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COMMUNITIES SCRUTINY COMMITTEE

Minutes of a meeting of the Communities Scrutiny Committee held via Video Conference on Thursday, 9 December 2021 at 10.00 am.

PRESENT

Councillors Brian Blakeley, Alan Hughes, Hugh Irving, Tina Jones, Merfyn Parry, Anton Sampson, Peter Scott, Glenn Swingler, Graham Timms (Vice-Chair) and Cheryl Williams.

Councillor Brian Jones - Lead Member for Waste, Transport and the Environment
Councillor Mark Young – Lead Member for Planning, Public Protection, Safer Communities and Domestic Abuse

Observers – Councillors Gwyneth Ellis, Christine Marston, Gwyneth Kensler, Meirick Lloyd Davies and Emrys Wynne.

Councillor Barry Mellor was in attendance at the Committee's invitation to present business item 9 on the agenda.

ALSO PRESENT

Head of Legal, HR and Democratic Services (Monitoring Officer) (GW), Flood Risk Engineer (WH), Head of Highways and Environmental Services (TW), Waste & Recycling Manager (TD), Head of Planning and Public Protection (EJ), Head of Customers, Communications & Marketing (LG), Strategic Planning & Housing Manager (AL) Scrutiny Coordinator (RhE) and Committee Administrators (SJ and RTJ)

1 APOLOGIES

Apologies for absence were received from Councillor Huw O Williams (Chair). In his absence the Vice-Chair Councillor Graham Timms, chaired the meeting.

2 DECLARATION OF INTERESTS

No declarations of interest were declared at this juncture. Councillor Merfyn Parry declared a personal interest during business item 6, 'New Waste and Recycling Operating Model General Update and Communications Progress'.

3 URGENT MATTERS AS AGREED BY THE CHAIR

No urgent matters had been raised with the Chair or Vice-Chair prior to the meeting.

4 MINUTES

The minutes of the Communities Scrutiny Committee meeting held on 21st October 2021 were submitted.

Matters arising:

Councillor Brian Blakeley advised that he had tendered his apologies for the meeting, although they were not recorded in the minutes.

The Scrutiny Co-ordinator referred members to the 'Information Brief' document circulated earlier in the week which provided an update on the actions or requests emanating from the above meeting and progress in relation to their implementation and delivery. It was:

Resolved: - ***subject to noting the above apologies that the minutes of the Communities Scrutiny Committee meeting held on 21st October 2021 be received and approved as a correct record.***

5 STAKEHOLDER/COMMUNITY ENGAGEMENT ACTIVITY FOR POTENTIAL CENTRAL RHYL AND CENTRAL PRESTATYN COASTAL DEFENCE SCHEMES

The Lead Member for Waste, Transport and the Environment alongside the Head of Highways and Environmental Services and the Flood Risk Engineer presented the Stakeholder/ Community engagement activity for potential Central Rhyl and Central Prestatyn coastal defence schemes (previously circulated).

During the introduction the Lead Member and officers explained the report had been requested by scrutiny to present the findings from the community consultation. Thanks was given to Matthew Hazelwood – Project Manager. He had Chaired all the Rhyl defence meetings and had done a lot of work for the scheme.

Members heard that a drop in public consultation on Central Prestatyn Coastal defence scheme was scheduled to take place 13th December 2021. Officers reminded members that a previous report had been presented to members and a follow up report on the engagement exercise had been requested.

In response to Committee members' questions the following details were provided:

- A technical issue at the last Prestatyn Member Area Group (MAG) meeting resulted in the update having to be rearranged.
- The most pressing risk was situated at Rhyl golf club. Maintenance of the rest of the coastal works would hopefully see up to 50 more years' protection. A concern noted by officers was the dunes at Gronant. Regular inspections and monitoring at the site occurred and future projects discussed.
- The kiosks at Rhyl front were being discussed at present. The corporate property team were engaging with tenants and operators of the kiosks. The scheme could not be built with the kiosks currently in place.
- Close working with other departments for potential schemes on Rhyl promenade was ongoing and would continue to ensure that all schemes and developments in the area dovetailed with one another.
- Engagement would continue throughout the schemes' development with residents and business operators in the area. Discussions with key stakeholders would continue throughout the development and construction

phases and if required modification proposals could be considered as and when appropriate.

- Dependent upon weather and ground conditions it was anticipated that the Central Rhyl Scheme would take up to two and a half years to deliver, with the Central Prestatyn Scheme taking in the region of three years. The latter scheme, which would be guided by ground conditions in the area, required be undertaken at a more measured rate.
- Carbon reduction had been identified as a positive impact in the Well-being Impact Assessments (WIA) for both schemes.

