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## Gareth Owens LL.B Barrister/Bargyfreithiwr

Head of Legal and Democratic Services
Pennaeth Gwasanaethau Cyfreithiol a Democrataidd

To: Cllr Matt Wright (Chairman)
Councillors: Haydn Bateman, Derek Butler, Peter Curtis, Chris Dolphin, David Evans, Veronica Gay, Cindy Hinds, Ray Hughes, Joe Johnson, Colin Legg, Nancy Matthews, Ann Minshull, Paul Shotton and Carolyn Thomas

Dear Sir / Madam
A meeting of the ENVIRONMENT OVERVIEW \& SCRUTINY COMMITTEE will be held in the DELYN COMMITTEE ROOM, COUNTY HALL, MOLD CH7 6NA on TUESDAY, 23RD JULY, 2013 at 10.00 AM to consider the following items.


Democracy \& Governance Manager

## AGENDA

## 1 APOLOGIES

2 DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)

3 MINUTES (Pages 1-10)
To confirm as a correct record the minutes of the meeting held on 26 June 2013.

4 REVIEW OF SUBSIDISED BUS SERVICES (Pages 11-36)
Report of Director of Environment enclosed.

5 PLANNING SERVICE PERFORMANCE (Pages 37-46)
Report of Director of Environment enclosed.
6 UPDATE ON THE NORTH WALES RESIDUAL WASTE TREATMENT PROJECT AND THE SUB-REGIONAL FOOD WASTE PROJECT (Pages 47 -54)

Report of Director of Environment enclosed.
7 DEESIDE ENTERPRISE ZONE PROGRESS REPORT (Pages 55-60)
Report of Director of Environment enclosed.

## Agenda Item 3

## ENVIRONMENT OVERVIEW \& SCRUTINY COMMITTEE 26 JUNE 2013

Minutes of the meeting of the Environment Overview \& Scrutiny Committee of Flintshire County Council held at Delyn Committee Room, County Hall, Mold CH7 6NA on Wednesday, 26 June 2013

## PRESENT: Councillor Matt Wright (Chairman)

Councillors Derek Butler, Peter Curtis, Chris Dolphin, David Evans, Veronica Gay, Cindy Hinds, Ray Hughes, Joe Johnson, Colin Legg, Nancy Matthews and Paul Shotton

## SUBSTITUTES:

Councillors: George Hardcastle for Haydn Bateman and lan Dunbar for Ann Minshull

## APOLOGY:

Councillor Carolyn Thomas.

## ALSO PRESENT:

Councillor Jim Falshaw

## CONTRIBUTORS:

Deputy Leader and Cabinet Member for Environment, Director of Environment and Head of Assets and Transportation
Head of Streetscene and Head of Planning for minute number 12
Acting Engineering Service Manager and Project Engineer for minute number 13
Traffic Services Manager for minute number 14
Head of Regeneration for minute number 15

## IN ATTENDANCE:

Housing and Learning Overview \& Scrutiny Facilitator and Committee Officer

## 10. DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)

No declarations of interest were made.

## 11. MINUTES

The minutes of the meeting of the Committee held on 22 May 2013 had been circulated to Members with the agenda.

The Chairman suggested that the bullet points before the resolution on page 7 be amended to read:-

- DVD - to promote what Flintshire had to offer for tourism
- Gladstone Library - a major attribute of great interest

Councillor Paul Shotton also suggested that the following bullet point on page 7 be amended to read:-

- Linking paths - links from coastal paths to other major paths in particular the Heritage Trail leading through to Wepre Park


## RESOLVED:

That subject to the suggested amendments, the minutes be approved as a correct record and signed by the Chairman.

## 12. QUARTER 4 AND YEAR END SERVICE PERFORMANCE REPORTS

The Chairman introduced a report to request that the Committee consider the 2012/13 Quarter 4/Year End service performance reports, note the draft year end position of the Strategic Assessment of Risks and Challenges (SARC) and note the performance made against the Improvement Targets contained within the performance report.

## Streetscene

The Head of Streetscene gave a short presentation on the performance within Streetscene, outlining work which had been undertaken to improve performance and areas where improvement was needed, as outlined within the report.

Councillor Paul Shotton referred to the benefits of Saturday collections and asked whether the number of missed collections had reduced. He welcomed the work on the resurfacing programme. He also referred to Environment Visual Audits (EVA) and in explaining that he had attended two in his ward, queried whether all wards were participating in EVAs. The Head of Streetscene responded that missed collection rates had improved dramatically and the rate was now 30 to 40 per 100,000 collections which was less than half the national average. On the issue of EVAs, he said that most wards had had at least one and that he would provide information on where EVAs had occurred and where they had not.

Councillor Ian Dunbar said that his residents had asked for their thanks to be passed on for the reduction in missed collections. He also welcomed the improvement in the answering of calls to the contact centre. In response to a query from Councillor Dunbar on whether Community Payback was a new initiative, the Head of Streetscene said that work on graffiti cleaning had always been undertaken as part of the scheme but it had been extended to cover other areas such as cleaning unadopted roads. Councillor Derek Butler asked if consideration could be given to using people on Community Payback to clear the gardens of elderly Council tenants.

Councillor Chris Dolphin asked that his thanks be passed on to Dan Arden, Harvey Mitchell and lan Williams for their work. He raised concern about the lack of resurfacing in Whitford and the problems faced by the residents of Holywell due to the change of day in their recycling collections to a Saturday. He also felt that some areas required additional gully cleaning as problems had occurred when they overflowed. In response, the Head of Streetscene explained that all roads in Flintshire were inspected for required resurfacing works to ensure that the worst affected areas were resurfaced first and added that a further review
would be undertaken in September or October 2013. On the issue of gully cleaning, he said that all gullies were cleaned on an annual basis but asked that Members let him know of any specific areas that they felt were a problem. The number of areas having Saturday collections was increasing but it would be managed and would be phased to enable it to be reviewed following its implementation. Maps detailing collections for all areas of Flintshire were on display at Alltami Depot and the Head of Streetscene explained that if Members wanted to see them they could call to arrange a visit.

Councillor George Hardcastle welcomed the report and the reduction in the number of missed collections in his ward. In response to a query from Councillor Hardcastle, the Head of Streetscene said that a demonstration of devices to identify assisted collections had been carried out at the previous meeting of the Committee. He asked Members to let him know if problems were still being experienced by residents. Councillor Hardcastle also asked why the risks for CD07 (Depot Review) and CD27a (Waste Management Targets not met) had increased. The Head of Streetscene explained that the risk was still amber but the completion date for the depot review had changed to December 2013 from October 2013. For CD27a, he explained that waste management was an ongoing piece of work but the risk was still reported as amber. Councillor Hardcastle asked that his thanks be passed on to Harvey Mitchell and Kevin Edwards for their assistance with an issue in his ward.

In response to a query from Councillor Nancy Matthews about whether residents could collect recycling bags from Alltami Depot, the Head of Streetscene said that the depot was not a public building but it was the intention to make bags available at Household Recycling Centre sites and the Flintshire Connect Centres.

Councillor Peter Curtis felt that the Saturday collections had been successful and that any initial problems had been overcome. He said that a gully in Pen y Ball Hill was a concern and asked that it be cleaned more often. The Chairman asked that Members let officers know of any areas in their ward where they felt that gully cleaning should be undertaken more frequently. Councillor Curtis also raised concern about the amount of fly-posting being undertaken in Flintshire. The Head of Streetscene explained that guidance on the Enforcement Policy for issues such as fly-posting would be submitted to the September meeting of the Committee.

Councillor Veronica Gay referred to areas in her ward where footpaths were not cleaned and grass was not cut and added that she had reported the problems in the past. Councillor Butler said that it was important for Members to discuss any concerns or problems in their ward with their local officers. Councillor Chris Dolphin requested a copy of the gully cleaning schedule.

## Planning

The Head of Planning gave a short presentation on the performance within Planning, outlining work which had been undertaken to improve performance and areas where improvement was needed, as outlined within the report.

The Head of Planning also advised that the performance indicators for determination of Householder applications and other applications and resolving enforcement cases had improved significantly in quarter 1 2013/14 when compared with the reported quarter 4 information.

The Chairman welcomed the improvements and reminded Members that Planning would be the subject of a report to the 23 July 2013 meeting of the Committee. He said that it was important to sustain the improvements and queried how staff changes were being addressed. The Head of Planning responded that the structure that was being considered would allow staff to move around the department when required but said that it was important to have the correct processes in place and have the right culture. The Deputy Leader and Cabinet Member for Environment said that he received monthly updates from the Head of Planning on caseload and he was confident that processes were being put in place.

In response to a query from Councillor Paul Shotton about the opposition from the House Builders Federation to the identification of adequate land supply in the County, the Head of Planning said that this was due to how the land availability was calculated and he explained about the two methods of calculation. The Council had to provide a five years supply but the method used by the Inspector had resulted in a calculation of 4.5 years supply. It was felt that the calculations had not been applied consistently and officers had raised the issue with Welsh Government (WG). It was hoped that a meeting with WG could be arranged before 18 July 2013.

Councillor lan Dunbar welcomed the work being undertaken to look at Section 106 agreements in detail and also the amalgamation of the Development Plans Panel and Planning Protocol Working Group to form the Planning Strategy Group. He said that it was important to keep Town \& Community Councils involved in the Local Development Plan. In response to a query from Councillor Dunbar about whether any progress had been made on mobile working within the Planning Department, the Head of Planning explained that work was progressing. An audit of section 106 agreements was being worked through on an area by area basis and the Head of Planning explained to Members that reports to Planning \& Development Control Committee had recently been amended to advise that if an application was granted subject to a section 106 agreement and it was not signed within six months, then an option was included to refuse the application.

Councillor Cindy Hinds raised concern about the lack of feedback for issues of enforcement and said that she had not seen the design of the plan for the areas of Penyffordd and Penymynydd. The Head of Planning said that matters of enforcement could take several months to complete but appreciated that Members needed to be kept informed. On the issue of design, he said that the Design Commission had contributed to the scheme but that the issues raised by Councillor Hinds were ongoing.

In response to a query from Councillor Derek Butler about the downturn in performance in Enforcement, the Head of Planning said that earlier in the 2012/13 year officers were concentrating on the backlog of cases, but in quarter 4 they concentrated on current cases.

On the issue of mobile working, Councillor Nancy Matthews felt that broadband strength was of concern across the county. The Chairman suggested that it could be an item for consideration at a future meeting

Public Protection
On the issue of dog fouling, the Director of Environment said that Neighbourhood Wardens, Enforcement Officers and Police Community Support Officers would increase patrols of 'hotspot' areas during the school holidays. He asked Members to advise of any problem areas in their wards.

Regeneration
Councillor Veronica Gay asked for an update on the One-stop shop in Saltney. The Chairman suggested that a formal response be provided to Councillor Gay following the meeting.

## RESOLVED:

(a) That the report be noted; and
(b) That the comments/observations of the Committee be fed back to the Corporate Resources Overview \& Scrutiny Committee who are responsible for the overview and monitoring of improvement targets.

## 13. DRAFT FLOOD MANAGEMENT STRATEGY \& FLOODING ISSUES

The Head of Assets and Transportation introduced Mr. R. Barry (Project Engineer) and Mr. I. Wellwood (Acting Engineering Services Manager) to the Committee.

The Head of Assets and Transportation introduced the report to seek comments on the Local Flood Risk Management Strategy prior to the formal submission to Cabinet and then Welsh Government (WG).

The strategy identified the responsibilities of the Council and other risk management partners in terms of flood risk and what communities could do to involve themselves. The Head of Assets and Transportation detailed the background to the report and explained that wide consultation had taken place but only 14 responses had been received. Other authorities had indicated that they had received a similar number of responses to the consultation exercise. Work was now required to develop and implement the strategy which would be considered by Cabinet before being submitted to the Minister for consideration.

