

Public Document Pack

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To: Cllr Rosetta Dolphin (Chair)

Councillors: Sean Bibby, David Evans, George Hardcastle, Patrick Heesom, Cindy Hinds, Andy Hughes, Dennis Hutchinson, Joe Johnson, Vicky Perfect, Paul Shotton and Owen Thomas

2 June 2021

Dear Sir/Madam

NOTICE OF REMOTE MEETING
ENVIRONMENT & ECONOMY OVERVIEW & SCRUTINY COMMITTEE
TUESDAY, 8TH JUNE, 2021 at 10.00 AM

Yours faithfully

Robert Robins
Democratic Services Manager

Please note: This will be a remote meeting and 'attendance' will be restricted to Committee Members and those Members of Council who have asked the Head of Democratic Services for an invitation. Such attendees may only speak at the Chair's discretion.

The meeting will be live streamed onto the Council's website. A recording of the meeting will also be available, shortly after the meeting at <https://flintshire.public-i.tv/core/portal/home>

If you have any queries regarding this, please contact a member of the Democratic Services Team on 01352 702345.

AGENDA

1 APPOINTMENT OF CHAIR

Purpose: At the Annual Meeting, Council determined that the Independent Alliance Group will chair this Committee. The Committee is advised that Councillor Rosetta Dolphin is the Chair of the Committee for the municipal year.

2 APPOINTMENT OF VICE-CHAIR

Purpose: To appoint a Vice-Chair for the Committee.

3 APOLOGIES

Purpose: To receive any apologies.

4 DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)

Purpose: To receive any Declarations and advise Members accordingly.

5 MINUTES (Pages 5 - 18)

Purpose: To confirm as a correct record the minutes of the meeting held on 9 March 2021.

6 FORWARD WORK PROGRAMME AND ACTION TRACKING (Pages 19 - 26)

Report of Environment Overview & Scrutiny Facilitator -

Purpose: To consider the Forward Work Programme of the Environment & Economy Overview & Scrutiny Committee and to inform the Committee of progress against actions from previous meetings.

7 LITTER AND FLY TIPPING (Pages 27 - 62)

Report of Chief Officer (Streetscene and Transportation) - Cabinet Member for Streetscene

Purpose: To receive an update as requested by the Committee on 9 February 2021.

8 END OF YEAR PERFORMANCE MONITORING REPORT (Pages 63 - 84)

Report of Chief Officer (Planning, Environment and Economy), Chief Officer (Streetscene and Transportation) - Cabinet Member for Economic Development, Cabinet Member for Planning and Public Protection, Cabinet Member for Streetscene

Purpose: To review the levels of progress in the achievement of activities, performance levels and current risk levels as identified in the Council Plan.

9 BIODIVERSITY DUTY UPDATE (Pages 85 - 128)

Report of Chief Officer (Planning, Environment and Economy) - Cabinet Member for Streetscene

Purpose: This report will provide an update on progress delivering the Section 6 Biodiversity Duty to date, the updated 2020 – 2023 plan and key areas of biodiversity work.

10 COMMENCEMENT OF THE SOCIOECONOMIC DUTY (Pages 129 - 134)

Report of Chief Executive - Deputy Leader of the Council (Governance) and Cabinet Member for Corporate Management and Assets

Purpose: To update Overview and Scrutiny of our preparedness for the commencement of the socio-economic duty

Please note that there may be a 10 minute adjournment of this meeting if it lasts longer than two hours

Procedural Note on the conduct of meetings

The Chair will open the meeting and introduce themselves.

The meeting will be attended by a number of Councillors. Officers will also be in attendance to present reports, with Democratic Services officers acting as hosts of the meeting.

All attendees are asked to ensure their mobile phones are switched off and that any background noise is kept to a minimum.

All microphones are to be kept muted during the meeting and should only be unmuted when invited to speak by the Chair. When invitees have finished speaking they should go back on mute.

To indicate to speak, Councillors will use the chat facility or use the electronic raise hand function. The chat function may also be used for questions, relevant comments and officer advice and updates.

The Chair will call the speakers, with elected Members addressed as 'Councillor' and officers addressed by their job title e.g. Chief Executive' or name. From time to time, the officer advising the Chair will explain procedural points or suggest alternative wording for proposals, to assist the Committee.

If and when a vote is taken, the Chair will explain that only those who oppose the proposal(s), or who wish to abstain will need to indicate, using the chat function. The officer advising the Chair will indicate whether the proposals are carried.

If a more formal vote is needed, this will be by roll call – where each Councillor will be asked in turn (alphabetically) how s/he wishes to vote

At County Council and Planning Committee meetings speaker's times are limited. A bell will be sounded to alert that the speaker has one minute remaining

The meeting will be live streamed onto the Council's website. A recording of the meeting will also be available, shortly after the meeting at <https://flintshire.public-i.tv/core/portal/home>

ENVIRONMENT & ECONOMY OVERVIEW & SCRUTINY COMMITTEE

9 March 2021

Minutes of the remote meeting of the Environment & Economy Overview & Scrutiny Committee of Flintshire County Council held on Tuesday, 9 March 2021

PRESENT: Councillor Rosetta Dolphin (Chair)

Councillors: Sean Bibby, Chris Dolphin, David Evans, George Hardcastle, Patrick Heesom, Cindy Hinds, Dennis Hutchinson, Joe Johnson, Vicky Perfect, Paul Shotton and Owen Thomas

ALSO PRESENT: Councillors Ian Roberts (Leader of the Council) and Dave Hughes (Cabinet Member for Housing)

CONTRIBUTORS: Councillor Carolyn Thomas, Deputy Leader and Cabinet Member for Streetscene & Countryside; Councillor Chris Bithell, Cabinet Member for Planning & Public Protection; Councillor Derek Butler, Cabinet Member for Economic Development, Chief Officer (Planning, Environment & Economy); Chief Officer (Streetscene & Transportation), Alexander Fortune, Project Sponsor from Transport for Wales (for agenda item 5) Niall Waller (Enterprise and Regeneration Manager) (for agenda item 7)

IN ATTENDANCE: Environment & Economy Overview & Scrutiny Facilitator and Democratic Services Officers

44 **DECLARATIONS OF INTERESTS (INCLUDING WHIPPING DECLARATIONS)**

None were received

45. **MINUTES**

The minutes of the meeting held on 9 February 2021 were submitted.

Councillor George Hardcastle referred to the last paragraph on page 6 and said his question was in relation to a one off delivery of sand and sandbags to be used by the response team at Hawarden Community Council. In response the Chief Officer (Streetscene and Transportation) provided an explanation on why the sandbag policy was brought in effect, the costs involved and also outlined the potential storage problems communities could face by storing the bags and large amounts of sand. He reassured Councillors that in the event of flooding, assistance would be provided.

Councillor Paul Shotton referred to page 8 of the minutes and asked for a correction to the proposer as it was moved by Councillor Chris Dolphin not Councillor Chris Bithell.

The minutes were moved and seconded by Councillors Sean Bibby and Paul Shotton.

RESOLVED:

That with the addition of the two corrections the minutes be approved as an accurate record.

46. **FORWARD WORK PROGRAMME AND ACTION TRACKING**

The Facilitator presented the report and referred members to the Forward Work Programme on page 17 which provided an update of items being brought to the 12th May meeting and explained that the Highway Asset Management Plan would include information on the outcome of the Aggregate Trial and Potholes. The Facilitator then referred to the 8th June meeting confirming that in addition to the Year End Council Plan report, Litter and Fly Tipping, an update on Floods and Assisted Help would also be brought to that meeting. With regard to the 6th July meeting the Facilitator confirmed that the Public Rights of Way report, as put forward by Councillor Chris Dolphin, and Hydrogen Fuel Aspirations would be presented at this meeting.

The Facilitator then referred to the Action tracking table and confirmed most were now completed and that following the May meeting the feedback to committee on the Pothole Trial and the Ash Dieback items could then be closed.

The Cabinet Member for Streetscene and Countryside asked Councillor Hardcastle if he was happy with the response provided by the Chief Officer on the Sandbag Policy. Councillor Hardcastle confirmed he was happy with the response provided by the Chief Officer.

The recommendations were moved and seconded by Councillors Chris Dolphin and Joe Johnson

RESOLVED:

- (a) That the 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.
- (c) That the Committee notes the progress made in completing the outstanding actions.

47. **BORDERLANDS LINE TRAIN SERVICES – ADDITIONAL SERVICES AND POTENTIAL IMPACT ON STOPS (PRESENTATION)**

The Chief Officer (Streetscene and Transportation) clarified that this presentation was produced following a request from this committee and that it provided information on the development and aspirations for the line following the implementation of the new franchise in 2018. He confirmed that the Council was not responsible for the line but worked closely with neighbouring authorities, and the operator Transport for Wales (TFW) to develop the line and with shared aspirations the work would link into the Council's Metro plans. He confirmed that the track and signals were owned by Network Rail with the franchise managed by (TFW) who were undertaking a desk top study of the line to establish what constraints could impede the aims and aspirations for the line.

The Chief Officer introduced Alex Fortune, The Rail Project Sponsor in Wales for Transport for Wales who worked closely with Network Rail and colleagues to help deliver these plans. Mr Fortune commenced the detailed presentation to committee which included slides on the following:-

- North Wales Metro –
 - A transformation of bus and rail services
 - Making it easier and faster to travel between the North Wales Coast, Wrexham, Deeside, and Merseyside in North East Wales.
 - Improved interchange at Shotton for the North Wales Coast Line.
 - New station at Deeside Parkway
- Infrastructure
- Stations & Usage
- New trains

The Chief Officer (Streetscene and Transportation) commented on the local issues of bridge strikes and to the bids placed last year to assist with dealing with these which were regularly happening on the route and the implications this caused commuters when this happened. He confirmed the Council's aspiration was that this line became a major commuter line which needed to be reliable. He referred to the successful bid to put interactive signage along all of the low bridges along the route which included Cefn-y-Bedd, Shotton and Padeswood and explained how this would work to alert drivers of high vehicles. He then provided information on the bid placed to raise the bridge or lower the road and to the study carried out on the three sites to lower the road. It was not possible to lower the road at Shotton and Cefn-y-Bedd and that because of local issues this was possible at Padeswood.

The Chief Officer then referred to the two station improvements and said that Shotton was not as advanced as the Parkway station, which was part of the Metro Transport Strategy. He said it was key to the development of integrated strategies to develop a commuter line linked to Penyffordd with a park and ride to encourage commuters not to use their cars.

Councillor Sean Bibby thanked Mr Fortune and the Chief Officer for the presentation which was very positive. He raised the following questions:-

- An update on the redevelopment of Shotton Station.
- Referring to Deeside Parkway he asked what would be the future for Hawarden Bridge.
- With regard to Disabled Access he reported on a number of issues raised by residents concerning Shotton Station and asked what measures were being put in place to ensure these stations were disabled accessible especially as the crossing points had been blocked.

Mr Fortune responded to the first point to say Shotton Station would be proceeding to Grade 4 from next month as there was funding available from Welsh Government (WG) to support this. With regard to the point on disabled access he agreed this was an issue which needed addressing and said he was not aware of any crossings being blocked at the stations but commented that Network Rail viewed foot crossings as a risk and were looking at mitigation to resolve this which would mean using a bridge and lifts.

Mr Fortune then referred to the Hawarden Bridge station which had a very low usage level but he was not aware of any plans to close that station. He said the

developments at Airfields and the industrial park could potentially increase passenger numbers for this station.

The Cabinet Member for Streetscene and Transportation reported on the application for Resilience Funding to lower the road at Padeswood and the work being undertaken shortly at Cefn y Bedd which included traffic lights and warning signage. She commented that this line was also used by freight at Padeswood and that this would impact on timetabling. She was pleased that Shotton and Parkway were moving forward and with Penyffordd as a hub station with parking it would make it easier for commuters to use the train and buses rather than drive. She felt four trains per hour was an aspiration but would be very pleased with two trains per hour.

Councillor Joe Johnson asked if the station at Greenfield would be considered in this report. In response the Chief Officer confirmed this station was on the coast line so not included in this report but confirmed that a similar study had been undertaken on that line which he hoped to receive by the end of the month.

Councillor Hardcastle thanked Mr Fortune for the presentation and asked if there were any proposals for Hawarden station and was it possible to include toilet facilities at this station as well as Shotton.

In response Mr Fortune recognised that the lack of toilet facilities was an issue. He confirmed there were plans for a changing spaces toilet facility to be placed at Shotton but commented it was very difficult as some stations were unmanned and there was a risk to vandalism and anti-social behaviour. WG wanted to increase the number of facilities at stations and these did form part of our aspirations to include these at stations wherever possible. Councillor Hardcastle then asked if it was possible for Hawarden to become a manned station and also if he could receive information on the plans for improvements to Hawarden station. In response Mr Fortune confirmed he would have to come back to Councillor Hardcastle as he did not have the information on Hawarden to hand.

Councillor Owen Thomas asked the following questions.

- Were there any proposals to electrify the line given the plans to phase out diesel?
- Would there be ample parking provided at these stations?
- With regard to Padeswood Station Councillor Thomas had concerns with lowering the road as this area was subject to flooding at various times during the year with only high vehicles able to pass through.

In response to the third point the Chief Officer confirmed they were aware of the flooding problems and that this was an opportunity to address it. He confirmed that this was still at the early stages and that funding would be required to develop the project and also tackle the flooding issues at the same time. The Chief Officer then referred to the second point saying that parking was key to the success of the projects together with ensuring all sites linked into the Active Travel Network. The promotion of Penyffordd as a park and ride site would enable people who were unable to walk, cycle or use the bus to access the station to park their cars and use

the train to commute to work. The sites that provided car parking would be promoted.

In response to the first point Mr Fortune agreed that electrification was the way forward with regard to decarbonisation and greener transport. He said presently the trains were diesel powered with the new 230s trains being bi-mode diesel and battery powered. Hydrogen powered trains were been considered in the UK as these were already in active service in Germany and Austria and that these would link into Merseyside's hydrogen hub plans. Mr Fortune then referred to the Mersey Rail 777 trains powered by battery which were being used after Easter but felt electric trains were required to enable access into the centre of Liverpool. He confirmed WG and TFW had plans in place to decarbonise the fleet. In essence presently there were only two types of train diesel and electric but the other variations were getting better and there would be alternatives in the future.

Councillor Paul Shotton thanked Mr Fortune for the presentation and was looking forward to seeing the new Deeside Parkway Station which he felt would lead to more investment in the Deeside Industrial Park. He asked if discussions had been held with the Deeside Business Forum and Mersey Dee Alliance and if he had completed his recruitment of drivers and ancillary workers going forward. In response Mr Fortune confirmed there were sufficient drivers in training to meet the needs for the increase services for this year and 2022. He confirmed he had met with the Deeside Business Forum and Mersey Dee Alliance and other cross border organisations as the whole region was an important economic centre.

Councillor David Evans asked the following questions:-

- Would the trains still be changing at Bidston rather than going direct from Wrexham to Liverpool?
- He commented the timetables did not currently enable people from Shotton who work for example in the Wrexham Maelor Hospital, to travel to the station and then get to work for 8.00 am.
- The last train back from Liverpool to Wrexham was at 10.15 pm but if you were going to Chester the last train was 11.45 pm. Chester had a better service compared with the borderlands line. Could something be done regarding this?

Mr Fortune responded to the first point saying this was a long term aspiration to get into Liverpool and said that part of the study was to extend the services for Birkenhead North which would provide 8 trains per hour into the centre as opposed to the 4 at Bidston. The study was looking at how this could be achieved to fit in with Mersey Rail's timetable. In response to the timetabling problems he confirmed consultation was undertaken with major employers and businesses and that he would feedback Councillor Evans' comments to the Timetabling and Stakeholder Team to see if this could be improved for the future.

Councillor Dennis Hutchinson referred to the presentation and asked the following questions:-

- With regard to the Shotton higher and lower line how would these marry together and would these proposals would move the station further north. He

said that he had used this station and that the walk to get onto the high line and walk to the town centre was very poor and dangerous.

- With regard to the timetables for Bidston and Wrexham and Chester and the North Wales coast there were gaps where passengers would have a long wait a long time to catch a train to the North Wales coast. He said the station was not the best place to wait a long time for a train.

In response Mr Fortune agreed with the comments made regarding Shotton and provided an outline on how the extended platform would look together with the footbridge and lift facilities from one platform to the other which would improve the whole environment. He confirmed the aim of the metro project was to look at integrating the timetables at hub locations to ensure they worked properly and made it easier and more accessible.

Councillor Cindy Hinds referred to the comments made on the proposals to remove the level crossings and asked what would be put in place to enable people to get to the other side especially the disabled, parents with pushchairs and farmers who had to use the level crossing to get into their fields. In response Mr Fortune said accessibility was an important consideration and crossings would not be closed until there was a suitable alternative in place, which in most cases would be a lift and footbridge which were considered safer option. With regard to farmers and other workers again this would be considered carefully and crossings would not be closed until another option was in place.

The Leader of the Council informed committee that he represented the Council on Growth Track 360 and Mersey Dee Alliance and was the Transport spokesperson for the North Wales Economic Ambition Board. He commented on the need for delivery as soon as possible on the Deeside Parkway and Shotton Stations and that if this was to become a commuter line it had to be resilient. He referred to Birkenhead North Station saying reinstating the additional platform would be a better option than Bidston. The Leader asked if the additional service would be an all station service or would it miss some stations along the line and welcomed more debate on rail transport in the future.

The Cabinet Member reported on the additional funding provided by WG for active travel, cycling and electric buses but commented that good signage, especially artist impressions at the Parkway Station providing information on what was happening, as this was key to the success of the North East Wales Metro project. She referred to discussions with TFW regarding information boards selling the vision as well as providing information on timetabling, bus services and other services with a unique identifying logo. She then referred to the results on the consultation at Greenfield Station which she hoped could be brought to committee as soon as it was ready.

Mr Fortune commented that communication and getting the information out into the public domain was key and that unfortunately this was something that wasn't publicised enough. Information on the services provided and how to use them was crucial to the success of the project and artist impressions were a good way of selling the vision. He hoped it would not be too long before these would be ready. He then referred to Greenfield Station and confirmed that he was aware that this

scheme was funded for the next stage of consideration and on their Work Programme for the next financial year to look at feasibility, building on what had been done so far and to take it through the investment programme procedures. He hoped that this would move things forward.

RESOLVED:

That the committee thanked the representatives from Transport for Wales for their presentation and noted the contents thereof.

48. **RECYCLABLE MATERIALS AND THE IMPACT OF THE PANDEMIC ON VOLUMES AND RESALE VALUES.**

The report was presented by the Chief Officer (Streetscene and Transportation) who explained this information was requested by Committee to understand the extensive impact the pandemic had caused on quantities of materials collected and values obtained for the material. The Chief Officer then provided detailed information on the positive impact which was recycling which had increased by 25%, food waste collections which had increased by 10%. The negative impact was that residual waste had increased by 7%, and that with the closure of HRC sites and suspension of garden waste collections this had impacted on overall recycling performance. The Chief Officer confirmed the recycling performance was likely to remain the same at around 66% and provided information on the WG target of 70% for the 2024/25 financial year and confirmed that this would be brought back to committee in June with the new Campaign called "Target 70" to encourage more recycling. He also referred to the new TV and media campaign by WG called "Mighty Recycler" which would be starting in a couple of weeks to engage with the public. He then provided information on the financial impact on the prices for plastics and the resulting pressure on the service. WG had been very supportive with Flintshire being one of the first councils in Wales to put forward a bid for the hardship fund because of the additional tonnage and loss of income and that the service overspend had decreased over the years because of WG support.

The Chief Officer then referred to 1.08 in the report to re-assure Members regarding concerns with Brexit and access to European markets for recycling products. He confirmed that access was still available but that presently all our recyclable materials were being distributed to merchants in the UK with end destinations monitored and reported by Natural Resources Wales.

Councillor Hardcastle referred to a meeting of Hawarden Community Council the previous evening where the parking issues at Yowley Road and Crossways at Ewloe were discussed. Wagons were finding it difficult to navigate through the cars and resulted in collections being missed and asked what procedures were in place in this situation to collect the recycling.

In response the Chief Officer confirmed that this was a common problem in every ward with more parked cars as people were working from home and that this was becoming a big issue for the service. The recycling had to be collected and it was not the residents' fault that they were working from home and reported on letter drops which had been carried out to encourage residents to move their cars on collection days. Smaller vehicles were being used but there was a cost to this and

that it was more cost effective to collect with our larger vehicles. He agreed to feedback this back to the team and email the councillor at Hawarden Community Council.

The Cabinet Member commented on the recycling figures saying the amount of recycling collected from households had increased by 26%, food waste by 10% and residual by 7% and that the work undertaken by the workforce to manage this was unbelievable. The amount collected was monitored by weight rather than volume when calculating the figures which meant even though recycling had increased it was negated by the residual waste. There was a need to promote and encourage more residents to recycle especially the food waste recycling service as this was taken to a site in Rhualt to turn into electricity. She raised concerns on the amount of fly tipping and litter but was so impressed with the community litter picking groups stepping in to deal with this problem. The Cabinet Member then reported on the funding for the repair café in Buckley and that going forward we should be promoting re-use and repair rather than dispose. She then referred to the sweeping of gullies and ditches with the waste having to be cleaned. This was expensive and had to be sent to company in Manchester and that this had been raised across North Wales to look at a local facility to clean this waste. The Chief Officer added that the disposal of gully and sweeping waste was one of the service's highest spend areas because the material, whilst not classed as hazardous waste, the cost of disposal was considerably higher than normal waste material.

The Chief Officer then referred to a question in the chat around Saturday collections and understood contact numbers were provided but would come back to committee with this. He had also reported that all the Co-ordinators would be emailing the members within their region on a Friday afternoon with their availability for the following week and outlining the procedure for them to follow if they were unavailable.

Councillor Chris Bithell sought clarification on the increase in the residual waste figures asking if it was recyclable or HRC waste and was the Council penalised with additional gate fees at Parc Adfer and by WG for this increase. In response the Chief Officer confirmed this was an additional quantity of residual waste which as a weight had increased by 7% and did not include recyclable materials. He referred to Parc Adfer and confirmed there was a guaranteed minimum fixed gate fee with any tonnage over this amount producing a reduced rate for the authority, so there was no net impact in using Parc Adfer for waste disposal.

Councillor Paul Shotton referred to a litter group which had commenced in Connah's Quay and had quickly increased to 400 members who went out in small groups to collect litter regularly. He asked if the Council's litter pickers were fully operational now. In response the Chief Officer confirmed there were a small number who were shielding but the majority were still working throughout the pandemic. He fully appreciated and supported the litter picker community groups which provided extra support in dealing with the increased amount of litter. A bid had been placed with WG for the provision of equipment, bags etc. to provide to these groups and a waste collection service was provided to pick up the bags of litter. The Cabinet Member said she had been approached by so many litter picking groups requesting equipment and she confirmed some supplies were available such as coloured plastic bags to identify the litter collected which was in turn collected by the Council from designated areas. The groups had also been

asked to separate the collected items between waste and recyclable materials if possible.

Councillor Chris Dolphin commented that in rural areas the hedgerows were full of rubbish which had always been the case but because people were walking more now this had been highlighted. He then referred to the various collection vehicles and praised the supervisor in the west of Flintshire who always answered the phone. He commented there were some excellent people in this team which always had to deal with complaints especially when the weather was windy.

The Chair referred to the Chief Officer's comment regarding the email sent by the co-ordinators on a Friday and said it would be useful if information on who to contact could be included in the email.

Councillor Owen Thomas referred to the A541 from Mold to Nannerch commenting that this road was an actual disgrace with litter which was attributed to the fast food outlets in Mold which diminished the further along the road you travelled. Something had to be done with regard to the fast food waste. In response the Cabinet Member referred to a Consultation with WG currently taking place on litter and fly tipping which finishes in April and it was suggested that Councillor Thomas added his concerns as part of that consultation. The scheme in Kent where CCTV on vehicles was used to discover who was responsible for the litter and then imposing fines on the owners was also discussed.

The resolution was moved and seconded by Councillor Chris Dolphin and Sean Bibby

RESOLVED:

That the committee noted the current volatility relating to both waste and recycling collection levels and rebate values for the recycling material collected in the County.

49. **ECONOMIC RECOVERY**

The report was presented by the Chief Officer (Planning Environment & Economy) and Enterprise and Regeneration Manager. The Chief Officer confirmed this was part of a series of papers being brought to committee regarding Economic Recovery and that this report outlined the proposals at the regional level and within the Council Plan.

The Enterprise and Regeneration Manager confirmed the report clarified where the Council was at present with regard to the economy in Flintshire, highlighted potential risks, the governance structures in place and the current work programme to respond to those risks. He provided information on the following:-

- The uncertain position with regard to Brexit
- The work undertaken by Grant Thornton on behalf of the WLGA looking specifically at trade and highlighted a number of risks specific to Flintshire as our economy was based on trade.
- Most company headquarters were not based in Flintshire which placed Flintshire at risk with decisions being made elsewhere

- Flintshire had a high level of low skill workers which were vulnerable to job losses
- The Covid 19 situation we still uncertain with the Furlough scheme still in place which could mask potential future job losses especially for young people.

The Enterprise and Regeneration Manager referred members to the diagram on page 36 prepared by Grant Thornton which highlighted the risks on how manufacturing and wholesale were reliant on Brexit and Covid outcomes. He reported on the number of groups established with WG and the North Wales Economic Ambition Board and the work undertaken to plan the recovery process both for immediate needs and to reshape the future. The priorities were included within the Council Plan.

Councillor Patrick Heesom felt that this was a very important report and was concerned with the lack of member involvement in the procedures. He referred to the structure on page 37 which had very little space for contributions from elected members especially with the implications of Brexit. He then referred to the contributions of the Hatch Report and Grant Thornton Report and felt that members needed a precis of those reports to enable a better understanding. In response the Enterprise and Regeneration Manager hoped the information provided a summary of those report and confirmed when they were available they would be circulated to Members. He would reflect on the comments regarding member involvement and hoped the meeting would provide some member involvement to enable discussion and hold officers to account. He hoped that would provide some level of reassurance but was happy to receive any comments.

Councillor Shotton referred to the issues at Holyhead port because of the amount of paperwork companies had to complete which had resulted in deliveries being diverted to European ports and coming in the UK via Eire and then to Northern Ireland. He asked how this was impacting on firms and haulers in Flintshire. He also asked with the European Funding coming to an end and priority funding taking place where were the decisions being made at WG or the North East Wales Growth Board. In response the Enterprise and Regeneration Manager referred to the changing position with regard to freight and haulage and that it was important to separate the short term disruptions with the longer term shifts in our economy. The situation was uncertain at the present time with Holyhead in a vulnerable position with the alternative route being a long expensive sea route. As regards the EU funding this would be tapering off in the next two or three years but Flintshire was a small recipient of EU funds which had made a huge difference and that work was required to understand the impacts of the loss of that funding. He referred to the UK budget which announced some funding for regions but the replacement was not fully operational yet and provided information on the shorter term funding made available with the bids for funding processed at Westminster not Cardiff. The Enterprise and Regeneration Manager provided information on the strong successful collaborative working in place across North Wales.

Councillor Owen Thomas stated that Flintshire had a highly skilled workforce and very skilled companies with the whole world available to do business with but felt that apprenticeships should be encouraged across all trades. The Enterprise and Regeneration Manager agreed with Councillor Thomas' comments on skills saying

there was a proportion of firms with a very high skilled workforce which was the reason there were so many manufacturing and high tech industries in the county.

Councillor Chris Bithell referred to the recent Town Centre Consultation in Mold and praised the support provided by the Enterprise and Regeneration Manager and his team to the county and town councillors and members of the public.

The Cabinet Member reported on previous funding from Cadwyn Clwyd and the Rural Development Plan (RDP) and asked how much longer that funding would be made available for Town Centre Regeneration. She also asked what the situation was concerning the Aggregates Levy Fund for Wales and confirmed she was speaking to WG for an update on what was replacing this funding as now that quarries and building was commencing again she would like to see communities receive some of this funding.

The Enterprise and Regeneration Manager confirmed the Rural Development Plan for Wales funding was 50% European and 50% WG money and these programmes would phase out over the next 2 or 3 years together with the other European programmes. The situation was very unclear about the future for these rural programmes and also no detail was available at present on what the replacement for the Common Agriculture Policy or the work covered by Cadwyn Clwyd.

The Chief Officer referred to the Aggregates Levy Fund and explained that this was introduced as a tax on primary aggregate extraction about 15 years ago with a proportion used to enable local communities to apply for funding for local projects such as community buildings or play areas. He confirmed it ceased in England about 7 or 8 years ago but continued in Wales until 2 years ago when WG removed their support for this. He commented that the bigger infrastructure projects such as Parc Adfer provided community development funds and felt as a council Flintshire was good at accessing opportunities whether via Parc Adfer or other streams with Tom Woodall and his team directing communities to funding streams. The Cabinet Member asked if the committee could write to WG to lobby support for the reintroduction of the Aggregates Levy Fund as a recommendation from the committee.

The Cabinet Member for Economic Development agreed with previous comments made saying the economy was in a state of flux. He was pleased that Airbus were not making compulsory redundancies and that information was still awaited regarding Vauxhall. He referred to job losses which had been lower than envisaged so far but the furlough scheme was potentially masking the full impact. He referred to the vulnerability of the food manufacturing industry, in particular. The Cabinet Member then referred to the benefits which could be achieved from the North Wales Growth Deal and the Mersey Dee Alliance cross-border initiative and that the hospitality and tourism sectors could be boosted by the staycation economy. As regards Cadwyn Clwyd, there were concerns amongst the WLGA about rural packages which had been generous from the EU in the past and it was unclear what funding would be coming forward from Westminster to replace these.

The recommendations were moved and seconded by Councillors Patrick Heesom seconded Joe Johnson

RESOLVED:

- (a) Members noted the potential economic outlook projections and review the recovery structures established to steer future actions.
- (b) Members noted the current and proposed work programmes established to support economic recovery in Flintshire.
- (c) That a letter be sent on behalf of the Committee to Welsh Government to ask for the reinstatement of the Aggregates Levy Fund

50. **RECOVERY STRATEGY (STREETSCENE AND TRANSPORTATION PORTFOLIO)**

The report was presented by the Chief Officer (Streetscene and Transportation) and provided a regular update on the portfolio's recovery strategy and recovery priorities following the pandemic. He highlighted three of the nine priorities and provided information on the Working hours of the Workforce, Waste Treatment facilities and Highway Network.

The recommendation was moved and seconded by Councillors Chris Dolphin and Joe Johnson.

RESOLVED:

That the Committee considered and supported the progress made to support Recovery Strategy by the Streetscene and Transportation portfolio.

51. **RECOVERY STRATEGY AND RISK REGISTER (PLANNING, ENVIRONMENT & ECONOMY PORTFOLIO)**

The report was presented by the Chief Officer (Planning Environment & Economy) and provided a regular update on the portfolio's recovery strategy and recovery priorities following the pandemic. The main objectives within the report were highlighted which included car parks at destination sites such as Wepre Park and Talacre and the implications with regard to non-essential businesses and licensed premises and hospitality reopening. The Chief Officer referred to the Ash Dieback survey and reported on the tree removal on the A541 Mold - Denbigh Road with the road being closed for a day using equipment which removes trees in one go and minimises disruption to the local communities and that a report would be returning to committee on this. The Chief Officer then highlighted and provided information on the risks to committee.

Councillor Heesom referred to item 1.01 in the report and asked what handover arrangements meant. Councillor Heesom then referred to the Planning Strategy Group which he felt was a very important toolkit, elected member based and suggested in the current climate it would be helpful to revise that structure. He then referred to the Local Development Plan and asked for an update on where we were with this and could it now go ahead. Councillor Heesom reported on the long standing difficulties contacting planning staff with news on improvements very welcome.

