

Public Document Pack

Gareth Owens LL.B Barrister/Bargyfreithiwr
Chief Officer (Governance)
Prif Swyddog (Llywodraethu)



Contact Officer:
Maureen Potter 01352 702322
maureen.potter@flintshire.gov.uk

To: Cllr David Evans (Chair)

Councillors: Mike Allport, Mel Buckley, Chris Dolphin, Ian Hodge, Ray Hughes, Richard Lloyd, Hilary McGuill, Mike Peers, Vicky Perfect, Dan Rose and Roy Wakelam

6 September 2023

Dear Sir/Madam

NOTICE OF HYBRID MEETING
ENVIRONMENT & ECONOMY OVERVIEW & SCRUTINY COMMITTEE
TUESDAY, 12TH SEPTEMBER, 2023 at 10.00 AM

Yours faithfully

Steven Goodrum
Democratic Services Manager

Please note: Attendance at this meeting is either in person in the Lord Barry Jones Council Chamber, Flintshire County Council, County Hall, Mold, Flintshire or on a virtual basis.

The meeting will be live streamed onto the Council's website. The live streaming will stop when any confidential items are considered. 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.

A G E N D A

1 **APOLOGIES**

Purpose: To receive any apologies.

2 **DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)**

Purpose: To receive any Declarations and advise Members accordingly.

3 **MINUTES** (Pages 5 - 12)

Purpose: To confirm as a correct record the minutes of the meeting held on 11 July 2023.

4 **FORWARD WORK PROGRAMME AND ACTION TRACKING** (Pages 13 - 24)

Report of Environment and Social Care Overview & Scrutiny Facilitator - Cabinet Member for Governance and Corporate Services including Health and Safety and Human Resources

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.

5 **REVIEW OF WINTER MAINTENANCE** (Pages 25 - 50)

Report of Chief Officer (Streetscene and Transportation) - Deputy Leader of the Council and Cabinet Member for Streetscene and the Regional Transport Strategy

Purpose: To seek Scrutiny recommendation for the approval of the revised Winter Maintenance Policy which includes details of the Council's response during other emergency inclement weather events.

6 **PUBLIC SPACES PROTECTION ORDER REVIEW (PSPO'S)** (Pages 51 - 80)

Report of Chief Officer (Planning, Environment and Economy) - Cabinet Member for Planning, Public Health and Public Protection

Purpose: To review the current PSPO's prior to consideration by Cabinet.

7 **ASH DIEBACK UPDATE** (Pages 81 - 88)

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

Purpose: To update members on how Flintshire County Council has confronted ash dieback in 2022/23 in line with the 2019 Ash Dieback Action Plan.

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

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ENVIRONMENT AND ECONOMY OVERVIEW & SCRUTINY COMMITTEE **11 JULY 2023**

Minutes of the hybrid meeting of the Environment and Economy Overview & Scrutiny Committee of Flintshire County Council held on Tuesday, 11 July 2023.

PRESENT: Councillor David Evans (Chair)

Councillors: Mel Buckley, Chris Dolphin, Ian Hodge, Richard Lloyd, Hilary McGuill, Mike Peers, Vicky Perfect, and Dan Rose,

APOLOGIES: Councillors Mike Allport, Chris Bithell (Cabinet Member for Planning, Public Health and Protection) and David Healey (Cabinet Member for Climate Change and Economy)

SUBSTITUTIONS: Councillor Glyn Banks for Councillor Roy Wakelam

CONTRIBUTORS:

Councillor Dave Hughes (Deputy Leader of the Council and Cabinet Member for Streetscene and Regional Transport Strategy), Councillor Paul Johnson (Cabinet Member for Finance, Inclusion, Resilient Communities, including Social Value and Procurement, Chief Officer (Planning, Environment & Economy), Chief Officer (Streetscene & Transportation), Community Business and Protection Manager, Team Manager – Food Safety and Food Standards and Team Leader - Sites

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

16. DECLARATIONS OF INTEREST

There were no declarations of interest.

17. MINUTES

The minutes of the meeting held on 13 June 2023, were submitted.

The minutes were approved as an accurate record as moved by Councillor Ian Hodge and seconded by Councillor Dan Rose.

RESOLVED:

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

18. FORWARD WORK PROGRAMME AND ACTION TRACKING

The Environment & Economy Overview & Scrutiny Facilitator presented the Forward Work Programme and Action Tracking report.

The Chief Officer (Streetscene and Transportation) advised that the items on Ultra Low Emission Vehicle Transition Plan and Conversion of the FCC

Fleet to electric or alternative fuels were the same subject and it was agreed that a report on this would be submitted to the meeting of the Committee scheduled to be held on 10 October 2023.

Members were invited to raise any further items to include on the Programme.

The Facilitator referred to the Action Tracking report and advised that both outstanding actions had been completed.

In response to a question from Councillor Mike Peers regarding the setting up of a School Parking Task & Finish Group, the Chief Officer (Streetscene and Transportation) explained that once the membership of the Group was known meetings would be arranged as soon as possible.

RESOLVED:

- (a) That subject to the above amendment 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; and
- (c) That the Committee notes the progress made in completing the outstanding actions

19. FOOD SERVICE PLAN 2023-24

The Chief Officer (Planning, Environment & Economy) introduced the report to present the Food Service Plan 2023/24 for consideration and endorsement. He provided background information and paid tribute to the work of the Food Safety and Food Standard Team during the Covid pandemic. The Chief Officer advised that the Food Service Plan provided an overview of the Food Service in line with The Framework Agreement on Official Feed and Food Controls by Local Authorities April 2010. The Plan sets out the aims and objectives for the Service for the forthcoming year and how they were to be achieved.

The Community Business and Protection Manager presented the report and referred to the main considerations. The Team Manager – Food Safety and Food Standards reported on the key achievements for 2022/23 and the targets for 2023/24 as outlined in the report.

Councillor Mike Peers referred to page 20 of the report, targets for 2023/24 and page 59 and the number of programmed inspections for Food Hygiene and Food Standards in 2023/24 and commented that it would be helpful if the number of inspections to be undertaken in 2023/24 had been highlighted and details provided. He also referred to the key achievements for 2022/23 on page 20 and the bullet point 'A significant number of Feed inspections were achieved during a year that saw resource for Farm Feed inspections impacted by Avian Influenza virus' and said it did not use the word "All" as in other categories. He asked if the targets for 2023/24 contributed to the backlog of work outstanding.

Councillor Peers referred to page 26 of the report, section 1.2, Links to Corporate Objectives and Plans, and asked how the Food Service Plan related to the priority area 'Affordable and Accessible Housing'.

The Community Business and Protection Manager responded to the comments and concerns raised by Councillor Peers and explained the links to the Council Plan 2023-28.

In response to the question raised by Councillor Peers around workload the Team Manager – Food Safety and Food Standards, referred to the data provided on page 62, appendix 3, and the number of feed inspections programmed and achieved. She also provided explanation around resources and staffing allocation as detailed in Section 4 of the Plan. The Team Manager said that the work which was overdue was predominantly low risk and would be prioritised following risk assessment and local knowledge and was detailed in Appendix 2 of the Plan. In response to a further question from Councillor Peers she reported on how the risk categories would be prioritised and addressed. . The Community Business and Protection Manager and Team Manager gave reassurance and explanation concerning the ability and experience of the Service to deal with critical or emergency incidents.

In response to a question from Councillor Hilary McGuill the Community Business and Protection Manager advised that if a food business was taken over by a new proprietor it was their responsibility to ensure their staff were suitably trained to carry out the work. The Team Manager – Food Safety and Food Standards outlined the advice and support provided to new businesses. The Team Manager also responded to the further question raised by Councillor McGuill concerning the regulations and standards applicable to mobile fast food outlets.

The recommendation in the report was moved by Councillor Mike Peers and seconded by Councillor Ian Hodge.

RESOLVED:

That the the Food Service Plan 2023-24 be endorsed.

20. ACCESS BARRIER REVIEW – WALES COAST PATH

The Chief Officer (Planning, Environment and Economy), presented a report to inform on a recent review into access barriers along the Wales Coast Path (Chester to Deeside Section) and seek approval to implement the recommendations.

The Chief Officer provided background information and reported on the key considerations and proposed recommendations as detailed in the report. He advised that the Council appointed a consultant to undertake a review of the existing access control measures on a section of the Wales Coast Path (WCP) between Chester and Queensferry. The access control barriers are in place to protect users of the WCP against the risks posed by illegal vehicle access to the path, however, the existing barriers can cause access issues to users of some mobility scooters and unconventional cycles. The study reviews the background

context, legislations, barrier dimensions and user constraints, in order to put forward recommendations for all 14 access points from Chester to Deeside. The recommendations to improve access are balanced against any impact of such amendments on illegal vehicle accessibility.

Officers responded to the comments and concerns raised by Councillor Richard Lloyd around access barriers, disabled access, mobility scooters, electric scooters, radar keys, and illegal and anti-social use.

Councillor Glyn Banks also raised concerns about intimidating and anti-social behaviour by some users/groups in the Talacre area which spoilt enjoyment of the coastal path for others.

Councillor Mike Peers recommended that the Council engaged with the user groups referred to in the Review report. He also asked if there was liaison with other local authorities to learn how they addressed problematic matters. The Team Leader – Sites explained there were close links with other North Wales Authorities as part of the North Wales Coastal Path. She reported that Natural Resources Wales had overall responsibility for the Coastal Path and was working to improve the footpath for people with mobility issues. Natural Resources Wales was supportive of the recommendations in the Review report to improve accessibility.

Councillor Dan Rose expressed concerns around the purpose and operation of radar keys which he said could be prohibitive for some users. He felt that the use of A frames and the idea of people with disabilities having to open and close a gate each time could be problematic. He said there was a risk of people leaving gates open with radar keys and felt it was important to undertake a pilot to assess the implications going forward. He suggested that a temporary solution to problems that unexpectedly arose could be that a gate be temporarily closed (for example overnight). Councillor Rose asked if data could be provided on the number of paths that didn't allow disabled access.

The Team Leader – Sites responded to the concerns raised by Councillor Rose on use of radar keys and said she would provide information on the number of paths that don't allow disabled access in Flintshire.

Councillor Paul Johnson referred to the type of kissing gate used at Chatsworth House Estate in Derbyshire which might offer access to wheelchairs and mobile scooters and could be worth consideration.

Councillor Ian Hodge asked if consideration had been given to the surface of the Path and what measures could be used to deter speed. The Team Leader – Sites explained that in other areas which did not have mobility access, changes to the path surface had been made but had not been considered in Flintshire to date.

Councillor Richard Lloyd commented on whether consultation had taken place with Cheshire West Council. He spoke in support of the suggestion by Councillor Mike Peers that further consultation should take place with user groups.

Councillor Mike Peers proposed that the recommendation in the report be amended as follows: That the Committee notes the findings of the Wales Coast Path Barrier Review and supports, in principle, the recommendations for improved accessibility, as detailed in the report, subject to consultation with the user groups, and a further report on the outcome be submitted to the Committee. Councillor Richard Lloyd seconded the proposal and when put to the vote this was carried.

RESOLVED:

- (a) That the Committee notes the findings of the Wales Coast Path Barrier Review and supports, in principle, the recommendations for improved accessibility as detailed in the report subject to consultation with, the user groups, and
- (b) That a further report on the outcome of the consultation exercise be submitted to the Committee.

21. END OF YEAR PERFORMANCE MONITORING REPORT

The Chief Officer (Streetscene and Transportation) introduced the report to review the levels of progress in the achievement of activities and performance levels identified in the Council Plan. She advised that the Council Plan 2022/23 was adopted by the Council in July 2022. The report presented a summary of performance of progress against the Council Plan priorities identified for 2022/23 at year end (Q4) position relevant to the Environment & Economy Overview & Scrutiny Committee.

The Chief Officer advised that the out-turn report for the Council Plan 2022/23 showed 78% of activities were making good progress; 61% of the performance indicators had met or exceeded their targets; 11% were being closely monitored, and 25% were currently not meeting target. The report was an exception-based report and concentrated on those areas of performance which were not currently achieving target.

The Chief Officer (Streetscene and Transportation) reported on the activities which showed a red (RAG) status for current performance against target relevant to the Streetscene and Transportation Services as detailed in section 1.05 of the report, Priority - Green Society and Environment, sub-priority - Circular Economy.

The Chief Officer (Planning, Environment and Economy) reported on the activities which showed a red (RAG) status for current performance against target relevant to Planning, Environment and Economy as detailed in section 1.05 of the report, Priority - Economy, sub-priority - Business.

The Chief Officer also reported on the performance indicators (PIs)/measures which showed a red (RAG) status for performance against the target set for 2022/23, relevant to Planning, Environment and Economy as detailed in section 1.08 of the report. He referred to the Priority - Green Society and Environment, sub priority - Carbon Neutrality/Renewable Energy and the Priority- Economy, sub-priority - Reducing Worklessness.

Councillor Mike Peers referred to the target for recycling and asked if there were any penalties if targets were not met. He also referred to the Standard Yard Waste and Recycling Transfer Station which was being used as storage for gritting lorries and asked if the Council had an operating licence to store the vehicles at the site.

Councillor Peers raised questions on the following:

- Page 155: sub priority - Business - Supporting small and/or local businesses to engage with public sector procurement opportunities. Councillor Peers said there was no explanation as to why the opportunities to deliver supply chain events did not present themselves during 2022/23.
- page 172: Delivering the Rights of Way Improvement Plan with a focus to ensure improved access for all and the promotion of walking for health – 100% completed. Councillor Peers asked if all paths and maintenance were included and there was no restrictions.
- page 176: developing the County's electric car charging network. Councillor Peers asked what was the future plan for Flintshire.

The Chief Officer (Streetscene and Transportation) responded to the comments and questions raised by Councillor Peers and gave an update on the current position regarding recycling performance, achieving the statutory targets and outturn, the Standard Yard Waste and Recycling Transfer Station and storage of gritting lorries, and electric vehicle charging.

The Chief Officer (Planning, Environment and Economy) responded to the questions raised by Councillor Peers on the Rights of Way Improvement Plan and explained that the programme of work for 2022/23 for the improvement of paths had been 100% achieved. The Chief Officer also provided further information in response to the question concerning engagement of capital projects.

