

ENVIRONMENT OVERVIEW & SCRUTINY COMMITTEE

11 MAY 2016

Minutes of the meeting of the Environment Overview & Scrutiny Committee of Flintshire County Council held in the Delyn Committee Room, County Hall, Mold CH7 6NA on Wednesday, 11 May 2016

PRESENT: Councillor Veronica Gay (Chair)

Councillors Glenys Diskin, Ian Dunbar, David Evans, Veronica Gay, Cindy Hinds, Richard Lloyd and Paul Shotton

SUBSTITUTES: Councillors: Carol Ellis (for Haydn Bateman), Richard Jones (for Chris Dolphin), Mike Peers (for Colin Legg), Ian Roberts (for Ann Minshull), Arnold Woolley (for Brian Lloyd) and Sara Parker (for Nancy Matthews)

ALSO PRESENT: Councillors: Haydn Bateman, George Hardcastle, Ron Hampson, and David Wisinger

CONTRIBUTORS: Councillor Aaron Shotton, Leader and Cabinet Member for Finance, Councillor Bernie Attridge, Deputy Leader and Cabinet Member for Environment; Councillor Kevin Jones, Cabinet Member for Waste Strategy, Public Protection & Leisure; Chief Executive, Chief Officer (Planning & Environment); Chief Officer (Streetscene & Transportation); Planning Development Manager and Team Leader Enforcement

IN ATTENDANCE: Environment Overview & Scrutiny Facilitator and Committee Officer

1. APPOINTMENT OF CHAIR

The Facilitator advised that Councillor Ray Hughes had been appointed to this role at the Council's Annual General Meeting on 10 May 2016 and therefore a vote on the nomination was not required.

RESOLVED:

That Councillor Ray Hughes be appointed Chair for the Committee.

2. APPOINTMENT OF VICE-CHAIR

The Chairman sought nominations for the appointment of Vice-Chair for the Committee. Councillor Ian Dunbar proposed Councillor David Evans and this was duly seconded. Councillor Mike Peers proposed Councillor Veronica Gay and this was seconded. No further nominations were received and on being put to the vote Councillor David Evans was appointed as Vice-Chair for the Committee for the municipal year.

RESOLVED:

That Councillor David Evans be appointed as Vice-Chair for the Committee for the municipal year.

3. DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)

There were no declarations of interest.

4. MINUTES

The minutes of the meeting held on 13 April 2016 were submitted.

RESOLVED:

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

5. VARIATION IN ORDER OF BUSINESS

Following a suggestion by the Chair, a change in the order of business was agreed and agenda items 9 and 8 were brought forward due to the availability of the officers concerned.

6. REVIEW OF WASTE COLLECTION POLICY

The Chair invited Councillor Aaron Shotton to speak on the item. Councillor Shotton read out a statement which had been provided to the press to advise of the position regarding the review of the HRC provision and bulky waste collection service. He referred to the outcome of the Welsh Government (WG) review of the Council's waste service which included a review of the Council's Household Recycling Centre (HRC) provision. He gave an assurance that there was currently no agreement on the findings of the WG report and that he did not want to see closure of sites.

Councillor Shotton commented on the recommendations in the WG report and advised that failure to meet the WG National Strategy landfill targets could result in infraction charges being levied against the Council totalling £200 for each tone of waste land filled above the defined allowance and a further £200 per tonne infraction charge could be levied if the Council failed to achieve the Statutory Waste Recycling target in a same period. He explained that unless the Authority improved the existing facilities on sites to ensure more recycling then it would be unlikely to achieve the targets set by the WG.

Councillor Shotton commented on the severe austerity measures imposed on the Authority and the pressure on public services. He referred to the significant financial cuts and efficiencies which had been achieved to date in all service areas and the need to set a local balanced budget. He emphasised that unless the WG proposals and guidance was followed on how the Authority should achieve its recycling targets in future years there would be severe financial penalties incurred and possible risk to the viability of future capital revenue grants.

