

ENVIRONMENT OVERVIEW AND SCRUTINY COMMITTEE
4 JUNE 2015

Minutes of the meeting of the Environment Overview and Scrutiny Committee of the Flintshire County Council held at County Hall, Mold on Thursday 4 June 2015

PRESENT:

Councillors: Haydn Bateman, Ron Davies, Glenys Diskin, Chris Dolphin, David Evans, Veronica Gay, Cindy Hinds, Joe Johnson, Colin Legg, Brian Lloyd, Ann Minshull and Paul Shotton

SUBSTITUTIONS:

Councillors: Clive Carver for Hilary Isherwood and Amanda Bragg for Nancy Matthews

APOLOGY:

Councillor Ray Hughes

CONTRIBUTORS:

Deputy Leader & Cabinet Member for Environment, Chief Officer (Streetscene and Transportation) and Service Manager
Chief Officer (Planning and Environment) for Minute Number 9 – Minutes

IN ATTENDANCE:

Environment and Social Care Overview & Scrutiny Facilitator and Committee Officer

7. APPOINTMENT OF CHAIR

The Environment and Social Care Overview & Scrutiny Facilitator advised the Committee that the position of Chair for the Committee had been allocated to the Independent Alliance Group at the Annual meeting of the Council held on 12 May 2015. Councillor Veronica Gay had been nominated by the Group as Chair for this Committee. Councillor David Evans proposed the nomination which duly seconded and on being put to the vote, was carried.

The Facilitator invited Councillor Gay to take the Chair for the remainder of the meeting.

RESOLVED:

That Councillor Veronica Gay be appointed Chair for the Committee.

8. DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)

No declarations of interest were made.

9. MINUTES

The minutes of the meeting of the Committee held on 15 April 2015 and 23 April 2015 had been circulated to Members with the agenda.

The Environment and Social Care Overview & Scrutiny Facilitator advised that the action sheet for the 23 April 2015 meeting had been circulated to Members and that the Chief Officer (Planning and Environment) was in attendance at this meeting to provide an update on the Mold Flood Alleviation Scheme, as recorded in the recommendation made at the meeting.

15 April 2015

Matters Arising

Councillor Ron Davies gave thanks to the Deputy Leader and the Committee for the proposal to eliminate evening car parking charges at Theatr Clwyd Cymru.

23 April 2015

Accuracy

The Chair indicated that she had submitted apologies for this meeting but they had not been recorded.

Matters Arising

In providing an update on the Mold Flood Alleviation Scheme, the Chief Officer (Planning and Environment) circulated a map showing the proposed locations for the works. He explained that a constructive meeting had been held earlier this week, which Councillors Haydn Bateman, Brian Lloyd and Colin Legg had attended. He detailed the two elements to the proposed scheme and the locations for the siting of the underground pipe to intercept surface water, and for two large underground tanks. He added that landowners had raised significant concern about their agricultural holdings and the long term impact on the soil. The application needed to go through the planning application stage then an application would be submitted to Welsh Government for funding for the project. A briefing note would be prepared for Members in the future but the Chief Officer (Planning and Environment) felt that it was important to update the Committee on the proposals.

Following a question from Councillor Clive Carver, the Chief Officer (Planning and Environment) explained that the original scheme included an open ditch but it had now been decided that the proposal would require a pipe to be buried underground. The scheme was expected to take up to 72 weeks and discussions were ongoing about how to reduce the impact on the school site which was where one of the large tanks was to be placed. The Chief

Officer provided a detailed response to a question from Councillor David Evans about which direction the water into the tanks would come from.

Councillor Haydn Bateman commented on the concerns that had been raised about compensation for the farmers. The Chief Officer responded that detailed negotiations would be undertaken at a later date as the details of the scheme were not yet known. He added that figures for compensation had not been included in the known costings of £10m. Councillor Brian Lloyd asked about identified candidate sites and how these would be affected by the proposed scheme. The Chief Officer indicated that the scheme could make candidate sites more attractive to developers. In response to a question from Councillor Joe Johnson, the Chief Officer said that it was not possible to generate power from the water from the pipe as it was not a constant flow.

RESOLVED:

- (a) That subject to the suggested amendment, the minutes be approved as a correct record and signed by the Chairman;
- (b) That the minutes be approved as a correct record and signed by the Chairman; and
- (c) That the update from the Chief Officer (Planning and Environment) on the Mold Flood Alleviation Scheme be noted.

10. TERMS OF REFERENCE OF THE COMMITTEE

The Environment and Social Care Overview & Scrutiny Facilitator introduced a report to advise the Committee of its Terms of Reference.

