

**Environment, Regeneration and Streetscene Services Scrutiny
Committee**

**(Multi-Location Meeting - Council Chamber, Port Talbot & Microsoft
Teams)**

Members Present:

22 March 2024

Chairperson: Councillor S.Pursey

Vice Chairperson: Councillor T.Bowen

Councillors: C.James, L.Williams, W.Carpenter, A.Dacey,
R.Davies, R.W.Wood and J.Jones

**Officers In
Attendance** D.Griffiths, C.Morris, N.Pearce, C.Plowman,
M.Roberts, A.Thomas, J.Stevens, T.Rees,
S.Brennan, T.McConvey and Ms.J.Smith

Cabinet Invitees: Councillors W.F.Griffiths and S.Jones

Observers Councillor Stephanie Grimshaw
Councillor Suzanne Paddison

1. Chair's Announcements

The Chair noted that the Members of the Scrutiny Committee had agreed to scrutinise the following items from the Scrutiny and Cabinet Board agendas:

- 3. Verbal Update - Waste Strategy Action Plan Measure 11 (pursuant to rule 10.1 of the scrutiny procedure rules)
- 7. Healthy Travel Charter
- 8. Performance Measures 2023/2024 – Quarter 3
- 13. Highways Works Programme 2024/25
- 14. Street Lighting Energy - Consultation Response
- 17. Automatic Number Plate Recognition (ANPR) Camera Request (Exempt under Paragraph 18)
- 18. Proposed lifting of Restrictive Covenants and sale of a small area of land at The Former Four Winds Hotel, Princess Margaret Way, Port Talbot (Exempt under Paragraph 14)

2. **Declarations of Interest**

Cllr Stephanie Grimshaw declared an interest in Item 14 as she works for Welsh Women's Aid.

3. **Verbal Update - Waste Strategy Action Plan Measure 11 (pursuant to rule 10.1 of the scrutiny procedure rules)**

Officers apologised that they were unable to provide a full report in time for the meeting as requested by the chair due to time constraints but confirmed that there will be a full report going to the next meeting covering the waste strategy.

Members were reminded that the Waste Strategy Action Plan as approved in April 2023, included Measure 11 - to conduct formal consultation on moving to three weekly collections of non-recyclable waste with the existing three-bag (140 litre wheely bin) limit, alongside continuing with weekly collections of recyclable waste including, food, paper, and card as well as plastic, metals and household batteries and glass. The consultation to explore the way forward with green waste and nappy collection frequencies. Officers advised that consultation on three weekly collections is programmed to start week commencing 6th of May and run for six weeks and a briefing note is being prepared to be sent out to all members as per the original report. Any proposals further to the consultation would be brought back to Members for decision.

The Chair thanked officers for the update and understood the difficulties in providing the report at short notice and welcomed the opportunity to look at the detail of all the measures that were included in the waste strategy in the next meeting.

Members raised concerns regarding how it would impact Aberavon and Baglan Moors as the area is struggling with fly tipping and extra bin waste that needs to be addressed first.

Members stated that public engagement is often low with consultations and that there are people who don't use the internet who won't be able to respond. Members also raised concerns that even if there is poor feedback that the authority will still go ahead anyway.

The Chair asked the cabinet member for Streetscene if he wanted to comment on the current cabinet policy position as the Chair felt that

there been some confusion from different statements from members of the cabinet on this policy.

The Cabinet member for Streetscene advised at this stage the recommendation is an officer's recommendation and is not a cabinet recommendation. At such time that it comes before the cabinet then the cabinet will make a decision. The cabinet member advised that the cabinet are very keen to make sure that a consultation is undertaken widely across the county Borough.

The Chair noted that a decision hasn't been made on whether to implement three weekly bin collections, but a decision has been made by the cabinet board to consider and move forward towards that, as part of the waste strategy. The Chair stated that he wished to make it clear that it is not just an officer proposal, it has had the endorsement of the cabinet board.

