

ENVIRONMENTAL SCRUTINY COMMITTEE

15 JUNE 2023

Present: Councillor Owen Jones(Chairperson)
Councillors Derbyshire, Gibson, Green, Lancaster, Lloyd Jones,
Proctor and Wood

1 : CHAIRPERSON AND MEMBERSHIP

The Committee noted that Council on 25 May 2023 appoint Councillor Owen Jones as Chairperson of the Committee and the following as members Councillors Derbyshire, Green, Lloyd Jones, Proctor, Lancaster, Parry, Wood, Gibson.

2 : TERMS OF REFERENCE

The Committee noted its terms of reference.

3 : APOLOGIES FOR ABSENCE

Apologies were received from Councillor Jackie Parry and Shifa Shazad.

4 : DECLARATIONS OF INTEREST

Councillor Proctor Item 7 Personal Works for Community Housing
Cymru

5 : MINUTES

The minutes of the meeting held on 11 May 2023 were approved by the Committee as a correct record and were signed by the Chairperson.

6 : PLANNING TRANSPORT AND ENVIRONMENT DIRECTORATE DELIVERY PLAN

The Committee received a report providing Members with an overview of the Planning, Transport and Environment Directorate Services Plan within the terms of reference of this Committee and the Directorate's contribution to the Council's Corporate Plan, its key achievements during the previous year and an outline of the future challenges facing the directorate. The report provided an opportunity to gain an understanding of the operation of the directorate and its key priorities for the year.

The Chairperson welcomed Councillor Dan De'Ath, Cabinet Member for Transport and Strategy Planning, Councillor Caro Wild, Cabinet Member for Climate Change, Andrew Gregory, Director of Planning, Transport and Environment, Simon Gilbert, Head of Planning and Gareth Harcombe, Commercial Manager for Energy and Sustainability, Jason Dixon, Transport Development and Network Management and Amy Preece, Traffic and Enforcement Maintenance to the meeting.

Following brief statements from the Cabinet Members, the officers were invited to deliver a presentation on the Directorate Delivery Plan.

The Chairperson opened the debate on this item. Members were invited to comment, seek clarification or raise questions on the information received. Those discussions are summarised as follows:

- Members asked how the Delivery Plan was informed by the results from the previous Delivery Plan; how successes in the previous plan were measured and whether those assessments have been brought forward. The Director advised that projects outlined in the plan have evolved over several years. Within that adjustments to the plan take place in response to policy changes, funding commitments and changes in the environment. The Director considered the previous Delivery Plan to have been a success.
- Officers confirmed that Welsh Government have agreed funding for the coastal defence works project in East Cardiff. The funding offer now needs to be formally accepted by the authority before works commence. Enabling works will begin in Quarter 2 2023. Officers acknowledge concerns raised by Members regarding river erosion. Consultation was undertaken and completed on the Flood Risk Strategy. Consultation feedback is being analysed and a full strategy will be brought forward in line with Welsh Government requirements. Water course improvements works will commence at a number of sites in the city during the year in line with the Flood Risk Strategy.
- The Committee noted that no results were included within the Delivery Plan for KPIs in relation to Corporate Performance. The Director provided an undertaking to report back to the Committee regarding this.
- Members noted the objective to promote local and low carbon food and to promote this in schools. A Member asked whether the authority has recognised that meat, and beef in particular, is the food with the highest carbon footprint and whether there would be any opportunity for the authority to have meat-free days in schools. Such a scheme would be within the Council's control and would provide healthier options for children at a reduced cost. The Cabinet Member for Climate Change welcomed the suggestion and considered that the Council should take the lead in terms of the behaviour change necessary to meet carbon emissions targets.
- Members noted the proposals set out in the Delivery Plan in terms of Minimum Energy Efficiency (MEEs) and other energy efficiency initiatives. Members noted that none of the proposals listed are EPCA or high energy efficiency standards. Members asked whether the proposed scheme and ambitions set out in the Delivery Plan for retro-fitting housing is sufficient to get to deliver the net zero target by 2030. The Director stated that some areas of the One Planet Cardiff strategy do not have the level of resources required to effect the level of change needed. This is a national issue. Within that context, the service is trying to work in partnership with other bodies, at a regional and national level, to scope the issue in terms of the level of resources required. The Director accepted that the

proposals set out in the Delivery Plan alone will not deliver the carbon emission reductions needed. The Commercial Manager for Energy and Sustainability advised that the Cardiff City Region Board has identified this issue as one of their key priorities. The current level of funding will not deliver the number of retro-fitted properties required annually. The Welsh Government's Heat Strategy is awaited and there is a suggestion that hydrogen may form part of the strategy in Cardiff. However, officers considered that boiler replacement and insulation schemes should not be delayed in the meantime. Members were advised that the need to upscale and agree on technologies are being fed into discussions with Welsh Government.

