

ENVIRONMENT OVERVIEW & SCRUTINY COMMITTEE
9 APRIL 2019

Minutes of the meeting of the Environment Overview & Scrutiny Committee of Flintshire County Council held in the Council Chamber, County Hall, Mold on Tuesday, 9 April 2019

PRESENT: Councillor Ray Hughes (Chairman)

Councillors: Sean Bibby, Chris Dolphin, Andy Dunbobbin, David Evans, Dave Hughes, Joe Johnson, Vicky Perfect, and Paul Shotton

APOLOGIES: Councillors: Mike Allport, Haydn Bateman, and Veronica Gay

SUBSTITUTION: Councillor Dennis Hutchinson (for Colin Legg)

ALSO PRESENT: Councillors Christine Jones and David Wisinger (as observers)

CONTRIBUTORS: Councillor Carolyn Thomas, Cabinet Member for Streetscene and Countryside, Councillor Chris Bithell, Cabinet Member for Planning and Public Protection, Derek Butler, Cabinet Member for Economic Development and Interim Cabinet Member for Housing, Chief Officer (Streetscene and Transportation), Chief Officer (Planning, Environment and Economy), Access and Natural Environment Manager, Highways Network Manager, and Regulatory Services Manager

IN ATTENDANCE: Democratic Services Manager and Democratic Services Officers

56. DECLARATIONS OF INTEREST

None were received.

57. MINUTES

The minutes of the meetings held on 26 February 2019 were submitted.

Accuracy

Typographical amendments to be made on page 5 and page 7.

RESOLVED:

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

58. GREENFIELD VALLEY – SIX MONTHLY PROGRESS REPORT

The Chief Officer (Planning, Environment and Economy) introduced a report to provide an update on the work carried out to deliver the recommendations arising from the audit on the governance, funding, and operating arrangements at Greenfield Valley, and the current operational position. He provided background information and advised that following the audit, all actions had been completed with the exception of

signing the Management Agreement. All interested parties had commented on drafts of the Agreement and the Trust had given a commitment to sign the Agreement at their Board meeting on 7 May 2019. The Chief Officer invited the Access and Natural Environment Manager to provide an update on the operational position at Greenfield Valley.

The Access and Natural Environment Manager reported on the operational highlights for the last six months, as detailed in the report. He referred to a number of recent successful events and activities which had been held, and the woodland management, development and maintenance works undertaken. He also reported on the initiative to revise admission fees to encourage people to buy annual passes throughout the year and reported that an Outdoor Learning Conference for education professionals would be hosted in the Valley on 4 April.

The Access and Natural Environment Manager advised that the Council's Streetscene service had been successful in securing almost £700k through the Welsh Government Active Travel Grant for the Valley which would improve links and communication. He explained that the first phase would be to resurface the path along the old railway line to the coast road car park. Further applications were to be submitted which would include proposals to improve the links from the Valley to Ysgol Treffynnon and from the Valley to Greenfield Dock.

In concluding his update the Access and Natural Environment Manager commented on the dependence of the Valley on the regular volunteers that assisted with the management of the site and explained that Greenfield Valley had registered to distribute Timecredits to volunteers. The scheme was funded by the Welsh Government (WG) as part of a specific project in Flintshire and Wrexham for the next two years. The initiative enabled volunteers to receive paper credits in exchange for their time which could be spent in registered facilities and businesses across the UK.

The Chief Officer (Planning and Environment) suggested that the Committee may wish to hold a future meeting at Greenfield Valley and take the opportunity to have a tour of the Valley and the facilities provided at the same time.

Councillor Chris Dolphin congratulated the Chief Officer and the Access and Natural Environment Manager and his team, on their excellent work and the progress achieved regarding the recent audit recommendations. He commented on the Council's annual budget for management of the site which was in the region of £300k and said this was good value for money, however, he expressed disappointment that the Management Agreement had not yet been signed by Greenfield Valley Trust Limited which he said was unacceptable. Councillor Dolphin also congratulated Officers on the success of the £700k grant secured through the WG Active Travel scheme which he said would make a significant impact on the Valley. Councillor Dolphin stated that he did not consider that further update reports needed to be brought to future Scrutiny Committees, given the positive progress made.