Councillor Ian Dunbar referred to the difficulties of residents in flood risk areas to get insurance for their properties and asked whether residents would be able to secure insurance for a reasonable premium once the strategy was implemented. The Project Engineer said that flood maps affected insurance and different insurance companies used different mapping tools but some did use the maps provided by Natural Resources Wales, formerly the Environment Agency. The strategy would allow for categorisation of areas into low, medium or high risk areas for flooding which should assist residents with obtaining insurance at a
realistic cost. He added that individuals could also obtain information about flood risk areas from Natural Resources Wales.

The Head of Assets and Transportation said that the strategy would support officers in undertaking detailed mapping and identification of specific areas of flooding.

Councillor Derek Butler raised concern about issues which were previously the responsibility of the Environment Agency but which had been passed on to local authorities with no funding to carry out the works. He also spoke of planning applications being permitted on flood areas which he felt was a concern. The Director of Environment recognised the issues raised and said that it was reported that for 2014/15 and beyond, WG had confirmed that the level of funding allocated was likely to be $£ 90 \mathrm{k}$ minimum for the foreseeable future, which would be provided through the Revenue Support Grant provision on an annual basis to all local authorities. He added that in the current financial climate, this would be a challenge. The Head of Assets and Transportation said that certain activities had not been implemented yet so there could be further demands on the Council.

Councillor Nancy Matthews referred to the issue of gullies and also asked if the Planning and Development Control Committee would be given specific training on the strategy. The Head of Assets and Transportation responded that the issue of gullies would form part of the assessment of risk. He explained that the strategy was a complex issue and advised that he would discuss the suggestion about training with colleagues in the Planning Department.

Councillor Colin Legg apologised for not submitting his response to the consultation exercise but indicated that he would do so as soon as possible.

Councillor Veronica Gay raised concern about the cost of maintenance of areas such as the Balderton Brook in Saltney and sought assurance that a programme would be put in place and would be delivered. The Project Engineer responded that the brook was classed as a main river and was therefore the responsibility of Natural Resources Wales (NWR) but that NWR had a regime in place to monitor it twice a year. Councillor Gay asked for the details of a contact in NWR so that she could discuss her concerns about cross border water from Chester Business Park.

The Head of Assets and Transportation suggested that regular updates on the strategy be provided to the Committee. The Chairman suggested that the Facilitator liaise with the Director about the most appropriate time to receive an update on the strategy.

## RESOLVED:

That the Flood Risk Management Strategy be noted.

## 14. SPEED LIMIT REVIEW

The Head of Assets and Transportation introduced the report to inform Members of the conclusions of the speed limit review covering the 'A class' and 'B class' road network within the Authority.

He detailed the background to the report explaining that initial proposals were presented to the Committee in November 2012. It was agreed that following consultation with local Members and Town \& Community Councils, the findings would be reported back to Committee for comment before being submitted to Cabinet for consideration. He advised that any approved changes would require the support of the North Wales Police, and would also be subject to full statutory consultation to meet the requirements of the procedures for introducing Traffic Regulation Orders. The Deputy Leader and Cabinet Member for Environment said that the review had given Members the opportunity to comment on the proposals and that further comments made at this meeting would be considered by Cabinet.

Councillor Chris Dolphin welcomed the report and thanked the Deputy Leader \& Cabinet Member for Environment and the officers for their work on the issue. He referred to proposal 17 for the A5026 in Lloc and said that he felt that a 40 mile per hour (mph) speed limit would be supported if a footway was considered for the remainder of the road. The Director of Environment said that the suggestion would be considered but added that resources needed to be prioritised.

Councillor Ray Hughes also welcomed the report and thanked officers for the proposals for speed limits in his ward. Councillor Cindy Hinds referred to proposal 1 for the A5104 in Pontblyddyn and said that a reduction to 40 mph had been requested as the road was dangerous due to the difficult exit out of Stryt Issa onto the A5104. The Head of Assets and Transportation felt that this would be too slow a speed for the road and advised that the proposals would reduce the limit from the current 60 mph to 50 mph . He added that the whole of the route had been assessed which had resulted in the proposed reduction in the speed limit to 50 mph . The Traffic Services Manager concurred that 40 mph was too low a speed for all of the route and advised that signs could be erected to address the individual hazards on the road. The Chairman suggested that further information on the decision to not reduce the speed limit to 40 mph be forwarded to Councillors Hinds and Hughes. In response to the comments made, the Director of Environment said that officers worked closely with the Traffic Police and considered accident statistics and other issues before making a recommendation for the speed limit for the section of road.

Councillor David Evans queried whether a timetable was in place to carry out the proposed changes. The Director of Environment responded that the guidance had indicated that any changes should be implemented by 31 December 2014 but it had been agreed that the new speed limits would be in place by 31 March 2015. Work would be required to identify phasing of the required works taking into account the proposals and costs involved.

Councillor Veronica Gay referred to the retention of the speed limits on the A5104 from Broughton to Saltney Ferry Road and said that the change from 50 mph to 30 pmh created problems and asked whether the 30 mph area could be extended. The Traffic Services Manager explained that the visibility on the road was good and that there would be no benefit to moving the 30 mph area back. He added that pre-warning signs were also not required as they were only erected when there was insufficient sighting of the primary signs which was not the case
on this road. The Chairman suggested that it be reconsidered and discussed with Councillor Gay.

Councillor Colin Legg appreciated the work that had been undertaken but asked if 20 mph zones could be put in place for all schools in Flintshire, highlighting proposal 31 for the B5123 in Halkyn. The Deputy Leader and Cabinet Member for Environment indicated that he had requested that work be undertaken to identify the cost of implementing 20 mph zones for all schools. The work was ongoing and would be the subject of a report to a future meeting.

Councillor Peter Curtis referred to the Holywell to Bagillt road and the reduction in speed limit from 60 mph to 50 mph . He said that Holywell Town Council had requested a reduction to 40 mph due to the concerns about the amount of traffic using the road, in particular double decker buses. Councillor Chris Dolphin agreed with suggestion to reduce the limit to 40 mph due to low hanging trees making the surface of the road slippery. The Head of Assets and Transportation advised that it could be reconsidered.

In response to a query from Councillor Nancy Matthews about 'C roads', the Director of Environment said that the authority had a duty to look after 'A and $B$ roads' first but that once this had been completed, work would be undertaken to review 'C roads'.

The Chairman reminded Members that this was a phased approach but requested that a timetable with an indication of priorities be provided when it was available. He also suggested that the speed limit review be reconsidered by Committee in 12 months.

## RESOLVED:

(a) That the proposals set out in Appendix A of the report be noted; and
(b) That the comments of the Committee on the proposals be presented within the final Cabinet report.

## 15. MERSEY DEE ALLIANCE

The Head of Regeneration introduced a report to advise Members of progress regarding the work of Mersey Dee Alliance (MDA).

He detailed the background to the report and explained that the MDA was one of the key strategic partnerships for the Council and involved neighbouring Councils, Mersey Travel, Glyndwr University, Taith and University of Chester. The MDA reflected the fact that the area was the only part of the United Kingdom divided by a national boundary but the boundary was not recognised by local businesses or local communities in day to day life. He detailed the considerations in the report and indicated that key MDA work areas included:-

- The Dee Region - bid for City Region status

The bid had not been accepted but the Minister had accepted the need for greater formation of the cross border working arrangements in the MDA and discussions were ongoing.

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- M56/A55/Innovation Corridor

A study of the potential for a North Wales/North West England 'corridor' based on the better integration of service and advanced manufacturing assets had been prepared. A range of high tech/R\&D facilities were in place and the sub-region also had substantial assets in advanced manufacturing in the aerospace, automotive, electronics, creative and fibre optic sectors.

- MDA Think Tank

Key regional employers who employed from both sides of the border were being approached with a view to forming an economic 'think tank' to advise on issues that affect the area's competitiveness.

The Chairman felt that the report did not provide enough detail on priorities and deadlines of the MDA and suggested that this information be included for future reports.

Councillor Paul Shotton expressed his disappointment at the Dee Region not being awarded City Region Status and spoke of a presentation provided by Glyndwr University at a recent meeting of Community Profile and Partnerships Overview \& Scrutiny Committee. He also referred to local and regional employers and commented on the importance of having employees with the appropriate skills.

The Head of Regeneration explained that the MDA was a non-statutory body and that the skills issue was critical along with labour market planning. In response to a query from Councillor Cindy Hinds about the Deeside Enterprise Zone, he said that it had started on 1 April 2012 and that there had been 400 net jobs in the first year which he welcomed. He felt that the progress would be more significant in this financial year but added that more work needed to be undertaken.

Councillor Derek Butler also expressed his disappointment at not gaining City Region status and in referring to the unique area said that the sustainability and ensuring employers stayed in the area was important.

Councillor Nancy Matthews queried whether discussions were still ongoing with the MDA and Network Rail about a travel link to Liverpool airport. The Director of Environment spoke of a report on the issue of transport in the area from the Integrated Transport Task Force which was to be submitted to the Minister later this week for consideration.

## RESOLVED:

That the report be noted.

## 16. FORWARD WORK PROGRAMME

The Housing and Learning Overview \& Scrutiny Facilitator introduced a report to consider the Forward Work Programme of the Committee.

The Facilitator detailed the items for consideration at the 23 July 2013 meeting and reminded Members that a Forward Work Programme planning workshop was scheduled to be held at 10am on 18 July 2013 to allow Members the opportunity to populate the Forward Work Programme for the remainder of the year.

## RESOLVED:

That the Forward Work Programme be agreed.

## 17. MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE

There were 2 members of the press and 2 members of the public in attendance.
(The meeting started at 10.00 am and ended at 12.33 pm )

Chairman

# Agenda Item 4 

FLINTSHIRE COUNTY COUNCIL

## REPORT TO: ENVIRONMENT OVERVIEW \& SCRUTINY COMMITTEE <br> DATE: TUESDAY 23 JULY 2013 <br> REPORT BY: DIRECTOR OF ENVIRONMENT <br> SUBJECT: <br> REVIEW OF SUBSIDISED BUS SERVICES

### 1.00 PURPOSE OF REPORT

1.01 To outline draft proposals of the County's subsidised bus and related services.

### 2.00 BACKGROUND

2.01 Bus services within Flintshire, as in the rest of Wales (with the exception of municipally owned companies operated in Cardiff, Newport and Islwyn) are predominantly provided by the private sector. However, public funding still plays a significant role in the provision of bus services and related infrastructure.
2.02 Passenger numbers have been steadily increasing since Welsh Government (WG) introduced the all-Wales concessionary travel scheme in 2002, allowing free bus travel to people aged over 60 (and those with certain disabilities). Together with Local Authority and WG funding over recent years, this has facilitated improvements in modern, accessible and more fuel efficient vehicles, as well as improvements in service frequency and associated infrastructure. Concessionary travel has also helped to safeguard or even extend the number of services on routes that, although socially desirable, might not otherwise have been commercially viable for the private operator.
2.03 The Council has no mandatory obligation to fund any public transport services. However, it does have powers under the Transport Acts 1985 and 2000 and Local Transport Act 2008 to enter into agreements with public transport operators to provide subsidies for services which are not available commercially. These are usually rural, early morning, evening Sunday and Bank Holiday and some school services. It does this to support national and regional transport objectives, and also support our own corporate objectives around the environment, employment, education, health and supporting the economy.
2.04 Bus services in Wales (as elsewhere other than in London \& Northern Ireland) fall into three categories:

### 2.04.1 Commercial Services

Under the Transport Act (1985), bus companies are free to operate services which they consider to be commercially viable. This means that the bus company's costs of running the service are covered by the fares they collect from passengers on the route or by free concessionary travel reimbursement in lieu of fares (people over 60 or with certain disabilities). A number of services within Flintshire operate commercially during the day time and the County Council provides no direct financial support and has no direct control over this type of service. An example is Arriva's service 11 between Rhyl-Holywell-Chester which runs during the daytime.

