

ENVIRONMENT OVERVIEW & SCRUTINY COMMITTEE
12 JUNE 2018

Minutes of the meeting of the Environment Overview & Scrutiny Committee of Flintshire County Council held in the Council Chamber, County Hall, Mold on Tuesday, 12 June 2018

PRESENT: Councillor Ray Hughes (Chairman)

Councillors: Mike Allport, Haydn Bateman, Sean Bibby, Chris Dolphin, David Evans, Veronica Gay, Cindy Hinds, Dave Hughes, Joe Johnson, and Vicky Perfect

SUBSTITUTES: Councillors: Glyn Banks (for Andy Dunbobbin) and Richard Lloyd (for Paul Shotton)

ALSO PRESENT:

Councillors: Chris Bithell, Helen Brown, Rosetta Dolphin, Patrick Heesom, Christine Jones, Brian Lloyd, and David Wisinger (as observers)

CONTRIBUTORS: Councillor Bernie Attridge, Deputy Leader and Cabinet Member for Housing; Councillor Carolyn Thomas, Cabinet Member for Streetscene and Countryside, Councillor Derek Butler, Cabinet Member for Economic Development, Chief Officer (Streetscene and Transportation), Chief Officer (Planning, Environment and Economy), Highway Network Manager
(For minute No.5) Mark Mountford, Regional Business Manager, and Eoin Henney, Business Manager, Kingdom Securities Limited.

IN ATTENDANCE: Democratic Services Manager, Environment Overview & Scrutiny Facilitator and Committee Officer

1. APPOINTMENT OF CHAIR

The Environment Overview & Scrutiny Facilitator advised that it had been confirmed at the Annual Meeting of the County Council that the Chair of the Committee should come from the New Independent Group. As Councillor Ray Hughes had been appointed to this role by the Group, the Committee was asked to endorse the decision.

RESOLVED:

That Councillor Ray Hughes be confirmed as the Chair of the Committee.

2. APPOINTMENT OF VICE-CHAIR

Councillor Dave Hughes nominated Councillor David Evans as Vice-Chair of the Committee and this was seconded by Councillor Sean Bibby.

On being put to the vote Councillor David Evans was appointed Vice-Chair of the Committee.

RESOLVED:

That Councillor David Evans be appointed Vice-Chair of the Committee.

3. DECLARATIONS OF INTEREST

None were received.

4. MINUTES

The minutes of the meeting held on 17 April 2018 were submitted.

RESOLVED:

That the minutes be approved as a correct record and signed by the Chairman.

5. ENVIRONMENTAL ENFORCEMENT IN FLINTSHIRE

Councillor Carolyn Thomas introduced a report to provide details of the Environmental Enforcement activities undertaken by the Council's Enforcement Team and Kingdom Securities Limited on behalf of the Council. She invited the Chief Officer (Streetscene and Transportation) to present the report.

The Chief Officer advised that the report outlined the approach to all environmental enforcement issues including littering, fly-tipping, and side waste enforcement, and the impact this work was having on street cleanliness and other performance indicators. He referred to the Environmental Enforcement Policy which was adopted by the Council in 2013 and stated its approach to all aspects of environmental enforcement. The Chief Officer reported on the main considerations, as detailed in the report concerning littering offences, dog-fouling, side waste, fly-tipping, fly-tipping on private land, and abandoned cars.

The Chief Officer introduced Mark Mountford, Regional Business Manager, and Eoin Henney, Business Manager, Kingdom Securities Limited, and invited them to give a presentation on the environmental enforcement activities undertaken on behalf of the Council. The presentation covered the following main points:

- patrol strategy
- total Fixed Penalty Notices (FPN's) issued
- offences 2016-17 and 2017-18
- make/female ratio and age banding 2016-18
- Ethnicity percentages 2016-18
- Fixed Penalty Notice (FPN) locations
- behaviour change

The Chief Officer advised that the current arrangement with Kingdom Securities Limited was coming to an end and reported on the options, as detailed in the report,

which were available for low level environmental enforcement within the County for recommendation to Cabinet.

The Chairman thanked Mark Mountford and Eion Henney for their presentation and invited Members to raise questions.