The Director of Environment clarified that the cabinet member is correct that the cabinet have endorsed the need to go out to consultation and that there has been an endorsement of the recommendation as part of a wider suite of recommendations within the waste strategy and action plan. The Director advised that it is only to go out to consultation, and it is important for the authority to gauge the opinion of the public based on information in relation to how officers are going to deliver the waste service going forward as opposed to just saying they are going to collect waste every three weeks, which is not the case.

Officers stated the need to put a proposal in front of the public to indicate that if the authority needs to exceed the 70% recycling target and the other measures are not enabling that, then additional means of doing it need to be looked at. As a council, they need to go out to consultations to get feedback from the public that can inform any future proposals taken forward as a council.

The Chair stated that it has been very helpful to have that clarification today from officers and a cabinet member in terms of what that current position is.

Members asked if consultation for the three weekly collections goes ahead would it be a different strategy for purple bags and black bags because nappies and sanitary pads etc not being collected for 3 weeks will be horrendous for residents.

Members asked for clarity that this is a recycling target exercise and nothing to do with the budget as social media posts have confused people the three-week collection was all part of this year's budget proposal.

Officers reiterated that a briefing note for all members will be sent out and the configuration that will go out to consultation will be based on moving to three weekly collections of non-recyclable waste with the existing three bag 140 litre wheely bin limit, alongside continuing with weekly collections of recyclable waste. That will all be set out in the briefing note that will come to all members before the consultation starts.

The report was noted.

4. **Pre-Decision Scrutiny**

7. Healthy Travel Charter

Officers introduced the report and reminded members that the activity the authority has taken on board in entering the Healthy Travel Charter is on the basis that there was no budget made available for its delivery.

Officers pointed out that the work that has been done has been absorbed by the Road Safety Team and is on top of the other activities in this area.

Officers advised that the Healthy Travel Charter is complementary to and supports the authorities' other activities around this subject matter. The Healthy Travel Charter supports the authority's decarbonisation plans, wider modal shift, behavioural change and contributes to the health and well-being agenda that set out within the corporate plan.

Members raised concerns that the peer assessment has been generous with some of the scores.

Members acknowledged that although progress has been made and that the authority is doing some of the things the charter asked it to do, they didn't believe that the authority was 'leading the way' on some of the issues.

Officers agreed that the authority was not 'leading the way' but is making good strides in taking the agenda forward but with more to do.

Officers explained that the delivery of some elements they are trying to improve on are reliant upon securing grants, funding, and support from other agencies.

Members were advised that the authority will get to a point within the criterion of assessment before the authority has to decide that it needs to invest itself, especially if it wants to lead the way.

Officers agreed that peer assessment has been a little generous but advised that it is strict criterion, and it scores within the metrics that are used for that purpose. Officers confirmed they will always strive to improve all activities around the action plan.

The report was noted.

8. Performance Measures 2023/2024 – Quarter 3

Members noted that there are staffing issues that have affected indicator 4: 'major planning decisions' but were worried that it has been below target for a year. Members sought reassurance on time scales in terms of the recruitment process to tackle the problem.

Officers noted members concerns and stated that recruitment was in a much-improved position with a successful recruitment drive over recent months including internal promotions and external appointments. Members were advised that the external appointments are currently working notice periods with their current employers and will join in the next four weeks.

Officers explained that the senior planning officer positions deal with the complex, contentious and major applications that that this Key Performance Indicator (KPI) relates to and that once the new officers start, there will be a full complement of five senior planning officers to deal with those applications. These have been difficult roles to fill due to the level of expertise required.

Members were informed that there is currently only one vacancy for an enforcement officer which is on advert and closes in mid-April.

Officers advised that they believe the wording of this KPI is not helpful as the easiest way to meet this target is to refuse any application that is coming towards the end of its eight weeks or 16 weeks (as relevant) timescale. Officers don't want to be doing that and instead

consistently liaise with and discuss with applicants and developers how their scheme can and should be improved. Officers stated that the KPI doesn't allow officers to report where agreed extensions of time with developers and applicants have been made.

