

# Pecyn Dogfen Gyhoeddus



Swyddog Cyswllt:  
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At: Cyng Ray Hughes (Cadeirydd)

Y Cynghorwyr: Mike Allport, Haydn Bateman, Sean Bibby, Chris Dolphin, Andy Dunbobbin, David Evans, Veronica Gay, Cindy Hinds, Dave Hughes, Joe Johnson, Colin Legg, Vicky Perfect, Paul Shotton a Owen Thomas

Dydd Mercher, 3 Ebrill 2019

Annwyl Gynghorydd,

Fe'ch gwahoddir i fynychu cyfarfod Pwyllgor Trosolwg a Chraffu yr Amgylchedd a fydd yn cael ei gynnal am 10.00 am Dydd Mawrth, 9fed Ebrill, 2019 yn Ystafell Bwyllgor Delyn, Neuadd y Sir, Yr Wyddgrug CH7 6NA i ystyried yr eitemau canlynol

## R H A G L E N

### 1 YMDDIHEURIADAU

**Pwrpas:** I dderbyn unrhyw ymddiheuriadau.

### 2 DATGAN CYSYLLTIAD (GAN GYNNWYS DATGANIADAU CHWIPIO)

**Pwrpas:** I dderbyn unrhyw ddatganiad o gysylltiad a chynghori'r Aelodau yn unol a hynny.

### 3 COFNODION (Tudalennau 3 - 10)

**Pwrpas:** I gadarnhau, fel cofnod cywir gofnodion y cyfarfod ar 26 Chwefror 2019

### 4 PARC TREFTADAETH DYFFRYN MAES GLAS (Tudalennau 11 - 16)

Adroddiad Prif Swyddog (Cynllunio, Amgylchedd ac Economi) - Dirprwy Arweinydd ac Aelod Cabinet dros Strydlun a Chefn Gwlad

**Pwrpas:** I gael adroddiad cynnydd 12 mis

5 **GORFODI AMGYLCHEDDOL** (Tudalennau 17 - 22)

Adroddiad Prif Swyddog (Stryd a Chludliant) - Aelod Cabinet Datblygu Economaidd, Dirprwy Arweinydd ac Aelod Cabinet dros Strydlun a Chefn Gwlad

**Pwrpas:** Adolygu polisi gorfodi'r Cyngor mewn perthynas â thaflu sbwriel.

6 **STRATEGAETH TOILEDAU LLEOL** (Tudalennau 23 - 50)

Adroddiad Prif Swyddog (Stryd a Chludliant) - Dirprwy Arweinydd ac Aelod Cabinet dros Strydlun a Chefn Gwlad

**Pwrpas:** I geisio argymhelliad y Cabinet i gymeradwyo Strategaeth Toiledau Lleol y Cyngor, yn dilyn y cyfnod ymgynghori.

7 **RHAGLEN GWAITH I'R DYFODOL** (Tudalennau 51 - 56)

Adroddiad Hwylusydd Trosolwg a Chraffu yr Amgylchedd

**Pwrpas:** Ystyried y flaenraglen waith Pwyllgor Craffu & Trosolwg amgylchedd

Yn gywir



Robert Robins  
Rheolwr Gwasanaethau Democraidd

# Eitem ar gyfer y Rhaglen 3

## **ENVIRONMENT OVERVIEW & SCRUTINY COMMITTEE** **26 FEBRUARY 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, 26 February 2019

### **PRESENT: Councillor Ray Hughes (Chairman)**

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

**APOLOGIES:** Councillor Derek Butler, Cabinet Member for Economic Development.

**SUBSTITUTION:** Councillor Kevin Hughes (for Veronica Gay)

**CONTRIBUTORS:** Councillor Carolyn Thomas, Cabinet Member for Streetscene and Countryside, Councillor Chris Bithell, Cabinet Member for Planning and Public Protection, Chief Officer (Streetscene and Transportation), Chief Officer (Planning, Environment and Economy), Transport Manager, Integrated Transport Unit Manager – Streetscene and Transportation, and Regulatory Services Manager

**IN ATTENDANCE:** Environment Overview & Scrutiny Facilitator and Democratic Services Officer

### **49. DECLARATIONS OF INTEREST**

None were received.

### **50. MINUTES**

The minutes of the meetings held on 11 December 2018 and 15 January 2019 were submitted.

### **RESOLVED:**

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

### **51. FLINTSHIRE COUNTY COUNCIL'S RESPONSE TO THE WELSH GOVERNMENT WHITE PAPER 'IMPROVING PUBLIC TRANSPORT'**

The Chief Officer (Streetscene and Transportation) introduced a report on the Welsh Government (WG) Transport White Paper 'Improving Public Transport'. He reported that the WG had issued a consultation White Paper in December 2018, on plans to improve public transport in Wales. The purpose of the consultation was to seek views on the WG legislative proposals for reforming the planning and delivery of local bus services in Wales, together with the licensing of taxis and other private hire vehicles. The closing date for responses to the consultation was 27 March 2019.

The Chief Officer advised that there were 10 proposals within the White Paper which were summarised within the report. He explained that proposals 1 to 6 related to public transport and invited the Integrated Transport Unit Manager, and the Regulatory Services Manager to report on each of the proposals and the general proposed responses. Proposals 7 to 10 referred directly to taxi licensing and the Council's response had been discussed by the Licensing Committee. The proposed response to the questions relating to these proposals were detailed in appendix 1 to the report.

Councillor Carolyn Thomas expressed concerns regarding the lack of clarity in relation to proposal 1 in the report and the membership of the Joint Transport Authority and funding arrangements. She explained she had raised these issues with the WG and had been told that a more detailed paper could follow shortly. She also pointed out that the White Paper did not mention how Transport for Wales would fit in. She added that the Authority currently delivered WG funding on behalf of other North Wales authorities, e.g. bus passes and the bus support grant. Councillor Thomas also referred to the new livery that Flintshire would be putting on buses and the Chief Officer agreed to circulate information regarding this to the Committee.

Councillor Joe Johnson said he was opposed to the proposal to increase the eligibility age for the mandatory concessionary fares scheme to bring in line with a woman's pensionable age. He expressed the view that bus passes should remain available from the age of 60 and commented on the need to reduce the carbon footprint. He felt that the proposed changes could have a negative impact.

Councillor Carolyn Thomas emphasised that people under the age of 65 who already received a free bus pass would continue to be eligible to receive a free pass.

Councillor David Evans referred to the Authority's suggested responses to the WG white paper for transport which was appended to the report. Commenting on questions 18 and 19 which both had the answer 'Yes' he said that this did not answer the questions. Councillor Evans supported the view that the concessionary bus pass age should remain at 60. He felt that in many cases the concessionary fares could maintain the operation of bus services and suggested that changes could make routes unviable in the future. He also referred to the carbon footprint and said that by using a bus service people did not have to use their cars and also referred to the social benefits to be gained by meeting other people, going out and about, and gaining access to social activities, health and wellbeing services. He urged the Council to amend the Consultation Response with regarding to Concessionary bus passes to retaining the status quo.

Councillor David Evans commented on the number of bus passes which were issued but not used and referring to the reapplication process said there was a need to ensure that people who had their bus passes reissued actually used them.

Councillor Chris Dolphin said that bus passes were popular but cost a lot of money. He emphasised the importance of reliability and up to date timetables and said there was a need to ensure that bus services were scheduled so that users of the service had enough time to visit town centres and spend at least 2 hours there which would increase footfall and rejuvenate local businesses in the area.

Councillor Thomas recognized there was more work to be done in relation to bus timetables which was an ongoing challenge in terms of the resources needed to keep up to date with changes to service routes and service timetables etc.

In response to a question regarding the budget for local travel arrangements, Councillor Carolyn Thomas advised that the budget was approximately £500k for public transport in Flintshire. A total of £1m for the whole of the County including approximately £500 from WG.

Councillor Andy Dunbobbin supported the need to maintain concessionary bus pass age at 60 and referred to people's health and wellbeing, citing the need to visit GP surgeries and hospitals as examples. He added that if the bus pass age was raised this could have a negative impact on social and healthcare budgets in the future.

Councillor Dunbobbin welcomed the suggestion that Councils could operate services and asked if this would join up with community transport schemes, school transport arrangements etc.

Councillor Carolyn Thomas recognized the need to maintain transport services and the importance of being able to access transport to maintain health and wellbeing needs.

Councillor Ray Hughes expressed concern regarding public transport in rural areas and said there was the potential for people to become isolated if bus services could not be accessed. He emphasised the importance of ensuring up to date information regarding timetables and the need to ensure they were synchronized citing the example of a recent change to a service which had resulted in a 45 minute wait for a connection to the next service.

