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Contact Officer:
Maureen Potter 01352 702322

To: Members of the Environment Overview & Scrutiny Committee

5 May 2016

Dear Councillor

You are invited to attend a meeting of the Environment Overview & Scrutiny Committee which will be held at 11.00 am on Wednesday, 11th May, 2016 in the Delyn Committee Room, County Hall, Mold CH7 6NA to consider the following items.

Members are asked to note the time of the meeting.

A G E N D A

1 APPOINTMENT OF CHAIR

To appoint a Chair for the Committee.

2 APPOINTMENT OF VICE-CHAIR

To appoint a Vice-Chair for the Committee.

3 APOLOGIES

Purpose: To receive any apologies.

4 DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)

Purpose: To receive any Declarations and advise Members accordingly.

5 MINUTES (Pages 3 - 10)

Purpose: To confirm as a correct record the minutes of the last meeting

6 THE IMPROVEMENT PLAN 2016/17 (ENVIRONMENT) (Pages 11 - 32)

Report of Chief Executive - Cabinet Member for Waste Strategy, Public Protection and Leisure, Deputy Leader of the Council and Cabinet Member for Environment

Purpose: To enable consideration of areas of the draft Improvement Plan 2016/17 relevant to the Environment Overview & Scrutiny Committee

7 PLANNING ENFORCEMENT (Pages 33 - 72)

Report of Chief Officer (Planning and Environment) - Deputy Leader of the Council and Cabinet Member for Environment

Purpose: For the Committee to receive an update on Planning Enforcement

8 ENVIRONMENTAL ENFORCEMENT (Pages 73 - 76)

Report of Chief Officer (Streetscene and Transportation) - Cabinet Member for Waste Strategy, Public Protection and Leisure

Purpose: To advise Scrutiny of the alternative delivery mechanism for Environmental Enforcement.

9 REVIEW OF WASTE COLLECTION POLICY (Pages 77 - 116)

Report of Chief Officer (Streetscene and Transportation) - Cabinet Member for Waste Strategy, Public Protection and Leisure

Purpose: To advise Scrutiny of the revised Waste Collection and Household Waste Recycling Centre Policy

10 FORWARD WORK PROGRAMME (ENVIRONMENT) (Pages 117 - 122)

Report of Environment and Social Care Overview and Scrutiny Facilitator -

Purpose: To consider the Forward Work Programme of the Environment Overview & Scrutiny Committee.

Yours faithfully



Peter Evans
Democracy & Governance Manager

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ENVIRONMENT OVERVIEW & SCRUTINY COMMITTEE **13 APRIL 2016**

Minutes of the meeting of the Environment Overview & Scrutiny Committee of Flintshire County Council held in the Delyn Committee Room, County Hall, Mold, Flintshire on Wednesday, 13 April 2016

PRESENT: Councillor Veronica Gay (Chair)

Councillors: Haydn Bateman, Glenys Diskin, Chris Dolphin, Ian Dunbar, David Evans, Cindy Hinds, Hilary Isherwood, Colin Legg, Ann Minshull and Paul Shotton

APOLOGIES: Councillors: Brian Lloyd and Nancy Matthews

CONTRIBUTORS: Councillor Bernie Attridge, Deputy Leader and Cabinet Member for Environment; Councillor Derek Butler, Cabinet Member for Economic Development; Councillor Kevin Jones, Cabinet Member for Waste Strategy, Public Protection & Leisure; Chief Officer (Planning & Environment); Chief Officer (Streetscene & Transportation); Planning Strategy Manager and Transportation Manager

For minute number 68:

Project Engineer, Flood & Coastal Erosion Risk Management team of Flintshire County Council

Julian Hill (Regulations & Legislation Manager), Miriam Wasik-Evans (Project Engineer) and Henry Jones-Hughes, (Development Control Officer for the North East region) of Dŵr Cymru Welsh Water Developer Services

For minute number 69:

John Rooney, Project Manager - Connectivity & Infrastructure, North Wales Economic Ambition Board

IN ATTENDANCE: Housing and Learning Overview & Scrutiny Facilitator and Committee Officer

66. DECLARATIONS OF INTEREST

There were no declarations of interest.

67. MINUTES

The minutes of the meeting held on 17 March 2016 were submitted.

Accuracy

Councillors Hilary Isherwood and Ann Minshull had both given apologies for the meeting and asked that this be reflected in the minutes.

