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| Date:                                                                                                                     | 6 June 2001                   |
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| Event:                                                                                                                    | Nantygwyddon Landfill Inquiry |
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| Venue:                                                                                                                    | Pentre Council Chamber        |
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| Session:                                                                                                                  | Day 28                        |
|                                                                                                                           |                               |
| Speakers:<br>David Purchon, Chairman<br>Eddie Hunt<br>Glynn Thorner<br>Brian Privett<br>Paul Griffiths (District Auditor) |                               |
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For legal reasons this transcript does not include some parts of the oral evidence given by Mr Privett

CHAIRMAN: Good afternoon, everyone. Welcome, Mr Privett. Much as with Mr Glynn Thorner this morning, ladies and gentlemen, Mr Privett was mentioned to me as someone who had knowledge of how the Nantygwyddon site came to be chosen and developed as a landfill site.

BRIAN PRIVETT: Yes, well, as you know, I had a specific job working for Rhondda Borough Council but I was also for the best part of eight years also involved in just about everything. I was, should we say, really, the chief executive's consolidated group. I was the one man group, you know it sounds farcical, but it's exactly what I was, really. I looked at identifications, transport generally, redevelopment of district depot. I'm not really an authority (?). I'd collected then so much information over that time, 30-odd years, that I became almost an automatic consultant for various people, you know. What can you remember about this? Do you know anything about that?

In 1974 Gwyn(?) Evans became the Chief Executive of Rhondda Borough Council, and he was a particular individual. To really spell it out to you I'm going to go back awhile to give you an idea of how he worked. But taking it from 1974 on, what he would do, he would introduce a system, see how it would work, then he would reorganise. Now, you can look at this two ways. In other words, he was the man who was appointed chief executive in 1974. And one could argue with his experience he should have been able then to, shall we say, organise the Council so as it would work at least for a considerable amount of time without him having to change things. And of course, what he did - he came to the seat in 1974. He had a reorganisation in 1977. He had a further reorganisation in 1980. He had a further reorganisation in about 1984, 1985, just when I finished. And many people could ask, "Why?" He was an individual who would watch the system and make it work, for himself in particular, and for the Council in general, not, I may add, to the benefit of the ratepayers. It was very much a personal thing.

Now to understand this, you've got to go back and people are going to say, "Well, where are you going?" Just bear with me for ten minutes. The Labour Party came into being in the late 1800s, turn of the century, 1900, 1901. At that time there were the Liberal councillors. When Labour Party got a grip on things, they became the

driving force in the Valley. By 1920, or thereabouts, they had a total grip on everything that went. I think you'd have seen on television fairly recently that you got individuals who were saying, "Well, don't give Tony Blair a landslide victory because we'll have elected dictatorship" Well, this is what this Valley was subject to on a scale that if you

wanted to compare it with central government, you got to give Tony Blair, if he's going to get in next time, a 500 majority. Of the 36 councillors at the time, I could safely say that at least 31, maybe 32, were Labour so they could do what they liked, when they liked, how they liked. This went right through - went to a point where fraud and corruption was on a grand scale. It cooled off, shall we say, during the 1960s to a point, but then we had a new set of councillors in at the end of the 1960s, beginning of the 1970s. And these people, when it came to looking after their own interests, they - another well-used political terminology, they hit the ground running.

So what he found was that, from an officer point of view, whatever we were involved in, if you were an officer of any experience, which I was at that time, didn't matter what happened, you were always looking for the side issue. What was the gain? To the more senior officers, what was the gain to the councillors? And as I said, we came into 1974 when Gwyn Evans took over. But prior to that time, the councillors like were involved in fraud and corruption like of a scale that you would never contemplate. Examples have been the Penrhys Housing Site, the incinerator works in Dinas - they were two massive programs that were badly designed. They received, shall we say, advice from very ordinary people. And this advice was not taken at all in any way.