Members thanked the officers and contractors for the work on the schemes.

At the conclusion of the discussion, subject to the above comments and observations, it was:

Resolved: - that the Committee -

- (i) having examined the scope and findings of the stakeholder and public consultations for the schemes, recommends to Cabinet that it is satisfied with the approach taken for the consultations and their findings; and***
- (ii) confirmed that, as part of its consideration, it had read, understood and taken account of the Well-being Impact Assessments (attached at Appendices 3a and 3b to the report).***

6 NEW WASTE AND RECYCLING OPERATING MODEL GENERAL UPDATE AND COMMUNICATIONS PROGRESS

The Lead Member for Waste, Transport and the Environment along with the Head of Highways and Environmental Services and the Waste and Recycling Service Manager guided members through the report (previously circulated). It was stressed that the waste model agenda item had been presented previously to the committee and officers were keen to keep members up to date and informed of the progress with the work. The Lead Member stated the waste model was first discussed back in December 2018 due to financial pressures faced by the authority. The Head of Highways and Environmental Services confirmed the reason for the report was to inform members at what stage the development and delivery of the new model was, and the works that had occurred since last presenting to the committee. A lot of work had taken place and a great deal of progress made. The new depot in Denbigh, located on the Colomendy Industrial Estate was a key development part of the project. The benefits of the project had been made clear at a recent site visit. These included benefits to existing businesses on the estate – in developing the land used for the depot the Council had been able to unlock a piece of land to the rear of a number of existing private businesses which had then opened up an opportunity for those businesses to expand. This opportunity was welcomed by all.

Members were provided with a review of each of the appendices provided for members' consideration and information.

In response to Committee members' questions the Lead Member and officers provided the following details:

- Included within the report at appendix 2.b was a table that highlighted the proposed changes to the current Domestic Waste Collection policies. If the Committee agreed to the suggested changes the new policies would be approved via the delegated decision process by March 2022;
- The financial aspects of running the blue (co-mingled recycling) and black (residual waste) bin service had begun to be unviable. Communication with residents to explain the reasoning behind the new model and help them understand why it was being introduced would be vital for the implementation of the new model;
- The reasons for changing the model and system had been debated at length before making the decision to change. The benefits had been highlighted in appendix 5. The current model was not financially or environmentally sustainable;
- Officers had looked at and learnt from authorities already using similar models for recycling and waste systems;
- The new model would allow staff to gain new knowledge and progress and expand experiences. It will also enable more staff to be employed at all different levels;
- The aim for the textile collection was for it to be made available across the whole county either by co-options or by DCC collectors. Members heard that pre-covid, funding had been secured from Welsh Government to extend the textile collection to more households in the county but had been delayed due to the pandemic. It was hopeful it would resume as the economy recovered;
- As part of the roll out, over 44,000 households would be issued with the trolley box. Officers felt that a cardboard sack was best suited for recycling and would be issued to households. Additional recycling containers could be purchased or extra sacks could be provided;
- It was confirmed a slight delay had been observed in procuring the electric vehicles. It was stressed it would not delay the implementation of the new system;
- The cost to dispose of waste in black bins was higher than for sending recycling items away. The more items recycled as opposed to put in the black bin would save more money. Hence the importance of educating residents on recycling. All new black bins and the trolleys were manufactured from recycled materials. They were also recyclable (apart from the flaps on the boxes);
- Assisted collections would still continue under the new model;
- Officers felt there was a need for charges for bin replacements. Members heard charges were currently in place for replacement bins under the current model. As part of the roll out of the new model all initial bins issued would be free of charge and a 12-month period for people to request alternative or different bins. Downsizing bins would be free of charge;
- A contract with the current gate fee for recycling the authority's waste was in place until the date proposed to introduce the new model;
- The term textiles referred to any item of clothing or cloth materials. Co-options would reuse and sell any items they could, alternatively anything that

could not be reused or sold was sent to be recycled. Co-options did offer a kerbside collection mainly in the North of the county at present;

- The bin microchips would ascertain to which property the bin belonged. It would allow officers to identify any issues e.g. missing bins, empty properties or households not using their bins. It was not for surveillance of items in bins. The 'Keep up with the Jones' scheme launched in 2019 started the process of assisting and educating residents about recycling.
- The wording of un-adopted roads within the policy was not changing. Officers felt it was a policy that would need to be reviewed when the model was implemented;
- A small trial was scheduled to start in West Rhyl in February 2022 involving microchipped bins. Its results could be reported back to members. It was proposed to just microchip the black bins and sacks at present. There was a number of different options that could be issued to residents and officers were happy to assess the needs of residents;
- The Environmental Protection Act provided guidance for both residents and businesses to follow. It provided information for the authority to enforce actions. An enforcement contract with District Enforcement was in place for litter patrols and dog fouling patrols.
- It was proposed to undertake an elected member 'standard service' experience during February and March 2022. This would provide members who currently used the blue/black bin kerbside service to experience the new service for eight weeks. Members' feedback of using the 'new' service would be useful to plan for the full rollout of the service in due course.

