

COMMUNITIES SCRUTINY COMMITTEE

Minutes of a meeting of the Communities Scrutiny Committee held in COUNCIL CHAMBER, COUNTY HALL, RUTHIN AND BY VIDEO CONFERENCE on Thursday, 9 March 2023 at 10.00 am.

PRESENT

Councillors: Karen Edwards (Vice Chair), Pauline Edwards, James Elson, Jon Harland, Alan James, Brian Jones, Delyth Jones, Merfyn Parry, Cheryl Williams and Huw Williams (Chair)

Observers- Councillors Jeanette Chamberlain-Jones, Bobby Feeley, Huw Hilditch-Roberts, Gareth Sandilands and Andrea Tomlin.

ALSO PRESENT

Officers: Corporate Director: Environment and Economy (TW), Head of Planning, Public Protection and Countryside Services (EJ), Public Protection: Regeneration and Economic Manager (GR), Public Protection Business Manager (GO), Senior Countryside Officer (DS), Moorland Field Officer (GB), Strategic Planning Project Manager (LR) and Interim Waste Recycling Manager (JL). Scrutiny Coordinators (RE and KE) Senior Committee Administrator (KJ) and Committee Administrator (NH)

North Wales Fire and Rescue Representative- Tim Owen

National Resources Wales Representative- Rhys Ellis

1 APOLOGIES

Apologies for absence were received from Committee Member Councillor Michelle Blakeley-Walker. Apologies for absence were also received from Lead Members Councillor Win Mullen-James, Lead Member for Local Development and Planning and Councillor Barry Mellor, Lead Member for Environment and Transport, both of whom had been invited to attend to present items from within their portfolios. However, both were unable to attend due to other pre-arranged meeting commitments.

2 DECLARATION OF INTERESTS

Business item 6, 'Progress Report on the Denbighshire Moorland Project':

Councillor Merfyn Parry declared a personal interest in this item as a 'named grazier' on Moel y Parc. He confirmed that he did not exercise those grazing rights or gain any financial benefits from holding the rights.

Councillor Huw Williams (Chair) declared both a personal and prejudicial interest in this item of business as the owner of a flock that grazed on Moel Famau. On this basis he indicated that he would leave the meeting for the discussion on this item of business and that in his absence the Vice-Chair would assume the chairing duties.

During business item 6, Councillor Gareth Sandilands declared a personal interest in the discussion in his capacity as one of Denbighshire County Council's representatives on North Wales Fire and Rescue Authority (NWFRA).

3 URGENT MATTERS AS AGREED BY THE CHAIR

No matters of an urgent nature had been raised with the Chair of the Committee ahead of the commencement of business.

4 MINUTES OF THE LAST MEETING

The minutes of the Communities Scrutiny Committee meeting held on 19 January 2023 were submitted.

The Committee:

Resolved: that the minutes of the meeting held on 19 January 2023 be received and approved as a true and correct record of the proceedings.

Matters Arising:

In response to a question the Scrutiny Coordinator confirmed that the Scrutiny Chairs and Vice-Chairs Group (SCVCG) had endorsed a request that a follow-up report on 'Engagement with Care Forum Wales and Care Providers in Denbighshire' with respect of social care provision and the setting of fees be provided to the Committee later in 2023. The report had been scheduled for presentation to the Committee at its meeting in September 2023.

5 MISTREATMENT OF DOGS

The Public Protection Business Manager, Glesni Owen introduced the report (previously circulated) to the Committee.

The report examined the extent of legal and illegal dog sales within Denbighshire (particularly during the COVID- 19 pandemic)- including the number of complaints received, investigated, and substantiated and how various agencies work together to tackle any problems reported.