I don't know if there's any legal people here, but they could well look at me now and say, "Look, you're letting yourself wide open by saying these things" Well, so be it. If there's anyone out there that wants to take me on, then they can do. All right? So don't think I'm being a fool, because I'm not.

But this has got to culminate in the refuse tip at Nantygwyddon. I feel particularly sensitive about this because I've got - even though I don't live in that area now, I've got family who do. I think everyone who had any common sense that knew about this in the very early stages would have said, "It's not on. They just can't do that technically. It's going to be a disaster" But they pressed on with it.

Now we come now - that's the background now of how the political administrative side of the Council worked. Now you can use that understanding now from now on on what I'm going to say in respect of the tip.

I knew the Valley like the back of my hand. I'm a local lad.

(Several inaudible words) I walked to the Valley on my own for quite a few years. So, in other words, there wasn't a street - there wasn't a situation anywhere in the valley that I didn't know. If somebody said to me where is

- I knew it straight away. On this basis, John (inaudible) was our old - I'll call him the old planning officer who left us. John Cummane came into the seat roughly about 1980. John Cummane was - in respect of the Nantygwyddon tip - he was given the task of finding a refuse site because the refuse sites Council had were creating trouble because, whereas they were great for 1920s, 1930s, earlier, when the refuse being picked up in Rhondda was 99% burnt ash. Everybody would burn the cardboard and bio-degradable content. You could tip that sort of stuff quite close to the road, no problems. You're beginning to get to the point now where you were tipping bio-degradables now in large quantities. You were attracting flies. You've got your fire. You've created odours and so on and so on. So the heat was on to find a new site.

So what had happened then was John Cummane roughly said to me, "Well, we've looked at the map and we looked at the sort of geography, topography of Rhondda, and we can see possibilities" He said, "I delegated to a chap by the name of Alan(?) Nixon," he said, "to look at these sites" Alan Nixon was that he originally was a local boy - he'd been taken away (inaudible) at a very early age, he'd come back, married locally into the area and he undertook to keep looking at these places now. Quite a few of John's - John Cummane's planners weren't local lads so of course you looked around and said, "Right. Who's a knowledgeable guy who would know where these sites are?" Well, of course he came in and said, "Well, look, I've got a job. Alan Nixon has been delegated. Can you help him?" I said, "Well yeah, by all means"

So of course my position then was that a lot of the (inaudible) for the first couple of weeks, Alan would come in when he wasn't dealing with other things and he'd say, "Right, we'll look at the" - I don't know whether they had (inaudible) this way on the list that you've got. But I would call it the Fern Hill(?) area, the Blaenrhondda area. He'd look at that and he'd say to me, you know, "What about this?" And I'd say "Well, look. You can see from the map it's a cwm, it's a valley, it's the top of the Rhondda, you've got a watercourse running down, you've got coal pits, blah, blah, blah. What you're likely to get is this" and I would run through what I thought would be the shortcomings. And of course, on that basis, we actually went through Blaenrhondda, the very top of Blaencwm(?), which was Glen Rhondda.

I never (inaudible) just mentioned any of the old lists that

I've seen. There was one then up at the back of Maerdy Tip, which is on the top of the mountain, above Maerdy on this side, virtually then between Treorchy and Maerdy up at the top. There was the Foch(?) Valley, then, that's Treorchy. That one come into it again. And the bulk station(?) (inaudible) at Cwmparc. There was what I would refer to as the Valley sidings in Treherbert(?). That one stands out quite markedly. I think it's referred to with some other terminology in the notes that you've got. But one thing's certain, Nantygwyddon wasn't in it at all. That's so.