The changes to the Overview & Scrutiny Committee structure had been driven by simplifying the reporting lines for Overview & Scrutiny and to reduce the number of Committees that the Cabinet Members and Chief Officers needed to attend. The Facilitator explained that if any amendments were suggested to the Terms of Reference, these would need to be reported to the meeting of Constitution Committee which was due to be held on 1 July 2015. She added that some items that had been included in the Forward Work Programme for consideration by this Committee had been forwarded on to the Community & Enterprise Facilitator as they were now in the remit of the Community & Enterprise Overview & Scrutiny Committee. The areas that were within the remit of this Committee were reported on page 20.

RESOLVED:

That the report be received.

11. HIGHWAY ASSET MANAGEMENT PLANNING (HAMP) AND LOCAL SUBSIDENCE SCHEMES

Prior to consideration of the report, the Chief Officer (Streetscene and Transportation) provided Members with a detailed update about the review that had been undertaken within the service. He explained that three senior managers had been appointed and would take up their posts from 1 July 2015. He gave a commitment that he would send all Members the contact details of the managers and would provide details of the services that each manager was responsible for. He introduced Barry Wilkinson who was one of the newly appointed Service Managers.

Councillor Clive Carver expressed his frustration that details of senior managers who no longer worked for the Council were displayed on the website and it was therefore difficult to know who to contact if they needed to raise an issue. Councillor Cindy Hinds echoed the concerns. The Deputy Leader reiterated the assurance provided by the Chief Officer that full contact details would be made available to Members as soon as possible after the completion of the restructure. He also reminded Members that they could raise any concerns with himself, the Chief Officer or the Service Manager. The Chief Officer also referred to the Contact Centre in Alltami and reminded Members that he had extended an invitation for them to visit once the restructure had been completed.

Councillors Joe Johnson and Ann Minshull expressed their support for the work undertaken by the Area supervisors for their wards and this was echoed by the Chair and Councillor Chris Dolphin.

Following a comment from the Chair about the directory on the Council's telephones, the Deputy Leader agreed to contact IT to discuss the problem.

Councillor Paul Shotton indicated that the Area supervisor for his area regularly attended meetings of Connah's Quay Town Council to discuss issues of concern. The Chief Officer indicated that all Area supervisors should attend Town and Community Council meetings for their areas as this formed part of their contract.

The Chief Officer introduced a report to update the Committee on the progress made on the Highway Asset Management Plan (HAMP). The report also sought a recommendation for the targeted allocation of both revenue and capital funding to the most appropriate asset on the network, utilising the principles of the HAMP to guide the outcome.

He detailed the background to the report and explained that the highway network was the highest valued infrastructure asset owned by the Council with the carriageway and footways asset alone being valued in excess of £1 billion. The HAMP, which was approved by the Council's Executive in 2012, set out how the Council responded to its statutory duty to maintain the highway. It also set out how asset management principles would

be applied to the management of the individual assets that made up the highway network in Flintshire. Appendix 1 showed the HAMP Improvement Plan milestones and the Annual Status and Options report 2013/14 were reported in Appendix 2. In 2012 the Authority had been able to secure funding of £8.4m from Welsh Government (WG) to address the longstanding maintenance backlog and carry out significant highways improvements on the network.

The introduction of a new Streetscene and Transportation Portfolio had resulted in a number of services being combined with the original Streetscene service and capital and revenue funding of £1,589,000 was now available for maintenance and infrastructure improvement schemes each year. Details of the funding was provided at paragraph 3.03 and the provisional allocation of the budget was reported at paragraph 3.06, subject to the outcome of the risk workshop to be held in June 2015. The condition of the highway network would continue to deteriorate each year and the investment would be insufficient to address the decline. There would also not be any WG capital funding streams available for highway maintenance works this year and it was therefore important to ensure that funds were allocated and targeted to those assets with the greatest need; it was proposed that a risk assessment would be undertaken to identify those needs. The Chief Officer also reported that five highway subsidence schemes had been identified and these would also be risk assessed and funding allocated to the scheme with the greatest need. The schemes had been prioritised and were reported in their rank order in paragraph 3.08. These schemes would also be risk assessed and funding allocated to the scheme with the greatest need.