Councillor Glyn Banks expressed concerns around underperformance on the achievement of Welsh Government recycling targets and said he felt more progress could be made on the following services: AHP collections to reduce the waste being sent to Parc Adfer, enforcement and food waste in the bins, awareness raising in schools regarding recycling, and extending brown bin collections to 12 months.

Councillor Mike Peers proposed that the recommendation in the report be amended as follows: That the Committee noted the levels of progress within the Council Plan 2022/23 instead of supported and that the Committee noted the overall performance against Council Plan 2022/23 performance indicators/measures. Councillor Peers also requested that a third recommendation be included to note the explanations given for those areas of underperformance. The amended recommendations were moved by Councillor Mike Peers and seconded by Councillor Ian Hodge.

RESOLVED:

- (a) That the levels of progress as detailed within the Council Plan 2022/23 be

noted;

- (b) That the overall performance against Council Plan 2022/23 performance indicators/measures be noted; and
- (c) That the explanations given for those areas of underperformance be noted.

22. MEMBERS OF THE PRESS IN ATTENDANCE

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

(The meeting started at 10.00 a.m and ended at 11.32 a.m)

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Chair

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ENVIRONMENT & ECONOMY OVERVIEW & SCRUTINY COMMITTEE

Date of Meeting	Tuesday 12 th September 2023
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 2023/24

Date of Meeting	Subject	Purpose of Report/Presentation	Scrutiny Focus	Responsible/Contact Officer	Submission Deadline
<p>10 Oct 23 10.00 am</p>	<p>Presentation by the Agri-food and tourism programme manager, Ambition North Wales</p>	<p>To receive an overview of the Agri-food and tourism programme.</p>	<p>Awareness raising</p>	<p>Facilitator</p>	
	<p>FCC Social Enterprise Update Report</p>	<p>To receive an update</p>	<p>Assurance</p>	<p>Chief Officer – Planning, Environment & Economy</p>	
	<p>Waste and recycling collection on unadopted roads</p>	<p>To provide Scrutiny with an in-depth overview of the recently commissioned review of waste and recycling services, specifically focused on properties located along un-adopted roads.</p>	<p>Pre-decision scrutiny</p>	<p>Chief Officer – Streetscene and Transportation</p>	
	<p>Highway Structures</p>	<p>To provide Scrutiny with a progress update on the Highway Structures audit report.</p>	<p>Assurance</p>	<p>Chief Officer – Streetscene and Transportation</p>	
	<p>Missed Collections and fleet reliability</p>	<p>To receive a report as request at the June meeting.</p>	<p>Assurance</p>	<p>Chief Officer – Streetscene and Transportation</p>	

ENVIRONMENT & ECONOMY OVERVIEW & SCRUTINY FORWARD WORK PROGRAMME
APPENDIX 1

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Date of Meeting	Subject	Purpose of Report/Presentation	Scrutiny Focus	Responsible/Contact Officer	Submission Deadline
14 Nov 23 10.00 am	Flintshire Local Energy Action Plan	To consider the Flintshire Local Energy Action Plan (as agreed on 18 th April 2023)	Assurance	Chief Officer – Planning, Environment & Economy	
	Budget proposals (to be confirmed)	To consider the budget proposals	Pre-decision scrutiny	Chief Executive	
	Flintshire County Council’s Operator Licence	To provide a progress update on the Loss of O Licence Follow Up audit report.	Assurance	Chief Officer - Streetscene and Transportation	
	Waste Strategy	Progress update	Pre-decision scrutiny	Chief Officer – Streetscene and Transportation	
12 Dec 23 10.00 am	Domestic Abuse	To receive an overview of the work of Flintshire County Council and partner agencies in relation to Domestic Abuse.	Assurance	Chief Officer – Planning, Environment & Economy	
	Workplace Recycling Regulations	To receive an update	Assurance	Chief Officer – Streetscene and Transportation	
	Integrated Transport Strategy	To receive an update	Assurance	Chief Officer – Streetscene and Transportation	

ENVIRONMENT & ECONOMY OVERVIEW & SCRUTINY FORWARD WORK PROGRAMME
APPENDIX 1

Date of Meeting	Subject	Purpose of Report/Presentation	Scrutiny Focus	Responsible/Contact Officer	Submission Deadline
	<p>Outcome of adoption of Local Toilet Strategy</p> <p>Introducing Charges on Other Car Parks</p>	<p>To provide an update following the conclusion of the public consultation and present the final draft of the strategy for adoption.</p> <p>To be confirmed</p>	<p>Pre-decision</p>	<p>Chief Officer – Streetscene and Transportation</p> <p>Chief Officer – Streetscene and Transportation</p>	
<p>9 Jan 24 10.00 am</p>	<p>Budget scrutiny (to be confirmed)</p> <p>Council Plan 2023-24 Mid-Year Performance Reporting</p> <p>Car Parking Strategy</p> <p>Bus Emergency Scheme/Bus Funding</p>	<p>To review the levels of progress in the achievement of activities and performance levels identified in the Council Plan.</p> <p>To review the current strategy</p> <p>To be confirmed</p>	<p>Pre-decision</p> <p>Assurance</p> <p>Pre-decision scrutiny</p>	<p>Chief Officers</p> <p>Chief Officer – Streetscene and Transportation</p> <p>Chief Officer – Streetscene and Transportation</p>	

ENVIRONMENT & ECONOMY OVERVIEW & SCRUTINY FORWARD WORK PROGRAMME
APPENDIX 1

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Date of Meeting	Subject	Purpose of Report/Presentation	Scrutiny Focus	Responsible/Contact Officer	Submission Deadline
6 Feb 24 10.00 am	Streetscene Standards Streetlighting Policy Highway Inspection Policy	To consider feedback from the Task & Finish Group To be confirmed To be confirmed		Chief Officer – Streetscene and Transportation Chief Officer – Streetscene and Transportation Chief Officer - Streetscene and Transportation	
5 March 24 10.00 am	Conversion of the FCC fleet to electric or alternative fuels Unsafe Memorials at Cemeteries	To receive a progress report on the implementation of the conversion of the FCC fleet to electric and alternative fuels	Assurance	Chief Officer Streetscene and Transportation Chief Officer – Streetscene and Transportation	
11 June 24 10.00 am	Welsh Government Deposit Return Scheme update Active Travel Network Map	As agreed at the meeting on 13 th June 2023 To be confirmed		Chief Officer - Streetscene & Transportation Chief Officer – Streetscene and	

ENVIRONMENT & ECONOMY OVERVIEW & SCRUTINY FORWARD WORK PROGRAMME
 APPENDIX 1

Date of Meeting	Subject	Purpose of Report/Presentation	Scrutiny Focus	Responsible/Contact Officer	Submission Deadline
				Transportation	
9 July 24 10.00 am	End of year performance monitoring report	To review the levels of progress in the achievement of activities and performance levels identified in the Council Plan.	Performance Monitoring	Chief Officers	

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Action tracking for Environment & Economy OSC September 2023

Item/Date	Discussion	Action	By whom	Status
13 June 2023 Ambition North Wales	That the Programme Manager for Agri-food & tourism be invited to give the Committee an overview of the programme in the Autumn.	Invitation sent	Facilitator	Completed – Officer to attend meeting on 10 th October
11 July 2023 Action Tracking	Cllr Peers asked if a date had been set for the School Parking Task & Finish Group	Determine if a meeting has been arranged.	Facilitator	First meeting arranged on Tuesday 19 th September at 2pm

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ENVIRONMENT AND ECONOMY OVERVIEW AND SCRUTINY

Date of Meeting	Tuesday, 12th September 2023
Report Subject	Winter Maintenance Policy Review 2023-2025
Cabinet Member	Deputy Leader of the Council and Cabinet Member for Streetscene and Regional Transport Strategy
Report Author	Chief Officer – Streetscene & Transportation
Type of Report	Operational

EXECUTIVE SUMMARY

The purpose of this report is to provide an overview of the winter maintenance service over the last season and responsibilities of the Council, as well as seeking approval for the review of the winter maintenance policy.

Winter service operations play a fundamental role in ensuring that highway networks are safe and available during adverse weather conditions from around October through to April each year. The winter maintenance service is recognised as one of the most important functions that the highway authority provides. Maintaining access to the network is crucial for emergency services, businesses, social services, education, and the public.

This report outlines the current winter maintenance policy (see **Appendix 1**), the legislative requirements for providing such a service, and the actions taken by the Streetscene and Transportation portfolio to support winter service operations. In addition, the report outlines the County's response to other adverse weather events, such as heavy rainfall and high winds.

We have committed to reviewing the winter maintenance policy every two years and this report explains winter maintenance operations and seeks approval of the proposed winter service plan and winter maintenance policy for the next two years 2023-2025.

RECOMMENDATIONS

1	That Scrutiny Committee notes the refreshed winter maintenance service policy as presented in this report and as attached in Appendix 1
2	That Scrutiny Committee notes the portfolio's response to adverse weather events over the Winter season 2022-2023.
3	That Scrutiny Committee supports the continued need to maintain the revenue budget at present levels along with earmarked reserves of £250k.

4	That a further report is presented to Scrutiny Committee in 2024 following a review of the 2023-2024 season by the weather forecasting provider in relation to geographically specific treatment decision making.
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REPORT DETAILS

1.00	BACKGROUND OF THE WINTER MAINTENANCE POLICY
1.01	The Council, as the local highway authority for county roads, has a general duty, under Section 41 of the Highways Act 1980, to maintain the highway network in a good state of repair to render it safe for ordinary traffic at all times of the year.
1.02	Highway authorities in England and Wales also have a duty “ <i>to ensure, so far as is reasonably practicable, that safe passage along a highway is not endangered by snow or ice</i> ” (Highways Act 1980, Section A1 (TA) as modified by Section 111 of the Railways and Transport Act 2003). The council’s winter maintenance service is essential in aiding the safe movement of highway users, maintaining communications, reducing delays, and enabling everyday life to continue. The Council must prioritise its response to winter weather, whilst exercising due regard to logistics and available resources.
1.03	In addition, under Section 150(1) of the Highways Act 1980, there is a requirement for the highway authority to remove an obstruction caused by the accumulation of snow, subject to a number of factors stated in Section 150(3) of the 1980 Highways Act.
1.04	<p>Furthermore, the Traffic Management Act 2004 has placed a network management duty on all local traffic authorities, which requires authorities to do all that is reasonably practicable to manage the network effectively to keep traffic moving. In meeting the duty, local authorities are required to establish contingency plans for dealing promptly and effectively with unplanned events, such as unforeseen weather conditions, in so far as is reasonably practicable.</p> <p>We are also required to conduct our operations having due regard to the requirements of the Health and Safety at Work Act 1974 and Driver Hours Regulations.</p>
1.05	The legislation does not impose an absolute duty, but rather involves a balance between the degree of risk and the steps necessary to eliminate the risk. This legislation informs the best practice identified to highway authorities on winter service operations, which has changed in recent years. Given this duty, the industry has developed a best practice guide to manage the network with the principles set out in the new national code of practice, the latest version of which is the Well Managed Highway Infrastructure 2016 Code of Practice (COP), which provides a broader view of asset management. It is supplemented by Practical Guidance from the National Winter Service Research Group (NWSRG) which was issued in 2020. The COP reflects many years of operational practice and current issues and problems and is regarded as a benchmark by which local authorities will be assessed by both the public and the courts should disputes occur.

1.06	Flintshire County Council liaises with other North Wales highway authorities and the North and Mid Wales Trunk Road Agency (NMWTRA) to ensure a consistent approach is adopted when reviewing operations and introducing changes or improvements. The council also liaises closely with NMWTRA during the winter service operational period.
1.07	Under the COP, local authorities must have a policy on winter maintenance services, which should be reviewed on a regular basis. In Flintshire, we have committed to reviewing the policy every two years, the previous policy reviewed in 2021.
1.08	The winter operating period starts in October and continues until April each year and is a year-round process with planning and preparations for each season commencing in the preceding Spring/Summer. For this reason, the response to winter weather is linked to the authority's resilience planning and it is important that the performance of the service is reviewed at the end of each season and that any learning is used to improve the delivery of the service in the future.
1.09	<p>Planning and preparation work over the summer period includes the following operations:</p> <ul style="list-style-type: none"> - carrying out maintenance work on salt storage facilities - ensuring that salt stocks are replenished - checking and replacing salt bins where required - reviewing arrangements with snow ploughing contractors - recruiting staff for the delivery of the winter service - arranging and delivering training for all staff involved in the winter service - arranging and delivering training to all driving and loading staff and ensuring that they have achieved the appropriate accreditation before the start of the season - ensuring that all gritters and equipment are serviced and calibrated, including vehicle telematics - liaising with neighbouring local authorities and NMWTRA to identify best practice
1.10	<p>Below is a summary of the winter service operations delivered over the 2022-2023 winter period: -</p> <ul style="list-style-type: none"> - Number of miles/km covered by the gritters: 70,000km / 43,495 miles - Tonnages of salt spread by the gritters: 7,012 tonnes - Tonnages of salt used for salt bins: 510 tonnes - Number of turnouts: 125 (average year is 115 turnouts) - Number of labour hours used in response to the weather: 84,373 hrs
1.11	<p>At the end of each season, a review of the operational service is undertaken by officers from the Streetscene and Transportation portfolio and considers the following key areas:</p> <ol style="list-style-type: none"> 1. Compliance with statutory requirements 2. Any changes to standards that should be incorporated into the new policy 3. Any local concerns or complaints with the service that may require a change to operational working practices 4. Any changes in local circumstances that may require changes to policy

	<p>5. Effectiveness of the current supply chain to support the service</p> <p>6. Adequacy of current salt stocks for delivering the service effectively</p> <p>7. Effectiveness of salting car parks and footways</p> <p>8. Effectiveness of communications during a weather event</p>
1.12	The review has concluded that the current operating model is adequate in responding to the risk presented during periods of adverse weather. The service is effective in the deployment of resource, whilst limiting the impact of disruption to the rest of the operational service and road users.
1.13	<p>The following factors have, however, resulted in increased costs for the service:</p> <ul style="list-style-type: none"> • Developments to the resources and equipment required during the winter maintenance season • Steadily increasing average numbers of callouts and application of preventative salting due to more frequent and more severe winter weather • Price rises in fuel, labour, and materials (gritting salt).
1.14	The conclusion of the review is that no changes are required to the standards set out in the policy. However, we continue work to improve the timing of communications and the channels for communication both internally, through better use of technology, and externally, through increased access to social media. It is important that the public are aware of and understand the council's approach to delivering its winter maintenance service. It is intended that this will be achieved by issuing a pre-season press statement with all relevant information made available on the council's website.
1.15	The review has highlighted that there is an opportunity to reconsider the structure for winter maintenance decision making, as well as the format for the weather forecast, which is currently based on two weather stations located in Hendre and Brynford. Officers have been exploring the use of route-based forecasting or domain-based forecasting instead of the current approach. Work will be undertaken during 2023-2024 with MetDesk, our current weather forecasting providers, to analyse the results collected over the forthcoming winter season, to determine whether this weather forecasting modelling may offer any savings and can be adopted by Flintshire in the future. It is proposed that a further report will be presented to Cabinet in the summer of 2024 once this work has been completed.
1.16	Adverse weather arrangements (i.e., high winds, heavy rain) are planned in advance of the winter season and have now been included within the Winter Maintenance Operational Handbook, which had been revised and will be distributed to all personnel involved annually and updated as a controlled document throughout the season.
1.17	The decision-making process for carrying out winter maintenance action is carried out by nominated Duty Managers. Five Duty Managers will be rostered throughout the winter period to monitor weather forecast information and decide on appropriate preventative action. This decision will be based largely on predicted road surface temperatures (NOT air temperatures), the amount of moisture on the road and/or the amount of residual salt on the network from previous treatments. All Duty Managers are required to have received advanced weather forecast training and to have undertaken at least six months of continuous shadowing before commencing in the role.