Officers confirmed that they are hoping to tweak the wording of this KPI for the next reporting year to give members an accurate reflection of the applications that the team are delivering on time, which would include applications that have extensions of time agreed.

The report was noted.

13. Highways Works Programme 2024/25

Members asked if improvement of rural lanes is for the whole of the county borough and if it is just for patching or resurfacing of road surfaces in certain areas?

Councillors also asked if they would have to put in requests for rural lanes to be patched up because there are issues with rural lane road surfaces in some areas.

Officers clarified that it is for rural roads across the valley areas and there are various measures that have been used on the rural roads. Officers advised that they already have long list of areas to repair and had already surveyed all roads.

Members were informed that the main roads are covered by technical surveys and any roads that aren't covered by those surveys have visual surveys done in 10 meters squares. Officers explained that this is how they produce the maps they use to show members the condition of the roads in their wards.

Members asked for clarity on why, given that there's grant funding available for schemes such as drop curbs and the provision of pedestrian crossings, the authority has decided to fund some of those schemes from capital funding pot rather than to secure grant funding?

Officers advised that the network management team are talking to colleagues in traffic who make the bids for the active travel schemes about programmes of dropped crossings that they could do, and traditionally there's been one or two drop crossings in the programme

every year. Officers advised that some areas get raised more than others by the public.

Members were informed that wherever officers do get a grant they will try to maximize that opportunity to have as wide an area as possible captured where they can do improvements for drop kerbs, particularly around active travel schemes. The active travel network map is defined by Welsh Government and there are areas within neighbourhoods which fall outside of that scheme's defined boundary.

Officers explained that from a road safety perspective and the learner travel measures, officers do inspections of safe routes to school and where they identify shortcomings there, they also try to secure a grant to address those areas. Officers explained that there will always be communities that would fall outside of those grant aided schemes where they will probably need to have an allocation within the capital programme to address them.

Members agreed with officers and stated their concern has come from the fact some of these schemes are in areas that are within the defined settlements under the Active Travel Act and some also relate to areas with ongoing active travel schemes under development as well.

Members stated their expectation would be that the authority's capital fund would only be limited to communities that fall outside of the defined settlements but there are schemes included in built up areas including Sandfields which is a little bit concerning to see in terms of the allocation of the money.

Members questioned if a tightening up of discussions between the two teams and how officers are filtering those schemes.

Officers advised that the teams do have dialogue around the detail of the programme, even if it's a major scheme where they carry out work, they would definitely pick up any improvements necessary, but just because it's within the network map, officers won't necessarily have funding to do all of those corrective measures.

The decision is supported to Cabinet.

14. Street Lighting Energy - Consultation Response

Officers introduced the report and acknowledged that there had been some queries from members about why the recommendations 3 and 4 were in the report. Officers advised that it is to keep the Council's options open should there be a need to look at this going forward.

Based on the feedback officers received on the report prior to the meeting, officers explained that they had amended the recommendations, to amalgamate recommendations three and four.

Members noted that on the impact section of the report for 'violence against women and girls, domestic abuse and sexual violence' it states, 'see crime and disorder Impacts.' Members were unhappy that there is no mention of violence against women and girls and felt that full duty to consider these impacts hasn't been given and that it is not sufficient to list general concerns of crime and disorder.

Members noted that there is a particular strategy on violence against women and girls and sexual violence (VADRA SV) for a reason and that means that consideration does need to be given to this and there is a duty to properly consider VADRA SV and that's why it's laid out separately with crime and disorder.

Members also asked why the authority isn't separating out crime and disorder with violence against women, given that the council's healthy relationships and stronger communities VADRA SV strategy and why the impact assessment hasn't fully listed the impact on sex as 'yes'.

