

ENVIRONMENT AND ECONOMY OVERVIEW & SCRUTINY COMMITTEE
10 JANUARY 2023

Minutes of the hybrid meeting of the Environment and Economy Overview & Scrutiny Committee of Flintshire County Council held on Tuesday, 10 January 2023

PRESENT: Councillor David Evans (Chair)

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

IN ATTENDANCE AS OBSERVERS: Councillors Helen Brown, Debbie Owen and Bernie Attridge

CONTRIBUTORS:

Councillor Chris Bithell (Cabinet Member for Planning, Public Health and Public Protection),
Councillor Dave Hughes (Deputy Leader of the Council and Cabinet Member for Streetscene and the Regional Transport Strategy),
Councillor David Healey (Cabinet Member for Climate Change and Economy),
Councillor Paul Johnson (Cabinet Member for Cabinet Member for Finance, Inclusion, Resilient Communities including Social Value and Procurement), Chief Officer (Planning, Environment & Economy), Chief Officer (Streetscene & Transportation),
Contract Manager, Waste Operations Manager, Waste Supervisors, Enforcement Supervisor, Enforcement Manager

IN ATTENDANCE: Overview & Scrutiny Facilitator and Democratic Services Officers

41. DECLARATIONS OF INTEREST

None were received.

42. MINUTES

The minutes of the meetings held on 13 December 2022 were submitted.

Matters arising

Councillor Mike Peers referred to paragraph 37 on page 4 of the minutes where the Facilitator gave an update on progress for the joint meeting with the Education Youth & Culture O&S Committee. He said it did not state the purpose which was to address vehicle parking outside schools.

Councillor Peers then referred to page 5 the MTFs and Budget Setting 2023/23 which was in Part 2 and asked Members would have sight of the questions prior to it being discussed at Full Council.

In response the Overview & Scrutiny Facilitator confirmed that the Finance Officers took notes of the questions raised at the meetings which had been collated. As these were in Part 2 and could not be published within the minutes, she agreed to speak to the relevant Officers to enquire if a copy could be made available to him.

The minutes were approved as moved and seconded by Councillor Dan Rose and Councillor Mike Allport.

RESOLVED:

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

43. FORWARD WORK PROGRAMME AND ACTION TRACKING

The Overview & Scrutiny Facilitator presented the Forward Work Programme and Action Tracking report. She drew attention to the items included for the February meeting which were the Woodlands Strategy, Climate Change update, Welsh Water Draft Water Resources Management Plan 2024 (Public Consultation), and Wepre Park Management Plan. She then referred to the Communities for Work item which had been withdrawn and she invited the Chief Officer to provide information on this.

The Chief Officer (Planning Environment & Economy) said this item had been included in the Forward Work Programme because of concerns around Welsh Government (WG) funding. He was pleased to announce that funding was secured for next year which was why it was being removed. He said that a report would be provided within the next year outlining the work undertaken by Communities for Work employability programme.

The Overview & Scrutiny Facilitator confirmed that the Education Youth & Culture O&S Committee had a meeting arranged for the 2 February which would include a joint item on Parking Outside School and Enforcement. Members of this committee would be invited to that meeting for the item. She then explained that Bereavement in the Countryside Policy was now scheduled for the February meeting.

The Overview & Scrutiny Facilitator then referred to a workshop being held on the 24 January on "Open Space Management, Grass Cutting and Nature". There was also the Exceptions Criteria for 20 mph implementation in February and the Progress on the implementation of the conversion of the FCC Fleet to electric and alternative fuels in October.

The Facilitator then referred to the Action Tracking report and invited the Chief Officer (Streetscene) to provide an update on the network review by Transport for Wales. The Chief Officer (Streetscene) explained that Welsh Government (WG) were reviewing bus legislation in Wales which had been presented to committee and said the network review was part of this. It was still unclear when this would be implemented and that this would stay on the Action Tracking until the review took place. It was suggested to remove this for now until more information was available and this was agreed by committee.