As I say this went on for weeks - couple of months maybe - when I was actually taking Alan Nixon now around these places. In some cases you would realise (inaudible) say for example we've had to walk right up the Foch Valley, right up over the top of the mountain. Took us half a day just to look at one site. So I mixed this into my job - he did the same. So this was on-going for quite a few months. And as I say, Nantygwyddon didn't come into it at all, not a mention, not even a hint. I said, "Come up with us to the Council Chamber" And in those days we used to sit roughly where you're sitting there now. Chief Executive used to be up there. Whenever they wanted to see, they'd have a sort of - a tea and sandwich break, or they'd be into the mayor's parlour across the way there, with a couple of quickies, you know. And he would always just go and said, "I'll see you," you know. So, I went up there and checked (inaudible), you know. So, they went.

And he said, "This tip problem" I said, "Well, I can (several inaudible words)" He said, "Nantygwyddon" He said, "Just Nantygwyddon" Well immediately now naturally - I was living in a house opposite Nantygwyddon. Nantygwyddon is possibly one of, if not the, nicest wooded area in the Rhondda Valley. Either valley. I knew now, in a flash - it went through my mind, "God, we are terrible(?). Yeah, you know, we're going tip refuse over there" You know, one part of me saying, "Oh, don't be so idiotic" But the other part of me was saying, "Well, knowing what these characters are like, nothing's out of bounds" So, I just looked at him and I said, "Well, where?" He said, "You know where that tip is? Gelli Tip?" I said, "Yeah" He said, "They're going to tip all that slop there. They're going to put another one up over the top there. That's the one" he said. "How are they going to make a tip up there?" I said, "You're going to make a tip or you're thinking about making a tip?" "Well, we're considering it. What do you think?"

I said,

"(Several inaudible words) count. I just can't see that. [I said] Anyone, [I said] with any knowledge of the mountains in Rhondda - [I said] they've been annexed,

they've been annexed for a start. You know, [I said] I've been dealing in refuse [I said] for you, [I said] collection of [I said] for the last two, maybe three years, with the preliminary run-up as well. [I said] You know, [I said] these modern refuse vehicles now, [I said] they're what you call 15-4s, that's 15 (inaudible) in the back, 60 cube yard compressed on a 4:1 ratio. Theoretical but nonetheless it's quite reasonable. (Several inaudible words) [I said] You've got (inaudible). [I said] Good God, [I said] I used to play there when I was a kid. [I said] You get one of those vehicles, [and I said] discharging, [I said] before (inaudible) discharge, [I said] a large percentage of that stuff [I said] won't be on the tip. [I said] It won't even be in Tonypany, it'll be down bloody Cardiff! [I said] But honestly, [I said] you won't be anything, [I said] (inaudible) went and saw Cardiff Council, [I said] for all our refuse being down there. I don't know if I'm being ridiculous"

But I thought - "How ridiculous," I thought, the thing was. That's what they're thinking about" he said. "Think about it - let me know"

I always remember, I went out of the meeting here on that particular day. I went down the (inaudible) road and there's some of the locals you would know, you got - but they pulled in Astrid(?) Road, very old road used to go before they straightened it. I pulled in there and I looked up and I thought, "Up there" I thought, "God, if there's any way we can get up there? It's either via Blaenclydach or via exactly as they've gone now(?)". So I was looking at this and I was thinking the cost - the capital cost of putting a road in there for a start, is going to be astronomical.

Now, having done refuse collection, should we say, exercises. What ended up in Avon(?) was one example. And in England it's the county council which disposes of - local authorities collect, county councils dispose - different to what it is in Wales. And I was aware now of site lining, capping, tip control, etc, etc. I'll never go from there, up Penrhys Road up to the new road now up on the Penrhys Housing Site. And parking there so you can actually legitimately look at and look down on. I thought, "They can't. They just can't"

At some time a week or so later I ended up back in Chief Executive's room there and you know, I said, "It can't be done" I say, "It can be done, if that's where you want a tip" And I said, "There's no way," I said, "There's no way you can control that" Well, I thought the idea ridiculous. I said,

"Do you know, to keep the stuff in there, you'll have to surround that site [I said] with a chain link fence, about 100 feet high [I said] just to keep the blown debris. [I said]