Councillor Kevin Hughes thanked officers for their work. He reiterated the views expressed by Councillor David Evans that not all people who applied for a concessionary bus pass used it. He commented that bus passes should be allocated to those who needed them and suggested that a form of means testing could be introduced to ensure a more needs based system.

The Chief Officer (Planning, Environment and Economy) referred to the current position on the WG proposals on the licensing of taxis and other private hire vehicles as detailed in the report. He said the Council's response had been discussed by the Licensing Committee and the proposed responses to the proposals were appended to the report.

Councillor Joe Johnson commented on the regulations in Flintshire whereby hackney carriage licenses could only be provided to black cabs, whereas in other North Wales authorities it was possible to obtain a license with saloon cars and standard mini buses. He said this was problematic as black cabs were extremely expensive to buy.

The Licensing Team Leader explained that the Authority was nominated as a first phase authority with regard to the Disability Discrimination Act to ensure all hackney carriages were accessible and adopted the black cab. She confirmed there were only 2 registered hackney carriage licenses in Flintshire.

Councillor Johnson added that this demonstrated that the current system was not working, with only 2 taxis available for the whole of Flintshire for people to be hailed down as private hire vehicles can only take pre-bookings. Cllr Johnson urged the Council to give this further consideration.

Councillor Kevin Hughes suggested that taxis be fitted with CCTV for the protection of driver and customers. The Chief Officer (Planning, Environment and Economy) advised that the use and standards for CCTV within vehicles, as detailed in Question 23, page 30, of the report, were supported.

Councillor Chris Bithell commented that the introduction of national standards was to be supported and were advantageous in terms of public protection. He said he was opposed to central organisation and spoke of the importance of local knowledge and the sharing of vital information in terms of public protection matters.

### **RESOLVED:**

- (a) That the WG Consultation be noted; and
- (b) That the Committee's comments regarding concessionary bus passes are incorporated into the Council's response.

## **52. FLINTSHIRE COUNTY COUNCIL'S HAZARDOUS ROUTES**

The Chief Officer (Streetscene and Transportation) introduced a report on the criteria for defining a school hazardous route and define the hazardous routes to school within the County. He provided background information and invited the Transport Manager to present the report.

The Transport Manager reported on the main considerations, as detailed in the report, and advised that the Council had a legal duty to assess the travel needs of learners who walked to and from school. The Council's Transport Policy, which was appended to the report, dictated that free school transport would be provided to the nearest eligible site of education in the following circumstances:

- the child resides in excess of 2 miles (for primary school pupils) and 3 miles (for secondary school pupils) from their nearest appropriate school; or
- If the route is deemed to be 'hazardous'

The Transport Manager explained that in accordance with the Learner Travel Statutory Provision, a route can only be defined as 'acceptable' (i.e. non hazardous) if the criteria as detailed in section 1.02 of the report was met.

The Chief Officer (Streetscene and Transportation) emphasised that the hazardous routes policy would only apply to the nearest school. He explained that free transport would not be offered on the basis of transport not to the nearest school.

Councillor Haydn Batman asked whether condition of the road was taken into account. The Transport Manager confirmed that an assessment would take the condition of foot-ways and road surfaces into account.

Councillor Dave Hughes expressed disappointment that the route from Llanfynydd to Abermorddu was not listed.

Councillor Andy Dunbobbin referred to a road in Northop Hall and it was suggested that specific matters regarding routes be raised with officers outside the meeting.

The Committee felt it would be more appropriate to delay advertising the routes on the Council's website until anomalies raised by members had been reviewed.

Councillor Marion Bateman referred to the list of hazardous routes and asked if there were plans to improve any of them and thereby removing them from the list in future. The Transport Manager explained that the routes were reviewed constantly and each year there was an opportunity to bid for funding for schemes which could result in improvement work being undertaken and some routes being de-classified as hazardous.

Councillor Bateman asked if the ranking of hazardous routes could be provided. She also asked if information could be provided to schools in terms of their position in relation to hazardous routes. The Transport Manager advised that a matrix was available and could be circulated to the Committee.

Councillor Chris Bithell emphasised that the policy only applied to the nearest school and it was necessary to apply the rules rigorously to avoid additional expense. He commented that there had been examples where parents did not want a route to be 'made safe' as this would remove the provision of free school transport.

**RESOLVED:**

- (a) That the Council's statutory duty to assess the travel needs of school pupils under the Learner Travel Guidance and the process used to define Hazardous Routes to School, be noted; and
- (b) That the current list of Hazardous Routes to School be noted.

**53. QUARTER 3 COUNCIL PLAN 2018/1 MONITORING REPORT**

The Chief Officer (Planning, Environment and Economy) introduced a report to present a summary of performance for the Quarter 3 (October to December 2018) position of 2018/19 for the Council Plan priority 'Green Council' relevant to the Committee.

The Chief Officer advised that the Quarter 3 monitoring report was a positive report and showed that 92% of activities were making good progress with 85% likely

to achieve their desired outcomes. 67% of the performance indicators had met or exceeded their targets. Risks were being managed with the majority being assessed as moderate (61%) and minor/insignificant 22%. The report was an exception based report and therefore focussed on the areas of under-performance.

The Chief Officer referred to the major risk identified for the Committee that 'funding will not be secured for priority flood alleviation schemes'. He advised that from 7 January 2019, the Council had a new statutory duty as a Sustainable Drainage Approving Body (SAB). He explained that this had placed significant resource demands on the small Flood and Coastal Risk Management Team to implement, resource and fund this new statutory role. He continued that in the short-term the impacts of developing this new service would lessen the ability of the Team to deliver non-statutory flood alleviation schemes.

Referring to the SAB regulations introduced on the 7 January, Councillor Chris Bithell reported that Flintshire had asked the WG to delay implementation because of the need to prepare, however, there had been no delay and a sum of £20,000 had been received to deal with the implementation.

Councillor Paul Shotton referred to page 68 of the report and the comment that for 2018/19 waste and flood allocations were to be removed from the Single Revenue Grant (SRG) and asked for an update.- He added that there needed to be more sites earmarked for renewable energy schemes across Flintshire. He referred to the hydro scheme at Wepre and asked if there was potential for any other schemes in Flintshire.

The Chief Officer advised that a SEG enabling nature grant had been submitted and a response was expected by the end of March. On the subject of renewable energy he commented that the Council was always looking at options and advised that the Council were looking at potential sites for solar farms within the County.

**RESOLVED:**

That the Committee notes the Quarter 3 Council Plan Monitoring Report 2018/19.

**54. FORWARD WORK PROGRAMME**

The Environment Overview & Scrutiny Facilitator presented the Forward Work Programme for consideration. She advised that the next meeting of the Committee would be held on 9 April 2019.

It was agreed that an item on traffic calming would be included on the Programme for consideration at a future meeting of the Committee.

**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.

**55. MEMBERS OF THE PUBLIC AND PRESS IN ATTENDANCE**

There was no members of the press or the public in attendance.

(The meeting started at 10.00 am and ended at 11.50 pm)

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**Chairman**

Mae'r dudalen hon yn wag yn bwrpasol

# Eitem ar gyfer y Rhaglen 4



## ENVIRONMENT OVERVIEW AND SCRUTINY COMMITTEE

<b>Date of Meeting</b>	09 April 2019
<b>Report Subject</b>	Greenfield Valley – Six Monthly Progress Report
<b>Cabinet Member</b>	Cabinet Member for Streetscene and Countryside
<b>Report Author</b>	Andrew Farrow Chief Officer (Planning & Environment)
<b>Type of Report</b>	Operational

### EXECUTIVE SUMMARY

The six monthly update on the work carried out to deliver the audit recommendations and the current operational position at Greenfield Valley.