### 2.04.2 Subsidised Services

These are socially necessary bus services that are subsidised by the Local Authority where an operator is not prepared to operate and run a service commercially. Funding comes from a variety of sources including WG grant monies, concessionary travel reimbursement and the County Council's own Revenue Settlement Grant (RSG), as well as any fares revenue taken. Much of the network in rural parts of the County is contracted to bus companies for services that might not otherwise run. Other subsidised bus services tend to be for early mornings, evenings and on Sundays and Public Holidays, as they are socially necessary routes that are not considered commercially viable by the bus companies. An example is the Townlynx service 14 between Mold-Caerwys-Bodfari-Denbigh.

### 2.04.3 Other Services

These tend to be a hybrid of services that operate commercially under some form of agreement commonly referred to as 'De Minimis' rules/exceptions, under which Local Authorities are in some cases exempted from the requirement to let bus subsidy contracts through competitive tender. These agreements allow additional funding on commercial bus services from the Local Authority for extending journeys to certain villages or extra journeys in the evenings, early mornings or on Sundays, which might not otherwise run. An example is P\&O Lloyd's services 18/19 between Flint-Holywell-Prestatyn-Rhyl via Penyffordd, Gwaenysgor, Trelogan and Llanasa. A number of services operating in Flintshire are provided commercially with some form of an agreement to maintain journeys that would not otherwise run.
2.05 A full list of all the Council's subsidised services and other bus services in Flintshire and details of the type of services provided are summarised in Appendix 1.
2.06 Community and voluntary transport covers all transport outside the conventional public transport network (Commercial, subsidised and
hybrid bus services) This sector exists to meet the travel and social needs of people who have no bus service where they live or for severely disabled or infirm people who are unable to use conventional bus services. Trips provided are for essential journeys such as medical appointments. From $1^{\text {st }}$ April 2013, TAITH holds the budgets for Community Transport.

## CONSIDERATIONS

3.01 Although the local bus service network has improved year on year since the deregulation of bus services in 1986, operating costs per passenger journey have increased, making the provision of bus services more expensive and ultimately less sustainable.
3.02 In light of the ongoing funding issues faced by the public sector, WG has cut bus grant funding across Wales from $£ 33 \mathrm{~m}$ to $£ 25 \mathrm{~m}$ p.a. and introduced changes to its management from $1^{\text {st }}$ April 2013:-

- Regional Transport Consortia (TAITH in North Wales) will be responsible for administering a new Regional Transport Services Grant (RTSG) scheme, which will take over from BSOG and LTSG.
- Consortia will develop a Regional Bus and Community Transport Network Strategy in 2013/14, setting out outcomes consistent with national and regional transport priorities. The timescale for developing the strategy is set out below:

| $28^{\text {th }}$ June 2013 | Preparation of draft regional network <br> strategy |
| :--- | :--- |
| $26^{\text {th }}$ July 2013 | Issue of strategy for consultation |
| $27^{\text {th }}$ December 2013 | Formal approval by TAITH |
| $17^{\text {th }}$ January 2014 | Ministerial endorsement of the strategy |

- Consortia will monitor performance against outcomes, and publish results in their Annual Progress Report;
- Consortia will be responsible for administering the reimbursement paid to operators under the concessionary bus travel scheme in their area from 1st April 2013.
3.03 Substantial work needed to be undertaken to ensure that the Regional Transport Consortia, local authorities and operators were ready to operate the new system by 1st April. Plans for managing and resourcing these new responsibilities were developed by a Task and Finish Group of the North Wales Local Authority Transport Managers. Arrangements to second a small number of staff into TAITH to develop the implementation work, using additional funding allocated by the WG were also put in place. This has ensured a relatively smooth transition, with limited evidence of service reduction or disruption as a result of
the changes to the funding mechanisms. However, we are only at the end of the first quarter and hence we are not able to predict the full impact of the changes at the moment.
3.04 The changes have resulted in an overall year on year reduction of $£ 224 \mathrm{k}$, including the $£ 36 \mathrm{k}$ p.a. efficiency saving approved as part of the 2013-14 Budget Strategy.
3.05 As a result of the above (3.04) the Council committed to undertake a fundamental review of its services outlined in 2.04.2 and 2.04.3 during financial year 2012/13. It was not possible to start the review until the new WG funding scheme had been announced, so the timescale for completion and subsequent implementation of any significant action has been delayed until 2013/14. In the intervening period, officers have continued to undertake work to mitigate the scale of the savings required, such as changing vehicle specifications for services to either reduce capacity or improve fuel economy.
3.06 It is important that the review was conducted in light of an agreed set of criteria, which could be used consistently, to determine and prioritise the level of Council intervention. Accordingly, a draft Policy was considered and approved by Cabinet on $23^{\text {rd }}$ April 2013, following consideration by the Environment Overview and Scrutiny Committee on $6^{\text {th }}$ February 2013. This Policy is set out in Appendix 2.
3.07 The current services have been assessed in conjunction with the Policy shown in Appendix 2, which has resulted in the draft proposals set out in the matrix shown in Appendix 3. As noted at Appendix 3 the review identifies services in a RAG form (Red, Amber, Green); with Green being a cost effective service, Amber requiring some form of further review and possible discussion with the operator and Red being a service which is not cost effective to run and which is therefore likely to be at risk of service termination.
3.08 In summary the review has highlighted the following:
- 9 services which are Red
- 9 services which are Amber
- 13 services which are Green
3.09 It is essential that a full consultation takes place with all stakeholders. It is proposed to post details of the outcomes of the review's draft conclusions on Flintshire County Council's website and provide a dedicated email address to receive any feedback. It's also proposed to consult with all Town and Community Councils and Members over the proposals as well as hold discussions with operators. Feedback will be analysed and presented in a report to a future Cabinet meeting, including final recommendations, for the future of the service. A detailed timeline is included at Appendix 4.


#### Abstract

3.09 A further matter which has been raised at previous meetings of the Environment Overview and Scrutiny Committee is the progress being made with the appointment of a Rural Transport Project Officer on a 12 month fixed term basis as part of the Rural Development Plan bid, and in conjunction with Cadwyn Clwyd. The role will assist in identifying the transport needs of people living in rural communities and to develop strategies to assist people accessing work, training and other opportunities. Following interviews an officer as been appointed into this role and will join Flintshire County Council in July 2013. This work will feed in, and support the work outlined above.


### 4.00 RECOMMENDATIONS

4.01 That Members comment upon the draft proposals shown in Appendix 3.

### 5.00 FINANCIAL IMPLICATIONS

5.01 The financial position is as set out in paragraph 3.04. Work continues to be undertaken to identify possible ways of mitigating the shortfall.

### 6.00 ANTI POVERTY IMPACT

6.01 Subsidised bus services make a significant contribution into allowing all people without access to a car to access key services.

### 7.00 ENVIRONMENTAL IMPACT

7.01 The greater use of sustainable public transport services will have a positive impact upon the Environment.

### 8.00 EQUALITIES IMPACT

8.01 Subsidised bus services make a significant contribution into allowing all people without access to a car to access key services.

### 9.00 PERSONNEL IMPLICATIONS

9.01 Not as a direct result of this report.

### 10.00 CONSULTATION REQUIRED

10.01 Key stakeholder and service user groups, bus companies, Town and Community Councils and Members of the County Council.

### 11.00 CONSULTATION UNDERTAKEN

11.01 This is an initial paper that considers the need for wider consultation and engagement from key stakeholder groups.

# 11.02 A report was presented to Environment Overview and Scrutiny Committee on the $6^{\text {th }}$ February 2013. 

### 12.00 APPENDICES

# 12.01 Appendix 1 - Flintshire Bus Services (Summary of Current Services) <br> Appendix 2 - Draft Policy <br> Appendix 3 - Outcome of Service Review <br> Appendix 4 - Timeline (proposed) 

LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985 BACKGROUND DOCUMENTS

Regional Transport Plan
Contact Officer: Katie Wilby
Telephone: 01352704530
Email: katie.wilby@flintshire.gov.uk
Appendix 1－Flintshire Bus Services（Summary of Services）











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Sandycroff－Connan＇s Quay－Moloe－Northop Hall－Northop－Sychdyn－Mold
Holywell－Rhosesmor－Lixwm－Brynford－Holywell（Circular）
Holywell－Pentre Halkyn－Rhosesmor－Mold
Mold－Rhosesmor－Lixwm－Brynford－Pantasaph－Holway Sandycroft－Mancot－Garden City－Queensferry－Venera Leasowe／Arrowe Park－Deeside Ind．Park－Broughton Buckley Station－Precinct Way－Southdown

Mold－Treuddyn／Leeswood－Higher Kinnerton－Chester
Chester－Curzon Park－Saltney Ferry Mold－Caergwrle－Wrexham RURALrider

Mold－Buckley－Queensferry－Deeside Industrial Park－Ellesmere Port
Mold－Buckley－Hawarden－Chester Business Park－Chester
Mold－Treuddyn／Leeswood－Higher Kinnerton－Chester－Blacon
Mold－Buckley－－Weennam RURALIder Mold－Buckley－Hawarden－Chester Business Park－Chester

Mold－Buckley－Penyffordd－Broughton－Chester
Mold－Buckley－Drury－Hawarden－Broughton－Chester
Mold－New Brighton－Buckley－Hawarden－Chester EARLY BIRD
Chester－ASDA－Shotton－Connah＇s Quay－Mold－Pantymwyn
Mold－Buckley－Ewloe－Queensferry－Shotton－Deeside College Mold－Connah＇s Quay－Queensferry－Chester Chester－Shotton－Connah＇s Quay
Holywell－Flint－Connah＇s Quay－Hawarden－Broughton－Chester Rhy－Holywell

Chester－Broughton－Mancot－Deeside Hospital－Connah＇s Quay Loggerheads－Mold－Penyffordd－Chester

Mold－Caerwys－Bodfari－Denbigh
Holywell－Carmel－Gorsedd－Babell－Caerwys
Holywell－Lixwm－Cilcain－Mold－RURALLide Chester－Lache－Saltney

Flint Corrist－Holywell－Penyffordd－Prestatyn－Rhyl Mold－Flint－Greenfield－（Rhewl）

Flint Corrist－Holywell－Berthengam－Prestatyn－Rhyl Holywell－Greenfield－Flint－Shotton－Deeside Ind．Park Holway－Pen－y－Maes／Brynford－Holway Greenfield－Holywell Hospital Mold－Leeswood－Caergwrle－Maelor Hospital－Wrexham Wrexham－Penyffordd－Buckley－Mold－Northop－Flint Holywell－Flint－Northop－Mold Chester－Lache－Saltney Mold－Flint－Greenfield－（Rhew）

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## Appendix 2

A POLICY FOR SUBSIDISED BUS SERVICES IN FLINTSHIRE APRIL 2013

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## CONTENTS

1. Introduction
2. Legislative Background
3. National and Regional Context
4. Support for Bus Services
5. What type of services do we support?
6. Framework for Reviewing Bus Services
7. Aims and Objectives
8. Red-Amber-Green Analysis
9. Managing the subsidised network
10. Fares on subsidised services
11. Marketing Strategy for Contracted Bus Services

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Introduction
1.01 This area of Policy covers public transport that the Council directly funds i.e. its subsidised bus network; Community Transport is currently not in scope. The Policy sets out the Council's criteria for supporting public transport; and does not cover the provision of concessionary bus fares.
1.02 The Policy recognises the ongoing need for our residents to access important services, supports the local economy, and also contributes to carbon reduction. Crucially, it recognises the very challenging economic climate. The Policy therefore seeks to ensure that the Council prioritise its financial support where it is most needed.

### 2.00 Legislative Background

2.01 Some of the bus services in Flintshire are operated commercially, by a variety of bus operators. This means that services are "registered" by the operator with the Traffic Commissioner, and the company receives no subsidy at all. In essence, commercial services have to be self funding i.e. income from fares exceeds the cost of operating them. These will tend to be daytime services on busy traffic corridors.
2.02 The remainder of services are known as "socially necessary" services. These can be in two forms - either providing a bus service in an area where no commercial service exists, or alternatively, operating over daytime commercial routes at times when they would generally not be viable (such as early morning, evening and Sundays), or where there is insufficient capacity on existing services.
2.03 There is no statutory duty upon the Council to provide local bus services or any other form of public transport but the authority does have a statutory duty under the 1985 Transport Act to keep the bus network under review, and intervene where it feels appropriate. This basically means that all subsidised services are provided on a discretionary basis.