The Animal Welfare (Breeding of Dogs) (Wales) Regulations 2014 replaced the Breeding of Dogs Act 1973 in Wales and provided the licensing by Local Authorities (LAs) of persons involved in the breeding of dogs. The new regulations introduced stricter criteria for breeding establishments and established an attendant to adult dog ratio at a minimum of one full time member of staff to 20 adult dogs. The regulations were the first of their kind in the UK and, whilst many welfare organisations and charities had differing views on the contents of the regulations, they were widely welcomed. Since the introduction of the regulations there had been ongoing concerns about the standards at some licensed premises in Wales and the resources and expertise available within Local Authorities to tackle the issues.

In September 2021 the Animal Welfare (Licensing of Activities Involving

Animals (Wales) Regulations 2021 (LAIA Regulations) came into force. These Regulations changed the licensing arrangements for the sale of animals as pets in Wales, which included a ban on the commercial third-party sale of puppies and kittens. Optimising welfare standards across Wales was a priority and the intention of the new Regulations was to promote responsible breeding and ensure puppies and kittens were bred in suitable conditions.

There were currently 13 licensed dog breeders in Denbighshire. Licenses were renewed on an annual basis which included a visit undertaken by an Animal Welfare officer and regular engagement with an independent veterinarian.

It was highlighted that, whilst the number of complaints received in Denbighshire relating to alleged unlicensed/illegal breeding, more support was needed from the Welsh Government (WG) to enable Local Authorities to investigate illegal dog breeding. The WG had provided funding to enable the establishment of a National Team of Animal Licensing Officers to support local authorities to investigate alleged illegal breeding or breaches to licensing conditions. Denbighshire had called upon the services of the national team to assist it to investigate the small number of potential unlicensed breeders in the county. This request for assistance was made due to the very limited staffing resources the Council had to undertake this work.

The Public Protection Business Manager explained that the second part of the report looked at the impact the Pandemic had on the number of Stray Dogs and their impact on animal Rescue Centres. Two local charitable Rescue Centres were contacted to gauge their experiences of the impact the Pandemic may have had on their Services. One charity did not respond, however North Clwyd Animal Rescue (NCAR) provided useful information. The information provided by NCAR and the Council's own Dog Warden Service demonstrated that there was a significant decrease in stray dogs and dogs handed over during the Pandemic. However, there was a clear indication that the figures provided in appendix 2 (previously circulated) were now on the increase to pre-pandemic levels. NCAR confirmed that they had over 400 dogs on a waiting list waiting to be handed over and this was the highest that it had been since before the Pandemic. The waiting list pre-pandemic was approximately 100 dogs.

The Chair thanked the Public Protection Business Manager for the reports and welcomed questions from Members.

Members questioned how the Cost of Living Crisis had impacted the ability for some residents to feed their dogs. The Public Protection Business Manager stated that Food Banks often provided dog food however, this was dependent on donations from the public. Local charities such as NCAR did offer support in some cases. The charity People's Dispensary for Sick Animals (PDSA) would help towards the costs of veterinary treatments etc. for animals if the owners were experiencing financial hardship.

Queries were raised around how the public could report concerns around suspected illegal dog breeding. The Public Protection Business Manager informed Members that the public could visit the Denbighshire County Council (DCC) website and information regarding reporting any concerns could be found on there

alternatively, the public could contact Trading Standards, via the Council's Customer Services Centre, and their concern would be investigated.

Questions were raised regarding the process of Dog Breeders obtaining a license and whether there was any assessment prior to owning a dog. The Public Protection Business Manager stated that Dog Breeders were expected do their own checks on the suitability of the buyers. Information was available on the Council's website on the steps prospective dog purchasers should undertake prior to buying a dog. The requirement for any member of the public who owned a dog to hold a dog license had been abolished some years ago.

Queries were raised around what resources were in place from DCC to tackle illegal Dog Breeding. The Head of Planning, Public Protection and Countryside Services explained that there was a small team of 3 animal welfare officers. The team had recently made changes to ensure that the team was as flexible as possible to respond quickly to concerns received.