Councillor Paul Shotton thanked the Chief Officer for the report. He highlighted paragraph 2.10 where it was reported that the latest externally verified condition surveys had again shown that the conditions of the classified road network in Flintshire were the best maintained in Wales. He queried whether it was anticipated that more surface dressing works than resurfacing would be undertaken. He also sought clarification on innovations in road maintenance and whether recycled aggregates would be used in the future. The Chief Officer responded that it was important to ensure that repairs that were carried out correctly so that they only needed to be undertaken once. He added that, due to lack of funding, there may be the need to carry out more surface dressing rather than resurfacing works. On the issue of recycled aggregates, there was a reluctance to use these products because of the risks involved due to skid resistance levels. The Chief Officer spoke of alternative products but due to possible high levels of failure, it was more cost effective to revert to methods and products that could be trusted.

In response to a question from Councillor Brian Lloyd about materials used, the Chief Officer explained that the life of a repair, such as filling in a pothole, would depend on the quality of the product. Councillor Haydn Bateman asked whether repairs were carried out manually and the Chief Officer responded that small repairs were undertaken by hand but machinery was used for larger repairs.

RESOLVED:

- (a) That approval of the updated HAMP Improvement Plan be recommended;
- (b) That the reallocation of funding across the Highway Asset Group as dictated by the risk based approach detailed in the report be recommended; and
- (c) That the Committee recommend that a further report be presented to Cabinet for approval with the details of the individual annual asset allocations each year following the risk workshop.

12. SPEED LIMIT REVIEW

Prior to the introduction of the report, the Deputy Leader apologised to the Committee because the Speed Limit Review had not progressed as fast as it should have. He expressed his disappointment that this report was before the Committee and added that he should have checked on progress earlier in the process than he had done.

The Chief Officer (Streetscene and Transportation) introduced the report to provide the Committee with details on the progress made on the County wide Speed Limit Review for the classified A and B road network. The report was also to inform the Committee of the revised programme to complete the project.

A report was approved by Cabinet in July 2013 detailing the outcome of the review which had been carried out on the Flintshire classified road network and included schedules and plans of those sections of roads where a change in the speed limit was necessary. The proposals included a programme to complete the associated orders and implement the revised speed limits for 37 sites within a two year period. The cost of carrying out the works was estimated to be £210,000 and the funding for this was to be provided from a bid to the Welsh Government (WG) prudential borrowing initiative. Progress had been slower than expected and only five had been completed, with seven to be completed within the next three months and 25 yet to be ordered and advertised. There were a number of reasons for the delay and these were reported in paragraph 3.01.

It was now necessary to develop a new programme and method of delivery to complete the work at the earliest opportunity, and because the final delivery of the project was beyond the expected deadline date required, the funding from WG was no longer available. The Chief Officer explained that it was proposed that the Council engage an Agency engineer who was capable of carrying out all the necessary works to progress the outstanding schemes with a revised completion date of 30 November 2015. The estimated costs for engaging the Agency engineer and advertising & construction works was £210,000 and as the costs would need to be met from the Streetscene and Transportation budget, an in-year budget pressure would be created as a

result. Progress against the new timetable would be monitored monthly by the Deputy Leader & Cabinet Member for Environment and a verbal update on the progress made would be presented to this Committee in September 2015.

The Chair queried whether an officer of the Council could undertake the work prior to an Agency engineer being appointed. The Chief Officer advised that there were no members of staff within the Streetscene and Transportation portfolio with the skill sets to allow them to undertake both elements of the speed limit orders.

Councillor Clive Carver thanked the Chief Officer for the report and the Deputy Leader & Cabinet Member for Environment for his acceptance of the responsibility for the problem. He commented on an email response that he had received about a scheme in Hawarden which indicated that the scheme had not progressed because of funding. He sought clarification on whether there were dedicated solicitors in the Environment directorate and raised concern that the problem had arisen. Councillor Carver also sought reassurance that it was not reoccur in the future and queried why a scheme outside Hawarden High School had been stopped.

The Deputy Leader & Cabinet Member for Environment provided a response to the comments made by Councillor Carver and spoke about a recent press article which indicated that the Council had lost money as a result of the reviews not being completed. He assured the Committee that the Agency engineer would be capable of completing the outstanding reviews within six months of their appointment. The Chief Officer advised that he would provide Councillor Carver with a written response to his question about the scheme outside Hawarden High School following the meeting. On the issue of funding, he explained that a bid to WG had been successful for the original project but this was no longer available; he added that the Council had not lost money because of the lack of progress as had been reported in the press. The new programme would create an in-year budget pressure for the service to ensure that the works were completed within six months.

In response to a query from Councillor David Evans, the Chief Officer confirmed that the 20 mile per hour speed limit schemes outside schools had been completed and therefore were not included in this Speed Limit Review. Councillor Evans commented on a scheme for the removal of restrictions in Shotton which had been delayed and sought clarification on the reason for this. He also queried where the funding for the £210,000 in-year budget pressure would be allocated from and whether progression of the scheme was a priority. The Deputy Leader & Cabinet Member for Environment confirmed that the orders had to be carried out due to a WG ruling and spoke of the consequences for not progressing the schemes. He confirmed that the £210,000 could not be found from the current budget and indicated that he would make a recommendation that the funding be taken from reserves.