### 3.00 National and Regional Context

### 3.01 Welsh Transport Policy Context

3.01. 1 The Welsh Government published the Wales Transport Strategy in 2008. The strategic priorities are as follows;

- Reducing greenhouse gas emissions and other environmental impacts
- Integrating local transport
- Improving access between key settlements and sites
- Enhancing international connectivity; and
- Increasing safety and security


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3.02 In practical terms, the council's subsidised bus network contributes to all of the Welsh Government strategic priorities. There is no specific guidance as to the level of support an authority should give to its bus network.

### 3.03 Regional Transport Policy

3.03.1 The North Wales Regional Transport Plan was published by Taith in September 2009, as a requirement of the Wales Transport Act 2006. Taith is the joint board of the six North Wales Local Authorities working together to deliver improvements in transport provision across the region. Taith policies and objectives generally follow those of Welsh Government, with the addition of a number of relevant objectives such as:
3.03.2 - Seeking "Network Stability" agreements with bus operators to define levels and relative pricing of commercial and subsidised bus services to be provided through the Plan period

- Developing innovative services such as community transport and Demand Responsive Transport
- Promoting integration through consistent standards and ticketing
3.03.3 The Council will work collaboratively with transport operators to achieve stability wherever possible, and move to longer term contracts so services can be aligned more to commercial routes and quality further enhanced.
3.03.4 The Council will closely monitor the performance of subsidised services to ensure reliability of services and connections to other bus and rail routes, taking remedial action where necessary. As multi-operator go anywhere type tickets develop, the Council will ensure that these tickets are valid on our subsidised services, subject to appropriate reimbursement mechanisms and controls.


### 4.00 Support for Bus Services

4.01 Continuation of subsidised local bus services is crucial to ensure access to services, a healthier environment, and to support economic growth. The framework for provision of bus services, as set out in the 1985 Transport Act, is that the Council has no control over a large proportion of the bus network. Public transport is a business, and operators will only provide services where they can make a return on investment. Flintshire has a relatively good commercial day time service, but without support from the Council, there would be very little service beyond that core daytime service. With this in mind, the following are our main drivers for intervention:-
4.02 - Supporting bus services to improve accessibility to key services, sustainability and promote economic growth

- Supporting bus services to contribute to the viability of the core commercial transport network


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- Supporting bus services to fill significant gaps in the network, within the agreed criteria, and within agreed budget.


### 5.00 What type of services do we support?

5.01 The following are the types of bus services the council will support, where value for money can be achieved, funding is available, and there are no viable alternatives:-
5.02 - Early morning services, usually provided before the normal morning rush hour, for those working early shifts.

- Evening services, usually provided after the afternoon rush hour, through to late at night.
- Sunday and Bank Holiday, traditionally on the same routes as weekday services
- Services linking rural communities with each other and local town centre.(s)
- Daytime services, in and around our local town centres, where no commercial bus services exist
- Experimental bus services to support economic growth, promote tourism, or meet other identified unmet demand.


### 6.00 Framework for Reviewing Bus Services

6.01 It is suggested that the framework below is used to determine which services should continue to be supported:
6.02 Use Red/Amber/Green analysis of cost per passenger to identify low performing services in first instance as shown in $\mathbf{8 . 0 0}$ below.
6.03 Generally, the best barometer of effectiveness is subsidy per passenger. This is calculated by dividing the annual cost to the public purse by the total number of passengers. Most authorities do monitor subsidy per passenger, and many have withdrawn services over a certain level of subsidy. The key principle of intervention would be that for services where the subsidy per trip exceeds a specific level a detailed review would be undertaken and remedial action taken. It should be recognised that in exceptional cases, cost per passenger will not necessarily determine whether a service should be subsidised (see 6.07)
6.04 Analyse those services against the passenger travel needs outlined below: -
a. Accessibility - Bus service provides access to key essential services e.g. healthcare, education, shopping and reduces social exclusion
b. Economic Regeneration - Bus Service provides access to main employment areas and supports economic regeneration by providing a

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way for business to access the workforce they need
c. Integration - Integration with other modes of transport and connections with other main bus services
d. Sustainability - Consider whether bus service is providing an attractive alternative to the private car and whether it has contributed towards reducing the numbers of cars on the road and reducing carbon dioxide emissions
e. Safety and Security - Bus service provides a safer mode of transport than the private car, both for passengers and for other road users and pedestrians e.g. some school journeys
6.05 Where the cost per passenger is low / passenger numbers are high and the passenger travel needs are justified, re tender the service periodically.
6.06 Where the cost per passenger is low / passenger numbers are high, but the passenger travel needs are not justified, work with bus operators to deliver efficiencies and/or seek to commercialise
6.07 Where the cost per passenger is high / passenger numbers are low, but the passenger travel needs are justified, seek alternative transport solutions and/or re-tender to ascertain whether cost per passenger can be reduced
6.08 Where the cost per passenger is high / passenger numbers are low, but the passenger travel needs are not justified, withdraw services

### 7.00 Aims and Objectives:

As budgets come under increasing pressure it is essential that such a decision making framework is used consistently in order to:

- To monitor the effectiveness of existing services
- To decide which services should be withdrawn/reviewed, where there is a risk of budget overspend
- To determine what to do in the case of:-
- Local bus contracts which are terminated early (perhaps due to rising costs)
- Important commercial services are de-registered by operators (this is an ever increasing scenario as bus operators strive to control costs whilst faced with reduced passenger numbers)
- To test identified unmet demand


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### 8.00 Red-Amber-Green Analysis

8.01 The following are examples where the Red-Amber-Green analysis would be used to determine the level of council intervention:

| Subsidy per passenger |  | Action |
| :--- | :--- | :--- |
| Green | Services are ranked <br> green where subsidy <br> per passenger trip is <br> $£ 2.00$ or less | Service is considered good <br> value for money and continues, <br> performance is monitored, <br> contract is proactively managed <br> to continue to identify <br> opportunities for improvement |
| Amber | Services are ranked <br> amber where subsidy <br> per passenger is <br> between $£ 2.01$ and <br> $£ 5.00$. | Service is placed under review, <br> and remains under review whilst <br> in amber category. This <br> involves proactive work with <br> operator to improve patronage <br> or reduce costs, alternatives are <br> examined, journey purpose is <br> understood, services are <br> integrated with other bus <br> services, affected community <br> and users are made aware of <br> status in order to raise <br> awareness and enlist support. |
| Red | Services are ranked <br> red where subsidy <br> per passenger trip <br> exceeds $£ 5.00$. | Action required. Services will <br> not be allowed to continue long <br> term at this level of subsidy. <br> Actions may include one or <br> combination of; withdrawal of <br> the service, curtailment of the <br> route, reduction in frequency or <br> number of journeys, or <br> integrating it with another route. <br> This is after on vehicle checks <br> to confirm passenger numbers, <br> appropriate notice is given to <br> affected users, and alternatives <br> (such as Community Transport) <br> communicated |

### 9.00 Managing the subsidised network

9.01 Financial pressures and increasing demand, means that it is more important than ever to manage the subsidised bus network, to ensure the Policy is followed and value for money is achieved. Management of the network will include:-

- Collation of up to date electronic passenger information data


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-Regular 'on bus' surveys to validate reported passenger levels, and also monitor quality of service and contract compliance.
-Producing subsidy per passenger league tables.
-Constantly Reviewing subsidised services to determine where better alternatives may exist on commercial services
-Encouraging operators to register to operate subsidised services on a commercial basis, where subsidy per passenger is very low.
-Working with local communities and operators to promote services to encourage greater patronage.
9.02 Specifically, where services are in the red category, the following actions will be taken:-

- All affected journeys will be surveyed in detail to validate patronage levels, evaluate options for passengers and understand journey purpose.
- Officers will examine options to reduce costs through curtailment of the service, reductions in frequency and reductions in total number of journeys, exploring alternative transport solutions.
- Consultation on options will be undertaken with affected Members and Town and Community Councils.
- Giving notice on final course of action to passengers and stakeholders
9.03 In order to allow thorough scrutiny of performance of the network, and actions taken, the following actions will be followed.
- Environment Overview and Scrutiny Committee will review service performance tables annually, including the actions taken by officers to improve the performance of services.


### 10.00 Fares on subsidised services

10.01 The Council has no control over fares on commercial services. However it has the power to set fares on subsidised services. Council officers will analyse commercial fare levels on a quarterly basis, and ensure subsidised fare levels on each service are closely aligned. This applies for Adult and Child fares. Holders of Welsh Concessionary Travel Passes (over 60's and those who qualify as a result of a disability) are afforded free travel within the current All Wales Concessionary Travel Scheme.
10.02 The Council supports the development of multi modal, go anywhere type ticketing, and will ensure that as these are introduced, they are available for use on Council subsidised services.

### 11.00 Marketing Strategy for Contracted Bus Services

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11.01 Aims and objectives: -

- To increase patronage
- To raise awareness of travel choices
- To promote public transport as a viable alternative to the private car
- To change common misconceptions
11.02 The SWOT analysis below considers internal (strengths and weaknesses) and external (opportunities and threats), which will need to be taken into account when marketing / promoting bus services


## Strengths

- Biggest change to public transport in Flintshire for many years
- Strong commercial network with improved service frequencies and reliability/punctuality
- Vehicle quality and design - newer, modern accessible low-floor vehicles on most routes
- Concessionary travel has increased patronage (over-60s and disabled passengers)
- Infrastructure improvements - bus stops, shelters, bus stations etc.
- Partnership working e.g. externally with neighbouring Local Authorities, bus companies, Health Board and internally with planning, regeneration, education, tourism


## Opportunities

- New technology e.g. internet, social networking sites (Twitter, Facebook), radio/TV/newspaper
- Current review will raise the profile of bus services generally
- Commercial operators have strong branding and marketing e.g. Arriva
- Change of perception - positive experience and socially more responsible in terms of effects on environment
- New ticketing initiatives e.g. GoCymru
- Advertise on bus backs, radio drive time (e.g. sponsor traffic bulletins)
- Integration of modes of transport


## Weaknesses

- Lack of awareness of where to access information about bus services
- Historically, public transport has a poor image e.g. fear of crime, security, anti-social behaviour
- Continuous monitoring and review of services
- Changes to timetables by commercial bus companies do not always coincide with Council's production of publicity for services
- Real Time Information system reliability
- Integrated public transport information and ticketing (between modes of transport)


## Threats

- No control over commercial bus fares
- Funding cuts
- Hospital closures could affect some services
- Car use - most people aspire to owning and driving a car and see it as more convenient and quicker
- Social exclusion in more remote, rural areas
11.03 Target Audience to include the following:
- Existing passengers
- Concessionary travel pass holders (over-60 \& some categories of disabled)
- Businesses and large employers located along bus routes
- Colleges/Schools \& Young people - aim to encourage bus use at an early age so that they continue
- Shopping Centres/Business Parks/large supermarkets
- Car users e.g. commuters/students who have access to a car on a daily


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basis

- Leisure Users i.e. occasional users for shopping/leisure trips
- Tourists and Visitors
11.04 The above market to be targeted by way of: -
- Research \& Consultation - questionnaires, bus users' surgeries, map of where large employers, schools, colleges and hospitals are located, on-bus surveys, data gathering from ticket machine reports
- Promotional material that includes timetable booklets, leaflets for large employers, posters, flyers to residents along certain corridors, newsletters to user groups etc.
- Internet - FCC website, Traveline Cymru, social networking sites (E.g. Twitter, Facebook)
- Other technology - radio/TV marketing campaigns
- Branding - vehicle livery, single design for promotional material
- Ticketing - place, price, promotion