### RECOMMENDATIONS

1	Members note the update and progress in addressing the recent audit report recommendations.
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### REPORT DETAILS

<b>1.00</b>	<b>EXPLAINING THE REPORT</b>
1.01	Greenfield Valley is managed by the Greenfield Valley Trust Ltd, a registered Charity and a Limited Company. The Trust was established in 1986 to manage the Greenfield Valley on behalf of Flintshire County Council. The Trust manage the site under a Management Agreement (currently under renegotiation) with the Council. Under this agreement the Trust receive a management fee. The total annual Council budget for the site is in the region of £300k.
1.02	In April 2015 the Trust engaged a company to carry out a review of the long term governance arrangements at Greenfield Valley. The Governance Review made recommendations for the Trust and the Council to strengthen

	governance of the site. Progress in implementing the recommendations in that report were slow.
1.03	The audit of Greenfield Valley Museum and Heritage Park was included in the annual Internal Audit Plan for 2016/17.
1.04	The audit was undertaken to examine the governance, funding and operating arrangements in place within Greenfield Valley and assess whether efficient and effective systems are in place to manage Greenfield Valley
1.05	<p>Areas highlighted which required improvement were as follows:</p> <ul style="list-style-type: none"> <li>• A strategic decision to be made around the short and medium term management arrangements at Greenfield Valley;</li> <li>• Clarification required around the task and reporting structures, responsibility and lines of accountability within Greenfield Valley;</li> <li>• Decision to be made around Trust compliance with the Council's Contract Procedure Rules;</li> <li>• Implementation of full electronic banking;</li> <li>• Development of effective financial controls (including segregation of duties) to ensure transparency, accountability and good financial stewardship.</li> </ul>
1.06	In summary all actions have been completed with the exception of signing the Management Agreement.
1.07	The Management Agreement has been drafted by FCC Legal Service. Both parties have commented on drafts of the Management Agreement with the Trust now committed to signing the Agreement at their Board meeting on 7th May. The delay from the revised September 2018 date is as a result of the Trust wishing to seek legal advice before they sign a new Agreement
1.08	<p>Site operational highlights for the last six months:</p> <p><b>Events and activities</b></p> <p>Greenfield Valley had a successful close to the 2018 season with its Christmas event. The event was fully booked with 228 children visiting Farther Christmas over the weekend. The positive trend continued with the February half term holiday showing a five-fold increase in income when compared to 2018. The increase was attributed to the unseasonably good weather experienced during half term and also the St David's Day celebration event that received a footfall of 440 people over two days.</p>
1.09	<p><b>Revised Admission Fees</b></p> <p>Greenfield Valley Trust have simplified the pricing structure this year. Passes will now be valid for a year from the date of purchase, rather than</p>

	limited to the season. The aim is to encourage people to buy annual passes throughout the year. A recycled plastic membership card with a bar code has been introduced to facilitate entry administration.
1.10	<p><b>Outdoor Learning Conference</b></p> <p>An Outdoor Learning Conference for 125 education professionals is to be hosted in the Valley on the 4th of April.</p>
1.11	<p><b>Active Travel</b></p> <p>Flintshire County Council's Streetscene Service has been successful in securing almost £700,000 through the Welsh Government Active Travel Grant for the Valley. Greenfield Valley staff have been involved in the preparation work for the scheme. The first phase will resurface the path along the old railway line to the coast road car park. Further applications are to be submitted which will include proposals to improve the links from the Valley to Ysgol Treffynnon and also from the Valley to Greenfield Dock.</p>
1.12	<p><b>Woodland Management</b></p> <p>Following the approval of the Greenfield Valley Woodland Management Plan by Natural Resources Wales, a significant amount of tree clearance has been undertaken during the winter months. The schedule of work was brought forward to assist the Active Travel Programme and has opened up the woodland canopy structure.</p>
1.13	<p><b>Fly-tipping</b></p> <p>The Valley has experienced a number of fly-tipping issues at the Coast Road Car Park, Bryn Celyn Car Park, by the Strand and Holywell High School. The Ranger Team have started to work with the fly-tipping Wales group to learn from the experiences of others and follow good practice. The fly-tipped material has been cleared from the Car Parks. A contractor will be used to clear the fly-tipped material from the Strand area due to the nature of some of the waste. The Valley are aiming to work with the local school to produce a short film about waste and to get messages out to the local community.</p>
1.14	<p><b>Development and Maintenance Work</b></p> <ul style="list-style-type: none"> <li>• A new tractor shed has been erected with the support of the Heritage Lottery Fund;</li> <li>• Work is nearing completion on a new railway exhibition in the Lower Cotton Mill. The exhibition will be open for Easter and then on the first Sunday of every month whilst the museum is open. The Lower Cotton Mill will be staffed by volunteers;</li> <li>• Vegetation has been cut from around the Museum pond which will improve the habitat for Great Crested Newts and also facilitate education pond dipping activities;</li> <li>• Steps and kick-boarding have repaired in the woodland trail. Brash removed from pathway and leaves raked. Ivy removed from entrance;</li> <li>• Work is underway to create a new area for staff and volunteers at Basingwerk Abbey;</li> </ul>

	<ul style="list-style-type: none"> <li>The play surface outside the softplay barn has been renewed.</li> </ul>
1.15	<p><b>Volunteering</b></p> <p>The success of the Valley is dependent on the regular volunteers that help with the management of the site. The Community Garden Team and Historic Garden Volunteers continue to meet every Thursday. Other volunteers also attend during the week to help with various tasks.</p> <p>A Volunteer Day was held to help get the Valley ready for opening for the February half term week. An incredible amount of work was completed by staff and volunteers that included sweeping mountains of leaves; weeding; cleaning of the museum buildings / activity room; preparing the Visitor Centre and creating large cardboard daffodils to decorate the museum for St David's Day.</p> <p>K.I.M Men in Sheds (based in Holywell) have started to work in the Valley and have been undertaking maintenance work within the Wire Mill area, including the cutting back of vegetation; clearing invasive bamboo from flower beds; weeding, sanding and painting metal work and the removal of ivy from walls.</p> <p>Coleg Cambria placements have been provided by the Valley, the students have assisted with the care of the animals in addition to general site maintenance.</p> <p>Greenfield Valley has now registered to distribute Timecredits to volunteers. The scheme is funded by the Welsh Government as a part of a specific project in Flintshire and Wrexham for the next two years. The initiative enables volunteers to receive paper credits in exchange for their time. The credits can be spent in registered facilities and businesses, for example, entry to Cadw / National Trust sites and leisure facilities across the UK.</p>
1.16	<p><b>Animals</b></p> <p>Large blacks (pigs) have returned to Greenfield Valley, two sows are currently on site, with the aim of introducing younger piglets later in the year. A meeting has been held with Coleg Cambria – Northop to discuss the possibility of borrowing Bagot goats, which are the rarest breed in the country, during 2019. Sheep, hens and ducks will return to the Valley ready for opening in April. The meet the duckling events were very popular with local families over half term. The Valley is currently awaiting the outcome of the Tesco Community Grant Scheme which would provide support towards improving the hatchery.</p>
1.17	<p><b>Fire Alarm / Electrics</b></p> <ul style="list-style-type: none"> <li>Quotes have been secured by Flintshire Property Service for rewiring Basingwerk Abby, it is hoped that the work will be completed between the half term holidays and Easter.</li> <li>Quotes are awaited for a new fire alarm system.</li> </ul>

1.18	<p><b>Green Flag</b></p> <p>Green Flag Application Submitted.</p>
1.19	<p>The Trusts Accountants, Gardiners, have completed their own internal audit of accounting at the Valley and has given a positive report with no recommendations for action</p>
1.20	<p>The Greenfield Valley is delivered via a partnership with the Greenfield Valley Trust.</p> <p><b>The Chair of the Trustees, Gwladys Harrison provided the following quote in relation to progress in the last twelve months:</b></p> <p><i>“On behalf of the Greenfield Valley Trustees I would like to take this opportunity to thank the team for the excellent work they are doing in the valley. This last year has made a massive difference, and the works that have been carried out show that someone cares.</i></p> <p><i>This in turn will make the users of the valley also care about the fantastic facility that is on their doorstep and empower them to look after what belongs to the local community and which, we are happy to share with our visitors from far and wide.</i></p> <p><i>Thanks to all Gwladys Harrison”</i></p>

<b>2.00</b>	<b>RESOURCE IMPLICATIONS</b>
2.01	None, the improvements are being delivered within Service budget.

<b>3.00</b>	<b>CONSULTATIONS REQUIRED / CARRIED OUT</b>
3.01	None

<b>4.00</b>	<b>RISK MANAGEMENT</b>
4.01	The Internal audit report identifies a five high and three medium priority actions to be implemented. The only outstanding priority is the signing of the Management Agreement.

<b>5.00</b>	<b>APPENDICES</b>
5.01	None

<b>6.00</b>	<b>LIST OF ACCESSIBLE BACKGROUND DOCUMENTS</b>
6.01	<b>Contact Officer: Tom Woodall, Access &amp; Natural Environment Manager</b> <b>Telephone: 01352 703902</b> <b>E-mail: tom.woodall@flintshire.gov.uk</b>

<b>7.00</b>	<b>GLOSSARY OF TERMS</b>
7.01	Greenfield Valley Heritage Trust - The Valley Trust is a registered company and charitable organisation, established to manage the Greenfield Valley on behalf of Flintshire County Council.