And what you'll have then - you'll have something like the kids in the school, you know. You'll have all the packets and empties stuck on the school fence. [I said] You can't - [I said] it's just not on to do it. [I said] You've got the Nantygwyddon - the brook there. [I said] You've got problems with the leachate. [I said] Tip control on that site - to even get it to work you'd have to be 99.99999 recurring percent efficient with your tip control. The (inaudible) up there is some (inaudible) in the site or didn't exercise proper tip control and you had a disaster"

I was in there chatting to him and what he actually said to me was he said, "Well, the politicians want it up there" he said. But of course, the moment he said that now, all my experience going back into the 1960s, back in the 1950s as well, I thought, "What have we got at the end of this?" I said, "Well, you know, there's some of them want to go up there, you know, they - they could see like that there's money to be made and other - you know, Christ, this is the time to opt out" So I knew now the basis on what it would have been laid down.

Well of course, from time to time after that, there was one very good councillor actually, who as far as I knew he was a real decent guy. (inaudible name). Right, (inaudible) wasn't a councillor for very long, but I know he had very, very big reservations about that site. And actually asked was it sort of Council policy. I think I'm right in saying that his other Labour colleagues in that particular area, all voted against it. But of course the overwhelming majority of Labour on Council didn't hear any difference. It was a foregone conclusion anyway.

So from a distance then, the exercise was going on was - -1 think I'm right in saying that Malcolm dark was pencilled in to go up on the site there. Well, I know there's colleagues of mine here, but I remember more than a few people saying, "Ouch." In other words this is going to be a right ... quite right ...

CHAIRMAN: I didn't catch that (inaudible), (laughter).

BRIAN PRIVETT: No, I'll tell you what they use on telly, it was a cock-up, right? It's very often quoted on telly so I think you can actually say it. Well, you know, this was it. This was it.

Now, coming out now - I was well on the way now to finishing actually. And of course there was all manner of comments now coming out of the system but you know you ... had the Chief Executive who was very much part of the managerial political system, right, that engineered these things, that pushed them through.

Now I got a nasty feeling I've covered so many bits and pieces of your questions -.

CHAIRMAN: We can certainly go back to that type of thing (overspeaking).

BRIAN PRIVETT: The thing is - the thing is - what I'll do — I will sort of give it you now continuously. By all means then if there's anyone (inaudible) - because I got a feeling that the more people ask questions of yourself, then it's going to probably then - because there's so many facets and so many little areas to this that you check any one of them to go down(?) and you've got ten minutes or quarter an hour's discussion, you know.

CHAIRMAN: Okay.

BRIAN PRIVETT: But basically I think I remember one of your questions there.

Where was external audit, and where was internal audit, right? Now, I cannot - I can tell you this, in respect of that site up there, right, non-existent. Why do I come to this conclusion? Because they were non-existent everywhere. You know, what you've found - there were things — there were things glaring within the day to day Council dealings that more than one time I said to myself, "If I was Michael Bradley with these special powers, this Section 49 this - and I can't remember- Section 49 powers" But he has the power to, you know, overrule or to take things into his own hands and forget about the Chief Executive and all that, you know. If I'd been Mike Bradley, I would have been hot on the trail of many things. But then if he had done that, he'd have been out. Right? Simple as that.

I come back and this start to this Nantygwyddon tip - the reason why I feel so strongly about this. I can go back, I could write a book possibly, on things that they did. But one could argue that it only affected one or two people. But that place up there is such a disaster. It is such a disaster that the legacy of that - that if something isn't done about it, is going to be with the people of the Valley and particularly with the people of Llwynypia, Tonypandy and the surrounding areas - it's going to be with them for a long, long time.

And there has been too many things in this country of ours, where people have said, "There is no danger here. There's this, there's that, there's that" And 20 or 30 years later they say, "Well, what do you think?" But it hurts me greatly to think that for possible gain, personal gain, right, that place was put up there, right? I've got a feeling it may be Margaret Thatcher's legislation in privatising the thing

that very nicely tipped a load of manure in their nest. And I do hear it said that in your deliberations with the system that much of what you're looking for isn't there.