The Chair thanked the officers and Lead Member for the detailed response to members' concerns and questions.

Having considered the detailed information presented to members and following and in-depth discussion on its contents the Committee:

Resolved: - subject to the above observations –

- (i) to note the progress made to date by Project Team delivering the new Waste and Recycling Service to residents by summer 2023;***
- (ii) to endorse the suite of household waste and recycling policies (included at Appendix II to the report) and note the Head of Highways and Environmental Services' intention to ensure that the policies be adopted through the delegated decision process by March 2022; and***
- (iii) request that the Head of Highways and Environmental Services submits a future report to Communities Scrutiny Committee on the outcomes of the pilot projects in West Rhyl (use of microchips in waste containers), Bron y Crêst (communal bin service change) and the Elected Members Recycling Experience initiatives.***

7 SCRUTINY WORK PROGRAMME

The Scrutiny Coordinator (SC) submitted a report (previously circulated) seeking members' review of the Committee's work programme and provided an update on relevant issues.

Discussion focused on the following –

- The SC advised that there were four substantial items being discussed at the next meeting. No further items for this meeting was advised.
- No additional agenda items had been referred from the last Scrutiny Chairs and Vice Chairs Group meeting held on the 25 November 2021.
- At the last Scrutiny Chairs and Vice Chairs Group meeting, members discussed not holding Scrutiny meetings during the time before the election period in May 2022. The 6 weeks prior to the elections no contentious decisions would be made. It was agreed not to hold Scrutiny meetings during that period unless an urgent item came in. The last meeting of this Committee before that pre-election period would be 10 March 2022.
- Members were reminded to complete the scrutiny proposal form if there was anything members wished to examine in detail.
- The SC updated members from the previous meeting on the Rhyl Cut and Prestatyn Gutter and whether any of the riparian land was owned by the authority. The SC confirmed it was the land owners who were responsible for the maintenance of boundaries contiguous to the Cut/ Gutter. In the information report provided to members, illustrations were provided to show land owned by DCC.

It was:

Resolved: - *subject to the above comments to confirm the Committee's forward work programme.*

8 FEEDBACK FROM COMMITTEE REPRESENTATIVES

No feedback was received from Committee representatives on any Council Boards or Groups.

At this junction (12.05 pm.) there was a scheduled 55 minute break.

Meeting reconvened at 13.00 p.m.

9 DENBIGHSHIRE'S GYPSY AND TRAVELLER ACCOMMODATION ASSESSMENT (2021)

The Lead Member for Planning, Public Protection, Safer Communities and Domestic Abuse alongside the Head of Planning, Public Protection and Countryside Services and Strategic Planning and Housing Manager and Councillor Barry Mellor the Chair of the Gypsy and Traveller Accommodation Assessment Task and Finish Group presented the Task and Finish Group's report on process followed for undertaking Denbighshire's Gypsy & Traveller Accommodation Assessment (2021). Also attached to the report (previously circulated) was the draft Gypsy and Traveller Accommodation Assessment (GTAA) for Denbighshire.

The Lead Member for Planning, Public Protection, Safer Communities and Domestic Abuse gave the Committee some background to the production of the report. The Housing Act (Wales) 2014 placed a legal duty on Local Authorities to assess the accommodation needs of Gypsies and Travellers (Section 101) and subsequently meet those needs (Section 103). There was a legal requirement (Housing (Wales) Act 2014) for GTAAs to be undertaken as a minimum every 5 years and the Council was now therefore required to undertake a new Assessment. An up to date GTAA was also a requirement for the replacement Local Development Plan (LDP). The deadline for the GTAA to be submitted to Welsh Government was 24th February 2022.

A robust project management approach had been adopted with the establishment of a Member-led Project Board, with the Leader and Lead Member working with Senior Officers to direct this work ensuring Member involvement, openness and transparency.

Elected Members and the Scrutiny Committee had previously raised concerns regarding the level of consultation with Gypsy and Traveller communities and the need for early engagement with Members. Consequently, Communities Scrutiny Committee agreed at its meeting on 13th May 2021 to establish a Task and Finish Group to provide support for the development of the new GTAA.