Members advised that they had spoken to Thrive Women's Aid, who are an organization for violence against women and girls, sexual violence, and sexual exploitation and they haven't had any correspondence from the council and as such felt it was risky to jump to a pilot without the views of specialist organisations.

Officers advised that the impact assessment was covering 2 proposals, one relating to dimming lights and one for part night lighting.

Officers acknowledged that in the report they feel they hadn't done enough assessment in terms of part night lighting, and they think a pilot is needed to help inform any implications.

Members were advised that trials of the dimming have been conducted which Councillors and the public had been given the opportunity to see the dimmed lighting. Officers explained that some dimming has been in place since 2016. When the price of energy recently went up significantly, officers took 3 watts off all the lights as an emergency measure to try and mitigate the increased costs. Officers haven't had any correspondence about it from the public.

Officers explained that there is a lot of experience of dimming, and it is easier to measure the impact of dimming in terms of what level of dimming is adequate. The report suggests 25% is the limit for dimming and that is what officers would propose to achieve any energy savings as is required due to the energy cost increases. Officers advised that that they are not proposing to implement part night time lighting under this report and feel that a geographically specific pilot study needs to be conducted so that evidence can be collected concerning whether it has an impact upon all members of the community and the extent.

Officers advised that for members of Neath Port Talbot Council to make an informed decision it would be appropriate for them to have the feedback from a study undertaken within Neath Port Talbot.

Members were advised that what is proposed under Recommendation 3 is that members have sight of the location, time period and times of night the pilot would be as well as when the lights would be off and turned back on again.

Members were informed that lights would be turned off in the early hours of the morning when both pedestrian and vehicular traffic will be very low.

Members heard that the reference to the crime and disorder response within the screening opinion was on the basis that officers didn't think that there would be a significantly different impact upon women with respect to dimming who might be subjected to violence over and above other members of the community. However, should the pilot study on part night time lighting go ahead, officers could explore the impacts upon women at that stage and undertake more detailed consultations. Officers apologised that they haven't specifically referred to it within the report.

Members raised concerns that 36% of the public strongly disagree with switching off the lights and noted that the police are also against the part night lighting. Members didn't see why having a trial or a pilot on part night lighting was required to show it's going to get darker if you switch the columns off completely and put residents' lives at risk by putting switching the lights off.

Members queried if officers had consulted with other local authorities such as Powys County Council who started part night lighting in 2008 to see what lessons have been learned from them in terms of crime and disorder.

Officers stated that it is important to get evidence of the impact within Neath Port Talbot in terms of how any decisions that the council are considering taking going forward have an impact upon businesses, communities, and residents. Officers accepted that they can make learn from evidence from other authorities.

Officers advised that there is no intention to switch every light off within the county borough and instead want to identify which areas have got the least risk associated with them.

Members were advised of the difficulties in balancing the budget for 2023/2024 and officers are mindful that the 2024/2025 budget situation could potentially get worse. Officers are having to explore all options to secure savings and reduce expenditure to deliver all the services currently in place. Officers stated that they didn't want to shut the door in relation to any budget savings and for them to progress with budget proposals going forward, they need to continue to gather information concerning potential savings options. Members asked if officers consulted in 2016 before any action regarding Lighting and asked if lights have been switched off by any past administrations?

Officers advised that in 2010 during a major renewal project, they took a decision to standardize many lights in the residential areas by buying 55-Watt lamps to replace 35 Watt lamps. They then dimmed the 55watt bulbs down to 35watts.

Members were informed that dimming was previously considered for energy saving back in 2016 with a trial in Cimla which involved the dimming of lower wattage lights. Officers explained that turning off lights has only been done once before when the council invested £23M in a major renewal project. At this time there was an individual consultation with members in the areas where there were old '2 wire line' which the electricity company had ceased maintaining as the council could not afford to put all the associated lights back into service by renewing them. Some lighting that was on wooded poles that hadn't been in lit for quite some time and some were permanently abandoned further to the consultation.