In response, the Chief Officer referred to page 69 and that the Local Development Plan hearing which was due to commence in February but had had two delays but was now scheduled to start on 13th April. The delays were solely due

to the Inspectorate's non availability. The Chief Officer then referred to the terms of reference of the Planning Strategy Group which were revised following the last local government elections. The two functions of this group were firstly, to lead the production of the Local Development Plan and secondly to deal with any issues in relation of the statutory planning process. The Terms of Reference had not changed over the last four years. What had changed was that the focus was primarily on dealing with the Local Development Plan and he felt it had spent its time appropriately since the terms of reference were revised. With regard to communications with the Planning portfolio, he reported on an email which was being sent to all Members this week which he hoped would alleviate members concerns. The Chief Officer then referred to the handover arrangements for recovery and stated that 12 months ago when the Covid lockdown happened the Council was in a response phase with critical areas prioritised with those officers essential to service delivery. He reported on officers within Community and Business protection who were moved to supporting the Covid response, but clarified that none of the other work ceased rather it was a case of changing the way the work was undertaken in response to Covid 19. The Chief Officer then referred to the point regarding difficulties in recruiting staff which was in relation to Environment Health Officers and that there had been no difficulties in recruiting any other members of staff.

The recommendations was moved and seconded by Councillors by Joe Johnson seconded Owen Thomas with Councillor Heesom abstaining.

RESOLVED:

- (a) That the Committee gave oversight to the progress made with respect to recovery planning for the Planning, Environment and Economy portfolio.
- (b) That the Committee noted the content of the updated portfolio risk register and mitigation action.

52. MEMBERS OF THE PRESS IN ATTENDANCE

There was one member of the press in attendance.

(The meeting started at 10.00 am and ended at 12.31 pm)

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Chair

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ENVIRONMENT & ECONOMY OVERVIEW & SCRUTINY COMMITTEE

| | |
|------------------------|-------------------------------------------------------|
| Date of Meeting | Tuesday 8 th June 2021 |
| Report Subject | Forward Work Programme and Action Tracking |
| Report Author | Environment & Economy Overview & Scrutiny Facilitator |
| Type of Report | 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 & Economy Overview & Scrutiny Committee.

The report also shows actions arising from previous meetings of the Environment & Economy Overview & Scrutiny Committee and the progress made in completing them. Any outstanding actions will be continued to be reported to the Committee as shown in Appendix 2.

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. |
| 3 | That the Committee notes the progress made in completing the outstanding actions. |

REPORT DETAILS

| 1.00 | EXPLAINING THE FORWARD WORK PROGRAMME AND ACTION TRACKING |
|-------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 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">1. Will the review contribute to the Council's priorities and/or objectives?2. Is it an area of major change or risk?3. Are there issues of concern in performance?4. Is there new Government guidance of legislation?5. Is it prompted by the work carried out by Regulators/Internal Audit?6. Is the issue of public or Member concern? |
| 1.03 | In previous meetings, requests for information, reports or actions have been made. These have been summarised as action points. Following a meeting of the Corporate Resources Overview & Scrutiny Committee in July 2018, it was recognised that there was a need to formalise such reporting back to Overview & Scrutiny Committees, as 'Matters Arising' was not an item which can feature on an agenda. |
| 1.04 | It was suggested that the 'Action tracking' approach be trialled for the Corporate Resources Overview & Scrutiny Committee. Following a successful trial, it was agreed to extend the approach to all Overview & Scrutiny Committees. |
| 1.05 | The Action Tracking details including an update on progress is attached at Appendix 2. |

| 2.00 | RESOURCE IMPLICATIONS |
|-------------|----------------------------------|
| 2.01 | None as a result of this report. |

| 3.00 | CONSULTATIONS REQUIRED / CARRIED OUT |
|-------------|-----------------------------------------------------------------------------------------|
| 3.01 | In some cases, action owners have been contacted to provide an update on their actions. |

| | |
|-------------|----------------------------------|
| 4.00 | RISK MANAGEMENT |
| 4.01 | None as a result of this report. |

| | |
|-------------|--------------------------------------------------------------------------------------------------------------|
| 5.00 | APPENDICES |
| 5.01 | Appendix 1 – Draft Forward Work Programme Appendix 2 – Action Tracking for the Environment & Economy OSC. |

| | |
|-------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 6.00 | LIST OF ACCESSIBLE BACKGROUND DOCUMENTS |
| 6.01 | Minutes of previous meetings of the Committee as identified in Appendix 2. Contact Officer: Margaret Parry-Jones Overview & Scrutiny Facilitator Telephone: 01352 702427 E-mail: Margaret.parry-jones@flintshire.gov.uk |

| | |
|-------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 7.00 | GLOSSARY OF TERMS |
| 7.01 | Improvement Plan: 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 & Economy Overview & Scrutiny Forward Work Programme 2020/21

| Date of Meeting | Subject | Purpose of Report/Presentation | Scrutiny Focus | Responsible/Contact Officer | Submission Deadline |
|--------------------|---------------------------|--------------------------------------------------------------------------------|-------------------|------------------------------------------------|---------------------|
| 6 July 10.00 am | Hydrogen Fuel Aspirations | To receive a report as requested at Committee on 9 th February 2021 | Awareness raising | Chief Officer – Streetscene and Transportation | |
| | Planning & Enforcement | To receive a report as requested at Committee on 12 May, 2021 | Assurance | Chief Officer Planning, Environment & Economy | |
| | Town Centre Markets | To receive a report as requested at Committee on 12 May, 2021 | Assurance | Chief Officer Planning, Environment & Economy | |

Page 23

Items to be added:

Integrated Transport Plan & Climate Change updates as appropriate

Review of Winter Maintenance Policy – September 2021

Planning Enforcement - progress report to be provided to the Committee in November 2021

Site Visit to Parc Adfer (deferred due to COVID-19) – virtual meeting to be held in 2021

Empty Homes report Oct 2021

Integrated Network Maps report prior to submission to Cabinet (Oct/Nov)

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ACTION TRACKING FOR THE ENVIRONMENT OVERVIEW & SCRUTINY COMMITTEE

| Meeting Date | Agenda Item | Action Required | Action Officer(s) | Action taken | Timescale |
|--------------|------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------|----------------------------------------------------------------------------------------|-----------|
| 9 March 21 | Economic Recovery | Write on behalf of the Committee to Welsh Government to ask for the reinstatement of the Aggregates Levy Fund. | Facilitator | Letter received from Welsh Government Minister circulated to Members of the Committee. | |
| 11 May 21 | Forward Work Programme | Town Centre Markets to be added to FWP. Planning & Enforcement to be added to FWP Self Build Building Plots – added to Community, Housing & Assets FWP | Facilitator Facilitator Facilitator | Completed Completed Completed | |
| 11 May 21 | | Letter to be sent on behalf of the Committee to Cllr Carolyn Thomas, MS congratulating her on becoming a Regional Member of the Senedd. | Facilitator | Completed | |

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ENVIRONMENT AND ECONOMY OVERVIEW AND SCRUTINY COMMITTEE

| | |
|------------------------|------------------------------------------------|
| Date of Meeting | Tuesday 8 June 2021 |
| Report Subject | Littering and Fly Tipping |
| Cabinet Member | Cabinet Member for Streetscene |
| Report Author | Chief Officer (Streetscene And Transportation) |
| Type of Report | Operational |

EXECUTIVE SUMMARY

The Environment and Economy Overview and Scrutiny Committee requested a report on the impact of littering and fly tipping events during the COVID-19 pandemic to allow the Committee to consider the matter fully.

This report details the Council approved approach to littering and fly tipping operations, data gathered on the number of reported incidents and the amount of waste collected, as well as information about the enforcement response to those found committing an offence. Information is also provided for previous years for comparison purposes.

The report further details what we are currently doing as a Council to address environmental crime offences and improve the Local Environmental Quality (LEQ).

RECOMMENDATIONS

- | | |
|----|--------------------------------------------------------------------------------------|
| 1. | To note the actions of Streetscene in dealing with littering and fly tipping events. |
|----|--------------------------------------------------------------------------------------|

REPORT DETAILS

| 1.00 | BACKGROUND TO LITTERING AND FLY TIPPING DURING COVID-19 | | | | | | | | | | | | | | | | | | | | | | | | |
|------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|-------------|--|------|-----------------------|-----------------|----------|-------------|---------|---------|---------|--------|---------|--------|-------|-------------------|---------|-------|-----|------|-------------------|----|----|-----|
| 1.01 | <p>In 2012, following the introduction of the Streetscene service, a range of performance standards were introduced, which were subsequently approved by Cabinet (Appendix 1). The standards provided a minimum service standard, which the operational services within the Streetscene and Transportation Portfolio work towards and they offer key reporting and monitoring functions covering many aspects of the service, including street cleansing and fly tipping. Since 2012, the standards have been reviewed on two occasions to ensure that they reflect the changing demands of the service.</p> <p>The standards are continually monitored and form a key element of the reporting measure in respect the Personal and Community Well-being Priority of the Council Plan (2021/22).</p> <p>During the pandemic, the Portfolio has maintained the delivery of both the street cleansing service and the response to fly tipping incidents.</p> | | | | | | | | | | | | | | | | | | | | | | | | |
| 1.02 | <p>The table below details the number of reported incidents of littering, dog fouling and fly tipping made to the Streetscene and Transportation Portfolio for the last three years. This data demonstrates that in 2020/21 there was an increase in reported incidents in comparison to the previous year; however, for littering and dog fouling, the number of reports is consistent with 2018/19</p> <table border="1" data-bbox="320 1122 1174 1350"> <thead> <tr> <th colspan="4">Number of Reported Incidents</th> </tr> <tr> <th>Year</th> <th>Litter</th> <th>Dog Foul</th> <th>Fly Tipping</th> </tr> </thead> <tbody> <tr> <td>2018-19</td> <td>594</td> <td>495</td> <td>1006</td> </tr> <tr> <td>2019-20</td> <td>137</td> <td>258</td> <td>949</td> </tr> <tr> <td>2020-21</td> <td>424</td> <td>504</td> <td>1519</td> </tr> <tr> <td>2021-22 (to date)</td> <td>85</td> <td>30</td> <td>156</td> </tr> </tbody> </table> | Number of Reported Incidents | | | | Year | Litter | Dog Foul | Fly Tipping | 2018-19 | 594 | 495 | 1006 | 2019-20 | 137 | 258 | 949 | 2020-21 | 424 | 504 | 1519 | 2021-22 (to date) | 85 | 30 | 156 |
| Number of Reported Incidents | | | | | | | | | | | | | | | | | | | | | | | | | |
| Year | Litter | Dog Foul | Fly Tipping | | | | | | | | | | | | | | | | | | | | | | |
| 2018-19 | 594 | 495 | 1006 | | | | | | | | | | | | | | | | | | | | | | |
| 2019-20 | 137 | 258 | 949 | | | | | | | | | | | | | | | | | | | | | | |
| 2020-21 | 424 | 504 | 1519 | | | | | | | | | | | | | | | | | | | | | | |
| 2021-22 (to date) | 85 | 30 | 156 | | | | | | | | | | | | | | | | | | | | | | |
| 1.03 | <p>In comparison with reported incidents, the following table details the tonnages of waste collected by the Streetscene cleansing team from routine street cleansing and following reports of fly tipping incidents. This data shows a decrease in the waste collected in 2020/21 in comparison to previous years.</p> <table border="1" data-bbox="320 1570 1174 1798"> <thead> <tr> <th colspan="3">Number of Reported Incidents</th> </tr> <tr> <th>Year</th> <th>Litter & Dog Foul (T)</th> <th>Fly Tipping (T)</th> </tr> </thead> <tbody> <tr> <td>2018-19</td> <td>1294.48</td> <td>26.60</td> </tr> <tr> <td>2019-20</td> <td>1138.68</td> <td>136.70</td> </tr> <tr> <td>2020-21</td> <td>809.10</td> <td>72.14</td> </tr> <tr> <td>2021-22 (to date)</td> <td>83.52</td> <td>17.36</td> </tr> </tbody> </table> <p>One reason for the increase in reported incidents could be down to the increase in public footfall outdoors, as many people took up exercise in the outdoors during the lockdown periods, meaning that more people observed waste and litter deposited in the local environment. Additionally, the issue of litter and fly tipping has received increased media attention over recent times, which in turn may have increased public awareness of the matter.</p> | Number of Reported Incidents | | | Year | Litter & Dog Foul (T) | Fly Tipping (T) | 2018-19 | 1294.48 | 26.60 | 2019-20 | 1138.68 | 136.70 | 2020-21 | 809.10 | 72.14 | 2021-22 (to date) | 83.52 | 17.36 | | | | | | |
| Number of Reported Incidents | | | | | | | | | | | | | | | | | | | | | | | | | |
| Year | Litter & Dog Foul (T) | Fly Tipping (T) | | | | | | | | | | | | | | | | | | | | | | | |
| 2018-19 | 1294.48 | 26.60 | | | | | | | | | | | | | | | | | | | | | | | |
| 2019-20 | 1138.68 | 136.70 | | | | | | | | | | | | | | | | | | | | | | | |
| 2020-21 | 809.10 | 72.14 | | | | | | | | | | | | | | | | | | | | | | | |
| 2021-22 (to date) | 83.52 | 17.36 | | | | | | | | | | | | | | | | | | | | | | | |

| | <p>The decrease in collected waste would be consistent with the fact that there were restrictions on essential travel to town centres and tourist destinations, which will have reduced the likelihood for people to deposit litter.</p> <p>It is worth noting that a number of reported incidents will be for waste deposited on private land, for which the Local Authority does not have the responsibility to remove.</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|----------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------|------|-------------|--------------|--|--|------|--------|----------|------|-------------|--------------|---------|-----|---|---|--|--|---------|----|---|----|----|--|---------|---|---|---|---|---|---------|---|---|---|---|---|
| 1.04 | <p>Enforcement plays a vital role in maintaining a clean and safe environment by initially providing information and advice to individuals regarding their rights and citizenship duties and, where individuals and/or businesses fail to recognise and change negative behaviours, enforcement ensures that they are made accountable for their actions, through various legislative processes.</p> <p>The Council's Environmental Enforcement Policy (Appendix 2) sets out how we will use legislation, in our current enforcement work, to ensure an effective, clear and consistent approach is taken to all environmental crime across Flintshire.</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1.05 | <p>All enforcement activities responsible to Streetscene are carried out by the Civil Parking and Environmental Enforcement team based in Alltami depot. The team comprises eight officers and a working supervisor. The team is multifunctional, covering enforcement of on-street/off-street parking contraventions, environmental crime (littering; dog fouling; fly tipping; side waste; household duty of care) and public education campaigns on such matters.</p> <p>The team's primary focus is on engagement and education of the public, ensuring that when out on patrol the residents of Flintshire are understanding of the law and their own personal responsibilities. Where residents then chose to disregard this advice/information, then enforcement means are necessary.</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1.06 | <p>The table below details the number of Fixed Penalty Notices (FPNs) that have been issued over the past three years. It is important to note that a high number of FPN's is not the only measure by which the success of enforcement should be measured and overall cleanliness and public awareness of the enforcement process should also be considered.</p> <table border="1"> <thead> <tr> <th colspan="6">Number of Fixed Penalty Notices Issued</th> </tr> <tr> <th>Year</th> <th>Litter</th> <th>Dog Foul</th> <th>PSPO</th> <th>Fly Tipping</th> <th>Duty of Care</th> </tr> </thead> <tbody> <tr> <td>2018-19</td> <td>594</td> <td>7</td> <td>3</td> <td></td> <td></td> </tr> <tr> <td>2019-20</td> <td>62</td> <td>1</td> <td>42</td> <td>19</td> <td></td> </tr> <tr> <td>2020-21</td> <td>8</td> <td>1</td> <td>0</td> <td>5</td> <td>0</td> </tr> <tr> <td>2021-22</td> <td>3</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> </tr> </tbody> </table> <p>Throughout the pandemic, the process of investigating and interviewing suspected fly tipping offences was significantly impacted due to lockdown, social distancing measures and the closure of public buildings to conduct investigatory interviews. There are a number of investigations still ongoing, which may result in an FPN being issued or prosecution.</p> | Number of Fixed Penalty Notices Issued | | | | | | Year | Litter | Dog Foul | PSPO | Fly Tipping | Duty of Care | 2018-19 | 594 | 7 | 3 | | | 2019-20 | 62 | 1 | 42 | 19 | | 2020-21 | 8 | 1 | 0 | 5 | 0 | 2021-22 | 3 | 0 | 0 | 0 | 0 |
| Number of Fixed Penalty Notices Issued | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Year | Litter | Dog Foul | PSPO | Fly Tipping | Duty of Care | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 2018-19 | 594 | 7 | 3 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 2019-20 | 62 | 1 | 42 | 19 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 2020-21 | 8 | 1 | 0 | 5 | 0 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 2021-22 | 3 | 0 | 0 | 0 | 0 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

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| 1.07 | <p>There are a number of measures which we are currently undertaking to address environmental crime offences and improve the Local Environmental Quality (LEQ), these include, but are not limited to:</p> <ul style="list-style-type: none"> • Engage and educate the public • Develop a Local Environmental Quality (LEQ) Action Plan with Keep Wales Tidy • Promote the Caru Cymru initiative to improve the LEQ and drive behavioural change • Use Welsh Government funding provided for LEQ projects • Support national behavioural change campaigns • Promoting the use of reusable containers • Support community litter picking and the collection of information • Support and engage with community led groups • Phase out single use plastics within the Council • Use enforcement powers where necessary |
|------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

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| 2.00 | RESOURCE IMPLICATIONS |
| 2.01 | The resources required to deliver the current service standards are based on existing staffing levels and budgets within the service. |

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|-------------|----------------------------------------------------|
| 3.00 | CONSULTATIONS REQUIRED / CARRIED OUT |
| 3.01 | Cabinet Member for Streetscene and Transportation. |

| | |
|-------------|-------------------------------------------------------------------------------------|
| 4.00 | RISK MANAGEMENT |
| 4.01 | Failure to achieve the standards may result in reputational issues for the Council. |

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|-------------|-------------------------------------------------------------------------------------|
| 5.00 | APPENDICES |
| 5.01 | Appendix 1 – Streetscene Standards Appendix 2 – Environmental Enforcement Policy |

| | |
|-------------|------------------------------------------------------------------------------------------------------------------------------------------|
| 6.00 | LIST OF ACCESSIBLE BACKGROUND DOCUMENTS |
| 6.01 | <p>Contact Officer: Ruth Cartwright Telephone: 01352 704796 E-mail: ruth.cartwright@flintshire.gov.uk</p> |

| | |
|-------------|----------------------------|
| 7.00 | GLOSSARY OF TERMS |
| 7.01 | FPN – Fixed Penalty Notice |

Appendix 1

REVISED STREETSCENE AND TRANSPORTATION STANDARDS 2019

Shaded Grey indicates measure no longer appropriate, Shaded Blue are new measures

| Measure Type | | Description | Target |
|--------------|-----------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|
| 1 | Abandoned Cars | Time taken to inspect and respond to abandoned vehicles from the highway | 2 working days |
| 2 | Household Recycling Centres and Bring Sites | Length of time taken to respond to requests about Recycling Parks (neighbourhood or household recycling centres) or let the customer know what has happened | 24 hours |
| 3 | Waste Missed Bins (Excluding Recycling Collections) | Time taken to collect bin missed due to the fault of the Service - weather permitting | 1 working day |
| 4 | Waste Bulky Items | Time taken to collect bulky items (following customer request) | 6 working days |
| 5 | Waste Assisted Collection | Time taken to process applications for assisted bin collections (from receipt of application). | 10 working days |
| | Waste Requests for new receptacles | Time taken to deliver new bins, recycling sacks/boxes, caddies etc. | |
| 6 | | Black/Blue Bin | 6 working days |
| 7 | | Food waste bins / caddies | 6 working days |
| 8 | | Brown Bin | 6 working days |
| 9 | | Recycling Bag | 6 working days |
| 10 | Missed Collections | Number of bins missed per 100,000 collections | 80 |
| 11 | Children's Play areas | Time taken to respond (i.e. complete job or contact customer) to service requests about enclosed play areas or fixed play provision | same working day |
| 12 | Dead Animals | Time taken to remove reported dead animals from highway or other Council land (excluding trunk roads) | 24 hours |
| 13 | Dog Fouling Children's play areas | Time taken to remove dog fouling at enclosed play areas, or areas of fixed play provision. | 6 working hours |
| 14 | Dog bins | Frequency of inspection/emptying of dog bins | Minimum 2 working days |
| 15 | Litter Bins | Respond to requests for new litter bins | 10 working days |
| 16 | Fly posting / Graffiti | Time taken to remove graffiti from council owned property (including Housing) | 2 working days |
| 17 | Offensive /Hate Graffiti | Time taken to remove hate graffiti from time of reporting - 24/7 service | 6 hours |
| 18 | Fly tipping | Time taken to remove fly tipping from council owned land (including Housing land) | 24 hours |
| 19 | Grass Cutting & Hedges | Compliance with standards for grass cutting | 100% As Policy |
| 20 | Gully Emptying | Frequency of gully cleaning | Minimum one per annum |
| 21 | Gully Emptying | Frequency of gully and soakaway cleaning in known flooding areas | Site dependant - Minimum 2 per annum |
| 22 | Public Conveniences | Time taken to attend and clean a reported dirty/damaged toilet in Council operated facility | 24 hours |
| 23 | Reactive Highway | Time taken to inspect non- emergency highways requests | 1 working day |

| | | | |
|----|------------------------------------------|-------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|
| 24 | Sharps | Time taken to remove sharp objects/needles from Council land (including Housing and school land) | 2 hours |
| 25 | Street Cleansing | Footways - Frequency of sweeping Town and shopping areas | Daily or as local cleansing strategy |
| 26 | Street Cleansing | Footways - Frequency of sweeping All other locations | 1 per annum |
| 27 | Street Cleansing | Mechanical Sweeping A Roads and Urban B class Roads | 4 per annum |
| 28 | Street Cleansing | Mechanical Sweeping other B class Roads | 1 per annum |
| 29 | Street Cleansing | Mechanical Sweeping All other Roads | 1 per annum |
| 30 | Street Cleansing | Mechanical Sweeping of Council maintained Car Parks | 1 per annum |
| 31 | Street Cleansing | Inspect and empty liter bins (as required) | Minimum: Rural = 2 working days / Urban = 1 working day |
| 32 | Street Furniture | Response time to make safe a reported dangerous item of street furniture | 2 hours |
| 33 | Street Furniture | Inspection reponse time to customers regarding repairs to Street Furniture | 6 working days |
| 34 | Street lighting | Time taken to repair street lighting (non mains supply fault) - where it is the Council's responsibility | 5 working days |
| 35 | Street Name Signs | Time taken to replace a missing street name plate (if replacement is required within policy) | 8 weeks |
| 36 | Beach Cleansing | Frequency of beach cleansing (Talacre) | Summer = daily inspection & visit / Winter = inspection & visit 3 times per week |
| 37 | Contact Centre | Percentage of calls Answered in under 15 Seconds | 75% |
| 38 | Contact Centre | Percentage of Calls dealt with at first point of contact | 80% |
| 39 | Contact Centre | Percentage of 'lost' calls | 5% |
| 40 | Bus Shelters | Time taken to respond following a requests/complaints about bus shelters | 5 working days |
| 41 | Bus Shelters | Compliance with standards for cleaning bus shelters - 3 times/year urban 2 times/year rural | 100% |
| 42 | Environmental Visual Audits (EVA) | EVA's protocol in place in Council Wards | 100% |
| 43 | Environmental Visual Audits (EVA) | Ward Priority Agreed | 70% |
| 44 | Member Satisfaction | Percentage of Members rating performance of Streetcene Coordinators Service in ward as acceptable or better | 90% |
| 45 | Cleanliness | Maintaining the Cleanliness index above the average figure for Wales | 100% |

| | | | |
|----|------------------------------------------|-------------------------------------------------------------------------|--------------------|
| 43 | P&D Machines | Respond to non working Pay & Display machines | 1 working day |
| 44 | Parking Contraventions | Respond to parking complaint | Corporate standard |
| 45 | Environmental Crime - Dog control | Respond by undertaking site inspection to dog control complaint | 2 working days |
| 46 | Environmental Crime - Side waste | Monitor side waste presentation | Daily by crews |
| 47 | Noise Nuisance - Domestic PP | Time taken to despatch an acknowledgement letter and noise logging form | 5 working days |
| 48 | Smoke Nuisance - Domestic PP | Time taken to visit a report of domestic smoke nuisance | 5 working days |
| 49 | Pest Control PP | Time taken to attend Nuisance Pests, e.g. Wasps | 3 working days |
| | Pest Control PP | Time taken to attend Public Health pests. e.g. rats | same working day |
| 50 | | | |

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Managing the Local Environment

Flintshire County Council's Environmental Enforcement Policy

CONTENTS

1. Background
2. Aims and Objective of the Policy
3. Scope of Policy
4. Main Focus Areas
 - 4.1 Litter
 - 4.2 Residential Waste
 - 4.3 Commercial Waste
 - 4.4 Fly Tipping
 - 4.5 Graffiti
 - 4.6 Advertisements
 - 4.7 Dog Orders
 - 4.8 Sites Detrimental to the Amenity of an Area
 - 4.9 Public Health and Statutory Nuisance
 - 4.10 Drinking Alcohol in Public Places
 - 4.11 Abandoned Vehicles
 - 4.12 Abandoned Supermarket Trolleys
 - 4.13 Obstruction of the Public Highway
 - 4.14 Obstructions to the Highway or Rights of Way Network
 - 4.15 Car Parking
5. Application of the Enforcement Policy
6. Environmental Enforcement Protocols

1. Background

- 1.1 Flintshire County Council and its Statutory Partners have a responsibility to keep our streets clean and tidy, collect residents' refuse and recycled waste material, maintain and improve the quality of our public spaces and take action against those who act in a way that may affect these.
- 1.2 The local environment influences our quality of life and also impacts on our experience whether living, visiting or working within the County.
- 1.3 Whilst Flintshire County Council has a responsibility for maintaining a clean environment for all, our community also has an integral role and this policy recognises the need for partnership working in order to achieve a safer, cleaner and greener County.
- 1.4 Enforcement plays a vital role in maintaining a clean and safe environment by providing information and advice to individuals regarding their rights and citizenship duties. Where individuals and/or businesses fail to recognise and change their negative behaviour, enforcement ensures that they are made accountable for their actions through legislative processes.
- 1.5 The Clean Neighbourhoods and Environment Act 2005 saw the introduction of new powers for local authorities to help tackle environmental crime. The Act introduced effective powers and tools to tackle poor environmental quality and antisocial behaviour such as litter, graffiti, waste collections and dog control orders. This policy sets out how we use the powers in our current enforcement work to ensure an effective, clear and consistent approach to tackling environmental crime across Flintshire.

2. Aims and Objective of the Policy

- 2.1 Our aim is to improve the local environmental quality by reducing environmental crime across the County
- 2.2 To meet this aim, the policy will seek to achieve the following objectives:
 - To raise awareness of good waste management, litter control, dog control, highway obstructions and other local environmental quality issues to everyone across the County
 - To educate and work in partnership with residents, businesses and visitors around their role and responsibilities in terms of good waste management, litter control, dog control, highway obstructions and other local environmental quality issues

- To undertake any enforcement action as necessary, in a reasonable, equitable and proportionate manner.
- To take all enforcement decisions in a proportionate manner and strive for high standards of consistency.
- To take all enforcement action without education and advice only when the severity of the situation dictates.

2.3 These objectives reflect Flintshire County Council enforcement principles, based upon national standards which state that good enforcement practice should have clear standards, be carried out in an open, helpful manner, have a proportionate and consistent approach and deal effectively with any complaints about the service.

This approach will ensure that:

- Enforcement is carried out in a fair and equitable way;
- We assist business and others in meeting their own legal obligations;
- We focus on prevention rather than just cure;
- We take firm action against those that flout the law;
- That all allegations of enforceable offences by delegated officers are properly recorded;
- That the policy underpins other National, Regional and Local strategies such as the Flintshire Green Space Framework Strategy.
- The proper investigation of all offences enforceable within the limits of the statutory requirements of the following statutes that may have been amended from time to time including:-

- (i) Environmental Protection Act 1990
- (ii) Refuse Disposal (Amenity) Act 1978
- (iii) Highways Act 1980
- (iv) The Traffic Management act 2004
- (v) Civil Enforcement if Road Traffic Contraventions Regulations 2013
- (vi) Town and Country Planning Act 1990
- (vii) The Antisocial Behaviour, Crime and Policing Act 2014
- (viii) Clean Neighbourhoods and Environment Act 2005
- (ix) Damage by Pests Act 1949
- (x) Education Act 1996
- (xi) Criminal Justice and Police Act 2001
- (xii) Various other Acts relating to Highways and the Environment

2.4 More information on our principles and approach to enforcement within Flintshire can be found in the Flintshire County Council Public Protection Enforcement Policy.

This can be found online www.flintshire.gov.uk/enforcement

3. Scope of Policy

- 3.1 This policy sets out the standard and guidance that will be applied by Flintshire County Council, acting in their role as regulator and enforcement agency across the range of relevant legal powers and duties.
- 3.2 This policy applies to all waste and local environmental quality issues experienced across Flintshire on both public and private land. These issues affect the environmental, social and economic wellbeing of our County and have a major impact on the quality of life of those who live, work or visit.
- 3.3 All of the issues highlighted in this Policy are of great importance in creating and maintaining a clean and safe Flintshire. We seek, however, to prioritise work on certain issues to approach enforcement work in a structured way, targeting the most prevalent issues affecting Flintshire's environment.

The current priority areas for the Policy driven by the elements described are;

- Domestic refuse bags dumped on streets outside of collection times
- Commercial waste bags left on streets outside of collection times
- Fly tipping and illegal dumping of waste on public and private land
- Littering in town centre areas and other highways
- Graffiti on public infrastructure and in footpath areas
- Irresponsible dog ownership
- Sites detrimental to the amenity of a neighbourhood
- Abandoned Vehicles
- Obstacles / Hazards in the highway and on Rights of Way
- Enforcement within public space addressing issues which reduce our living, working and environmental quality.

4. **Main Focus Areas:**

4.1 **Litter**

1. It is illegal to purposely drop litter. The Environmental Protection Act 1990 (Section 87) states that litter is anything purposely dropped, thrown, left or deposited, in any place open to the air, including litter thrown from the street into a private garden or watercourse. Litter mainly consists of synthetic materials often associated with smoking, eating and drinking, including cigarette butts and chewing gum.
2. Flintshire County Council provides litter bins at selected busy locations along the highway and open spaces across the County. In order to keep Flintshire a clean place, these bins should be used for litter and dog fouling material or the material should be taken home for appropriate disposal.
3. We will aim to reduce the level of littering by undertaking general litter education and awareness raising across the County as well as issuing Fixed Penalty Notices (FPNs) to those people who choose not to follow the advice.
4. Where appropriate, authorised officers will use Fixed Penalty Notices (FPNs) to highlight that littering is regarded as unacceptable behaviour in Flintshire and along with other agencies such as North Wales Police, the Council will take a zero tolerance approach, if the authorised office is sure the litter was dropped deliberately.
5. The distribution of free literature can have a great impact on an area if the printed material is dropped, so creating litter, and by the distribution method leading to possible highway obstructions. Powers in the Clean Neighbourhoods and Environment Act 2005 (CNEA) enable us to introduce a consent system to permit businesses and individuals to distribute free literature in designated areas within the County.
6. Whilst traders cannot have control over their customers, the items they sell will often end up as litter, or their customers enjoyment of their premises will lead to litter such as cigarette butts at licensed pubs. We aim to work in partnership with business to minimise the impact of litter from shops. The introduction of Street Litter Control Notices will allow us to serve a legal notice on an establishment that contributes to an ongoing litter problem in an area. FPN powers may be used if the conditions of the Notice are breached.
7. Individuals using commercial premises and contributing to litter (such as smoking outside and discarding cigarette ends or fast food wrappers on the floor) will also be issued with a FPN.

8. Should individuals be witnessed throwing litter from cars, including cigarette ends, officers will note the registration number of the vehicle and the registered keeper of the vehicle will be issued with a FPN for the offence.
9. A FPN may be used as a means of disposing of the offence by means other than prosecution. It is the offender's opportunity to avoid a conviction if they pay in full a penalty instead. Non-payment or partial payment of a penalty notice is generally not an offence in its own right and should a recipient not pay in full the penalty offered within the timescale specified, prosecution may be necessary for the actual offence.