# Eitem ar gyfer y Rhaglen 5



<b>ENVIRONMENT OVERVIEW AND SCRUTINY COMMITTEE</b>	
<b>Date of Meeting</b>	Tuesday 9 April 2019
<b>Report Subject</b>	Environmental Enforcement
<b>Cabinet Member</b>	Cabinet Member for Streetscene and Countryside
<b>Report Author</b>	Chief Officer (Streetscene & Transportation)
<b>Type of Report</b>	Strategic

## **EXECUTIVE SUMMARY**

Following the recent review of the Council's Environmental Enforcement Service, the Council's own Enforcement Officers have resumed responsibility for the enforcement of all low level environmental crimes, such as littering and dog control.

During the review Cabinet requested a refresh of the protocol for issuing Fixed Penalty Notices and particularly the zero tolerance approach previously adopted by the Council's Enforcement teams. This report provides clarity on the approach to enforcement activities in future.

During the review, the Environment Overview and Scrutiny Committee recommended that consideration should be given for Town and Community Council's to fund additional Enforcement Officers within their area. This report recommends an approach to these Council's to determine the potential interest and sustainability of this arrangement.

## **RECOMMENDATIONS**

1.	That Scrutiny recommends Cabinet approves the protocol detailed within this report for low level environmental crime offences and the issue of Fixed Penalty Notices for littering and dog control offences.
2.	That Scrutiny recommends Cabinet approve the proposal to offer Town and Community Councils the opportunity to support additional Enforcement Officers in their own areas.

## **REPORT DETAILS**

<b>1.00</b>	<b>BACKGROUND</b>
1.01	Local Authorities are empowered under the Environmental Protection Act 1990 (Section 87/88) and the Anti-social Behaviour, Crime and Policing Act

	2014 to issue Fixed Penalty Notice's (FPN's) for dealing quickly and effectively with low level environmental offending, such as littering or dog fouling. Under section 87 of the Environmental Protection Act 1990 it is an offence to throw down, drop or otherwise deposit, and then intentionally leave litter.
1.02	In 2013 the Council adopted a zero tolerance approach against individuals either witnessed or reported to be dropping litter on Council land or public open space. In May 2016, Cabinet approved that the Council should enter a formal agreement with a specialist private partner (Kingdom) to undertake environmental enforcement activities against low level crimes, such as littering however, in August 2018 Kingdom made the commercial decision to withdraw their services from Flintshire. In October 2018, Cabinet approved an in-house enforcement delivery model, with all car parking and environmental enforcement activities to be undertaken by Flintshire County Council's own Enforcement Officers.
1.03	In October 2018, Cabinet also requested a review of the protocol for the issuing of FPN's for littering offences and particularly the zero tolerance approach, previously adopted both by the Council's and Kingdom Enforcement Officers.
1.04	Littering offences are dealt with by the issue of an FPN which would eventually result in prosecution, if the individual chose not to make the required payment, within the prescribed period. A FPN is not a fine but payment of the penalty by the recipient discharges their liability to prosecution for the offence for which the FPN was issued. It does not constitute an admission of guilt, but removes the possibility of the creation of a record of criminal conviction for the offence.
1.05	Previously the Council has imposed the strict implementation of a zero tolerance approach to littering which has been applied strictly across the County.  Those who deliberately litter should expect to be punished if caught, and this review of the Council's policy sets out to clarify the Council's approach in this matter. It does not set out to diminish the jurisdiction of the Enforcement Officer or devalue the impact environmental crime has on our communities.
1.06	An FPN may only be issued where an Enforcement Officer has reason to believe a person has committed an offence and there is sufficient and appropriate evidence to support a prosecution in court, should the FPN go unpaid. For example, if an individual is deemed to have dropped litter deliberately and walked away (5 metres from litter as a guide) then enforcement action will be taken, if the individual has dropped the litter and not walked away, they will be given the opportunity to pick up and dispose of the waste appropriately. Accidental littering, such as items falling out of pockets will not be dealt with by means of an FPN.
1.07	The Council will rely upon the professional judgement of its Enforcement Officers to operate within the broad guidelines of the policy and to exercise a balance between education and enforcement, with the approach being that the Council will carry out the appropriate enforcement action against

	those who intentionally litter. This approach ensures compliance with legislation.
1.08	Dog control patrols continue to take place in public areas, including areas subject to a Public Open Space Order (PSPO), and this includes our Officers carrying out plain clothes patrols. The level of FPN's issued for PSPO's remains low, however Officers are talking to all of the dog walkers they encounter on their patrols, providing education in relation to exclusion areas and means of disposing of dog waste appropriately.
1.09	On the formation of the Streetscene and Transportation portfolio in April 2015, two areas of the service (parking management and environmental crime) were merged to create the Civil Parking and Environmental Enforcement team. Currently there are 7 Officers, whose roles were combined to deliver enforcement activity for environmental crimes such as littering, dog fouling, abandoned vehicles and fly tipping as well as civil parking enforcement. Discussions are taking place with a neighbouring authority to potentially share some back office functions. If this develops and results in back office staff savings, funds may be released to increase the number of frontline Officers deployed on enforcement activity.
1.10	<p>Flintshire County Council's Enforcement Officers are responsible for patrolling across all areas of the County and this is scheduled to ensure all wards receive a reasonable and appropriate level of enforcement presence. A daily presence in all areas cannot be guaranteed, due to the number of towns, villages and public car parks which are required to patrol and the wide range of enforcement areas covered by the team which include:</p> <ul style="list-style-type: none"> <li>• Littering</li> <li>• Dog Control Areas (PSPO's)</li> <li>• Car park management</li> <li>• On road parking enforcement</li> <li>• Fly tipping</li> <li>• Side waste enforcement</li> <li>• Abandoned car removal</li> </ul>
1.11	Following the Overview and Scrutiny Committee meeting on 27 November 2018 a recommendation was put forward to consider the funding of additional Enforcement Officers by Town and Community Councils.
1.12	To assess the level of interest in the proposal, the Council will contact all Town and Community Councils and offer the opportunity to fund additional Officer time in their areas. The Town and Community Council will be given the opportunity to fund Officers at an agreed daily rate which will take into account that all revenue generated through the Penalty Charge Notices will be retained by the County Council. The level of time each of the Officers will be available per town/village will be proportionate to the number of Councils investing into the scheme.
1.13	Councils will be encouraged to outline their areas of concern in advance of the additional presence, and service will provide regular feedback to each local Council following the funded enforcement presence.

1.14	The Officers will work to the County Council's policies and procedures and the funding of an additional enforcement presence will not affect the existing rotas and the current level of presence in an area. Following the initial approach to Town and Community Councils an exercise will take place to determine the sustainability of a scheme, and consideration will be given as to whether the project can be implemented with existing staffing numbers, or whether additional Officers will need to be recruited.
1.15	Following a previous request from Environment Overview and Scrutiny Committee, details of patrol areas and the number of penalty tickets issued in each ward will be distributed to local members monthly, if requested and the information will form part of future performance reporting.

<b>2.00</b>	<b>RESOURCE IMPLICATIONS</b>
2.01	All existing Enforcement Officers are budgeted within the Streetscene and Transportation portfolio
2.02	The service has an income target from both the PCN and FPN income, which requires a fixed number of tickets to be issued each year. The income level is set at previous year average ticket levels.

<b>3.00</b>	<b>CONSULTATIONS REQUIRED / CARRIED OUT</b>
3.01	With Cabinet Member
3.03	Town and Community Councils

<b>4.00</b>	<b>RISK MANAGEMENT</b>
4.01	A full EIA will be completed on the chosen option before introducing the new arrangements

<b>5.00</b>	<b>APPENDICES</b>
5.01	None

<b>6.00</b>	<b>LIST OF ACCESSIBLE BACKGROUND DOCUMENTS</b>
6.01	<b>Contact Officer:</b> Stephen O Jones <b>Telephone:</b> 01352 704700 <b>E-mail:</b> <a href="mailto:stephen.o.jones@flintshire.gov.uk">stephen.o.jones@flintshire.gov.uk</a>

<b>7.00</b>	<b>GLOSSARY OF TERMS</b>
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7.01	FPN - Fixed Penalty Notice PCN – Penalty Charge Notice

Mae'r dudalen hon yn wag yn bwrpasol

# Eitem ar gyfer y Rhaglen 6



## ENVIRONMENT OVERVIEW & SCRUTINY COMMITTEE

<b>Date of Meeting</b>	Tuesday 9 <sup>th</sup> April 2019
<b>Report Subject</b>	Local Toilet Strategy
<b>Cabinet Member</b>	Cabinet Member for Streetscene and Countryside for Streetscene, Transportation and Countryside
<b>Report Author</b>	Chief Officer (Streetscene & Transportation)
<b>Type of Report</b>	Strategic

### EXECUTIVE SUMMARY

In July 2017, the Public Health (Wales) Act 2017 ('the Act') received Royal Assent. The Act brings together a range of practical actions for improving and protecting public health in Wales and Part 8 of the Act introduces the provision of toilets and specifically Local Toilets Strategies.