The Chief Executive referred to national policy and local choice and commented on the main considerations regarding national funding and performance of HRC sites. He explained that significant funding was available

from WG to improve sites and if the current WG proposal was not acceptable then some negotiation might be had around the development of supersites. The Chief Executive advised that the Authority aimed to achieve a recycling target of 70% by having a viable network and if it did not hit that recycling target then it would be liable to fines.

The Chief Executive referred to the need for the Authority to find further savings of 30% to set a balanced budget and stated that efficiencies on such a scale could not be found from any other business plan within the Authority.

Councillor Kevin Jones emphasised that there were no further significant savings which could be achieved from within the Service without withdrawing collection services. The WG had made it known that it held the view that the Authority was oversubscribed for some sites and would impose penalties if it did not meet its targets. He commented that the WG priority was waste management and waste collection and this was the 'blueprint' the Authority was expected to work to. The capital support provided by the WG was expected to produce revenue savings.

The Chief Officer (Streetscene and Transportation) advised that following a WG review of the Council's waste service, which included the Council's HRC provision, it was concluded that the Council's HRC provision (in terms of the number of sites) was greater than necessary and the facilities offered at each site did not match the minimum requirements of the high quality sites which regularly achieved high levels of recycling elsewhere in the country. It was recommended that a local authority of the size and with the demographic features of Flintshire, should offer just three HRC sites with each site offering good access and excellent recycling facilities to users. The WG review made recommendations on which of the current sites would provide the best configuration and coverage across the County. On this basis it was recommended that the Council operated sites at Greenfield, Sandycroft and Nercwys near Mold. Subject to Cabinet approval the closures of the remaining facilities would come into effect on 1 November 2016.

The Chief Officer reported on the proposed new arrangements for the kerbside collection of bulky waste. He referred to the introduction of a pilot scheme with a local Social Enterprise company to extend the existing arrangement for the collection of bulky waste electrical equipment to allow all requested bulky waste collections to take place. He explained that the material would be taken to an appropriate closed HRC site for assessment for reuse or broken down to recyclable components. It was also proposed to extend the service in the future to include the collection of furniture and beds.

The Chair thanked Officers for their input and invited Members to raise questions.

Councillor Ian Roberts commented on the Authority's current and previous high performance in achieving statutory targets for municipal waste recycling and said that this should be celebrated and used as an example for other authorities to follow. He referred to the current configuration for provision at the six sites in Flintshire which the WG review had stated was good, and challenged why there was a need to introduce change. He referred to a proposal which he had

previously made that consideration be given to income generation and said he had suggested that a small charge be introduced for the use of recycling centres as a means of supporting sites. Councillor Roberts raised a number of specific concerns regarding provision at some of the Authority's recycling sites and management of kerbside collections.

The Chief Officer responded to the comments and concerns raised by Councillor Roberts and explained that the key issue was not the quantity but the quality of the HRC sites which were available. The Chief Executive advised that the Authority was not high performing in terms of HRC recycling. In response to the suggestion to introduce a small fee for use of recycling sites the Chief Executive advised that such a measure would be subject to approval by the WG. Officers also explained that the introduction of charges could have implications on the goodwill of residents to participate in the recycling of waste and may act as a deterrent.

Councillor Hilary Isherwood raised concerns around individuals who were elderly, disabled, or unable to travel to a HRC site. She asked what provision was available to meet these circumstances and suggested there could be an opportunity for income to be generated by providing a service to meet this need. The Chief Officer explained that the concept for supersites was to make such facilities more accessible. He also referred to the bulky waste collection service and doorstep collections. The Chief Officer agreed to discuss the suggestion further with Social Enterprise.

Councillor Mike Peers raised a number of concerns around the management of the existing HRC sites. He commented on capacity issues with the skips at the Buckley site and the evidence to indicate that recycling was not being fully promoted. He also referred to the recent consultation process on the rationalisation of HRCs and said there had been no discussions with Scrutiny or Town or Community Councils to seek their views before the consultation questionnaire had been distributed. He stated that he could not support the findings of the WG review. The Chief Executive acknowledged the points raised by Councillor Peers concerning performance/management at some sites and accepted there was some room for improvement to optimise performance.