The Facilitator then referred to Town Centre Markets and reported that Niall Waller would be sending a briefing paper to committee members later that day. Referring to Litter from food outlets the Chief Officer (Streetscene) clarified that this was a WG directive and suggested that a letter be sent from this committee highlighting the issues being experienced. The Chair and committee members agreed for the Chief Officer to write to WG for an update.

The Facilitator then referred to the workshop on the 20mph implementation would now take place in March.

RESOLVED:

- (a) That the Forward Work Programme be approved;
- (b) That the Facilitator, in consultation with the Chair of the Committee, be authorised to vary the Forward Work Programme between meetings, as the need arises; and
- (c) That the Committee notes the progress made in completing the outstanding actions.

44. WASTE STRATEGY

The Chief Officer (Streetscene) presented the report and thanked the officers for the significant amount of work they had undertaken. Three reviews of the Waste Strategy had taken place within the last 5 years with the current fourth review focusing on the Council's drop in performance levels and achieving those targets to avoid financial penalties. Welsh Government (WG) set the statutory targets for local authorities and the Council followed the blueprint with one of the targets being 64% for this year and 70% by 2024/25. The aim was to send 70% of all the waste generated to reuse recycle or compost with the remaining residual waste 30% sent to an energy from waste plant.

The Chief Officer (Streetscene) provided information on the performance levels over the last few years, the impacts following the pandemic and the options available to meet the statutory targets. She then referred members to specific sections of the report and outlined the legislative background and targets set by WG and performance levels achieved by the Council. Information on the infraction fines was given, which were highlighted as a significant risk to the Authority. In 2021-2022 the recycling target has been missed by 3,314 tonnes, which could equate to a potential infraction fine of £662,888 if WG choose to levy a financial penalty.

An overview of the meeting held last year with the Minister was provided by the Chief Officer (Streetscene) which followed a drop in performance the previous year in 2020-2021 of just 17 tonnes and the Chief Officer (Streetscene) indicated that it was likely they would be summoned again this year to explain why the authority had missed its targets in 2021-2022. This was a significant risk to the service as there was no budget to cover that level of fine and it could impact on how services would be delivered in the future. She then referred members to page 19 which included a forecast on performance for this year, which showed that if the authority continued at this level of performance, it would equate to 63.17%, falling short of the target by 622 tonnes with a potential

infracton fine in excess of £124,000. An overview of the tonnages achieved over the summer and winter was provided which was not recovering with residual waste increasing. Recycling rates had increased, but so had residual waste, which did not help with achieving targets. Information on the Sustainable Waste Management Grant was provided by the Chief Officer (Streetscene), who advised that WG were considering whether to potentially bring this into a circular economy grant which would present additional financial risks for the Authority. Members were referred to the table on tonnage rates on page 20 and Appendix 2 which included the slides from the Member workshops and a comparison of Flintshire's performance against other authorities with those local authorities at the top and achieving the targets limiting the amount of black sack waste households could dispose of. In Flintshire households were provided with a 180-litre bin allowing for 90 litres per week with those top performing authorities limiting it to 60 litres per week. Referring to the compositional analysis she confirmed that 50% of the waste included in the black bin was recyclable, of which 27% had found to be food waste.

A summary of the feedback received from the two Member Workshops held in November was provided at 1.11 and the Chief Officer (Streetscene) confirmed that the failure to achieve the statutory recycling targets was now registered as a red risk for the portfolio. The Chief Officer (Streetscene) then referred to the considerations and options on page 22 and provided detailed information on frequency of collections, modelling of rounds and the costs involved. Information on enhanced enforcement and increased charges for garden waste subscriptions was given together with enhanced education to ensure that more residents recycle.

In response to several questions raised by Councillor Mike Peers the Chief Officer (Streetscene) provided the following responses.