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| Rhyl-HolywellChester (Evenings) | £0.61 | Low | 28,660 | Strategic service - Cheshire, Flintshire \& Denbighshire. Serves all major towns: Flint, Holywell, Connah's Quay, Shotton, Queensferry, Hawarden, Saltney, Rhyl, Prestatyn and Chester City Centre. Serves Deeside College (education); Airbus (employment); small villages Bagillt, Greenfield, Mostyn, Gronant, Ffynnongroyw, Maes Pennant (local shops). Provides connections to Ysbyty Glan Clwyd, Chester Countess Hospital. Shopping at Broughton/Flint/Prestatyn Retail Parks | Airbus, Greenfield Industrial Park, Mostyn docks, Flint (Aber Road, Castle Park Industrial Estates), Prestatyn Retail Park (Tesco); Sandycroft, Broughton Retail Park, Flint Retail Park, Chester | Interchanges at Rhyl Bus/Railway Station; Prestatyn Bus Station; Prestatyn Railway Station; Holywell Bus Station; Flint Station, Shotton Station, Chester Bus Exchange; Broughton Retail Park | Operates half-hourly frequency from as early as 0555 until 1925 giving plenty of travel choices. Journey times are quite long given that route serves so many inter-urban locations. | Service has benefitted from huge investment by Arriva with 10 brand new Wright Gemini 2 double deckers for use on the RhylChester "Cymru Coastliner" route. Vehicles have high back, faux leather seats, additional leg room, free WiFi and power points, audio visual facilities and CCTV for added security, plus all journeys are low floor. Serves coastal areas popular with tourists e.g. Talacre Beach, Presthaven Sands | Low cost per passenger, high passenger numbers. Service performs well for an inter-urban service \& provides good value for money. Consider voluntary quality partnership with Arriva and/or commercialising some journeys | Subsidise all Sunday evening journeys between Rhyl, Holywell, Connah's Quay, Queensferry \& Chester (after 1800); some evening journeys Rhyl-Holywell-Flint (Mon-Sat) and one early morning journey 0620 Holywell-Chester |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| Connah's Quay- <br> Shotton-Deeside <br> Hospital- <br> Broughton- <br> Saltney-Chester | Unknown provided | No figures y Arriva to te | Unknown | Serves Quay Shopping Centre/Morrison's, Connah's Quay, Shotton, Queensferry (Asda), Broughton Retail Park, Chester City Centre; Deeside Community Hospital, Manor Lane Industrial Estate, <br> Sandycroft, Mancot, Saltney (Sandy Lane); Deeside Leisure Centre | Airbus, Manor Lane Industrial Park, Mancot \& Sandycroft Industrial Estates, Chester City Centre | Shotton Railway Station; Interchanges at Queensferry (Asda) and Broughton Retail Park; Chester Bus Exchange | Operates Monday to Saturday only. Frequency every 30 mins during daytime. Peak journeys provided, but nothing in evenings after 1830 \& nothing on Sundays or Public Holidays | No schools are served directly, but some school/college peak journeys are possible. | Unable to assess against matrix of cost per passenger. Diversion of services via Mancot, Sandycroft \& Manor Lane are still required. Arriva have recently approached the Council with regard to future opportunities e.g. serving Deeside College. Continue dialogue with Arriva regarding commercial opportunities | Service 12 has benefitted from investment by FCC/Taith since 2008 towards $50 \%$ of the cost of purchasing 5 brand new low floor easy access vehicles. Payment for the vehicles finished on $31 / 03 / 13$. FCC continues to subsidise service for journeys to divert via Mancot, Sandycroft \& Manor Lane |
| Mold-NorthopConnah's QuayChester | £0.53 | Low | 52,786 | Peak journeys serve Mold Campus \& Mold town centre (service 109). Serves Chester City Centre; Chester Countess Hospital, Queensferry, Shotton, Connah's Quay, Wepre Drive, Llwyni Drive | Sealand Road, Chester City Centre, Chester Countess Hospital | Shotton Railway Station; Chester Bus Exchange | Operates broadly hourly Mon-Sat with separate timetables for weekdays \& Saturdays. No Sunday service and nothing after 1800 hours Mon-Sa | Serves Mold Campus on school days | Low cost per passenger, high passenger numbers and satisfies criteria reasonably well. Continue with payment for serving Countess Hospital. Payment for vehicles due to finish on $31 / 08 / 2013$. Seek possible contribution from Cheshire | FCC pays for service 9 to divert to Countess Hospital, Chester on request and subsidy includes payment over 5 years for three brand new low floor vehicles on services 9/X9 (due to cease 31/08/2013) |
| Connah's Quay-QueensferryBroughton ParkWrexham | £0.93 | Low | 29,943 | Serves Connah's Quay town centre, Queensferry (Asda), Broughton Park (Tesco), Airbus, Wrexham Maelor Hospital, Wrexham town centre, Ruabon, Plas Madoc, Cefn Mawr; rural communities also served Higher Kinnerton, Hope | Connah's Quay town centre, Queensferry, Broughton Retail Park, Airbus, Wrexham Maelor, Wrexham town centre, Ruabon High Street, Plas Madoc (large regional leisure and activity centre) | Shotton Railway Station; Hope Station; Interchanges at Queensferry (Asda) \& Broughton Retail Park; Wrexham Bus Station | Operates hourly Mon-Fri, but gaps in afternoon when service operates school journeys. Only morning journeys provided Saturdays. No Sunday service \& nothing in evenings | No schools are served directly, but some school/college peak journeys are possible in the mornings | Low cost per passenger, average passenger numbers, but satisfies criteria well. Continue with payment for serving Higher Kinnerton \& Wrexham Maelor. Payment for vehicles due to finish on 31/08/2013. Seek possible contribution from Wrexham | FCC pays for service X9 to divert via Higher Kinnerton \& Wrexham Maelor Hospital on most journeys (weekdays only) and subsidy includes payment over 5 years for 3 brand new low floor vehicles on services 9/X9 (due to cease 31/08/2013) |
| Rhyl-Holywell- <br> Chester <br> (Evenings) | £2.84 | medium | 19,395 | Strategic service - Cheshire, Flintshire \& Denbighshire. Serves all major towns: Flint, Holywell, Connah's Quay, Shotton, Queensferry, Hawarden, Saltney, Rhyl, Prestatyn and Chester City Centre, as well as links to Mold in the evenings. Serves Broughton Airbus (employment); small villages Bagillt, Greenfield, Mostyn, Maes Pennant, Ffynnongroyw, Talacre, Gronant (local shops). | Airbus, Greenfield Industrial Park, Mostyn docks, Flint (Aber Road, Castle Park Industrial Estates), Prestatyn Retail Park (Tesco); Sandycroft, Broughton Retail Park, Flint Retail Park, Chester | Interchanges at Rhyl Bus/Railway Station; Prestatyn Bus Station; Prestatyn Railway Station; Holywell Bus Station; Flint Station, Shotton Station, Queensferry, Chester Bus Exchange; Broughton Retail Park | Evening service - may provide viable alternative to private car / taxi for leisure/recreational purposes to some destinations e.g. Chester, but insignificant in terms of access to employment/economic growth | Evening service, so no school/college journeys provided, but vehicles are required to be low floor, age restricted and have onboard CCTV | Medium cost per passenger, average passenger numbers \& only partially satisfies criteria. Consider withdrawa of some journeys. Serve notice on existing operator and either re-tender or consider voluntary quality partnership with Arriva to cover evening service as well as daytime. | Wholly subsidised with contract due to expire $1 / 1010 / 2014$. Jointly funded with Denbighshire. Medium cost per passenger and comparititevely high when assessed against daytime service performance where cost per passenger is only £0.61. Lower performance is probably determined by lower passenger base in the evenings. |
| Mold-Caerwys-Bodfari-Denbigh | £14.14 | HIGH | 2,028 | Off peak cross-boundary service into Denbighshire. Serves Mold town centre, Denbigh town centre and rural communities in between - Rhydymwyn, Nannerch, Rhes-y-Cae, Lixwm Caerwys, Afonwen, Bodfari, Waen Aberwheeler | Insignificant, as GHA journeys are off-peak during daytime. | Connections possible for onward travel to Chester from DenbighMold \& return, but more direct \& more frequent connections are possible via Rhyl rather than Mold (Services 51/X52 and Service 11) | Unsustainable. Cost per passenger is high and passenger usage particularly low. | No peak school/college journeys provided. No specific | High cost per passenger, very low passenger numbers \& unsustainable. Withdraw \& serve notice on existing de-minimis agreement. Re-tender along with Townlynx element (see below) with several options including reduced frequency during daytime i.e 2 hourly and demand responsive service to rural villages. Consultation required with Denbighshire | Commercially operated, but de-minimis agreement with GHA Coaches to divert service via Rhes-y-Cae. Proportion of cost recharged to Denbighshire for cross-boundary mileage. GHA provide 2 hourly service in between Townlynx journeys thereby creating hourly service during daytime. |

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## Appendix 4

## Subsidised Bus Review <br> Proposed Timeline

## Subsidised Bus Service Review

| Scrutiny Committee (policy review) | 6th February 2013 |
| :--- | :--- |
| Cabinet (policy approval) | 23rd April 2013 |
| Initial Consultation (Survey Monkey; Shuttle <br> Questionnaire, Bus Users Surgeries) | 13th May - 10th June 2013 |
| PIN Notice / OJEU | 3rd June 2013 |
| Scrutiny Committee (initial <br> recommendations RE: Policy Review) | 23rd July 2013 (report deadline 15th July 2013) |
| 8-week Consultation of Proposals | 29th July - 20th September 2013 |
| Scrutiny Committee (bus service proposals <br> following consultation) | 13th November 2013 |
| Cabinet approval | 17th December 2013 |
| 14-day call in | 31st December 2013 |
| Prepare tenders | October-December 2013 |
| Agreement \& Notice to Contractors | 6th January 2014 |
| Issue Invitation to Tender (ITT) | 31st January 2014 |
| Close tenders (require 24 days) | 3rd February 2014 |
| Open tenders | 7th February 2014 |
| Evaluation complete by | 10th February 2014 |
| Award contracts / notify Members | 10th - 19th February 2014 |
| Alcatel mandatory standstill period (10 days) | 19th February - 9th April 2014 |
| 56 days' notice | 14th April 2014 |
| New contracts start |  |

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## Agenda Item 5

FLINTSHIRE COUNTY COUNCIL

## REPORT TO: ENVIRONMENT OVERVIEW \& SCRUTINY COMMITTEE <br> DATE: $\underline{23 \text { JULY } 2013}$ <br> REPORT BY: DIRECTOR OF ENVIRONMENT <br> SUBJECT: <br> PLANNING SERVICE PERFORMANCE

### 1.00 PURPOSE OF REPORT

1.01 To further analyse the performance of the Planning Service, particularly in Quarters 2 and 3 of 2012/13, which had been reported to Cabinet in March 2013, and to provide further information that was also sought from the Overview and Scrutiny Committee on the role of the Conservation Officer, enforcement of planning conditions and inter-departmental consultations.

### 2.00 BACKGROUND

2.01 The Quarter 2 and 3 performance of the Planning Service saw two Improvement targets being significantly missed, alongside poor performance against indicators measuring the success rate of defending planning decisions at appeal; the determination of "other" planning applications and the determination of householder planning applications. Further to the publication of the Quarter 3 report, the Service has acted swiftly to address these areas of low performance and this report identifies signs of recovery in the later months of 2012/13. The Committee will be updated verbally on Quarter 1 performance which will be available prior to the Committee date.

