not possible to quadruple resources to help achieve this at this time.

The Chair asked about the timescales on progressing the Local Area Energy Plan and seeking planning permission for the Brompton bike lockers. The Director of Place explained that the focus of the Local Area Energy Plan was on 2050, not 2030, with the aim of supporting business communities and others to achieve the 2050 target. The Plan itself had been drafted and agreed by Cabinet and the Council was currently considering how that Plan could be resourced in the current budgetary position. The Council was going through a budgetary process and more clarity on the Local Area Energy Plan and how it could be enacted would only come after these budget discussions. On the Brompton bike lockers, a locker had already been installed at Barry Docks Interchange and further lockers were planned to be installed at other public transport points in the Vale, subject to these being signed off by the relevant transport authorities.

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Following the concerns raised by Councillor Hooper, the Committee agreed to add a recommendation that although the Committee noted the funding available in reserves and the projects awarded funding to date through a variety of routes, it also requested more information from Cabinet about the strategic priorities and resources to be focused on this area going forward.

Following the above discussions, the Committee subsequently

RECOMMENDED –

- (1) T H A T the progress detailed in the report and Appendix A in relation to the challenges within the Climate Change Challenge Plan and the work of the Public Services Board, be noted.
- (2) T H A T the RAG rating of progress from April 2024 to September 2024 in Appendix A, be noted.
- (3) T H A T the Council's carbon emission for 2023/24, as reported to the Welsh Government at section 2.5, be noted.
- (4) T H A T, although the Committee noted the funding available in reserves and the projects awarded funding to date through a variety of routes, it also had requested more information from Cabinet about the strategic priorities and resources to be focused in relation to this area going forward.
- (5) T H A T the updates on the Public Services Board work to tackle the climate and nature emergencies, be noted.
- (6) T H A T the Corporate Performance Indicator data for 2023/24 as relevant to Project Zero at Appendix C to the report, and relevant results from the Let's Talk Survey at Appendix D to the report, be noted.
- (7) T H A T the report and the comments made in relation to Recommendation (4) by the Committee be referred to Cabinet to be considered alongside the comments of the Corporate Performance and Resources Scrutiny Committee.
- (8) T H A T it be recommended to Cabinet that the report be distributed to all elected Members, members of the Public Services Board and all Town and Community Councils for their information.

Reasons for recommendations

- (1-3) Having regard to the contents of the report and discussions at the meeting.
- (4) In order for Cabinet to consider the request made by Committee for more information about the strategic priorities and resources to be focused in relation to this area going forward.
- (5-6) Having regard to the contents of the report and discussions at the meeting.

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(7) To enable Cabinet to consider the comments of the Committee as part of its consideration of progress in delivering the Climate Change Challenge Plan.

(8) To update all elected Members and other stakeholders on the arrangements in place to deliver Project Zero.

3RD QUARTER SCRUTINY DECISION TRACKING OF RECOMMENDATIONS AND UPDATED WORK PROGRAMME SCHEDULE (DCR) –

The report, presented by the Democratic and Scrutiny Services Officer, advised Members of progress in relation to the Scrutiny Committee's historical recommendations and the updated Forward Work Programme Schedule for 2024/25:

- 2nd Quarter Recommendation Tracking July to September 2024 (Appendix A)
- 3rd Quarter Recommendation Tracking October to December 2024 (Appendix B);
- Updated Forward Work Programme Schedule for 2024/25 (Appendix C).

Updates were given for those small number of recommendations which had not been completed as yet (such as the Rights of Way Improvement Plan and the Draft Vale of Glamorgan Council Corporate Plan 2025-30).

In terms of the Updated Forward Work Programme Schedule for 2024/25, Committee Members were informed that the format of the 'Annual Delivery Plan Consultation Draft' report would be changed to an Annual Statement informed by Directorate Plans and linked with the Directorate Plans and the new Corporate Plan 2025-30. Therefore, the report in its current format would no longer be received.

Subsequently, Councillor Hooper raised when the Vale of Glamorgan Local Area Energy Plan would be coming to Committee. Although no specific date had been set for this item, the Councillor, with the agreement of the Chair and Committee, recommended that the Plan be allocated to a specific meeting date, in the near future, as part of the Forward Work Programme Schedule for 2024/25.

Following consideration of the report, the Committee subsequently

RECOMMENDED –

(1) T H A T the status of the actions listed in Appendices A and B be agreed.

(2) T H A T the updated Forward Work Programme Schedule for 2024/25 attached at Appendix C be approved and uploaded to the Council's website.

(3) T H A T the Vale of Glamorgan Local Area Energy Plan be allocated to a specific meeting date, in the near future, as part of the Forward Work Programme Schedule for 2024/25.

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Reasons for recommendations

- (1) To maintain effective tracking of the Committee's recommendations.
- (2) For public information.
- (3) In order for the Committee to consider and scrutinise the Plan in the near future, on a set meeting date.

MATTER WHICH THE CHAIR HAD DECIDED WAS URGENT –

RESOLVED – T H A T the following matter which the Chair had decided was urgent for the reason given beneath the minute heading be considered.

CAR PARKING (REF) –

(Urgent by reason of the need to ensure that any recommendations by the Committee can be referred back to Cabinet for consideration, as part of the consultation process, with the aim to implement the relevant recommendations and measures outlined within the report (subject to any further recommendations, changes, suggested by the Committee and subsequently approved by Cabinet) by April 2025)

The reference from Cabinet of 9th January, 2025 was to be presented to the Committee, the purpose of which was for its Members to consider the proposals contained within the report. However, following discussions between the Chair and the Committee, it was agreed that, due to the need for sufficient time to debate and scrutinise this item and the considerable public interest around the proposals, the Car Parking reference and report be deferred to a Special Meeting of the Committee, to be held on Tuesday, 28th January, 2025. It was confirmed that the relevant Cabinet Members for this area would also be in attendance for the Special Meeting.

Following the above discussions, the Committee subsequently

RECOMMENDED – T H A T the Car Parking reference and report be deferred to a Special Meeting of the Committee, to be held on Tuesday, 28th January, 2025.

Reason for recommendation

To ensure that there was sufficient time and opportunity for Committee Members, other Elected Members, Vale of Glamorgan residents and other stakeholders to be able to consider, scrutinise, participate, discuss and debate this issue, due to the considerable public, county wide, interest concerning the matter in question.