Regarding infracton fines she confirmed that prior to the pandemic other local authorities had been fined. She explained that each time the targets were missed representatives from the Council were summoned to meet the Minister to provide an explanation of why these targets were not met and what was being put in place to mitigate it.

Referring to the blueprint policy point she confirmed that it did include recommendations to reduce residual waste capacity, to use 140 litre capacity bins, reduce collection frequency and provided advice on no side waste collection for residual waste.

Moving on to side waste enforcement the Chief Officer (Streetscene) did not have that information to hand but agreed to circulate it to Members following the meeting. She confirmed that fixed penalty notices (FPNs) had been issued and officers had targeted areas to provide that education and guidance to residents. Temporary improvements were usually seen but then the households slipped back into old habits. She outlined the three-stage side waste enforcement process which had reduced the need for FPNs.

The Deputy Leader of the Council and Cabinet Member for Streetscene and the Regional Transport Strategy reported that the last time the authority was summoned to meet the Minister the target was missed by 17 tonnes with this

year's likely to be missed by 600+ tonnes. He said some of the options available were unaffordable but education was the way forward, targeting wards who put recyclable waste in their bins. It was hoped to do this right across Flintshire.

The Chief Officer (Streetscene) emphasised that this would not be enough to achieve the 70% target by 2024 on its own which would not be achievable with what was being collected now and more needed to be done to restrict the amount of residual waste collected. .

Councillor Mike Peers referred to the options at 1.14 he asked if any of these guaranteed that the authority would hit the recycling target. In response the Chief Officer (Streetscene) said the top performers were achieving this by limiting the amount of residual waste collected per household to 60 litres a week.

The Chair said that changing the bin size or frequency was not the sole answer but education was required.

Councillor Mared Eastwood commented that 60 litres per week appeared to be realistic for residents and asked what capacity of bin would be required for three or four weekly bins. She also asked what the life expectancy of the bins was and whether it was possible to run two sized bins at the same time. In response the Waste Operations Manager confirmed the bins life cycle was about 15 years and that they had been in use for 10 years now with very little damage. The Chief Officer (Streetscene) confirmed that the authority already offered larger 240 litre bins for larger families of six or more so that would not be an issue. She also mentioned that, although not included within the report, there had been suggestions in the past to undertake a pilot targeting a particular area to understand the bin capacity and frequency of collections, and this is something that could be considered again.

Councillor Dan Rose advised that he would be interested in the possibility of running a pilot to gather further information and suggested that a three weekly pilot would impact the public less than four-weekly collections.

The Cabinet Member for Climate Change and Economy felt the reason why the service was in this position was because the risks of infraction fines had not been put in the public domain to enable a better understanding. He felt additional resources should be used to ensure strategies on changing people's behaviour were successful. He felt it was unfair for the Chief Officer and Officers to be summoned to meet the Minister when it was the county's constituents who were failing to recycle, especially putting food waste in the bin. He felt that when the Council Tax bills were sent to residents another leaflet was included highlighting in clear terms the situation the council was faced with a note "please do not put this in your black bin"

In response to several questions from Councillor Dan Rose the Chief Officer (Streetscene) provided the following:-

Regarding the point on black bins she confirmed that they were recyclable and were broken down into pellets to make other products.

Replying to the second point on engagement and support provided by Welsh Government (WG) she said a performance efficiency review commenced in April 2021 with comparison data on what other local authorities had achieved and what they were doing differently. The clear message from this review was that those local authorities were limiting the amount of residual waste collected at the kerbside. There were also monthly meetings with WG Officials to explore what the Council could do differently and it was recommended that a waste strategy review was undertaken, hence the purpose of this review.

As regards the enforcement question the Chief Officer (Streetscene) reported on the Radio Frequency Identification (RFID) pilot undertaken with food waste recycling in Denbighshire and said that something similar could be looked at in Flintshire.