RESOLVED:

That, subject to the amendment, the minutes be approved as a correct record and signed by the Chair.

68. DESIGN OF DRAINAGE FOR NEW DEVELOPMENT SITES

The Project Engineer from the Council's Flood & Coastal Erosion Risk Management team gave a detailed presentation on the management of surface water for new developments and assessment of flood risk mitigation measures. The presentation comprised the following information:

- Risks to and from new developments
- The roles of Risk Management Authorities: the Council, Welsh Water and Natural Resources Wales (NRW)
- The planning process
- Supplementary Planning Guidance Note 29
- Challenges
- The future of surface water management

The Project Engineer spoke about the responsibility of private landowners and management companies outside that of the Risk Management Authorities. He went on to refer to the potential cost implications if early consideration was not given to drainage schemes as part of planning new developments and to the Supplementary Planning Guidance which had been produced with colleagues from Welsh Water and NRW. In terms of future challenges, there was ongoing uncertainty due to a delay in the enforcement of Schedule 3 of the Flood Water Management Act 2010 relating to Sustainable Drainage Systems (SuDS). As part of this, the additional powers to be granted to local authorities as SuDS approval bodies could create opportunities for efficiencies.

The Chair then invited Miriam Wasik-Evans and Henry Jones-Hughes of Dŵr Cymru Welsh Water to give their presentation which covered the following points:

- Welsh Water - who are we
- Developer Services
- Planning function
- Types of sewer network
- Key considerations through the planning process
- Design and build
- Approach to surface water
- Relationship with Flintshire County Council

Members were advised that Welsh Water was now a statutory consultee on major planning application: previously this was at the discretion of the planning authority. The importance of consultation on surface water drainage for certain types of applications at the planning stage was highlighted, along

with the availability of a pre-application advice service to customers. Whilst explaining the approach to surface water, it was clarified that Welsh Water did not have powers to stop developers connecting surface water into the system and therefore there was a reliance on the planning process to impose conditions to allow some controls. It was also stated that Welsh Water was unable to instruct developers to fix problems on its network and could only request them to fund reinforcement to ensure no detriment occurred to current service levels experienced by their customers.

Councillor Hilary Isherwood called for the Council to lobby the government for a change in policy and legislation on drainage schemes and planning enforcement to avoid the need for residents to pursue civil action. She spoke about the need for accountability to improve road surfaces damaged by underlying water and the expectation for developers to comply with their responsibilities.

Mr. Jones-Hughes said that run-off rates on the highway would be the responsibility of the Highway Agency whereas the requirement for management of surface water on planning development sites involved developers submitting details to the local authority. Ms. Wasik-Evans spoke about the role of the local authority in undertaking monitoring site visits. Mr. Julian Hill referred to the Pitt Review in 2007 leading to proposals in the Flood & Water Management Act 2010 some of which had stalled. He said that a joined-up approach was needed on surface water drainage and that there were misconceptions on SuDS with concerns around funding. He pointed out that fees associated with preparing surface water design could generate income for local authorities and urged authorities to make representations to the Welsh Government to recommend statutory enforcement of Schedule 3 of the legislation.

The Chief Officer (Planning & Environment) said that the Supplementary Planning Guidance already clarified requirements for the management of surface water. In respect of Councillor Isherwood's comment, he pointed out that generic issues on planning enforcement had been scheduled for the May meeting of the Committee and that specific issues raised with officers, including breaches of conditions, had been followed up.

Councillor Paul Shotton remarked on increased levels of flash flooding. He asked whether there had been a similar increase in reported problems with sewer systems, perhaps due to collapsed or blocked drains, which could be avoided by more education on household waste. Welsh Water representatives said that there had been an increase in calls due to ageing assets transferred through the Private Sewer Transfer of 2011 and that a public campaign 'Stop the Block' had highlighted the problem of sewer blockages amongst communities and schools. Sewer networks on new development sites were monitored throughout the construction stage and for 12 months after. Welsh Water worked with developers on solutions to issues identified at the planning stage and raised with local authorities.

When asked about levels of resources, the Welsh Water representatives said that the company's business plan had been subject to thorough scrutiny,

however there was a balance between reducing bills for customers and investing in the business.