Councillor David Evans proposed that a supersite be established to serve the communities of Flint and Connah's Quay, and cited Oakenholt as a possible location. He also referred to the Brookhill site at Buckley and suggested that this be used as a supersite to serve Buckley, Mold and Mynydd Isa areas.

Councillor Carol Ellis supported the proposal put forward by Councillor Evans. She spoke against the proposal to close the Buckley site citing the excellent facilities which were already available in and around Buckley, the possible reluctance for local residents to have to travel to another area, and the blighting of local beauty spots, to support her views against closure. She said there were a number of simple solutions around the Buckley site which could be considered to assist the Authority to meet its targets. Councillor Richard Jones also spoke in support of retaining and expanding the existing HRC site at Buckley.

Councillor Richard Lloyd commented positively on the running of the Buckley Household Recycling Centre. He proposed that the Sandycroft site allowed vans with licences and said he had received a positive response to this from the Chief Officer and Cabinet Member. Councillor David Evans referred to his proposal for a super site and suggested that this also accommodated vans with licences.

Councillor Paul Shotton said that the proposal by Councillor David Evans was dependent on funding from the Welsh Government.

The Chief Executive said there was need for urgent evidence based discussion with the WG to establish what capital funding was available to fund super-sites. Councillor Aaron Shotton explained that any alternative solution to the WG proposals would need to be put forward to a meeting of the Cabinet as soon as possible.

During discussion Members agreed that further consideration be given to alternative options for the future of HRC service provision in Flintshire, including an option for two additional super-sites located in the Flint/Connah's Quay area and the Buckley/Mold area (subject to the Council being able to identify suitable land and it becoming available), to supplement the existing sites in Sandycroft and Greenfield.

RESOLVED:

- (a) That the Committee recommends to Cabinet for the proposed pilot scheme to engage a local Social Enterprise to provide the Bulky Waste collection service; and
- (b) That further consideration be given to alternative options for the future of HRC service provision in Flintshire, including an option for two additional super sites located in the Flint/Connah's Quay area and the Buckley/Mold area (subject to the Council being able to identify suitable land and it becoming available), to supplement the existing sites in Sandycroft and Greenfield.

7. ENVIRONMENTAL ENFORCEMENT

The Chief Officer (Streetscene and Transportation) introduced a report on environmental enforcement arrangements. He provided background information and referred to a zero tolerance enforcement approach to dog fouling and littering which was a major problem in the County's parks, open spaces and streets. He advised that to provide additional resources to deliver the zero tolerance approach to littering and dog fouling, it was proposed to enter into an agreement with a private partner with a proven track record in enforcement of environmental crime. The arrangement would be provided through a 12 month pilot scheme which would allow for full evaluation of the success of the arrangement to be undertaken before a long term contract and commitment was made.

The Chair asked how the problem of littering and failing to remove dog waste would be enforced during late evening/night hours. The Chief Officer gave an assurance that the Service Level Agreement with the partner would include

clear service agreements which would specify the principles on which the contract would be managed and operated and would provide a minimum level of service for the enforcement of dog fouling. He also explained that the scheme would work with Members to seek intelligence on specific problems and target areas. Councillor Richard Lloyd requested that consultation took place with all local members and Town and Community Councils to seek their input concerning problem areas. He welcomed the proposals which he felt could have been introduced at an earlier stage as this would have removed the need for the Dog DNA scheme.

In response to a question concerning costs, Councillor Bernie Attridge explained that the proposals would be at zero cost to the Council and would provide a return of 15% on all Fixed Penalty Notices (FPNs) served by the Company. The Company would also be responsible for back office administrative systems to deliver the service and preparation of prosecution packs for formal action in court in respect of people who refused to pay a FPN.

Councillor Ian Dunbar raised the issue of safety and asked how the enforcement officers would be protected against verbal or physical abuse. Councillor Bernie Attridge and the Chief Officer outlined the protection measures in place and referred to the use of CCTV body cameras which recorded and provided evidence of all public contact, and use of radio to summon Police support as necessary.

During discussion Officers responded to the further questions raised concerning raising public awareness and publicising the implementation of rigorous enforcement measures through FPNs or prosecution.