### 3.00 CONSIDERATIONS

3.01 The Planning Service has three Improvement Targets identified for 2012/13 - PL004a - Major planning applications determined within 13 weeks; PLO04b - Minor planning applications determined within 8 weeks and PL005 - Enforcement cases resolved within 12 weeks. Of those indicators, the latter two were reported as "Red" i.e. performing below the intervention target for Quarter 2 and 3 of 2012/13.
3.02 The Planning Service has taken a range of corrective actions within Quarter 4 of 2012/13 to improve performance against these indicators, some have which have been implemented and some which are still in the research phase and will be rolled out in 2013/14. These include:

- Re-allocation of staffing resources between the Enforcement and Minor application teams to address long-term sickness and maternity leave;
- Re-allocation of the planning application workload between colleagues in the major and minor application teams and the Planning Strategy team;
- Backfilling of the Enforcement / Compliance Officer post (currently underway)
- Re-focussing on the Enforcement team's activities to concentrate on more current cases in Quarter 4, rather than reducing the historical case backlog;
- A review of the Planning Enforcement policy at Planning Strategy Group, which will be subject to formal consultation;
- A detailed assessment has been undertaken of why all cases, but particularly Minor and Householder applications, are missing their 8 week deadlines;
- Intensive training on the planning appeal process and decision making for Members and officers, undertaken in November 2013;
- On-going review of all significant appeal decisions at the Planning Strategy Group;
- A review is underway of the Development Management Procedure Manual to compare it against best practice in Wales; a full LEAN review of the process may then follow.
- A review of the current planning application validation checklist is underway;
- Closer scrutiny with colleagues in Legal Services of the position for all current enforcement cases that are subject to formal action and planning applications which are subject to Section 106 Agreements;
- Amendments have been agreed by the Planning Strategy Group for Planning and Development Control Committee report recommendations, to provide the power for the Head of Planning to refuse planning permission for schemes where the Section 106 Agreement has not been completed within six months of the Committee resolution;
- The removal of the Chairman's fortnightly meeting which considered applications of a minor nature where objections have been received but can be addressed by the imposition of planning conditions.
3.03 In relation to indicator PLA004a, the determination of Major planning applications, it should be noted that the target $39 \%$ of cases to be determined within 16 weeks was exceeded within Quarter 3 with $43.48 \%$ of applications being determined within 13 weeks. However, there is a need for some caution, as the numbers involved (23 applications determined, with 10 issued within 13 weeks) is a low percentage (less than 10\%) of the total planning applications determined. The fact that the target is set at below $50 \%$ recognises that most of the major applications are tied to the Committee timetable
and are often subject to Section 106 Obligations.
3.04 In relation to PLA004b, the determination of minor planning applications within 8 weeks, the outturn for Q3 ( $40.45 \%$ ) was down slightly in relation to Q2 (48.08\%), which in turn falls well short of the target (65\%). Apart from the increased emphasis on negotiating quality, which is presently difficult to quantify and is currently being addressed, there are a number of reasons why decisions on the minor applications have gone beyond the 8 week target. These include the number of applications needing to be reported to the Committee meetings for reasons which include the need for Section 106 Agreements to cover affordability of housing (under Policies HSG 3 and HSG 5).
3.05 Since the Q3 performance report, the performance in these areas has been the subject of significant detailed analysis, supporting regular reports to the Cabinet Member on the reasons why applications have gone beyond their decision period. Some of these reasons (e.g. long term sickness absence requiring re-allocation of work) were difficult to address quickly, but have subsequently been resolved. However, other reasons are also in the process of being addressed, e.g. regular liaison meetings with Legal Officers have been established to identify the position on each Section 106 Obligation where instructions have been sent. Action has also been taken to streamline the procedures involved with legal agreements, again to reduce any delays currently involved with these. Planning Strategy Group received a report in May seeking a standard resolution on all planning applications reported to Committee which are the subject of Section 106 agreements. This resolution will allow those applications where the Section 106 Agreement has not been signed within six weeks to be refused under delegated powers, rather than reported back to a later Committee.
3.06 Performance against this Improvement target will continue to be monitored on a case by case basis where necessary, to ensure that negotiations on development proposals are carried out in accordance with procedures set out in the Development Management Procedure Manual. The Manual seeks to clarify when negotiation should be undertaken i.e. as early in the process as possible and only when there is a potential for a satisfactory solution. Analysis of cases that went beyond the 8 week period highlighted that this was occurring too late in the process, sometimes only on receipt of consultee comments. In addition, staff will begin to seek clarity from Local Members on the need for Committee determination of applications, where appropriate.
3.07 The detailed case analysis also identified consistent delays in awaiting additional information from applicants, following the validation of the application. In some cases this information sought to clarify the detail of the proposed development so that it could be properly assessed. Work is on-going with respect to the validation checklist that needs to
be completed before a planning application is registered. If the checklist can become more detailed, this would "front-load" the process, preventing applications which are not complete enough to be assessed from being validated. This is clearly a difficult approach to take, as the national validation checklist is relatively brief to prevent the onerous cost of completing an application from dissuading a potential developer from applying. Work on the checklist will be beneficial in the long term and any changes will first be discussed at Planning Strategy Group in 2013.
3.08 The more rigorous approach to case management introduced midway through Quarter 4 has already seen improvements in the performance against this indicator. Q4 performance improved to $50.49 \%$ ( $40.45 \%$ in Q3) for minor planning applications (PLA004b). More detailed analysis shows that in March 2013, performance against this target achieved 89.19\%. Clearly, this shows that the simple improvements to process, along with greater scrutiny and case management have brought significant dividends. Whilst this improved performance comes too late to address the annual position for 2012/13 significantly, it is envisaged that this level of performance will continue in 2013/14.
3.09 The performance in relation to PLA005, enforcement cases resolved within 12 weeks, slipped to $58.20 \%$ in Q3, from the $63.93 \%$ in Q2, both of which, were short of the annual target (73\%). There were, however, significantly more cases closed within Q3 (189, compared to 122 in Q2) which reflects the fact that older, more complex cases continue to be cleared. Again, in the context of those cases subject to formal enforcement action, a liaison group has been established with Legal Officers and a shared database of these cases is regularly updated to ensure that cases are progressed as expeditiously as possible.
3.10 The robustness of the Enforcement procedures has been tested through the recent LEAN report and compliance with them through the Audit report. For Quarter 4, performance re-focussed on the resolution of more current cases and, again, the results were encouraging with the overall figure for the Quarter achieving 72.48\%, with 78.79\% being achieved in March 2013. However it should be noted that performance against the Improvement Target has slipped within the last two quarters. Despite these later improvements, we are always looking to improve the quality of service provided. As a result, the Enforcement Policy/Procedure is currently being reviewed and an initial draft of the amended version has been presented to Planning Strategy Group in May 2013, with a view to it being the subject of consultation over the forthcoming months. Its adoption should provide all stakeholders with a clearer understanding of the priorities and processes involved.
3.11 With a smaller historical backlog of cases to deal with and the
impending backfilling of the enforcement / compliance officer who moved into the minors application team to address performance issues there, it is envisaged that the improved Quarter 4 performance will be continued into 2013/14.
3.12 In addition to the Improvement indicators referred to above, the Planning Service also performed below three other indicators namely the success rate of defending planning decisions at appeal PLA003; the determination of "other" planning applications PLA004d and the determination of householder planning applications PLA004c.
3.13 Performance against indicator PLA003, the number of planning appeals where the Council's decision was upheld achieved $54.55 \%$ in Quarter 3, against a target of 66\%. The 50\% outturn for 2012/13 falls below the annual target and the 2011/12 return (67.64\%). This indicator has always been unpredictable, based, as it is, on a relatively low numerator/denominator ratio (30 appeal decisions within the year - 15 of which were allowed). Again, performance in the later months of Quarter 4 showed significant signs of improvement, with 75\% of all decisions (four received) supporting the Council's original decision. Over the past four years, the number of appeals per year has fallen significantly by approximately $50 \%$. This could reflect that, generally, the decisions to refuse permission have become more robust and less likely to be challenged through the appeal route. The adopted Development Plan can only help this.
3.14 An internal Audit report into planning appeals has been received with its recommendations being implemented. Not least of these is the regular reporting to Planning Strategy Group, with an analysis of certain decisions (agreed by officers and Members), particularly those which follow a decision contrary to officer recommendation, or where costs have been awarded against the Council for unreasonable behaviour. The report on those appeal decisions received in 2012/13, was the subject of a report to Planning Strategy Group in May 2013. The planning appeal process and decision making was the subject of considerable Member and Officer training sessions in November 2012, so it is hoped that the results of those sessions will bear fruit in the forthcoming year. A further training session will be programmed in 2013/14, which will be delivered by the Head of the Planning Inspectorate in Wales and it is hoped that this will further inform future decision making by officers and Members alike.
3.15 Performance against indicator PLA004c - the determination of householder planning applications within 8 weeks, achieved only 72.22\% against a target of $90 \%$ in Quarter 3. The poor performance in this category was largely down to staff absences (including a long term sickness absence at a key time commencing in Quarter 2). As householder applications constitute well over a third of the total applications determined (384 out of 925) this clearly has a significant impact on the overall, headline performance figure for the Service.

Similar actions were put in place in terms of more rigorous case management as were used with the minor cases referred to above, and similar improvements have been witnessed in Quarter 4 where $\mathbf{8 3 . 7 5 \%}$ resolution has been achieved. By the end of the financial year, once all of the additional monitoring processes mentioned earlier had been applied, performance has been turned round, including a March outturn of $\mathbf{9 2 \%}$.
3.16 The final performance target PLA004d - refers to the percentage of "other" planning applications determined within 8 weeks. In Quarter 3 54.55\% of applications were determined within the target timescale against an annual target of $80 \%$. This category includes a very wide range of development types, e.g. mineral applications and advertisement consent and when combined with a relatively low number of applications falling into this category (only 42 for the year 2012/3), this means that the outturn is difficult to influence in the manner in which some of the other indicators can be. The target of $80 \%$ reflects recent good performance in 2011/12 in this area and the fact that we have been seeking to regularise existing advertisements through the application process. This is the only indicator which has seen a drop in performance in Quarter 4, thereby reflecting the difficulty in influencing positive results.
3.17 Finally, it is important to note that during Q3 the Planning Service repeated its customer satisfaction survey, focussing on applicants and agents, to provide some qualitative data on how our 'customers' feel about their interaction with the Council. The results were very positive with $100 \%$ of respondents being satisfied, or very satisfied, with the service that they received. These surveys will continue twice per year with the results being reported to Planning Strategy Group.

## The Role of the Conservation Officer

3.18 The current Design and Conservation Officer, Jerry Spencer, was appointed in December 2010, prior to which the post had been filled on a part-time basis by an external consultant whilst the role was redefined.
3.19 As its title suggests, there are two key aspects to this post. Its primary purpose is the conservation and management of the County's historic buildings. These may be formally Listed Buildings (which are of national importance), Buildings of Local Importance (of county-wide value) or buildings which are historic, but are not on the BLI register. In addition, the role seeks to manage the Conservation Areas of the County where more restrictive planning constraints apply.
3.20 Given the wide breadth of work and the fact that there has been little proactive management of historic building estate in Flintshire, this is a very demanding position with significant competing demands on the role. The Design and Conservation Officer is required to respond to
all planning applications that are related to those properties referred to in the above paragraphs. In addition, he undertakes pre-application discussions on developments on those types of property. He also inputs into policy development in relation to historic environment issues.
3.21 To ease the burden on this single officer, the following actions have been undertaken. We are currently providing external training to an existing member of staff in the field of historic buildings. Ultimately, that staff member will be able to assist in those areas identified above. In addition, we are committed to working on an informal basis with officers from CADW and have recently met with them to discuss our approach on particular sites where the opinion of the Design and Conservation Officer has been brought into question.
3.22 In addition to the Conservation role, the current postholder is skilled in the area of urban design and master planning. Not all planning authorities in Wales have access to such skills and the officer has been effective in influencing the design of some key schemes in the County often at the pre-application stage. The officer has also held a number of workshops with Councillors and planning staff, including some from adjoining authorities stressing the need to assess and influence the design of new developments.

