

Draft Minutes

Liaison Meeting with Community Councillors

Date: 15 September 2021

Time: 6:00pm

Venue: Microsoft Teams Meeting

Present: G. Price (Head of Law and Regulation (Chair)), Pamela Tasker (Governance Support Officer), Brian Miles (Wentlooge), Geoff Stockham (Marshfield), Julie Foster (Wentlooge), Cath Davies (Marshfield), John Edwards (Langstone)

Matthew Sharp (Development and Regeneration Manager), Samantha Kremzer (Senior Planning Officer (Policy)), Matthew Sellwood (Keep Wales Tidy), Christine Thomas (Trade and Enforcement Manager)

1. Apologies for Absence

Cllr Paul Gregory Graig CC
Nigel Hallett Michaelston y Fedw CC

2. Minutes of the Meeting held on 10 June 2021

Agreed:

Minutes were agreed as a true and accurate record.

3. Newport Replacement Local Development Plan

Matthew Sharp-Development and Regeneration Manager presented this item to the meeting.

Matthew explained that the LDP included allocations for housing, employment, and schools in areas where the Council were looking to promote growth. This also included areas where we were looking to protect the countryside and various areas of historical and environmental assets.

Points to note:

- The current LDP covered the plan period from 2011 to 2026 and was adopted in January 2015.
- Since the start of the plan period April 2011, 6,500 new homes have been built with over 20% of those still being affordable with 94% on brownfield land. There was also 26 hectares of employment land that has come forward.

- The current LDP is over 6 years old so needed to be reviewed. There were informal discussions at the 4-year mark, with the delivery rates in relation to housing being quite successful. However, as it was now 6 years in, there was time for a review.
- There was an argument that there was a need for more strategic sites to be put forward. Earlier in the year a Future Wales National Development Plan was published by Welsh Government, and this was the highest level of strategic plan in Wales.
- This plan identified Newport and the surrounding area as an area of national growth.
- In summary, reviewing the LDP will help boost economic recovery and be more intrinsically linked to our wellbeing plan.
- A delivery agreement was drawn up which was a timetable for the delivery of the revised LDP. This also included a Community Involvement Scheme which sets out when and how the Council will consult and engage with stakeholders, at what stages, which records to include along with engagement with the Community Councils.
- The delivery agreement was approved in May 2021 which includes a community involvement scheme which sets out who, when and how the Council will consult and engage with stakeholders including the public.
- The public have been asked what sites they would like to put forward as part of the new plan.
- Stage 3- This would be the first draft of the LDP and there would be plenty of opportunities for public consultation - August 2022.
- The Deposit plan would then be submitted to Welsh Government to be examined in Summer 2024 with discussions. Objectors and supporters can forward their ideas, and this encourages engagement.
- Eventually the inspectors report will be released in 2025 and that would then be adopted as the new plan. It was a long process, so engagement was important.

Next Stages:

Next step would be engaging with key stakeholders to find out what the aspirations were, with a variety of scenarios and growth options and these would be shared with the public to identify the level of growth in Newport to be achieved; the current LDP sets out a housing target of 10,000 new dwellings.

- Village Boundary Assessments would also be looked at soon. Within the urban boundary there were community facilities and development which was acceptable in principle, and this would be the same for villages. There would be other factors to consider but that would be roughly how the plan worked in terms of the LDP.
- Some villages have been removed because, in planning terms, they have fewer facilities and so are less sustainable e.g., harder to put a new house in these villages. Boundaries would be looked at to see if they were still relevant.

Questions:

The Wentlooge representative asked if the Minister's statement on the protection of the Wentlooge levels and the recent decision to reject the solar farm have an impact on the decisions on the LDP.

The Development and Regeneration Manager confirmed that it would, and this would be a material consideration. The Minister had rejected the Inspector's report saying the heritage value of the Wentlooge levels held more weight which was a clear steer from the Minister to be considered.