Councillor Paul Shotton expressed significant concern that only five schemes had been completed and queried whether it was possible to

collaborate with other authorities to undertake the necessary works. The Chief Officer explained that neighbouring local authorities did have the necessary specialist officers but they could not release them to carry out this work due to their own priorities. It was felt that the most cost effective way was to employ an Agency engineer.

In referring to the restructure of the Streetscene and Transportation Service, Councillor Chris Dolphin welcomed the review which he felt would provide a more efficient and effective service. He sought clarification on the figures in brackets referred to in the table of identified speed limits. He also indicated that he was awaiting details of accident figures, particularly for the Celyn Bends, and queried why this stretch of road was not included in the speed review and whether the decision to extend the speed limit would be reconsidered based on the accident figures for the area. The Chief Officer indicated that the brackets in the table referred to particular sites on the roads identified for speed limit reviews. Following a request from Councillor Dolphin, the Chief Officer advised that he would circulate full details to Members about the locations of the proposed speed limits on the roads identified in the table on page 67. He added that he would consider reviewing the decision about the speed limit on the Celyn Bends. Councillor Dolphin invited the Chief Officer and the relevant officer to attend the area so that they could view the issues that were causing concern.

Councillor Cindy Hinds thanked the Deputy Leader & Cabinet Member for Environment and the Chief Officer for the report. She commented on a speed limit review in her ward and queried whether the receipt of objections to orders could delay the progress of the review. The Chief Officer detailed the mechanism for dealing with objections and advised that he and the Deputy Leader & Cabinet Member for Environment had delegated authority to deal with any objections to the proposals; he added that it was important that these were dealt with quickly.

In response to a query from Councillor Amanda Bragg about whether officers were being held accountable for the lack of progress on the orders and what measures were in place to prevent it happening again, the Deputy Leader & Cabinet Member for Environment confirmed that the officers no longer worked for the Council. The Chief Officer advised that an action plan was now in place which would prevent the situation reoccurring in the future.

Councillor Colin Legg queried the figure of 180 in the table of identified speed limits and was advised by the Chief Officer that this reflected only those schemes which had yet to be completed. He added that the scheme with the highest Matrix score would be undertaken first.

The Chair referred to the sections on Environmental Impact and Equalities Impact and queried whether a full impact assessment had been undertaken. The Chief Officer indicated that he would provide an answer to the Committee following the meeting.

The Chair suggested that an additional recommendation be included that the Committee receive a verbal update on the Speed Limit Review at the September 2015 meeting. On being put to the vote, this was agreed.

RESOLVED:

- (a) That the revised completion date for the project and the engagement of the Agency Engineer to carry out the work required to deliver the speed limit review within the revised timescale be supported; and
- (b) That a verbal update on the Speed Limit Review be provided at the Committee meeting scheduled for 16 September 2015.

13. FORWARD WORK PROGRAMME

The Environment and Social Care Overview & Scrutiny Facilitator introduced the report to consider the Forward Work Programme for the Committee.

She explained that the 2014/15 Year End Reporting and Data Submission report would be submitted to the meeting on 15 July 2015. A workshop on the Bus Subsidy Review was due to be held the following day and a report on the Review would need to be submitted to the Committee following the workshop; this would be to either the 15 July or 16 September 2015 meeting. A report on the Review of Winter Maintenance would also be considered at the 16 September 2015 meeting.

Councillor David Evans asked if an update on any works that were to take place on the A494/A55 could be provided to a future meeting.

The Facilitator advised that there was a need to consider the items for inclusion on the Forward Work Programme now that the dates of meetings from September 2015 to July 2016 had been agreed. She suggested that a Forward Planning session be arranged for July 2015 and following a discussion, it was agreed that this would take place following the meeting of the Committee scheduled for 15 July 2015.

During earlier discussions, the Chief Officer (Streetscene and Transportation) indicated that an update on the progress of the Speed Limit Review would be required in September 2015.

RESOLVED:

- (a) That the Forward Work Programme, as amended at the meeting, be approved; and
- (b) That a Forward Planning session for Committee Members take place following the meeting of the Committee scheduled for 15 July 2015.

14. MEMBERS OF THE PUBLIC AND PRESS IN ATTENDANCE

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

(The meeting started at 10.00 am and ended at 11.30 am)

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Chair