Members questioned the length of time it took to investigate a case of illegal dog breeding once a concern had been raised. The Public Protection Business Manager stated that it was difficult to put a time frame on this. Usually, the team would start investigating the reported concern within a couple of days. Each case was unique and varying amounts of time needed to be taken to gather reliable evidence to take the case forward. This was where the services of National Team of Animal Licensing Officers was invaluable as it was in possession of valuable intelligence information and able to undertake investigatory work to support the work of the local authority in investigating incidents of alleged illegal breeding.

The Chair thanked the officers for their report, for answering members' questions and stressed the importance of the work they carried out.

The Committee:

Resolved: subject to the above observations –

- (i) to receive the report and the information provided during the discussion; and***
- (ii) support the work undertaken by the Council itself, and that delivered in partnership with other organisations and agencies, the aim of which was to secure the viability of properly licensed traders to operate in Denbighshire, thus reducing the suffering of animals.***

At this juncture the Vice-Chair assumed the chair for the next item of business as the Committee Chair had declared both a personal and prejudicial interest in business item 6. The Chair left the meeting at this point.

6 PROGRESS REPORT ON THE DENBIGHSHIRE MOORLANDS PROJECT

Countryside Officer, David Shiel presented the report (previously circulated) to the Committee.

The report monitored progress against the objectives of the Denbighshire Moorland Project established as one of the recommendations of the Llantysilio Mountain Fire Review in 2019.

There were key areas of activity covered in the last 2 years. The current Partnership with Natural Resources Wales (NRW) had been very effective in sharing collaborative information. The NRW Partnership was due to expire in August 2023 and discussions were underway to seek to extend the Partnership.

Several methods had been used to enable the restoration of the fire damage to the mountain and the following details were given: -

- Heather was used to provide a protection to the soil from erosion by the elements and a microclimate for heather seed to naturally colonise. An upland grass seed mix was also sown under the heather brash to stabilise soil and act as a nursery crop for naturally colonising moorland plants.
- Surveys on the plots had shown reasonable success in establishing the grass seed mix where the heather brash was spread out thinly. A thick heather mulch was found to suppress natural regeneration and germination of grass seed.
- In October 2021, a 5-hectare area of Moel y Faen, which was most severely affected by the wildfire, was hydro-seeded with an upland grass seed mix. Working with a Specialist Contractor, North Wales Fire and Rescue Service (NWFRS) and Severn Trent Water, over 100,000 Litres of water was pumped to the top of Moel y Faen where the hydro-seed slurry was mixed and spread.
- A further 5-hectares of accessible moorland on Moel y Faen and Moel y Gamelin were conventionally seeded using a specialist Alpine Tractor.
- Soil loss was a concern and would take many years to return.
- During the Project the main focus had been to engage with the farming community, learning about issues and barriers to managing the moorland and exploring solutions to their needs. The Moorland Field Officer had developed good working relationships with landowners and grazers. There was also a strong working relationship with the North Wales Fire and Rescue Service where joint training days had been undertaken and opportunities afforded to the Service to trial new equipment and methods to deal with wildfires.
- As a result of the Project, approximately 140 hectares of Moorland Management had been delivered across sites in Denbighshire covering Ruabon/Llantysilio Mountains and Minera, Llandegla Moor and at sites on the Clwydian Range (Moel Famau Country Park).
- The Project had also enabled the production of multi-agency public information communications and videos to be launched and shared on a national basis through various media outlets.

The Chair thanked the Countryside Officer for his detailed report and welcomed questions from Members of the Committee.

Councillor Merfyn Parry welcomed the report and the lessons that had seemingly been learnt from the past. However, he questioned that there was no mention of liaising with local Members regarding what was happening in the local area. Members knew their wards best so could also offer some valuable information to the Team. The Countryside Officer welcomed this liaison and stated that while the Partnership Board was an operational Board, he would look at providing updates to local Member Area Groups (MAGs) as and when appropriate.