The Marshfield representative stated that they felt that the Gwent levels had very little protection and was looking for something in the LDP that preserved the state of that natural environment. They were also looking for clear guidance from Planning department in terms of place plans for communities. They stated that he had a view on sustainable development within areas such as Marshfield and Castleton which he would also like addressed

In relation to Settlement boundaries the Marshfield representative asked why Castleton and Marshfield were excluded as if you spoke to people there, the area was over developed anyway. There was no bus service, and it was asked why these areas were excluded from the settlement boundary.

The Development and Regeneration Manager stated that the Council's Planners would disagree slightly with the statement that Gwent levels did not have sufficient protection as the first paragraph of the inspector's report that approved the Llanwern site listed the constraints; that it was a historical site, had high protection and under normal circumstances an area like this would not be considered however the environmental benefits powering so many homes outweighed these constraints.

The Development and Regeneration Manager explained that it was discussed before about the Gwent Levels being a green belt. However, this was not what a green belt was for. A green belt was there to prevent coalescence of settlements between Newport and Cardiff and Welsh Government policy had stated previously that a renewable energy development could be placed on a green belt.

It was understood that some people felt that there was not enough protection, however one of the farms that was approved recognised that Welsh Government policy at that time was in favour of renewable energy.

There have been discussions previous regarding the Gwent levels and the team was working with the Legacy people to help them to come up with planning arguments and a supplementary planning guidance was also discussed to prevent development. However, a supplementary guidance was just guidance.

Welsh Government were going to look at something separate, but this was unknown currently.

In relation to Place Plans there were none in Newport at present, there were some in the Brecon Beacons etc and the Planning team would be happy to work with community councils to develop these, but they had to be in conformity with the LDP so policies in the LDP could not be disregarded.

Planning Aid Wales was quite keen to engage with community councils on Place Plans and Community councils could speak to them about this.

In relation to boundaries the boundary for Castleton and Marshfield does have a boundary and does have a level of community facility and transport and so development within the boundary would be deemed acceptable in principle in the current LDP.

The Development and Regeneration Manager explained that Lower Machen for example was more isolated with not much transport etc so then they wouldn't have any further development and then the boundary would be removed.

The Wentlooge representative stated that they were surprised that Peterstone was removed from the current LDP and that St Brides was to be given a boundary as they were alongside each other, had similar structure and they both had limited services.

The Development and Regeneration Manager explained that an analysis looking at what the villages had etc and that they were scored.

The Wentlooge representative stated that St Brides probably had more business activity.

The Senior Planning Policy Officer stated that the villages that were removed and the ones added were from the current LDP from 2015. The team would now be reassessing all of these and the team would be coming out to all the villages to see the people there and to assess what was there.

The Wentlooge representative asked about the National Plan and that this would be a big challenge as there was a lot of protected area and flood zones, so this was quite a challenge diverting planning away from flood areas.

4. Volunteer Litter Picking Discussion

The Trade Enforcement Manager stated that they were happy to address the points made at the last meeting and answer any questions.

In relation to the bag collections and refusal to collect in certain areas mentioned in the second paragraph of the minutes, this was regarding the many tyres that had to be removed from the area.

The Trade Enforcement Manager explained that it was not that the team did not want to collect but it was not a statutory duty and there were also processes in place for collection that needed to be followed. However, the team wanted to support the volunteers and work with them. If the matter involved private land, there were processes in place for enforcement action and working with the landowner to ensure that the waste was cleared from the landowner's site and the team did this very closely alongside Keep Wales Tidy.

It was explained that during COVID where it was realised that a lot of people spent a lot more time out litter picking, and the team adapted very quickly to help meet that as best as they could, given the limited resources that they had. Their priority had to be the frontline service, which was refuse collection, but they managed to get a process in place to support the volunteers.

The Trade Enforcement Manager acknowledged that it was perhaps difficult for volunteers to identify land types and the team could assist with that to help volunteers know whether it's something they can support or whether it should go onto contact with the landowner to make sure they were compliant.