1.18	A minimum of 26 operational staff will be rostered to be on-call throughout the season to respond to adverse weather. There are also on-call highways response teams, if necessary, alongside the wider operational teams in times of prolonged adverse weather, such as high winds or heavy rainfall.
1.19	<p>Normally, on receipt of a severe weather warning (high winds, flooding, snow event, etc.) an operational control room will be established in Alltami. It will be operated by staff from Streetscene & Transportation, who will act as a dedicated point of contact for the Contact Centre staff and coordination of the response. The staff within the operational control room have direct contact with Streetscene area coordinators and supervisors, who will be on-site to investigate complaints, inspect the network and mobilise dedicated gritting vehicles and operational teams under their direct control.</p> <p>It also acts as a single point of contact for the senior leadership team and corporate communications, through which communications will be made.</p>
1.20	If high winds are forecasted, the details of the forecast are examined by the Duty Officer and consideration will be given as to whether or not to close the Flintshire Bridge (A548). The process to follow in the event that the bridge needs to be closed is set out within the updated Winter Maintenance Service Policy 2023-2025.
1.21	<p><u>Allocation of Salt Bins/Sandbags</u></p> <p>Salt bins are provided for residents to self-help in salting the adopted highway in their areas (not for private footways and driveways). Requests for additional salt bins across the county are subject to an assessment scoring matrix and must conform to the policy for the purpose of consistency. Requests for community council funded salt bins will be supported with the installation of green bins.</p> <p>At the start of each winter all salt bins will be filled with salt, the cost of which will be borne by the council. In the event of severe weather, further refills will be carried out as time and resources permit.</p>
1.22	The distribution of sandbags in the event of heavy rainfall and flooding will be applied as described in the Sandbag Policy adopted in September 2017.
1.23	In January 2021, a joint portfolio project was set up in response to Storm Christophe between Streetscene & Transportation and Planning, Environment & Economy and the group has been meeting regularly to prioritise investigations and works for managing flood risk on roads and highways within the county. The purpose of the joint project group is to identify assets and responsibilities of those assets and address any infrastructure issues across the county. This has resulted in infrastructure improvements; new maintenance programmes and response plans being developed in each case. The group oversees the developments and progress of each scheme and programme.

2.00	RESOURCE IMPLICATIONS
2.01	The winter maintenance service budget is ringfenced and earmarked reserves are reviewed annually to ensure that adequate funding is available throughout the season. The demand on the budget is subject to weather conditions and every effort will be made to contain expenditure within the overall budget. In recent years, the average number of turnouts per season has increased steadily and the running costs of operations, including labour and fleet costs, have also risen. Consequently, earmarked reserves have regularly been used to meet the shortfall in revenue budget.
2.02	Winter maintenance operations on the highway network are carried out by Streetscene staff and resources are supplemented by local agricultural contractors as necessary.

3.00	IMPACT ASSESSMENT RISK MANAGEMENT
3.01	The winter maintenance service has undertaken various risk assessments on the provision of road surface treatments, which are outlined within the policy.

4.00	CONSULTATIONS REQUIRED / CARRIED OUT
4.01	<p>Consultation has taken place with:</p> <ul style="list-style-type: none"> • With the Cabinet Member • Operational service teams and stakeholders • Neighbouring local authorities in relation to their Winter Maintenance Operations • North and Mid-Wales Trunk Road Agency (NMWTRA) • Trade Unions

5.00	APPENDICES
5.01	Appendix 1 - Winter Maintenance Policy

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	Highways Act 1980.
6.02	Railways and Transport Act 2003
6.03	Traffic Management Act 2004
6.04	Well-managed Highway Infrastructure (2016) (UKRLG)

6.05	Planning For Winter Service Delivery (2020) (NWSRG)
6.06	Quarmby Report – July 2010
6.07	Welsh Government Trunk Road Maintenance Manual
6.08	Welsh Government Advice Documents
6.09	WLGA Advice Documents

7.00	CONTACT OFFICER DETAILS
7.01	Contact Officer: Barry Wilkinson, Highway Network Manager Telephone: 01352 704656 E-mail: barry.wilkinson@flintshire.gov.uk

8.00	GLOSSARY OF TERMS
8.01	Financial Year (FY): the period of 12 months commencing on 1 April
8.02	Budget: a statement expressing the Council's policies and service levels in financial terms for a particular financial year. In its broadest sense it includes both the revenue budget and capital programme and any authorised amendments to them.
8.03	Winter Maintenance: the particular network management requirements during winter are not 'maintenance' in the traditional sense, but specialist operational services responding to adverse weather events

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Winter Maintenance Policy 2023-2025



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1 | Background

- 1.1 Section 41 of the Highways Act 1980 places a statutory duty on the Highway Authority to maintain the highway, as follows:-

“(1A) In particular, a Highway Authority is under a duty to ensure, so far as is reasonably practicable, that a safe passage along a highway is not endangered by snow or ice.”

- 1.2 The legislation does not impose an absolute duty but rather involves a balance between the degree of risk and the steps necessary to eliminate the risk.
- 1.3 In order to provide a statutory defence, a County Policy on winter maintenance services is required which should be reviewed on a regular basis.
- 1.4 The requirement to ensure compliance with Section 1.3 has been emphasised in collaborative meetings that have taken place amongst the six North Wales Authorities following the Coroner’s inquest into the winter maintenance incidents that have occurred in North Wales Authorities during recent years.
- 1.5 The level of service for County Roads is determined by the elected Members of each Council. This is based on a risk assessment approach to determining a cost effective hierarchy of routes and treatments. The Authority believes that the level of service meets the requirements on the current interpretation of **‘reasonably practicable’** but will continue to keep service provision under review, particularly in respect of any legal judgements. A review of the Winter Maintenance operations is undertaken each year before the winter season.

2 | Purpose of Policy

- 2.1 To demonstrate compliance with the statutory duties of the Highway Authority by recording a managed, cost effective approach to providing winter maintenance service in the interest of public safety.
- 2.2 To provide a statutory defence against third party claims.
- 2.3 To inform and involve Members in the procedures associated with the winter maintenance service
- 2.4 To set out the aims and standards for the winter maintenance service, the facilities and resources available and guidance as to how the aims and standards are to be achieved.

3 | Procedures

3.1 Winter Weather Forecasts

3.1.1 Daily weather forecasts are received throughout the winter period and are specific to Flintshire County Council. The forecast is currently provided by MetDesk. MetDesk utilise their experience at weather forecasting combined with additional data from weather models and information provided by Ice Prediction sensors situated at:

1. A55 at Brynford
2. A541 at Hendre

to predict the weather for a 36 hour period from approximately 12-noon daily. The weather forecast is provided through a web based system and this forms the basis of the decision making process with regards to gritting actions taken in the interest of road safety over the succeeding 24 hours.

3.1.2 The Forecast Provider provides forecast information in the in the following format:

- ▶ Projected road surface temperature graphs for two ice sensor sites within the County and others in the neighbouring Counties. These sites have been specifically chosen to provide information which is considered representative of the whole County.
- ▶ A site specific forecast for each of the ice sensor sites covering a 36-hour period from the time of issue (normally 12:00 hrs).
- ▶ A 24-hour consultancy service, staff can talk to forecasters at the Weather Centre to expand on the general forecast.
- ▶ A 2-5 day forecast text indicating the outlook.
- ▶ A morning summary in text describing the events of the night before and a preliminary forecast covering the succeeding 24 hours.
- ▶ Alerts and forecast amendments electronically and by direct contact throughout the 24 hour period.

3.1.3 A cross boundary partnership approach is adopted throughout the North Wales Authorities and in conjunction with North & Mid Wales Trunk Road Agency (NMWTRA) to ensure an effective and consistent service delivery.

3.1.4 A North Wales protocol for distributing daily weather forecasting information and proposed action details has been formally adopted. This has been coordinated through the North and Mid Wales Trunk Road Agency (NMWTRA) and has established improved communications between neighbouring Authorities, NMWTRA and North Wales Police. The actions of all the North Wales Authorities are recorded on the Forecast Provider web page for all partner authorities to view.

3.2 Priority of Roads

3.2.1 Roads within the Authority have been prioritised for treatment into Priority 1, 2 and 3 routes.

3.2.2 **Priority 1 routes** are roads carrying substantial volumes of traffic having characteristics, which require protection from frost throughout the night. These routes form the spinal road network of the Authority and merit high priority to sustain the free flowing movement of traffic. They include:-

- ▶ Trunk Roads (48kms)
- ▶ Class A Roads (151kms)
- ▶ Class B and C Roads (351kms)
- ▶ Strategic/ Important Bus Routes (8 bus services or more per hour)
- ▶ Main access roads to schools or establishments of higher education
- ▶ Town centre access and distributor roads through villages and housing estates
- ▶ Industrial Estate Roads (10.1Kms)

The 12 **Priority 1** precautionary gritting routes total **45%** of the total County highways network.

3.2.3 **Priority 2 routes** are formed from the unclassified roads that form main distributor routes in both the urban and rural areas. They include:-

- ▶ Housing Estate Roads
- ▶ Access routes between smaller rural communities
- ▶ Remaining bus routes (4 service buses or more per hour)
- ▶ Known problems, including significant gradients, exposed areas and other topological factors
- ▶ Council maintained Car Parks

Priority 2 gritting routes will be treated upon satisfactory completion of the Priority 1 routes providing the criteria set out in 3.2.3 are met and adequate resources are available.

3.2.4 **Priority 3 routes** are all the remaining adopted roads within the County.

3.2.5 Priority of Roads

3.2.5.1 All Priority 1 routes will be subject to precautionary gritting operations throughout the winter period at the discretion of the Highway Network Manager or his representative. The decision to undertake precautionary gritting actions is made daily at around 13:00hrs between the period from 1 November to 30 April of the following year.

3.2.5.2 Priority 2 routes will only be treated in the event of icy conditions or a forecast of prolonged icy conditions, and following the satisfactory treatment of the Priority 1 routes. The Duty Officer will make the decision whether or not to proceed to Priority 2 routes. The protocol for treatment during this period will be for a continued action on the Priority 1 gritting routes as required with discretionary actions being taken on Priority 2 routes in response to known or observed problem areas, or in relation to requests that have been assessed and justified by staff of

Flintshire County Council. If temperatures remain below zero with prolonged icy conditions the winter maintenance teams will continue to undertake inspections and liaise closely with the Duty Officer. The level of actions will be dictated by the available resources and the weather forecast outlook. Bulk gritting vehicles and manual salting gangs will be deployed for this purpose. A discretionary decision to suspend further actions pending improving weather conditions may be taken.

- 3.2.5.3** Priority 3 routes will normally be treated dependent upon the availability of appropriate resources following the satisfactory attention to Priority 1 and 2 routes and will be restricted to normal working hours, and in response to known or observed problem areas, or in relation to requests that have been assessed and justified by staff of Flintshire County Council..
- 3.2.6** During the onset of snow conditions and the satisfactory treatment of the Priority 1 routes, all available plant and resources will be deployed to clear snow within the Priority 2 routes. During such operations the gritting appliances will be directed by Flintshire County Council staff who will patrol their respective areas and liaise with the Duty Officer.
- 3.2.7** The Authority employs 38 No. agricultural snow ploughing contractors to clear the highway during periods of snow conditions. Each Contractor has a dedicated route which enables the Authority to clear the entire adopted highway network within the County. During snow conditions contractors may be hired at the discretion of the Duty Officer or his representative at the tendered rates. The schedule of the snow ploughing contractors is available to all winter maintenance staff to access as required.

3.2.8 Road Priority/ Treatment Matrix Treatment

Route type	Precautionary Salting	Salting	Times
Priority 1	At any time of the day	At any time of the day	When ice is predicted Priority 1 routes will be pre salted before the on-set of frost. Where severe conditions such as snow or ice persist resources will remain on Priority 1 routes
Priority 2	None	At any time of the day	Priority 2 routes will only be treated if severe weather conditions persist and the Priority 1 routes have been completed
Priority 3	None	At any time of the day	On satisfactory completion of Priority 1 and Priority 2 routes and if severe weather conditions persist these roads will be treated on a reactive basis dependent upon resources

3.3 De-icing Materials

3.3.1 Flintshire County Council procures its de-icing materials through a tendered process. The current tender is with Compass Minerals through the Yorkshire Purchasing Organisation and the life of the contract is 1st April 2019 to 31st March 2023.