Councillor Barry Mellor, Chair of the Task and Finish Group informed the Committee that the Task and Finish Group had met six times. Its discussions had covered all aspects of the Welsh Government methodology. They reviewed progress on the assessment, communication with all stakeholders and the findings of the draft GTAA report. Their final report was attached to the report as appendix 1.

The Work Brief and Stakeholder Communication and Engagement Plan included activities to meet the requirements of the Welsh Government's methodology as well as additional activities that had been identified as important to the Council. These provided the framework for undertaking the GTAA. The range of additional activities included an on-line survey for members and the involvement of members in promoting the survey – ensuring greater member involvement at an early stage. The employment of a Gypsy, Roma, Traveller Liaison Officer during August also ensured that travelling families staying in the County during the Assessment period were made aware of then Assessment.

Closing Councillor Barry Mellor stated that the draft GTAA findings and recommendations had been presented to the Task and Finish Group at its meeting on 15th November. At that meeting the Group agreed that they were satisfied that the WG methodology had been applied appropriately to the analysis of need and that the additional activities identified previously by Scrutiny had also been undertaken. Whilst the approach taken had required some considerable commitment from Task and Finish Group members during recent months, they all felt that the approach had worked well. As a result, the Group had requested that a similar approach be adopted in future when considering potential sites for pitches.

The Lead Member for Planning, Public Protection, Safer Communities and Domestic Abuse thanked Councillor Mellor, and the Task and Finish Group for all the hard work which they had carried out. He then proceeded to present the Assessment's conclusions. The draft Denbighshire GTAA concluded that –

- There was a need for 8 residential pitches to meet the identified needs of 3 households/extended family groups in the County.
- There was no evidence of need for a permanent transit site, due to the low numbers of unauthorised encampments, short term nature of these encampments and the fact that interviews with Gypsy and Traveller community had not identified a need for permanent transit provision locally. It was recommended that the management based approach currently applied to unauthorised encampments could be further developed based on best practice from across the UK, which may include 'negotiated stopping'.
- Future household growth was predicted to be 4 additional households from 2026 – 2033

The Lead Member for Planning, Public Protection, Safer Communities and Domestic Abuse, stated that the discussions at the current meeting would be reported to Cabinet on 14th December and the intention was to seek approval at that meeting for submission of the draft GTAA to Welsh Government for its approval.

Members discussed the following in further detail:

- Sub heading 7.5 of the 'Addressing Identified Need' within the draft GTAA was queried by the committee. Members requested clarification on what was meant by the phrase 'desire to meet their own need'. The Lead Member responded that Gypsy, Roma and Traveller (GRT) communities had expressed that they would rather choose their own sites rather than live on public sites.
- The Committee queried whether the Task and Finish could continue its work in future to assist the Council with the selection of potential sites, as the Task and Finish Group members had an insight into the needs and wishes of the GRT communities. Responding the Head of Legal, HR and Democratic Services (HoLHRDS) clarified that the production of the GTAA and the choosing of potential sites were two separate processes. He advised that if a Task and Finish Group were to be involved with the selection process, then it would need to be decided by a Scrutiny Committee during the term of the new Council when that process would be undertaken.
- The Lead Member clarified that Travelling Ahead (Gypsy and Traveller Advocacy Organisation) was a national organisation, however it had regional representation. The organisation had engaged with the Assessment process and was continuing to liaise with the Council.
- It was reaffirmed that the Assessment had concluded that there was no need for a permanent transit site in the area.

At the conclusion of the discussion the Committee unanimously:

Resolved: -

- (i) to endorse the conclusions of the Task and Finish Group that –**
 - (a) the work on the Gypsy and Traveller Accommodation Assessment had met the requirements of the Work Brief and Stakeholder Communication and Engagement Plan as endorsed by Communities Scrutiny Committee on 26th July 2021; and**
 - (b) the Welsh Government methodology had been applied appropriately to the analysis of need.**
- (ii) to confirm its support for the approach adopted for the delivery of Denbighshire's Gypsy and Traveller Accommodation Assessment as being robust and in line with Welsh Government guidance;**
- (iii) to confirm that it had read, understood and taken account of the Well-being Impact Assessment (Appendix 3 to the report) as part of its consideration; and**
- (iv) to recommend to Cabinet that the draft Gypsy and Traveller Accommodation Assessment should be approved for submission to Welsh Government.**

The Chair and all elected members present recorded their gratitude to the Chair and members of the Task and Finish Group for their diligent work in supporting the delivery of the above work. Members acknowledged that the assessment process in its entirety had taken a considerable amount of time and effort on both officers and members' part to plan, monitor and deliver to the required standard.

The meeting concluded at 1.30pm

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