The ditch previously mentioned was not Council owned as it was private and so if the council was collecting from private ditches, then this would be disposed of as municipal waste. With regards to disposing of tyres the team did not have a facility or a license on site to do those, so ultimately, it was the public then that pays for the disposal of the landowner's tyres via the municipal waste stream of Newport City Council.

It was also discussed from the minutes of the previous meeting about bag collection and the Trade Enforcement Manager wanted to support this but remarked on 50 bags stacked on the corner of a 50 mile an hour road, which required the team to remove them, was not acceptable as traffic management would need to be used and this is very expensive as the team wanted to work safely.

It was mentioned that communication was key and if there was a large litter pick planned it was maybe best to inform the Council of this as well as Keep Wales Tidy, as it was important for volunteers to work safely.

The Marshfield representative stated that they had attended a Keep Wales Tidy session where they had learned that a new project Caru Cymru had started, promoting working with litter pickers and the local authorities. There also needed to be better communication from both sides.

Matthew from Keep Wales Tidy confirmed that the project was currently running now with an action plan of what they were trying to achieve focusing on Dog fouling, litter picking as well as continuing to support community groups.

The Marshfield representative stated that they helped the Marshfield Magpies and there was a lot of frustration on behalf of the litter pickers, and they want to see the bags gone and would encourage a partnership group between the Council's waste team and Keep Wales Tidy.

The Trade Enforcement Manager stated that there was a service provided for the removal of fly tipping and if it was reported through the system there were 1.5 days for removal. It was stated that the volunteer collection should only be for litter, but the team ended up with gas bottles, tyres etc and this was not on Newport City Council land. The team needed to be transparent on where litter was sent, and the expense needed to be justified so there should be litter for collection only.

The Marshfield representative stated that the area needed to be clean which is what residents and communities wanted and so there was confusion sometimes as where litter should go.

The Trade Enforcement Manager agreed with this but also stipulated that were provisions and statutory provisions in place that were managed through either the environmental health team or the planning team to work with landowners on removing accumulations on their land and it was recognised that it was difficult for volunteers and the community to identify what was council land and what was not, but what was picked up had to be properly managed.

The Marshfield Representative agreed but stated that as it sometimes took a long time for the landowner to be identified and to find out who was responsible for removing the item, other fly tippers then throw other items in on top and it becomes an accumulation and it attracted rats etc.

The Trade Enforcement Manager agreed with this point but stated that they have seen an adult and a child pulling a fridge out not wearing a high vis vest on a 50-60 mile an hour road.

The Marshfield representative stated that it seemed unfair that the owner of the land had to remove the fly tipping and therefore it stayed there and a more joined up process was needed to work something out which could be done with Keep Wales Tidy.

The Trade Enforcement Manager agreed and stated that the council was working with Natural Resources Wales and was working with the drainage board to manage the reens.

The Marshfield representative stated that they worked with Pam Jordan who was very good and helpful and was able to use cameras to identify fly tippers.

The Trade Enforcement Manager stated that they work with Pam very closely but that she was from a different organisation-Fly Tipping Action Wales and to install a camera required a

RIPA authorisation. If Newport City Council use a covert camera, then an application from the Magistrates court would have to be in place. However Fly Tipping Wales do not use these so can use a camera any time.

The Chair confirmed that this was a legal requirement in the legislation for any covert surveillance for Police and Local authorities as it must be deemed necessary and proportionate so as not to interfere with people's human rights. The Chair also explained that Fly Tipping Wales were not bound by the Regulation of Investigatory Powers Act like Police and local authorities were. Police and local authorities were legal enforcement agencies.

Matthew from Keep Wales Tidy stated that the Caru Cymru promoted group activities and trials and campaigns related to dog fouling, fly tipping etc such as the lighthouse road which might be a trial somewhere and then could be adopted. Adopt a Highway scheme was another one which was still being looked at in terms of the health and safety part of that so whether it would be a pavement or work on country roads safely. Bin infrastructure was also being looked at.