CHAIRMAN: Yes, indeed. There are one or two things I'd just like to tie up in the next five minutes, because at that time we must go on to someone else. There were some site selection criteria adopted for looking at waste sites and presumably your colleagues Mr Cummane and Mr Nixon did attempt to work to those. They seemed very sensible criteria but the site eventually chosen, Nantygwyddon, didn't comply with those criteria. Do you have - well, in some respects - do you know what happened to those criteria? Because they were adopted by the Council and then obviously ignored.

BRIAN PRIVETT: What you get - honestly I was hoping really that, you know, John would say it (inaudible). But the way that this Council worked, right, criteria didn't matter, right? Something would start off, right, at officer level, and all the right criteria would be employed.

CHAIRMAN: By the officers?

BRIAN PRIVETT: By the officers. Now what you'd get - you'd get the political masters, right, who would decide, for whatever reason, that they had an interest in that thing going up there and all of that criteria would be ditched. And this is where there's - whatever has happened with this Council you can look at it. And if you don't catch up with a person, all the footprints and fingerprints and the decisions up there where you can't do anything other than say there's something more to this than technical incompetence. In other words, I had drawn up criteria, they decide to ditch it because nothing would happen in this authority unless someone somewhere -

CHAIRMAN: Can I cite you on this? Because in your evidence and in the - in answering the questions I posed to you I - really only the Chief Executive and a very limited number of officers have been named. But you have said that you feel that the decision to put the landfill site at Nantygwyddon was political and I've asked you who you consider were the main instigators of the proposal. It appears, from what you say, as if the Chief Executive and any others were merely instructed, "This is the decision, get on with it" Now, therefore, if you know, who were these main instigators?

BRIAN PRIVETT: Right, well, in my decision - are we

talking here now about - we're not talking about tens of - or hundreds of thousands of pounds. You're talking about slight - I haven't got any figures, but here you've got to five, six, seven permits just to put it up there. It's a capital project, right?

CHAIRMAN: Right.

BRIAN PRIVETT: Now, Michael Bradley, the finance officer, if he was nothing else, he was an exceptionally good financial officer. Michael Bradley formed one of the management team and in structuring the management team the way he did, Gwyn Evans now, right, and the rest of the management team, can't duck the fact, they can't duck the fact. You look at the way organisation management teams after 1974 and you would find management teams of other councils of 8, 10, 12 officers, because the chief executive in those councils felt that everybody should be represented in.

When Gwyn Evans got more people involved in his management team, the more people would know what was going on. So he kept his management team to a minimum. He did this by getting in chief officers and minor chief officers and John Cummane was graded a minor chief officer. We were part of the chief executive's department but he then made Tony Roberts chief officer with special responsibilities for planning. So Tony Roberts ended up - he was Borough Secretary, Deputy Chief Executive and chief officer with special responsibilities for planning. Now it was a very effective game. The planning department was kept off his management team. Which means Tony Roberts was in a position then to prevail upon John Cummane. Now John Cummane technically was a very good officer and left to his own devices, in an ideal world, he would have been just that. But you want to - working for this Council - and it's not an overstatement. You either watch your back, you find your feet, or you're in it everywhere.

CHAIRMAN: If I can press you on this though, the main instigators you're now saying is the management team, (overspeaking) employing people on it.

BRIAN PRIVETT: A couple of people. I mean, initially it would have been Gwyn Evans, the Chief Executive, it would have been Tony Roberts, Borough Secretary, it would have been Michael Bradley, as the Borough Treasurer and it would be Troy Davies as the Technical Officer at that time. Troy Davies would be (inaudible) for power by the other three. Troy Davies was a very decent

individual.