Councillor Veronica Gay welcomed the proposal and said it would complement the work of the dog DNA Task and Finish group.

RESOLVED:

That the Environment Overview & Scrutiny Committee recommends to Cabinet the proposal to enter into a formal agreement with a private partner to undertake environmental enforcement duties in the County on a 12 month pilot trial basis.

8. THE IMPROVEMENT PLAN 2016/17 (ENVIRONMENT)

The Chief Officer (Planning and Environment) introduced a report to enable consideration of areas of the draft Improvement Plan 2016/17 relevant to the Committee. He provided background information and reported on the 'Safe Communities' and 'Environment' priorities which were appended to the report. He advised that the 'Safe Communities' priority for 2016/17 consisted of one sub-priority 'Community Safety'. The 'Environment' priority consisted of two sub-priorities which were 'Transport Infrastructure and Services' and 'Sustainable Development and Environmental Management'. Members were asked to comment on the content of the Improvement Plan and 'how we measure achievement' document for the priorities 'Safer Communities' and 'Environment'.

Councillor Ian Roberts referred to appendix 1, page 23 and the bullet point concerning undertaking a heat mapping and master planning exercise in Flint to

assess the potential opportunity for a biomass centre. Councillor Roberts queried why Flint had been chosen as a suitable area. The Chief Officer advised that Flint had been chosen because it was an area of industrial and residential amenity. Councillor Roberts expressed concerns that the Flintshire County Council Members for Flint had not been contacted about this matter given that it could result in a biomass centre opening in Flint. He requested further detail with regard to the work undertaken to support the identification of Flint as the selected site.

Following discussion Councillor Roberts proposed that the bullet point be removed from the Improvement Plan due to lack of consultation with local members. Councillor Veronica Gay seconded the proposal and when put to the vote this was carried.

RESOLVED:

- (a) That the Improvement Plan and 'how we measure achievement' document for the priorities 'Safer Communities' and 'Environment' be noted; and
- (b) That the bullet point concerning undertaking a heat mapping and master planning exercise in Flint to assess the potential opportunity for a biomass centre be removed from the Improvement Plan.

9. PLANNING ENFORCEMENT

The Chief Officer (Planning and Environment) introduced a report to provide an update on Planning Enforcement. He provided background information and advised that it was proposed to adopt a less formal approach in revising the Planning Enforcement Policy and to review the priorities over the response to certain breaches to provide a more realistic view of what can be achieved with the resources available. He explained that the current Planning Enforcement Policy was appended to the report and also Brighton and Hove's enforcement policy as an example of this lighter approach. The Chief Officer referred to the proposed changes to the Planning Enforcement Policy as detailed in the report.

The Chairman invited Members to raise questions.

Councillor Cindy Hinds expressed concerns around the time taken by enforcement officers to resolve issues of non-compliance concerning residential developments. The Chief Officer acknowledged the points made and agreed that feedback to the local Member could be improved to inform of progress with investigations. He commented that some cases were complex and it could take a long time for enforcement to reach a resolution. In response to a question the Planning Development Manager asked Members to be aware of the priorities and of what could not be addressed through Planning Enforcement, so that the public's expectations in relation to particular cases were moderated accordingly

RESOLVED:

- (a) That the Authority's Planning Enforcement policy be reviewed and updated and a draft of the new policy be reported to the Committee for further endorsement to allow it to be taken forward for adoption; and
- (b) That the performance of the planning enforcement service against the published indicators for the year 2015/16 be noted.

10. FORWARD WORK PROGRAMME (ENVIRONMENT)

The Facilitator presented the current Forward Work Programme for consideration. She advised that the following items were to be considered at the next meeting of the Committee to be held on 15 June 2016:

- Year End reporting and Chief Officer reports
- update on North Wales Waste Project
- Dog DNA Task & Finish Group feedback.
- Clwydian Area of Outstanding Natural Beauty.

RESOLVED:

That the Forward Work Programme be noted.

11. MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE

There were no members of the press and three members of the public in attendance.

(The meeting started at 11.00 am and ended at 2.35 pm)

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Chair