The Wentlooge Representative spoke in relation to tipping on private land and stated that they were on a national panel ran by Fly Tipping Action Wales which consisted of farmers, National Rail etc. It was stated that the feeling was that the waste came off the highway so why should landowners pay for waste that comes off the highway. It was felt that this should be addressed on a government scale because it was a national problem. The Wentlooge representative stated that they would keep other community councils informed of any news on this.

The Wentlooge representative also stated that they have had a look at the deeds of some properties where the waste had gone into the reens and the owners only own to the midpoint of the reen and did not own the entire reen. So, who would own the reen that was connected to the highway? This area also needed a proper survey with the groups involved in litter picking for the Peterstone area as the bulk of litter picking there was on the common. To keep this community clean then there was a duty to keep those areas clean.

The Trade Enforcement Officer stated that with the booking system in place now to book the community collections, and it was a large event anything over 10 bags, someone in the team would be more than happy to advise the community council on how to best pick litter safely in that area.

The Wentlooge representative agreed that fly tipping collections were very good and that they were on a clean-up recently and that they themselves were the only person in a high vis vest and there was no traffic management and Cardiff was willing to collect the waste. The problem was that if the 2 metres from the road was not cleaned then residents would ask why.

The Enforcement Officer stated that there were two issues: volunteer litter collections and collecting fly tipping.

The Wentlooge representative stated that there was a lot of waste being thrown into bushes etc and the people out there volunteering want to make a difference, so some guidance was needed to resolve the situation.

The Trade Enforcement Officer agreed that guidance and support was needed. However, if Newport Council was requested to take waste and any type of waste regardless of whoever's land it was on then this was not sustainable.

The Wentlooge representative stated that they did pull out of the reens to stop pollution and it was felt that it was needed to have a panel of NRW, NCC and Keep Wales Tidy to work together.

The Marshfield representative stated that they were sympathetic to the local authority but acknowledged the very hard work of volunteers and stated that the new booking system brought in during Covid worked very well and wanted to know whether there was an analysis of whether this worked in relation to fly tipping versus the incidents of fly tipping and whether there were any prosecutions that took place. They stated that they made a Freedom of Information request previously to find out the prosecutions and was amazed at the response received. Geoff also asked what number of prosecutions occurred in the last year.

- The Trade Enforcement Officer stated that between September 2020 and September 2021 there were 70 fixed penalty notices issued; 20 prosecutions at various stages for the last 12 months and 2 vehicles were seized. However, it does take time. There was no definitive answer in relation to whether fly tipping had increased or decreased as a result of the booking system, but this could be looked at for the next meeting.

The Marshfield representative reiterated that they felt that it was essential that a partnership was formed as there seemed to be a frustration and a misunderstanding and it could only benefit for all parties to work together.

The Trade Enforcement Officer agreed that they were very willing to support groups, but expectations must be managed, and the framework was already set up so contacting either Christine or Matt would be advised.

The Marshfield representative asked whether Christine or Matt could attend a meeting if there was a slot organised at the hall and volunteers could maybe speak face to face there which was agreed.

Matthew from Keep Wales Tidy agreed this would very beneficial and stated that an informal training session could be held where Fly Tipping Wales could be invited alongside community councils as well to identify problem areas.

The Wentlooge representative stated that they also do litter picking and a lot of the stuff thrown out was recyclable about 90% which was frustrating, and they explained that prior to covid they would separate out the recycling was separated and Wastesavers removed it.

White recycling bags were discussed, and the Trade Enforcement Manager confirmed to Julie the Wentlooge representative, that some recycling bags would be made available to her.

Matthew from Keep Wales Tidy also confirmed that litter equipment could be rented out from the hubs and that white recycling bags could also be picked up from these hubs.

5. Public Spaces Protection Orders

The Wentlooge representative stated that they have had conversations with Police regarding PSPO's in certain areas and asked what they were.