Councillor Andy Dunbobbin reiterated the views expressed by Councillor Dolphin on the excellent work and progress achieved by Officers and suggested that the recommendations in the report be amended to reflect this. He also commented on

the positive work which had been undertaken by officers in conjunction with the Armed Forces Covenant.

Councillor Paul Shotton thanked Officers for a positive report and congratulated Officers on the initiative to simplify the pricing structure for admission to the Valley and on the successful outcome of the bid for the WG Active Travel Grant.

Councillor Dave Hughes said there was a need for improved signage to Greenfield Valley on the A55 which would encourage more visitors to the area. Councillor Carolyn Thomas acknowledged the point and said she would follow this up after the meeting.

Councillor Chris Bithell spoke of the industrial heritage and historical value of Greenfield Valley and said it was important that people had ease of access to the Valley as a whole and the facilities available. He suggested that consideration be given to providing a form of transport for people with mobility problems who were unable to either walk or cycle along the Valley's pathways. Councillor Carolyn Thomas acknowledged the comments and agreed consideration could be given to the suggestion if funding and resources were available.

The Chief Officer suggested that a further report to update the Committee on progress to address the recent audit report recommendations be submitted in six months and that a future Scrutiny meeting be held at the Valley in the autumn.

Councillor Paul Shotton moved the recommendations with the amendment proposed by Councillor Andy Dunbobbin.

RESOLVED:

- (a) That the Committee welcomes the update and progress in addressing the recent audit report recommendations;
- (b) That the Committee's congratulations be conveyed to all involved in making the changes;
- (c) That a press statement supporting the progress be drafted; and
- (d) That a meeting of the Committee, to include a further update on addressing the Greenfield Valley audit report recommendations and a tour of the valley facilities, be held in six months.

59. ENVIRONMENTAL ENFORCEMENT

Prior to consideration of the report on Environmental Enforcement the Chief Officer (Streetscene and Transportation) distributed a supplementary note to the Committee on income from Fixed Penalty Notices (FPNs).

The Chief Officer (Streetscene and Transportation) introduced a report to review the Council's Enforcement Policy in respect of littering. He provided background information and advised that following a recent review of the Council's Environment

Enforcement Service, the Council's own Enforcement Officers had resumed responsibility for the enforcement of all low level environmental crimes (citing littering and dog fouling as examples). He continued that the Cabinet had requested a refresh of the protocol for issuing FPNs and particularly the zero tolerance approach previously adopted by the Council's enforcement teams which had been strictly implemented across the County. The Chief Officer advised that the report provided clarity on the approach to enforcement activities in the future and invited the Regulatory Services Manager to present the report.

The Regulatory Services Manager reported on the key considerations, as detailed in the report. She referred to the procedures for issuing a FPN where an Enforcement Officer had reason to believe a person had committed an offence and there was sufficient and appropriate evidence to support a prosecution in court should the FPN go unpaid. She explained that accidental littering would not be dealt with by means of a FPN. Referring to dog control the Regulatory Services Manager explained that dog control patrols continued to take place in public areas, including areas subject to a Public Open Space Order (PSPO), which included officers undertaking plain clothes patrols.

The Regulatory Services Manager advised that Flintshire County Council's Enforcement Officers were responsible for patrolling across all areas of the County to ensure all wards received a reasonable and appropriate level of enforcement presence, however, a daily presence in all areas could not be guaranteed. She continued that during a meeting of the Environment Overview and Scrutiny Committee held on 27 November 2018, a recommendation was put forward that consideration should be given for Town and Community Council's to fund additional Enforcement Officers within their areas. The Regulatory Services Manager reported that to assess the level of interest in the proposal the Council would contact all Town and Community Councils and offer the opportunity to fund additional Officer time in their areas at an agreed daily rate which would take into account that all revenue generated through the Penalty Charge Notices would be retained by the County Council. Following the approach to Town and Community Councils an exercise would take place to determine the sustainability of a scheme and consideration as to whether the project could be implemented with existing staffing numbers or whether additional Officers would need to be recruited.