Councillor Jon Harland queried the lack of tree planting mentioned within the report. The Countryside Officer explained that these were designated Sites of Special Scientific Interest (SSSI) and were therefore subject to strict conservation regulations as national and internationally recognised areas of ecological interest. Whilst, possibly thousands of years ago trees may be grown on these heath and moorlands trees were not a main habitat on the moorlands and some trees were removed as they had the potential to aid wildfires by increasing the fuel load. Heathland and moorlands by their very nature were hugely valuable in the battle to combat the effects of climate change as they were of extremely useful for carbon sequestration purposes.

Members expressed concern that the current partnership with NRW was due to expire in August 2023 and whether there was a plan in place if the Partnership was not extended and funding not secured for the continuation of the Moorland Field Officer post. The Countryside Officer stated that consultations with NRW had taken place and currently NRW were very supportive of continuing with the Project and the Partnership.

The Head of Planning, Public Protection and Countryside Services thanked Members for their feedback and reassured the Committee that they would be kept updated with future developments.

The Chair thanked officers for the report and their continued hard work on the Project.

A discussion took place on the advantages and disadvantages of planting trees on heathlands and moorlands for addressing climate change challenges, including the physical and legal barriers to undertaking such practices, its potential to significantly lead to the demise of well-established unique ecosystem along with the increased risk of significant devastation caused by wildfires.

At the conclusion of the discussion the following recommendations were proposed and seconded:

- (i) to endorse the progress made to date in delivering the Denbighshire Moorlands Project and support the efforts underway to extend the existing partnership with Natural Resources Wales;
- (ii) to request that officers of the Moorland Partnership Board regularly update local councillors on any Board decisions or operational work that affects their electoral ward; and
- (iii) to explore opportunities to plant trees on moorland areas in Denbighshire.

All of the above were put to the vote with recommendations (i) and (ii) being endorsed unanimously. Recommendation (iii) was defeated by a majority of 7 votes to 2.

Therefore, the Committee:

Resolved: subject to the above observations to –

- (i) endorse the progress made to date in delivering the Denbighshire Moorlands Project and support the efforts underway to extend the existing partnership with Natural Resources Wales;**
- (ii) request that officers of the Moorland Partnership Board regularly update local councillors on any Board decisions or operational work that affects their electoral ward.**

The Committee paused for a comfort break at this time.

On resuming the business, the Committee Chair who had re-joined the meeting assumed the chairing duties for the remainder of the meeting.

7 UPDATE FOR WASTE SERVICE REMODELLING PROJECT

Prior to the commencement of the business item the Corporate Director: Environment and Economy advised the Committee that the introduction of the new service was in line with the Welsh Government's (WG) blue print service model. He also advised that new depot under construction from where the new Service model would operate did not form part of the report under discussion at the current meeting. A report on the depot was due to be presented to Cabinet later that month with a report proposed for Scrutiny later in the year.

The Strategic Planning Project Manager outlined the details of the New Waste Service Implementation report (previously circulated) to the Committee.

The new `Kerbside Sort` model to collect household recycling waste would commence in March 2024. Recycling collections would change from a fortnightly service to a weekly service. This would provide households with increased capacity for recycling. Residents would be provided with a new trolley box unit and an additional sack for cardboard. The trolley box unit allowed for the sorted collection of household recycling such as glass, plastic, tins/cans, paper and cardboard.

The residual waste change would commence in early Summer 2024 following the introduction of the kerbside sort system. This would allow residents to become familiar with the new recycling system and demonstrate the impact on reduced residual waste. Residual waste collection would be changing from a fortnightly collection to a 4 weekly collection. Households would be provided with larger residual waste bins to increase capacity by 33.3%, from 180 litres to 240 litres.

The Strategic Planning Project Manager continued to explain the implementation of the new Waste Collection Service. Its introduction would be supported by a robust communication and engagement exercise with the county's residents.