The Chair confirmed that PSPO'S were a general means of dealing with low level antisocial behaviour and were brought into effect a few years ago. There were a few in operation in Newport and the largest one was the city centre Public Space Protection Order. This was out for renewal now for a public consultation to renew it for another 3 years.

Within it there were various control measures by Police in relation to drinking in public, littering, dog fouling etc.

There were also a couple that cover the gating of alleyways to prevent antisocial behaviour. PSPO's also covered dog control with new measures such as banning dogs from public areas and these orders gave wardens and Police more power.

The Wentlooge representative asked how long they took to process, and the Chair stated that by law they had to go out for public consultation, and they could not be done just because there was public support for them. Police had to demonstrate that there was a problem in an area for them to be introduced and the orders were the best way of dealing with it.

The Wentlooge representative stated Police had informed them that Police were waiting on one to be processed which was submitted months ago.

The Chair confirmed that there was not an application process and Police needed to liaise with the Council.

The Wentlooge representative confirmed that the application was for drag racing and the Chair confirmed that there was no application submitted on this matter. There was an historical issue with it 12- 18 months ago in the Spytty area but there was nothing mentioned since.

The Wentlooge representative confirmed that the drag racing had moved to the Coedkernew area and that the Police were involved but there were no prosecutions ongoing and a PSPO had been submitted.

The Chair reiterated that this was not the case as the Police do not apply for a PSPO. They would need to liaise with the Council through the Community Safety Partnership group and explain why their existing powers were not adequate to deal with the problem. In fairness to the Police, they would not be able to proceed with a PSPO in lockdown.

The Marshfield representative also confirmed that the drag racing was becoming a problem at Coedkernew and what could be done by the Highways department as the Police have stated they do not have the resources to deal with it although dashcam evidence had been provided and it was felt that the buck had been passed to the Council.

The Chair stated that the PSPO was in relation to low level antisocial behaviour and fixed penalty notices but was not there to deal with criminal behaviour on the highway. Highways could look at traffic calming but it was not a way for dealing with criminal behaviour and this matter sounded like a Police matter even though they stated it was not a priority for them.

6. General Communication

The Wentlooge representative stated that the call centre does not come back to them and there was difficulty in getting help which was frustrating. It was explained that they wanted to speak to someone about a missed rubbish collection and the call centre operator explained that there was no one to speak to and to leave the rubbish out for another 48 hours but residents were making complaints about waste on the road. It was also suggested by the operator that the waste could be taken to the recycling centre but that everyone in the street would have to make an individual booking.

It was felt that this could be avoided with more 2-way contact and for more help sources to be provided.

The Chair stated that this information could be fed back to Paul Jones Head of Service and Kerry Foot Customer Services Manager.

The Wentlooge representative explained that Covid highlighted that people knock at the door to complain about various issues but it was difficult to feedback to them with an answer.

The Marshfield representative stated that they had reported lots of incidents on the app where it was promised that they would be contacted in 5 working days. However, this has not happened at any time.

The Chair recommended that the Governance Support Officer could request a representative from customer services to attend a future meeting to talk to the councils about these issues.

7. Any Other Business

The Marshfield representative stated that there have been a couple of issues that the clerk wrote in about which was sent to Highways and other departments but there was no response. The Chair confirmed that the community council clerks could get in touch with the Governance support officer if there was a problem with communication but could not deal with individual complaints.

The Langstone representative asked if there was an officer directory for community clerks.

The Chair confirmed that there was not a directory as people were encouraged to go through the contact centre and that there was an internal phone book, but this was for staff use only. It was difficult to give individual contact details within particular service areas as everything was channelled through the contact centre.

The Marshfield representative stated that it was mentioned in the last meeting around enforcement in the area, but the community council have set up a meeting with Matthew and Neil Gunther in October which clarified that point in the minutes.

The Marshfield representative mentioned the condition of the A48 from the LG plant to the border boundary with Cardiff and whether there were any impending plans to improve this stretch of road.

The Chair confirmed that this would be noted and passed on to city services.

8. Date of the Next Meeting

9 December 2021 at 6pm