Councillor Andy Dunbobbin referred to the supplementary information which had been circulated to the Committee at the meeting and expressed concerns regarding the reference to an income target of £20k per annum, which equated to 266 FPNs per year. He acknowledged the need to enforce action against low level environmental offences with intent but commented that the issuing of FPNs was not intended to be an income generation exercise. The Chief Officer advised that there were no monthly targets set for Officers and the number of FPNs issued would vary each month. He explained that the figures provided were indicative based on the number of notices previously issued. The Chief Officer advised that the Council would rely on the professional judgement of its Enforcement Officers to exercise a balance between education and enforcement with the approach being that the Council would carry out appropriate action against people who intentionally littered or did not dispose of dog waste appropriately.

Councillor Chris Dolphin referred to the guidance in the report that if an individual was deemed to have dropped litter deliberately and walked 5 metres away from the litter then enforcement action would be taken, and suggested that the distance should be reduced to 3 metres. The Regulatory Services Manager explained that the distance stated was a general guideline only and if an individual had dropped litter they would be given the opportunity to pick it up and dispose of the waste appropriately. She reiterated that the emphasis was on a balance between education and enforcement.

Councillor Dolphin commented on the level of enforcement presence to undertake car parking management and other environmental enforcement activities. The Regulatory Services Manager explained that the shift-patterns and start and finish times of Offices were amended during the summer and winter months to coincide with a change in the daily activities of the public and information concerning recurring issues.

Councillor Dennis Hutchinson raised concerns on the issue of dog fouling which he said was an ongoing problem in his Ward. He expressed further concerns regarding dog control and commented on the risks to safety arising by dogs which were not restrained or kept on a lead in public areas. The Regulatory Services Manager confirmed that dog control patrols continued to take place in public areas, including areas subject to a Public Open Space Order, and officers were talking to all dog walkers on their patrols to provide information on exclusion areas and how to dispose of dog waste appropriately. She advised that there were 7 Environmental Enforcement Officers whose combined roles were to deliver enforcement activity for environmental crimes. Discussions were taking place with a neighbouring authority to potentially share some back office functions which may release funding to increase the number of frontline officers to undertake enforcement activity in the future.

Councillor Carolyn Thomas acknowledged the concerns raised by Councillor Hutchinson and commented on the need to work closely with local communities and area co-ordinators to gather intelligence and information on recurring issues and problem areas and times, particularly in relation to dog fouling.

Councillor Joe Johnson suggested that additional signage be used in areas where dog fouling occurred to inform the public that the area was being monitored and of the need to dispose of dog waste appropriately. Other possible measures including the use of spray paint, sound devices, and stencils, to highlight problem areas was discussed.

Councillor Sean Bibby commented on the cost to the Authority of providing 'clean-up' services and enforcement control activities and emphasised the importance of improved communication and educational campaigns with the general public to educate and inform the general public.

Councillor David Evans referred to the proposal to contact all Town and Community Councils to offer the opportunity to fund additional Enforcement Officer time in their areas and expressed concerns that some Town or Community Councils may not have the financial resources to join the scheme. Councillor Carolyn Thomas advised that all Town and Community Councils would continue to receive a service

and the funding of an additional enforcement presence would not affect the existing rotas and the current arrangement in an area.

Councillor Chris Bithell expressed the view that 'tougher' action should be taken against environmental crime and individuals who intentionally committed an environmental offence. He reiterated the comments by Councillor Sean Bibby regarding the expense to the Authority of providing enforcement and 'clean up' services during ongoing financial austerity and said there had been a deterioration in public standards which he felt would continue unless robust and effective enforcement measures were implemented.

The Chair commented on the need to educate young children to prevent such problems arising in the future and suggested that Primary schools in Flintshire be approached to determine their interest. The Programme Manager explained that a letter had been sent to headteachers of all Secondary Schools in Flintshire with an invitation to receive a presentation from the enforcement team which had been accepted by some schools. She also referred to the information which was made available through other groups and organisations to raise awareness in schools and amongst the general public.