3.3.2 6.3 mm nominal size rocksalt

This is the most commonly used material for general purpose gritting. It is spread at a prescribed rate of 10 – 15 grams per square metre for precautionary gritting. This rate can be increased to 40 grams per square metre when treating snow conditions. These rates are in accordance with the recommendations made in the Code of Practice for Highways Maintenance Management and the Trunk Road Maintenance Manual.

6.3 mm nominal size coated rocksalt (Safecote)

This material is standard rocksalt with an applied coating which enhances its performance to treat ice at lower temperatures (conventional rocksalt has a reduced efficiency at temperatures below -6 degrees centigrade). It has a greater adhesion to the applied surface and is effective over a longer period.

3.3.3 A total of 2200 tonnes of coated rocksalt (Safecote) is currently stored in a storage dome at Alltami Depot. A stock management service is operated in collaboration with the Compass Minerals, Winsford. The stock management system highlights the requirement for the delivery of rocksalt which is triggered by predetermined maximum and minimum intervention stock levels throughout the winter season. This service provides the following benefits:-

- ▶ Fresh stocks of rocksalt which retain maximum salinity values.
- ▶ Controlled levels of stock to meet storage availability and providing the ability to avoid storing large volumes of rocksalt outside of the winter period.
- ▶ Avoidance of a shortage of rocksalt during periods of high demand
- ▶ Regional proximity of supplier provides reduced delivery times.

3.3.4 Strategic Salt Stocks

Due to national shortages of rock salt in previous years and following advice from WLGA and Welsh Government, an additional strategic salt stock of 7000 tonnes is stored under sheeting at the Greenfield Recycling Site at Greenfield.

3.3.5 Most of the road de-icing salt used in the UK is derived from a non-renewable source through mining a natural salt bed stretching from North West England to Ireland. The majority of rock salt is a 10mm grain size to British Standard BS3247. However, a trend is emerging in the UK where a number of Highway Authorities are moving toward a 6.3mm grain size. BS3247 requires the rock salt to contain no more than 4% moisture by weight and the soluble Sodium Chloride content to be not less than 90% of the dry salt mass.

Flintshire County Council introduced using 6.3mm grain size coated salt in 2005/2006. The proprietary name of this product is Safecote.

3.3.6 To effectively remove ice from the road surface the rock salt requires the action of traffic, which assists in the process of breaking down the salt granules into a saline solution. This rapidly melts the ice and prevents further ice forming for several hours.

3.3.7 Salt in solution freezes at a lower temperature than water and if spread before the onset of freezing conditions can be effective in preventing ice from forming on road surfaces at temperatures down to -7°C. However, salt is only effective if it can form a solution with the water on the road surface. If this water has already frozen before the salt is applied, the salt is much less effective in combating the slippery conditions. The generic term ‘gritting’ is often used to describe what is actually “pre-salting” or “precautionary salting”, i.e. spreading salt before the onset of ice or frost formation.

3.3.8 The significant benefits of using Safecote Salt are:-

- ▶ more accurate spreading of the salt
- ▶ more salt remains on the road surface
- ▶ reduced wastage
- ▶ faster de-icing effect
- ▶ increased longevity on the road surface
- ▶ less Sodium Chloride used
- ▶ less corrosive to the gritter vehicles
- ▶ less corrosive to the highway infrastructure.
- ▶ cost benefit

3.3.9 Treatment Matrix

Carriageways - The Council operations will follow the standard guidance issued by Welsh Government as part of the Trunk Road Maintenance Management Policy and the Code of Practise for Highway Maintenance and any subsequent amendments. The de-icing material will continue to be Safecote.

Footways - Following successful trials of alternative de-icing materials heavily used footways in town centres, car parks and sheltered accommodation will be treated with a product called 'Safethaw'. This product is a brine solution mixed with agricultural by-product similar to that used on the highway. 'Safethaw' is sprayed by using a knapsack sprayer or a self-propelled spray bar fitted to an All-Terrain Vehicle (ATV) or a pickup and will be applied in periods of heavy snow and prolonged icy conditions in accordance with the risk assessment for each element.

3.4 Operational Practices

- 3.4.1** The winter period is defined as between 1st October and 30th April each year. Streetscene drivers are contracted to deliver the service and standby payments will apply from November to March.
- 3.4.2** Forecasts are received at approximately 06.00hrs, 12.00hrs and 18.00hrs every day within the period between 1st October and 30th April each year by the duty Officer at Alltami Depot or the on-call Duty Officer at weekends.
- 3.4.3** A decision on the appropriate action will be made by the Duty Officer, and the supervisory staff and standby crew will be informed accordingly. Standby crews are available to respond to forecast changes and subsequent actions/decisions outside of normal working hours.

- 3.4.4** Priority 1 routes will be treated before the formation of ice. The average route treatment time of 3.0 hours will be taken into account in making the decision to ensure that all pre-cautionary Priority 1 routes are completed on time. Any changes to the pre-determined actions will be verified with the Duty Officer before notification to the workforce. The situation may be varied by weather conditions such as heavy rain immediately before a frost, which may restrict the time to carry out the work.
- 3.4.5** Depending on the forecast, further actions may be required to support the precautionary gritting decisions. Whilst every effort will be made to plan this action it may be considered necessary to obtain updated forecast information from the Forecast Provider prior to a decision being made. The weather forecast update will be carried out by the Duty Officer at any time of the day or night, to ensure that appropriate actions are carried out in the interest of public safety and to provide a cost-efficient service.
- 3.4.6** In the event of a forecast of snow the Priority 1 routes will be pre-treated prior to the event. Where this is not possible, for example when it starts as rain and turns to snow, a decision to delay action until the rain stops in order to prevent the salt from being washed away will be taken. It should be noted that this situation can be even more difficult if it occurs during the rush hour as traffic congestion impedes the progress of the gritting vehicle.
- 3.4.7** Following snowfall with significant accumulations, clearance work will continue around the clock until all Priority 1 roads are clear. When the Priority 1 roads are cleared to a standard which safeguards the safe passage of vehicular traffic, all available resources will be dedicated to attend to Priority 2 roads.
- 3.4.8** Priority 3 routes will receive attention when resources are available and after all Priority 1 and 2 roads have received appropriate treatment.
- 3.4.9** Services across Streetscene & Transportation (and possibly others across the wider Authority) will support the Winter Service during periods of prolonged disruption to the county. It may be necessary to curtail certain services during these periods, for reasons such as practicality or safety, and the resource and labour will be redirected to the Winter Service operations as appropriate.
- 3.4.10** During periods of snowfall, all gritting vehicles will be equipped with snow or slush ploughs depending on the type of snow being cleared. Snow ploughing contractors will be deployed at the discretion of the Duty Officer.
- 3.4.11** The decision to deploy contractors to clear roads of accumulated snowfall will be made at the discretion of the Duty Manager and subject to local condition and the prolonged impact of restricted access and treacherous conditions at the time.
- 3.4.12** Following periods of heavy snowfall, priority should be given to the inspection and clearance of gullies to ensure that meltwater from snow on verges and central reservations can quickly drain away.

3.5 Communication

During periods of severe or prolonged adverse weather conditions, the service will provide updates to the senior leaders group (including the Chief Officer Team and Cabinet Members, along with relevant operational managers) advising them of the impact of the current weather conditions, a summary of the weather forecast, a briefing on the allocated resource and operational response, and an outline of the operational plans in place to deal with the forecast.

3.6 Partnership Working

3.6.1 Liaison and cross boundary operational practices are established between Flintshire County Council and its neighbouring Authorities and North & Mid Wales Trunk Road Agency, with the intention of maintaining a consistency and continuity of winter services throughout the region.

For this purpose the following cross boundary precautionary gritting arrangements are in place:-

Wrexham County Borough Council will treat the following roads for **Flintshire County Council**:-

- ▶ B5102 from County boundary Llay to A541 Mold Road.(Hollybush)

Flintshire County Council will treat the following roads for **Wrexham County Borough Council**:

- ▶ B5430 Bwlchgwyn from County Boundary to Four Crosses
- ▶ B5373 County Boundary to Miners Road (Sharps)

Flintshire County Council will treat the following roads for **Denbighshire County Council**:

- ▶ Section of road from A5151 to Gwaenysgor Cross Roads

Denbighshire County Council will treat the following roads for **Flintshire County Council**:

- ▶ Section of the A494 from County Boundary, Cadole to Cadole junction

3.6.2 It is the responsibility of each individual Highway Authority to ensure adequate treatment of the roads under their jurisdiction. A protocol of daily communications between neighbouring authorities / agencies has therefore been established to ensure continuity of actions.

3.7 Footways and Cycleways

3.7.1 Footways, pedestrian areas or cycleways are not included in precautionary salting operations. Nevertheless, there will be a certain amount of overspill of salt onto footways and cycleways when precautionary salting is being carried out on adjacent carriageways.

3.7.2 Resources will be deployed to treat footways once snow has settled or during periods of prolonged freezing conditions on a priority basis at locations including:

- ▶ Town centre footways and footways in the vicinity of shopping areas
- ▶ Footways around Pay & Display Car Parks including areas around Pay & Display machines
- ▶ Footways in the vicinity of civic buildings
- ▶ Public highway in the vicinity of hospitals
- ▶ Public highway in the vicinity of residential homes / old age pensioners flats
- ▶ Public highway in the vicinity of day care centres
- ▶ Public highway in the vicinity of Schools (during term times only)
- ▶ Footbridges
- ▶ Bus Stops
- ▶ Cemeteries

If any reports of icy footways are received for locations not included in the above criteria, the footway will be inspected to assess whether treatment is appropriate, however this is dependent upon available resources.

3.8 Salt Bins and Salt Heaps

3.8.1 Streetscene Services Salt bins (Yellow Bins) are located in areas for the use of pedestrians and motorists to treat the public highway only. The decision for the distribution of salt bins is that of the Highway Network Manager or his representative in the interest of financial management.

3.8.2 Salt bin locations will be individually assessed against criteria which include:-

- ▶ Non precautionary gritting routes
- ▶ Location within bounds of public highway
- ▶ Benefit to road safety, i.e. areas with steep inclines
- ▶ Traffic volumes
- ▶ Proximity to schools and locations of public interest.

A Pro Forma to aid in the assessment of suitable salt bin locations has been created and will be distributed to staff as required.

3.8.3 All salt bins will be filled at the start of the winter season and refilled once again in January, if necessary. Similarly, salt heaps will be provided before the winter season and replenished once during the winter months.

3.8.4 Salt heaps in the rural areas will also be subject to the same assessment criteria as the salt bins.

3.8.5 Streetscene Services will provide salt bins and rock salt within Council establishments on request at cost to the relevant Department. Every effort is made to establish and meet the requirements of each Department prior to the onset of the winter season. The availability of resources will dictate the priority allocated to provide this service during the winter season.

3.8.6 Provision is available to purchase for salt bins Community Councils (Green Bins), along with rock salt from Streetscene Services with the intention of supplementing

the Authority's winter maintenance services to the benefit of the general public. Salt bins purchased by the Community Council will be distinguishable from Streetscene salt bins and will be maintainable by the Community Council. Location of the salt bin on the public highway will require prior approval of the Highway Authority.

3.9 Resources

- 3.9.1** The workforce involved will all be part of Streetscene Services and all drivers will be trained and assessed. Additional resources can be sought from other sections within the service if required.
- 3.9.2** The Council's winter maintenance fleet consists of 12 frontline gritting vehicles and 2 spare gritting vehicles. These are stored at Alltami Depot. These are supported by 3 trailer type Gritters operated by contractors should they be required.
- 3.9.3** Welsh Government and WLGA have suggested that all Authorities in Wales hold a strategic salt stock to ensure resilience in the event of further winters of extreme weather and national shortages of rock salt. For this coming season Flintshire will hold an additional residual salt stock of 7,000 tonnes covered and sheeted at the Greenfield green waste recycling site.
- 3.9.4** The suggested minimum stock levels is based on the last six-year average usage figure and with a multiplier of 150%. The tonnage of salt held in Flintshire for the period 2023-2025 will be a minimum of 9,000 tonnes.

3.10 Standards Monitoring

- 3.10.1** Flintshire County Councils service delivery is benchmarked against National performance statistics to ensure that a comparative cost-effective service delivery is being maintained.
- 3.10.2** Regional and National meetings of operational staff and support service providers creates the opportunity for continual assessment of operational practices, standards and resources.

3.11 Vehicle Tracking

- 3.11.1** Flintshire County Council's fleet of 14 bulk gritting vehicles have all been fitted with an innovative GPS tracking system. The tracking system is a monitoring device that interfaces with the control systems on the vehicles so not only do we know where the vehicle has been, but exactly what it was doing and, because it is web based, the information can be accessed remotely. The tracking system operates in real time and therefore it is easy to find out exactly where a vehicle is and to check its activity. This gives the Duty Officers the confidence to ensure that any operational decisions that they make are based on accurate live information.

3.11.2 In these increasingly litigious times it is vital that Managers are able to provide positive supporting evidence in the event of a claim. The GPS tracking system will monitor how much salt was spread on what roads, at what rate and at what time. The system is able to provide a record of all control box functions, route time, salt sensor data, spread rate/width and vehicle speed.

3.11.3 The Council operates a fleet of gritting vehicles all equipped with an Autologic system which spreads the amount of salt required based on the location, so gritter drivers can concentrate solely on the road and not have to focus on the vehicles spreading settings. The Autologic system has been pre-loaded with the Authorities road widths and ensures the optimal amount of salt has been spread to maximise the treatments, meaning salt is not wasted. The system provides optimisation and higher levels of road safety, leaving drivers free to concentrate on driving, and providing flexibility in staff deployment as route knowledge is not necessary for the driver.

3.12 Extreme Weather Protocol

3.12.1 On receipt of a severe weather warning an operational control room will be established in Alltami and manned by staff from Streetscene Services who will act as a dedicated point of contact for the Contact Centre staff. The staff within the operational control room will have direct contact with Streetscene Coordinators/Supervisors who will be on-site to investigate complaints and mobilise dedicated gritting vehicles under their direct control.

3.12.2 The operational control room will be responsible for directing all operations and act as a liaison contact to the press office through which all press releases will be made.

3.13 Community Engagement

3.13.1 Flintshire County Council is committed to provide assistance in the form of small quantities of rock salt and tools to community and local groups to enable them to assist with the removal of snow and ice off the footpaths within the urban areas.