The Act requires local authorities to publish a Local Toilets Strategy for its area and in November 2018 a report was presented to the Environment Overview and Scrutiny Committee to describe how the Council intended to deliver a strategic approach to the provision of publicly accessible toilets across the County and the engagement process with relevant stakeholders required to develop a needs assessment, to inform the strategy going forward.

The purpose of this report is to update the Committee on progress of the consultation work to date, and to gain feedback on the draft strategy through the response to five critical questions which are contained within this report.

### RECOMMENDATIONS

1	That the Scrutiny Committee notes the work completed to date and the on-going public statutory consultation on the Local Toilets Strategy.
2	That the Scrutiny Committee provide a comments on the five key questions posed in this report.

## REPORT DETAILS

<b>1.00</b>	<b>BBACKGROUND TO THE REQUIREMENT FOR A LOCAL TOILET STRATEGY</b>
1.01	The Public Health (Wales) Act 2017 ('the Act') received Royal Assent on the 3 July 2017. The Act brings together a range of practical actions for improving and protecting health.
1.02	The introduction of Part 8 of the Act places a duty on local authorities (as defined in section 124 of the Public Health (Wales) Act 2017) to prepare and publish a Local Toilets Strategy for its area.
1.03	The Council is therefore required to conform to the requirement of the Act by having a Local Toilets Strategy approved by the end of May 2018.
1.04	In order to achieve this outcome, the Council must develop a 'Needs Assessment Questionnaire' and consult publicly across the area.
1.05	In this respect, the Council undertook a preliminary survey of interested parties prior to the statutory consultation to gain an understanding of the needs of the County and this was considered in the draft strategy.
1.06	To assist the Council develop its strategy, a number of individuals, stakeholder networks and organisations have also been engaged, to gather information which has helped to develop a needs assessment and inform the draft strategy.
1.07	The duty to prepare a Local Toilets Strategy does not require the Council to provide and maintain public toilets directly nor are they required to provide additional dedicated facilities. They must however take a strategic view on how facilities can be provided and accessed, taking account of such things as location, accessibility, type of facilities, frequency of use and the quality of existing sites, as well as determining whether additional or fewer sites are required by the local population. The legislation published by Welsh Government has no funding for additional provisions attached to it.
1.08	Since 2012, Flintshire County Council has undertaken two separate reviews of toilet provision across the County. These reviews highlighted that isolated facilities regularly attracted anti-social behaviour, which puts people off using them. As a result, the Council adopted a more enabling approach by promoting the use of existing toilets in Council buildings, such as libraries and Connects Centres which people feel more confident and comfortable using.
1.09	The statutory consultation for the proposed Local Toilets Strategy has been open since 4 February 2019 with the closing date for feedback on the draft strategy being Friday 26 April 2019. To date, the consultation has received 195 responses.
1.10	A copy of the draft strategy is included in Appendix 1 of this report.

1.11	The proposed strategy includes a 12 point action plan for the two year period it covers, but officers are asking the Committee to focus on five specific areas that form the basis of the strategy. The five questions are set out in the following paragraphs.
1.12	<p>The previous strategy identified that the Council should adopt a more enabling approach, by promoting the use of existing toilets in Council buildings such as libraries and Connects Centres which people are more confident and comfortable using. The Local Toilets Strategy sets out to build upon the work previously undertaken in rationalising the provision and quality of the local toilets being offered by the Council.</p> <ul style="list-style-type: none"> <li>• Does the Committee agree to continue with this approach?</li> </ul>
1.13	<p>Through the assessment already conducted, the strategy identifies the need for the provision of toilets across the authority in an objective way.</p> <ul style="list-style-type: none"> <li>• Can the Committee provide comment on the current needs assessment, suggesting any additional considerations that are not captured in the draft strategy?</li> </ul>
1.14	<p>The Committee previous expressed their wish that engagement with local business is sought as a way of increasing the provision of additional facilities in the community. This is addressed in the draft strategy within the Action Plan, however there is broadly a hierarchy of enablement which is as follows:</p> <ol style="list-style-type: none"> <li>1. Alternative in-house provision (Connects Centres, etc.)</li> <li>2. Engagement with the Town &amp; Community Councils to provide the facilities</li> <li>3. Approach businesses to provide the facilities</li> <li>4. Dedicated stand-alone Council facilities</li> </ol> <ul style="list-style-type: none"> <li>• Does the Committee agree with the approach and hierarchy described above?</li> </ul>
1.15	<p>The Action Plan identifies the requirement for officers to challenge the need for changes to Planning Policy and current legislation in relation to toilet provision and identify future opportunities to apply Community Infrastructure Levy and Major Development proposals within planning conditions.</p> <ul style="list-style-type: none"> <li>• Does the Committee support the exploration of these opportunities?</li> </ul>

<b>2.00</b>	<b>RESOURCE IMPLICATIONS</b>
2.01	No implication on resources due to this report

<b>3.00</b>	<b>CONSULTATIONS REQUIRED / CARRIED OUT</b>
3.01	With Cabinet Member.

3.02	Invitation to participate sent to Town & Community Councils.
3.03	Broad consultation across the county to ensure that includes any disadvantaged or vulnerable groups of individuals.
3.04	On-going statutory public consultation through <a href="http://www.flintshire.gov.uk">www.flintshire.gov.uk</a> until 26 <sup>th</sup> April 2019.

<b>4.00</b>	<b>RISK MANAGEMENT</b>
4.01	Ensure the anonymity is maintained where appropriate, and consent is obtain where necessary.
4.02	GDPR risk assessment for data gathered from participants in the consultation.
4.03	Equalities Impact Assessment to be carried out.

<b>5.00</b>	<b>APPENDICES</b>
5.01	Appendix 1 – Draft Local Toilet Strategy

<b>6.00</b>	<b>LIST OF ACCESSIBLE BACKGROUND DOCUMENTS</b>
6.01	<p><b>Contact Officer:</b> Stephen O Jones – Chief Officer (Streetscene &amp; Transportation)</p> <p><b>Telephone:</b> 01352 704700</p> <p><b>E-mail:</b> <a href="mailto:stephen.o.jones@flintshire.gov.uk">stephen.o.jones@flintshire.gov.uk</a></p>

<b>7.00</b>	<b>GLOSSARY OF TERMS</b>
7.01	<p>(1) <b>Toilet(s):</b> we use this to mean a toilet facility that the general public can use that may be in public or private ownership, within a variety of premises and which does not require the user to be a customer or make a purchase.</p> <p>(2) <b>Traditional public toilet(s):</b> by this we mean a purpose-built toilet facility in local authority ownership or control provided for use by the public. Some quotes in the text from legislation etc. use the term ‘public toilet’, and in these cases we have not included the word ‘traditional’.</p>

(3) **Gender neutral toilet(s):** we use this expression in this document to mean a toilet that is not designated for exclusively male or female use, but can be used by anyone. This type of toilet may previously have been termed 'unisex'.

(4) **Changing Place(s):** these are fully accessible toilets with a height adjustable changing bench, a hoisting system, a peninsular toilet, and enough space for a person with a disability, his/her wheelchair and two carers.

(5) **Standard accessible toilet(s):** these are specially designed cubicles in separate-sex toilets or a self-contained gender neutral toilet. These may also be known as 'disabled toilets'.

Mae'r dudalen hon yn wag yn bwrpasol

# FLINTSHIRE COUNTY COUNCIL

## DRAFT LOCAL TOILETS STRATEGY

MAY 2019

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## EXECUTIVE SUMMARY

In July 2017, the Public Health (Wales) Act 2017 received Royal Assent, bringing together a range of practical actions for improving and protecting health. Part 8 of the Act includes Provision of Toilets and introduces new responsibilities for Local Authorities to provide local toilet strategies.

To deliver a strategic approach to the provision of toilets across Wales, the Public Health (Wales) Act 2017 requires Local Authorities to assess local needs and facilities, and to publish a local toilets strategy for its area.

The duty to prepare a local toilets strategy does not require councils to provide and maintain public toilets directly, nor are they required provide additional dedicated facilities. They must however take a strategic view on how facilities can be provided and accessed, taking account of such things as location, accessibility, facilities, frequency of use and quality of existing sites, as well as determining whether additional or fewer sites are required by their local population. The legislation published by Welsh Government has no funding for additional provisions attached to it.

Since 2012 Flintshire County Council has undertaken two separate reviews of toilet provision across the County. These reviews highlighted that isolated facilities regularly attract antisocial behaviour, which puts people off using them. As a result Flintshire adopted a more enabling approach by promoting the use of existing toilets in Council buildings such as libraries and Connects Centres, which people feel more confident and comfortable using.