Councillor David Evans commented on the number of FPN's issued for cigarettes in comparison to those for other offences, citing dog fouling as an example. He expressed concerns that some areas were being specifically targeted to catch people who smoked cigarettes. Referring to the options available for a future operating model, Councillor Evans expressed a preference to extend the Council's in-house provision through recruitment to provide the same level of coverage as provided by Kingdom Securities Limited.

Councillor Bernie Attridge commented on the cost and visual impact of littering on the environment and advised that Kingdom Securities Limited were introduced in 2016 to support the enforcement of environmental crime and the in-house enforcement team. He commented on the improvements which had been achieved in town centres in terms of street cleanliness which supported the impact of a zero tolerance approach and the continued presence of enforcement officers. He also advised that there had been an improvement in Flintshire's grading in the Keep Wales Tidy rankings table. Councillor Attridge commented on the small number of complaints received in comparison to the number of FPN's issued and gave an assurance that all complaints were investigated and if any evidence of wrong practice was identified would be dealt with robustly. Councillor Attridge added that Flintshire had adopted an independent appeals process as requested by the Environment Overview and Scrutiny Committee whereby appeals were considered by the Chief Officer, Governance.

Councillor Haydn Bateman asked if employees of Kingdom Securities Limited received a bonus on the number of FPN's issued. Mark Mountford explained that employees received performance incentive pay arrangements but did not receive a bonus related to the number of FPN's issued.

Councillor Joe Johnson commented on the negative comments which had been placed on social media concerning the approach taken by patrol officers. He reiterated the concerns expressed by Councillor David Evans regarding the number of FPN's issued for cigarettes in comparison to those issued for dog-fouling and said that the issue of dog-fouling was a primary concern for Flintshire's residents. He added that he would support a more lenient, educationally focused approach to enforcement delivered in-house.

Councillor Chris Dolphin expressed the view that whether an enforcement service was delivered privately or by the Council a robust approach to littering, dog fouling etc. should be taken by the Council. He added that a noticeable difference had been seen in some areas since Kingdom officers had been patrolling those areas. He asked how many staff were employed by Kingdom Securities Limited to undertake environmental enforcement on behalf of the Council and if the Council supplied uniforms and enforcement vehicles for use by the patrol officers. He also asked how many FPN's had been revoked following appeal.

The Chief Officer advised that Flintshire County Council supplied uniforms and use of fleet vehicles and Kingdom Officers shared office accommodation with Flintshire County Council staff at the Alltami depot. He added that the area co-ordinators are the link with Kingdom and that all routes are planned and tracked.

Members expressed concerns on the low number of FPN's issued for dog-fouling in Flintshire in 2017/18 and highlighted areas where there was evidence of regular offending. Members reiterated that the issue of dog-fouling was a primary concern for the Council. Councillor Carolyn Thomas encouraged Members to report any incidents of dog-fouling or littering in their Wards to Streetscene which would take prompt action to address the problem. Councillors Glyn Banks and Veronica Gay asked if patrol officers approached dog-walkers to ask if they carried bags for the appropriate disposal of dog waste.

Mark Mountford advised that dog fouling is a high priority, however it could be very difficult to witness an offence. He added that witnesses can be reluctant to get involved and provide intelligence. In addition camera evidence had to be in daylight hours to work.

During discussion Members raised questions on the number of vacancies within the environmental enforcement team employed by Kingdom Securities Limited and asked when the vacancies had been advertised.

In response to the further comments and concerns raised by Members, Councillor Bernie Attridge explained that environmental enforcement was intelligence lead. The Chief Officer also commented on the engagement that took place with the general public and referred to the educational information provided by the Council to bring a positive approach to environmental enforcement in local communities.

Councillor Haydn Bateman commented on the zero tolerance approach taken to offences committed for littering and asked if there was evidence that an 'accidental offence' had been committed by a member of the public would the circumstances relating to that offence be taken into consideration. The Chief Officer reiterated that all complaints were investigated and explained that body cameras were worn by patrol officers to record the conversation and actions of individuals approached.

The Chief Officer advised that a breakdown of FPN's issued in specific areas, a breakdown of calls to Streetscene by ward and the number of complaints and appeals received could be provided. He also agreed to provide details of the publicity and educational work undertaken to ensure members of the public were aware that the Public Spaces Protection Orders required dog owners to have a means on their person to collect dog waste from the ground if asked to do so by an authorised officer.