3.13.2 The Highway Network Manager will write annually, prior to the winter, to all Community Councils and known action groups for contact details of interested parties and for their requirements.

3.13.3 Contact details provided by these groups will receive daily weather forecasts and details of the proposed daily winter maintenance action, by e-mail, direct from the forecast provider.

3.14 High Winds - Flintshire Bridge Closure/Restriction Procedure

- 3.14.1 Forecasts** - Weather forecasts are received daily via e-mail from MetDesk for the next 3 days. These should be reviewed daily by the Duty Officer to anticipate likely restrictions and resources required to implement a bridge closure or lane closures.
- 3.14.2** When wind gusts are forecast over 50 mph within the next 24 hours the Duty Officer should ring Weather service provider and seek advice from a forecaster of the risk of high winds in excess of the criteria described below.
- 3.14.3** Based on the advice of the forecaster the Duty Officer will decide on any necessary restriction using the criteria described below.
- 3.14.4** Experience has shown that a planned closure based on forecasts is preferable to waiting until wind speeds increase and reacting to them at short notice. If a closure is planned, due to a forecast advice from MetDesk, the FCC Press Office should be informed immediately so they can list the closure on the FCC web site and inform local radio stations in advance of the closure.
- 3.14.5 Criteria for Traffic Restrictions for A548 Flintshire Bridge**

<i>Wind Speed (miles/h)</i>	<i>Wind Speed (km/h)</i>	<i>Wind Speed (m/s)</i>	<i>Restriction</i>
50-55	80-88	22-25	No restriction – Monitor wind speeds
55	88	25	Close bridge or Down-wind lane closures (see note (i))
60	95	27	Close bridge

Notes:-

- (i) In exceptional circumstances a down-wind lane closure can be implemented to allow the bridge to remain open for wind speeds above 55 mph. Generally this method of restriction would only be considered when there is advance notice of anticipated high wind speeds over a prolonged period. A down-wind lane closure provides an empty lane in the event that a vehicle is blown off course or blown over. In addition traffic speed is generally reduced. For down-wind lane closures there will be a slow lane closure on one carriageway and a fast lane closure on the other.
- (ii) The above allowable wind speeds may be increased by 5 mph if the wind is a head or tail wind i.e. blowing along the bridge in a due East or Westerly direction.

- 3.14.6 Closure** - If a full closure is decided upon, the duty officer will:
- ▶ Arrange for warning and diversion signs to be deployed and for the bridge to be close.
 - ▶ Inform all listed in the Contact List contained within the FCC Winter Maintenance Operation Plan handbook which is issued to all nominated personnel.
 - ▶ The police will inform the media and other emergency services of the closure
- 3.14.7** If a lane closure is decided upon the Duty Officer will arrange this and inform FCC Street works Section and the Police.
- 3.14.8 Monitoring** - If it is decided that no immediate action is required, the situation shall be monitored by the Duty Officer until the risk of high winds has receded.
- 3.14.9** If a restriction/closure is implemented the Duty Officer shall monitor the situation and contact the Police to keep them informed of the anticipated re-opening time.
- 3.14.10 Re-Opening** - When the weather improves the Duty Officer shall decide on a time for the removal of any restriction. PA can give advice on timing of reducing wind gust speeds.
- 3.14.11** The Duty Officer shall arrange for the removal of signs, cones and diversion signs used for the closure and inform the FCC Street works Section & Press Office, Police, Shotton Paper and FCC Business Development when the bridge is re-opened.
- 3.15 Flooding**
- 3.15.1 Forecasts** - Weather forecasts are received daily from MetDesk (forecast provider) for the next 2-5 days. The service is also in receipt of national flood guidance alerts. These should be reviewed daily by the Duty Officer to anticipate likely impacts and resources required to respond.
- 3.15.2** The nature of flooding tends to be very localised and is difficult to predict accurately, however resources will be allocated to inspect known hotspot and drainage infrastructure prior to forecasted events.
- 3.15.3** The Duty Manager should refer to the Flintshire County Council Sandbag Policy when considering the prioritisation of requests.

4 | Risk Assessment

4.1 The winter maintenance service has undertaken various risk assessments on the provision of road surface treatments as follows:

- ▶ Precautionary Treatment on Priority 1 Roads
- ▶ Salting on Priority 2 Roads
- ▶ Salting on Priority 3 Roads
- ▶ Salting Town Centre Footways
- ▶ Salting footways with low footfall
- ▶ Salting Council maintained Car Parks

5 | Background Documents

5.1 The additional documents outlined below provided further detail and background information relating to the contents of this policy:

- ▶ Highways Act 1980
- ▶ Railways and Transport Act 2003
- ▶ Traffic Management Act 2004
- ▶ Code of Practice for Well-managed Highway Infrastructure (2016)
- ▶ Quarmby Report – July 2010
- ▶ Trunk Road Maintenance Manual
- ▶ Welsh Government Advice Documents
- ▶ WLGA Advice Documents



ENVIRONMENT & ECONOMY OVERVIEW & SCRUTINY COMMITTEE	
Date of Meeting	12 th September 2023
Report Subject	Renewal of Public Space Protection Orders
Cabinet Member	Cabinet Member for Planning, Public Health and Public Protection & Cabinet Member for Streetscene and the Regional Transport Strategy
Report Author	Chief Officer (Planning, Economy and Environment) Chief Officer (Streetscene and Transportation)
Type of Report	Operational

EXECUTIVE SUMMARY

Public Spaces Protection Orders (PSPO's) are an intervention to prevent individuals or groups committing anti-social behaviour in a public space. They are part of the Anti-social Behaviour, Crime and Policing Act 2014.

Council's may make a PSPO after consultation with the Police, the Police and Crime Commissioner and appropriate community representatives. They can be enforced by Council Officers, Police Officers or Police Community Support Officers if they are designated.

PSPO's can last for a maximum of three years before a review is required.

Active from 19th October 2017, Cabinet approved the making of a dog control Public Space Protection Order following a period of consultation and other requirements under the Anti-social Behaviour, Crime and Policing Act 2014. The PSPO requires dog owners to:

1. Remove their dogs' waste from all public places within Flintshire,
2. Have a means on their person to pick up dog waste,
3. Place their dog on a lead when asked by an authorised officer, if the dog was causing a nuisance.
4. Prohibit dogs from entering the playing areas of public marked sports pitches, formal recreation areas including but not exclusively bowling greens and tennis courts, fenced equipped children's play areas and all areas within school grounds,
5. Keep their dog on a lead in cemeteries.

Under provisions of the Anti-social Behaviour, Crime and Behaviour Act 2014, Flintshire's Alcohol Designated Public Place Order transitioned into a Public Space Protection Order on the same date. This order allows Police Officers the power to ask members of the public to surrender alcohol if a member of the public is

believed to be causing a nuisance in a public place. This is not a total alcohol ban in public areas, and is not applicable to licensed premises, but encouragement of sensible drinking.

Both Orders were renewed in 2020 and are now up for review and renewal or will expire on 29th October 2023.

Any local authority that made a PSPO, may extend the period for which it has effect if it is satisfied, on reasonable grounds that doing so is necessary to prevent an occurrence or recurrence of the activities identified in the order, or an increase in the frequency or seriousness of those activities, after that time.

In addition to this, the Council has been approached by both Mold Town Council and Connah's Quay and District Angling Club to request that variations are made to the Dog Control PSPO to exclude dogs from Mold Memorial Gardens, Maes Bodlonfa, Mold and Rosie Waters, Wepre Park, Connah's Quay.

Consultation on the current prohibitions and the proposed variations took place in accordance with legal requirements for 6 weeks between June 5th and 14th July 2023.

RECOMMENDATIONS

- | | |
|----------|--|
| 1 | <p>Members are requested to consider the following recommendation:</p> <p>Following the period of consultation Members recommend the extension of a Public Space Protection Orders (PSPO's) to cover dog control and alcohol control in Flintshire.</p> <p>The dog control PSPO will require a person in charge of a dog to:</p> <ul style="list-style-type: none">(i) Remove their dogs' waste from all public places within Flintshire.
(i) Prohibit taking, or permitting the dog to enter or remain in<ul style="list-style-type: none">- All areas within school grounds,- The playing areas of marked sports pitches- The playing areas of formal recreational areas including but not exclusively bowling greens and tennis courts- Fenced enclosed children's play areas.- The fenced footpath around The Rosie, Wepre Park, Connahs Quay as marked on Map 1 (Appendix 3)- Mold Memorial Park, Maes Bodlonfa, Mold as marked on Map 2 (Appendix 4)
(ii) Keep their dogs on a lead within a cemetery.
(iii) Have appropriate means on their person, at all times, to pick up their dogs' waste from all public places in Flintshire. |
|----------|--|

	<p>(iv) Put their dog on a lead, when directed by an authorised officer, if the dog is loose and causing a nuisance or annoyance to any other person, bird or animal.</p> <p>The alcohol control PSPO will impose the following prohibitions and/or requirements in public spaces in Flintshire, at all times</p> <ul style="list-style-type: none"> i. Any person who, without reasonable excuse, continues drinking intoxicating liquor in a public area within the Restricted Area when asked to stop by an authorised officer, commits an offence. ii. Any person who whilst in a public area within the Restricted Area, without reasonable excuse, fails to surrender any intoxicating liquor in their possession when asked to do so by an authorised officer, commits an offence. iii. An authorised officer who imposes a requirement under Article 4(a) and/or 4(b) must tell the person that failing, without reasonable excuse, to comply with the prohibition and/or requirement is an offence.
2	<p>For information, but subject to final Cabinet determination, the agreed Public Space Protection Orders covering dog control and alcohol control commences on 29th October 2023 following a notice period and publicity of the upcoming order.</p>

REPORT DETAILS

1.00	EXPLAINING THE BACKGROUND TO THE PROPOSALS
1.01	<p>PSPO's are designed to stop individuals or groups committing Anti-social behaviour in a public place. PSPO's may not be made for a period of more than three years but can be extended or varied if legal requirements are met.</p>
1.02	<p>A constable or authorised person of the Council may issue a Fixed Penalty Notice of £75 to anyone he or she believes to be guilty of an offence, which would be required to be paid within 14 days. Failure to do so may lead to a fine on summary conviction not exceeding level 3 (currently £1000) on the standard scale.</p>
1.02	<p>Flintshire currently has two PSPO's in place covering dog control and alcohol control. They have the same restrictions as those we have consulted on but in the case of the Dog Control PSPO we have consulted on added restrictions in Mold and Connahs Quay. We are seeking to extend these PSPO's for the current maximum period of 3 years to October 2026.</p>
1.03	<p>The consultations on the PSPO prohibitions were conducted between 5th June and 14th July 2023. Information regarding the consultation and how</p>

	<p>to take part was sent to each County Councillor, Town & Community Council, Head Teacher, Bowling club secretary, North Wales Police, The Police and Crime Commissioner and dog representative groups.</p> <p>A press release explaining the proposals and how the public could take part was also released in print and online. The consultations were undertaken via an online survey which included maps of potentially affected areas, a frequently asked questions and answers documents. Printed copies of the documents were also made available from all Flintshire Connects offices.</p>
2.00	CONSULTATION RESULTS
2.01	<p>The results of the consultation on the proposed PSPOs were as follows. For the dog control PSPO there were 881 responses, 539 survey responses were online and 342 responses were paper response. 63% of responders were dog owners.</p> <p>There was strong support for:</p> <ol style="list-style-type: none"> 1. Dog owners to be made to put their dogs on a lead, when requested by an authorised officer, ONLY if the dog is loose and causing a nuisance or annoyance to any other person bird or animal (98% agreed with the proposal). 2. That dog owners are to remove their dogs waste from public land (99% agreed with the proposal) 3. Dog owners to ensure they have on their person a means to collect dog waste at all times (99% agreed with the proposal) 4. That dogs are to be kept on a lead in Cemeteries (98% agreed with the proposal) 5. Dogs should be excluded from fenced, equipped children’s play areas (98% agreed with the proposal) 6. Dogs should be excluded from the playing areas of formal recreation areas (Bowling greens/tennis courts) (98% agreed with the proposal) 7. Dogs should be excluded from all areas within school grounds (96% agreed with the proposal) 8. Dogs should be excluded from within the boundary of Marked sports pitches (96% agreed with the proposal). 9. Dogs should be excluded from the footpath around The Rosie, Wepre Park, Connahs Quay (75% agreed with the proposal)

	<p>10. If dogs were not excluded from the footpath around Rosie Pond, Wepre Park, Connahs Quay they should be always kept on a lead whilst on that footpath (40% agreed with the proposal)</p> <p>11. Dogs should be excluded from Mold Memorial Gardens, Maes Bodlonfa, Mold (61% agreed with the proposal)</p> <p>12. If dogs were not excluded from Mold Memorial Gardens, Maes Bodlonfa, Mold they should be always kept on a lead whilst in the Memorial Gardens (43% agreed with the proposal)</p> <p>95% of respondents agreed that the above steps are proportionate to achieve the aim of controlling dog fouling in Flintshire?</p> <p>For the alcohol control PSPO there were 26 responses.</p> <p>There was strong support for FCC to:</p> <ol style="list-style-type: none"> 1. Continue with the measures adopted in current alcohol Designated Public Space Order should continue under a Public Space Protection Order? (88%) <p>88% of respondents agreed that this is a proportionate action to help control alcohol fuelled anti-social behaviour in Flintshire?</p>
2.02	<p>Consultees were not able to make further representations or comments on the survey, but we had 15 representations by email. These are attached as appendix 5 to this report. The common themes from these responses were the availability of access to open spaces for walking dogs and enforcement considerations.</p>
2.03	<p>The Animal Welfare Act 2006 states that owners of dogs are required to provide for the welfare needs of their animals and this includes providing the necessary amount of exercise each day. The Home Office guidance states Councils should be aware of the publicly accessible parks and other public places in their area which dog walkers can use to exercise their dogs without restrictions. Under the proposals for the extension of the dog control PSPO dogs would not be excluded from entering public playing fields in their entirety, only from within the marked boundary of marked sports pitches. There is a complete exclusion proposed for school grounds, Mold Memorial Gardens and parts of the path around The Rosie, Wepre Park.</p>
2.04	<p>Members are advised of their duty to consider the Equality's Act.</p> <p>The Equality and Welsh Language Assessment completed has been reviewed following the public consultation (Summary included as Appendix</p>

	2). The assessment found some disabled people may be affected by the proposal. It is reasonable that some disabled people may not be able to pick up dog waste and that a reasonable approach to be taken for assistance dogs.
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3.00	RESOURCE IMPLICATIONS
3.01	Budget – There will be costs associated with any signage for the new PSPO's in any areas where they may need to be displayed. These costs will be funded from current budgets.
3.02	Legal – Notice and publicity of the PSPO will need to be made prior to an order being made.
3.03	Staffing – The dog control PSPO is already enforced by Streetscene and Transportation Enforcement staff, the alcohol control PSPO is enforced by North Wales Police.