## Inter-Departmental Consultation

3.23 The Planning Service finds itself regularly at the centre of a complex consultation process, either on planning applications or development plan work. The view of those consultees are critical to the decision on an application, but unless received in a timely manner, can detrimentally impact on the performance of the Service when measured against those indicators referred to earlier in this report.
3.24 The analysis of cases which missed their target did reveal that late responses from consultees (including internal consultees) were preventing some cases being determined within their timescale.
3.25 To address this issue, the following steps are being implemented. Wherever possible, the consultation will be undertaken and responded to electronically saving time through the internal mail system. The Service has worked with internal consultees to ensure that they are only being consulted on the cases that they need to be, thereby saving them from being overloaded with inappropriate cases. The importance of effective pre-application discussions is being stressed as these can shape the form and content of any subsequent application thereby requiring a shorter response. Finally, the Service is encouraging consultees to develop standard responses for use wherever possible.
3.26 These steps are currently being implemented and the ongoing review
of the planning application caseload will identify if this issue is being addressed positively.

## Enforcement of Planning Conditions

3.27 All planning permissions are granted subject to planning conditions to control the form of development undertaken. On major developments the permission may include over 50 conditions controlling materials, hours of operation, environmental impacts, drainage etc. As these conditions were required to make the development acceptable in landuse terms, there is an expectation that they will be complied with.
3.28 It is currently the responsibility of the Enforcement team to ensure that the planning conditions are complied with. Whilst sometimes noncompliance may be an oversight on behalf of the developer, deliberate non-compliance may result in the serving of a Breach of Condition Notice which cannot be the subject of an appeal.
3.29 With over 1,000 planning permissions being granted per year, it is a challenging task to ensure $100 \%$ compliance with all planning conditions and the Service is often reliant on other partners e.g. Building Control to advise us when development has commenced, so that compliance checks can be completed.
3.30 Through the Service Review, consideration will be given to whether the case officer is the more appropriate figure to be ensuring compliance with planning conditions.

### 4.00 RECOMMENDATIONS

4.01 That Scrutiny notes the further analysis of the Planning Service's performance for 2012/13 and acknowledge the improvements that begun to take hold in Quarter 4 and those planned for 2013/14.

### 5.00 FINANCIAL IMPLICATIONS

5.01 None.
6.00 ANTI POVERTY IMPACT
6.01 None.
7.00 ENVIRONMENTAL IMPACT
7.01 None.

### 8.00 EQUALITIES IMPACT

8.01 Will need to assess the equality implications further to any proposed changes in policy.

### 9.00 PERSONNEL IMPLICATIONS

9.01 None at this stage.
10.00 CONSULTATION REQUIRED
10.01 Will need to be undertaken with respect to any future changes in policy and / or procedure. The recent performance of the Planning Service is the subject of a separate paper to the Environment Overview and Scrutiny Committee.

### 11.00 CONSULTATION UNDERTAKEN

11.01 Applicants and Agents to ascertain their views on the Planning Service.
12.00 APPENDICES
12.01 None.

LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985
BACKGROUND DOCUMENTS

Contact Officer: Andrew Farrow
Telephone: 01352703201
Email: andrew.farrow@flintshire.gov.uk

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## Agenda Item 6

## FLINTSHIRE COUNTY COUNCIL

## REPORT TO:

DATE:
REPORT BY: DIRECTOR OF ENVIRONMENT
SUBJECT:
ENVIRONMENT OVERVIEW \& SCRUTINY COMMITTEE

TUESDAY, 23 JULY 2013

UPDATE ON NORTH WALES RESIDUAL WASTE

TREATMENT PROJECT AND THE SUB-REGIONAL FOOD WASTE PROJECT

### 1.00 PURPOSE OF REPORT

1.01 To update Members on progress of the North Wales Residual Waste Treatment Project's (NWRWTP) procurement process.
1.02 Also, to update Members on progress of the Sub-Regional Food Waste Project.

### 2.00 BACKGROUND

2.01 The North Wales Residual Waste Treatment Partnership was formed in 2008 (made up of the Isle of Anglesey County Council, Gwynedd County Council, Conwy County Borough Council, Denbighshire County Council with Flintshire County Council as Lead Authority) to seek a solution to managing residual waste on behalf of the five Partner Authorities over a 25 year period. A North Wales Residual Waste Treatment Joint Committee has been set up to oversee and govern the procurement process. At the Joint Committee meetings, all five Partner Authorities have equal voting rights. However, as Lead Authority, the Council is responsible for project planning and management, giving Leadership to the Project Team and undertaking governance issues like producing management accounts and ensuring financial probity.
2.02 The three Councils forming the Sub-Regional Food Waste Partnership are Conwy County Borough Council, Denbighshire County Council and Flintshire County Council, with Denbighshire acting as the Lead Authority on the Project.
2.03 One of the key issues for the Projects is the range of waste related targets that now challenge Welsh Authorities; these are set out below:-

Table - Authority Municipal Waste Targets

| TARGET | YEAR |  |  |  |  |
| :--- | :---: | :---: | :---: | :---: | :---: |
|  | $\mathbf{0 9 / 1 0}$ | $\mathbf{1 2 / 1 3}$ | $\mathbf{1 5 / 1 6}$ | $\mathbf{1 9 / 2 0}$ | $\mathbf{2 4 / 2 5}$ |
| Levels of recycling / <br> composting (or Anaerobic <br> Digestion (AD)) | $40 \%$ | $52 \%$ | $58 \%$ | $64 \%$ | $70 \%$ |
| Levels of composting (or <br> AD) of source separated <br> food waste (included in the <br> above) |  | $12 \%$ | $14 \%$ | $16 \%$ | $16 \%$ |
| Maximum level of energy <br> from waste |  |  | $42 \%$ | $36 \%$ | $30 \%$ |
| Maximum level of landfill |  |  |  | $10 \%$ | $5 \%$ |

Welsh Government (WG) has made it clear via its strategy document - 'Towards Zero Waste' - that the future strategic direction and resources will be directed towards Local Authority policies which are based on very high levels of recycling and composting (i.e. 70\% recycling/composting by 2024/25) and very low levels of landfilling (i.e. a maximum of $5 \%$ to landfill by 2024/25). Nevertheless, and even with these challenging targets achieved, there will remain significant levels of residual waste which must be disposed of through sustainable technologies offering the best balance of environment and economic benefits.

If the Council fails to meet these targets, the Authority will face two sets of fines, which will be cumulatively levied:-
(i) Failure to meet recycling targets ( $£ 200 / \mathrm{t}$ )
(ii) Exceeding Landfill Allowances (£200/t)

Both the NWRWTP and the Food Waste Project will play a key role in helping Flintshire County Council (FCC) to meet the Municipal Waste targets show and hence help the Council to avoid the substantial fines outlined above.

## CONSIDERATIONS

### 3.01 North Wales Residual Waste Treatment Project

Since the last report considered by the Committee on $10^{\text {th }}$ April 2013, the Project Team have continued dialogue with Wheelabrator Technologies Inc (WTI), following Sita's withdrawal from the procurement process. Members will recall that in late January 2013, the Partnership was notified by Sita UK Ltd that the company intended
to withdraw from the procurement process for commercial reasons. Following notification by Sita UK Ltd of its decision, the Project Team and the Lead Chief Executive for the Project agreed a risk assessment and management approach to managing the implications of the withdrawal. The first consideration was a thorough assessment of the procurement process itself. Secondly, the Lead Chief Executive for the Project contacted Sita UK at a high level to review the decision to withdraw and to ensure consistency in any public announcements made. This team approach ensured that the process was managed sensitively, swiftly and that a thorough and co-ordinated response was provided.
3.02 Guidance was sought from the Partnership's external legal advisors, Pinsent Masons, to identify any relevant procurement guidance that would apply in these circumstances.
3.03 In summary, UK guidance states that any procuring Authority needs to consider whether it should invite bids at all in a situation where a single bidder remains. The guidance advises that other steps should be taken to secure value for money, but that a procurement process should not automatically be stopped as a result. Some general principles that procuring Authorities in the Partnership's position should consider are:

- reviewing the strength and quality of the remaining single bidder, and
- ensuring that there is transparent competition in the remaining bidder's supply chain
3.04 The Project Board's (which comprises the Lead Chief Executive and Directors from each of the Partner Authorities, supported by the Project Team and advisors) view was that the Partnership is still in a good position to secure the value for money. This was based on the following grounds:-

1. Both bidders that progressed past the Detailed Solutions stage of the procurement were proposing the same waste treatment technology on the same site, indicating that Wheelabrator's bid represents what the waste market have identified as best suiting the needs of North Wales.
2. The procurement process had reached an advanced stage with both remaining bidders prior to Sita's decision to withdraw. This included having the benefit of an extremely competitive process throughout each procurement stage.
3. This competitive process has meant that the Partnership also had the benefit of receiving detailed prices at the Invitation to Submit Detailed Solutions (ISDS) stage. The Partnership
therefore has a very clear indication of what a competitive and value for money tender should be.
4. Wheelabrator Technologies Incorporated (WTI) has already proposed that a significant proportion of sub contracted services would be subject to market testing to ensure value for money obtained for the Partnership.
3.05 The position the NWRWTP is in with one remaining bidder is not unique, and indeed there are a number of examples in the UK where contracts have been secured with a single bidder at a late stage in the procurement process that demonstrated value for money. Continuation of the procurement process in no way commits the Partnership to an automatic Preferred Bidder award (as would also have been the case if two bidders had remained to submit final tenders). The Partnership would consider a final tender submission from WTI on its own merits and decide at that point if it wished to recommend award of Preferred Bidder status or to recommend termination of the procurement at that stage.
3.06 The Partnership has received written confirmation from WTI that it remains committed to the procurement process. The Lead Chief Executive has also met with senior representatives from WTI for both parties to reaffirm their commitment to the procurement process.
3.07 The Lead Chief Executive received a letter from Jasper Roberts at WG. The letter confirms that WG are content for the NWRWTP procurement to continue with a single bidder.
3.08 The Council's Section 151 Officer (Chief Financial Officer) and the Monitoring Officer were asked to give an opinion in their statutory roles about proceeding with only one bidder. Both confirmed that they did not think that the best interests of the Partnership would be served by running a fresh process because bidders that have already dropped out or been rejected would be unlikely to submit more competitive bids, knowing that this initial process had failed.
3.09 They specifically advised that "before proceeding the Board should receive evidence to show the savings and value that had already been generated by the competitive process to date. The Board should also examine the extent to which it would be possible to require elements of the contract to be subcontracted through a competitive process. This would involve assessing the feasibility of competitively procuring every element of the contract that is not currently going to be treated in that way. Needless to say, any element that can be competitively procured without harming the Project should be subject to competition in order to increase levels of transparency around value for money".
3.10 Based on the advice and assurances given by all advisors and by Welsh Government that the procurement process could and should be
continued, the Joint Committee at the meeting of $20^{\text {th }}$ February 2013 agreed to continue with the procurement process and issued the following statement :-

- "The Joint Committee, which is made up of the five Councils of Conwy, Denbighshire, Flintshire, Gwynedd and Ynys Mon has agreed to proceed with the final stages of 'competitive dialogue' with the remaining bidder, Wheelabrator Technologies Incorporated, before making a final decision whether to select Wheelabrator as the preferred bidder to construct and operate a residual waste facility for the region. This final selection decision will be made later in 2013.
- The Joint Committee was satisfied with the advice of its advisors and the advice of Welsh Government officials to proceed. The Joint Committee is satisfied that the project will fully meet Welsh Government policy on waste, that there are no legal risks to completing the procurement process and that it is fully meeting H M Treasury guidance for major procurement projects. The Committee is satisfied that the remaining bidder is developing a competitive bid which is already well within the cost limit it had set for all seven bidders at the outset. The project team will continue to negotiate the most competitive bid possible to assure the consortium councils, the Welsh Government and the public that value for money is secured.
- The Joint Committee noted that the bids of Wheelabrator and SITA UK were almost identical in technology, proposed location and inward waste transportation and that competitiveness of price had been the only issue to be closed before making a final decision between the two. Given the advanced stage the procurement process has reached and the on-going negotiations with Wheelabrator the Joint Committee was in complete agreement to proceed."