This Strategy sets out to develop on the work previously been undertaken in rationalising the provision and quality of the Local Toilet being offered by the Council, and to assess the need of the local communities, along with the facilities being offer. The Strategy set out an action plan for the next two years, at which time the strategy will need to be reviewed, and also identify some areas that are for future consideration.

## BACKGROUND & INTRODUCTION

In the guidance provided to Local Authorities in preparation for implementation of Local Toilet Strategies, the Welsh Government Cabinet Secretary for Health and Social Services explains that "Accessible, clean toilets that are well located in places such as town centres, parks, promenades, cycle trails and walking routes can help encourage people to take exercise and stay more physically active. This has clear health and economic benefits. Conversely, toilets that are poorly designed, inadequately maintained and inappropriately located can create an atmosphere of neglect that discourages use. A lack of adequate toilet facilities can impact on a person's physical and mental health, as well as affecting the wider environmental health of the population." This appreciation of the benefits of available facilities is further noted when they go on to state "Toilets for public use matter to everybody and remain a high-profile issue. They are, however, even more important to certain groups within society, including older people, people with disabilities, people with particular needs (including certain medical problems), women, children and young people and their families. These groups can be disproportionately affected by poor provision."

Flintshire County Council has recognised the benefits and issues related to public conveniences, and started the process of reconciling the facilities under the Council's control back in 2012. At this time a report to Cabinet was submitted that identified that the County was at the time supporting 12 distinct sites, although the Council has no statutory requirement to provide a Public Convenience service and does not have a formal Policy to determine the location or type of facilities provided and that inconsistency has developed both in the location of the facilities and quality of the service provided across the County. It was also noted at the time that some of the locations have been linked to anti-social behaviour, with reports received of substance misuse and vandalism taking place at the facilities. Whilst the majority of the information was anecdotal, there were records of complaints being received by the Council concerning specific sites. The site in Alexandra Street, Shotton was closed since June 2012, due to specific complaints of anti-social behaviour.

At the time of this report, it was noted that the Public Convenience service was managed within Streetscene with a budget allocation of £173,187 in 2012-13. Repairs and maintenance at all of the facilities were being carried out by private contractors.

As a solution to some of the issues being encountered, it was identified that the Council was developing a programme of one stop shops, Flintshire Connects Centres, across the County and also manages numerous other Council buildings in close proximity to existing standalone Public Convenience facilities. The new Flintshire Connects Centres and the other facilities i.e. Leisure Centres could offer toilet facilities both for their own use and for use as wider Public Conveniences.

It was also recognized at that time that It is important that the Public Convenience service complements wider strategic Council objectives such as the promotion of Tourism and Town Centre marketing and the proposed new service provision will do this by ensuring well maintained facilities are provided in key locations across the County and that utilising Flintshire Connects Centres, other Council buildings and (where appropriate) privately owned facilities will both rationalise and improve accessibility to the service, providing the following advantages over the current service that included potentially longer opening hours which are more targeted to local need, and the reduced instances of anti-social behaviour and vandalism.

Consideration was given at the time to introducing a charge for using the facilities but concluded that such a charge would be more expensive to introduce and manage than would be raised as income, thus creating a further budget pressure on the Council. Charging would also increase the threat of vandalism at the facilities. Likewise the introduction of a 'Superloo' system was considered, but the cost was found to be prohibitive.

In 2016, a further report was present to the Cabinet with the intention of recognising that Flintshire's new strategy identified that isolated Public Toilet facilities regularly attracted antisocial behaviour and that many people would not use the facilities for this reason. It was proposed that the Council should promote the use of existing toilet facilities, within Council buildings e.g. Libraries and Flintshire Connects Centres, rather than the dedicated and often isolated facilities previously provided. This final stage of the review would consider the future of the remaining Public Convenience facilities in the County. This report recognized that the current budget to provide the public convenience service was £ 93,998 and made recommendations to reduce the existing provision of standalone dedicated facilities further to just 2 sites across the County. However, the Authority did offer the opportunity for Community Asset Transfer for these sites to the local community and Town & Community Councils, and although these were explored, none have been developed far enough to result in the transfer, however due to these on-going

discussions, only one site was closed, with the County in 2019 still operating 4 stand-alone facilities, which are as follows:

- New Street, Mold
- Bus Station, Mold
- Off High Street, Holywell
- Station Road, Talacre

So it can be seen that Flintshire County Council has already started the process of developing a strategy to manage the provision of local toilets, and in the first instance this looked to rationalise and improve the facilities offered to the public for use. To move forward with this process and align with the requirement of Part 8 of the Public Health Act (Wales), as back in the 2016 Cabinet Report it was noted that the Public Health Bill unveiled by the Welsh Government in June 2015 places a duty on local authorities to prepare and publish strategies for the provision of toilets for public use within their area, and whilst the Council has closed a number of dedicated facilities, access to other Council owned toilets have been improved.

An example of this approach would be the closure of dedicated facilities in Connah's Quay, that were replaced with access to improved toilets facilities at a shared-use site that reduces maintenance and cleaning costs, removes the anti-social behaviour that the dedicated site attracted and improving the overall facilities on offer to the public in the area.

This approach will continue to be the basis of the strategy when it is required to be produced by the new legislation. It is clear that the Authority is aware that this is the start of a long-term process, and that not all existing toilet facilities at the time need to remain, especially if there are better alternatives. Efforts to increase the provision of additional local toilets has also identified that not all potential facilities within buildings can be made accessible to the public. And we accept that by making use of existing resources that this means that not every toilet brought into public use is likely to be fully accessible to everyone due to building limitations, and what is proportionate change to make the toilet fully accessible, however a much wider range of available toilets is to the benefit of all.

The 2016 Cabinet Report also recommended that the dedicated stand-alone facilities in New Street, Mold and Holywell be closed, and the details and actions within this strategy

should support the provision of reasonable alternatives to the benefit of improving the overall facilities on offer to the public in the area.

## THE BENEFITS OF THIS STRATEGY

Toilets for public use matter to everybody who goes “away from home” for some reason and remain a high-profile issue. They are, however, even more important to certain groups within society, including older people, people with disabilities, people with particular needs (including certain medical problems), women, children and young people and their families. These groups can be disproportionately affected by poor provision; for example, poor provision is understood to have particular negative impacts on older people, as some may be less likely to leave their homes without having confidence that adequate facilities will be available to them. This can contribute to increased social isolation and inactivity, as well as affecting people’s ability to maintain independence and dignity in later life.

This strategy contributes toward achieving accessible and clean toilets wherever people live, work or visit. Need is likely to grow through new housing developments and through tourism. This is an opportune time to set a strategy for promoting access to toilet facilities where they are needed.

Part 8 of the Public Health (Wales) Act 2017: Provision of Toilets came into force on 31 May 2018 and places a duty on each local authority in Wales to prepare and publish a local toilets strategy for its area. The strategy is built around the principles of co-production, through local authority engagement with a broad range of potential providers and users.

Local authorities in Wales now have the responsibility to:

- Assess the need for toilet provision for their communities;
- Plan to meet those needs;
- Produce a local toilets strategy; and
- Review the strategy, update and publicise revisions.

Local authorities must prepare and publish their strategies within one year from 31 May 2018. The duty to prepare a local toilets strategy does not require local authorities to provide and maintain public toilets directly. The Local Authority must take a strategic

view on how facilities can be provided and accessed by their local population. Upon review of this strategy, Flintshire County Council is required to publish a statement of progress.

The aim of this strategy is to review the quality and quantity of local toilets throughout the county and to provide or facilitate the provision of clean, safe, accessible and sustainable toilets for residents and visitors to the County at locations where the need for such facilities has been identified.

To achieve this Strategy we will:

- Identify the current level of provision of public toilets
- Analyse the findings of the completed assessment of need activities for toilets available for use by the public in their area;
- Consider the requirements of the general population;
- Identify the needs for particular user groups;
- Survey the condition and usage of existing facilities;
- Identify any gaps in current provision;
- Adopt the use of new technologies and communications that it is envisaged will lead to an increased awareness of the locations of local toilets; and
- Provide a statement setting out the steps which the Local Authority proposes to take to meet this need; and any other information which the council considers appropriate.

## REVIEWING THE STRATEGY

As set out in the Public Health (Wales) Act 2017 – Part 8: Provision of Local Toilets, Flintshire County Council will prepare an interim progress report setting out the steps taken in line with their strategy every two years commencing from the date of the last published strategy. The interim progress report will be published within six months of the end date of the two year period. Therefore, following publication in May 2019, the review will take place before the end of May 2021 and be published before the end of November 2021.