Following comments from Councillor Cindy Hinds on an issue with a development in Penyffordd, Ms. Wasik-Evans said that this had been identified at an early stage and that she would provide a separate response on plans for the area as part of the investment plan for North Wales. In relation to the outcome of the proposed development at Rhos Road, the Chief Officer said that the Council had consulted with Welsh Water on the capacity of the network, prior to it becoming a statutory consultee. He went on to stress the importance of Welsh Water as part of the Council's key stakeholder group for Local Development Plan proposals.

Councillor David Evans asked about the requisition of new connections where developers struggled to connect to Welsh Water assets and was informed that such cases in North Wales were rare and that the initial approach was always to encourage negotiations with the landowner. In relation to concerns about saturation points on certain fields in Saltney and in Balderton, the Project Engineer explained that these were mostly ground water issues on low-lying land and that local flooding was mainly due to surface water and ground water. Officers noted the suggestion made by Councillor Evans for the Project Engineer to be invited to a future training session for the Planning Committee.

Councillor Chris Dolphin questioned the role of local authorities as the local flood authority and felt that ongoing surface water problems on roads should be a major factor in refusing planning applications in those areas. The Project Engineer explained that more responsibility on flood water management had been given to local authorities following the Pitt Review. On the latter comment, he said that developers could improve the situation if they were able to put forward a scheme to match Green-field run-off rates without contributing to the existing problem.

Councillor Colin Legg expressed his gratitude to Welsh Water for their prompt assistance in responding to a particular drainage issue.

In response to comments from Councillor Haydn Bateman, Ms. Wasik-Evans provided explanation on the Build Over Sewer 'BOS' agreements between Welsh Water and developers to assess and protect assets underneath proposed extensions.

Following the item, Councillor Dolphin made a suggestion on limiting the number and length of presentations given at future meetings.

RESOLVED:

That the presentations be noted.

69. REGIONAL RAIL ISSUES

Mr. John Rooney of the North Wales Economic Ambition Board (NWEAB) gave an update on rail modernisation work. His presentation covered:

- NWEAB Workstreams
- North Wales Mainline Electrification (including Crewe/Warrington - Chester) Update
- Borderlands Line (Wrexham to Bidston) service enhancement
- The Next Wales and Borders Franchise

In outlining the four strands to Connectivity & Infrastructure, Mr. Rooney explained that these were about economic development across North Wales. The role of rail was to facilitate other benefits such as access to work, ie commuting, business and leisure travel. As part of an update on North Wales mainline electrification, he highlighted the importance of this in the context of the wider network electrification schemes. An upgraded medium value Strategic Outline Business Case had been submitted by the Welsh Government and if successful, would proceed to the next stage, which was an Outline Business Case.

Councillor Hilary Isherwood welcomed the potential for a new service between Wrexham and Manchester, which could be particularly beneficial for young people accessing employment. Mr. Rooney said that this was one of a number of important new routes requested by the NWEAB in its response to the Welsh Government (WG) consultation on the Wales and Borders franchise in March. If agreed by WG, a significant level of infrastructure work would be required at Wrexham General. Other requested services included a direct route to the south Liverpool area via Halton Curve which could also enhance employment opportunities.

Councillor Derek Butler spoke about plans by Merseyrail to take over the Bidston line from Arriva. He also referred to pinch-point problems at Hoole Bridge and stated the importance of progressing work on the Northern Powerhouse.

Councillor Paul Shotton congratulated the NWEAB on progress made and spoke about the need for the Hawarden Bridge upgrade. Mr. Rooney said that the NWEAB wanted to work in partnership with WG and were highlighting the Borderlands line and other improvements for inclusion in the next franchise.

The Chief Officer (Streetscene & Transportation) said that he had given a presentation on general transportation issues to the Deeside Forum and that the business case aimed to encourage more rail users. An outline plan would be produced to improve Hawarden Bridge linked to a shuttle bus service which could serve the Deeside Industrial Park.

Concerns were raised by Councillor Chris Dolphin about the disparity in rail fares which he felt should be standardised to encourage more use of the

rail network. Mr. Rooney was in agreement and advised that the NWEAB had made representations on rail fares within its response to the WG consultation.

Following the item, Mr. Rooney said that any further questions from Members could be forwarded to himself via the Chief Officer.

RESOLVED:

That the presentation be noted.

