

## ABERGAVENNY TOWN COUNCIL

### MINUTES OF THE ENVIRONMENT COMMITTEE MEETING HELD 29<sup>TH</sup> JUNE 2022 AT 7PM VIA MS TEAMS & IN THE COMMUNITY ROOM, TOWN HALL, ABERGAVENNY.

**Present:** Cllr T Konieczny (Chair)  
Cllr M Strong (Vice Chair)  
Cllr K Eldridge  
Cllr P Bowyer  
Cllr L Wright  
Cllr M Barnes

#### **Absent without apologies**

Cllr Simcock

#### **In attendance:**

S Rosser (Town Clerk)  
Kim Waters – Welsh Rivers Union (MS Teams)

No public session.

No public in attendance.

E 66/22	<b>Receive and approve apologies for absence</b>  Apologies were received from Cllrs George, Holland, & Jones and it was resolved to accept the reasons for absence.
E 67/22	<b>Receive Declarations of Interest</b>  None received.
E 68/22	<b>To receive and approve the minutes from the last meeting on 27<sup>th</sup> April 2022.</b>  Cllr Bowyer proposed these as a true record of the last meeting, seconded by Cllr Barnes, and approved by all Councillors. Signed by Cllr Konieczny.
E 69/22	<b>To receive a presentation from Kim Waters on the River Usk, and to discuss strategy on working with other TCC's on growing issues of phosphate levels and dumping of raw sewage into the River Usk.</b>  Cllr Konieczny welcomed Kim to the meeting. Joining us remotely from Iceland, Kim Waters thanked ATC for inviting him to speak on such an important topic. There has been lots in the news of late stating that rivers are in trouble. In 1970 when records began for data linked to rivers, there has been a collapse of ecosystems and biodiversity in the rivers. Salmon is a key species alongside Trout and other invertebrates. There has been a 95% collapse in the population of salmon dropping to just 321 rod catches last year to 11,000.

Pesticide levels in the rivers, water usage, abstraction and large volumes of sewage are all evident. All organisations recognise there are problems. Dedicating time to the cause, the Welsh Rivers Union has been set up and they will pursue polluters, politicians and authorities on issues around the rivers. Society needs to work together to improve and look after the whole. It is really encouraging to see ATc and MCC wanting to work on this. There are serious issues on the Usk surrounding sewage and Welsh Water plus poor farming practices as a whole. Kim would be happy to take anyone on a 3-4 hour walk around to show the horrors of the Usk, including the Llanfoist treatment works. There may be very few statutory powers but lots of influence through powerful voices coming together. The recent protest held saw over 250 people come together, and lots were family groups which was good to see them taking such a keen interest.

NRW need to be better regulators. Their next Public Board Meeting is on Thursday 14<sup>th</sup> July at around 3pm. It would be good to have someone from ATC attend this online meeting. The Usk is a Site of Special Scientific Interest (SSSI) and a Special Area of Conservation (SAC) yet it is being failed, as are 5 of the 9 SAC's in the UK, due to sewage and other polluters. The officers who work on Future Generations Act are not picking up on this issue but it is good to see ATC and MCC are keen to look at these issues.

Is Your River Fit To Play In: [www.therivertrust.co.uk](http://www.therivertrust.co.uk) shows where Combined Sewage Overflows (CSO) by way of a brown dot on the map are releasing raw sewage into the rivers. If you hover over the brown dot, it will give information on how long it has been pouring sewage into the river. At Llanfoist for instance, there have been 61 instances totalling 475 hours, at Mill Street its 49 instances totalling 110 hours, and at Goytre its 186 instances totalling 3428 hours, so over 4000+hours of raw sewage at these CSO's being released into the Usk in 2021. Because phosphates are not removed from raw sewage these enrich the water causing algae growth which is more evident on the Wye at the moment as a green algae, whereas on the Usk it is a muddy brown colour. This suffocates all life.

Salmon – there were around 3000-4000 in the Usk in 1970, down to 100 in 2021. Trout – no small fish are reportedly being caught anymore, just older larger fish. All this is to do with the tributaries into the rivers being destroyed. COGAP: Code of Good Agricultural Practice. This states farming should allow a 10m buffer strip from field to river or tributary, but many areas this is non existent.

Cllr Konieczny said if NRW are the regulatory body and they have legislation for orders on polluters to cease and desist and fine them for breaches, what do you advise ATC to say to NRW? KW said he had asked NRW at last public board meeting via an FOI for the total number of prosecutions against Welsh Water for breaches along the Usk in 2021. The response was 0. Regulators need to regulate. There was the Panorama article on Mill Street breaches. Ofwat 0 the Water regulator – are taking 7 English utilities to court. ATC's voice would be useful to have behind this.