Flintshire County Council will also review the local toilet strategy within a year of each ordinary election for its area. The next election date in Wales is Thursday 5 May 2022 so the latest date for review is 4 May 2023. If no changes are made to the strategy following

the post-election review then the County will publish an interim progress statement covering a two year period commencing from the date of the last election.

Flintshire County Council may review its strategy at any time, following which it must publish a statement of the steps which it has taken in accordance with the strategy. If following a review, should the County decide to revise the strategy, it will publish the revised strategy and then prepare an interim progress report covering the two year period commencing from the date of publication.

## MAPPING LOCATIONS

It is intended that the information collated as part of preparing this strategy is replicated and made available in the most convenient manner so that people who need to visit a toilet can easily access information about the location, opening times, accessibility and type of facilities available.



Participating premises will also display a sticker in a prominent place, indicating that toilets are available for the public. The sticker will display the logo stipulated by Welsh Government. It is also intended that Flintshire County Council adopt this signage to promote consistency across the area for those that wish to use facilities.

The British Toilet Association also recommends that signs be fitted on the outside with information like opening hours, contact information for reporting problems and the specific facilities provided inside, such as whether there is a baby-changing room.

The Council will periodically review and update the Welsh Government “Lle” data repository to allow access to accurate information by guide and map publishers, residents and visitors.

Once we have identified the toilets that will be publicised as available for use by the general public, Flintshire County Council will prepare a dataset to a given specification, and make it available as open data on the council website. The dataset will consist of the location and specified characteristics of the identified toilets. This data will also be consumed by the Welsh Government system and joined to other LA datasets to produce the national dataset for the Lle map. Lle is a geo-portal that serves as a hub for data and information covering a wide spectrum of topics, but primarily around the environment. Lle will generate all-Wales maps based on the datasets provided by local authorities that can

be configured to focus on either the national picture, or on more local areas. The data included in the Lle map will be available as an open data service accessible to everyone.

The link to the Lle portal is below:

<http://lle.gov.wales/home>

For data to be classed as open data it must be made available under an open licence. Within the Public Sector this can be achieved by publishing data under the Open Government Licence (OGL).

As the data provided by local authorities is to be made available as open data, it will be available for reuse by third parties, either directly from the local authority's own website, or via the joined dataset behind the Lle map. This might include other online map services, app developers or commercial interests, as well as being available for reuse by other public sector organisations.

The dataset will be available in Welsh and English. The public will be able to see and search the data as it appears on the Lle website, to see the whole of Wales or to look at particular areas.

Flintshire County Council will also show a link on its website to the Lle map as a whole to assist people in searching the data for other areas they may be visiting. Flintshire County Council promotes the use of The Dewis Cymru ([www.dewis.wales](http://www.dewis.wales)) website as a resource that brings together local information, and the information relating to Local toilets will be published on this website also.

## ACTION PLAN

### Flintshire County Council will:

1. Explore options which include working with the private sector, voluntary services and Community Councils to make local toilets available in places where they are most needed.
2. Promote equal opportunities to provide appropriate, accessible and effective services and facilities to all sections of the community without prejudice or bias.
3. Ensure that the toilet logo sticker will be displayed at entrances at all appropriate Council buildings and private businesses that have agreed to be mapped.
4. Work with Betsi Cadwaladr University Health Board and health care providers; to encourage them to make the facilities available to the public, participate in the mapping scheme and to display the toilet logo sticker, in appropriate premises.
5. Improve awareness and information available on toilet provision in the County by updating information on the Flintshire County Council website and will regularly update the Lle open access data repository with WG, and the Dewis Cymru website.
6. Review existing contracts and service provision to monitor cleansing operations and standards on a periodic basis to ensure the most efficient and effective provision within allocated resources.
7. Review existing facilities to ensure that the best options for the provision of accessible toilets provisions are made that best suit the need of the community and the local area
8. Streetscene & Transportation officers, along with other relevant officer of the County are to continue to work with the Police and residents, community groups and others to ensure that the facilities are as safe as possible.
9. Not charge residents to use toilet facilities in council buildings where there is provision.
10. Ensure that sustainable development and energy is taken into consideration facilitating the provision of local toilets.
11. Ensure that officers raise the need for changes to Planning Policy and legislation in relation to toilet provision and access.
12. Review the strategy in line with the stipulations of the legislation, or before.

		What facilities are available?															
Name of Location	Postcode	Dedicated Facility?	Male only	Female only	Unisex toilet	Baby change					Disabled						A place incorporating adult changing facilities, hoists, etc. for people with profound disabilities and their carers?
						male toilet	female toilet	unisex toilet	Separate to toilets	disabled toilet	Open access			Locked (RADAR)			
											male only	female only	unisex	male only	female only	unisex	
New Street Car Park, Mold	CH7 1NH	Y	Y	Y	N	N	Y	N	N	Y	Y	Y	N	Y	Y	N	N
Bus Station, Mold	CH7 1LA	Y	Y	Y	N	N	Y	N	N	Y	Y	Y	N	Y	Y	N	N
Station Road, Talacre	CH8 9RP	Y	N	N	Y	N	N	Y	N	N	N	N	Y	N	N	N	N
Off High Street, Holywell	CH8 7TR	Y	Y	Y	N	N	Y	N	N	N	Y	Y	N	Y	Y	N	N

DETAILS OF EXISTING COUNTY FACILITIES AVAILABLE TO THE PUBLIC

		Opening Times													
Name of Location	Postcode	Monday		Tuesday		Wednesday		Thursday		Friday		Saturday		Sunday	
		Open	Close	Open	Close	Open	Close	Open	Close	Open	Close	Open	Close	Open	Close
New Street Car Park, Mold	CH7 1NH	08:00	17:00	08:00	17:00	08:00	17:00	08:00	17:00	08:00	17:00	08:00	17:00	08:00	17:00
Mold, Bus Station	CH7 1LA	08:00	17:00	08:00	17:00	08:00	17:00	08:00	17:00	08:00	17:00	08:00	17:00	08:00	17:00
Tudalen Calacre Toilets	CH8 9RP	08:00	17:00	08:00	17:00	08:00	17:00	08:00	17:00	08:00	17:00	08:00	17:00	08:00	17:00
Holywell Toilets	CH8 7TR	08:00	17:00	08:00	17:00	08:00	17:00	08:00	17:00	08:00	17:00	08:00	17:00	08:00	17:00

**Are the toilets closed on any of the below days?**

Name of Location	Postcode	Are the toilets closed off peak?	Are services reduced off peak?	Christmas Day	Boxing day	New Years day	May bank holiday	Good Friday	Easter Sunday	Easter Monday	Spring bank holiday	August bank holiday
		No/Yes	No/Yes	No/Yes	No/Yes	No/Yes	No/Yes	No/Yes	No/Yes	No/Yes	No/Yes	No/Yes
New Street Car Park, Mold	CH7 1NH	No	No	Yes	No	No	No	No	No	No	No	No
Mold, Bus Station	CH7 1LA	No	No	Yes	No	No	No	No	No	No	No	No
Talacre Toilets	CH8 9RP	No	No	Yes	No	No	No	No	No	No	No	No
Holywell Toilets	CH8 7TR	No	No	Yes	No	No	No	No	No	No	No	No

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## ADDITIONAL FACILITIES WITHIN THE COUNTY

Below is a list of the facilities available throughout the county that are available to the public for use:

- Clwyd Riding Centre, Llanfynnydd (Changing Place Facilities)
- Caerwys, Drovers Lane
- Flint Leisure Centre
- Buckley Library
- Holywell Library
- Daniel Owen Centre, Mold
- Queensferry, Daleside Garden Centre
- Buckley Town Centre Public Toilets
- Connah's Quay, Fron Road
- Mold Leisure Centre
- Connah's Quay Library
- Mold Library
- Broughton Shopping Park
- Holywell Leisure Centre (Changing Place Facilities)
- Cilcain, Village Community Centre
- Buckley Leisure Centre
- Deeside Leisure Centre
- Flint Library
- Shell Garage, A55
- Flint Train Station

# NEEDS ASSESSMENT

In an effort to capture the available facilities and the demand in an objective way, the following needs assessment has been developed. It is not intended to use this in isolation, and the information that becomes available through the engagement survey, and the full consultation will influence the holistic need for local toilets across the County.