4.2 Waste

Flintshire is a Waste Collection Authority and has a duty to provide a household waste collection service which it does through the Streetscene and Transportation portfolio.

1. Residential Waste

- a. Black rubbish bins will be emptied on the same day of the week every fortnight, alternating with the brown garden waste bin.
- b. Food waste will be collected on the same day every week along with the recycling (blue box, blue bag and white sack).
- c. The only change to collection dates will be around the Christmas period (other bank holidays do not affect collections).
- d. Residents are asked to make sure that the wheeled bins are presented at the kerbside with the bin lid closed by 7am on their collection day, to ensure collection. If necessary and if it is safe to do so, bins can be placed out for collection the night before.
- e. All wheeled bins, food containers and recycling boxes/bags must be placed:
 1. At the boundary or curtilage of the property with the public highway, without causing obstruction
 - or
 2. At a designated collection point in the vicinity of the property which will be notified to the resident in advance.
- f. Containers may be placed on the driveway or footpath leading to the property however they must be reachable by the collection teams without the need for them to enter on the property to collect the container. No

containers should be presented behind closed gates. The collection point for householders with long private drives will be the point where their drive meets the road/highway.

- g. In order to ensure that Recycling Targets are achieved, excess or side waste should not be left on collection day. The crew will note the location of any side waste that is presented and report the occurrence to Enforcement Officers in order who will issue a first warning letter to the property. If side waste continues to be presented a second notice will be served on the property and if side waste is evidence against the Authority will take enforcement action against the property through the use of a Fixed Penalty Notice.
- i. Bulky household items can be disposed of in several ways.
 - 1. By the specific Bulky collection service (charged)
 - 2. At the Council's Household Recycling Centres
- j. Our roadside collection team will be unable to collect these items as part of the normal domestic waste collection service and residents should refrain from putting these out on collection day.
- k. Information on how these items can be collected, as well as other frequently asked questions in relation to residential waste can be found by contacting;
- l. Where residents require to dispose of an item of waste that is not collected by the Authority they must use approved, registered, contractors under the waste Duty of Care regulations. Residents must be sure that their waste is transferred to a company authorised to take it and who will transport, recycle or dispose of it safely and compliantly. This transfer of waste must be officially recorded on a waste transfer note. Residents will receive a waste transfer note from their authorised waste company and this record must be kept and stored, for 2 years and must be produced if asked by an authorised officer.
- m. Failure to produce a waste transfer note can result in a FPN being issued by an Authorised Enforcement Officer.

Streetscene Contact Centre – 01352 701234 or on the Councils website
www.flintshire.gov.uk/streetscene

4.3 Commercial Waste

1. Businesses are under a duty to ensure that their waste is stored, presented and disposed of in accordance with the waste Duty of Care regulations. This duty states that businesses must take all reasonable steps to store and dispose of their waste in a compliant way.
2. Businesses must be sure that their waste is transferred to a company authorised to take it and who will transport, recycle or dispose of it safely and compliantly. This transfer of waste must be officially recorded on a waste transfer note. Businesses will receive a waste transfer note from their authorised waste company and this record must be kept and stored by the business, for 2 years and must be produced if asked by an authorised officer.
3. If a company transport waste as part of their business or otherwise for profit, they must register with Natural Resources Wales (NRW) as a waste carrier, unless they are carrying their own waste and it is not construction or demolition waste. A charity or voluntary organisation can collect or transport waste on a professional basis but must also register with the NRW as a waste transporter.
4. Failure to produce a waste transfer note or waste carrier's license can result in a FPN and/or prosecution and seizure of the unregistered vehicle by an Authorised Enforcement Officer.

4.4 Fly tipping

1. The mismanagement of waste and waste dumping (fly tipping) degrades the amenity of an area and often attracts further environmental crimes.
2. Through the action of this Policy, we will educate and advise the community on how to properly manage their waste. We will use all relevant legislation at our disposal to prosecute those who fail to act on this education and advice.
3. Through linking the illegal disposal of waste (residential or commercial) back to a resident or company, Flintshire County Council will ensure that those dumping their waste on public or private land are prosecuted and that any clean-up costs are recovered from the offender.
4. The Council proactively use CCTV in known problem areas to identify offenders and this will be used in evidence on detection of illegal tipping.
5. Section 33 of the Environmental Protection Act 1990 provides that:

S33 – (8) a person who commits an offence under this section shall be liable

- (a) on summary conviction to imprisonment for a term not exceeding six months or a fine not exceeding £20,000 or both; and
 - (b) on conviction or indictment, to imprisonment for a term not exceeding two years or a fine or both
6. Should a Flintshire resident be found disposing of their waste illegally (i.e. not at a designated Household Waste Recycling Site), the following actions will be taken;
 - The offence will be investigated, and the offender will receive a FPN if there is evidence linking the property or person to the waste. They will also be informed of the location of Household Waste Recycling Sites where waste can be disposed of safely and legally.
 - An invitation to attend an interview under Caution and subsequent legal proceedings will be considered dependent upon the seriousness of the offence and all related circumstances e.g. persistent offenders
 - If the waste is in anyway harmful, then the information related to the case will be passed to Natural Resources Wales for consideration for prosecution
7. In appropriate cases involving criminal enterprise, an application may be made under the Proceeds of Crime Act for confiscation of assets to recover the financial benefit that the offender has obtained from a criminal conduct. Proceedings are carried out in accordance with the civil standard of proof and applications are made after a conviction has been secured but before the offender has been sentenced.

4.5 Graffiti

1. Graffiti is aesthetically unsightly and is criminal damage. In Flintshire, the problem is most prominent in housing and retail areas, and clearing it from public land creates a large cost for the Council.
2. We will remove any racist or offensive graffiti on public buildings or property within 6 hours of it being reported and all other graffiti on public buildings or property within 48 hours of the report (Streetscene standards). Council officers do not have the authority to enter private land unless permission is granted by the owner.
3. Part 6 of the Anti-Social Behaviour Act 2014 allows a local authority officer to issue a FPN in relation to minor graffiti and require, by notice, statutory

- undertakers, such as railways and port authorities, to remove graffiti, and to prevent the sale of paint sprays to anybody under 16.
4. If any person is found to be damaging any property with any form of graffiti then Flintshire County Council will take the following action;
 - A FPN will be issued by an authorised Enforcement Officer.
 5. Where buildings owned by statutory undertakers are subject to graffiti, the Council will;
 - Serve a notice requiring the graffiti to be removed within 28 days, after which time we will remove the graffiti and reclaim our costs.
 6. In order to regulate the sale of spray paints to under 16's
 - The Council will consider the institution of legal proceedings against anyone selling spray paints to under 16's.
 7. A FPN may be used as a means of disposing of the offence by means other than prosecution. It is the offender's opportunity to avoid a conviction if they pay in full a penalty instead. Non-payment or partial payment of a penalty notice is generally not an offence in its own right and should a recipient not pay in full the penalty offered within the timescale specified, prosecution may be necessary for the actual offence.

4.6 Advertisements

1. General:
 - a. The display of all types of advertisements can cause commercial and living areas within Flintshire to look cluttered, dirty and unkempt.
 - b. All advertisements should be displayed in accordance with the Town and Country Planning (Control of Advertisement) Regulations 1994. These regulations provide the framework for controlling the display of all types of advertisements. Advertisements include: posters and notices; placards and boards; fascia signs and projecting signs; pole signs and canopy signs; models and devices; advance signs and directional signs; estate agent boards; captive balloon advertisements; flag advertisements; price markers and price displays; traffic signs and town and village name signs.
 - c. Section 224 of The Town and Country Planning Act 1990 states that;
 - (1) Regulations under section 220 may make provisions for enabling the Local Planning Authority to require –

- (a) The removal of any advertisement which is displayed in contravention of the regulations, or
 - (b) The discontinuance of the use for the display of advertisements of any site which is being used in contravention of the regulations
 - (2) For that purpose the regulations may apply any of the provisions of Part VII with respect to enforcement notices or the provision of sections 186 subject to such adaptations and modifications as may be specified in the regulations
 - (3) Without prejudice to any provision included in such regulations by virtue of subsections (1) or (2), if any person displays an advertisement in contravention of the regulations he shall be guilty of an offence and liable on conviction to a fine of such amount as may be prescribed, not exceeding level 3 on the standard scale and, in the case of a continuing offence, £100 for each day during which the offence continues after conviction.
- d. The Highways Act 1980 required that all advertisements displayed on the public highway require the consent of the Highway Authority. The display of such advertisements without the appropriate consent is an offence under the Highway Act 1980.
- e. The Anti-social Behaviour Act 2014 allows a local authority officer to issue a fixed penalty notice in relation to fly posting offences.

2. On Highway Land:

- a. Where advertisements are displayed on highway land, without the appropriate consent and/or licence, the following actions will be taken:
 - If an advertisement has a serious detrimental impact on the environment and/or highway safety, the Council will remove it immediately and invoice the person(s) responsible for and/or benefiting from the advertisement for the costs of removal.
 - All other advertisements will be investigated and the person(s) responsible for the display of the said advertisement(s) will be requested to remove them within a specified time period days.
 - If they are not removed within that period, the Council will remove them and the person(s) responsible for and/or benefiting from the advertisement will be sent an invoice for the cost.
 - A fixed penalty notice will be issued and/or legal proceedings instigated where offenders are uncooperative or are persistent offenders

3. On Private Land and/or Buildings:

- a. Where advertisements are displayed on private land or on a building, without the appropriate consent the following action will be taken:
- If an advertisement has a serious detrimental impact on the environment, affects the character of a listed building or is detrimental to highway safety; the Council will request the removal of the advertisement immediately or within a specified time period.
 - All other advertisements will be investigated and the person(s) responsible for the display of the said advertisement(s) will be requested to remove them within a specified time period.
 - If they are not removed within that period, the Council will instigate legal proceedings against the person(s) responsible for and/or benefiting from the display of the advertisement where offenders are uncooperative or are persistent offenders
 - Legal proceedings will be considered on a case by case basis e.g. consideration of particular circumstances and/or persistent offenders

4.7 Dog Orders

1. Allowing your dog to foul in Flintshire and to subsequently fail to clean up afterwards is an offence. Not only is dog fouling aesthetically unpleasant, it also has the potential to transmit diseases particularly to young children. All Dog mess should be bagged and placed in a waste bin.
2. Public Space Protection Orders (PSPO's) are an intervention to prevent individuals or groups committing anti-social behaviour in a public space. They form part of the Anti-Social Behaviour, Crime and Policing Act 2014 and Councils may adopt a PSPO after consultation with the Police, the Police and Crime Commissioner and community representatives.
3. Creating a PSPO provides an opportunity to introduce additional enforcement actions against other designated offences, such as the complete exclusion of dogs from certain land classifications and a requirement to keep dogs on leads at all times in some specified areas.
4. The following enforcement activities are in force in Flintshire in respect of dog control.

| | |
|--------------------|-------------|
| RESTRICTION | PSPO |
|--------------------|-------------|

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| <p>1. Dog Owners, by order, to <u>remove their dogs faeces from all</u> of the land classifications discussed.</p> | <p>A Person in charge of a dog shall be guilty of an offence if in charge of a dog and does not remove dog faeces forthwith from public land.</p> |
| <p>2. Dog Owners <u>must place their dog on a lead</u>, when requested by an authorised officer, in response to a dog under their control being loose and causing a nuisance or annoyance to any other person, bird or animal, <u>on all</u> the land classifications discussed.</p> | <p>A person in charge of a dog shall be guilty of an offence if he/she does not comply with a direction by an authorised officer to put and keep the dog on a lead.</p> |
| <p>4. Dogs to be <u>excluded</u> from entering the boundary of Marked Sports Pitches.</p> | <p>A person shall be guilty of an offence if, at any time, he/she takes a dog onto, or permits the dog to enter or remain on a marked sports pitch.</p> |
| <p>5. Dogs to be <u>excluded</u> from the playing area of formal recreation areas such as bowling greens and tennis courts.</p> | <p>A person shall be guilty of an offence if, at any time, he/she takes a dog onto, or permits the dog to enter or remain at designated sports areas.</p> |
| <p>6. Dogs to be <u>excluded</u> from equipped children's play areas.</p> | <p>A person shall be guilty of an offence if, at any time, he/she takes a dog onto, or permits the dog to enter or remain in an equipped Children's play area.</p> |
| <p>7. Dogs to be <u>excluded</u> from all areas within School Grounds.</p> | <p>A person shall be guilty of an offence if, at any time, he/she takes a dog onto, or permits the dog to enter or remain on school grounds.</p> |
| <p>8. Dogs to be kept on a <u>lead</u> in Cemeteries.</p> | <p>A person in charge of a dog shall be guilty of an offence if, at any time, does not keep the dog on a lead.</p> |

5. Stray Dogs

- a. A Dog roaming unattended in a public place is deemed to be a 'stray' and the Dog Warden will 'seize' and detain it. Members of the public who find a stray dog are required to either return it to its owner, or take it to the local authority of the area where it was found.

- b. Current legislation requires a dog in a public place to be fitted with a collar and a tag bearing the name and address of the owner (Note: a microchip does not meet this statutory requirement). Where a stray dog has a form of identification or the owner of the dog is known, the Dog Warden will serve upon the owner a 'notice of seizure' (ss. 149(3)&(4) EPA). The notice specifies that the dog has been seized, where it is being kept and that it is liable to be disposed of if it is not claimed within seven clear days from the date of the notice. The Council can delegate it's duties to collect, detain and dispose of its stray dogs to its kennel operators.
- c. The owner of a stray dog is "not entitled" to the return of the animal until they have paid all the expenses incurred and a further prescribed sum (s.149 (5) EPA). Should the dog not be claimed, or the owner declines to pay the sums outstanding, the ownership of the dog is legally transferred to the Council after seven clear days. The Council is then entitled to sell or re-home the dog (except for the purposes of vivisection) or to have it humanely destroyed.
- d. The Environmental Protection Act specifies that in each case, a dog seized as a stray is required to be detained and a notice of seizure served upon the owner (where known). In addition, the policy of the Council is that, on the first occasion that a dog is seized, the Dog Warden will make all reasonable efforts to identify the owner and return it to them before taking it to kennels; i.e. not incurring any charges. The Dog Warden carries a scanning device to identify dogs fitted with a microchip. If the address of the owner is identified, the Dog Warden will either visit or telephone; if contact is made, the dog will be returned.
- e. A dog will only be returned to an address if there is someone able to receive the dog – it will not be left at an unoccupied property, for example where the owner is out. A dog seized on a second occasion is automatically taken directly to the kennels, thus incurring fees and charges.
- f. Kennelling fees are charged on a daily rate and the cost is subject to review. Fees are payable immediately when the animal is received; therefore a dog held overnight incurs two days kennelling costs, plus a Statutory fee. Thus any dog kennelled will immediately incur charges (plus any veterinary fees), even if it is only held for a matter of hours and reclaimed the same day.
- g. Stray dogs will only be accepted at the holding kennels during certain pre-agreed times. Working hours for Dog Wardens will include the period 08.30 hours –17.00 hours (Monday to Fridays). Outside this period all reports of stray dogs and lost dogs should be directed to the Carelink out of hours service, who will contact the Dog Warden on call to arrange collection and transport the dog to the kennels, or advise finder of stray dog of acceptance point where the dog can be taken if the finder so wishes or requests that they take the stray dog, the finder will be told that this is not recommended and

should be done at their own risk and free will. The out of hours collection service will operate up to 22.00hrs, after that time advice will be given to the finder of the stray dog. Collection of stray dogs after 22.00hrs will be for emergency calls only.

- h. In circumstances where collection is not possible, finders are advised to either: i) retain the dog until it can be collected (usually next working day), or; ii) return it to the owner if known, iii) take the stray dog to the acceptance point at their own risk and free will. Advice will be given to the finder of the stray dog by the Dog warden on call.
- i. Any reports of stray dogs should be logged with our Streetscene Contact Centre.

4.8 Sites Detrimental to the Amenity of an Area

1. Derelict or unsightly properties can attract acts of anti-social behaviour and can be misused. They can also cause neighbourhoods to look unsightly and detrimentally affect property prices in close proximity.
2. The Town and Country Planning Act 1990 states;
 - S215 – (1) If it appears to the local planning authority that the amenity of a part of their area, or an adjoining area, is adversely affected by the condition of land in their area, they may serve on the owner or occupier of the land a notice under this section.
3. If the condition of a site (land or building) is seriously detrimental to the amenity of a neighbourhood then the following action will be taken;
 - A letter will be sent to the owner or occupier to request that the land is brought back to an acceptable standard within a specific timescale
 - If no action is taken then a notice will be served upon the owner that will give precise steps to be taken and a timescale in which this is to be completed
 - If no action is taken, then the offender will be investigated and legal proceedings will be considered. There is no right to appeal against this form of notice.

4.9 Public Health and Statutory Nuisance

1. Properties that are not kept clean and free of rubbish have the potential to become a nuisance to neighbours for example, by attracting vermin or causing an odour.

2. The Environmental Protection Act 1990 states that;

S80 –(1) Where a local authority is satisfied that a statutory nuisance exists, or is likely to occur or recur, in the area of the authority, the local authority shall serve a notice (“an abatement notice”) imposing all or any of the following requirements –

- (a) requiring the abatement of the nuisance or prohibiting or restricting its occurrence or recurrence;
- (b) requiring the execution of such works, and the taking of such other steps, as may be necessary for any of those purposes,

and the notice shall specify the time or times within which the requirements of the notice are to be complied with.

3. The Prevention of Damage by Pest Act 1949 states that;

4 Power of local authority to require action.

(1) If in the case of any land it appears to the local authority, whether in consequence of a notice given in respect of the land under the last foregoing section or otherwise, that steps should be taken for the destruction of rats or mice on the land or otherwise for keeping the land free from rats and mice, they may serve on the owner or occupier of the land a notice requiring him to take, within such reasonable period as may be specified in the notice, such reasonable steps for the purpose aforesaid as may be so specified and where the owner of any land is not also the occupier thereof separate notices may be served under this section on the owner and on the occupier.

(2) Any such notice may in particular require-

- (a) The application to the land of any form of treatment specified in the notice;
- (b) The carrying out on the land of any structural repairs or other works so specified, and may prescribe the times at which any treatment required by the notice is to be carried out.

4. If a property is thought to be posing a threat public health or a nuisance then the following action will be taken;

1) The owner or occupier will be asked to remove the rubbish or clean the area that is creating the problem. They will also be informed of the legislation surrounding the enforcement of public health standards and nuisance.

- 2) If the owner or occupier takes no action within a reasonable timescale, then an abatement notice will be served upon them requiring them to remove or clean the area that is creating the nuisance within a specified time.
- 3) If the owner or occupier takes no action then the nuisance will be removed by the Council and an invoice will be issued for any costs.
- 4) Consideration will be given to the institution of legal proceedings dependent upon the circumstances of each case.

4.10 Drinking Alcohol in Public Places

1. The whole of Flintshire is covered by a Designated Public Places Order which restricts anti-social drinking in public places.
2. Signs relating to this are located in various areas of the County.
3. It is an offence to drink alcohol after being asked not to do so by a Police Officer whilst in a public place.
4. The Order does not mean that alcohol is banned in public places. A drinker's behaviour will be considered in any action taken by our Enforcement Officers. If you are drinking alcohol sensibly in a public place, you will not be affected.
5. North Wales Police have the power to ask you to stop drinking alcohol in a public place if in their opinion;
 - You are creating disorder or behaving in an anti-social manner when drinking or under the influence of alcohol
 - You are likely to behave in an anti-social or disorderly way when drinking or under the influence of alcohol
6. The action the officer takes will depend on your response to his request. This will vary from your alcohol being seized and disposed of to an arrest and conviction of a public order offence.
7. Flintshire County Council works in partnership with North Wales Police to ensure we reduce the harm of alcohol on those who live, work in, or visit our County.

4.11 Abandoned Vehicles

1. Residents and visitors to Flintshire are encouraged to ensure that vehicles are parked correctly on the highway and have an up to date tax disc to avoid them being mistaken for an abandoned vehicle.

2. The Refuse Disposal (Amenity) Act 1978 states the following on the Removal of Abandoned Vehicles;

[K] where it appears to a local authority that a motor vehicle in their area is abandoned without lawful authority on any land in the open air or on any land forming part of a highway, it shall be the duty of the authority to remove the vehicle.
3. If a vehicle is reported to be abandoned, then the following actions will be taken;
 - DVLA records will be checked in an attempt to find the owner. If this is unsuccessful, then officers are free to enter the vehicle to obtain any documents that may contain details of the owner.
 - A 24 hour notice will be served on the vehicle if it is considered to be dangerous. If the owner takes no action, then it will be removed and disposed of or stored dependent upon the circumstances.
 - All other vehicles will be served with a 7 day notice requesting the owner to remove it by an authorised Enforcement Officer.
 - If no action has been taken by the owner after 7 days, the vehicle will be removed. A vehicle in good condition can be put forward for sale to reclaim any costs.
 - In all circumstances, the previous registered owner (as registered with DVLA) will be issued with an invoice for costs of removal and/or disposal of the vehicle.

4.12 Abandoned Supermarket Trolleys

1. Shopping trolleys, taken from their original site and abandoned in the surrounding communities cause problems in many neighbourhoods in Flintshire. When abandoned, these trolleys have a negative effect on the quality of the local environment and trolleys abandoned in water courses have the further potential to cause blockages which result in a significant flooding risk.
2. In 2006, amendments made by the Clean Neighbourhoods and Environment Act 2005 have added powers to the Environmental Protection Act 1990 to assist local authorities in reclaiming charges associated with the removal, storage and disposal of trolleys.
3. The Council has a set standard charge within the legislation, based on the average cost of dealing with abandoned shopping and luggage trolleys in its area. The charge includes administrative costs, such as those arising from the notification requirements, staff time for collection and delivery as well as the cost for storage.
4. The Council may agree a trolley collection scheme with persons who own shopping or luggage trolleys in its area, and where such an agreement is made,

the Council may not charge costs under the Schedule for any trolleys within the scheme that are recovered by it. This arrangement would be subject to regular review and removed if the service failed to meet an acceptable standard.

5. Should your store provide a trolley for your customers to use and you wish to discuss a trolley collection scheme, please contact the Streetscene Contact Centre.

4.13 Obstruction of the Public Highway

1. It is illegal to wilfully obstruct the highway as well as any items left in the road, on pavements or overhanging pavements posing a health and safety risk for road users and pedestrians. Examples of obstructions which will be subject to Flintshire County Council enforcement policies are as follows:

Skips, Building Materials and Hoardings

2. Anyone wishing to place a skip, building materials or a hoarding on the public highway must first obtain a licence. Flintshire County Council issue licences for these purposes, which are governed by a specific set of conditions depending upon the licence required.
3. Licences can be obtained by contacting the Streetscene Contact Centre (01352 701234) – Charge applies

Vegetation Detrimentally Affecting the Public Highway

4. Where a hedge or tree is, in the opinion of the relevant officer, endangering highway users Flintshire County Council may request the owner, or occupier of the land where the vegetation is growing, to make it safe. This includes vegetation obstructing the carriageway, pavements, signs, street lighting and street furniture as well as vegetation obstructing visibility at junctions or bends over highways authority land.
5. Owner/occupiers of land adjacent to the public highway are required to maintain their vegetation to ensure adequate highway clearance. A minimum clearance of 2.3m over pedestrian rights of ways and 5.0m over the carriageway must be provided.
6. In addition Flintshire County Council may require remedial action where trees are considered seriously defective and could potentially fall onto the public highway.
7. The degree of risk will be carefully assessed before determining what steps, and the timescales involved, are reasonably necessary to remedy vegetation which endangers the safe use of the public highway. In addition when requiring

remedial action Flintshire County Council must have regard to protected species (e.g. Birds, Bats) which might make it more appropriate for remedial work to be undertaken at a specific time of the year. To safeguard protected species Flintshire County Council may also recommend that remedial work is carried out in a certain way whilst also fulfilling its statutory obligations under the Highways Act 1980.

8. Where an owner/occupier does not comply with a request to carry out works and the vegetation remains a danger to highway users Flintshire County Council may serve a formal notice requiring the remedial work to be undertaken within 14 days.
9. Failure to comply with a formal notice may result in the Council carrying out the work specified in the notice and recovering the expenses reasonably incurred from the person served with the notice.

Advertising Boards / Signs

10. Advertising boards are a source of serious obstruction on the public highway as well as being a potential health and safety risk, particularly when these are placed indiscriminately with no pedestrians' concern in mind.
11. The Council will inspect and approve applications for placing A Boards on the public highway. Any non approved items will be removed and stored for a period of 7 days to allow collection by the owner. This is necessary action to maintain a clutter free, safe, local environment.
12. The approval will be provided by Streetscene Supervisors and a small charge will apply for the initial application.

Tables and Chairs

13. Anyone wishing to place tables and chairs on the highway must first obtain a licence. This is to ensure that obstructions to the pavements in our communities are minimised and that we protect the public using them. The licence will state the number of table and chairs permitted the location and during what hours they are allowed to be placed on the highway.
14. The approval will be provided by Streetscene Supervisors and a small charge will apply for the initial application.
15. Any individual or business found obstructing the public highway could be served with a Notice under the Highways Act 1980.

4.14 Obstructions to the Highway or Rights of Way Network

1. Rights of Way

- a. Rights of way provide the ability for those who live or visit our County to enjoy and access our great views and walks.
- b. Obstructions to our rights of way networks prevent those who are entitled to access land, as well as at times put their health and safety at risk.
- c. The preferred method of dealing with an obstruction will be by liaison with the person having control over it. Where their cooperation cannot be obtained, a notice under section 143 of the Highways Act 1980 will be served, which will require the removal of the obstruction within one month.
- d. Failure to comply will result in the Council's removing the obstruction and recovering its costs in so doing from the person having control of the obstruction

2. Mud or other obstruction on the Public Highway

- a. Given Flintshire's rural and industrial locations, there will be instances where agricultural as well as commercial vehicles will cause a nuisance as well as danger to other road users when spills or mud from tyres is left on the highway.
- b. All reports of this nature will be investigated by staff from the Streetscene service. Every site will be assessed to evaluate the immediate risk to road users. Should the incident constitute an immediate risk to the health and safety of the highway immediate action will be taken to remediate the problem and return the highway to its original condition.
- c. The waste carrier or road user found to have caused the problem, will be invoiced for the cost of the additional clean up.
- d. In cases which do not justify immediate intervention the individual or company whose actions have caused the incident will be served notice to make good the highway.
- e. Failure to comply with the timescales within the notice will result in Streetscene undertaking the clean up and recharging for the remediation work.

4.15 Car Parking and Parking Enforcement

1. The Council is currently responsible for managing parking within Council owned car parks in Flintshire. If you are found to be in breach of the parking regulations, you will receive a parking fine (Penalty Charge Notice) on the windscreen of your vehicle.
2. Flintshire is also responsible for managing on and off street car parking across the County.
3. The Police can still issue Fixed Penalty Notices to vehicles causing obstructions on the highway. All other parking, loading and waiting offences will come under the remit of the Council's Enforcement Officers.
4. The parking enforcement arrangement is not about raising revenue. There are a number of reasons why the new regime has been introduced, all of which benefit people living in, working in and visiting the County.
 - Encouraging safe and sensible parking
 - Improve safety for pedestrians and drivers
 - Improve general flow of traffic and journey times through the County
 - Prevent emergency and public service vehicles from finding their routes blocked
 - Improve the general environment
 - Free the police to concentrate on their resources on issues felt by the public to be more directly their responsibility.
5. It is your responsibility to park your vehicle correctly. Details of how to pay your Penalty Charge Notice will be shown on the back of the PCN.
6. The Wales Penalty Processing Partnership is responsible for processing parking fines and you can access their website through the Council's link as well as access details on restrictions and levels of offences:

www.flinthsire.gov.uk/parking

or via telephone 0845 6056556

5 Application of Enforcement Policy

- All age groups will be approached through the work and corrective action within this policy; however Fixed Penalty Notices will only be issued to persons aged above the age of sixteen. Offenders below this age will have details logged, and parents/guardians will be contacted to tackle unacceptable actions within the community.

- Payment of FPNs by instalments will not normally be accepted. Instalments will only be allowed where demonstrable hardship can be proven and prosecution is likely to result in a conditional/absolute discharge.
- Non payment of FPNs / invoices for work in default will result in legal proceedings being instigated by the Authority against the named individual.
- If enforcement action results in interference with the human rights of an individual, then the Council must be satisfied that the interference is necessary and proportionate to what it seeks to achieve. Any covert surveillance requires approval through the Regulation of Investigatory Powers Act (RIPA) 2000.
- The standard approach and application of enforcement will be followed in addition to the above point as explained in the Public Protection Enforcement Policy 2012 which covers residents and businesses in Flintshire.
- It is the Council's approach to take a zero tolerance approach to environmental crime and to apply the maximum penalty appropriate in each case.
- The enforcement of the law will be accompanied by an education and information campaign.

Further information and advice should be sought from our Streetscene Contact Centre or via the Flintshire County Council website

01352 701234 www.flintshire.gov.uk

6 Environment Enforcement Protocols

| Type | Action | Escalation | Service |
|--------------------------------------------------------|------------------------|-------------------------------|------------------------------------------------------------------------------|
| Deliberate Littering Offences | Immediate issue of FPN | Prosecution if penalty unpaid | Streetscene Enforcement Officers as Authorised Officers / North Wales Police |
| Not clearing up after dog Fouling on Public Open Space | Immediate issue of FPN | Prosecution if penalty unpaid | Streetscene Enforcement Officers as Authorised Officers / North Wales Police |
| Other dog controls covered by PSPO | Immediate issue of FPN | Prosecution if penalty unpaid | Streetscene Enforcement Officers as Authorised Officers / North Wales Police |

| Type | Action | Escalation | Service |
|------------------------------------|--------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|
| Stray Dogs | Payment of kennelling, vets fees and standard charge before release of dog | Failure to pay, or claim dog within 7 days will result in the dog transferring into the ownership of the Authority | FCC Dog Warden |
| Fly tipping (Minor incident) | Issue of FPN subject to evidence | Prosecution if penalty unpaid | Streetscene Enforcement Officers as Authorised Officers / North Wales Police |
| Fly tipping (significant incident) | PACE interview and court file prepared | Prosecution where sufficient evidence exists | Streetscene Enforcement Officers as Authorised Officers / North Wales Police Natural Resources Wales |
| Statutory Public Health Nuisances | Compliance reached to resolve problem | Improvement or abatement notice issued Prosecution where sufficient evidence exists | FCC Authorised Officers |
| Drinking alcohol in public places | Confiscation of alcohol based on each individual circumstance | Possible arrested and convicted of a public order offence | North Wales Police |
| Side Waste | Issue first warning letter and Section 46 formal notice for continuing non-compliance. FPN then issued | Possible prosecution where failure to comply | Streetscene Enforcement Officers as Authorised Officers. |
| Residential Waste | Issue of FPN for failure to produce Waste collection contract / Waste transfer Note | Prosecution if penalty unpaid | FCC Authorised Officers |

| Type | Action | Escalation | Service |
|---------------------------|-----------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------|
| Commercial Waste | Issue of FPN for failure to produce Waste collection contract / Waste transfer Note | Prosecution if penalty unpaid | FCC Authorised Officers |
| Commercial Waste | Issue of FPN for failure to produce waste carrier licence and/or prosecution and seizure of vehicle | Prosecution and seizure of vehicle | Natural Resources Wales |
| Graffiti | Criminal Damage | Prosecution | North Wales Police |
| Advertisements | Immediate issue of FPN Removal of posting from Council Buildings | Prosecution if penalty unpaid Removal of posting by Council - Remedial work charged to fly poster. | FCC Authorised Officers - Planning Streetscene |
| Civil Parking Enforcement | Immediate issue of PCN | Proceed to debt recovery if PCN unpaid | Streetscene Civil Parking Enforcement Officers |
| Abandoned Vehicles | Notice placed on vehicle requested movement within 7 days (Public Land) / 14 days (private land) | Removal of vehicle – costs of recovery through scrap value | Streetscene Enforcement Officers as Authorised Officers / North Wales Police |
| Abandoned Trolleys | Collection of trolley and stored for statutory timescale | Trolley owner charged for return | Streetscene Coordinators |

| Type | Action | Escalation | Service |
|------------------------------------------|--------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------|
| Advertising Boards/A Frames and signs | Removed immediately if no licence be in place | Items kept for 7 days before disposal | Streetscene Enforcement Officers as Authorised Officers / North Wales Police |
| Skips, building materials and hoarding | Removal as soon as possible should licence not be in place | | Streetscene Coordinators |
| Tables and Chairs | Removed immediately should no licence be in place | Items kept for 7 days before disposal | Streetscene Coordinators/ Planning enforcement |
| Overgrown hedges* | Issue request to carry out remedial work to resident or land owner | 1.Issue formal warning after 14 days 2.FCC to complete remedial work and recharge if not carried out within 14 days of the end of the formal warning period | Streetscene Coordinators |
| Street lights obstructed by hedges/trees | Issue request to carry out remedial work to resident or land owner | 1.Issue formal warning after 7 days 2. FCC to complete remedial work and recharge if not carried out within 14 days of the end of the formal warning period | Streetscene Coordinators |
| Mud on Road | Immediate verbal warning to person responsible | 1. Written warning sent to perpetrator with timescale for | Streetscene Coordinators |

| Type | Action | Escalation | Service |
|----------------------------------------------------------|-------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| | Risk assessment carried out and immediate remedial action taken if necessary. Cost recharged to perpetrator | remedial action 2. FCC to complete remedial work and recharge if not carried out within appropriate period. (timescale subject to risk assessment) | |
| Dangerous or trees in need of maintenance | Issue request to carry out remedial work to resident or land owner (subject to risk assessment) | 1. Issue formal warning after 7 days 2. FCC to complete remedial work and recharge if not carried out within 14 days of formal warning (or immediate if Risk Assessment requires) | Streetscene Coordinators for Highway trees Tree services for all other locations |
| Obstruction to public right of way (footpath/bridle way) | Issue request to carry out remedial work to resident or land owner | 1. Issue formal warning after 7 days 2. FCC to complete remedial work and recharge if not carried out within 14 days of formal warning (or immediate if Risk Assessment requires) | Rights of Way |

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ENVIRONMENT & ECONOMY OVERVIEW & SCRUTINY COMMITTEE

| | |
|------------------------|--------------------------------------------------------------------------------------------------------------------------------------|
| Date of Meeting | Tuesday, 8 th June, 2021 |
| Report Subject | End of Year Performance Monitoring Report |
| Cabinet Member | Cabinet Member for Streetscene; Cabinet Member for Planning and Public Protection; and Cabinet Member for Economic Development |
| Report Author | Chief Officer (Planning, Environment and Economy); and Chief Officer (Streetscene and Transportation) |
| Type of Report | Strategic |

EXECUTIVE SUMMARY

Flintshire County Council Reporting Measures 2020/21 were identified by portfolios and approved by Cabinet in September 2020. This report presents a summary of performance at the year-end point for the priorities relevant to the Environment & Economy Overview & Scrutiny Committee.

