



RHONDDA CYNON TAF COUNCIL PUBLIC SERVICE DELIVERY, COMMUNITIES AND PROSPERITY SCRUTINY COMMITTEE

Minutes of the meeting of the Public Service Delivery, Communities and Prosperity Scrutiny Committee meeting held on Thursday, 7 February 2019 at 5.00 pm at the Council Chamber, The Pavilions, Cambrian Park, Clydach Park, Tonypany, CF40 2XX.

County Borough Councillors - Public Service Delivery, Communities and Prosperity Scrutiny Committee Members in attendance:-

Councillor S Bradwick (Chair)

Councillor T Williams Councillor M Weaver
Councillor D Owen-Jones Councillor D Grehan
Councillor E George Councillor W Owen
Councillor S Pickering

Officers in attendance:-

Mr N Wheeler, Director of Highways & Streetcare Services
Mr S Humphreys, Head of Legal Planning & Environment
Mr S Gale, Service Director, Planning
Mr A Critchlow, Parking Services and Streetworks Manager
Mr H Jenkins, Highway Technical Services Manager

30 Apology

An apology of absence was received from County Borough Councillors E. Stephens, W Treeby, G Stacey, G Hughes, M Fidler Jones, A S Fox and A Chapman.

31 Declaration of Interest

In accordance with the Council's Code of Conduct, there were no declarations made pertaining to the agenda.

32 Minutes

It was **RESOLVED** to approve the minutes of the 10th December 2018 as an accurate reflection of the meeting.

33 Matters Arising

The Head of Legal, Planning & Environment reminded Committee that at the previous meeting Members had requested a further breakdown of the complaints made to the PSOW in 2017/18 relating to the Service areas of Environment & Environmental Health and Planning and Building Control to review.

A handout demonstrating the breakdown in complaints was circulated at the meeting and Members acknowledged that the complaints related to various matters and that there was no particular pattern to note. The Head of Legal, Planning & Environment pointed out that members of the public who disagreed with decisions taken by the Council's Planning Committee brought three of the complaints directed at Planning and Building Control.

It was **RESOLVED** to acknowledge the breakdown of complaints made to the PSOW in 2017/18 relating to the Service areas of Environment & Environmental Health and Planning and Building Control.

34 Supplementary Planning Guidance - Houses in Multiple Occupation (HMO's)

The Service Director of Planning presented the report of the Director of Regeneration, Planning & Housing in respect of the impact and effectiveness in making planning decisions, of the Council's Supplementary Planning Guidance (SPG) for Houses in Multiple Occupation (HMO's). Scrutiny was reminded that the SPG was published in May 2018 following its adoption by Cabinet at the 10th May 2018 meeting, following an exercise of publicity and consultation with appropriate stakeholders.

Scrutiny was reminded that initially, the reasons behind approving the SPG for formal adoption was concern raised by the local Member and evidence collected by Officers which suggested that there was an over concentration of HMO's in parts of Treforest. At its meeting in March 2018, Members were advised that the SPG is one tool that can be used to assist in the consideration of planning applications both in terms of resisting applications for inappropriate HMOs or HMOs in areas that have already got high concentrations and also assist in raising the standard of new HMOs and guiding any future HMOs to the most appropriate locations.

With the aid of Powerpoint the Service Director of Planning provided an example of unsuitable HMO applications in 20% threshold area. As evidenced at the previous meeting, the current 20% concentration threshold of HMO's in Treforest is still considered appropriate and will be kept under review in the future. It was reported that the threshold is 10% for the rest of Rhondda Cynon Taf.

The Service Director for Planning stated that it was clear that since the changes to the Use Classes Order came into effect that the Council needed to justify the reasons for refusal of planning permission for changes of use to Class C4 HMO properties, as evidenced in the number of cases that were allowed by the Planning Inspectorate in respect of appeals lodged following a refusal of planning permission by the Council.

Since the formal adoption and publication of the SPG it was reported that considerable weight has been attached to it by each inspector and of the six appeal decisions taken since the adoption of the SPG, the Council has been successful in defending its decisions and all six have been dismissed by the appointed inspector. The Service Director added that future review of the Council's LDP will need to consider the issues raised as a result of concentration of HMO's, as is the case in Treforest.

Following consideration of the report and progress update it was **RESOLVED**

to acknowledge the effectiveness of the Council's Supplementary Planning Guidance (SPG) for Houses in Multiple Occupation (HMO's) since its adoption.

35 The Statutory Process for the Removal of Caravans and other Obstructions from the Highway

The Highways Technical Services Manager presented the report of the Director of Highways and Streetcare Services to inform Scrutiny of the statutory process in use to remove caravans and other obstructions from the highway. A Power Point presentation was also delivered to accompany the report.