70. UPDATE ON PROGRESS MADE TO INTRODUCE AN INTEGRATED TRANSPORT UNIT

The Transportation Manager introduced an update on progress to deliver the new Integrated Transport Unit (ITU) within the Streetscene & Transportation portfolio, as previously recommended by the Committee and endorsed by Cabinet in 2015. She advised that this was an operational matter as policy changes were under the remit of the Education & Youth Overview & Scrutiny Committee. The main operational changes as set out in paragraph 1.09 of the report were summarised.

Councillor Ian Dunbar thanked the Transportation Manager for meeting with Connah's Quay Town Council. He raised queries on community transport bus companies, hub collection points, student bus tickets for the hub at Coleg Cambria and accessibility for people with mobility issues. In response, the Transportation Manager agreed to send Councillor Dunbar details of the community transport workshop on 26 April to which all Town and Community Councils had been invited. Councillor Bernie Attridge advised that the Council was working closely with Coleg Cambria on a scheme involving the hub. The Transportation Manager added that the college was well served by the bus network and that the Road Safety team would assess services once the hub was operational. She referred to an arrangement at Coleg Llandrillo where students were able to purchase bus tickets from an on-campus travel centre.

Officers noted the Chair's request to explore direct link services from Saltney to businesses in Flintshire.

RESOLVED:

- (a) That the progress made to introduce the Integrated Transport Unit within the Streetscene and Transportation portfolio be noted;
- (b) That the intended approach for the implementation of the operational recommendations from the diagnostic review be supported; and
- (c) That the retention of the appointed business partner on a gain share basis in order to support the Integrated Transport Unit in delivering and implementing the operational proposals contained within the report be supported.

71. FORWARD WORK PROGRAMME

The Facilitator presented the current Forward Work Programme for consideration and reminded Members that the meeting scheduled for 18 May had been changed to 11 May 2016.

The following changes were agreed:

- Items on Environmental Enforcement and the Improvement Plan 2016/17 (section relevant to the Committee) to be included for the May meeting.
- The update on the North Wales Waste Project to be moved to the June meeting.
- The item on the Rogue Traders App to be moved to the July meeting.

RESOLVED:

- (a) That the Forward Work Programme be amended as necessary; and
- (b) That the Facilitator, in consultation with the Chair and Vice-Chair of the Committee, be authorised to vary the Forward Work Programme between meetings, as the need arises.

72. MEMBERS OF THE PUBLIC AND PRESS IN ATTENDANCE

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

(The meeting started at 2pm and ended at 4.20pm)

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Chair

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ENVIRONMENT OVERVIEW AND SCRUTINY COMMITTEE

Date of Meeting	Wednesday 11 May 2016
Report Subject	Improvement Plan 2016/17
Cabinet Member	Deputy Leader and Cabinet Member for Environment
Report Author	Chief Executive
Type of Report	Strategic

EXECUTIVE SUMMARY

The Improvement Plan for 2016/17 has been refreshed and updated to reflect the key priorities of the Council for next year. The structure of the plan is retained with the eight priorities and the sub-priorities. Five of the eight priorities continue with a refresh of longer term projects or ambitions, whereas the remaining three have been reviewed to reflect longer term projects or ambitions, local circumstances and priorities.

There is also a new section within each sub-priority which references national issues which have the potential to impact upon achievement of the priorities. These issues will also be referenced, where relevant, in the next refresh of the Medium Term Financial Strategy for 2016-2020.

Following presentation of the initial draft to Cabinet on 19 April 2016, relevant sections of the Improvement Plan are being presented to Overview and Scrutiny Committees for consultation and input, along with the proposed targets for the national performance indicators.

RECOMMENDATIONS

1	<p>To review and comment on:</p> <ul style="list-style-type: none"> i. The content of the Improvement Plan and 'How we measure achievement' document for the Priorities "Safer Communities" and "Environment"
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	ii. The proposed targets for the national performance indicators.
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REPORT DETAILS