Answering the density and volume question the Chief Officer (Streetscene) said last year the recycling had increased by 26% and residual waste had increased by more than 9%. She confirmed that in 2020/21 the recycling figures were 51,000 tonnes. Residents were recycling more but unfortunately residual waste rates were also continuing to rise .

Responding to point of vermin and rodents getting into black sacks, the Chief Officer (Streetscene) said that, providing that people were taking advantage of the weekly recycling and food waste collections there should not be any waste left in the black bins to attract them. This only occurred if perishable or food waste was put in the black bin.

Referring to larger families it was confirmed that larger bins were already provided for families of 6 or more.

The Cabinet Member for Finance, Inclusion, Resilient Communities including Social Value and Procurement felt councillors were part of the solution by providing that help and advice to residents on a local level.

In response to questions raised by Councillor Bernie Attridge the Chief Officer (Streetscene) firstly said that since the Authority had dropped from third from the top to third from the bottom in Wales for performance and that nothing had changed in terms of the collections, education or enforcement. In fact more was being undertaken now than previously. She confirmed that there was no limit to the number of bags residents could put out for recycling which was why the bags were introduced. Residents were encouraged to put multiple bags out which should be collected and she asked Councillor Attridge to let the team know which streets were having issues. She also confirmed that the waste collected from the AHP and nappy collection service did not go to landfill and it went to the energy from waste plant.

The Waste Operations Manager confirmed that sometimes the authority did use kerbside sorting collection vehicles to collect recycling especially over Christmas and busy periods when the refuse collection vehicles were used to collect recycling, such as cardboard. He asked Councillor Attridge to let him have information on the missed black sack collections and he would investigate it further. These incidents were quite rare and he reported on the very low number of complaints received over the Christmas period. He reiterated that if any

Councillor had any issues in their wards, they should email his team to investigate further.

The Cabinet Member for Planning, Public Health and Public Protection commented the situation was very worrying as the Council could not afford to pay the infraction fines when so many efficiencies were already being made to enable a balanced budget. Solutions had to be found and he felt positive that it could be achieved as the authority had done it before when it was third from the top in Wales. It may not be unpalatable to go to a three or four weekly collections as other authorities had done or spend £1m on buying new bins as our existing ones will last some years yet. Over the last few years Covid had changed the way that people lived their lives, but residents had co-operated in the past he was confident they could be brought on board to meet out recycling targets. He felt education together with urgent publicity campaigns informing residents of what the Council and they were facing, as this could impact Council Tax rates. A stern approach was required for those residents who refused to come on board to help meet these targets.

In response to a question from Councillor Dan Rose the Chief Officer (Streetscene) confirmed that the authority would continue to provide the assisted collection service which was not affected by this review and was free of charge.

Councillor Debbie Owen referred to HMO properties and wondered if landlords when they received their licences could pay for community bins which were collected weekly. The Chief Officer (Planning Environment & Economy) agreed to speak to Councillor Owen outside of the meeting.

The first recommendations in the report were moved and seconded by Councillors Richard Lloyd and Ian Hodge

With regard to the second recommendation Councillor Dan Rose suggested we wait until after the Pilot first and then look at the data before looking at options. This was second by Councillor Roy Wakelam.

Councillor Mike Peers said that from the discussion he was pleased that one of the Cabinet Members said that the reduction of the effective weekly bin capacity was not supported and that education appeared to be the way forward. Another Cabinet Member said he was not keen to go to three or four weekly collections and he asked that these be noted.

The third recommendation was moved by Councillor Ian Hodge and seconded by Councillor Mike Allport.

RESOLVED:

- (a) That the Committee noted the Council's current recycling performance against statutory targets.
- (b) That the Committee noted the options for alternative waste collection delivery models and recommended to cabinet that a pilot scheme be undertaken to inform decision making in order to achieve the statutory recycling targets set by Welsh Government.