4.00	CONSULTATIONS REQUIRED / CARRIED OUT
4.01	As required by the statutory guidance a public consultation has been undertaken. The final Orders will need to be publicised prior to final publication.

5.00	RISK MANAGEMENT
5.01	If the current Dog Control PSPO is not extended by 29th October 2023, the enforcement against owners that allow their dogs to foul in public areas would not be able to continue beyond this date. If the Alcohol Control PSPO is not extended enforcement against those who refuse to comply with a request to stop drinking alcohol in a public place will not be able to continue.

6.00	APPENDICES
6.01	Appendix 1 – ASB, C&P Act 2014 & FCC implementation process Appendix 2 – Summary of Equality Impact Assessment Appendix 3 – Map of Dog exclusion area around The Rosie, Wepre Park Appendix 4 – Map of Mold Memorial Gardens, Maes Bodlonfa, Mold Appendix 5- Written Representations

7.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
7.01	Contact Officer: Richard Powell Trading Standards Investigations & Community Safety Manager Telephone: 01352 703198

8.00	GLOSSARY OF TERMS
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8.01

Public Spaces Protection Orders (PSPO's)

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Appendix 1:

The following is the section in law relating to Local Authorities duties with regard to consultation, publicity and notification before a Public Space Protection Order can be made. Also included is the process FCC officers followed to undertake the consultation.

Anti Social Behaviour, Crime and Policing Act 2014: Part 4 Chapter 2

Section 72: Convention Rights, consultation, publicity and notification

- (1) A local authority, in deciding—
- (a) whether to make a public spaces protection order (under section 59) and if so what it should include,
 - (b) whether to extend the period for which a public spaces protection order has effect (under section 60) and if so for how long,
 - (c) whether to vary a public spaces protection order (under section 61) and if so how, or
 - (d) whether to discharge a public spaces protection order (under section 61),
- must have particular regard to the rights of freedom of expression and freedom of assembly set out in articles 10 and 11 of the Convention.
- (2) In subsection [\(1\)](#) “Convention” has the meaning given by section 21(1) of the Human Rights Act 1998.
- (3) A local authority must carry out the necessary consultation and the necessary publicity, and the necessary notification (if any), before—
- (a) making a public spaces protection order,
 - (b) extending the period for which a public spaces protection order has effect, or
 - (c) varying or discharging a public spaces protection order.
- (4) In subsection [\(3\)](#)—
- “the necessary consultation” means consulting with—
- (a) the chief officer of police, and the local policing body, for the police area that includes the restricted area;
 - (b) whatever community representatives the local authority thinks it appropriate to consult;
 - (c) the owner or occupier of land within the restricted area;
- “the necessary publicity” means—
- (a) in the case of a proposed order or variation, publishing the text of it;
 - (b) in the case of a proposed extension or discharge, publicising the proposal;

“the necessary notification” means notifying the following authorities of the proposed order, extension, variation or discharge—

- (a) the parish council or community council (if any) for the area that includes the restricted area;
 - (b) in the case of a public spaces protection order made or to be made by a district council in England, the county council (if any) for the area that includes the restricted area.
- (5) The requirement to consult with the owner or occupier of land within the restricted area—
- (a) does not apply to land that is owned and occupied by the local authority;
 - (b) applies only if, or to the extent that, it is reasonably practicable to consult the owner or occupier of the land.

FCC PSPO Stages

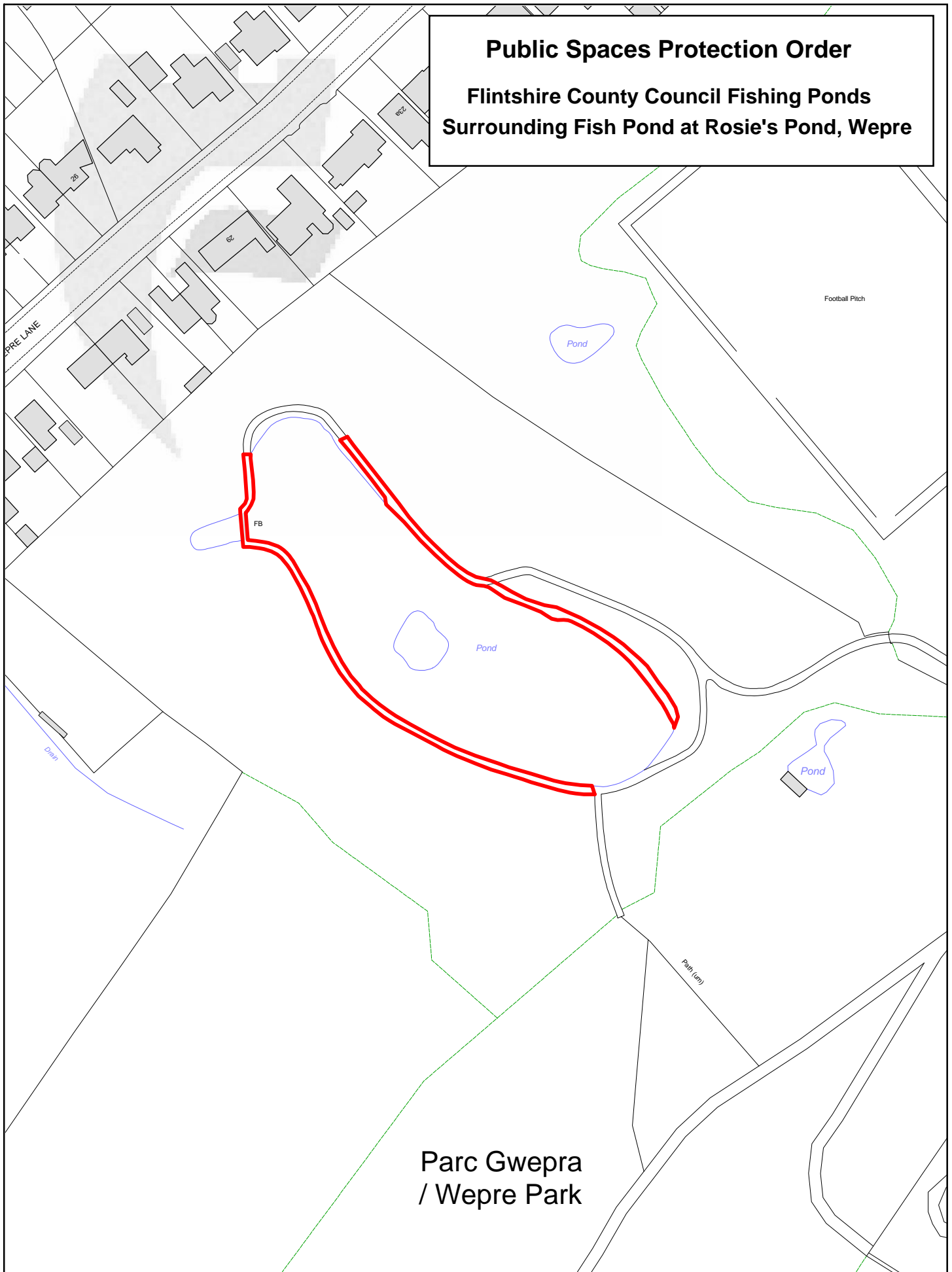
- (1) PSPO proposals agreed at cabinet subject to formal consultation – 11th April 2023
- (2) Consultation live from June 5th-July 14th 2023.
- (i) The consultation on the Dog Control Public Space Protection Order went live on the home page of the FCC website which included a Frequently Asked Question document highlighting the proposals, maps of affected exclusion areas within the County and an online survey to complete.
 - (ii) Details of the consultation were released to the press including the proposals and how members of the public could take part and copies of documents left at each Flintshire Connects Office.
 - (iii) Letters informing of the consultation and how to take part sent to each Council Member, Town and Community Council, North Wales Police, The Police and Crime Commissioner, All primary and secondary school head teachers, bowling club secretaries, the Dogs Trust, Kennel Club and RSPCA.

Appendix 2 Summary of Equality Impact Assessment

	Positive impact Y/N	Negative impact Y/N	No impact Y/N	How is the group affected and what is the evidence?	How could you limit the negative impact	How can you promote positive impact
Age (<i>across the whole age spectrum</i>)	No Impact	Y	No Impact	There may be occasions where elderly persons with poor mobility may not be in a position to pick up their dogs faeces	Exemptions to be considered for appropriate groups within the schedules of the final order.	No Impact
Disability	No Impact	Y	No Impact	Wheelchair users may not be in a position to reach the ground pick up their dog faeces. Persons who require the use of assistance dogs may be discriminated against by not being to access certain areas.	Exemptions to be considered within the schedules of the final order.	It is reasonable to appreciate that some disabled people may not be able to pick up the waste and there is a reasonable approach taken for assistance guide dogs.
Gender Reassignment	No Impact	No Impact	No Impact	No Impact	No Impact	No Impact
Marriage and civil partnership	No Impact	No Impact	No Impact	No Impact	No Impact	No Impact
Pregnancy and maternity	No Impact	No Impact	No Impact	No Impact	No Impact	No Impact
Race	No Impact	No Impact	No Impact	No Impact	No Impact	No Impact
Religion / Belief	No Impact	No Impact	No Impact	No Impact	No Impact	No Impact

Sex	No Impact	No Impact	No Impact	No Impact	No Impact	No Impact
Sexual Orientation	No Impact	No Impact	No Impact	No Impact	No Impact	No Impact
Welsh Language	Y	No Impact	No Impact	In line with statutory duties signage and literature surrounding the PSPO will need to be produced in both Welsh and English.	No Impact	Signs to be produced bilingually
Other (eg human rights, poverty, rurality)	No Impact	No Impact	No Impact	No Impact	No Impact	No Impact

Public Spaces Protection Order
Flintshire County Council Fishing Ponds
Surrounding Fish Pond at Rosie's Pond, Wepre



Parc Gwepra
/ Wepre Park



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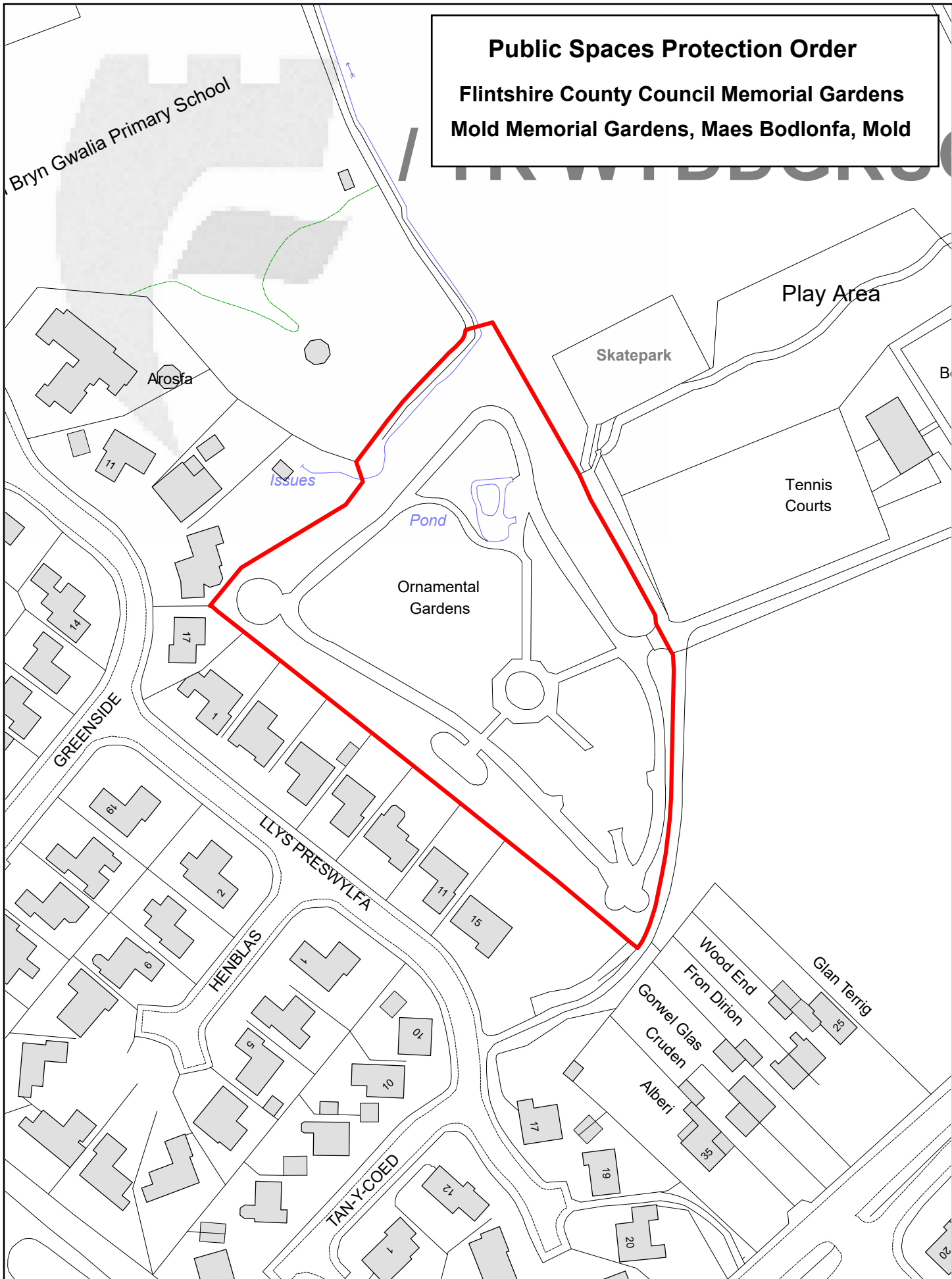
Planning, Environment & Economy
Flintshire County Council,
County Hall, Mold,
Flintshire, CH7 1NF.
Chief Officer: Mr Andrew Farrow