1.00	EXPLAINING THE IMPROVEMENT PLAN AND TARGET SETTING
1.01	It is a requirement of the Local Government (Wales) Measure 2009 (the measure) to set Improvement Objectives and publish an Improvement Plan. It is a statutory requirement for the County Council to adopt the Improvement Plan.
1.02	Improvement Objectives and an accompanying Improvement Plan were first set and adopted by the Council in 2011. For 2013/14 the Council thoroughly reviewed the priorities to streamline them and reset them with clearer outcome based aims. A revised set of eight priorities supported by a structure of sub-priorities was adopted.
1.03	The Plan presentation also changed providing detail for each of the priorities which were to have the most impact during the year. This has helped the organisation to concentrate on the outcomes where most immediate attention was needed.
1.04	In recent years the Plan has been effective in setting priorities and achieving outcomes. This has been validated by the Wales Audit Office (WAO) as below.
1.05	<p>The WAO in its Corporate Assessment report of March 2015 said that <i>“the Council has established a wide-ranging set of clearly-stated priorities that have a broad base of support within the Council and among partners”</i>.</p> <p>In addition the report commented on: <i>“The Council sets out its vision clearly within its Improvement Plan, as required by the Local Government Measure 2009 (the Measure). For 2014-15, the Council’s coherent set of eight strategic priorities is underpinned by more detailed sub-priorities, some of which are identified clearly as areas of particular focus during the year. Though wide-ranging, the Council’s vision demonstrates a clear commitment to continuous improvement, reflected by targets for improving the efficiency and effectiveness of its services, particularly those associated with its in-year Improvement Objectives.”</i></p> <p>The format and content of the Plan was also commented upon: <i>“The Council has worked hard to improve the quality of this key plan and the Improvement Plan for 2014-15 is a clear and accessible document that sets out far more clearly than before what the Council plans to do and how its success might be measured and evaluated.”</i></p>
1.06	<p>For 2016/17 a review of the current priorities and sub-priorities has been undertaken to set: -</p> <ul style="list-style-type: none"> • priorities that continue into 2016/17 for sustained attention; • activities that can now be removed as completion of a time-

	<p>limited piece of work e.g. Universal Credit preparation, use of the National Procurement Service;</p> <ul style="list-style-type: none"> • priorities which could be broadened to include more strategic issues e.g. 'Creating jobs and growing the local economy', the care home market; • sub-priorities which could be merged e.g. Fuel Poverty and Maximising Income; • emerging priority activities for 2016/17 e.g. Improving chances for Looked after Children, mental health. <p>Sub-priorities have also been set to take into account Cabinet and Overview and Scrutiny priorities, priorities of partners, public views and service demands and national policy and legislation.</p>
1.07	<p>For each sub-priority which continues to be high profile for 2016/17 there has been a review based on: -</p> <ul style="list-style-type: none"> • the reasoning for the priority status; • what we will do and how we will measure achievement; and • the risks that will need to be managed. <p>In addition there is a section on national policy issues which may impact our ability to deliver and achieve.</p>
1.08	<p>The Improvement Plan in totality is presented as 2 documents that are inter-related; firstly the 'public' version of our statements of intent around the 8 priorities and secondly the document that describes the targets and milestones on which achievement will be measured. This is the document that is used by Cabinet and Overview and Scrutiny Committees to monitor progress during the year.</p> <p>Appendix 1 is the draft Improvement Plan priorities 'Safe Communities' and 'Environment', including the 'How we will Measure Achievement' extract for these priorities.</p>
1.09	<p>The 'Safe Communities' priority for 2016/17 consists of one sub-priority 'Community Safety'.</p> <p>The 'Community Safety' sub-priority focuses on activities to: -</p> <ul style="list-style-type: none"> • Develop a plan to deliver the key outcomes of the North Wales Safer Communities Board (NWSCB) Community Safety Plan • Contribute to the delivery of the North Wales Community Safety Plan priorities • Reduce the fear of crime by making best use of the latest technologies including closed circuit television (CCTV) <p>The 'Environment' priority for 2016/17 consists of two sub-priorities 'Transport Infrastructure and Services' and 'Sustainable Development and Environmental Management'.</p> <p>The 'Environment' sub-priority focuses on activities to:-</p>

	<ul style="list-style-type: none"> • Establish an Environment working Group to ensure that the Council adopts an integrated approach to service delivery which meets the aims and objectives of the Single Environment Grant (SEG). • Establish an Environment working Group to ensure that the Council adopts an integrated approach to service delivery which meets the aims and objectives of the Single Environment Grant (SEG). • Reducing our carbon footprint.
1.10	The final Improvement Plan will be available as a web-based document published on the website before the end of June following endorsement by County Council.
1.11	<p>In addition to the performance measures in the Improvement Plan, the Council has a duty to collect and report annually on a number of statutory measures to Welsh Government:</p> <ul style="list-style-type: none"> • National Strategic Indicators (NSIs) • Public Accountability Measures (PAMs)
1.12	<p>Targets are set for the current year and the next year based on historical trend, comparative performance and local circumstances. Such considerations are detailed in the 'rationale' for the target.</p> <p>Classifications are also set for each performance indicator and the rationale for the selection is stated: -</p> <ul style="list-style-type: none"> • Improvement - current performance is poor and improvement is being targeted. • Incremental - current performance is fair but stepped, incremental improvement is being sought. • Maintenance - current performance is good and we are seeking to maintain that level. <p>Appendix 2 is a schedule of the national performance indicators for Environment and Streetscene.</p>