That the Committee considered the proposal for increasing the garden waste subscription fee to recover increasing operational costs

45. NORTH WALES GROWTH DEAL – QUARTER 2 PERFORMANCE

The Chief Officer (Planning Environment and Economy) presented the mid-year performance report from the Economic Ambition Board and he reminded members of the introductory session held in early autumn last year. The Economic Ambition Board had £240m worth of capital (£120m from Welsh Government (WG) and £120m from UK Government) to spend across five programmes, which were Digital, Low Carbon Energy, Land and Property, Agri-Food and Tourism and High Value Manufacturing. The five programmes were rated as amber in terms of progress and he provided detailed information on the Bodelwyddan project which had been withdrawn with £10m going back into the Ambition Board funds. He provided an update on the Road Review, which was now awaited in 2023, the Western Gateway and the Warren Hall development. He hoped the Programme Officer for Land and Property would be able to attend the March meeting and bring the other Programme Officers to future meetings.

In response to questions from Councillor Mike Peers the Chief Officer (Planning Environment & Economy) firstly referred to the private sector investment question and confirmed that this was constantly being reviewed and had been flagged as an Amber risk. The Programme Office accepted that more engagement with the private sector was required.

In response to the question on whether any of the projects were at risk, he said the answer was no, but that this was also being kept under review.

Referring to the Roads Review question in relation to the Warren Hall site the Chief Officer (Planning Environment & Economy) did not understand why an internal road on a Welsh Government site had been included in the scope of the Roads Review.

Moving to the 440 jobs point, he was confident that the Warren Hall site could deliver these jobs, especially with the release of the land for housing.

Finally referring to the high-end manufacturing point the Chief Officer (Planning Environment & Economy) outlined how the optical technology was identified together with the green technologies and described what technologies were also being promoted.

Councillor Dave Healey said what the six Councils had achieved working together within the North Wales Growth Deal and Ambition North Wales to secure funding and identify such positive projects was remarkable. He reported on a visit to the impressive Digital Signal Processing Centre at Bangor which was funded by this initiative. He was pleased to see so many low carbon green energy projects, especially within the agri-food and tourism sectors which was good for rural communities.

The recommendations in the report were moved and seconded by Councillors Mike Peers and Richard Lloyd.

RESOLVED:

That the Committee considered and noted the Quarter 2 Performance.

46. COUNCIL PLAN 2022-23 MID-YEAR PERFORMANCE REPORTING

In presenting the report the Chief Officer (Planning Environment & Economy) said this mid-year report covered the areas of the Council Plan which related to this Committee.

He provided detailed information on the four areas of red risks

- Procurement – engagement with smaller companies to deliver energy projects or energy efficiencies within properties and provided detail on the Dynamic Processing System.
- Digital Connectivity in Rural Areas – he referred to the December meeting where this was identified as a pressure as an officer post had not been filled. It was hoped to fill the role before the new financial year.
- Social Value – this was something that should go to all areas of the council

The Chief Officer (Streetscene) reported on the red risk for Regional Transport Plan. Further guidance was awaited from Welsh Government (WG) on how local authorities were expected to deliver the Regional Transport Plan. Draft Guidance was issued for local authorities to comment on before Christmas and the authority's comments had been returned to them. This remained a red risk as there was no firm plan on how this was going to be delivered. The authority was proposing to review the Integrated Transport Strategy for Flintshire to understand how this fed into the Regional Transport Plan but this was unable to happen until WG had outlined their expectations.

The recommendations in the report were moved and seconded by Councillors Richard Lloyd and Ian Hodge.

RESOLVED:

- (a) That the committee noted the levels of progress and confidence in the achievement of priorities as at mid-year within the 2022/23 Council Plan.
- (b) That the committee endorsed and supported the overall performance against 2022/23 Council Plan performance indicators as at mid-year.
- (c) That the committee was assured by explanations given for those areas of underperformance.

47. MEMBERS OF THE PRESS IN ATTENDANCE

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

(The meeting started at 10.00 am and ended at 11.42 am)

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Chair