There were approximately 45,000 households who would require a new trolley box unit in readiness for the switch to kerbside sort in March 2024. Deliveries to households would commence in November 2023, with completion expected in late February 2024. Deliveries would take place Monday- Friday with an average of 800 deliveries per day. It was stressed that the assembly and delivery of the new kerbside units was a significant undertaking requiring significant resource. The new service required an increase in operatives to serve the new rounds. The new operatives would be phased in from September 2023 in tranches to support the roll out activities, such as assembling trolley boxes and delivering new containers. Members were directed to a plan of the roll out previously circulated in Appendix 1. Members and residents would receive further communication on the area roll outs from late Summer 2023.

Food and garden waste collections would remain the same, food waste would continue to be collected weekly and garden waste fortnightly. The new recycling service would include, and extended textile collection service and new collections would be introduced for small electrical items and batteries. A new Absorbent Hygiene Products (AHP) collection would be introduced from September 2023. It was expressed that with this being a new service, demand was relatively unknown, but it was estimated that approximately 8% of residents were likely to sign up to the service. This service would be free however, residents would need to sign up to the service.

The Strategic Planning Project Manager explained that the roll out of the new Recycling System was supported by the Communications Team and they were working closely together to ensure that residents were given regular updates and information on the new system to ensure the implementation was as efficient as possible.

The Chair thanked the Strategic Planning Project Manager for her report and questions were welcomed from Members.

A discussion took place between Members and the following concerns were raised:-

- Due to the enormity of the change to the recycling system in the County, it would be beneficial if the Team attended City, Town and Community Council (CTCC) meetings to explain how the new trolley units worked.
- There were a significant number of residents who were still on black bin bags only collections and questions were asked regarding if they would be able to access the new trolley units.
- It was highlighted that more detailed communication with residents would be needed, this could involve education in schools.
- Concerns were raised around the period it would take to reach the Welsh Government's target of recycling 70% of household waste.

- In the report there was reference to Electric vehicles being implemented on new rounds. Members questioned the efficiency of these.
- Currently all household waste was collected on a specific day of the week, concerns were raised regarding the new collections stated in the report.
- Concerns around the trolley units blowing over were raised and that they may become a target for vandalism.
- In regard to the AHP Service, concerns were raised around how discreet this service would be. It was highlighted that many residents may not sign up to the service due to being too embarrassed to do so.
- With the residual bin not being collected for 4 weeks pet waste would be lingering in the bin for 4 weeks which would smell and possibly attract vermin.

Officers thanked Members for their questions and the following responses were given:-

- A request for the Roll Out Communications Plan to be consider by Scrutiny had already been submitted to the Scrutiny Chairs and Vice-Chairs Group (SCVCG), as it was important that the roll out was clear to Members in order for them to promote it with their residents.
- Many more properties in Denbighshire would be able to have a trolley box unit compared to the number who had the current co-mingled blue bin due to new smaller electric vehicles being able to access streets/properties and the overall size of the trolley units.
- There would be a continuously updated schedule of activity in the Communications Plan prior to March 2024 and discussions were ongoing around educational establishments being involved.
- The Project Manager undertook to explore potential opportunities for the 3rd sector to be involved with the communication/engagement plan with a view to securing that the information about the changes reached and was understood by hard to reach individuals and groups.
- It would be difficult for the 70% target to be reached in the first year of the roll out of the new recycling system. There was a need to be realistic about hitting the 70% target but there were clear aspirations to reach this in the medium term.
- New electric vehicles would be rolled out when the new recycling system was implemented. There had been reports of difficulties with the vehicles from other authorities however, these difficulties had been resolved.
- Collection of waste from all households would remain on one specific day of the week. This would avoid confusion.
- Residents would be asked to put their trolley units out on the morning of their collection day and not the night before.

Neighbouring Councils who had the trolley units in place had recorded very few complaints and were unaware of any vandalism.