Cllr Eldridge asked a technical question on river pollution, wanting to know how much pollution is needed to be released into the river to make it unsafe to swim in? KW said the current levels mean it is not safe to go in there. A public health enquiry on water born diseases in the river has been requested as an FOI to both NRW and Welsh Water. 2 workers had significant parasite issues – advise anyone who goes in there to be very careful as it is a serious issue, particularly as

	<p>they have now found Polio in sewers in London – the levels of sewage in the Thames is frightening.</p> <p>Cllr Barnes saw KW in action at the last NRW meeting, and asked when it comes to Farmers – who does what and how? KW said there is a need for better schemes to ask farmers to change practices through COGAP. Cross-compliance for willful and continued good practice via COGAP, if not, funds should be withheld. It is rare for a regulator to put any pressure on though.</p> <p>Cllr Konieczny asked if ATC should write to NRW and regulators, and look at the planning moratorium where NRW would object to a housing development without phosphate catchers, but singular applications with extras adding into the water system do not trigger any response of that nature – when you have 20-30 planning applications all doing this, then surely that is the same as a housing development. Until there are phosphate strippers the levels being found in the Usk won't improve.</p> <p>KW said flooding is the other issue he hasn't touched on much this evening, and the effects of planning and land use and how that effects land drainage means we should look at Powys upstream more closely. There are lots of issues. There is a chemical cocktail in the river, its dying, and it needs our help. Need to get improvements from ALL users. IT may be too late for the Wye, so don't let the same happen to the Usk. With a little work and focus, it will come back.</p> <p>Cllr Konieczny thanked KW for his attendance at the meeting and his talk – he is so passionate about this issue, if we can coordinate with Cllr Mably and Usk TC we can build momentum to get NRW to give serious answers to these problems.</p> <p>Cllr Bowyer proposed we discuss at the next Environment Meeting what ATC do next. The Town Clerk will talk to Usk TC to see how we can work in tandem with them. ATC will also contact Cllr Mably for an update on the planning side and phosphate issues at the next meeting, be it written input or an action. Welsh Government is the overseer, any targets or plans need to include the area at WG that has responsibility for this.</p> <p>Cllr Konieczny said WG are forward thinking for enacting the Environment Act and section 6 of this to protect and enhance biodiversity. One assumes WG must follow this, so a Grass Routes through to WG plan of action will be needed. Cllr Konieczny seconded Cllr Bowyer's proposal, all councillors were in favour.</p>
E 70/22	<p><b>To receive and note an update from the Town Clerk.</b></p> <p>Report was accepted and received by all Councillors. Cllr Barnes commented it is good to see all the work KAT are doing but asked by KHS were not invited. Can they be invited and involved in the KAT initiatives in future? Cllr Konieczny said that Gwent Police had already offered to look at youth involvement in the action plans. Cadets, scouts, and schools to be asked this way. ATC hasn't had great success at KHS, having extended invitations to school council to come along to an ATC meeting to be involved. Its difficult to get involvement from them. There are also safeguarding issues and DBS checks needed in order for anyone to work closely with children from any of the schools. We do want it to be totally inclusive but its difficult to engage for these reasons.</p> <p>Cllr Konieczny elaborated, saying there are 2 areas KAT are looking at: Park Ward as a Hot Spot area – trying different strategies to monitor littering to see what works and what doesn't. Cllr Konieczny met with Angie Ash from KAT to discuss this first action point, and they will be pulling together stakeholders</p>