2.00	RESOURCE IMPLICATIONS
2.01	Resource implications have been considered during preparation of the Medium Term Financial Strategy and will continue to be monitored during the regular budget monitoring and financial planning arrangements.

3.00	CONSULTATIONS REQUIRED / CARRIED OUT
3.01	Following presentation of the initial draft to Cabinet on 19th April 2016, relevant sections of the Improvement Plan are now being presented to Overview and Scrutiny Committees for consultation and input.

4.00	RISK MANAGEMENT
4.01	<p>Delivery of the plan objectives are risk managed as part of each of the sub-priorities of the Improvement Plan. They are monitored and reported against quarterly to the Overview and Scrutiny Committees.</p> <p>The risks to the statutory requirements of the Plan include: not publishing the plan within statutory timescales (30 June) and not adhering to the prerequisite content. Both these risks are managed through adherence to well established procedures for i) publishing the Plan and ii) ensuring that the content of the plan reflects the requirements of the Measure.</p> <p>An additional risk is that Members do not endorse the Plan; consultation with Members both individually and as part of the Scrutiny process allows for full engagement.</p>

5.00	APPENDICES
5.01	<p>Appendix 1 – Improvement Plan 2016/17: ‘Safe Communities’ and ‘Environment’.</p> <p>Appendix 2 – Proposed national performance indicator targets for Streetscene, Public Protection, Planning and Carbon Reduction.</p>

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	<p>Contact Officer: Louise Mackie, Policy and Performance Support Officer Telephone: 01352 702154 E-mail: louise.mackie@flintshire.gov.uk</p>

7.00	GLOSSARY OF TERMS
7.01	<p>Improvement Plan: the document which sets out the annual priorities of the Council. It is a requirement of the Local Government (Wales) Measure 2009 to set Improvement Objectives and publish an Improvement Plan.</p>
7.02	<p>Corporate Assessment: in 2013/14 the Wales Audit Office (WAO) began a new four year cycle of Corporate Assessments of improvement authorities in Wales. An in depth Corporate Assessment reports on the Council’s track record of performance and outcomes as well as the key arrangements necessary to underpin improvements in services and functions. Flintshire’s first Corporate Assessment was conducted in late 2014 and the report on its outcomes was included in the Annual Improvement Report reported to Cabinet in March 2015.</p>
7.03	<p>Medium Term Financial Strategy: a written strategy which gives a forecast of the financial resources which will be available to a Council for a given period, and sets out plans for how best to deploy those resources to</p>

	meet its priorities, duties and obligations.
7.04	Wales Audit Office: works to support the Auditor General as the public sector watchdog for Wales. They aim to ensure that the people of Wales know whether public money is being managed wisely and that public bodies in Wales understand how to improve outcomes.

Priority: Safe Communities

Sub-Priority: Community Safety

Impact: Keep people and communities safe

This is a priority this year because we need to:

- Support victims of domestic abuse.
- Minimise the impact of substance misuse on the individuals, their families and communities in the County.
- Understand the requirements of the Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015.

National Issues:

- Sustainability of short-term grant funded schemes.

What we will do in 2016/17:

- 1) Develop a plan to deliver the key outcomes of the North Wales Safer Communities Board (NWSCB) Community Safety Plan.

Achievement will be measured through:

- Reviewing the performance of the delivery framework of the NWSCB
- Flintshire Public Service Board (PSB) adopting and following the key priorities of the regional Community Safety Plan

- 2) Contribute to the delivery of the North Wales Community Safety Plan priorities:
 - Reducing the impact of domestic abuse on high risk repeat victims.
 - Managing the impacts of substance misuse through improved service provision.
 - Managing the impacts of the Violence Against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015.