- Potential technological solutions were being explored with a view to securing a viable textile collection service, particularly in more rural areas.
- The AHP containers were to be black and purple and were designed to be as discrete as possible. Research had been conducted on this and no complaints of embarrassment or stigma issues had been raised in council areas where they were already available.
- Pet waste would continue to be placed in the residual waste bin and would be collected on a 4 weekly basis.
- Workable container and storage solutions for non-standard properties were currently being explored.
- Once implemented the revenue costs of operating the new service, including the costs of Prudential Borrowing, were estimated to be lower than the costs of operating the current model.
- An assisted waste collection service would still be provided to those residents who required it and had registered for the service.

The Corporate Director Economy and Environment stated that the Waste Service Remodelling Project was the biggest Service change in the history of Denbighshire County Council. It was going to be a major challenge for everyone involved and working together and communication was key to having a successful roll out of the new Recycling Collection Service. Elected members had an extremely important role to play in communicating the changes to residents.

The Chair thanked the Officers for the detailed report and thanked them for their continued hard work on the project. Future continual updates were welcomed by the Chair and Members.

At the conclusion of the discussion the Committee:

Resolved: subject to the above observations

- (i) to note the progress achieved to date with the implementation of the new service model;***
- (ii) endorse the future activities identified to be undertaken as part of the preparation for the roll-out of the new service; and***
- (iii) having as part of its consideration read, understood and taken account of the Well-being Impact Assessment (Appendix 2) requests that the Impact Assessment be regularly reviewed and updated as the project progresses.***

8 SCRUTINY WORK PROGRAMME

The Scrutiny Coordinator guided Members through the Scrutiny Forward Work Programme report (previously circulated). During the introduction reference was made to proposed additional reports relating to the Waste Service Remodelling Project which would be considered by the Scrutiny Chairs and Vice-Chairs Group (SCVCG) at its meeting later that day. If the SCVCG permitted their inclusion for scrutiny they would most likely appear on the Committee's forward work programme later in the year.

The Scrutiny Coordinator advised that in December 2022, Cabinet had approved a New Capital Process and supported the Terms of Reference for a new Capital Scrutiny Group. This would be similar to the former the Strategic Investment Group (SIG) that had been in existence during the term of the previous Council. A request had been received that one representative from each Scrutiny Committee should be appointed to serve on this Group. There would be six meetings a year and the representative would be expected to report back to the Committee after they had attended the meeting. Therefore, it was requested that one representative and one substitute representative be nominated, chosen, and agreed by the Committee.

The Chair welcomed nominations from the Committee. Councillor James Elson nominated himself, this was seconded by Councillor Huw Williams with all Members of the Committee in agreement.

The Scrutiny Coordinator referred to a previous email she had sent to Member regarding Service Challenge Groups. There were 9 Services that needed a representative from the Committee to attend a meeting that would be held once a year. The Committee member would then feedback to the Communities Scrutiny Committee. The following Service Challenge Representatives were agreed:

- *Highways and Environmental Services – Councillor Jon Harland;*
- *Planning, Public Protection and Countryside Service – Councillor Pauline Edwards;*
- *Finance and Audit – Councillor James Elson;*
- *Community Support Services – Councillor Alan James; and*
- *Education and Children's Services – Councillor Delyth A Jones*

Representatives would need to be appointed for the remaining 4 Service Challenge Groups and this would be circulated to Members in due course.

Members:

Resolved: subject to the above observations, to

- (i) receive the report and confirm the Committee's Forward Work Programme as set out in Appendix 1;***
- (ii) appoint Councillor James Elson to serve as the Committee's representative on the Capital Scrutiny Group, with Councillor Huw Williams appointed as the Committee's substitute representative on the Group; and***

(iii) appoint the members named below to serve as the Committee's representatives on the following Service Challenge Groups:

***Highways and Environmental Services – Councillor Jon Harland;
Planning, Public Protection and Countryside Service – Councillor
Pauline Edwards;
Finance and Audit – Councillor James Elson;
Community Support Services – Councillor Alan James; and
Education and Children's Services – Councillor Delyth A Jones.***

9 FEEDBACK FROM COMMITTEE REPRESENTATIVES

None.

The Chair thanked Officers and Member for attending the meeting.

Meeting concluded at: 13:00