This out-turn report for the 2020/21 Reporting Measures shows that 67% of the performance indicators have met or exceeded their targets.

This report is an exception-based report and concentrates on under-performance against target.

RECOMMENDATIONS

| | |
|----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. | That the Committee consider the End of Year Performance Monitoring Report to monitor areas of under performance and request further information as appropriate. |
|----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|

REPORT DETAILS

| | |
|------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1.00 | EXPLAINING THE PERFORMANCE AT YEAR END 2020/2021 |
| 1.01 | <p>The year-end performance monitoring reports provide explanation of the progress being made toward the agreed measures set out in the Flintshire County Council Reporting Measures 2020/21.</p> <p>These measures were approved by Cabinet after targets for 2020/21 were re-assessed for forecasted performance due to the disruptions caused during the response phase of the pandemic.</p> |
| 1.02 | <p>This report is an exception-based report and concentrates on under-performance against in-year targets.</p> |
| 1.03 | <p>Monitoring our Performance</p> <p>Analysis of performance against the performance indicators is undertaken using the RAG status. This is defined as:</p> <ul style="list-style-type: none"> • RED - under-performance against target. • AMBER - where improvement may have been made but performance has missed the target. • GREEN - positive performance against target. |
| 1.04 | <p>Analysis of current levels of performance against target shows the following:</p> <ul style="list-style-type: none"> • 41 (67%) have achieved a green RAG status • 12 (20%) have an amber RAG status • 8 (13%) have a red RAG status |
| 1.05 | <p>The performance indicators (PIs) which show a red RAG status for current performance against target relevant to the Environment & Economy Overview & Scrutiny Committee are:-</p> <p><u>Streetscene & Transportation</u></p> <p>Developing the number of bus quality partnerships on the core network</p> <p>The ongoing development of the Quality Bus Partnership has been put on hold. Transport For Wales are undertaking a Network review across North Wales with a report due in May 2021.</p> <p>Undertake post completion inspections of utility works</p> <p>Every Highway Authority is required to inspect 10% of all repairs before the end of this guarantee period, but the Council inspect more than required to promote best practice and avoid future costs. If any defects are identified during the inspection the Utility are required to carry out the required remedial works, preventing the Authority from being burdened with the future repair costs. During the pandemic Streetscene Officers have continued to deliver services throughout. The percentage of inspections has reduced during this period, however the number undertaken is still significantly higher than the</p> |

statutory requirement and these inspections have been complemented with an appointed contactor carrying out additional technical inspections. Inspections are allocated on a weekly basis, and therefore in order to provide a meaningful and reflective report, the data provided for quarter four are inspections generated in quarter three.

Planning, Environment and Economy

Total number of individuals supported to access learning and work opportunities

This has been a challenging year for the Communities for Work (CFW) programme, which saw Pathway programmes put on hold limiting the options available to participants to access the relevant training opportunities. Teams have delivered the programme virtually by working from home and have supported mentoring scheme participants to gain E-Learning, Customer services and construction skills qualifications. The teams have also supported participants into employment opportunities within the care, retail and construction sectors.

Average time taken to determine "major" applications in Days

Quarter one and quarter three are significantly higher than the target. Action needs to be taken to ensure the overall length of such application is reduced by effective case management.

Average time taken to determine planning applications

Target not met and double the time taken or more. This reflects the impact of the pandemic throughout 20/21 and the reduced capacity within the service to 30% at times. The majority of applicants agreed to extension of times with understanding of delay of the whole process such as inability to display statutory notices (in accordance with Welsh Government advice) and the back log of cases which developed whilst service transferred to electronic working from home.

| | |
|-------------|--------------------------------------------------------------|
| 2.00 | RESOURCE IMPLICATIONS |
| 2.01 | There are no specific resource implications for this report. |

| | | | | | | | | |
|---------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|-------------|---------------|-------------|--|
| 3.00 | IMPACT ASSESSMENT AND RISK MANAGEMENT | | | | | | | |
| 3.01 | Ways of Working (Sustainable Development) Principles Impact | | | | | | | |
| | <table border="1"> <tr> <td>Long-term</td> <td rowspan="5">Throughout all of the End of Year Monitoring Report there are demonstrable actions and activities which relate to all of the Sustainable Development Principles. Specific case studies will be included in the Annual Performance Report for 2020/21.</td> </tr> <tr> <td>Prevention</td> </tr> <tr> <td>Integration</td> </tr> <tr> <td>Collaboration</td> </tr> <tr> <td>Involvement</td> </tr> </table> | Long-term | Throughout all of the End of Year Monitoring Report there are demonstrable actions and activities which relate to all of the Sustainable Development Principles. Specific case studies will be included in the Annual Performance Report for 2020/21. | Prevention | Integration | Collaboration | Involvement | |
| Long-term | Throughout all of the End of Year Monitoring Report there are demonstrable actions and activities which relate to all of the Sustainable Development Principles. Specific case studies will be included in the Annual Performance Report for 2020/21. | | | | | | | |
| Prevention | | | | | | | | |
| Integration | | | | | | | | |
| Collaboration | | | | | | | | |
| Involvement | | | | | | | | |

| | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Well-being Goals Impact | |
| Prosperous Wales | Throughout the End of Year Monitoring Report there is evidence of alignment with the Well-being Goals. Specific strategic and policy reports include impact and risk assessments. |
| Resilient Wales | |
| Healthier Wales | |
| More equal Wales | |
| Cohesive Wales | |
| Vibrant Wales | |
| Globally responsible Wales | |
| Council's Well-being Objectives | |
| The Council's wellbeing objectives will be included in the Annual Performance Report for 2020/21. We have reviewed and updated our Well-being Objectives in throughout the development of the Council Plan 2021/22. | |

| | |
|-------------|-------------------------------------------------------------------------------------------------------------------------------------|
| 4.00 | CONSULTATIONS REQUIRED / CARRIED OUT |
| 4.01 | The Reporting Measures are monitored by the respective Overview and Scrutiny Committees according to the priority area of interest. |
| 4.02 | Chief Officers have contributed towards reporting of relevant information. |

| | |
|-------------|----------------------------------------------------------------|
| 5.00 | APPENDICES |
| 5.01 | Appendix 1: End of Year Performance Monitoring Report 2020-21. |

| | |
|-------------|-------------------------------------------------------|
| 6.00 | LIST OF ACCESSIBLE BACKGROUND DOCUMENTS |
| 6.01 | Flintshire County Council Reporting Measures 2020/21. |

| | |
|-------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 7.00 | CONTACT OFFICER DETAILS |
| 7.01 | Contact Officer: Margaret Parry-Jones, Overview & Scrutiny Facilitator Telephone: 01352 702427 E-mail: Margaret.parry-jones@flintshire.gov.uk |

| | |
|-------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 8.00 | GLOSSARY OF TERMS |
| 8.01 | Reporting Measures: The document which sets out the performance indicators of the Council. This document provides a set of measures to support recovery and selected portfolio measures. |

An explanation of the report headings

Measures (Key Performance Indicators - KPIs)

Baseline Year – As a new indicator, a target has not been established. This will be monitored and targets established for the following year.

End of Year Target – The target for this end of year as set at the beginning of the year.

Current RAG Rating – This measures performance for the year against the target. It is automatically generated according to the data. Red = a position of under performance against target, Amber = a mid-position where improvement may have been made but performance has missed the target and Green = a position of positive performance against the target.

Trend – Trend arrows give an impression of the direction the performance is heading compared to the previous year:







- A 'downward arrow' always indicates poorer performance regardless of whether a KPI figure means that less is better (e.g. the amount of days to deliver a grant or undertake a review) or if a KPI figure means that more is better (e.g. number of new jobs in Flintshire).
- Similarly an 'upward arrow' always indicates improved performance.

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End of Year Report 2020/21



Key for Report Performance

| Performance | Shown as | Trend | Shown as |
|------------------|-------------------------------------------------------------------------------------|--------------------|-------------------------------------------------------------------------------------|
| Off Track (Red) |  | Downturned (Red) |  |
| Monitor (Amber) |  | Maintained (Amber) |  |
| On Track (Green) |  | Improved (Green) |  |

Page 70

What we mean by Performance RAG

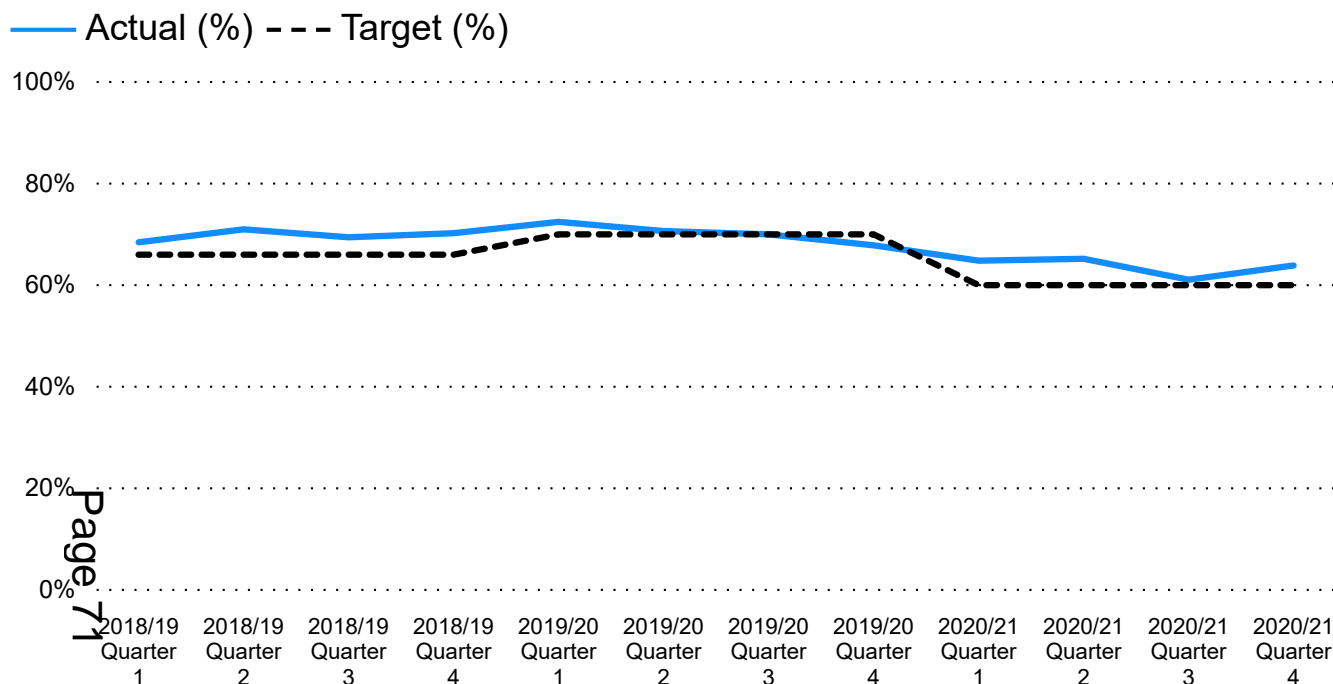
The Performance RAG is generated by assessing current performance against the target. This outcome is then illustrated in the report using the images above.

What we mean by Trend

The Trend is generated by assessing current performance against last years performance. This outcome is then illustrated in the report using the images above.

Streetscene and Transportation - Recovery Measures

Percentage of waste reused, recycled or composted

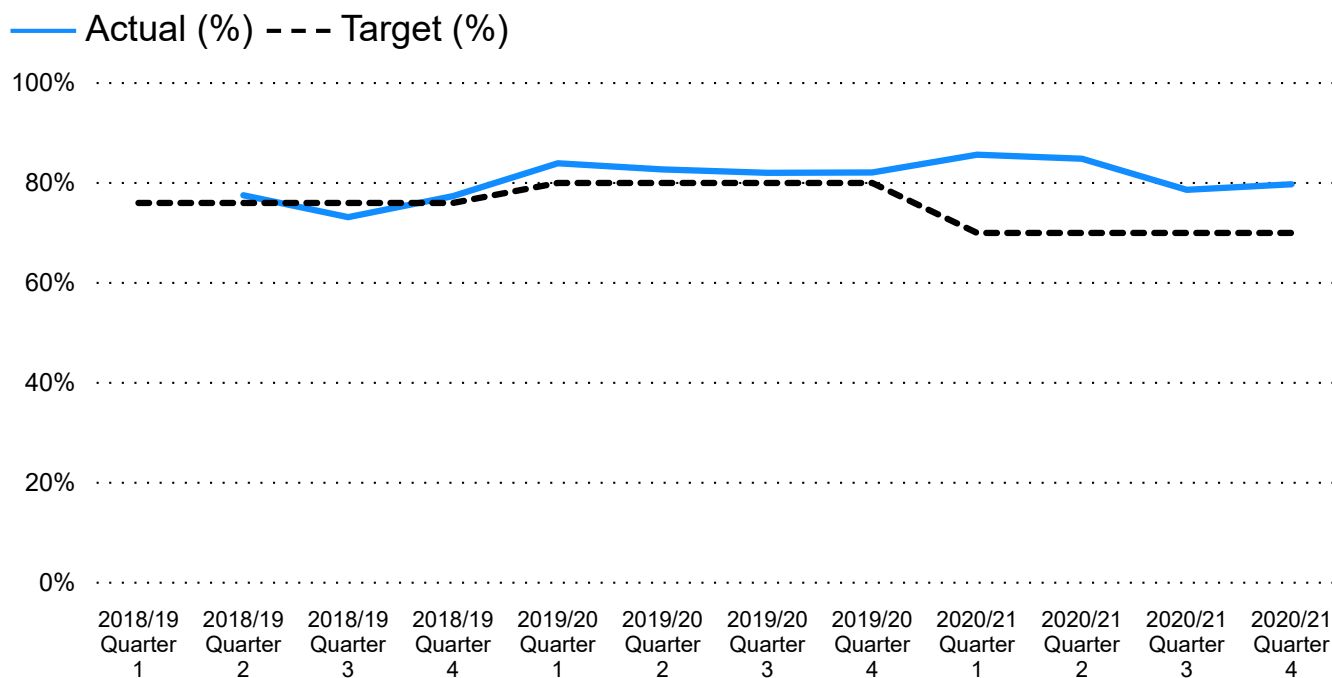


| End of Year Actual (%) | End of Year Target (%) | Trend | Current RAG Rating |
|------------------------|------------------------|-------|--------------------|
| 63.74% | 60.00% | ↓ | ● |

Comment

Welsh Government statutory target has been achieved. Due to COVID restrictions, and the increase in working from home, including home refurbishments, waste and recycling tonnages have increased overall. However the increase in residual waste has offset any benefit from increases in recycling. Also, the impact of the Household Recycling Centres being closed during lockdowns has adversely impacted performance.

Average recycling rate across all HRC sites



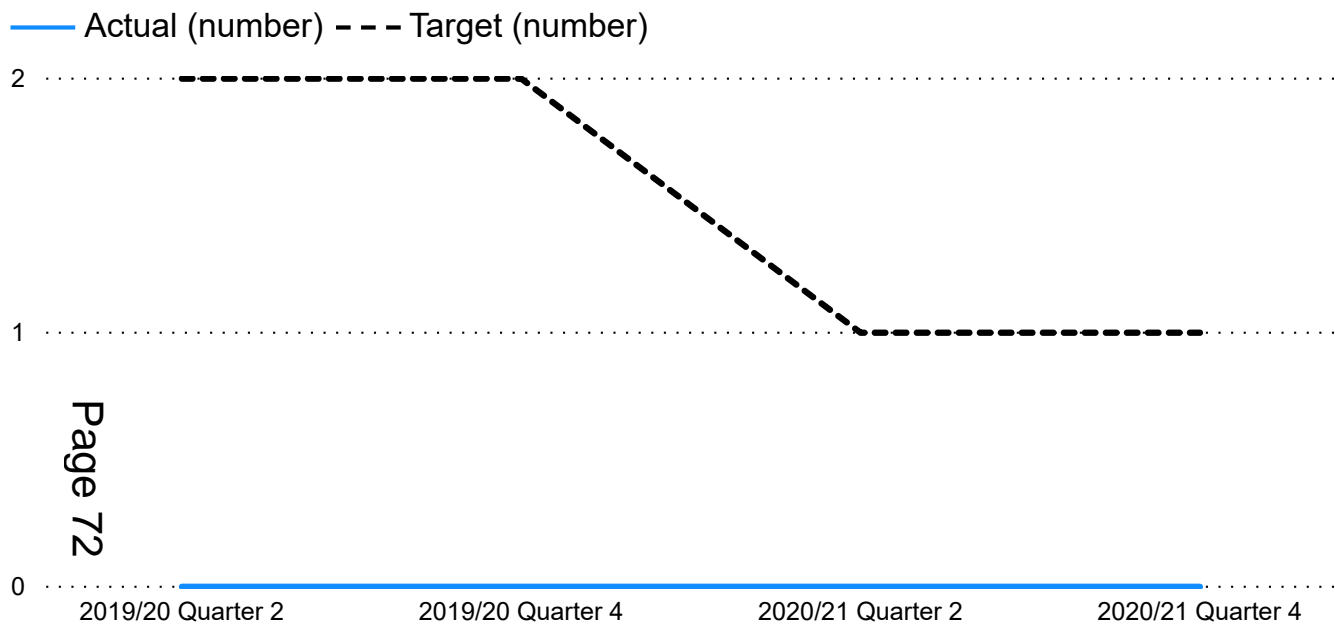
| End of Year Actual (%) | End of Year Target (%) | Trend | Current RAG Rating |
|------------------------|------------------------|-------|--------------------|
| 82.22% | 70.00% | ↓ | ● |

Comment

National lockdown measures meant non-essential journeys were discouraged. Household Recycling Centres remained open when possible with appropriate measures. A decrease in footfall in January and February meant less waste brought to site.

Streetscene and Transportation - Recovery Measures

Developing the number of bus quality partnerships on the core network



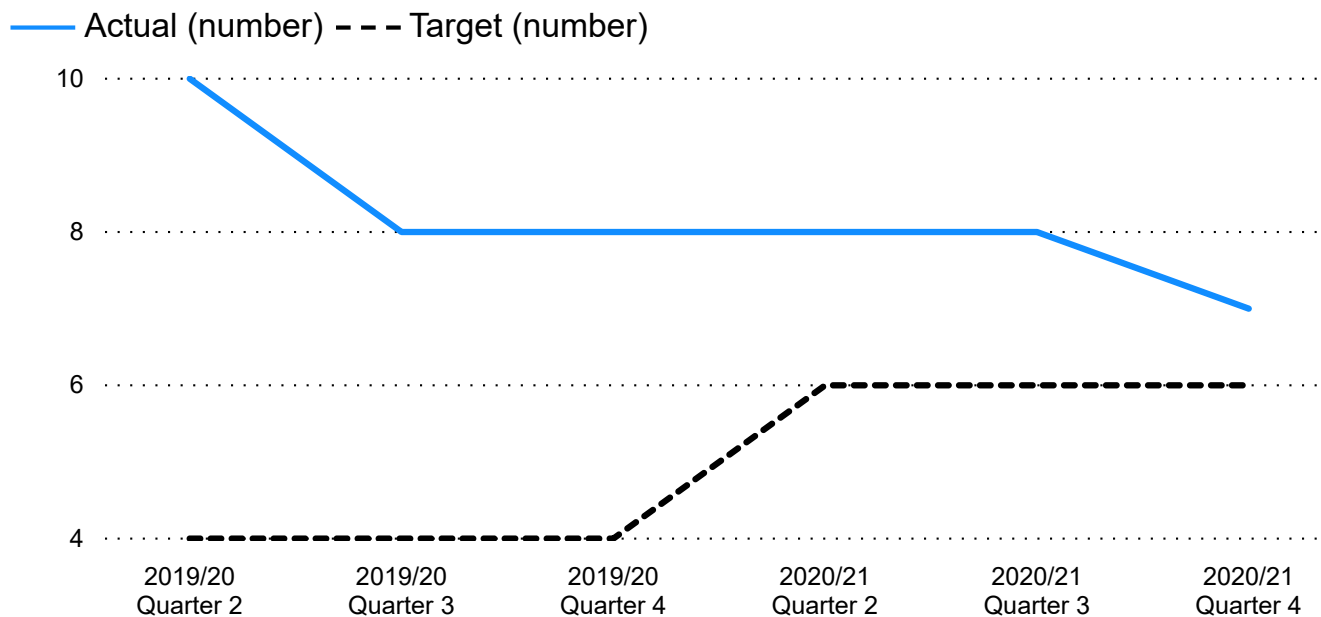
Page 72

| End of Year Actual (No.) | End of Year Target (No.) | Trend | Current RAG Rating |
|--------------------------|--------------------------|-------|--------------------|
| 0 | 1.00 | → | ◊ |

Comment

The ongoing development of the Quality Bus Partnership has been put on hold. Transport For Wales are undertaking a Network review across North Wales with a report due in May 2021.

Provide Local Travel Arrangements (LTAs) in geographical areas of the County



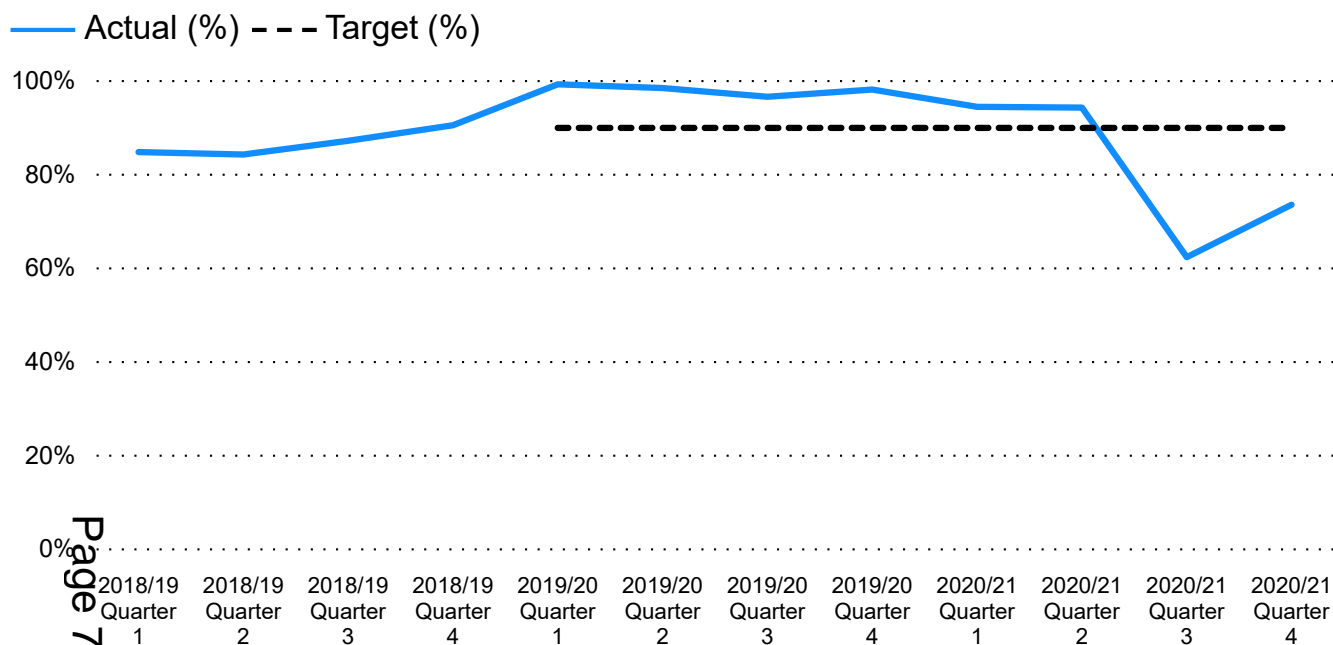
| End of Year Actual (No.) | End of Year Target (No.) | Trend | Current RAG Rating |
|--------------------------|--------------------------|-------|--------------------|
| 7 | 6.00 | ↓ | ● |

Comment

The Councils progress on the revision of LTA's has unfortunately been hindered by the recent COVID-19 pandemic and therefore, it has not been possible to obtain representative patronage data. That said, following the easing of the initial travel restrictions work has recommenced to review the current LTA's in place. The current LTA arrangement in Holywell will be replaced with a Fflecsi service in May 2021.

Streetscene and Transportation - Recovery Measures

Undertake post completion inspections of utility works



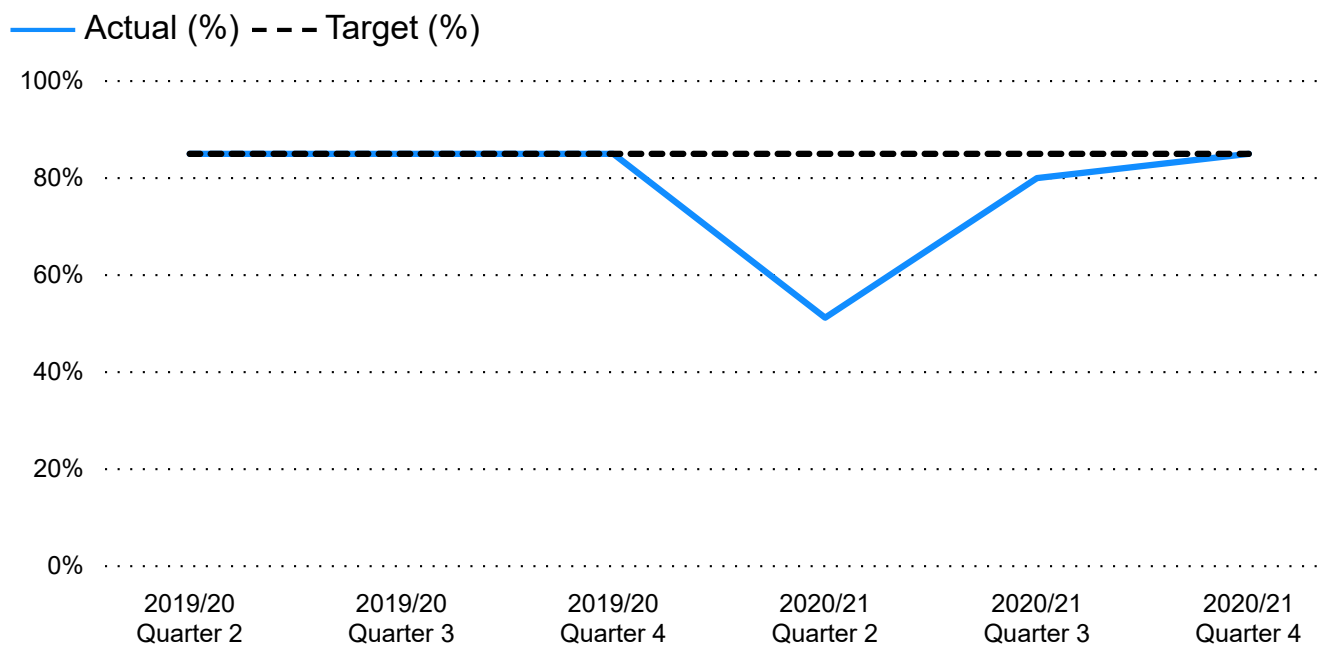
Page 73

| End of Year Actual (%) | End of Year Target (%) | Trend | Current RAG Rating |
|------------------------|------------------------|-------|--------------------|
| 81.21% | 90.00% | ↓ | ⬢ |

Comment

Every Highway Authority is required to inspect 10% of all repairs before the end of this guarantee period, but the Council inspect more than required to promote best practice and avoid future costs. If any defects are identified during the inspection the Utility are required to carry out the required remedial works, preventing the Authority from being burdened with the future repair costs. During the pandemic Streetscene Officers have continued to deliver services throughout. The percentage of inspections has reduced during this period, however the number undertaken is still significantly higher than the statutory requirement and these inspections have been complemented with an appointed contactor carrying out additional technical inspections. Inspections are allocated on a weekly basis, and therefore in order to provide a meaningful and reflective report, the data provided for quarter four are inspections generated in quarter three.