Achievement will be measured through:

- Addressing high risk repeat instances of domestic abuse
- Continuing to meet Welsh Government targets for 'completed treatments' and waiting times for substance misuse services.
- Agreeing a coordinated response to meeting the requirements of the Act

- 3) Reduce the fear of crime by making best use of the latest technologies including closed circuit television (CCTV).

Achievement will be measured through:

- Agreement of a forward plan for the resilience of the control room ([location and technology renewal](#))
- Agreement of a new business and funding plan for the future service
- Maintaining continuity of service during the service review
- Maintaining continuity of Council and Town and Community Council partnership funding during the service review

Risks to manage:

- Lack of sustainable funding to deliver nationally determined community safety priorities.

- Retention of experienced and skilled staff due to the short term grant funding regime.

What we mean by:

- **Substance Misuse** – the continued use of drugs or alcohol despite negative consequence to the individual using, their friends, family and the community.
- **CCTV** – to prevent and respond to crime and disorder.

Priority: Environment

Sub-Priority: Transport Infrastructure and Services

Impact: Safely accessing employment, local services and facilities

This is a priority this year because we need to:

- Maintain accessibility to and between employment, homes, leisure, health and social activities.
- Support and enable safe and affordable travel services.
- Minimise congestion and delays on our highway network.

National Issues:

- Sufficiency of national funding and investment for infrastructure improvement projects and transport services.

What we will do in 2016/17:

- 1) Access and use available grant funding to support Council priorities for accessing employment, health, leisure and education.

Achievement will be measured through:

- Submission of successful funding bids to WG for Local Transport funding.
- Successfully delivering schemes funded through the Local Transport Fund (infrastructure)
- Preparing the existing route map and integrated network map for “Active Travel” setting out our aspirations for improved walking and cycling infrastructure and facilities; having a positive impact on the resilience of wider transport network.
- Securing funding via the Rural and Community Development Fund (community transport)

- 2) Prioritise the Council’s road infrastructure for repairs and maintenance and implement programmes of work within available funding in order to improve the resilience, efficiency and reliability of the transport network.

Achievement will be measured through:

- Monitoring the condition of the highway’s infrastructure
- Undertaking inspections to ensure reinstatements meet the required standards and raise the standard of works undertaken on Flintshire’s network

- 3) Use available funding to support the Council’s priorities to improve road safety on the County’s highway network.

Achievement will be measured through:

- Delivering WG funded Grant Aided Safety Schemes to address collision trends and concentration on the road network through the Welsh Government’s Grant Aid Programme
- Delivering WG funded schemes identified as part of Safe Routes in Communities
- Delivering WG funded road safety initiatives to reduce the risk of collisions of high risk groups (measures for older drivers, newly qualified young drivers and motorcyclists)

- 4) Work closely with the communities to develop innovative and sustainable community transport schemes.

Achievement will be measured through:

- Working with interested local communities to develop a Community Transport Strategy
- Developing community transport schemes to compliment the core network of bus services
- Development of community transport "hubs" within available funding

Risks to manage:

- Sufficient funding to ensure our highways infrastructure remains safe and capable of supporting economic growth is not found.
- Sustainable transport options do not remain attractive to users.
- Sufficient funding will not be found to continue to provide subsidised bus services.

What we mean by:

Infrastructure: Facilities, systems, sites and networks that are necessary for the County to function.

“Active Travel”: Walking or cycling as an alternative means to motorised transport for the purpose of making every day journeys.

Community Transport: Passenger transport schemes which are owned and operated by local community groups.

Commercial bus services: following changes made in the 1980s, the majority of local bus services in Wales are commercially operated by bus companies.

Priority: Environment

Sub-Priority: Sustainable Development & Environmental Management

Impact: Protecting our local environment

This is a priority this year because we need to:

- Address the requirements of the sustainable development principles of the Wellbeing of Future Generation Act and Environment Bill.
- Balance the need for sustainable development with the protection of the natural environment.
- Continue to reduce our carbon emissions to meet Welsh Government targets and play our part in helping to address the consequences of climate change.

National Issues:

- Reduction of the Single Environment Grant whilst delivering the priority area of natural resource management.
- Reliance on external funding for large scale developments.
- Government cap on financial support for solar farms.
- Capacity and funding to address flood risks.

What we will do in 2016/17:

- 1) Establish an Environment working Group to ensure that the Council adopts an integrated approach to service delivery which meets the aims and objectives of the Single Environment Grant (SEG).