	Need Score		Description				No. of Private Toilets				
	0=	N/A	1=	Very Low	2=	Low	3=	Medium	4=	High	5=
Tudalen 44	Identifying Need					Existing Toilet Provision					
	Town/Village	Shopping Need	Attraction Need	Transport Interface Need	Special Circumstances Need	Need Score	LA Operated Facilities	Other Public Sector Toilets e.g. Leisure Centres, Libraries, etc.	Community Council	Private	Has Need Been Met?
	Mold	5	5	4	4	18	2	2	1	1	Yes
	Holywell	4	4	3	3	14	1	1			Yes
	Flint	3	3	4	3	13		2		1	Yes
	Connah's Quay	4	3	3	3	13		1		1	Yes
	Broughton	5	3	5	0	13		1		1	Yes
	Buckley	3	3	3	3	12		2	1		Yes
	Queensferry	3	3	3	3	12		1		2	Yes
	Shotton	4	2	4	0	10					No
	Saltney	2	2	3	2	9				1	Yes
	Talacre	1	5	2	0	8	1				Yes
	Hawarden	1	3	1	0	5					Yes
	Mostyn	1	1	2	0	4					Yes
	Sealand	1	1	1	0	3					Yes
Mynydd Isa	1	1	1	0	3					Yes	
Ewloe	0	2	1	0	3					Yes	

Caergwrie	0	0	3	0	3					Yes
Northop	1	1	0	0	2					Yes

Cont.

Town/Village	Identifying Need					Existing Toilet Provision				Has Need Been Met?
	Shopping Need	Attraction Need	Transport Interface Need	Special Circumstances Need	Need Score	LA Operated Facilities	Other Public Sector Toilets e.g. Leisure Centres, Libraries, etc.	Community Council	Private	
Halkyn	0	2	0	0	2					Yes
Greenfield	0	1	0	0	1					Yes
Bagillt	1	0	0	0	1			1		Yes
Caerwys	0	0	1	0	1			1		Yes
Aston	0	0	1	0	1					Yes
Hope	0	1	0	0	1					Yes
Ffynnongroew	0	0	0	0	0					Yes
Sronant	0	0	0	0	0					Yes
Drelawnyd	0	0	0	0	0					Yes
Whitford	0	0	0	0	0					Yes
Northop Hall	0	0	0	0	0			1		Yes
Dilcain	0	0	0	0	0				1	Yes
Brynford	0	0	0	0	0					Yes
Gwernaffield	0	0	0	0	0					Yes
Gwernymynydd	0	0	0	0	0					Yes
New Brighton	0	0	0	0	0					Yes
Mancot	0	0	0	0	0					Yes
Higher Kinnerton	0	0	0	0	0					Yes
Leeswood	0	0	0	0	0					Yes
Treuddyn	0	0	0	0	0					Yes
Llanfynydd	0	0	0	0	0					Yes

It needs to be reiterated that the duty to prepare a Local Toilets Strategy does not require councils to provide and maintain public toilets directly, nor are they required provide additional dedicated facilities.



# OUTCOME OF PUBLIC ENGAGEMENT

TBC

## FUTURE OPTIONS

### Letting policies

The Council could possibly consider options to introduce a clause in leasing agreements whereby when the Council is letting its own property to a suitable business like a shop or café, to include public access to toilet facilities. However, whilst this could be considered for the small number of shop units leased out, tenants may well raise issues around cleaning, maintenance and availability and the requirement could conceivably deter prospective tenants from taking a lease.

### Future needs provided by the commercial sector through Council strategy and planning channels

Community Infra-structure Levy enables the Flintshire Local Planning Authority to raise funds from developers undertaking new building projects in their area. The funds can be used for a wide range of infrastructure costs, such as education, healthcare, police and fire and rescue, which is needed as a result of new housing for example. This may be one way to secure funding for future public toilet provision within or near new developments, on a need and demand-driven basis and depending on the prioritisation between new infrastructure needs. Consideration will be given to including local toilet provision in new schemes devised under the Community Infra-structure Levy.

### Major Development proposals (*Planning conditions*)

Some large-scale commercial developments that are going to include cafes, bars, shops, entertainments for example, could possibly be required, as a Planning condition, to allow general public access to any toilet facilities that are being built in the premises. However, there is no policy support at national level for the imposition of planning conditions to allow the general public access to toilet facilities at private commercial premises. Therefore any such condition would fail the test that it must be necessary to make the development acceptable from a planning point of view.

## Embed the Review of Local Toilets Provision into broader Council Initiatives

When reviewing plans and strategies across the organisation, Flintshire County Council will consider the need and provision for Local Toilets. This will include, but not be restricted to the review of the following:

- Local Well-being Plans
- Population Needs Assessments
- Local Development Plans
- Active Travel Routes and Maps; and
- Partnerships for Growth.

Mae'r dudalen hon yn wag yn bwrpasol

# Eitem ar gyfer y Rhaglen 7



## ENVIRONMENT OVERVIEW & SCRUTINY COMMITTEE

<b>Date of Meeting</b>	Tuesday, 9 <sup>th</sup> April 2019
<b>Report Subject</b>	Forward Work Programme
<b>Cabinet Member</b>	Not applicable
<b>Report Author</b>	Environment Overview & Scrutiny Facilitator
<b>Type of Report</b>	Operational

### EXECUTIVE SUMMARY

Overview & Scrutiny presents a unique opportunity for Members to determine the Forward Work programme of the Committee of which they are Members. By reviewing and prioritising the Forward Work Programme Members are able to ensure it is Member-led and includes the right issues. A copy of the Forward Work Programme is attached at Appendix 1 for Members' consideration which has been updated following the last meeting.

The Committee is asked to consider, and amend where necessary, the Forward Work Programme for the Environment Overview & Scrutiny Committee.

### RECOMMENDATION

1	That the Committee considers the draft Forward Work Programme and approve/amend as necessary.
2	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.

## REPORT DETAILS

<b>1.00</b>	<b>EXPLAINING THE FORWARD WORK PROGRAMME</b>
1.01	Items feed into a Committee's Forward Work Programme from a number of sources. Members can suggest topics for review by Overview & Scrutiny Committees, members of the public can suggest topics, items can be referred by the Cabinet for consultation purposes, or by County Council or Chief Officers. Other possible items are identified from the Cabinet Work Programme and the Improvement Plan.
1.02	<p>In identifying topics for future consideration, it is useful for a 'test of significance' to be applied. This can be achieved by asking a range of questions as follows:</p> <ol style="list-style-type: none"><li>1. Will the review contribute to the Council's priorities and/or objectives?</li><li>2. Is it an area of major change or risk?</li><li>3. Are there issues of concern in performance?</li><li>4. Is there new Government guidance of legislation?</li><li>5. Is it prompted by the work carried out by Regulators/Internal Audit?</li></ol>
<b>2.00</b>	<b>RESOURCE IMPLICATIONS</b>
2.01	None as a result of this report.
<b>3.00</b>	<b>CONSULTATIONS REQUIRED / CARRIED OUT</b>
3.01	Publication of this report constitutes consultation.
<b>4.00</b>	<b>RISK MANAGEMENT</b>
4.01	None as a result of this report.
<b>5.00</b>	<b>APPENDICES</b>
5.01	Appendix 1 – Draft Forward Work Programme
<b>6.00</b>	<b>LIST OF ACCESSIBLE BACKGROUND DOCUMENTS</b>
6.01	<p>None.</p> <p><b>Contact Officer:</b> Margaret Parry-Jones Overview &amp; Scrutiny Facilitator</p> <p><b>Telephone:</b> 01352 702427</p> <p><b>E-mail:</b> <a href="mailto:margaret.parry-jones@flintshire.gov.uk">margaret.parry-jones@flintshire.gov.uk</a></p>

7.00	<b>GLOSSARY OF TERMS</b>
7.01	<b>Improvement Plan:</b> the document which sets out the annual priorities of the Council. It is a requirement of the Local Government (Wales) Measure 2009 to set Improvement Objectives and publish an Improvement Plan.

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# ENVIRONMENT OVERVIEW & SCRUTINY FORWARD WORK PROGRAMME

DRAFT

<b>Date of Meeting</b>	<b>Subject</b>	<b>Purpose of Report/Presentation</b>	<b>Scrutiny Focus</b>	<b>Responsible/Contact Officer</b>	<b>Submission Deadline</b>
<b>Tuesday 21<sup>st</sup> May 10.00 am</b> <b>Wepre – Garden Room</b>	Update on Mold to Broughton cycleway.  Progress report on speed limits outside schools and 20's Plenty.	As agreed at Committee on 15 January 2019  To receive an update	Update  Assurance	Chief Officer Streetscene and Transportation Chief Officer Streetscene and Transportation	
<b>Tuesday 16<sup>th</sup> July 2pm</b>	Year-end Reporting & Council Plan Monitoring	To enable members to fulfil their scrutiny role in relation to performance monitoring	Performance monitoring/ assurance	Facilitator	

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Awareness raising session on recyclable waste – May/June

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