- Members requested an update on the Bus Strategy that is due to be introduced in 2023 and whether the delay in bringing forward the Strategy was impacting on modal shift targets. Members were advised that the Bus Strategy was close to being completed. There are factors taking place nationally and in the wider city region relating to the transition from Bus Emergency Scheme (BES) funding to Bus Transition Funding following on from the Covid-19 pandemic. There are still a reduced number of people travelling by bus and many people continue to work from home, which accords with the Welsh Government policy target of 30% of employees working from home. Modal shift stands at 55% sustainable transport at present. Traffic trends are also changing insofar as commuting has reduced but the overall volume of traffic is near pre-Covid-19 levels. Travel patterns over peak periods are returning. An Ask Cardiff Transport Survey will be undertaken to re-establish a baseline from 2023. Work is also ongoing in partnership with Transport for Wales in terms of data collection and the Regional Transport Plan.
- Members requested an update on the Park and Ride Strategy. The Director stated that the Park and Ride Strategy is supplementary to the Bus Strategy and it will be brought forward in due course.
- Members suggested that where KPI results for previous years are provided for comparative purposes it would be beneficial to have the targets for the previous years also.
- Members asked whether there was sufficient resource to address the challenges presented by the One Planet Cardiff strategy and Welsh Government policy in relation to climate change and how those projects would be prioritised due to budget pressures. The Director stated that the key programmes such as the metro network, One Planet Cardiff, road user pricing and energy projects were identified in the presentation. Any one of those projects could consume the entire directorate resource. The Directorate Delivery Plan identifies that choices will need to be made. The Director considered that if a core project, such as a sustainable transport system, is delivered, then other benefits will flow from that, for example, carbon reduction, wellbeing and air quality benefits.

- Members asked whether road user charging would help provide the additional resources required to address the One Planet Cardiff challenge and whether any other funding mechanisms were being considered. The Cabinet Member for Transport and Strategic Planning stated that road user charging would be transformational in terms of the ability to deliver a transport system that is fit for purpose.
- Members asked whether proposals to no longer advertise unhealthy food and drink options on bus shelters in the city would be introduced when contracts are renewed or through negotiation. Members also asked whether there were any other sites in the city where the Council may sell advertising space. The Cabinet Member for Transport and Strategic Planning stated that many advertising contracts are due to end in 2025. The Council already has a robust policy in terms of restrictions for certain types of food and gambling that is a currently being applied. The administration is interested in exploring this matter, and also whether to limit the number of outlets offering unhealthy foods further within the powers available.
- A Member asked whether there was any focus on ensuring the Council's procurement is sustainable in terms of its carbon impact. The Cabinet Member for Climate Change stated 80% of the Council's carbon footprint comes via its supply chain. The new Socially Responsible Procurement Policy looks at how to remove carbon emissions from the supply chain. The Cabinet Member suggested that the Committee may wish to bring forward a report on the Socially Responsible Procurement Strategy at a future meeting.
- The Director stated that the projects outlined in the Delivery Plan will be delivered over an extended time period and they are reliant on any funding bids to Welsh Government and others. It was acknowledged that the external funding environment may not remain consistent.
- The Director confirmed that the process to make an appointment to the vacant Operational Manager One Planet was moving forward.
- The Committee requested that consideration be given to managing public expectations in terms of the delivery of some of the ambitions set out in the plan. Members highlighted the delivery of 8 new train stations in the city by 2028 as an example. Members believed this would be highly unlikely in the current climate. The Director accepted the point. The ambition was carried over from the preceding Delivery Plan and, although work is ongoing to achieve the delivery of all those stations, the timescales have slipped somewhat and it needs to be adjusted.

RESOLVED: That the Chairperson writes to the Cabinet Member on behalf of the Committee to convey any comments, observations and recommendations made during the way forward.

7 : REPLACEMENT LOCAL DEVELOPMENT PLAN - PREFERRED STRATEGY

Councillor Procter declared a personal interest in this item in accordance with the Code of Conduct as an employee of Community Housing Cymru.