Achieve minimum level of agreed Streetscene standards



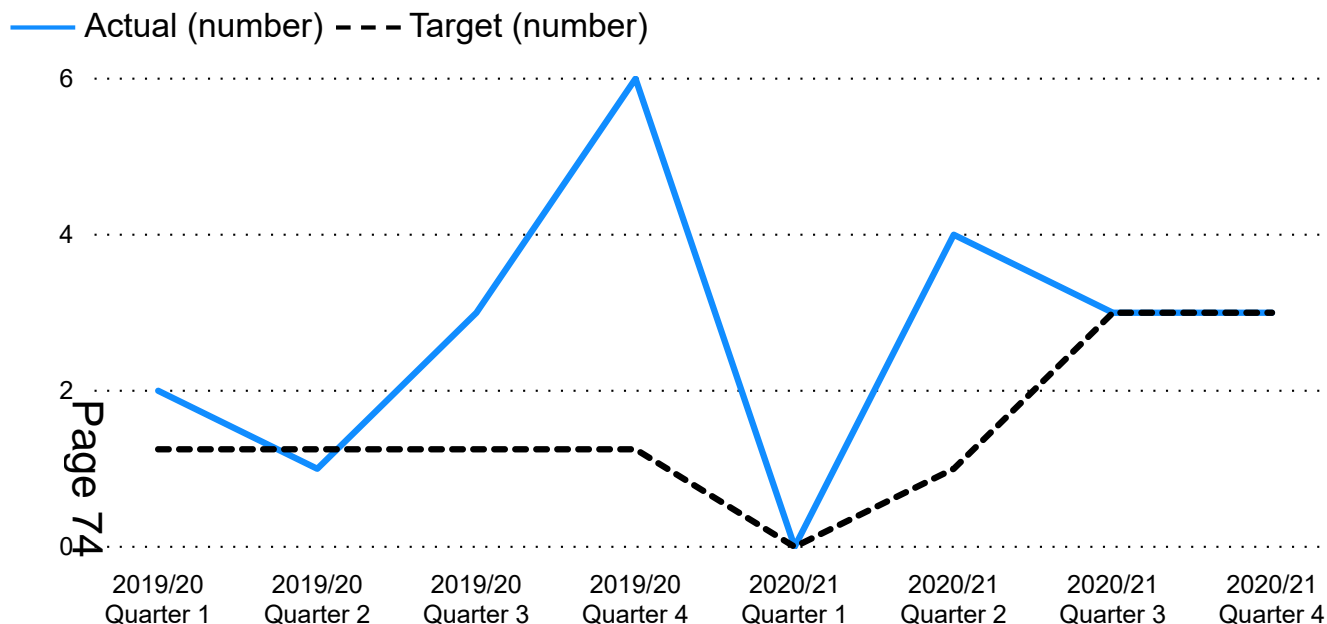
| End of Year Actual (%) | End of Year Target (%) | Trend | Current RAG Rating |
|------------------------|------------------------|-------|--------------------|
| 85.00% | 85.00% | → | ● |

Comment

Essential frontline services continued to be delivered throughout the pandemic, some services such as grass cutting, garden waste collections and household recycling centres were suspended in the early period of response. All services were resumed in early summer 2020 and have continued to operate throughout the rest of the year.

Streetscene and Transportation - Recovery Measures

Number of targeted environmental educational campaigns



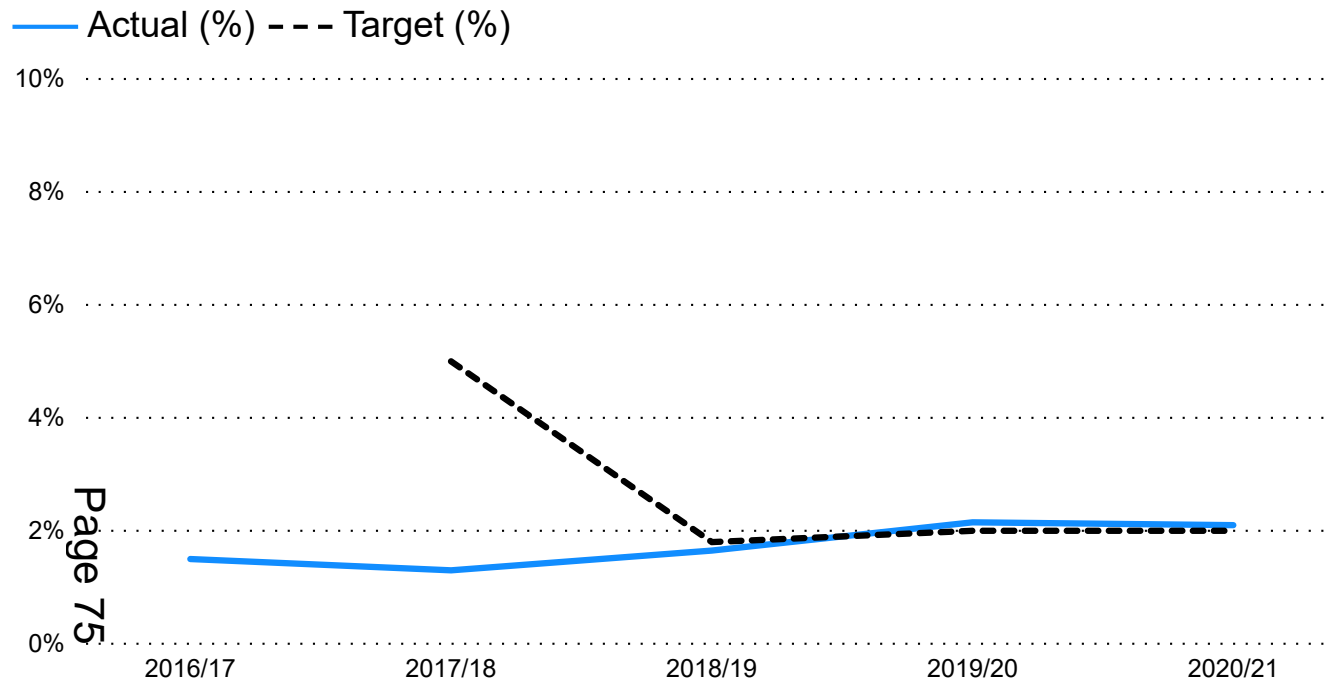
| End of Year Actual (No.) | End of Year Target (No.) | Trend | Current RAG Rating |
|--------------------------|--------------------------|-------|--------------------|
| 10 | 3.00 | ↓ | ● |

Comment

Due to the increase in dog fouling a press release was issued in February to raise awareness of the issues and a reminder about the issuing of Fixed Penalty Notices. Campaigns were carried out in the following areas, Muirfield, Linderick Sunningdale and Aberllanch (Buckley), these were completed in January 2021. Since January 2021 foot patrols in all areas across Flintshire have been increased and officers are speaking with owners/residents on a daily basis and are carrying stickers and dog bags for distribution. Data is being collated and shared regarding hot spot areas, number of weekly visits and details of how many interactions with owners.

Streetscene and Transportation - Portfolio Measures

Percentage of A roads in overall poor condition



| End of Year Actual (%) | End of Year Target (%) | Trend | Current RAG Rating |
|------------------------|------------------------|-------|--------------------|
| 2.10% | 2.00% | ↓ | ▲ |

2.10%

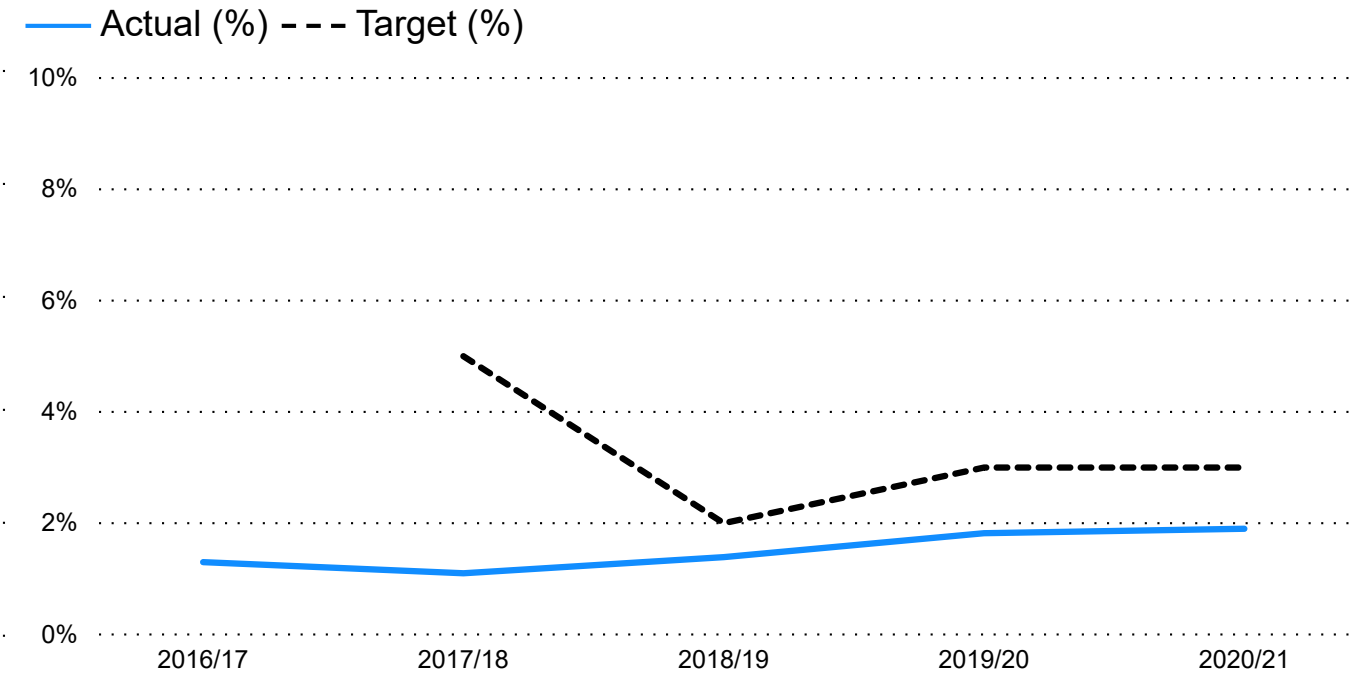
2.00%



Comment

Welsh Government Scanner Data received in September 2020 shows a similar level of the length of 'A' roads deemed to be in a poor conditions to the previous year. This may be as a result of reduce usage during the initial period of the pandemic, and the annual level of investment in the highway network being below the level required to maintain a steady state. However, national data continues to show that the roads within Flintshire have one of the lowest proportion in poor condition.

Percentage of B roads in overall poor condition



| End of Year Actual (%) | End of Year Target (%) | Trend | Current RAG Rating |
|------------------------|------------------------|-------|--------------------|
| 1.90% | 3.00% | ↓ | ● |

1.90%

3.00%

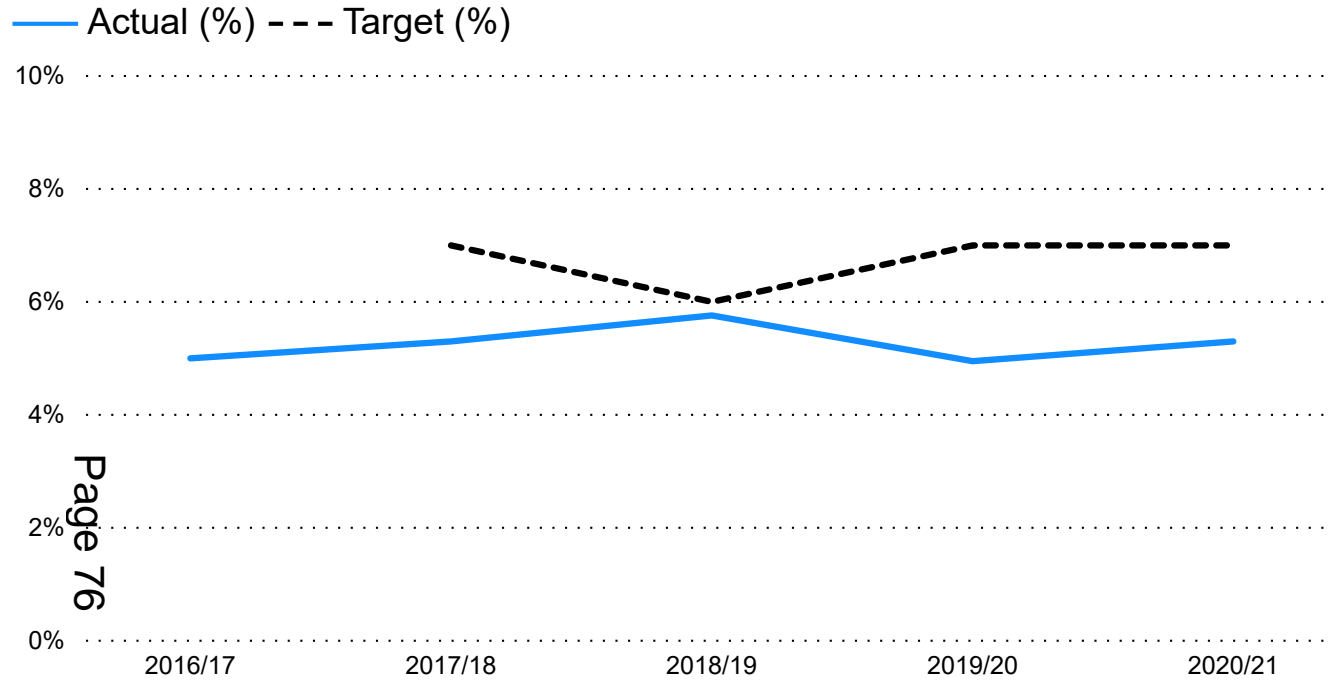


Comment

Welsh Government Scanner Data received in September 2020 shows a similar level of the length of 'B' roads deemed to be in a poor conditions to the previous year. This may be as a result of reduce usage during the initial period of the pandemic, and the annual level of investment in the highway network being below the level required to maintain a steady state. However, national data continues to show that the roads within Flintshire have one of the lowest proportion in poor condition.

Streetscene and Transportation - Portfolio Measures

Percentage of C roads in overall poor condition



Page 76

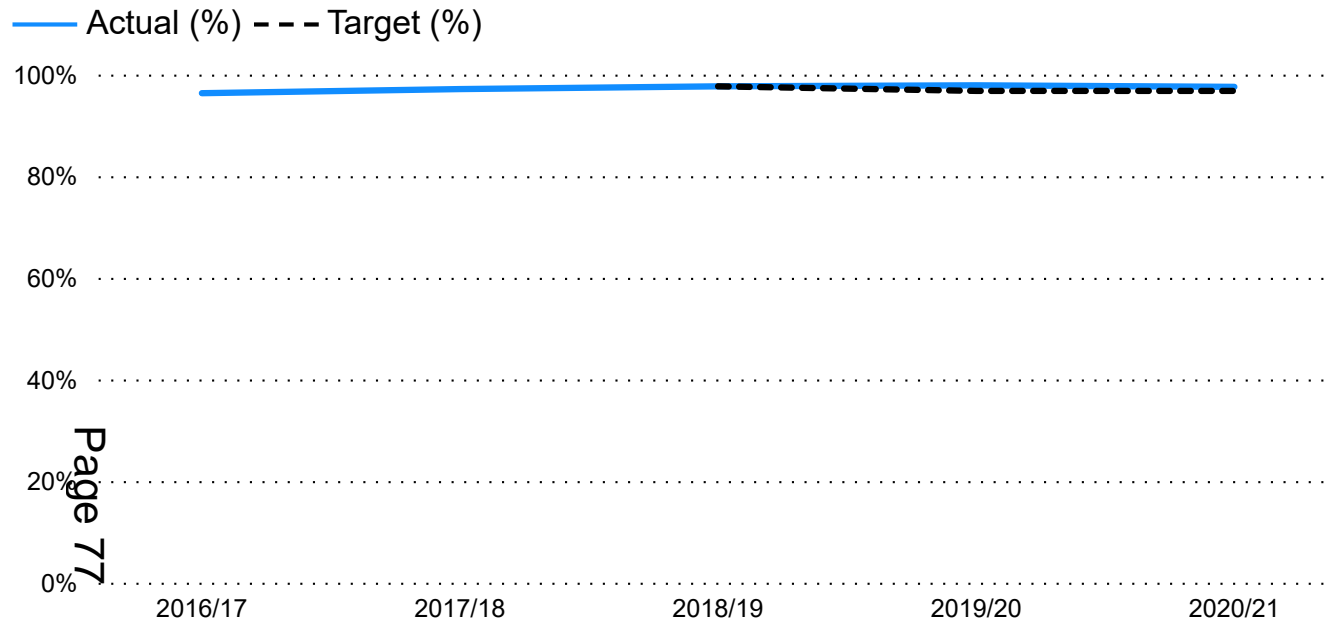
| End of Year Actual (%) | End of Year Target (%) | Trend | Current RAG Rating |
|------------------------|------------------------|-------|--------------------|
| 5.30% | 7.00% | ↓ | ● |

Comment

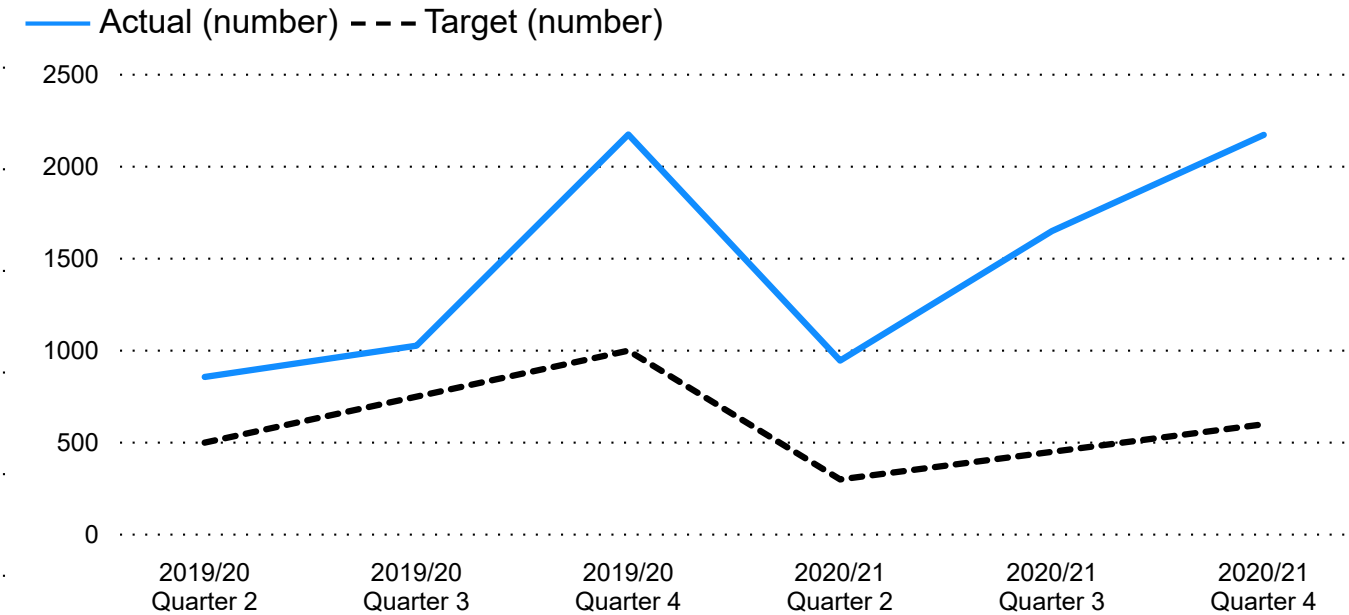
Welsh Government Scanner Data received in September 2020 shows an increase in the length of 'C' roads deemed to be in a poor conditions. This is a result of the annual level of investment in the highway network being below the level required to maintain a steady state, despite any reduction in the usage during the initial stages of the pandemic. However, national data continues to show the roads within Flintshire have the lowest proportion in poor condition.

Planning, Environment and Economy - Recovery Measures

Percentage of food establishments that meet food hygiene standards



Total number of energy efficiency measures delivered to reduce fuel poverty



| End of Year Actual (%) | End of Year Target (%) | Trend | Current RAG Rating |
|------------------------|------------------------|-------|--------------------|
| 97.80% | 97.00% | ↓ | ● |

| End of Year Actual (No.) | End of Year Target (No.) | Trend | Current RAG Rating |
|--------------------------|--------------------------|-------|--------------------|
| 2173.00 | 600 | ↓ | ● |

Comment

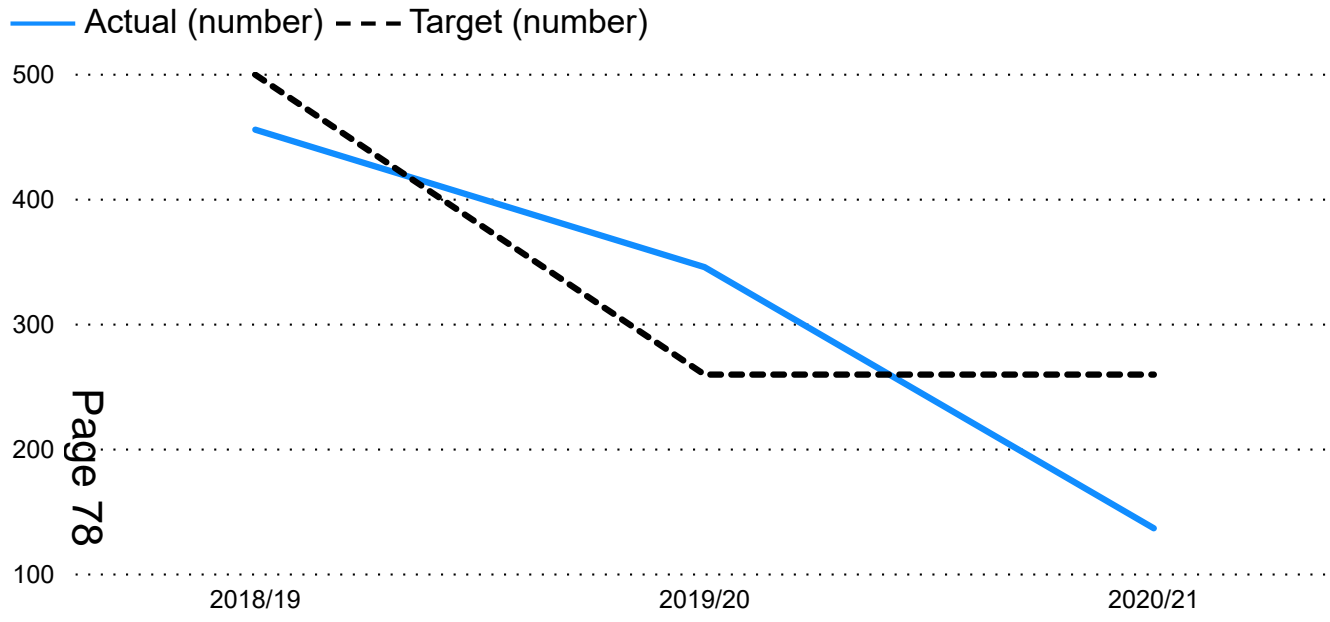
Due to the requirements on the service to respond to the COVID-19 pandemic, a lower level of food hygiene inspections have been undertaken. While the level of Broadly Compliant premises has remained above the target of 97%, this is in part due to businesses not having been inspected and so there was no change to their food hygiene rating. The service is concerned as to the effect of the pandemic on compliance levels within food businesses and on the number of new businesses that require inspection which will impact on next year's figures.

Comment

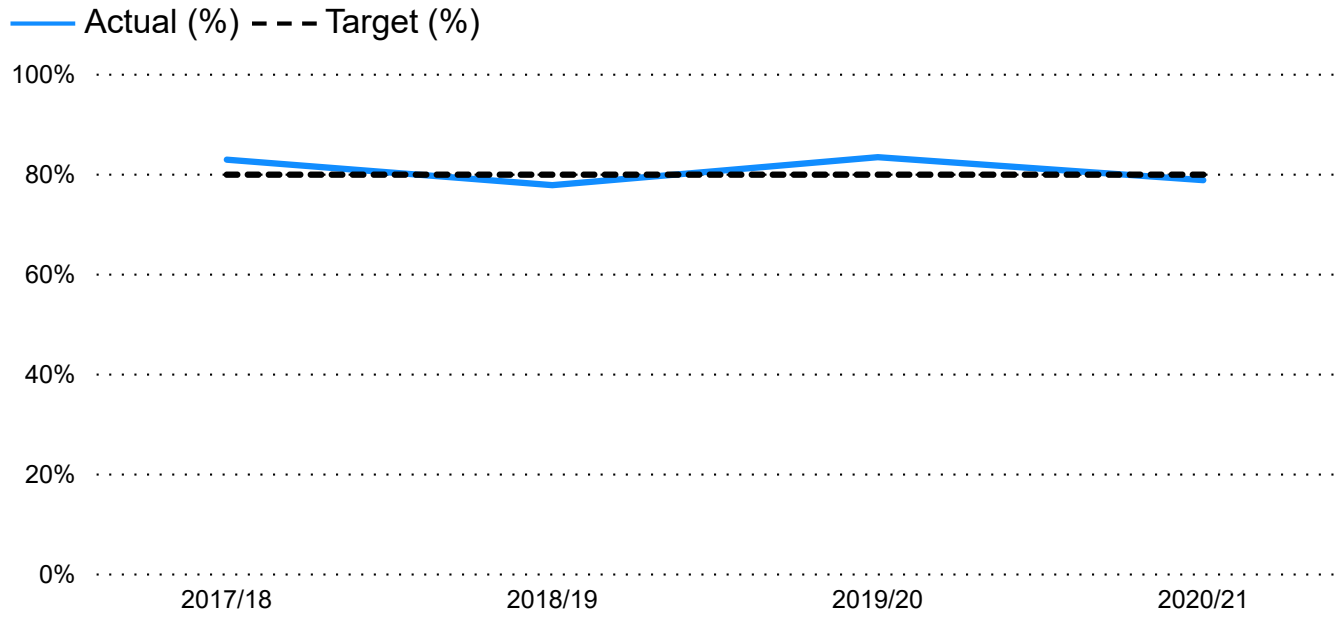
These measures are actual installs funded from various sources available to the team to reflect the maximum benefit to the resident both financially and emotionally who find themselves in fuel poverty. The numbers are less than our target for this quarter due to over achieving last quarter and throughout the year. However the target for the year has been exceeded.

Planning, Environment and Economy - Recovery Measures

Total number of individuals supported to access learning and work opportunities



Percentage of all planning applications determined in time



| End of Year Actual (No.) | End of Year Target (No.) | Trend | Current RAG Rating |
|--------------------------|--------------------------|-------|--------------------|
| 137.00 | 260 | ↓ | ◊ |

| End of Year Actual (%) | End of Year Target (%) | Trend | Current RAG Rating |
|------------------------|------------------------|-------|--------------------|
| 78.90% | 80.00% | ↓ | ▲ |

Comment

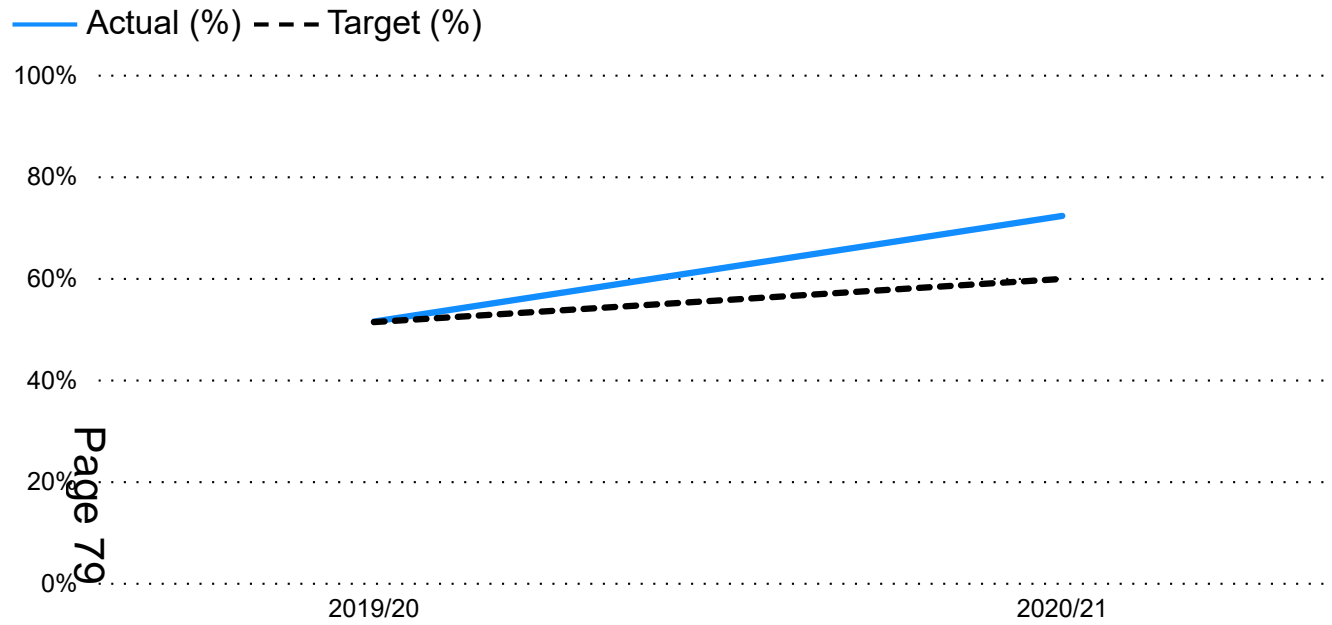
This has been a challenging year for the Communities for Work (CFW) programme, which saw Pathway programmes put on hold limiting the options available to participants to access the relevant training opportunities. Teams have delivered the programme virtually by working from home and have supported mentoring scheme participants to gain E-Learning, Customer services and construction skills qualifications. The teams have also supported participants into employment opportunities within the care, retail and construction sectors.

Comment

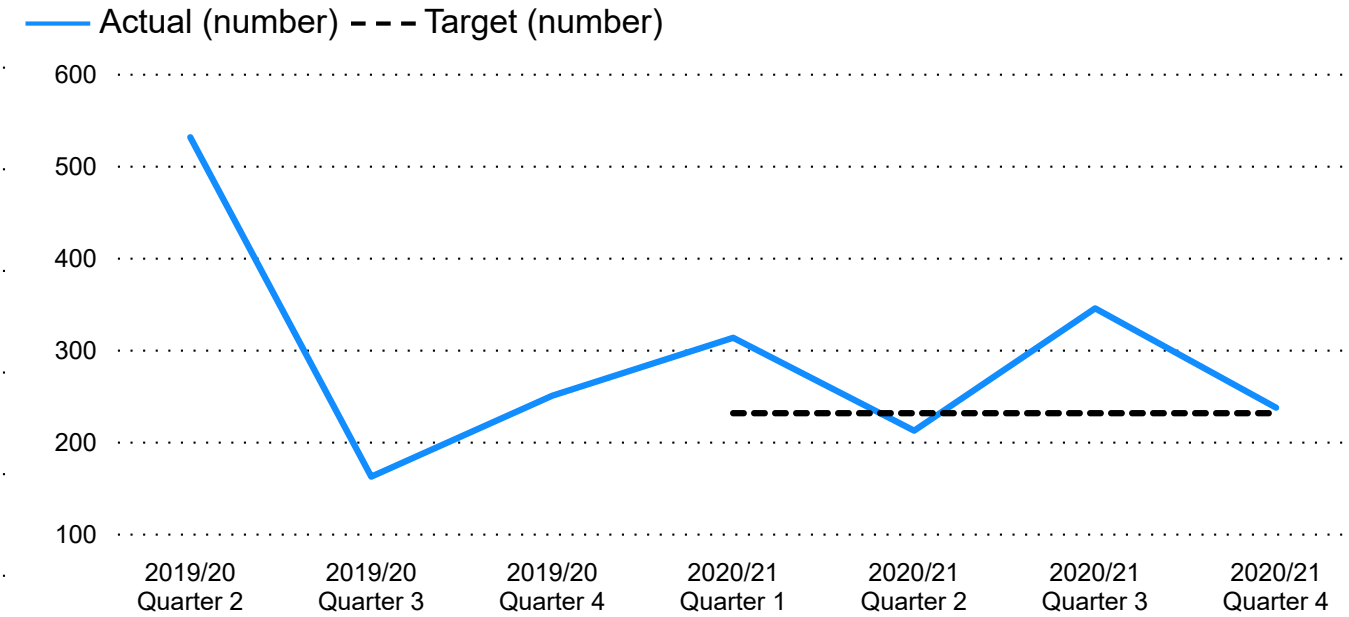
Acknowledgement that the target is unmet. However due to significant capacity issues in the first six months of 20/21 and ongoing impact of pandemic preventing full site visits from December until mid-April the level of performance achieved so close to the target in normal operational times is excellent.