In accordance with the advice provided by the Council's s. 151 Officer and Monitoring Officer, the Project Board would not seek approval from the Joint Committee to close dialogue or call for final tender until it had full opportunity to consider the information as described. In particular, WTI have been asked to review value for money in three areas :-

- Seeking to reduce the capital costs of the solution by driving out any risk pricing by their construction contractor. This includes the utilisation of further ground condition surveys at the Deeside site to provide greater certainty to their design assumptions.
- Seeking to reduce revenue related costs and/or increase third party income to reduce the gate fees payable by the Partnership.
- Reviewing the amount of gate fee that would be subject to indexation on an annual basis and to seek to increase the amount that is fixed.

The Project Team is still in the process of seeking to finalise all commercial aspects of the solution and it is anticipated that the outcome of this (including a potential recommendation to close dialogue and call for the final tender) will be considered by the Joint Committee at a meeting in the early Autumn of 2013.

## Sub-Regional Food Waste Project

3.12 Since the last report considered by Committee on $10^{\text {th }}$ April 2013, the following progress has been made:-
3.13 The 'Interim Service' has been operating since November 2012. To date, 6,000 tonnes of food waste collected by Conwy, Denbighshire and Flintshire has been processed at the Harper Adams University AD plant and Biogen's Twinwoods site in Bedfordshire. The Interim Service has been running smoothly with no problems reported by the Council's Operations teams, or Biogen regarding contamination.
3.14 Planning consent for the treatment facility was granted on 21st November 2012. Denbighshire County Council, as the local planning authority, has given Biogen authorisation to commence construction, following work to discharge the pre-commencement planning conditions. As a result, from $17^{\text {th }}$ June 2013 , the site has been classified as a construction site and hence all visits to it need to be logged.
3.15 Members will recall that, to mark the commencement of the construction phase of the Anaerobic Digestion plant, Biogen were organising a Turf Cutting Event for 18th April 2013 which the then Minister, John Griffiths, was to attend. At the last meeting of the Committee this was being reviewed to ascertain the availability of the new Minister for Natural Resources and Food, Alun Davies, for an alternative date.

It was difficult to find another suitable date in the Minister's diary, as his office like to combine multiple visits to North Wales on one day. It has therefore been concluded that the Turf Cutting Event is not now pursued, but that instead, a Plant Opening Event is held next year with the Minister and Members.
3.16 The Welsh Government are interested in purchasing the western portion of the site for development as a strategic contingency salt store. A planning application for the site was submitted by WG and was approved on $19^{\text {th }}$ June 2013. The land will now be conveyed to WG at a price agreed by the District Valuer as representing Best Value.

### 4.00 RECOMMENDATIONS

4.01 That Members note the content of the report.

### 5.00 FINANCIAL IMPLICATIONS

5.01 The proposals for the NWRWTP are anticipated to be well within the Affordability Envelope approved by full Council in March 2010.

### 5.02 The agreed bid for the Food Waste Project is within the approved Affordability Envelope.

### 6.00 ANTI POVERTY IMPACT

6.01 None.
7.00 ENVIRONMENTAL IMPACT
7.01 None.

### 8.00 EQUALITIES IMPACT

8.01 None.
9.00 PERSONNEL IMPLICATIONS
9.01 None.
10.00 CONSULTATION REQUIRED
10.01 Consultation of relevant communities and bodies will be very important to the future successful delivery of the Project.

### 11.00 CONSULTATION UNDERTAKEN

11.01 Various consultation processes have been undertaken throughout the Project to date. The results of the consultations have been used to inform the Project's progress.

### 12.00 APPENDICES

12.01 None.

LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985 BACKGROUND DOCUMENTS

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FLINTSHIRE COUNTY COUNCIL

## REPORT TO: ENVIRONMENT OVERVIEW AND SCRUTINY COMMITTEE

## DATE: TUESDAY, 23 JULY 2013

REPORT BY: DIRECTOR OF ENVIRONMENT

## SUBJECT:

## DEESIDE ENTERPRISE ZONE PROGRESS REPORT

### 1.00 PURPOSE OF REPORT

1.01 To inform Members of progress with on Deeside Enterprise Zone.
2.00 BACKGROUND
2.01 Welsh Government officially launched Deeside Enterprise Zone (DEZ) as Wales' designated area for Manufacturing and Advanced Manufacturing in 2012. DEZ has a five year lifespan in which to create 7,000 new sustainable jobs, to grow Welsh GDP, to drive the economy of North Wales and to deliver an advanced manufacturing hub to underpin economic renewal in the area. DEZ continues to attract new investment interest from local, national and overseas sources.
2.02 The DEZ business plan is very ambitious and sets out a vision designed to make Deeside a recognised focus for advanced manufacturing on a world scale. It was submitted to Welsh Government on 30 September 2012. The plan includes proposals to make DEZ a better place for existing businesses, as well as a more attractive place for potential inward investors. A wide range of proposals include improvements to road and rail infrastructure, in line with TAITH priorities, a marketing and promotion plan and feasibility study for the Advanced Manufacturing Centre. The response from Welsh Government was received on $4^{\text {th }}$ July 2013.
2.03 Welsh Government has confirmed the following regarding the Business Plan;

1. an investment of $£ 2.5 \mathrm{~m}$ in flood defence works to Northern Gateway;
2. support to make Northern Gateway 'shovel ready' during 2014;
3. support the preparation of a feasibility study for the North Wales Advanced Manufacturing Skills and Technology Centre;
4. support for transport projects that will help deliver the objectives of DEZ will follow consideration of the North East Wales Integrated Task Force report.

Additionally, planned improvements in the roll-out of Next Generation Broadband are now underway, with parts of Hawarden and Connah's Quay having already gone live.

### 3.00 CONSIDERATIONS

3.01 DEZ now has a strategy based on securing expansion of local businesses, growing the key sectors of aerospace, automotive engineering, food, pharmaceuticals, electronics, paper and packaging and sustainable energy.
3.02 The addressing of skills needs has been identified as a critical success factor for DEZ. The area has a very high proportion of manufacturing employment, maintaining this level and allowing it to increase further, will require the development of a 'skills pipeline', bringing together schools, colleges and higher education with local employers. This is now happening at both the local and regional levels.
3.03 DEZ can be a catalyst for the regeneration of the wider Deeside area and it can also develop a role as a driver for the North Wales economy. The decision by Wales Rally UK to locate their event at the Toyota plant at Deeside for the next three years provides an ideal opportunity to raise awareness of the automotive and advanced manufacturing sector and supply chain and will enable promotion of skills and education requirements with large employers within the EZ.
3.04 DEZ is a strategic employment zone and is an 'engine' driving the economies of both the North Wales region and the Mersey Dee Alliance area. It is a one key element of the argument justifying City Region status for the MDA, since cross border infrastructure links and labour market planning will be critical success factors for DEZ.
3.05 The wider regional role of DEZ has been recognised by the North Wales Economic Ambition Board and work is now underway to coordinate strategy for the next round of European Union funding to commence in January 2014.

## Progress in Year 1 (2012/13)

### 3.06 Jobs

431 new jobs have been created in DEZ during 2012-2013, together with an estimated 1300 jobs safeguarded. Tata Steel, Airbus, Argo Aviation, Henrob and Toyota have all seen new jobs created and existing jobs safeguarded

## Northern Gateway

Planning permission has been granted for the eastern part of Northern Gateway (known as 'The Airfields'), whilst an application for the western area (alongside the River Dee) was received in 2012 and is likely to go to Planning Committee in September. Additionally, the Flood Alleviation Scheme has now been approved and subject to planning consent, ground work on the site is expected to commence in Autumn 2013 with initial infrastructure development to be underway by early 2014 .

### 3.08 North Wales Advanced Manufacturing Skills and Technology Centre

This is an ambitious proposal to develop a new, further and higher education-linked facility at Deeside, designed to encourage more young people to take the vocational education route, to increase the take-up of apprenticeships and to provide a link with local employers.

The feasibility study has been completed and presented to the DEZ Board for comment. This will be a centre of excellence for advanced and sustainable manufacturing and technology, built upon a unique partnership of industry, education and government, potentially with access to research and development facilities with internationally renowned universities. The centre will build and retain a high value skills base and develop an enterprise culture where all businesses are valued and supported with opportunities for new starts, rapid commercialisation and inward investment.

### 3.09 Promotion and Marketing

A significant amount of promotional activity has been undertaken.

- Marketing and promotion via the dedicated website and Twitter announcements.
- DEZ promotional video is being developed by Welsh Government
- Testimonials, case studies and good news articles are being collated for inclusion on websites
- DEZ promotion planned throughout Flintshire Business Week 2013 and Wales Rally GB


## Advanced Manufacturing in North Wales

The development of DEZ is being integrated into a wider regional approach to supporting advanced manufacturing across North Wales as one of the Economic Ambition Board priorities.

Successful economies are characterised by strong, local networks. The potential of a North Wales Advanced Manufacturing Business Network, based on the existing MDA Innovation Network, is being considered. Such an initiative would support North Wales and North West businesses through the collaboration of a range of existing and potential academic and advanced manufacturing links and facilities throughout the region.

This approach will help use a variety of facilities along the proposed 'A55/M56 Innovation Corridor', including;

- Optic Technium at St Asaph
- The Advanced Composites site at Broughton
- The proposed Advanced Manufacturing Centre at Deeside
- Thornton Technology Campus (University of Chester)
- The Heath Business \& Technology Park at Runcorn
- Riverside Innovation Centre, Chester University
- Glyndwr University
- Sci-Tech Daresbury Science and Innovation Campus
- Bangor University
- Proposed Menai Science Park

The Business Network will also help to develop:

- More supply chains across the region, retaining the benefits of investment in North Wales.
- Improved access to technology, innovation and skills development.
- More collaboration between business and academia.
- More awareness of the region as a place to invest.


### 4.00 RECOMMENDATIONS

4.01 That the progress report is noted.

### 5.00 FINANCIAL IMPLICATIONS

5.01 DEZ will contribute significantly to the work of the Council in the period 2012-2017 and will have a significant sustainable impact to the local economy.

### 6.00 ANTI POVERTY IMPACT

6.01 DEZ has the potential to make a significant contribution to tackling poverty as a result of investment in local opportunities for training, skills and employment.

### 7.00 ENVIRONMENTAL IMPACT


#### Abstract

7.01 DEZ will have the potential to make a significant contribution to environmental enhancement as a result of Welsh Government and private sector infrastructure investment, under which DEZ will be expected to demonstrate impact.


### 8.00 EQUALITIES IMPACT

8.01 DEZ has the potential to make a significant contribution to equalities and this is included as a cross cutting theme under which all investment projects will be expected to demonstrate their impact.

### 9.00 PERSONNEL IMPLICATIONS

9.01 None directly.

### 10.00 CONSULTATION REQUIRED

10.01 Welsh Government as the lead body for all Enterprise Zones. DEZ Board as the advisory body to WG.

### 11.00 CONSULTATION UNDERTAKEN

> 11.01 Welsh Government as the lead body for all Enterprise Zones. DEZ Board as the advisory body to WG.

### 12.00 APPENDICES

12.01 Appendix 1 - DEZ Marketing Document

This document can be found on the website and in the Members Library.

## LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985

 BACKGROUND DOCUMENTSContact Officer: Rachael Byrne
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[^0]:    
    P02 (GHA Coaches) - Broughton-Saltney-Chester Catholic High School (74 seats)
    P124 (Townlynx) - Holywell; Pentre Halkyn; Rhosesmor; Rhesycae; Lixwm; Ysceifiog; Brynford; Pantasaph; Holywell High School
    P17 (GHA Coaches) - Brouhton to St David's High School
    P17 (GHA Coaches) - Broughton to St David's High School Alun High School \& Connah's Quay / Flint / Suckley to Yale College
    P23/4/5 (GHA Coaches) - - eneffordd area to Hope, Castell
    P389 (Hutchinson)- - Sandycroft-Mancot-Garden City-Queensferry-Venerable Edward Morgan School, Shotton