Members were provided with information in respect of the procedures available to investigating officers of the Council to remove caravans and other large vehicles or boats. The options available are based on judgements taken by the officers as to whether the parking of the vehicle constitutes incidental usage of the highway or whether the vehicle is considered to be an obstruction of the highway. If it is considered to be an obstruction the Council may ensure its removal under S.143 Highways Act 1980. This gives the Local Authority the power to remove a structure that has been set up or erected on the highway. For this action a notice is served on the person who deposited the caravan requiring them to move it within 1 month. If the structure remains after one month the Authority may remove it and recover their costs for doing so. An alternative option is taking action under S.149 Highways Act 1980 which enables the Authority to seek a removal and disposal order from the magistrates' court unless it constitutes a danger in which case the Authority may immediately remove the item deposited on the highway. If the caravan has been abandoned the Council has a duty to remove it under s.3 Refuse Disposal (Amenity) Act 1978. It was also reported that where necessary, the Police are able to take action using the power under section 137 of the Highways Act 1980.

The Officer, following his presentation to Scrutiny, responded to a number of queries relating to the statutory process for the removal of caravans and other large vehicles from the highway.

It was reported that should a caravan be removed under S.143 Highways Act 1980 the process can take up to 1 month which is often a quicker process than through the S149 Highways Act 1980. Members asked whether the Council could identify its own storage area for caravans which have been removed from the highway and although it was indicated that some areas would lend themselves to storage for such vehicles, consideration would need to be given to the cost and security.

The Highways Technical Services Manager responded to a number of queries relating to advertising boards, particularly banners hung from railings and the process in place for their removal. The Director, Highways and Streetcare Services confirmed that staff have been asked to remove such banners from Council land (with a few exceptions) should they see them and he would issue a further reminder following the meeting.

By contrast, Scrutiny discussed the street furniture pilot scheme which has been undertaken in Pontypridd town centre. It was reported that the majority of businesses have welcomed the scheme as they can appreciate the benefits that come with having regimented, organised furniture organised outside their premises. The process to acquire a permit was explained, businesses submit a plan to set out their individual street furniture, pay a £30 permit fee and every

case is considered on its merit providing the furniture fits within the designated dimensions.

Members discussed the difficult balance of achieving disabled access and enhancing a town centre with street furniture. It was acknowledged that those thriving town centres are the ones that have evolved and accommodate residents who wish to socialise in cafes and restaurants. It was agreed that street furniture can enhance a town centre particularly in the summer months.

Following consideration of the report and power point presentation it was **RESOLVED** to:-

1. Acknowledge the information in respect of the statutory processes in place to remove caravans and other obstructions from the highway; and
2. That the Power point presentation is circulated to all members of the Public Service Delivery, Communities & Prosperity Scrutiny Committee.

36 Civil Parking Enforcement Update

The Parking Services and Streetworks Manager presented the report of the Director of Highways and Streetcare Services in respect of Civil Parking Enforcement (CPE). He asked Members to consider the report which had been presented to Cabinet on 21st November 2018 which sought its approval for the Council to provide civil parking enforcement back-office Penalty Charge Notice (PCN) processing functions on behalf of additional Local Authorities across South Wales. Scrutiny was also provided with an update on the Council's mobile camera parking enforcement service.

By means of a Power point Scrutiny was updated on the following information:-

- Service Overview
- Service Update
- Mobile Camera Enforcement Vehicle
- Statistics (September 2018-January 2019)
- South Wales Parking Group

The Parking Services and Streetworks Manager explained that in November 2018 the Service area sought Cabinet approval for the Council to undertake parking enforcement (CPE) back-office Penalty Charge Notice (PCN) processing functions on behalf of additional Local Authorities across South Wales. For some time RCT has been providing back-office PCN processing services for Merthyr Tydfil CBC and in addition the former Gwent Councils are looking to externalise their back-office processing meaning that there may also be scope for RCT to offer such services for other Local Councils.

The Officer provided Members with a brief update with regards to the Council's mobile camera parking enforcement service, which had been introduced to help tackle problem parking specifically parking on yellow keep clear markings outside schools, adjacent to pedestrian crossing points and in bus stop clearways. Members were advised that preliminary data up to the end of December 2018 indicates that almost 1,765 PCN's

were issued to unlawfully parked vehicles using evidence from the mobile camera enforcement vehicle.

During the presentation a video was played which demonstrated the effective marketing campaign behind the mobile camera parking enforcement service.

Members were encouraged by the regional hub established to undertake the processing of Penalty Charge Notices issued by Local Authorities across South Wales, with RCT as the lead Authority and by the new mobile camera enforcement service. Scrutiny was informed that Cabinet had also agreed to support implementation requirements for the new regional services which includes the appointment of additional staff resources. The Parking Services and Streetworks Manager advised that the staff and resources would be evaluated on a regular basis as would the service itself and how it is managed.

Following consideration of the report it was **RESOLVED** to acknowledge the information contained within the report and the Power Point presentation.

This meeting closed at 6.30 pm

**CLLR S. BRADWICK
CHAIR.**