Planning, Environment and Economy - Recovery Measures

Percentage of "major" applications determined within time periods required



Average time taken to determine "major" applications in days



| End of Year Actual (%) | End of Year Target (%) | Trend | Current RAG Rating |
|------------------------|------------------------|-------|--------------------|
| 62.00% | 60.00% | ↑ | ● |

| End of Year Actual (No.) | End of Year Target (No.) | Trend | Current RAG Rating |
|--------------------------|--------------------------|-------|--------------------|
| 277.75 | 232 | ↓ | ◆ |

Comment

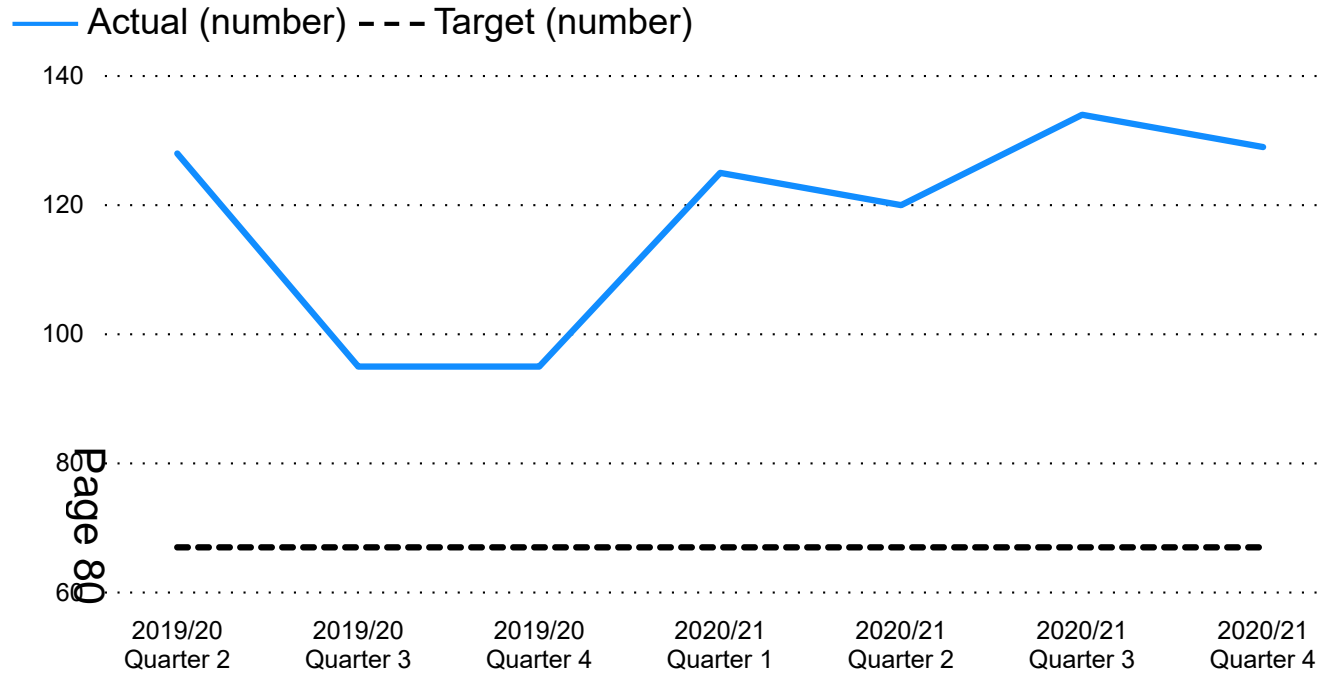
The target for this measure has been exceeded in each quarter.

Comment

Quarter one and quarter three are significantly higher than the target. Action needs to be taken to ensure the overall length of such application is reduced by effective case management.

Planning, Environment and Economy - Recovery Measures

Average time taken to determine planning applications

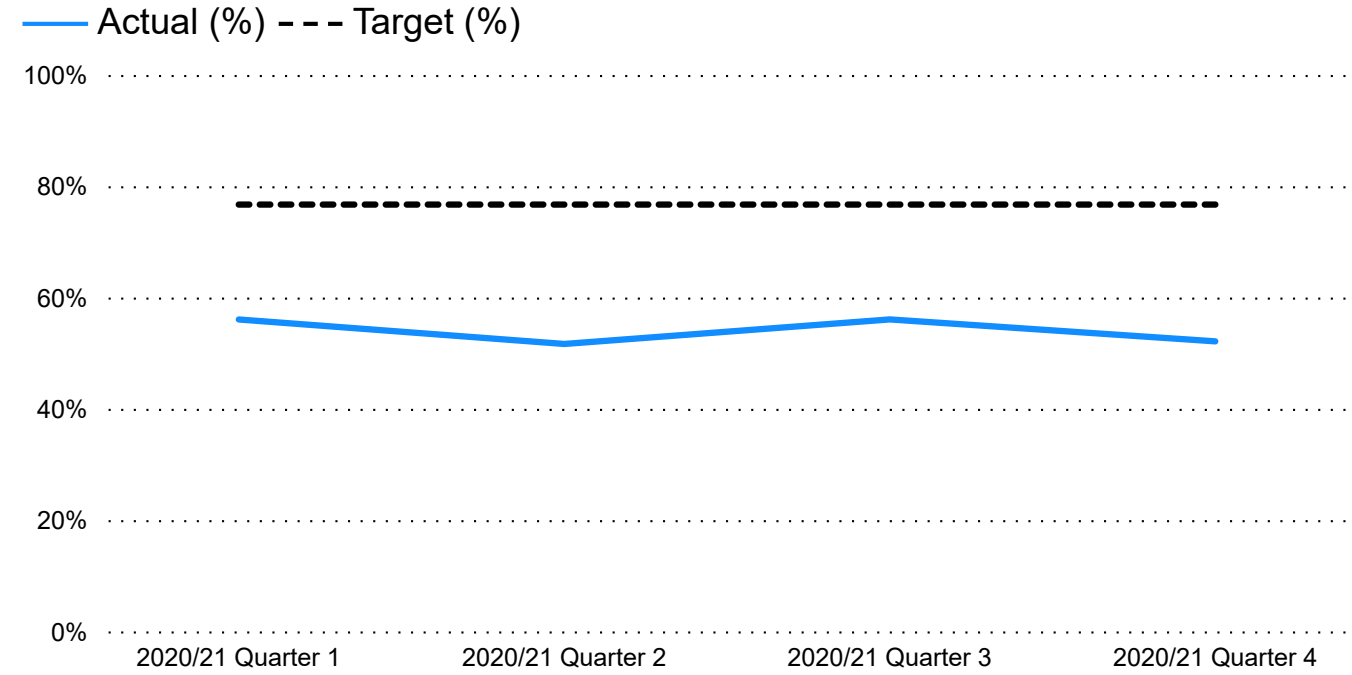


| End of Year Actual (No.) | End of Year Target (No.) | Trend | Current RAG Rating |
|--------------------------|--------------------------|-------|--------------------|
| 127.00 | 67 | ↓ | ◊ |

Comment

Target not met and double the time taken or more. This reflects the impact of the pandemic throughout 20/21 and the reduced capacity within the service to 30% at times. The majority of applicants agreed to extension of times with understanding of delay of the whole process such as inability to display statutory notices (in accordance with Welsh Government advice) and the back log of cases which developed whilst service transferred to electronic working from home .

Enforcement cases investigated within 84 days



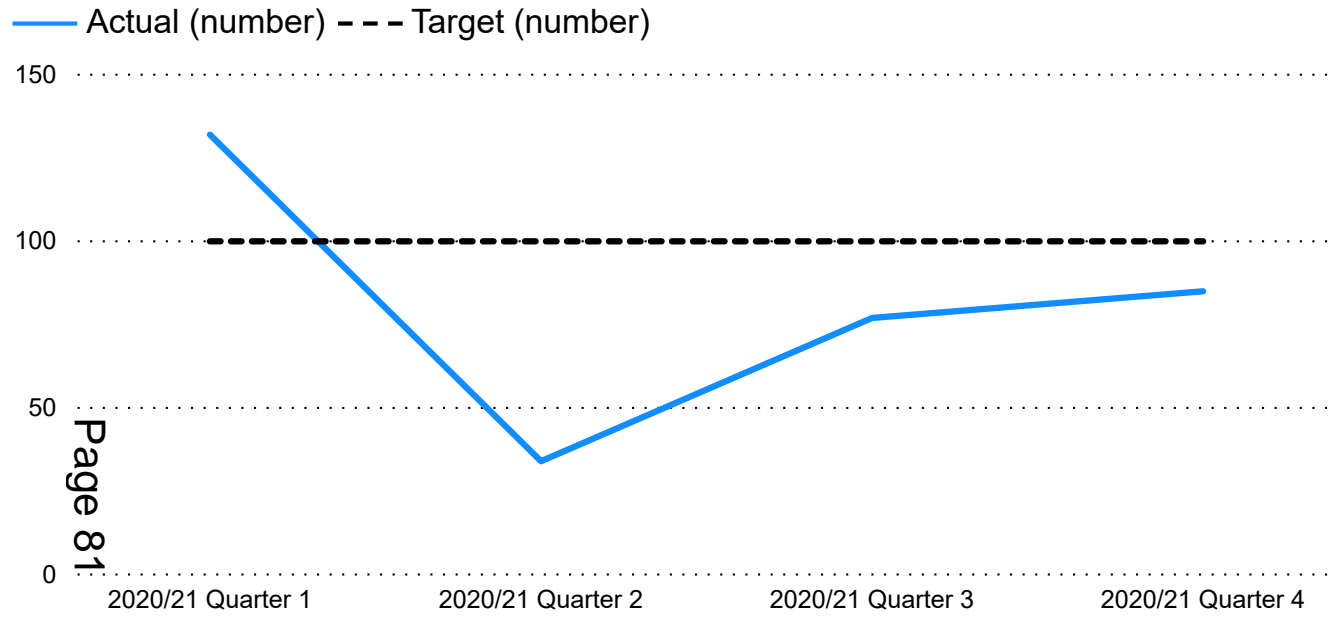
| End of Year Actual (%) | End of Year Target (%) | Trend | Current RAG Rating |
|------------------------|------------------------|-------|--------------------|
| 54.17% | 76.90% | | ● |

Comment

Data to be verified - Significant impact on speed of investigations as service capacity was reduced and actively redirected to manage significant and major planning applications.

Planning, Environment and Economy - Recovery Measures

Average time taken to pursue positive enforcement action where a breach had been identified



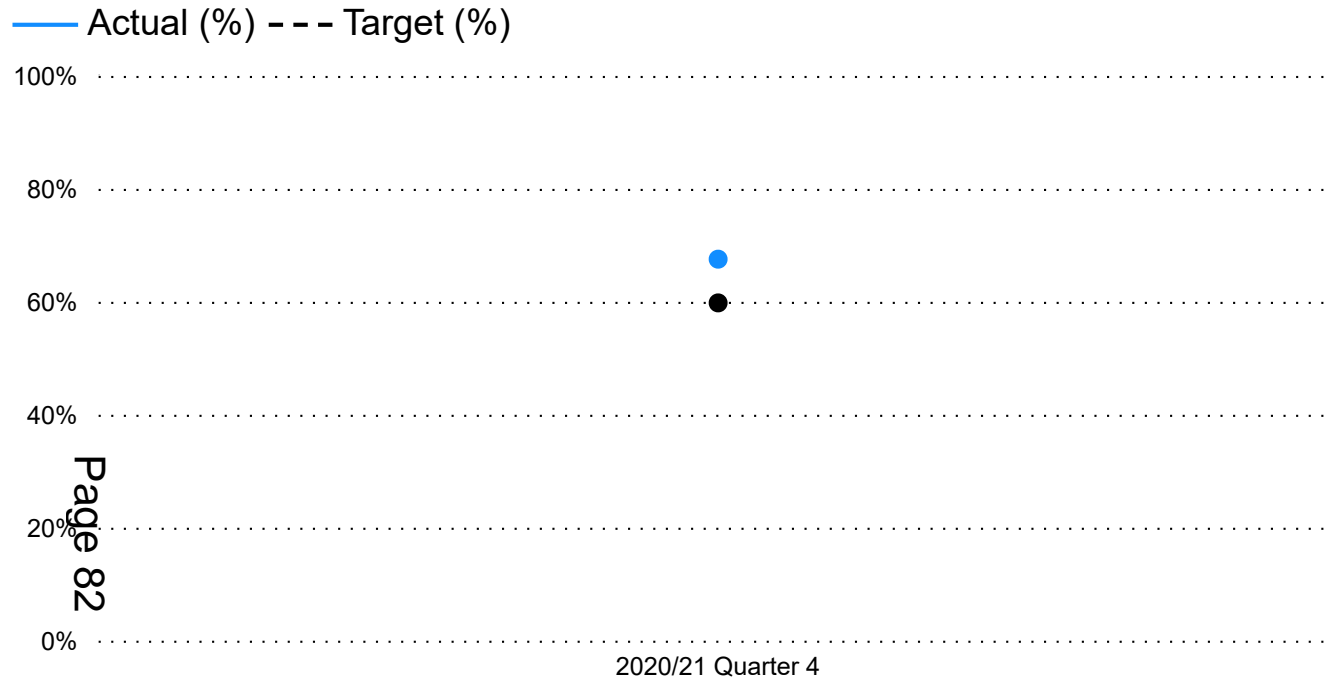
| End of Year Actual (No.) | End of Year Target (No.) | Trend | Current RAG Rating |
|--------------------------|--------------------------|-------|--------------------|
| 82.00 | 100 | | ● |

Comment

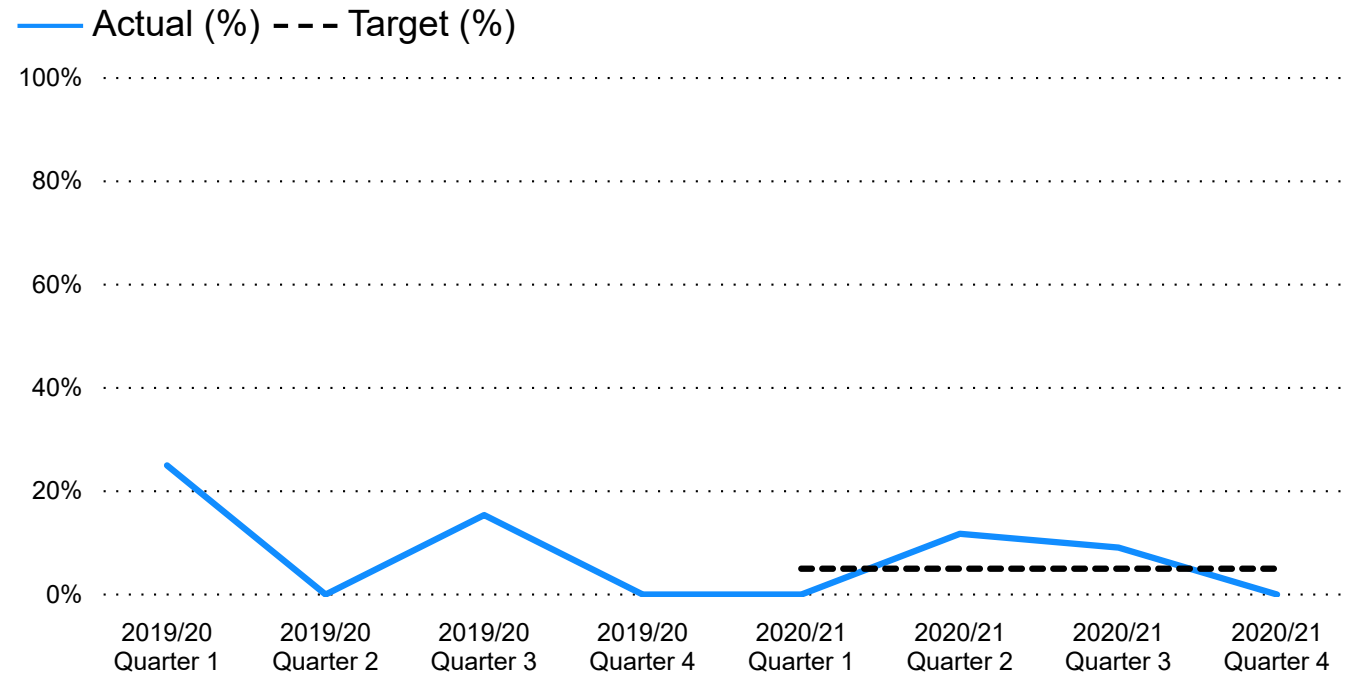
Reflects the pro-active work that the enforcement team were able to take during lockdowns once a breach had been identified.

Planning, Environment and Economy - Portfolio Measures

Percentage of all planning appeals dismissed



Decisions made contrary to officer recommendation



| End of Year Actual (%) | End of Year Target (%) | Trend | Current RAG Rating |
|------------------------|------------------------|-------|--------------------|
| 67.74% | 60.00% | | ● |

| End of Year Actual (%) | End of Year Target (%) | Trend | Current RAG Rating |
|------------------------|------------------------|-------|--------------------|
| 7.31% | 20.00% | ↑ | ● |

Comment

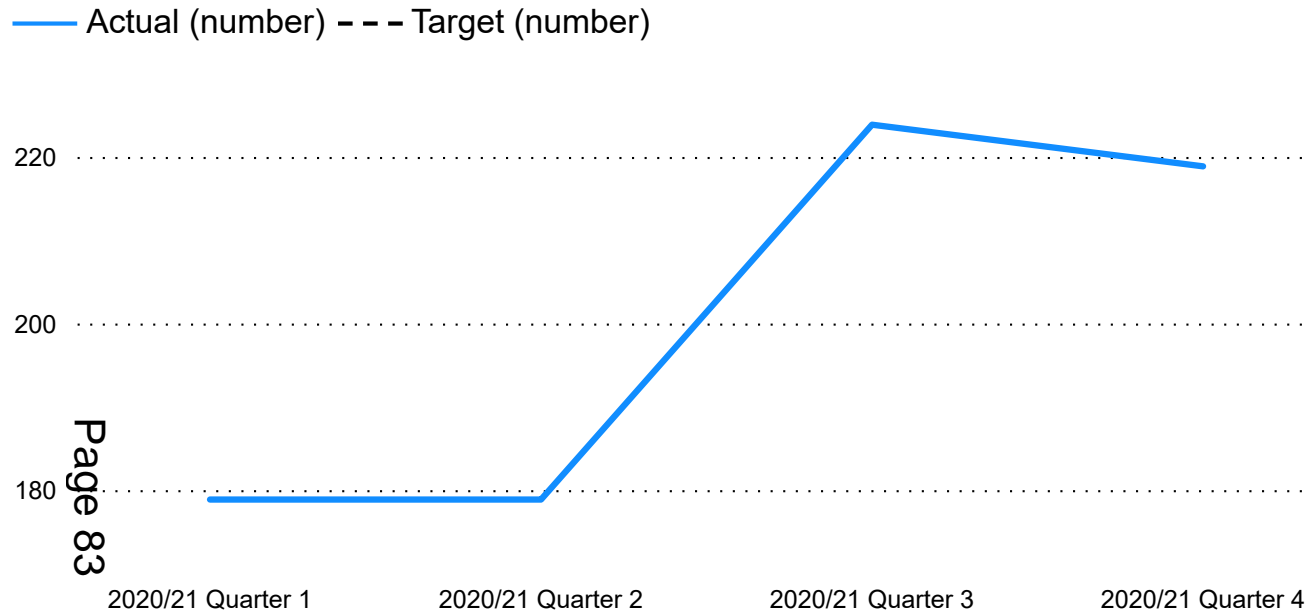
31 appeals in total of which 21 were dismissed.

Comment

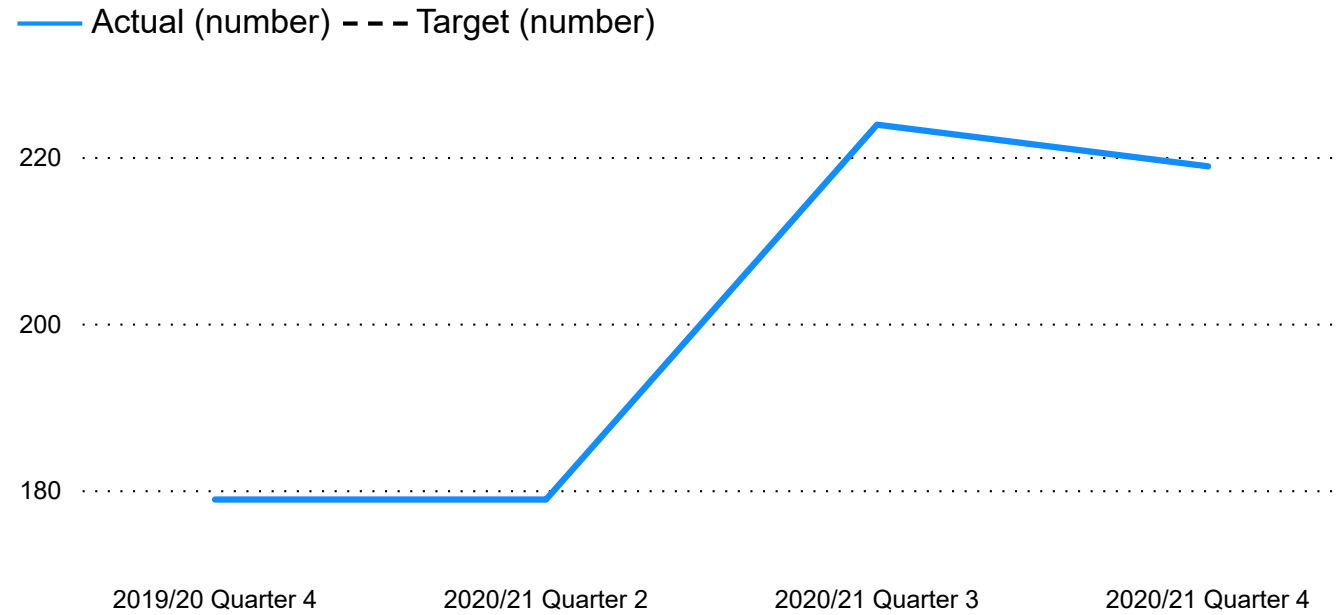
Performance at planning committee has been maintained throughout the pandemic.

Planning, Environment and Economy - Portfolio Measures

Number of applications received and determined during the quarter



Number of applications received, carried forward, transferred and determined during the quarter



Page 83

| End of Year Actual (No.) | End of Year Target (No.) | Trend | Current RAG Rating |
|--------------------------|--------------------------|-------|--------------------|
| 801.00 | | | |

| End of Year Actual (No.) | End of Year Target (No.) | Trend | Current RAG Rating |
|--------------------------|--------------------------|-------|--------------------|
| 801.00 | | | |

Comment

No Target Set - Received 308, determined - 219.
Data is collected to enable Welsh Government to ratify the Quarterly performance returns.

Comment

No target set. Received - 308, Carried forward - 495, Determined - 219, withdrawn - 46.
Data is collected to enable Welsh Government to ratify the Quarterly performance returns.

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Environment & Economy Overview & Scrutiny Committee

| | |
|------------------------|-----------------------------------------------------------------|
| Date of Meeting | Tuesday 8 June 2021 |
| Report Subject | Biodiversity Duty Update |
| Cabinet Member | Cabinet Member for Streetscene and Countryside |
| Report Author | Andrew Farrow Chief Officer (Planning, Environment and Economy) |
| Type of Report | Operational |

EXECUTIVE SUMMARY

The report details how the Council is making progress in delivering its biodiversity and resilience of ecosystems duty under Section 6 of the Environment (Wales) Act 2016. The Council's Biodiversity Duty Delivery Plan 2020 – 2023, titled 'Supporting Nature in Flintshire' is explained and the progress of action to deliver objectives is reviewed, highlighting key areas of biodiversity work within the county.

RECOMMENDATIONS

| | |
|---|--------------------------------------------------------------------------|
| 1 | That the Committee supports the progress with the biodiversity strategy. |
|---|--------------------------------------------------------------------------|

REPORT DETAILS

| | |
|-------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1.00 | EXPLAINING THE BIODIVERSITY DUTY UPDATE |
| 1.01 | <p>Background</p> <p>Nature is our planet's life support system and consequently essential for human survival. Our natural environment provides our food, water, air, building materials, medicines and landscape. Biodiversity is the variety of life on earth and biodiversity loss continues as a direct result of human impacts, through habitat loss and degradation, over exploitation, pollution, climate change and the invasion of non-native species.</p> |

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|------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1.02 | As a local authority we have a responsibility to function sustainability and lead by example when it comes to protecting and enhancing our natural environment. To meet the challenge of reversing the decline in biodiversity it is essential that we act and ensure that, as a local authority, we meet the needs of the present without compromising the ability of future generations to meet their own needs. |
| 1.03 | The Council's first Biodiversity Duty Delivery Plan (2016 – 2019) was produced in response to the enhanced biodiversity and resilience of ecosystems duty under Section 6 of the Environment (Wales) Act 2016. The Act requires that public authorities must seek to maintain and enhance biodiversity so far as is consistent with the proper exercise of their functions and in so doing promote the resilience of ecosystems. Progress of this first plan was reported to Welsh Government in January 2020 and 'good progress' was made in 67% of the target areas. |
| 1.04 | "Supporting Nature in Flintshire" is the Council's second biodiversity duty plan and covers the period from 2020-2023. This updated plan continues the previous good work in delivering biodiversity action and maintains progress to embed biodiversity as consideration across all departments. |
| 1.05 | The biodiversity update (Appendix 1) details the progress made in delivering action to meet the plans 6 objectives. Of the 20 actions, 20% were making good progress/completed, 65% were on track and making some progress with 15% not started or no progress. |
| 1.06 | <p>Objective 1 - Engage and support participation and understanding to embed biodiversity throughout decision making at all levels</p> <p>The Biodiversity Officer is now included on the integrated impact assessment board and with the Natural Environment Team, provide comment and input into higher level plans across portfolios eg Active Travel Schemes. The required social value element to procurement also now provides an opportunity for environmental considerations.</p> <p>Work to develop the Nature Partnership, which maximise effectiveness, supports collaborative conservation action across North East Wales, is ongoing through the Local Nature Partnerships Cymru project, which funds officer time and promotion/publicity activities for nature recovery. In March 2021 the regional nature partnership website was launched: https://www.bionetwales.co.uk/about/</p> <p>Restrictions as a result of Covid greatly impacted on volunteering opportunities, engagement events and activities throughout 2020. As circumstances allow it is planned to reinstate our previous volunteering opportunities (species specific and invasive control) and combining activity and event delivery with our countryside service and conservation partners.</p> |
| 1.07 | <p>Objective 2 - Safeguard species and habitats of principle importance and improve their management</p> <p>In consultation with the Regional Nature Partnership (Bionet) the first three priority habitats for our area have been outlined on the nature partnership website with short, medium and long term targets.</p> |

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| | <p>This document will evolve online and provide evidence of change and guidance for regional conservation project priorities. It can be viewed at https://www.bionetwales.co.uk/nature-recovery-plan/</p> |
| 1.08 | <p>Objective 3 - Increase the resilience of our natural environment by restoring degraded habitats and habitat creation</p> <p>Grant funding has enabled progress in increasing tree and wildflower areas across our Council estate, this work will continue through 2021. Grant funded machinery purchased in 2020 will support changes in amenity grass management to allow more areas to grow and benefit biodiversity with a late summer 'cut and collect'. This shift from conventional management will benefit both nature and carbon emissions/sequestration.</p> <p>Key supporting action to work towards bee friendly status includes reduced use of chemical weed control and investment in the Foamstream system, currently being effectively used by Streetscene and Countryside Services.</p> <p>This spring newly developed wildflower sites have included sites in Flint, Mold, Buckley, Penyffordd, Bagillt and Connahs Quay.</p> <p>Biodiversity enhancements at greenspaces in Flint have been delivered, supporting the draft Flint Green Infrastructure Plan (Tree planting and wildflower areas at Cornist Park and Swinchiard Recreational ground) Work with Streetscene has been positive and grant funding has enabled 10 wildflower roadshow sites to be installed May 2021. Additional sites will be added in the autumn 2021. Future work will also consider; cemeteries for wildflower enhancement and management for biodiversity where appropriate; and also the roundabout sponsorship scheme and how it can complement future wildflower sites.</p> <p>The Biodiversity Officer is working collaboratively with Denbighshire County Council to use innovative mapping systems to target and evidence conservation action.</p> <p>A winter programme of tree planting has been undertaken since the launch of the Urban Tree and Woodland Plan in 2018. Although there was impact on community planting events due to Covid, business sponsorship, grant funding and partnership working have enabled progress towards increasing canopy cover.</p> <p>Often short term specific funding and resources dictate the scope of tree planting projects. The 2021 Townscape Trees Project funding has been approved to maximise planting opportunities through the use of external consultants to work with the Natural Environment Team to plan, consult and prepare tree planting sites. The grant will also fund the purchase of trees and contractor installation.</p> <p>Key urban planting schemes to date have taken place in Flint, Connah's Quay, Saltney and Mold with additional planting at a number of school sites including Nercwys, Nannerch, Broughton and Holywell.</p> |

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| 1.09 | <p>Objective 4 - Tackle key pressures (Climate change/Invasive non-native species/habitat loss) on species and habitats</p> <p>Changes in our grounds maintenance regimes and delivery of tree planting schemes will help to reduce the impacts of climate change and contribute to our carbon reduction strategy.</p> <p>Our Flintshire Eco Champions education programme (run in conjunction with Energy staff) also supports this action.</p> <p>There will also be further opportunity to look at specific sites within our landholdings in terms of improving biodiversity value and carbon sequestration which often go hand in hand.</p> <p>Unfortunately a conference on greener development which had been organised by the Biodiversity Officer and colleagues and due to take place March 2020 was postponed due to Covid. This will be re-arranged to align with any future restrictions and may be moved online.</p> <p>The majority of work to tackle invasive non-native species relies on volunteer involvement and events, all these events were cancelled in 2020 as a result of Covid. As a result of collaboration with the North Wales Wildlife Trust, some management for key projects (E.g. Controlling Himalayan Balsam along the River Alyn) was undertaken by their staff when it was safe to do so. The Biodiversity Officer will be mapping invasive non-native species records and control measures in 2021 and continuing ongoing communication with Streetscene, Valuation & Estates and Housing where sites are reported.</p> |
| 1.10 | <p>Objective 5 - Improve our evidence, understanding and monitoring</p> <p>In 2021 we will begin to use interactive mapping to track and evidence change in addition to the above reports. This will allow a more effective level of post project monitoring.</p> |
| 1.11 | <p>Objective 6 - Put in place a framework of governance and support for delivery</p> <p>The nature partnership is in year 2 of a 3 year project to improve its effectiveness, visibility and sustainability. This will provide the regional network needed to support local authority and other member action.</p> <p>The Biodiversity officer has obtained grant funding to increase hours to full time. In 2020/2021 this has been complimented by additional grant funding to contract temporary part time support to deliver specific grant funds.</p> |

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| 2.00 | RESOURCE IMPLICATIONS |
| 2.01 | <p>The Council's revenue budget enables employment of the Biodiversity Officer part time, who works closely with the wider Access & Natural Environment Service and other portfolio colleagues to maximise resources for biodiversity benefit. Resources to deliver action are secured through external funding streams.</p> |

| | |
|------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2.02 | The biodiversity update (Appendix 1) provides a detailed breakdown of grant funded action. |
| 2.03 | Grant income for biodiversity projects (excluding Countryside Service projects) for 2020/21 exceeded £220,000. Confirmed biodiversity grant funding for 2021/22 is approximately £232,000. |

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| 3.00 | CONSULTATIONS REQUIRED / CARRIED OUT |
| 3.01 | Some areas of work have been subject to consultation with the nature partnership. Where changes in land management are planned consultation often involves, councillors, communities and local town/community councils. |

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|-------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 4.00 | RISK MANAGEMENT |
| 4.01 | There is risk that if external funding is not secured, that resources and action will reduce in Flintshire, local biodiversity will continue to decline with implications for resilience to climate change. |
| 4.02 | The Biodiversity Officer is the singular specialist in this field and is limited by capacity, the engagement of other officers and partners and their ability to include biodiversity as part of their existing work. Resilience with the authority has improved with the integration with Access & Natural Environment Service, but there is risk should this post be lost. |

| | |
|-------------|--------------------------------------------------------------------------------------------------------------------------|
| 5.00 | APPENDICES |
| 5.01 | Appendix 1 - Biodiversity Duty Update Appendix 2 - 'Supporting Nature in Flintshire' Biodiversity Duty Plan 2020-2023 |

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

| 7.00 | GLOSSARY OF TERMS |
|------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 7.01 | <p>Biodiversity The variety of life found on earth. It includes all species of plants and animals, their abundance and genetic diversity.</p> <p>Ecosystem An ecosystem is made up of living organisms (plants, animals and microorganisms) in conjunction with their non-living environment (air, water, minerals and soil) and all the diverse and complex interactions that take place between them</p> <p>Sustainable development Ensuring that the needs of the present are met without compromising the ability of future generations to meet their own needs.</p> <p>NRW Natural Resources Wales is the largest Welsh Government Sponsored Body. NRW were formed in April 2013, largely taking over the functions of the Countryside Council for Wales, Forestry Commission Wales and the Environment Agency in Wales, as well as certain Welsh Government functions.</p> <p>Bionet The North East Wales Biodiversity Network (Bionet) was formed in October 2009 and renamed in 2010. It brought together partnerships that had existed in the Counties of Conwy, Denbighshire, Flintshire and Wrexham. The broad aim of the network is to conserve, protect and enhance biodiversity for current and future generations. Coordination and collaboration are seen as being important to the partnership alongside other objectives that include raising awareness and the promotion of biodiversity and identifying local priorities to deliver local and regional biodiversity improvements.</p> |

Biodiversity Progress Report

Background

We are in an ecological and climate crisis. Nature is our planet's life support system and consequently essential for human survival. Our natural environment provides our food, water, air, building materials, medicines and landscape. Biodiversity is the variety of life on earth and biodiversity loss continues as a direct result of human impacts, through habitat loss and degradation, over exploitation, pollution, climate change and invasive non-native species.