Councillor Glyn Banks referred to the 15% income received by the Authority from the FPN's issued by Kingdom Securities Limited and asked if this was sufficient to cover the cost of the enforcement activities. The Chief Officer confirmed that at present the monies received from Kingdom Securities Limited more than covered the costs involved.

Councillor David Evans proposed that option 3, to extend the in-house provision, through recruitment or regional working to provide the same level of enforcement coverage as the existing contractor without maintaining a zero tolerance approach, be recommended to the Cabinet for consideration and when put to the vote this was agreed.

During discussion Officers responded to the further questions and concerns raised by Members around side waste, fly-tipping, fly-posting, graffiti, and abandoned trolleys.

RESOLVED:

- (a) That the report be noted; and
- (b) That option 3, to extend the in-house provision, through recruitment or regional working to provide the same level of enforcement coverage as the existing contractor without maintaining a zero tolerance approach be recommended to the Cabinet for consideration.

6. REPAIRING POTHoles AND PREPARING THE ANNUAL CARRIAGEWAY RESURFACING PROGRAMME

The Highway Network Manager introduced a report to outline the approach to defect identification and provide details on capital expenditure and investment levels relating to the highway network, the cost benefit of temporary pot holes repairs and the reasoning behind the need for repeated repairs on some road surfaces due to the same pot holes reappearing. He advised that the report also provided details of the proposed carriageway resurfacing programmes for 2018/19.

The Highway Network Manager provided background information and reported on the main considerations, as detailed in the report.

The Chief Officer commented on the level of Capital investment required to maintain the condition of the carriageways at the current state. He referred to the Authority's allocation of Welsh Government funding for road maintenance schemes together with the Council's capital allocation which needed to be carefully allocated to provide maximum benefits. He advised that all roads were surveyed to develop programmes for resurfacing which were shown in the appendix to the report.

Councillor Vicky Perfect asked why there were only two parking points for electronic cars in the County. The Chief Officer advised that a strategy was being developed and it was agreed that an item on this subject would be included on the Forward Work Programme for future consideration by the Committee.

Members thanked the Chief Officer (Streetscene and Transportation) and his team for the maintenance of the highway network during periods of severe wintery weather.

RESOLVED:

That the report be noted

7. YEAR-END COUNCIL PLAN 2017/18 MONITORING REPORT

The Chief Officer (Planning, Environment and Economy) introduced the Year-end Council Plan Monitoring Report 2017/18. He explained that the report presented the monitoring of progress for the Council Plan priority 'Green Council' which was relevant to the Committee.

The Chief Officer provided background information and advised that the monitoring report for the 2017/18 Council Plan was a positive report, with 83% of activities being assessed as making good progress, and 74% having achieved the desired outcome. Performance Indicators showed good progress with 56% meeting or near to period target. Risks were also being successfully managed with the majority being assessed as moderate (63%), minor (8%), or insignificant (6%).

The Chief Officer advised that there were no performance indicators which showed a red status for current performance against target for the Committee. He reported on the following major risks which had been identified and explained that progress against the risks in the Council Plan was included in the appendix to the report.

Priority Green Council

Risk: Funding will not be secured for priority flood alleviation schemes.

Risk: Adverse weather conditions on the highway network.

During discussion the Chief Officer responded to the questions raised concerning school transport, recycling of general waste, and local flooding due to the increased development of land for residential purposes.

RESOLVED:

That the report be noted.

8. FORWARD WORK PROGRAMME

The Environment Overview & Scrutiny Facilitator presented the Forward Work Programme for consideration. She advised that an additional meeting of the Committee had been agreed and would be held on 12 July.

Following a suggestion from Councillor Vicky Perfect it was agreed that an additional item would be included on the Programme to consider the charging points at points of interest for electronic cars.

RESOLVED:

(a) That the Forward Work Programme be amended; and

- (b) That the Facilitator, in consultation with the Chair of the Committee be authorised to vary the Forward Work Programme between meetings as the need arises.

9. MEMBERS OF THE PUBLIC AND PRESS IN ATTENDANCE

There was one member of the press and seven members of the public in attendance.

(The meeting started at 10.00am and ended at 12.55pm)

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Chairman