CHAIRMAN: And waste management would have fallen under his remit (overspeaking) technically, yeah. Can we just press on now because -

BRIAN PRIVETT: (inaudible) Troy Davies was asked to resign by the rest of the management team and his position overtaken by John Bishop. It would have been from 1984, 1985, about there.

CHAIRMAN: Yes, fine. And those are the only people involved - the officers (overspeaking) on the management team?

BRIAN PRIVETT: No decision, particularly that one -

CHAIRMAN: Right.

BRIAN PRIVETT: -would have been taken.  
Responsibility falls fairly and squarely with them as Council officers.

CHAIRMAN: The other matter that we haven't covered and which I did ask you about was this somewhat technical matter, so far as the planning function is concerned. Because the records show that the first time any mention of Nantygwyddon came to a Council committee it was immediately approved without going through the usual public consultation, listening to objections and without consideration of detailed planning considerations, conditions to be applied to the development. All the conditions were dealt with as reserve matters at that committee meeting, and were left with the officers, which would presumably be Mr Cummane, who was the chief planning officer even if he wasn't on the management team. But none of those matters that are particularly relevant to us now were ever resolved. In other words, many - much of the development took place without the planning consent achieving what it was apparently designed to control. Now do you have any information on that? Not general speculation as to how the authority might have dealt with such things, but do you have any knowledge of those particular issues?

BRIAN PRIVETT: No, no, not official. Not official. If the records, or lack of them, say that they weren't dealt with, they weren't dealt with. In other words, just like the

criteria -

CHAIRMAN: Yes.

BRIAN PRIVETT: - for the selection of the tip -

CHAIRMAN: So you wouldn't be very surprised still to know -

BRIAN PRIVETT: The management team and the councillors just swept it all to one side, right? It was, "Well we've put this to planning ..." but then John Cummane would have been ordered up and he'd have been told that, that, that or that and -

CHAIRMAN: Yes, well, that's speculation -

BRIAN PRIVETT: Speculation, yeah -

CHAIRMAN: We can only speculate. It simply wasn't done, that's the thing.

The next issue where you did mention someone who was delegated to the task was - in the absence of detailed files which, as I mentioned to you, are no longer available. When the landfill was first developed, it required to be designed, and the work went out to contract and required to be supervised. It would appear that it was probably done in-house by staff. And do you have any knowledge of that and can you tell us who would have taken the responsibility? I mean, presumably it would have been either Mr Davies or Mr Little ultimately responsible?

BRIAN PRIVETT: Oh, yeah, they would have been the chief departmental head but - I've got to think on this one, timing. There was a chap I can remember, follow up on this. It was Malcolm(?) dark. Malcolm dark was the only one. There was some very minor discussions. I remember discussing (several inaudible words), the tip control aspect -

CHAIRMAN: Yeah.

BRIAN PRIVETT: - the type of vehicles that could be used and so on and so on, you know, because the tip control and compactors and the rest, he got (several inaudible words) virtually from day one. You know you get your covers out and your lining so the compactor doesn't

hole that at all in any way. Then I go back to his (inaudible) day in, day out (several inaudible words). But I would say, I would say it would be Malcolm dark.

Now whether he would have delegated any certain aspects of the exercise to anyone, I think I would say, "No" I think this would be - the way we were working - it's speculation again, as you say - I would go on the load(?) that I doubt very much whether anyone of the engineering section would have been involved. It would have been Bill Davis and Malcolm dark initially. But maybe they just would have left it to Malcolm dark.

CHAIRMAN: Well, thank you very much, Mr Privett, for your recollections and for the background which you've put on the record which I'm sure people here have found interesting. It certainly added a certain amount of colour to our knowledge of the way the Council then operated - an insider's view.

We are going to move on to Mr Paul Griffiths the District Auditor, but I suggest we have a short break. I would prefer to take observations right at the end of the afternoon. I do not know whether Mr Privett is staying with us. Are you staying with us?

BRIAN PRIVETT: Yes, oh yes (several inaudible words).