As a Local Authority we have a responsibility to function sustainably and lead by example, protecting and enhancing our natural environment. Flintshire County Council have many areas of responsibility which can impact on the natural environment and we have the authority to ensure we function in a way which ensures the protection and recovery of nature. This way of working goes hand in hand with effective action against climate change.

To meet the challenge of reversing the decline in biodiversity it is essential that we act now and ensure as a local authority we meet the needs of the present without compromising the ability of future generations to meet their own needs.

Supporting Nature in Flintshire

Flintshire County Councils' Biodiversity plan "Supporting Nature in Flintshire 2020 - 2023" has been produced in response to the enhanced biodiversity and resilience of ecosystems duty under Section 6 of the Environment (Wales) Act 2016. The Act requires that Public Authorities must seek to maintain and enhance biodiversity so far as is consistent with the proper exercise of their functions and in so doing promote the resilience of ecosystems.

A public authority, in complying with the Section 6 duty, must have regard to:

- The Section 7 list of habitats and species of principle importance for Wales
- The State of Nature Report published by Natural Resources Wales (NRW)
- Any Area Statement which covers all or part of the area in which the authority exercises its functions, once these are produced.

"Supporting Nature in Flintshire" is Flintshire County Council's second biodiversity duty plan which outlines how we plan to address our biodiversity duty under the Environment (Wales) Act 2016 between 2020 and 2023. Delivering the plan will also help achieve our Council plan priorities and Well-being objectives.
















Whilst we made good progress in 67% of the target areas in the 2016-2019 plan. There are areas which need further work and this updated plan ensures that these areas are included and can be prioritised.

Flintshire County Council, like other Local Authorities are under extended and continued financial pressure. It is essential that environmental initiatives are viewed holistically,

considered across functions, embedded within council programmes and embraced as an opportunity to improve our local environment, County wide well-being and resilience.

Progress to date on the plan is outlined below:

Objective 1: Engage and support participation and understanding to embed biodiversity throughout decision making at all levels


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|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>Action 1. Engage key departments across the Council to support implementation of the Section 6 duty</p> |
| <p>No Progress  Some Progress  Good Progress </p> <p>This engagement faced some delays due to the need to focus council operations on Covid response. The plan will be taken to Informal Cabinet in May 2021 and Scrutiny in June 2021</p> <p>Following this department specific input will be sought in 2021 which will further shape implementation of the plan.</p> |
| <p>Action 2 Assess existing Council plans and policies for impact on biodiversity and influence where possible</p> |
| <p>No Progress  Some Progress  Good Progress </p> <p>Biodiversity officer inclusion on the integrated impact assessment board and additional Nature Partnership representation on IIA board.</p> |
| <p>Action 3. Ensure high level consideration of duty in Council documents</p> |
| <p>No Progress  Some Progress  Good Progress </p> <p>The Biodiversity officer and Natural environment department provide comment and input into higher level plans.</p> |
| <p>Action 4. Ensure that environmental impact is considered through the procurement process</p> |
| <p>No Progress  Some Progress  Good Progress </p> <p>The required social value element to procurement now provides an opportunity for environmental considerations.</p> |
| <p>Action 5. Continue to work in partnership to coordinate the regional nature partnership (Bionet)</p> |
| <p>No Progress  Some Progress  Good Progress </p> <p>Work to develop the Nature Partnership, maximize effectiveness, support collaborative conservation action across north east wales is ongoing through the Local Nature Partnerships Cymru project which funds officer time and promotion/publicity activities for nature recovery.</p> <p>In March 2021 the regional nature partnership website was launched https://www.bionetwales.co.uk/about/</p> |
| <p>Action 6. Continue to develop and deliver projects with partner organisations</p> |

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| |
| <p>This is an area which is constantly evolving as funding is obtained or sort, for conservation projects. A wide range of these ongoing projects are displayed on the nature partnership website at https://www.bionetwales.co.uk/projects/</p> |
| <p>Action 7. Continue to develop and deliver internal communication and training</p> |
| |
| <p>Following on from the generic biodiversity training held for the previous reporting round. Department specific training will be the next step, this will need to be developed with each department to ensure it is both relevant and effective.</p> |
| <p>Action 8. Continue our role in educating residents and future generations about the importance of our natural environment</p> |
| |
| <p>This is done in a number of ways, combined activities and events with our countryside service and conservation partners. Promotion and publicity through the nature partnership website and social media platforms and education through our Flintshire eco champions schools programme</p> |
| <p>Action 9. Continue to provide and expand our environmental volunteering opportunities</p> |
| |
| <p>Restrictions as a result of Covid greatly impacted on volunteering opportunities throughout 2020 and have continued in 2021. Through the nature partnership website we can now link into project volunteering opportunities with our conservation partners.</p> <p>As circumstances allow we plan to reinstate our previous volunteering opportunities (species specific and invasive control) and build on our offering.</p> |

Where we need to be in 2023:

- Considering the impact of decisions on the natural environment across all departments as standard and ensuring that decisions seek to promote and enhance nature wherever possible.
- Coordinating an influential and effective Regional Nature Partnership and creating opportunities for partnership working.
- Our staff understand the impact they can make on the natural world and are confident to suggest change to support continual improvements towards a sustainability.
- Supporting and promoting a strong understanding of the importance of nature across our communities.



Objective 2: Safeguard species and habitats of principle importance and improve their management

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| <p>Action 10. Publish a Local Nature Recovery Action Plan for North East Wales</p>  <p>In consultation with the Regional Nature Partnership (Bionet) the first three priority habitats for our area have been outlined on the nature partnership website with short, medium and long term targets. This document will evolve online and provide evidence of change and guidance for regional conservation project priorities. It can be viewed here https://www.bionetwales.co.uk/nature-recovery-plan/</p> |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Where we need to be in 2023:

- Have an effective, innovative and collaborative Regional Nature Recovery Action Plan

Objective 3: Increase the resilience of our natural environment by restoring degraded habitats and habitat creation

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| <p>Action 11. Green our Council estate and improve accessible green spaces for wildlife and people</p>  <p>Grant funding has enabled some progress to increase trees and wildflower areas across our council estate, this work will continue through 2021.</p> <p>Going forward there will be a lot of value in allowing more areas to grow and manage them for biodiversity with a late summer cut and collect. Grant funded machinery purchased in 2020 will support these changes in management, this shift from conventional management would benefit both nature and carbon emissions/sequestration.</p> |
| <p>Action 12. Achieve Bee friendly status</p>  <p>Key supporting action to work towards bee friendly status include, reduced use of chemical weed control and investment in the Foamstream system. Reduced areas of mowing, installation and continued management of wildflower areas. Incorporation of green infrastructure into new design and retrofitting into existing.</p> <p>An application for Bee friendly status will be drafted in 2021.</p> |
| <p>Action 13. Progress our cross department Wildflower campaign</p> |

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| |
| <p>Work with Streetscene has been positive, grant funding has enabled 10 wildflower Roadshow sites to be installed May 2021.</p> <p>Additional sites will be added in the autumn 2021. Future work will also consider our burial grounds for wildflower enhancement and management for biodiversity where appropriate. We are also exploring the roundabout sponsorship scheme and how it can complement future wildflower sites.</p> |
| <p>Action 14. Progress our "Mapping to support nature recovery" project</p> |
| |
| <p>Biodiversity officer is working collaboratively with Denbighshire County Council to use innovative mapping systems to target and evidence conservation action.</p> <p>While the mapping allows much greater functionality and efficiency in the field. In house technical skills need to be improved further to enable best use of the system.</p> |
| <p>Action 15. Continue to implement the FCC urban tree and woodland strategy</p> |
| |
| <p>A winter programme of tree planting has been undertaken since the launch of the Urban tree and woodland plan in 2018. Although there was impact on community planting events due to Covid, business sponsorship, grant funding and partnership working have enabled some progress towards increasing canopy cover in 2020.</p> <p>A grant obtained for townscape tree planting in 2021 will greatly support tree planting in 2021/22. (Further details about our FCC tree planting approach are outlined below)</p> |

Where we need to be in 2023:

- Have a greener more biodiverse council estate which is well used and appreciated by residents.
- Using accessible and efficient mapping technologies to inform action, evidence change and engage residents.

Objective 4 Tackle key pressures on species and habitats

| |
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| |
| <p>Action 16. Continue to work with key departments to reduce the impact of climate change</p> |
| <p>Changes in our grounds maintenance through Streetscene (discussed above) will help to reduce the impacts of climate change.</p> <p>Our Flintshire Eco Champions education programme (run in conjunction with Energy staff) also supports this action.</p> |

Work through the IIA board enabling the impact of projects on the environment to be assessed will also support action against climate change.

There will also be further opportunity to look at specific sites within our landholdings in terms of improving biodiversity value and carbon sequestration which often go hand in hand.

Action 17. Promote and enable greener development



Our County Ecologist works to enable greener development across the council and ensure that important species and habitats are protected.

Unfortunately a conference on greener development which had been organised by the Biodiversity officer and colleagues and due to take place March 2020 was postponed due to Covid. This will be re-arranged to align with any future restrictions and may be moved online.

As a collaborative piece of work with the nature partnership we are exploring how else we can support greener development across the north east wales region.

Action 18. Work in partnership to limit the impact of INNs on local biodiversity



The majority of invasive nonnative work relies on volunteer involvement and events, all these events were cancelled in 2020 as a result of Covid. As a result of collaboration with the North Wales Wildlife Trust, some management for key projects (E.g. Controlling Himalayan balsam along the River Alyn) was undertaken by their staff when it was safe to do so.

The Biodiversity officer will be mapping invasive nonnative records and control measures in 2021 and continuing ongoing communication with Streetscene, estates and housing where sites are reported.

Where we need to be in 2023:

- Climate action is led, coordinated and supported by a cross departmental group
- Improved levels of nature consideration and inclusion across all new development
- We are involved in effective partnership work to minimise the impact of invasive species

Objective 5 Improve our evidence, understanding and monitoring

Action 19. Monitor and evaluate action




Action to date has been recorded through plan reporting and grant funding reports.

In 2021 we will begin to use interactive mapping to track and evidence change in addition to the above reports. This will allow a more effective level of post project monitoring.

Where we need to be in 2023:

- We will have a platform where we can share appropriate environmental data across the regional nature partnership.
- We will be able to evidence change and understand what the best action is and where and when to undertake it to focus resources we have.
- We will be using a spatial nature recovery action plan to inform action

Objective 6 Put in place a framework of governance and support for delivery

| |
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| Action 20. Ensure sufficient capacity and resources to comply with the duty |
|  |
| <p>The nature partnership is in year 2 of a 3 year project to improve its effectiveness, visibility and sustainability. This will provide the regional network needed to support local authority and other member action.</p> <p>The Biodiversity officer has obtained grant funding to increase hours to full time. In 2020/2021 this has been complimented by additional grant funding to contract temporary part time support to deliver specific grant funds. While this is not a long term solution it provides a short term structure for effective delivery of commitments in Flintshire.</p> |

Where we need to be in 2023:

- Have a strong and effective local and regional network which has well-coordinated and effective communication with national forums.
- We need a local structure which is effective, stable and supports our commitment to continued action to halt nature loss and creates a workplace where environmental consideration and nature based solutions are mainstream.

Short term grant funded projects:

The majority of biodiversity work to fulfill the objectives are undertaken with external grant funding. The level of funding obtained dictates the scope and impact of projects.

- Grant income for biodiversity projects (excluding Countryside service projects) for 2020/21 exceeded £220,000. This grant funding enabled the enhancement of green spaces for pollinators, orchard creation, tree planting, and installation of wildflower areas, meadow management and investment in machinery to manage the council estate for wildlife, including cut and collect machinery and a chemical free weed control system.
- Confirmed biodiversity grant funding for 2021/22 is approximately £232,000. Planned outputs for this grant funding include, continued temporary increase in hours for Biodiversity officer role, part time temporary support for the Biodiversity officer, creation of a total of 40 new natural assets across the county, including; High impact wildflowers in our Roadshow project, biodiversity enhancement along coastal sites in the Colour Our Coast project, fruit tree planting along active travel networks for our Fruit routes project, creation and enhancement of More meadows, a Townscape trees project to increase urban tree cover and improve understanding of their value and further investment in equipment to enable the management of natural assets into the future. The Biodiversity officer has also begun a collaborative project with Bumblebee conservation to further work with Calon wen farms in Flintshire and will be able to link with FCC tenant farms, offering support for farm management which benefits pollinators.

Tree planting

- Our urban tree and woodland plan sets out targets to increase urban canopy cover. Following its adoption in 2018 a number of grant funds have been obtained to progress the plan. The natural environment team have undertaken a programme of tree planting each winter planting season since 2018 which complies with the requirements of funding obtained, supports work within partnerships and/or takes advantage of opportunities. Short term, specific funding and resources can dictate the scope of tree planting projects. Tree planting is also guided by the urban tree and woodland plan and the principle of the right tree in the right place. This avoids important natural habitats being planted with trees where it wouldn't be appropriate or inappropriate species being planted
- Following the adoption of the plan, the team contacted town and community councils to promote tree planting and attended a number of meetings when requested to explore planting options.
- When sites are suggested for planting an appropriate level of engagement is undertaken, site managers are consulted and underground utilities checked prior to planting which is usually undertaken by the natural environment team with support from Countryside services and where appropriate volunteers.

- The 2021 townscape trees project funding has been approved to contract external consultants to work with the natural environment team to plan and prepare tree planting sites. The grant will also fund the purchase of trees and contractor installation.
- In Flintshire, a large proportion of our tree planting uses heavy standards which are large trees, these have instant impact and are less prone to damage through vandalism.
- New grant funded mapping capability is enabling the mapping of new tree planting to evidence progress and will in due course be used to publicise action.
- Key urban planting schemes to date have taken place in Flint, Connah's Quay, Saltney and Mold with additional planting at a number of school sites including Nercwys, Nannerch, Broughton and Holywell.

Wildflower areas

- Wildflower work is ongoing between the Biodiversity officer and Streetscene staff, the work has a number of objectives; to create demonstration wildflower verges, to improve the management of naturally diverse verges and to manage identified areas of green space less, allowing the grass to grow in some areas where it is appropriate.
- This work links with grant funded projects and equipment and has also established a link with the FCC roundabout sponsorship scheme which will be explored further this year.
- This spring wildflower sites have included sites in Flint, Mold, Buckley, Penyffordd, Bagillt and Connah's Quay

Partnership working

- One element of funding supports Biodiversity officer coordination of the regional nature partnership. This is a collaboration between Conwy, Denbighshire, Flintshire and Wrexham and drives regional species monitoring projects, development and implementation of the nature recovery plan, a programme of specialist mapping for conservation, awareness and publicity, regional project facilitation. More about the nature partnership can be found at <http://www.bionetwales.co.uk/> and the projects across north east wales here <https://www.bionetwales.co.uk/projects/>

Other areas:

The Biodiversity officer is also involved in projects looking at potential to improve biodiversity value and carbon sequestration, invasive species control, integrated impact assessments and input into the environmental impact and considerations of internal projects. Green infrastructure projects and site landscaping for biodiversity. For example: the River Alyn Himalayan balsam Control project, Queensferry campus biodiversity enhancement opportunities and Shotton green infrastructure project.

Detailed breakdown of Biodiversity Funding 20/22

Local Nature Partnerships Cymru: EnRaW funding 2019 – 2022

Aim: To make a long-term, sustainable difference to halting and reversing the decline of the natural environment, as detailed in the Nature Recovery Action Plan and Natural Resource Policy, through using SMNR principles to harness the collective resources of communities, volunteers, public bodies and businesses (beyond traditional audiences) to take informed, evidence-driven collaborative action within local authority or national park areas.

Objectives:

1. To establish a vibrant and effective all-Wales network of Local Nature Partnerships capable of contributing to Environment Act implementation at a local level through post creation, capacity-building, peer support and expert input at local and national level.
2. To develop local Nature Recovery Action Plans in all local authority/national park areas and support a broad range of actors to contribute to them in line with SMNR principles,
3. To deliver compelling evidence-based narratives about the value of nature recovery that resonate with a range of audiences and resources to help people, public bodies and businesses reap SMNR benefit themselves
4. To contribute to integration of NRAP, NRP and WFG Act objectives in policy development at local and national level (e.g. Well-Being Plans and Area Statements)
5. To widen participation and investment in the LNP Cymru project at local and national levels and to achieve a more secure and integrated funding base so that nature-based activities that also contribute to social, economic and cultural well-being can continue in future.

| Grant fund | WG: Enabling Natural Resources and Well-being Grant - £2.4m | | |
|-----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|-----------------------------------------------------------------------------|
| Funds received by FCC | Staffing | £31,869.94 (over 3 years) | To fund biodiversity officer increase hours to full time |
| | Project | £21,422.80 (over 3 years) | Project budget for Local Nature Partnership events, publicity and promotion |
| Outputs 20/21 | Developed the regional nature partnership (Bionet) further working with Conwy CBC, Denbighshire CC and Wrexham CBC | | |
| | Biodiversity Officer upskilling: Funded Budget management training, Project management Prince2 Foundation and Practitioner | | |
| | Greener development conference (Fully booked for 120 delegates in March 2020 – Postponed due to Covid) | | |
| | Development of Nature Recovery Plan (Draft complete March 21) | | |
| | Investment in ArcGIS mapping technology to enable mapping in the field , improved action capture, evidence and monitoring (Link to Nature Recovery Plan) | | |

| | |
|-----------------------|----------------------------------------------------------------------|
| | Creation of Nature Partnership website (Launch March 2021) |
| | Progress joint species monitoring projects |
| Planned Outputs 21/22 | Progress action under Nature Recovery Plan |
| | Re-schedule Greener development conference/Move online if necessary |
| | Make full use of mapping, website and improved social media platform |
| | Continue to develop and deliver regional projects |
| | Explore financial sustainability of the Nature Partnership |

Local Places for Nature 2020-2022

Background

1. Our environment underpins our economic, social, cultural and individual well-being. We depend on nature to provide our food, clean water, air, energy and the raw materials for our industries. Pressure on nature comes from many sources, including urbanisation, agricultural management, pollution, climate change and woodland management. NRW's 'State of Natural Resources Report, 2016' identified that Wales did not meet the 2010 international and national biodiversity targets. The most recent State of Nature, 2019 report (a third sector partnership of nature conservation organisations) says that of the 3,902 species (for which sufficient data were available) over 600 (17%) were threatened with extinction from Wales. Another 73 (2%) have gone extinct already.
2. Welsh Government has put in place some of the strongest legislation in the world, including the Wellbeing of Future Generations Acts and the Environment Act. This legislation seeks to address some of the challenges we face in a more joined-up way, with duties on Ministers and public authorities.
3. While this legislation is starting to bear fruit, our ecosystems are under imminent threat and there is a need to take immediate action.
4. The First Minister's manifesto commits to development of an Environmental Growth Plan to halt and reverse the decline in nature and to grow the environment for the benefit of future generations. It focusses on a holistic approach to land, water, air, plants and animals. The concept of 'Stop, Grow, Change for Environmental Growth' explains what individuals, communities, businesses and public bodies can do to help environmental growth;
 - a. **Stop** the decline in nature: this could include a range of activities around reducing litter, stopping or amending existing mowing practices, reducing pesticides and fertilizers, bringing into better management neglected areas enhancing areas of habitat.
 - b. **Grow** nature: this could include growing a National Forest, greening the estate, improving connectivity of habitats, growing the circular economy, creating

- allotments/community gardens, creating or increasing nature-rich urban green spaces and using area statements to drive forward activity locally.
- c. **Change** by removing barriers to, and encouraging, 'doing the right thing'. This could include, promoting active travel, inspiring interest and awareness of ecosystem resilience, etc.
5. 'Local Places for Nature'. Environmental Growth intends to enable people to see improvements to the natural environment 'from their doorsteps'. This includes community led activity, attending to the everyday places, demonstrating Environmental Growth 'on your doorstep' These may include new projects for community orchards, allotments, 'greening of public buildings', Tiny Forests, water fountains, habitat creation and interpretation, changing mowing practices etc.
 6. The Local Places For Nature fund is a £5m capital fund in 2020-21 to deliver 'Environmental Growth on your doorstep' It is intended to be a 'bottom up' approach. It is not intended to be prescriptive about what communities may wish to pursue. A range of projects could be presented and supported under the following 4 areas of focus including;
 - a. **AIR: *Improving air quality***, increasing carbon storage, reducing carbon emissions, removing pollutants.
 - b. **LAND & SEA: *Improving land and sea***; improving soil quality, improving water quality, encouraging nature in fields, nature reserves, and public rights of way.
 - c. **PLANTS & ANIMALS: *Encouraging plants and animals***; creating places for nature, allotments , developing ecological networks, encourage pollinators, wildlife passages, restoring habitat, planting, removing invasive and non-native species, street trees, gardens, hedgerows, roadside verges and green roofs, green corridors, parks, wildflower meadows, woodlands, cemeteries, urban green infrastructure
 - d. **WATER: *Improving water quality and availability***; creating places for nature in local rivers, streams and ponds, improving water regulation and improving drainage, water fountains, minimising chemical fertilizers and pesticides etc, using green infrastructure to minimise flooding or improve water availability.
 7. Requirements for all projects;
 - a. To restore and enhance nature.
 - b. Delivers environmental growth that can be seen 'from your doorsteps'. This means where people live, work, access public services, travel (so it includes roadside verges, roundabouts) and spend their leisure time (e.g. public open spaces). The proposals also include work to underpin the FM's commitment on 'doing the small things'.
 - c. Deliver a capital asset that has a sustainable management plan for future maintenance.
 - d. It will also be important for all projects to show to an appropriate extent that the activity:

- Is small-scale, local activity, designed and led by communities. Enables participation; helping people to experience and value nature, leading to individual and community action to protect and enhance nature.
 - Is focused on, or will benefit residents of, areas of deprivation.
- e. Demonstrates multiple benefits; spanning environmental, social, economic and cultural well-being.

| Grant fund | WG: Local Places for Nature 2020/21 | |
|----------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Grant stream | Funds received | Outputs |
| Greening the public estate | £40,135 | Investment in Foamstream chemical free weed control system – housed at Alltami for cross dept use. Foamstream system has reduced the use of chemical weed control, is multi-use has also been used for park cleaning and will be used in preparation for wildflower areas and future management of these areas. |
| Environmental growth | £72,365 | Creation of 14 capital assets for nature and investment in maintenance equipment. New meadows, orchards, exemplar places for pollinators and 2 Bank Commander 2 wheel tractors (1 Streetscene, 1 Countryside) to enable grassland management and ground preparation for wildflowers) |
| LP4N Capital Underspend | £38,850 | Biodiversity enhancements at greenspaces in Flint – Supporting the draft Flint Green infrastructure plan (Tree planting and wildflower areas at Cornist Park and Swinchiard Recreational ground) |
| Preparatory Grant | £65,000 | Purchase of grass management equipment: Grillo Cut and collect machinery for Streetscene, Tractor and Ryetec for meadow management in Countryside to support delivery of objectives in 2021/22 LP4N bid. |
| Revenue Grant | 5,000 | To support delivery Q3/4: Funded relief ranger support 1 day per week Nov 20 – March 21 |
| Outcomes 20/21 | Support delivery of FCC Sect. 6 Duty (and related Council plan action), FCC Urban tree and Woodland Plan and Environment priority in FCC Wellbeing plan. | |

| | |
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| | Investment in equipment to support improved council estate management for biodiversity and wellbeing. |
| | Creation of natural community assets improving local biodiversity value and community connection with nature. |
| | Funding and increased capacity has enabled improved internal cross departmental working and enhanced regional working. |

| Grant fund | WG: Local Places for Nature 2021/22 | |
|------------------------------------------------------------------------------------------------------------------------|----------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Grant stream | Funds approved | Planned Outputs |
| Local Places for Nature (Greening the public estate and Environmental Growth Combined at Biodiversity officer request) | £112,437.50 (£8,437.50 project office) | Colour Our County Project: 4 Work areas outlined below to create 40 natural assets. It will also purchase additional equipment to support future maintenance of the assets. <i>Work will support delivery of S6 duty, Urban tree and woodland plan and Council plan.</i> |
| | | Colour our coast: Tree and shrub planting, wildflower area creation in publically accessible spaces in the more deprived coastal communities. (10 sites min.) |
| | | Roadshow: High impact wildflowers on our transport network (15 sites min.) |
| | | Fruit routes: Fruiting tree and shrub planting along our active travel routes (10 sites min.) |
| | | More meadows: Meadow enhancement or creation at publically accessible sites (5 sites min.) |
| Challenge Fund | £100,000 (£10,000 project office) | Townscape trees: Tree planting across our settlements. The grant will specifically fund: 1.Consultant work to undertake; <ul style="list-style-type: none"> • Site scoping (Refer to tree and woodland plan and deprivation index) • Site assessments, Utilities searches and permissions, • Design Drawings, Recommendations for tree species, form and sizes for each location, Stakeholder liaison, • Works specification for each site, • Details of any traffic management required for the sites and keeping professional stakeholders (e.g. |

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|--------------|---------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | | <p>highway engineers) appraised of the developing schemes.</p> <ul style="list-style-type: none"> • Brief 5 year maintenance requirements. <p>2.Tree purchase and accessories 3.Contractor planting (Winter 21/22) 4. Mapping of all planting. It will provide a clear picture of project output and local benefit.</p> <p><i>Work will progress Urban tree and Woodland plan, support carbon reduction action and implement S6 duty.</i></p> |
| Revenue Fund | £20,000 | <p>Continued support for the Biodiversity Officer from Relief ranger (1 day per week)</p> <p>Contracted support from North Wales Wildlife Trust (1 day per week)</p> <p>Collaborative project with WCBC, Bumblebee conservation and Calon wen farms (Including work with Council tenant farms where possible)</p> |

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Supporting Nature in Flintshire

Our plan to maintain and enhance biodiversity
under the Environment (Wales) Act 2016



Page 107

January
2020 -
December
2023

Foreword

Nature is in deep crisis, 2020 marks the year our nation has failed to meet almost all of the international biodiversity commitments which were set 10 years ago. The continual downward spiral in the health of our natural world demonstrates the need to change the way we live and make business decisions. The wellbeing of future generations will depend on our action now.

At Flintshire County Council serving our community is central. We know that our communities want first class local services and we want to ensure that our environment is protected and enhanced while we carry out these functions. We understand how important the health of our environment is and how closely it is linked with the wellbeing and happiness of our communities.

The Covid-19 crisis has put many public services under huge pressure but it has also highlighted to many the value of our natural world, we have all had to find new ways of working and many of these are positive for our environment and will be adopted permanently as we emerge from the crisis.

We understand at Flintshire County Council that we are in a key position and moment when we can lead the way in nature recovery and support understanding and action across our communities.

Councillor Carolyn Thomas
Deputy Leader Flintshire County Council

*Complying with
our Section 6
Biodiversity Duty
Under the
Environment Act*

*20
Actions for
nature*

*Delivering a
greener council
and supporting
community
wellbeing*



Contents



Summary

Why is nature important and why action is needed now. Background to the plan and how it will be progressed.



Why do we need a plan

What compliance looks like and links with other legislation, plans and policies



Why do we need to support nature in Flintshire

What we have in Flintshire, Grassland and Commons, Woodlands and trees, Rural and urban green infrastructure and protected sites.



How will we measure progress

The many ways that action will be monitored.



Action to support nature in Flintshire

20 Actions for nature set out under objectives 1 to 6 of the National Nature Recovery Action Plan.



References and Further information

Summary

Nature is our planet's life support system and consequently essential for human survival. Our natural environment provides our food, water, air, building materials, medicines and landscape. Biodiversity is the variety of life on earth and biodiversity loss continues as a direct result of human impacts, through habitat loss and degradation, over exploitation, pollution, climate change and invasive non-native species.

Welsh Government recognise all the benefits that are provided by plants, animals microorganisms and the places where they live and are aiming to reverse the decline of biodiversity in Wales with a ground breaking new framework of legislation.

As a Local Authority we have a duty to function sustainably and lead by example to protect and enhance our natural environment. Flintshire County Council have many areas of responsibility which can impact on the natural environment and we have the authority to ensure we function in a way which ensures the protection and recovery of nature. This way of working goes hand in hand with effective action against climate change.

To meet the challenge of reversing the decline in biodiversity it is essential that we act now and ensure as a local authority we meet the needs of the present without compromising the ability of future generations to meet their own needs.

Wales did not meet the 2010 biodiversity targets

Globally we will fail to deliver the 2020 targets



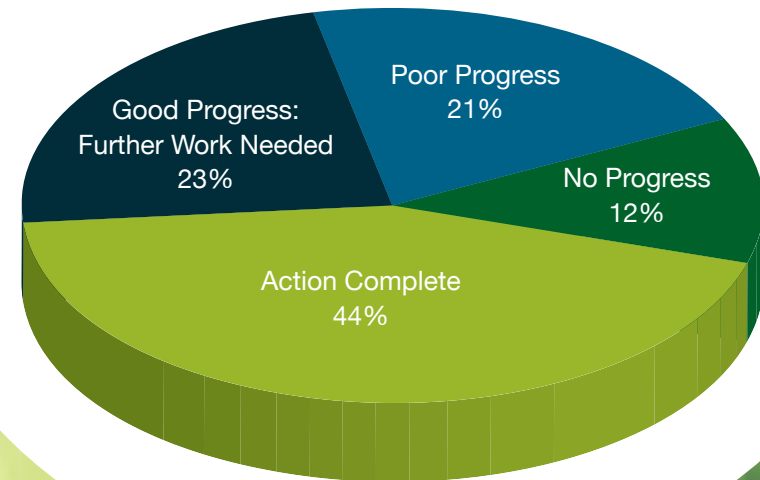
Between 2002 and 2008 less than half of our most important SPECIES IN WALES were considered stable or increasing

2016-19 Biodiversity Section 6

Plan progress report: Dec 2019

Supporting Nature in Flintshire is our second plan for maintaining and enhancing biodiversity in Flintshire. We made good progress in 67% of the target areas under our 2016-2019 plan and are progressing our work in 2020 in a stronger position having continued to secure a number of grants for action for nature and to increase our Biodiversity Officer position to full time. Flintshire have been instrumental in ensuring the continuation of the Regional Nature Partnership (Bionet) which will be an essential tool in the development of a Local Nature Recovery Action Plan, in implementing targets from the National Nature Recovery Action plan, priorities from the Area Statements and wellbeing objectives.

Our plan is ambitious. It will involve working across council departments, driving change which will have multiple benefits and promoting new ways of thinking and working. There will be particular links with the Carbon reduction program and the emerging priority area of climate change.



Why do we need a plan?