Members asked if there were any complaints when the lighting was off or any spike in criminality during that?

Officers restated that in areas where there were two wire lines and where the Power Distribution company had stopped maintaining

them, they had been out of lighting for some time before there was a formal decision not to replace it. Furthermore, in each place, where it wasn't replaced, there was a specific consultation with the local members at that time.

Officers also explained that with regards to conversations that have been had with neighbouring authorities, they have had discussions within the All-Wales Lighting group around part-night light and the dimming. Members were informed that Swansea have done the same as Powys with part night lighting but due to pushbacks they have turned their lights back on again. Some areas had completely been taken out of lighting though.

Members were informed that lighting engineers' consensus is that the dimming option is the best option to go for in the in the first instance, but part night lighting is possible.

Members asked if an incident did occur can officers guarantee there will be no legal challenge to the council because of relating to switching the lights off.

Members felt the authority could be leaving itself open to legal challenge because the authority has got to legally maintain, a lighting system in the county.

Officers explained that the authority doesn't necessarily have a duty to keep areas in street lighting. The legal officers provided context that the issue was regards to the decision-making process and whether there would be any avenue for legal challenge as regards to the decision-making process itself. The legal officer stated that the issue for the members was whether they have enough information before them to make the decisions based on the recommendations before them.

Officers clarified that regulatory signs must be lit and there are other things that are covered by regulation which we would not switch off. Accident hotspots that have had lighting put in for accident prevention reasons would also stay in place.

Members asked if the influence of this action against violence against women and girls be taken into account during the consultation?

Officers acknowledged and apologized that they had been generalist in terms of the impact upon communities and had not been specific in relation to women and young girls. Officers explained that if members are minded endorsing recommendation three and enable a pilot

scheme to be undertaken as part of the consultation process which will run in tandem with that then officers would ensure that a deeper consultation is done including engaging with specific organisations who support women and young girls to ensure that the impacts upon those members of the community are really considered in depth.

Officers explained that they had made an automatic assumption as part of that pilot study that the consultation would be embedded within that study.

Following scrutiny recommendation 1 was noted.

Following scrutiny, recommendation 2 was supported to Cabinet Board.

Following scrutiny, an amendment was put forward in relation to recommendation 3. The amended recommendation as set out below was supported to Cabinet Board.

- 3. Approve a pilot study of part nighttime lighting to gain a better understanding of the impacts of such saving strategies and thereby enable evidence-based decisions to be made in the future, if considered appropriate. Prior to such a pilot taking place, a further report is brought before Members giving details of the geographical location of the proposed pilot study, the duration of the pilot study, and the times when the lights will be turned off/on, all to be agreed by Members prior to any pilot being undertaken. The results of pilot scheme then being referred to Members to inform any future decisions, if considered necessary. Further consultation shall be undertaken as part of the pilot study and shall include an assessment of the impacts upon women and young girls in terms of violence, domestic abuse and sexual violence. The results of that consultation shall be reported to members following the completion of the pilot and consultation.

5. **Committee Action Log**

The Members of the Committee noted the Action Log.

6. **Forward Work Programme**

The Members of the Committee noted the Forward Work Programme.

7. **Urgent Items**

There was none.

8. **Access to Meetings**

That pursuant to Section 100A(4) and (5) of the Local Government Act 1972, the public be excluded for the following items of business which involved the likely disclosure of exempt information as defined in Paragraph 14 of Part 4 of Schedule 12A to the above Act.

9. **Pre-Decision Scrutiny of Private Item/s**

17. Automatic Number Plate Recognition (ANPR) Camera Request (Exempt under Paragraph 18)

Following scrutiny, members supported the recommendations to Cabinet Board.

18. Proposed lifting of Restrictive Covenants and sale of a small area of land at The Former Four Winds Hotel, Princess Margaret Way, Port Talbot (Exempt under Paragraph 14)

Following scrutiny, members supported the recommendations to Cabinet Board.

CHAIRPERSON