	<p>shortly. The second was to get businesses to reduce their litter and get more involved. There is an extended invite for all of ATC to be involved, the central business district is now in Grofield Ward. We will be looking to find strategies that work and to gather data. Its not picking up litter but how to stop it being dropped in the first place. If anyone is interested in being involved please contact the Town Clerk or Cllr Konieczny.</p>
E 71/22	<p><b>To consider and make recommendations regarding the following planning applications:</b></p> <p>DM/2022/00775 Removal of existing garage and shed. New garage with studio/office space above. 75 Brecon Road, Abergavenny, Monmouthshire, NP7 7RA. <a href="https://planningonline.monmouthshire.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=RCCCJTKYKXQ00">https://planningonline.monmouthshire.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=RCCCJTKYKXQ00</a></p> <p>Cllr Konieczny said there was already a lengthy NRW response to this application online saying MCC should determine if the phosphate increase is a concern. Rather than a blanket ‘no objection’ they have now put the onus onto MCC. How does MCC know this – are they trained or equipped for this?</p> <p>Cllr Wright had received an objection to this application from a resident on the impact on the neighbouring properties. Concerns around the height of the build and privacy, whether the word ‘studio’ is in fact an additional dwelling by stealth, and has quoted many TANs and contradictions in policies. Cllr Konieczny said privacy is not a material consideration when it comes to planning. It goes on distances, and planners take at face value what is being presented as the building use. No mains drainage. If a significant change of use is reported, an Enforcement Order can be sought. The application as it stands should be taken on merit. It is in a conservation area, and doesn’t sit in harmony with this, but it is a subjective view not an objective planning view. ATC is only a statutory consultee. If it goes to MCC Planning Committee they will then receive a full report. Even though evidence is technically plausible, MCC Planners should have already looked at this and discussed with the applicant. They would have come to an agreeable consensus what is permissible.</p> <p>Cllr Strong said MCC officers are not infallible and he has concerns over this application. Particular parts of the guidance quoted by the resident are very convincing – at the end of the day, someone’s home is being impacted.</p> <p>Cllr Wright said as painted timber materials are not in keeping with the area, it will look substantially different to surrounding properties. Cllr Konieczny agreed the design is not conducive to supporting the conservation area. The Planning Authority won’t give that as a reason to refuse the application. Town Clerk requested if it was known if the resident had logged their objection yet as it was not showing on the website with the application. Cllr Wright was not sure but was led to believe the resident had sent this in to MCC. Town Clerk to check its been received.</p> <p>Cllr Konieczny asked all to vote on whether to approve or reject the application. 3 councillors voted to abstain, 2 voted to refuse on the grounds of materials. Cllr Konieczny concluded ATC would recommend refusal based on the materials being used not being in keeping with the conservation area.</p> <p>(UPDATE: For reasons unknown, MCC Planning had hidden the objection from view when it had been received, but this has been rectified).</p>

E 72/22	<p><b>To receive and note the Service Delivery update.</b></p> <p>Report received and noted.</p> <p>Cllr Bowyer asked if any more pressure can be put onto MCC regarding the Toilets SLA. Do we know who is responsible for this provision on the new Cabinet? Cllr Wright has offered to find this out for us.</p> <p>Cllr Barnes asked if there was any ideas on whether Bailey Park Toilets would be open for the summer holidays? Town Clerk has had no response to emails on this provision. Cllr Konieczny said there has been no information back on any of these, and the last meeting was in March 2022. The whole thing has been dragging on for over 3 years now. ATC even gave MCC a draft SLA to work through and still there has been no response, even though one was promised by April 2022. ATC will not be paying MCC until we have the SLA and details of the costs our contribution covers.</p> <p>Cllr eldridge asked about the asbestos the Town Team had come across and if it was a common issue? The Town Clerk said this wasn't a regular occurrence but there is a team specifically trained in MCC to clear this type of fly-tipping due to its hazardous nature.</p>
E 73/22	<p><b>To receive and approve a Finance update on the Environment Budget headings.</b></p> <p>Months 1 and 2 were received and noted. Very little activity so far. No queries arose from these, so it was proposed to accept these by Cllr Konieczny, seconded by Cllr Bowyer, all approved.</p>
E 74/22	<p><b>Report from Town Councillors attendance at external bodies relevant to this Committee:</b></p> <ul style="list-style-type: none"> <li>• To note and receive the report from Cllrs Eldridge and Barnes re: FoBP Committee Meeting: Cllr Barnes said progress has been made on some of the items listed in their report. 1 item relating to dogs off leads – its been discussed that there is an area which could be fenced off to allow for a dedicated enclosure for dogs off leads, and it was requested if ATC could assist in looking at this? Cllr Konieczny said that MCC is the caretaker of the park, so they should be approached. Cllr Tudor Thomas is the MCC Councillor for the ward and be approached about this proposal. The Town Clerk did bring to the attention of ATC that a consultation on a proposed PSPO will be coming out soon which will also include a section on dog control.</li> <li>• Cllr George – CCTV meeting: report received and noted.</li> </ul>
E 75/22	<p><b>Report from County Councillors on matters affecting Abergavenny relevant to this Committee.</b></p> <p>No reports received.</p>
E 76/22	<p><b>Items for consideration at the next meeting 27th July 2022.</b></p>

	<p>Cllr Barnes said representatives from Friends of the Earth are interested in coming to present to Environment Committee so will be contacting the Town Clerk in due course.</p> <p>A response to the Rivers presentation is to be added to the agenda for the next meeting.</p>
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**Meeting ended at 8:52pm.**

**APPROVED AS A TRUE RECORD**

**CHAIR ..... DATE .....**