The Committee received a report allowing Members with an opportunity for pre-decision scrutiny of the Draft Preferred Strategy for Cardiff's Local Development Plan (LDP) prior to its considered by Cabinet on 22 June 2023.

Members were advised that the current Local Development Plan was adopted in January 2016 by the Council and set out proposed planning and development for the city between 2006 and 2026. Section 69 of the Planning & Compulsory Order Act 2004 requires the Council to carry out a full review of the adopted LDP at least every 4 years following adoption. Following the establishment of Corporate Joint Committees (CJCs) and their role in regional development the replacement LDP that is currently being developed will be the last the Council produces before Strategic Development Plans (SDPs) are written.

The Chairperson invited Andrew Gregory, Director of Planning, Transport and Environment, Simon Gilbert, Head of Planning to deliver a presentation, following which Members were invited to comment, seek clarification or raise questions. Those discussions are summarised as follows:

- A Member stated that in urban area gardens provide far more biodiversity than some 'greenfield' areas of land, which are often farms that lack biodiversity. Concerns were raised that on some of the larger developments in the City there is a lack of green space and the gardens in these developments are getting smaller. As a result the One Planet Cardiff strategy and biodiversity in general are not being supported. Members asked whether the LDP could do more to support biodiversity. The Head of Planning stated that ecological factors and biodiversity net gain are considered. The LDP has an approximate 50:50 split of greenfield and brownfield sites. Members were reminded that greenfield sites yield a higher proportion of affordable housing. Development on those sites has been achieved with planning permissions that are consistent with the LPD, with approximately 40% development and 60% is open green space. Within the open space element ecological connectivity is specifically considered. A number of examples of the detailed level of planning undertaken were provided. The Head of Planning considered that the revised LDP would provide more opportunities to increase biodiversity in the city, including canopy cover. The Green Infrastructure Plan will also require the authority to look strategically to its corporate responsibility to protect the environment. The Director stated that the revised LDP will focus on placemaking and providing high quality, sustainable communities and biodiversity would be a critical element of that.
- Members requested further details in relation to the protection of river corridors in the city. The Head of Planning stated that there are multiple policies in place to protect river corridors including a specific policy in the current LDP. There is no embargo to development, however, protection is afforded to the amenity and

environmental value of those spaces, most notably not exacerbating any flood risk. The next LDP will include a review of the River Corridors Policy.

- Members noted that the Transport Interchange in Waungron Road does not appear on a map provided with the report. The Head of Planning stated that the interchange has planning permission and construction is underway. An undertaking was provided to check whether the interchange has been omitted.
- Members sought clarification around the distinction is given to areas that can be developed and areas that are biodiverse and should be protected when development is proposed on greenfields sites. The Head of Planning advised that 'greenfield' is defined as land that hasn't previously been developed. The LDP will have policies to protect areas of open space and areas of nature conservation importance. This will be considered whenever planning applications are received. The Head of Planning considered that the growth identified in the plan can be accommodated within the settlement boundary in the city, without expanding into green areas on the fringes of the city.
- Members asked whether the Supplementary Planning Guidance (SPGs) aimed at protection green space and biodiversity was within the scope of the LDP. The Head of Planning stated that it was but SPGs follow the LDP sequentially and can only be produced and approved once the LDP is formally adopted. However, the scope of the additional guidance required can be considered alongside the update of the LDP. The Green Infrastructure SPG provides robust guidance and it is supported by a number of technical guidance notes covering areas such as trees, ecology, biodiversity and parks, public rights of way. All current SPGs will need to be superseded by new SPGs.
- Members referred to an LDP strategic objective set out in the report – that new homes will be zero carbon by 2025. Members asked whether the objective covered every new home and how this would be achieved. The Head of Planning stated that, whilst zero carbon new homes is a planning consideration, the Welsh Government is seeking to address the challenge through Building Regulations and other regulatory processes.
- Members questioned how the expected number of new jobs to be created in the LDP was arrived at. Members also requested further details on the types of jobs envisaged. The Head of Planning advised that the figures quoted are a demand-led assessment and are based on the projected increase in the population of the city. Building 26,000 new homes would broadly equate to 32,000 new jobs. The jobs would across a range of sectors. The LDP will also seek to protect areas of land for employment purposes.
- Members asked whether officers were confident that the LDP will deliver affordable homes for the 7,000-plus people currently on the social housing waiting list or at least account for them. The Head of Planning stated that the LDP alone will not address social housing need. Collaboration between the Council and housing associations will be required. However, one of the main priorities in delivering the LDP would be to make significant reduction in the number on the social housing waiting list. New developments can help secure new affordable housing as part of those development or provide financial contributions.