Scale 1:1250 @ A4
OS map SJ 2968
Produced 16/08/2023



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Public Spaces Protection Order
Flintshire County Council Memorial Gardens
Mold Memorial Gardens, Maes Bodlonfa, Mold



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Ref Number	Summary of Representation	Council's Response	Changes proposed to draft document
1	<p>The issue is that there has been a dog control order in place already, which is not a problem and is welcomed. The issue is that there is a tiny sign at the side of the angling club regarding the application for the amendment about keeping dogs on leads by the pond. Respondent believes that it is unlawful to make this amendment for a private members club as the sign says it is on behalf of the angling club.</p>	<p>There is nothing that stops a private members club requesting a PSPO. The PSPO must go through the correct Council procedures which in this case it has. Also the request came from the club to local County Councillors who requested that the Rosie be included in the PSPO and therefore the consultation \justification given by he Angling Club is public safety in relation dog fouling and safety of wildlife</p>	
2	<p>The form of words that you are using on the PSPO are wholly incorrect, you state you have applied for a PSPO amendment on the inner path however in the consultation document there is no distinction between the two paths. Should your amendments be granted it would be possible that a dog warden could enforce fixed penalties on a path which was not intended.</p>	<p>The Frequently Asked Questions that accompanies the consultation states: <i>'It is a requirement for local authorities to undertake consultation with interested or affected parties prior to the introduction of a new PSPO or when an existing PSPO needs to be renewed. Consultees are invited to share their views, and make representations, that will then be considered and reviewed prior to the implementation of a new or renewed PSPO.'</i></p>	

<p>3</p>	<p>I believe that timing this during a local election is outrageous as there are no local MPs to make representation in regard to this however I will expect my complaint is upheld and investigated properly.</p>	<p>Advice was sought from Legal and we received the advice below: <i>The by election is for the town council and it is not going to make a decision on whether to approve the PSPO. The by election is not at county level and to that extent we would expect to continue business as usual.</i></p> <p><i>Are we concerned that we might be proposing a policy that tends to support one candidate or another? No the consultation is neutral and is an open question about the areas of the whole county to be covered by the PSPO, not just the specific proposals for Wepre Park.</i></p> <p>The election took place on 22nd June which would still have allowed 3 weeks to raise issues with the newly elected Town Councillor.</p>	
<p>4</p>	<p>Northop Hall Bowling and Tennis Club and as Secretary to the Club I can truthfully state that the Club would welcome such an order to control dogs in a recreational area.</p>		<p>Noted</p>

<p>5</p>	<p>Recently I came across a noticed pinned on the fence at Wepre Park requesting people's views on dogs being allowed to walk around the Rosie pond. I walk my dog in the park regular and in doing so often pass along the side of the Rosie like many others.</p> <p>I would like to state that I am a responsible dog owner. I always carry doggie poo bags, pick up and dispose of my dog's poo in the appropriate bins and also pick up dig poo other than my own dogs.</p> <p>I currently do not walk my dog around the pond but feel it is an injustice for me not to be able to do so esp while on a lead. The Rosie in my opinion should be available to all not just fishermen who many unfortunately appear to want exclusivity of the Rosie.</p> <p>I notice there are signs around the pond with a raised hand with large letters saying STOP!. I find that intimidating and totally unnecessary. It appears to suggest nobody but fishermen are allowed within the fenced area.</p> <p>On a slightly different note, but just as important I would like answers to the following, please.</p> <p>Why are there no signs about the conduct of fishermen with rules to adhere too round the Rosie esp in relation to conduct and H&S?</p>		<p>Noted – These issues will be raised with the Committee of the Angling Club and FCC</p>
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	<p>Why no signs instructing fishermen not to block the path around the pond with their fishing gear?</p> <p>I often see fishing poles and other fishing gear blocking the footpath around the pond?</p> <p>Why is this allowed to happen and what is the club's responsibility to ensure H&S for all?</p> <p>Should you care to visit most Saturday or Sunday afternoons you will find evidence of the footpath blocked by inconsiderate fishermen.</p> <p>Finally in my opinion I believe the Rosie should be available for all to enjoy not just a few selected few which it would appear the fishing club would like to enforce.</p> <p>Dogs on a lead pose no threat to anybody or anything and should be allowed to walk with owners around the pond.</p> <p>I would be happy to accompany one or more of your officers and walk around the Rosie to see for themselves.</p>		
6	<p>I write today regarding the proposed PSPO Wepre Park dog control.</p> <ul style="list-style-type: none"> > I am 75 yrs have walked in the park since 1st March 1977. > I have 2 dogs these are number 7&8. To my knowledge I have cleaned up any mess they have made, along with the vast magority. > For it to be considered to catorgarise and 		<p>Noted- Will bring to the attention of the Angling Club and members of FCC Scrutiny Committee</p>

	<p>demonise all dog owners because of a few</p> <ul style="list-style-type: none"> > Is shameful on your behalf. > Please consider many many dog walkers are good people picking litter, volunteering > and doing things you do not see. > To ban all from the Rosie inner path is nothing other than pandering and pampering a few. i.e CQ AC . > Blaming it on dog mess is wrong this path is without doubt clean. > But I will add as a dog man who watches and understands their behaviour I NEVER allow my dogs off the lease in or around the Rosie the area is a toilet. > Anglers will not leave their equipment to visit the WC s instead use bushes or any cover available. I have found carrier bags with excrement in thrown into the public space. > I have witnessed and reported a Bailiffe throwing dead fish into the public space. > I incurred a £1300 vets bill when my dog ingested something that smelled of Aniseed > (Discarded ground bait I suspect). > These people (Anglers) are not without fault, and to ban all dog walkers is wrong. > The Rosie belongs to the Community and no one other. 		
7	<p>I am a dog owner and follow the proposal aims already, however, I also stand in dog muck at least once a week so whilst the rules are right, until someone enforces them and the culprits face the true consequences, it's all just wasted</p>		<p>Noted- Areas are patrolled based on intelligence received</p>

	<p>time. I've never in my life seen anyone ever patrolling Flint to inspect footpaths and dog owners so that sets the standard that it's okay to do...for those disrespecting people.</p>		
8	<p>I have been going to Maes Bodlonfa Park with dogs for 24 years. More and more restrictions have been brought in over time. My dog walking friends and I agree with the restrictions so far. We are responsible dog owners who always pick up after our beloved pets and use the very few bins provided to dispose of their poo. Our dogs are supervised and well behaved. We meet every morning in the Memorial Gardens and chat whilst keeping our eyes on our pets. We are all disabled in some way and need somewhere to sit down when required. We also pick up poo left by irresponsible dog owners! If the Council would only implement the powers they already have, things would be better for everyone. I see irresponsible dog walkers casually walking across marked pitch areas and even take dogs into the children's play area. Unfortunately, there are some people who feel rules are not made for them. If we're to be restricted to Kendricks Field with our pets, could it please be fully secured, especially at the bottom end on Ruthin Road. May we also have some seating, or some of us will be unable to use the park at all and will be effectively excluded.</p>		Noted

	<p>Dogs don't: Take drugs</p> <p>Drink alcohol</p> <p>Vandalise plants and shrubs</p> <p>Paint graffiti on the skatepark</p> <p>Cycle like a maniac round the Memorial Gardens</p> <p>Throw litter all over the entire park</p> <p>Unfortunately all the above antisocial behaviour occurs in the park on a regular basis.</p>		
9	<p>I am emailing you directly as the response the council wishes to provide does not conform to survey questions.</p> <p>At the council meeting last week, Cty Cllr Alasdair Ibbotson provided the members with the Enforcement Fines over the past 5 years: 2022/23 – 2 2021/22 – 0 2020/21 – 1 2019/20 – 42 2018/19 – 6</p> <p>The council wishes to submit and record a response to say that they would support the PSPO if enforcement was taken. Currently, given the figures for the past 5 years, enforcement in Flintshire does not hold any weight.</p>		Noted

9	<p>Hawarden Community Council have reviewed the Dog Control PSPO and request that the playing fields in Mancot and at Gladstone Playing fields be omitted from this Order please. (Gladstone was previously excluded).</p> <p>Kind regards Sharron</p> <p>Mrs Sharron Jones FSLCC, PGDBA, CiLCA, Cert HE Clerk and Financial Officer Hawarden Community Council Council Offices 113 The Highway HAWARDEN CH5 3DN</p>		Already not included in the Order
10	<p>Dear Mr Cockerton</p> <p>I am writing on behalf of a constituent, Mike Flynn, 80 Dee Road, Connah's Quay, who recently contacted me regarding the proposed amendments to the PSPO at Wepre Park, Connah's Quay.</p> <p>Mr Flynn informs me that he has raised his concerns with the County Council but there was no interest in correcting or amending the statements that have been put before the public.</p> <p>It would seem from my conversation with Mr Flynn that there is a discrepancy with regards to the actual footpaths in question that surround the Rosie pool in Wepre Park.</p>	See responses on representations 1-3	

	<p>The council have stated that it is a gated footpath they wish to restrict access to however in the application there is no mention to the gated area and also on the website it incorrectly shows the map of the applied area and title it “current map of PSPO sites” this in turn indicates to members of the public that legislation is to be enforced on this public right of way path.</p> <p>Mr Flynn also states that in the map of the PSPO application, the area that has been applied for is indeed the public footpath. He has however been told in a phone conversation with Richard Powell that this is a mistake yet there is not going to be any attempts to rectify this and should this amendment pass, it leaves members of the public at risk of being fined or taken to court for allowing their dogs off a lead on a public right of way footpath.</p> <p>It has also been raised that a private members club should not be seeking to deny the rights of members of the public from using a public right of way as identified on the ordnance survey maps. This leads to a further question of why your FCC mapping system which shows public rights of way does not align with the ordnance survey maps.</p> <p>I would ask that this matter is looked into and that any changes or amendments are clearly made and advertised to the public and if you could answer the issues raised above.</p>		
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	I look forward to hearing from you. Yours sincerely Mark Tami MP		
11	From Hope Community Council: <i>In principle the council supports the work of FCC but they need to install more enforcement signs and make people aware of enforcement. This is something the council have requested FCC to do some time ago for the Willows, however, this is still yet to be actioned. The council requests for part pitch markings on the Willows (one goal post) which would then exclude dogs from entering the playing area.</i>	Is this a marked sports pitch. Noted: A comment requesting a marked sports pitch has been passed to Street Scene	
12	From Holywell Town Council: Members feel dogs should be kept on leads at the following locations. There are examples in Holywell but this should be County wide – <ul style="list-style-type: none"> • High Street/Town Centres • Immediate Streets Outside Schools • Community Hospitals • Memorial Gardens 		Noted, but outside of this consultation
13	Following on from a recent Town Council meeting held on the 5 July 2023 in reference to the above, Councillors fully agree and support the extension of the current Dog control PSPO for another three years.		Has been addressed

	<p>Councillors did make comments concerning the questionnaire and how a certain question was misleading. 'Do you agree that dogs should be banned from the footpath around the Rosie, Wepre Park, Connah's Quay?'</p> <p>They agreed that this question should have been worded as 'the inner footpath' as people may not be aware of there being two footpaths and only the inner footpath is the one in question.</p> <p>Could you please note that Connah's Quay Town Council agree to the extension of the PSPO.</p> <p>If you require any further information do not hesitate to let me know.</p> <p>Kind regards</p> <p>Suzanne Wilson Town Clerk</p> <p>Connah's Quay Town Council</p>		
14	<p>I filled in your online form about dogs on leads control but I couldn't really leave any comments. I think it's unfair to ban completely, but I would like to stress that I have had several unpleasant experiences with dogs in the Mold Memorial Gardens. Ive barely gone on a walk with my young children</p>		Noted

	<p>without them stepping in or finding dog poo. Many are off leads and in one case we had to witness an unleashed dog ragging and killing a squirrel whilst the owner swore at her dog and then me in front of my children (age 3 and under). So I really think some tighter restrictions are required. Thanks for reading. Laura.</p>		
<p>15</p>	<p>From the information currently available on the website I suspect an incorrect version of the draft Order has been displayed – the link from the website seems to relate to the 2020 Order, not the proposed Order, which I understand from press reports includes a “ban” on dogs in the memorial gardens Mold, and perhaps also at Wepre Park – I can find no reference to those sites on the draft Order.</p> <p>This may not be relevant to Buckley, but may be indicative of other inaccuracies – and would invalidate any survey responses.</p> <p>Also no email address or contact detail was given for any response other than via the very formalised and limited “on-line survey”.</p> <p>In relation to dogs on the Elfed path 22, the press has reported Mr Andrew Farrow as saying “signage is critical” , and that the public COULD walk a dog on the public path across school grounds (or a cemetery) if it were on a lead. If we could be satisfied this would be clearly conveyed by signage on ALL such public paths we would probably be able to withdraw our objection.</p>		<p>Signage stating dogs must be on a lead are already displayed at this Public Footpath</p>

	<p>I would suggest the easiest way of doing this is, in conjunction with your PROWay colleagues, would be to add a plate on each of the public path signs saying e.g. "Dogs must be on lead on this path" (in English and Welsh?).</p> <p>Part of the path at Elfed school is defined by tarmac, but part is over grass. Could I suggest the path line is marked by paint on the grass eg blue dash lines 2metres apart? (I have recently seen this done in Cornwall across a golf course).</p> <p>There is also a need for this situation to apply temporarily to any path route on school grounds to be used while building work is taking place on Within Cottage site, and the path is temporarily closed for safety reasons.</p> <p>This situation may also need to be assessed for any sites where public paths cross any other school sites, cemeteries, or football pitches/play areas (Offhand, I can think of Flint & Holywell cemetery, Hope recreation area, opposite school)</p> <p>I should be pleased if you would acknowledge receipt of this objection and confirm it will be taken into account.</p> <p>I have copied this email to Andrew Farrow, for information, since he was quoted in press reporting to a Ctte meeting in May. He was also involved in setting up a Consultation protocol with Ramblers for Planning applications, I hope a</p>		
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	<p>similar protocol can be set up for any other FCC Consultations affecting public paths.</p> <p>Howard White Chair Flintshire Footpaths Ctte Ramblers Cymru</p>		
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ENVIRONMENT OVERVIEW AND SCRUTINY COMMITTEE

Date of Meeting	12 th September 2023
Report Subject	Ash Dieback Update
Cabinet Member	Cabinet Member for Climate Change and Economy
Report Author	Andrew Farrow Chief Officer (Planning, Environment and Economy)
Type of Report	Operational

EXECUTIVE SUMMARY

The report provides an update on how Flintshire County Council has confronted ash dieback in 2022/23 in line with the *2019 Ash Dieback Action Plan* (Presented to Cabinet 10th September 2019). A previous update was reported to Environment Overview and Scrutiny Committee on 12th May 2021 and 13th September 2022.