Supporting Nature in Flintshire has been produced in response to the enhanced biodiversity and resilience of ecosystems duty under Section 6 of the Environment (Wales) Act 2016.

The Act requires that Public Authorities must seek to maintain and enhance biodiversity so far as is consistent with the proper exercise of their functions and in so doing promote the resilience of ecosystems.

To comply with the Section 6 duty, a Public Authority must have regard to:

- The Section 7 list of habitats and species of principle importance for Wales
- The State of Nature Report published by Natural Resources Wales (NRW)
- Any Area Statement which covers all or part of the area in which the authority exercises its functions, once these are produced
- and**
- Must prepare and publish a Sect. 6 delivery plan and report on plan progress every 3 years

Supporting Nature in Flintshire outlines how, as an organisation, we plan to address our biodiversity duty under the Environment (Wales) Act 2016.

There are strong links between the Environment

(Wales) Act 2016 and the Well-being of Future Generations (Wales) Act 2015.

All major threats to nature including; climate change, over-exploitation, habitat loss, pollution, land management and invasive species can be addressed by living more sustainably which is at the heart of the Well-being of Future Generations (Wales) Act 2015.

Complying with the Section 6 duty will help us maximise our contributions to the Well-being goals and will also support delivery of other key plans and policies. Linked national, regional and local legislation, plans and policies are outlined below.

| National | Regional | Local |
|---------------------------------------------------|-----------------------------|-------------------------------------|
| Well-being of future generations (Wales) Act 2015 | Area Statements | Council Plan 2020 -2023 |
| Environment (Wales) Act 2016 | Nature Recovery Action Plan | Well-Being Plan |
| Nature Recovery Action Plan for Wales | | Carbon Reduction Programme |
| Climate Emergency Declaration | | Urban Tree & Woodland Plan |
| Action Plan for Pollinators | | Environment & Sustainability Policy |



Why do we need to support nature in Flintshire?

Flintshire is a county of contrasts. Set between the rural counties to the west and the more developed areas of Cheshire and Merseyside, land use varies from intensive industrial development along the Dee estuary through to remote and wild areas on the Clwydian range. The moorland, coast and woodland are important to all who live, work and visit the County.

The Clwydian Range, designated Area of Outstanding Natural Beauty, lies in the west of Flintshire, here Coniferous forests are prominent and although areas are managed for agriculture, much of it is still covered by a mosaic of heath, heather and gorse. Our only areas of deep peat in the county are in the Clwydian range. Peatland habitats can play an important role in water management, slowing down flood waters and naturally reducing flood-risk downstream. By slowly releasing water during dry periods, peatland helps to reduce the impact of droughts on water supplies and on river and stream flows.

Nature is being lost across the whole of Wales and Flintshire is no exception. Over the decades, Flintshire has undergone significant transformation.

Impacts are evident on our Dormouse population where average positive survey records across our sites has reduced by 94% indicating a population which has plummeted. Another small mammal the water vole is the UK's fastest declining mammal and in Flintshire is now only found in specific pockets of suitable habitat.

The widespread loss of natural habitats through development, agriculture, housing, infrastructure, industry and mineral extraction is significant and there are new threats including pests and diseases such as Ash Dieback which is likely to greatly impact on the Ash trees across the County.

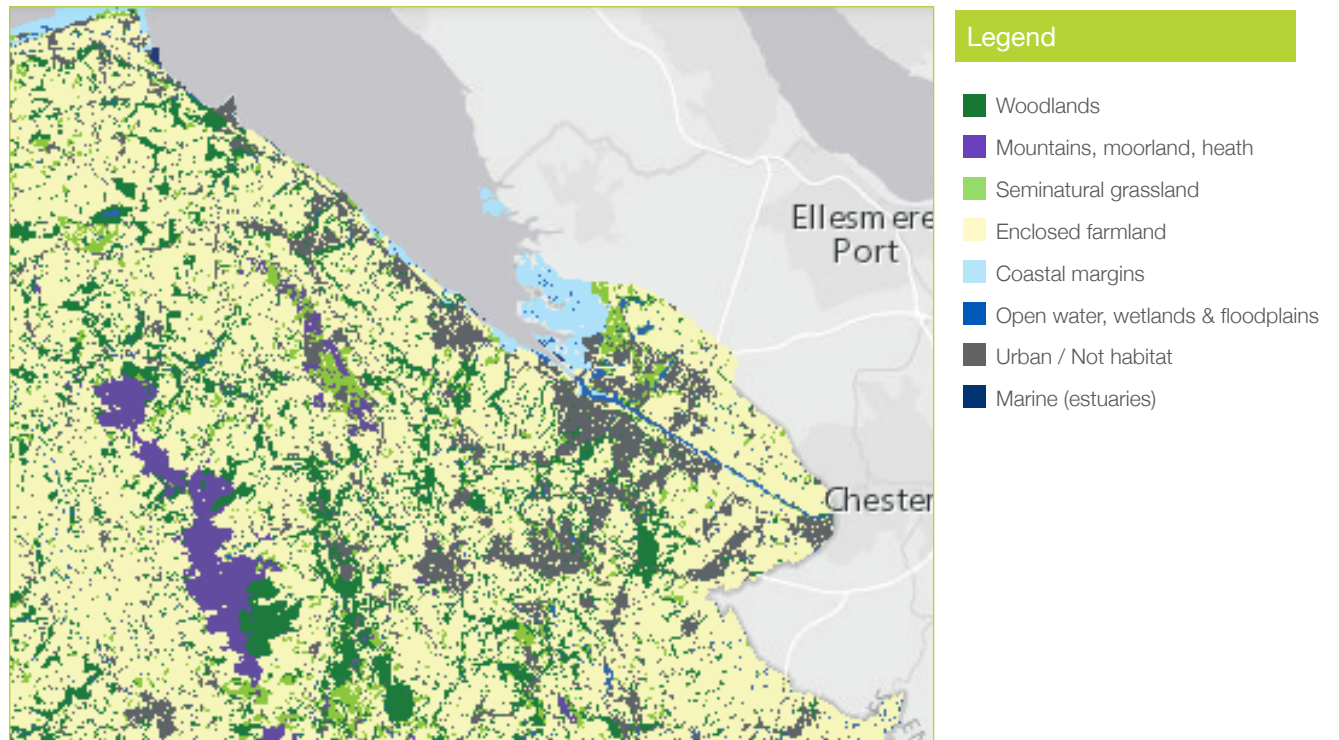
Despite this Flintshire does still retain many places that are of importance for wildlife in urban and rural areas and there is now more evidence than ever, that these natural places are also incredibly important for human well-being.

The Well-being Plan for Flintshire reports "that people living, working and visiting Flintshire, place a high value on the natural environment and want to use it more for their own wellbeing"



Nature in Flintshire

The broad distribution of habitats in Flintshire is shown in the map below.



Natural Resources Wales

<https://envsys-ltd.maps.arcgis.com/apps/MapSeries/index.html?appid=f8741b82f4974486ae3ad0ddd8285692>

Grassland and Commons

Many of the commons within Flintshire are important for wildlife. The Halkyn Common Special Area of Conservation (SAC) was formed over glacial deposits and 350 million year old limestone, creating a unique habitat and the largest resource of Calaminarian grassland in Wales. Nationally uncommon species such as the lead-tolerant spring sandwort are abundant as a result of the long history of metalliferous mining in the area.

The commons in the more urban areas also provide important diverse habitats. The network of ponds, wetland and scrub areas on Lower Common, Buckley are particularly important as breeding sites for frogs and newts and form part of the Deeside and Buckley Newt Sites SAC.

Flintshire is one of the key counties in Wales for the Great crested newt, they will often favor rural farm ponds, old quarries and derelict land in urban settings.

Page 115

Award winning mitigation at a development site in Buckley has increased the Great Crested Newt Population on site by over 1000%

Woodlands and Trees

Woodlands cover 8.8% of the county, well below the Wales average of 14%. It is characterised by small blocks of farm woodland and some rural estates, as well as larger forest blocks, such as Nercwys and Moel Famau in the south of the county. Woodland forms an important habitat component in the wider countryside and within protected sites. For example Alyn Valley Woods SAC which follows the river Alyn from Loggerheads to Rhydymwyn is designated for its broadleaved woodland on limestone and wet alder woodland. Much of the Deeside and Buckley newt sites SAC is woodland which is important terrestrial habitat for Newts and Wepre Woods in Connahs Quay is designated for the sessile oak woodland present.

In 2018 we launched our Urban tree and woodland plan, the plan sets a target of achieving an urban canopy cover of 18% by 2033, an increase from the current 14.5%, the seventh lowest in Wales. It's a 15 year plan which sets out an integrated approach to planting on all types of council land.

Tree planting and natural regeneration (where appropriate) will be an important part of creating resilient ecological networks. It is essential that "The right tree in the right place" policy is followed when planning tree planting. This will prevent any loss of other important habitats (such as wetland or grassland) and will ensure that the trees provide maximum benefit into the future.

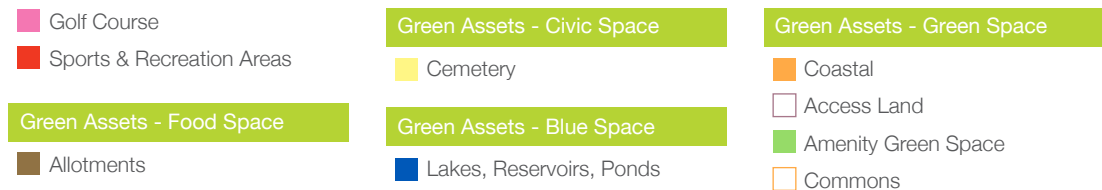
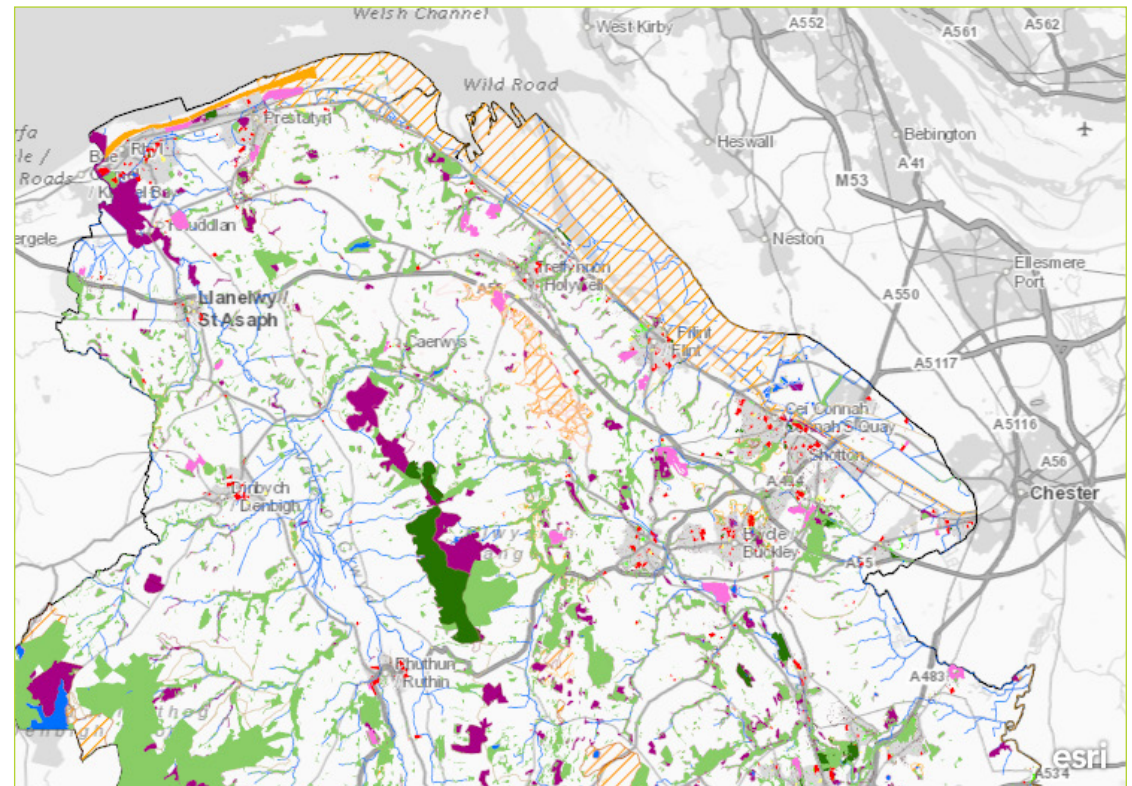


*In the year
2019/2020
we planted
over 6000
trees*

Rural and Urban Green Infrastructure

There are many undesignated sites and scattered fragments of habitats which have nature conservation value and are essential for nature. This forms our green infrastructure. It includes streams and small pockets of wet woodlands, old hedgerows, acting as corridors for wildlife in otherwise species-poor fields; ancient woodlands hosting hundreds of species including bluebells. Combined these habitats provide for our more common and rare species such as Sand Lizards, Natterjack toads, Bats, Dormice, Otter, Great Crested Newts and thousands of wading birds on the Dee Estuary.

Most urban areas within the County incorporate informal 'green space' which is important for wildlife and recreation. Many of these are the legacy of old industrial or mineral workings which have developed natural flora and are the home for numerous insect species. Greenfield Valley, Holywell and Wepre Park, Connah's Quay are particularly valuable 'wild spaces'. The map to the right shows the different types of urban green infrastructure across Flintshire.



Protected Sites

Flintshire contains a high number of international, national and local nature conservation designations.

Interest (SSSIs) and over 300 locally designated wildlife sites.

The saltmarsh, sand dune and mudflat habitats of the Dee Estuary are not only important in their own right, but host internationally important populations of wildfowl and waders and are designated internationally as Special Protected Area (SPA), Special Area of Conservation (SAC) and RAMSAR wetland site of international importance. Other internationally designated sites include the Alyn Valley Woods SAC, Deeside and Buckley Newt Sites SAC and Halkyn Mountain SAC.

These contain sensitive habitats including coastal and floodplain grazing marsh (5% of the welsh resource), Lowland Calcareous grassland (17% of the welsh resource), Saltmarsh (12% of the welsh resource) heathland, reedbeds, calaminarian grassland, ponds and coastal sand dunes .

In total the County hosts over 23 Sites of Special Scientific

We have 23 nationally protected sites (SSSIs) in Flintshire Crested Newt Population on site by over 1000%

The last review of sssi in flintshire highlighted that 68% were in unfavourable condition

How will we measure progress?

Progress against the plan will be formally reported to Welsh Government after every three year period with a report published on our website. This is dictated by the Environment (Wales) Act 2016.

Due to the cross cutting and integrated nature of the plan and the fact that the plan will deliver objectives for a number of Council areas, action under this plan will be measured and reported through a number of additional methods.

Regular progress reports will be received by the Flintshire County Council Environment working group. Actions will be reported quarterly through the Welsh Government funded Local Nature Partnership Cymru project. Flintshire County Council also sit on the Welsh Government Section 6 Task and Finish Group so action will be reported directly to Welsh Government at these meetings. Action will also contribute to the quarterly Council Plan reporting and reporting for the Well-being objectives.

Action will be measured by the outcomes produced, production of documents, the mapping of environmental assets or the mapping of change. Electronic survey methods and attendance and feedback from events and activities will also be used where appropriate.



Action to support nature in Flintshire

Actions in this plan are structured under the Welsh Governments National Nature Recovery Action Plan objectives, this is in line with guidance from Welsh Government.

All actions are in line with the sustainable development principles also known as the “5 ways of working” outlined in the Well-being of Future Generations (Wales) Act 2015.

- Long term
- Prevention
- Integration
- Collaboration
- Involvement

There will often be some overlap between the actions and objectives of various national and local plans and we work to ensure that these work streams complement each other.

Some of the actions in Supporting Nature in Flintshire, do directly link to the Council Plan and Wellbeing objectives. Where actions directly deliver for these plans it is indicated by the symbols below. Additionally much of our work is grant funded and can be a legal requirement but where specific actions in this plan are statutory or grant funded (For part of the plan duration) it is also highlighted.

- ST** Statutory
- CP** Council Plan
- WB** Well-being Plan
- GF** Grant Funded



Objective 1: Engage and support participation and understanding to embed biodiversity throughout decision making at all levels

Current challenges:

Corporate change is needed to alter the impact of our actions on the natural world, ensuring the value of our natural world is recognised and understood will help initiate this change. As a public body we have the ability to influence how our own estate is managed, our residents understanding of the issue and our own processes and policies.

In Flintshire the large businesses and industrial areas highlight the need for private companies to also be performing sustainably and fully engaged in conservation objectives. There are many good examples of links between businesses and conservation work in Flintshire. These partnerships need to be built on and promoted. It is essential that biodiversity is considered and incorporated into design and discussions at an early stage to ensure our landscape can be both economically and environmentally prosperous.

Where we need to be in 2023:

- Considering the impact of decisions on the natural environment across all departments as standard and ensuring that decisions seek to promote and enhance nature wherever possible.
- Coordinating an influential and effective Regional Nature Partnership and creating opportunities for partnership working.
- Our staff understand the impact they can make on the natural world and are confident to suggest change to support continual improvements towards a sustainability.
- Supporting and promoting a strong understanding of the importance of nature across our communities.

Action 1 Engage key departments across the Council to support implementation of the Section 6 duty.

Action 2 Assess existing Council plans and policies for impact on biodiversity and influence where possible.

Action 3 Promote high level consideration of duty in Council documents.

Action 4 Ensure that environmental impact is considered through the procurement process.

Action 5 Continue to work in partnership to coordinate the regional nature partnership (Bionet) **GF**.

Action 6 Continue to develop and deliver projects with partner organisations and businesses.

Action 7 Continue to develop and deliver internal communication and training.

Action 8 Continue our role in educating residents and future generations about the importance of our natural environment.

Action 9 Continue to provide and expand our environmental volunteering opportunities **WB**.

*Over 2500
people
attended our
environmental
events in
2019*



Objective 2: Safeguard species and habitats of principle importance and improve their management

Current challenges:

Since 1970 in the UK 41% of species have decreased. In Wales we have seen changes where wildlife is found: 30% is found in fewer places. Across the whole of Wales protected areas are generally small and fragmented and are therefore vulnerable to management changes and the influence of surrounding land use. The last review 68% of SSSIs were in unfavourable condition and 71% of assessed habitat features are judged to be in unfavourable condition.

There are strong development pressures around important habitats in Flintshire and key European Great Crested Newt sites. The future of the species in Flintshire will be dependent on maintaining habitat connections through the developing landscape this is also vital for retaining a landscape and ecosystems which will be resilient in a changing climate.

Where we need to be in 2023:

- Have an effective, innovative and collaborative Nature Recovery Action Plan

Action 10 Publish a Nature Recovery Action Plan to inform and guide action for species and habitats of principle importance across Flintshire **GF**



Objective 3: Increase the resilience of our natural environment by restoring degraded habitats and habitat creation

Current challenges:

There are numerous issues which may undermine the resilience of our ecosystems; pressure from development for industry, housing and infrastructure, lack of available land that owners are willing to leave wild/enhance for nature. The spread of invasive non native species. Social pressures such as off-road motorcycling and anti- social behaviour including littering and fly tipping all place additional pressure on our ecosystems and their ability to cope with change.

Restoring, expanding and improving the condition of our natural habitats, as well as incorporating natural space into our new development is the key to making them more resilient and able to deliver a wider range of social, economic and environmental benefits.

Where we need to be in 2023:

Have a greener more biodiverse council estate which is well used and appreciated by residents.

Using accessible and efficient mapping technologies to inform action and evidence change

Action 11 Green our Council estate and improve accessible green spaces for wildlife and people **CP WB**

Action 12 Achieve Bee friendly status **CP**

Action 13 Progress our cross department Wildflower campaign **CP**

Action 14 Progress our “Mapping to support nature recovery” project **GF**

Action 15 Continue to implement the FCC Urban tree and woodland strategy **CP**



Objective 4: Tackle key pressures on species and habitats

Current challenges:

Climate change is one of the biggest threats to biodiversity. Impacts are already being seen across our species. Migratory birds are arriving and laying eggs earlier for example swallows are arriving 15 days earlier today than they did in the 1960s. The availability of sand eels has reduced which are a key food source for our sea birds. On average 10-12 new non native species become established in the UK each year and up to 20% of these can have serious adverse impacts. Pests and diseases also threaten our native species, The disease Ash dieback continued intensification of land management and urbanisation also have a dramatic impact on our nature.

Where we need to be in 2023:

- Climate action is led, coordinated and supported by a cross departmental group
- Improved levels of nature consideration and inclusion across all new development
- We have implemented planned ash dieback action and where possible minimised negative impacts on local nature
- We are involved in effective partnership work to minimise the impact of invasive species

Action 16 Continue to work with key departments to reduce the impact of climate change **CP WB**

Action 17 Promote and enable greener development **WB**

Action 18 Work in partnership to limit the impact of INNs and pests and diseases on local biodiversity



Objective 5: Improve our evidence, understanding and monitoring

Current challenges:

Our data on local regional and national species and habitats is limited and we do not have the capacity, time or resources to undertake complete habitat and species audits. Data is poorly shared between organisations which leads in inefficient working and missed opportunities. We need to focus on halting the decline of nature and we need to improve local action through effective monitoring and evidencing of project action.

Where we need to be in 2023:

- We will have a platform where we can share appropriate environmental data across the regional nature partnership.
- We will be able to evidence change and understand what the best action is and where and when to undertake it to focus resources we have.
- We will be using a spatial nature recovery action plan to inform action

Action 19 Monitor and evaluate action **ST**



Objective 6: Put in place a framework of governance and support for delivery

Current challenges:

Like many other public bodies we have work to do in raising the profile of the environment across our depts. We recognise that work is needed to embed environmental consideration and we will look to incorporate the environment across Local Authority policy and documents to allow consistency and clarity on our commitments to nature recovery.

Where we need to be in 2023:

- Have a strong and effective local and regional network which has well-coordinated and effective communication with national forums.
- We need a local structure which is effective, stable and supports our commitment to continued action to halt nature loss and creates a workplace where environmental consideration and nature based solutions are mainstream.

Action 20 Ensure sufficient capacity and resources to comply with the duty



References

- State of Nature Report 2019 <https://nbn.org.uk/stateofnature2019/>
- Flintshire County Council Council Plan <https://www.flintshire.gov.uk/en/Resident/Council-and-Democracy/Council-Plan.aspx>
- Flintshire County Council Well-being Plan <https://www.flintshire.gov.uk/en/Resident/Council-and-Democracy/Council-Plan.aspx>
- Flintshire County Council Urban tree and woodland Plan <https://www.flintshire.gov.uk/en/PDFFiles/Countryside--Coast/Tree/Urban-Tree-and-Woodland-Plan.pdf>
- North East Wales Green Infrastructure map: Cofnod 2018: Not published
- Broad habitat mapping: Natural Resources Wales <https://envsys-ltd.maps.arcgis.com/apps/MapSeries/index.html?appid=f8741b82f4974486ae3ad0ddd8285692>
- Welsh habitat targets disaggregation report CCW 2007

Further Information

- For the full text of the Environment (Wales) Act 2016: <http://www.legislation.gov.uk/anaw/2016/3/contents/enacted>
- For guidance documents see: <https://www.biodiversitywales.org.uk/Environment-Wales-Act>
- For the full text of the Well-being of Future Generations (Wales) Act 2015: <http://www.legislation.gov.uk/anaw/2015/2/contents/enacted>
- For guidance documents see: <https://futuregenerations.wales/about-us/future-generations-act/>
- For further information on the Environment (Wales) Act 2016 Section 6 duty: <https://www.biodiversitywales.org.uk/Section-6>
- For further information about the Environment (Wales) Act 2016 Section 7 Habitats and Species of principle importance for conservation: <https://www.biodiversitywales.org.uk/Environment-Wales-Act>
- Find the Regional Nature Partnership (Bionet) on social media at <https://www.facebook.com/NEWBioNet/> and <https://twitter.com/newbionet>



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ENVIRONMENT AND ECONOMY OVERVIEW & SCRUTINY COMMITTEE

| | |
|------------------------|----------------------------------------------------|
| Date of Meeting | Tuesday, 8 th June 2021 |
| Report Subject | Commencement of the Socio-economic Duty |
| Cabinet Member | Cabinet Member for Corporate Management and Assets |
| Report Author | Chief Executive |
| Type of Report | Operational |

EXECUTIVE SUMMARY

The Welsh Government has commenced the Socio-economic Duty in Wales. The statutory requirement of the duty places a legal responsibility on relevant bodies, when they are taking strategic decisions, to have due regard to the need to reduce the inequalities of outcome resulting from socio-economic disadvantage. The new duty will be a key mechanism for supporting the most vulnerable in our society.

The purpose of this report is to provide a summary of the new duty and update all Overview and Scrutiny Committees of our preparedness for the commencement of the socio-economic duty.

RECOMMENDATIONS

| | |
|---|------------------------------------------------------------------|
| 1 | Scrutiny note the requirements of the Socio-economic Duty. |
| 2 | Scrutiny is assured of our preparedness in meeting the new duty. |

REPORT DETAILS

| | |
|-------------|------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1.00 | EXPLAINING THE SOCIO-ECONOMIC DUTY |
| 1.01 | Sections 1-3 of the Equality Act 2010, the Socio-economic Duty, requires relevant public bodies, when taking strategic decisions, to have due regard |

| | |
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| | to the need to reduce inequalities of outcome that result from socio-economic disadvantage. This section of the Act was not enacted when the Equality Act came into force in 2012, and has lay dormant on the statute books. Welsh Ministers commenced the Socio-economic Duty on 31 March 2021. |
| 1.02 | <p>The Socio-economic Duty intends to ensure that those taking strategic decisions:</p> <ul style="list-style-type: none"> • take account of evidence and potential impact on people who experience socio-economic disadvantage. • through consultation and engagement, understand the views and needs of those impacted by the decision, particularly those who suffer socio-economic disadvantage. • welcome challenge and scrutiny. • drive a change in the way that decisions are made and the way decision makers operate. |
| 1.03 | Welsh Government (WG) has advised that “the duty is a key mechanism in supporting the most vulnerable in our society and something which will be extremely important in our continued response to Covid-19”. |
| 1.04 | WG has published non- statutory guidance, “A More Equal Wales, Preparing for the Socio-economic Duty” and a fact sheet to support organisations who are required to meet the duty. Guidance for decision makers “Socio-economic Duty: scrutiny framework” has also been published to support decision makers meet their duty to show “due regard”. This includes a checklist with examples of evidence to confirm “due regard” has been given. |
| 1.05 | <p>Key terms explained in the guidance include:</p> <ul style="list-style-type: none"> • Due regard - will require the named authorities to consider the issues and to give weight to such considerations proportionate to their relevance. • Inequalities of outcome – any measurable difference in outcome between those who experience socio- economic disadvantage and the rest of the population – lower healthy life expectation, lower paid work, poorer skills and attainment. • Reporting - there will be no statutory reporting but organisations should be able to demonstrate how they have discharged their statutory duty and have a clear audit trail of evidence. An individual or group who feel that their interests are adversely affected by a decision or feel that an organisation is not complying with the duty may bring a judicial review claim against that organisation. • Strategic decisions - Strategic decisions are defined as “those decisions which affect how the organisation fulfils its statutory purpose over a significant period of time”. These do not include routine, day to day decisions. |

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| 1.06 | <p>Some examples of strategic decisions include:</p> <ul style="list-style-type: none"> • Medium to long term plans; • Setting objectives; • Changes to and developing public services; • Strategic financial planning; • Major procurement and commissioning decisions. |
| 1.07 | <p>WG has set out four steps within the guidance to support organisations to prepare to meet the duty:</p> <ul style="list-style-type: none"> • Step 1 - identifying strategic decisions • Step 2 - identifying those involved with strategic decisions. • Step 3 - ensure that those involved with strategic decision making process understand the requirements of the duty. • Step 4 - integrate consideration of inequality of outcome caused by socio-economic decisions within existing processes to understand and start evidencing, for example, Integrated Impact Assessments, engagement processes. |
| 1.08 | <p>We are already undertaking a number of these steps:</p> <ul style="list-style-type: none"> • Strategic decisions are identified in formal committee reports; • Integrated Impact Assessments (IIA) include potential impacts on poverty and these are included within committee reports for decision makers to consider; • Impacts on the well-being goals, including the goal “An Equal Wales”, and the future ways of working are also reported within committee reports; and • Poverty is included as a priority within the Council Plan. |
| 1.09 | <p>The new duty provides an opportunity to review and update what we do, including IIAs, procurement and committee reports. This will ensure that we can evidence we are meeting the new duty and are considering how our decisions might help reduce the inequalities associated with socio-economic disadvantage. We are updating our IIA tool to ensure the new duty is fully considered and are amending the commissioning form to ensure commissioning officers complete relevant impact assessments before procuring new services.</p> |
| 1.10 | <p>Further information about this new duty is provided as part of a presentation to this committee.</p> |

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| 2.00 | RESOURCE IMPLICATIONS |
| 2.01 | <p>Revenue/Capital: there are no implications for the approved revenue and capital budgets for either the current financial year or for future financial years.</p> |

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| | Human Resources: there are no implications for additional capacity or for any change to current workforce structures or roles. |
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| 3.00 | IMPACT ASSESSMENT AND RISK MANAGEMENT |
|-------------|----------------------------------------------|

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| 3.01 | An Integrated Impact Assessment is not required as this report provides an overview of legislation requirements. Strategic reports to formal committees, from 31 March 2021, will require evidence of demonstrating due regard to the Socio-economic Duty. |
|------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Ways of Working (Sustainable Development) Principles Impact

| | |
|---------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Long-term | No change. |
| Prevention | Positive. The new duty aims to ensure that potential impacts on socio-economic disadvantage are considered |
| Integration | Positive. The new duty aims to build on existing legislation, such as the Public Sector Equality Duty and the Well-being of Future Generations Act. |
| Collaboration | No change |
| Involvement | Positive. Demonstrating due regard to socio-economic disadvantage requires public bodies to listen to the voices of people and communities who experience socio-economic disadvantage. |

Well-being Goals Impact

| | |
|----------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|
| Prosperous Wales | Positive. The purpose of the new duty is to reduce inequalities of outcome caused by socio-economic disadvantage. |
| Resilient Wales | No change |
| Healthier Wales | Positive. The purpose of the new duty is to reduce inequalities of outcome caused by socio-economic disadvantage, including health inequalities. |
| More equal Wales | Positive. The purpose of the new duty is to reduce inequalities of outcome caused by socio-economic disadvantage. |
| Cohesive Wales | No change |
| Vibrant Wales | No change |
| Globally responsible Wales | No change |

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|-------------|-----------------------------------------------------------------------------|
| 4.00 | CONSULTATIONS REQUIRED/CARRIED OUT |
| 4.01 | No consultation required as this reports on a new duty. |
| 4.02 | All Council Overview and Scrutiny Committees will be receiving this report. |

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|-------------|-------------------|
| 5.00 | APPENDICES |
| 5.01 | None |

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|-------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 6.00 | LIST OF ACCESSIBLE BACKGROUND DOCUMENTS |
| 6.01 | <p>A More Equal Wales: Preparing for the commencement of the Socio-economic Duty. Non- statutory Guidance .</p> <p>Commencing The Socio-economic Duty Fact Sheet</p> <p>Socio-economic Duty: Scrutiny Framework</p> |

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|-------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 7.00 | CONTACT OFFICER DETAILS |
| 7.01 | <p>Contact Officer: Fiona Mocko, Strategic Policy Advisor Telephone: 01352 702122 E-mail: fiona.mocko@flintshire.gov.uk</p> |

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|-------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 8.00 | GLOSSARY OF TERMS |
| | <p>Integrated Impact Assessments: An Integrated Impact Assessment (IIA) is a way to look at how a proposal could affect communities and if different groups within the community will be affected differently. It takes into consideration impacts on the environment, equality (people with protected characteristics), health, poverty and Welsh language.</p> <p>Socio-economic disadvantage: Living in less favourable social and economic circumstances than others in the same society. This includes both communities of interest and communities of place. Communities of interest includes people with protected characteristics as defined by the Equality Act 2010 and groups of people who share an experience, for example, people who are homeless. Communities of place include people who are linked together because of where they reside or work.</p> |

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