However, the challenge of inflationary pressures on land acquisitions, the construction industry and on supply chains means that there is less opportunity to secure Section 106 financial contributions from new developments and this impacts on the ability to maximise contributions to affordable housing schemes in the city. The LDP will support or prioritise social housing in certain locations through policy and there are opportunities to deliver more affordable housing strategically through brownfield development and housing density.

- Members asked how the Planning Authority will account for community engagement, in particular local concerns about new developments. The Head of Planning considered that nobody should feel excluded from the engagement process. If local people have concerns then there is an expectation that comments will be received, but peoples' views are valid and they need to be heard. The Consultation and Engagement Strategy will provide an opportunity for people to comment on the LDP who would not normally do so.
- Members asked whether consideration could be given to appointing a Community Engagement Officer for new developments. The Cabinet Member welcomed the idea and suggested that the new Community Cohesion Fund may be a potential source of funding.
- A Member felt that, in terms of bus corridors, there was a need for a north west / east corridor which would improve transport linkages between UHW and the North East of the City.
- Members requested whether there was scope to allow the consultation period to be extended by a further month. Officers accepted that the consultation period spanned the summer school holiday. The need to extend the consultation period was recognised and therefore it was agreed to extend the consultation period from 6 weeks to 10 weeks, until the end of September. The majority of public consultation events will take place towards the end of the consultation period. The Cabinet Member considered that whilst consultation over the summer school holiday was difficult for some people, it may be the only opportunity for other people to engage.
- A Member noted the results of an earlier consultation exercise undertaken. The Member asked whether the results of any future consultation exercises would be meaningful and why residents should participate if they feel that their views are going to be ignored. The Head of Planning accepted the point. It was considered that the option chosen could be evidenced and backed by emerging data. It was anticipated that the results of the earlier consultation exercise would be skewed. In the previous LDP 90% of the comments received were objections to specific allocations in the plan rather than the content of the policies. The professional view is that there will be a disproportionate number of people commenting in areas where new development could be and that has to be balanced against the wider public interest in providing the most robust plan possible for the whole city. Consultation will be done in the public domain and the Committee will have an opportunity to consider the responses and interrogate the data when it is received.

- Members noted that the projected growth figure in the plan was 78% higher than the Welsh Government's projection. The current LDP also over-estimated population growth in the city. Members asked whether there was a danger of repeating the same mistake. The Head of Planning stated that prior to the current LDP there were no allocations of land for housing in the city. The environment is different now. It was not possible for officers to predict interest rates, rental prices and fiscal policy but the evidence considered points to the level of growth set out in the report. The figures are subject to sensitivity analysis such as known completion rates and assumptions about windfall sites. Members were advised that 20,000 of the predicted 26,000 new homes are subject to planning permission and are currently being constructed. This provides more certainty around predicting levels of population growth.
- In response to points raised earlier in the meeting regarding insulation of properties, it was suggested that an SPG on retrofitting properties with insulation in the city should be considered. Anecdotal evidence was provided that some properties which have been retrofitted are too hot in the summer months. The Head of Planning agreed and considered that there was now better understanding of how good design can address the issue. People are also using their properties differently post-covid so building regulations and design standings will need to adapt to this.
- Members commended the LDP in terms of protection of music and culture, HMOs in the city and greenfield allocations. In terms of Community Infrastructure Levies, Members questioned why recreational open space need to be phased towards the end of developments rather than from the outset. The Head of Planning stated that the Planning Authority is negotiating to bring more community infrastructure and affordable housing in during the early phases in new developments. The cashflow element of new developments also needs to be considered.

RESOLVED: That the Chairperson writes to the Cabinet Member on behalf of the Committee to convey any comments, observations and recommendations made during the way forward.

8 : COMMITTEE BUSINESS

The Committee received a report seeking approval of the Scrutiny Annual Report 2022/23 prior to consideration by Council on 29 June 2023.

RESOLVED – That the Scrutiny Annual Report 2022/23 be approved.

9 : URGENT ITEMS (IF ANY)

No urgent items.

10 : WAY FORWARD

11 : DATE OF NEXT MEETING

Members were advised that the next Environment Scrutiny Committee is scheduled for 4.30pm on 6 July 2023.

12 : CORRESPONDENCE FOLLOWING THE COMMITTEE MEETING

The meeting terminated at 7.00 pm