The 2019 Ash Dieback Action Plan identified and proposed ways in which to manage the risk and costs associated to ash dieback, highlighting where infected ash trees have an increased risk to public safety and the financial cost incurred to the Council.

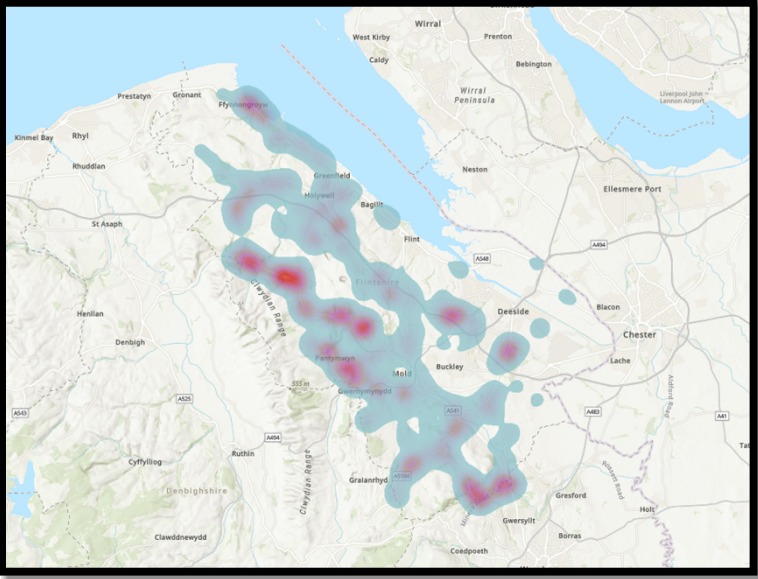
To moderate and manage the risk associated to ash dieback, a series of surveys have been undertaken to assess the distribution and disease classification of roadside ash trees for priority and secondary roads. A programme of tree removal is ongoing for Flintshire owned trees and landowners with infected trees have been contacted to highlight the presence of ash dieback in their trees, with an expectation that they will manage their own trees to mitigate the risks.

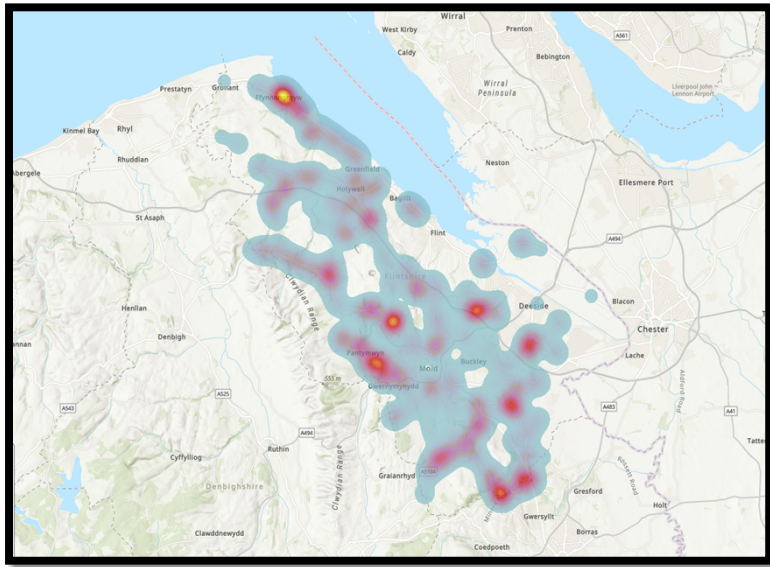
RECOMMENDATIONS

1	That Members note the content of this update and support the officers in their ongoing work associated with Ash Dieback.
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REPORT DETAILS

1.00	EXPLAINING THE ASH DIEBACK UPDATE
1.01	<p>The Disease in Flintshire Ash dieback was first confirmed in Flintshire by Forestry Commission plant health staff in 2015. In 2016 it was found in a woodland near Rhydymwyn on ash that had been cut down underneath overhead power cables.</p>
1.02	<p>It is evident that since being initially recorded, ash dieback is now endemic in the county and widely distributed. It is estimated that Flintshire has approximately 24,000 trees growing outside the woodland environment adjacent to the highway.</p>
1.03	<p>Responding to the disease Flintshire County Council are focusing on the ash trees that pose the most risk to the public, whether these trees are growing on Council or privately owned land. The Council has published an Ash Dieback Action Plan which can be found on the Council's web pages here: -</p> <p>https://www.flintshire.gov.uk/en/LeisureAndTourism/Countryside-and-Coast/Ash-Dieback.aspx</p>
1.04	<p>Survey</p> <p>Officers are now in an annual cycle of survey and inspection to identify, monitor and classify infected ash trees growing adjacent to Flintshire's roads.</p> <p>These surveys have verified the position, size and characteristics of the roadside ash trees/groups of ash trees, ownership and the disease infection classification - 1 to 4, (with 4 being the "most serious").</p> <p>This information is recorded on a GIS program and will aid officers with the management of Flintshire County Council's infected ash trees and prompt officers (under Section 154 of the Highways Act) to notify private landowners to make safe their diseased roadside ash trees.</p>
1.5	<p>To simplify the surveying process into manageable sizes, the highways network was subdivided into roads which were deemed to be of a High Priority Roads, Secondary Roads and Other Roads. Priority appointment level being speed of traffic, volume of traffic and the general character of the traffic.</p>
1.6	<p>All high priority roads have been surveyed from a vehicle to map the general distribution and intensity of the disease. This then prioritises the areas to follow up with a foot survey and tree inspection.</p> <p>To date 177,257m or 81% of the high priority roads and 45,472m or 48% of the secondary roads have been surveyed, it is anticipated that the foot survey will be completed 2024/25 (NB completion date extended due to loss of personnel, capacity, and enforcement cases).</p>

1.7	Information obtained in the foot survey is used by the administration team to direct land searches (to identify landowners with infected trees), quantify the extent of the work and to officially prompt the authority to instruct landowners to engage with the management of infected ash trees.
1.8	To date, our survey data shows that the vast majority of infected trees are on private land and although the Authority have powers to deal with these trees, the approach currently adopted is to target owners with Class 3 & 4 trees, emphasise their responsibility and encourage landowners to manage their own trees (via a series of official letters). It is difficult to predict which landowners will/can take the responsible view.
1.9	<p>The school baseline tree survey is complete with remedial work accomplished. In 2023 and ash dieback survey was carried out and identified 80 trees in need of removal. This work is programmed for this Autumn.</p> <p>Countryside sites are monitored in-house and infected ash trees, are systematically removed within the winter felling programme.</p> <p>Openspaces have been subject to an initial baseline tree survey 2022/23 (as per schools) with subsequent work acted upon recommendations.</p>
1.10	<p>Highways Heat Maps Indicating Class 4 and Dead Trees</p> <p>Disease Map 2022</p>  <p>Disease Map 2023</p>



Three prominent areas of the disease continue in Hendre, the Ffrwd valley and the Cegidog valley. There are six additional areas of concern being the North Coast Road, Pant-y-Buarth, Vinegar Hill (Northop Hall), A550 Penyffordd, Lixwm and Hawarden.

1.11

To date, legal ownership searches have been completed on 24 road compartments (out of the total 94 compartments) which represents 47% all the red-high priority compartments as identified in the 2023 Risk Matrix Evaluation. Work is programmed to complete searches on the remaining 53% before the end of 2023

291 owners have been identified and contacted regarding a total of 5,427 trees (covering all infection classes). Action has been taken on a total of 2,770 trees to date, representing just over 50%. This percentage increases to 65% for the most seriously infected trees (class three and four). Action is identified as either felling their trees or providing an indication that they will manage/fell their trees.

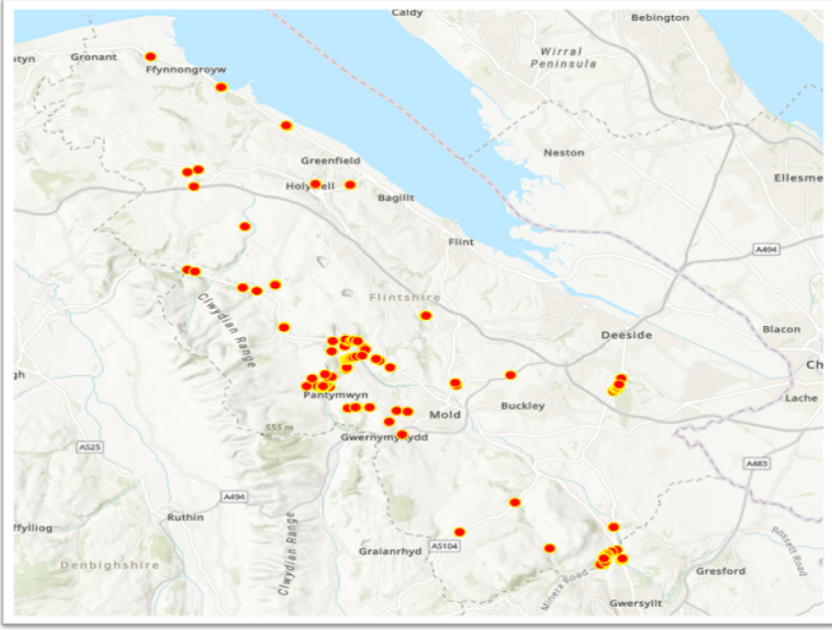
1.12

Section 154 Notices 2021-23

There has been a marked deterioration in the condition of the most severely infected trees leading to the need to serve Section 154 Notices to ensure the risk from the Highway is removed.

To date, Section 154 notice procedure has been initiated on 32 owners covering 514 roadside trees. Of these trees 425 have been felled/made safe. We have ten active notices which cover the remaining trees which are currently going through the Section 154 Notice procedure.

Map showing distribution of S154 Notices issued

	
1.13	<p>Flintshire action</p> <p>Survey data indicates there are 1238 Highways ash trees recorded on the Authority’s tree management data base as growing on land owned or adopted by Flintshire, however through our surveys, the actual amount is substantially more.</p> <p>It is accepted that Flintshire will assume the responsibility for ash trees growing on unregistered land adjacent to the highway. The number of trees on unregistered land is yet to be established as ownership registrations are ongoing.</p>
1.14	<p>2022/23 felling season</p> <p>Number of Highway trees felled = 1083 at a cost of £146,177.00 Number of Open-space trees felled = 50 at a cost of £18,675.00 Number of Valuation & Estate trees felled = 45 at a cost of £5,170.00</p> <p>Total amount of trees felled = 1178</p> <p>Total cost (inc. Traffic management costs) = £170,022.00</p>
1.15	<p>Work on ‘recovery’ to re-plant the felled trees lost to ash dieback will begin after the predominant risk has been mitigated. Flintshire County Council are carrying out significant tree planting across the County in line with the target to increase canopy cover set out in the Urban Tree and Woodland Plan.</p>

2.00	RESOURCE IMPLICATIONS
2.01	Currently there is no allocated budget to deal with Ash dieback and is being reflected as an in-year portfolio overspend.

	The programme of work is generating a substantial amount of additional work and has been absorbed into existing Officer work programmes. The impact on existing day to day duties of key officers, in particular the Tree Inspector led to a successful portfolio pressure bid and a new Assistant Tree Officer and Natural Environment Technical Support Officer are in the process of being recruited.
2.02	Average felling costs in 2021/22 were around £120 per tree. In 2022/23 this figure has risen to £145 per tree. This is accounted by increasing contractor costs and higher costs for some larger and more challenging trees.

3.00	CONSULTATIONS REQUIRED / CARRIED OUT
3.01	Local members and Town & Community Councils are notified of upcoming works to fell infected ash trees adjacent to the Highway. Landowners are notified when infected ash trees on their property are posing a risk to the Highway with a request for them to make safe.

4.00	RISK MANAGEMENT
4.01	Internal audit - A review of the management of Ash Die Back was undertaken as part of the approved Internal Audit Strategic Plan for 2021/22. Audit considered the adequacy and effectiveness of the controls in place to manage the risks and identified some improvements to controls with an amber-red assurance rating reported. All recommendations have been implemented.
4.02	A black inherent risk (catastrophic impact/ very high to extremely high likelihood) relating to Ash Dieback has been raised in the Council's Corporate Risk Register. The risk focuses on the implications of Ash Dieback on finances and reputation of the Council due to the scale of the problem and the ability to make safe highways and Council amenity land.
4.03	It was anticipated with the current staffing resource levels, the foot survey will not be completed until 2024. This gave a degree of risk that there may be trees unknown which have reached class 4 disease state. With the additional staff, once recruited, it is expected to complete this priority task quicker.

5.00	APPENDICES

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
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6.01	<p>Contact Officer: Tom Woodall, Access & Natural Environment Manager Telephone: 01352 703902 E-mail: tom.woodall@flintshire.gov.uk</p>
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7.00	GLOSSARY OF TERMS
7.01	<p>Common ash (<i>Fraxinus excelsior</i>) is a native ash tree found in nearly every part of the UK. Ash is typically found in hedgerows, highway verges and un-grazed land and a wide variety of urban spaces including, open spaces, semi-urban woodlands, parks, private gardens, schools and cemeteries.</p>
7.02	<p>Ash dieback (<i>Hymenoscyphus fraxineus</i>) is a fungal pathogen that affects the UK's native ash trees. The disease arrived in Europe from Asia in the 1990s and spread rapidly on the continent. The disease was first recorded in Britain in 2012.</p>

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