In response to the suggestion from the Chair that work be carried out with pupils in primary schools the Chief Officer agreed that proactive work could be undertaken between local area co-ordinators and primary schools. The Chief Officer suggested that a further report be submitted to a future meeting of the Committee to provide an update on the number of FPNs issued.

Councillor Paul Shotton commented that both Primary and Secondary schools in his Ward had been enthusiastic regarding involvement in environmental and enforcement activities. He said local residents had also been positive in volunteering assistance in monitoring their local area. Councillor Andy Dunbobbin referred to the work which was undertaken by community initiatives and schemes and cited the 'Our Backyard' scheme as an example.

The Committee supported the initiative and recommended to Cabinet that it approved the protocol detailed within the report for low level crimes and the issue of Fixed Penalty Notices for littering and dog control offences.

RESOLVED:

- (a) That the Committee supports the initiative and recommends to Cabinet that it approves the protocol detailed within the report for low level crimes and the issue of Fixed Penalty Notices for littering and dog control offences.

- (b) That the Committee recommends that Cabinet approve the proposal to offer Town and Community Councils the opportunity to support additional Enforcement Officers in their own areas.

60. LOCAL TOILET STRATEGY

The Chief Officer (Streetscene and Transportation) introduced a report to seek a recommendation to Cabinet to approve the Council's Local Toilet Strategy following the consultation period. He provided background information and invited the Highways Network Manager to present the report.

The Highways Network Manager advised that the statutory consultation for the proposed Local Toilets Strategy had been open since 4 February 2019 with the closing date for feedback on the draft strategy being 26 April 2019. To date the consultation had received 195 responses and a copy of the draft strategy was appended to the report. The proposed strategy included a 12 point action plan for the two year period it covered and the Committee was asked to focus on five specific areas, as detailed in the report, that formed the basis of the strategy.

Councillor David Evans referred to page 44 of the report and the needs assessment score for Shotton and asked what action was being taken to address the need for toilet provision in Shotton. The Highways Network Manager explained that Shotton had been identified as an area that required toilet facilities as it didn't have any existing dedicated facilities provided and there were no opportunities to use toilet provision in Council buildings such as libraries, connects centres, or leisure centres.

Councillor Chris Dolphin reported that the public toilets in Holywell were not open at the weekend and said he was not in favour of the alternative arrangements which depended on engagement with local businesses to provide toilet facilities. He commented that unless there was a much improved financial incentive from the Welsh Government it was unlikely that local businesses would consider the proposals put forward to be worthwhile. He spoke of the needs of elderly people, people with mobility and health issues, and young children, and said it was not always practical to access existing facilities provided in Council buildings. He spoke of the need to provide publicly accessible toilets within town centres to address the needs of people who visited their local high street to shop.

The Chief Officer advised that there had been a poor response from local businesses in general as a way of increasing the provision of additional facilities in the community and therefore alternative provision needed to be considered.

Councillor David Evans moved the recommendations. This was seconded by Councillor Paul Shotton.

RESOLVED:

- (a) That the Committee supports the work completed to date and the on-going public statutory consultation on the Local Toilets Strategy; and

- (b) That the Committee's responses to the four questions in the report be used to further develop the Local Toilets Strategy.

61. FORWARD WORK PROGRAMME

The Democratic Services Manager presented the Forward Work Programme for consideration. He advised that the next meeting of the Committee would be held on 21 May, at Wepre Park, Garden Room, Connah's Quay, to consider the following items:

- update on Mold to Broughton cycleway
- progress report on speed limits outside schools and "20's Plenty".

The Democratic Services Manager advised that following the Committee's agreement a meeting of the Committee, to include a tour, would be held at Greenfield Valley later in the year.

RESOLVED:

- (a) That the draft Forward Work Programme be approved;
- (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; and
- (c) That a meeting of the Committee, which would include a tour, be held at the Greenfield Valley later in the year.

62. MEMBERS OF THE PUBLIC AND PRESS IN ATTENDANCE

There was one member of the press and no members of the public in attendance.

(The meeting started at 10.00 am and ended at 11.39 am)

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Chairman