Achievement will be measured through:

- Gaining approval to the grant submission
- Establishing a Single Environment Group
- Monitoring progress and claiming the equivalent grant funding

- 2) Agree the Local Development Plan's vision and objectives, and options to accommodate growth.

Achievement will be measured through:

- Undertaking a renewable energy assessment for the LDP in partnership with Wrexham Council which will inform the pre-deposit and later deposit plan
- Agree a revised timetable and delivery agreement with Welsh Government leading to the pre-deposit plan
- Publicising the pre-deposit plan
- Completing the public consultation on the pre-deposit plan

- 3) Reducing our Carbon footprint.

Achievement will be measured through:

- Creating two solar farms on Flintshire County Council land
- Install an electricity link between Brook Hill Landfill site and Alltami Depot or agree a virtual private network with Scottish Power to fully utilise the energy generated and reduce costs
- Undertaking a heat mapping and master planning exercise in Flint to assess the potential opportunity for a biomass centre

- Creating a waste transfer station in Greenfield
 - Improving recycling performance
 - Reducing our carbon emissions
- 4) Reviewing the Flood Risk Management Strategy.
- Achievement will be measured through:***
- Completing Flintshire's Local Flood Risk Management Plans
 - Developing a list of priority flood alleviation schemes based on transparent criteria
- 5) Reducing the occurrence and impact of environmental crime.
- Achievement will be measured through:***
- Identification of environmental crime hotspots from local intelligence and service requests
 - Targeted enforcement campaigns in hotspot areas

Risks to manage:

- Reduction of the Single Environment Grant.
- Recycling programmes are not supported by the public and employees.
- Limitations on suitable Council sites with sufficient area for larger scale renewables schemes and suitable connections to the electric grid.
- Funding will not be secured for priority flood alleviation schemes.
- Customer expectations around the delivery of flood alleviation schemes are not effectively managed.
- Environmental crime programmes are not supported by the public and employees.

What we mean by:

Single Environment Grant: a WG grant to support integrated delivery of natural resource management, waste & resource efficiency and local environmental quality.

Renewable Energy Schemes: schemes designed to use energy from a source that is naturally replenished e.g. sunlight.

Carbon Reduction Commitment: a mandatory scheme aimed at improving energy efficiency and reducing emissions in large public sector and private organisation.

Energy Generation: generation of heat and electricity.

Biomass: biologically material derived from living or recently living organisms.

Waste Transfer Station: Facility to bulk and bale waste for onward transportation.

Environmental Crime: e.g. dog fouling, littering and fly tipping.

Priority	Sub-Priority	Impact
Safe Communities	Community Safety	Keep people and communities safe

What we will do in 2016/17:

1. Develop a plan to deliver the key outcomes of the North Wales Safer Communities Board (NWSCB) Community Safety Plan.

Achievement will be measured through:

- Reviewing the performance of the delivery framework by the NWSCB
- Flintshire Public Services Board (PSB) adopting and following the key priorities of the regional Community Safety Plan

Achievement Milestones for strategy and action plans:

- Reviewing of a delivery framework by the NWSCB by 01/10/2016
- Flintshire Public Services Board (PSB) adoption of the key priorities of the regional Community Safety Plan by 31/12/2016

2. Contribute to the delivery of the North Wales Community Safety Plan priorities:

- **Reduce the impact of domestic abuse on high risk repeat victims**
- **Manage the impacts of substance misuse through improved service provision**
- **Managing the impacts of the Violence Against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015.**

Achievement will be measured through:

- Addressing high risk repeat instances of domestic abuse
- Continuing to meet Welsh Government targets for 'Completed treatments' and waiting times for substance misuse services
- Agreeing a coordinated response to meeting the requirements of the Act.

Achievement Milestones for strategy and action plans:

- Agreeing a coordinated response to meeting the requirements of the Act by 31/03/17

Achievement Measures	Lead Officer	2015/16 Baseline Data	2016/17 Target	2017/18 Aspirational Target
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The percentage of high risk repeat victims of domestic abuse referred to the Flintshire MARAC (target is set in line with the Home Office target)	Chief Officer – Planning and Environment	18.6%	28%	28%
Achieving a waiting time of less than 20 days from referral to treatment (KPI 2)		84.7%	80% (WG target)	80% (WG target)
Achieving the Welsh Government target for the percentage of completed substance misuse treatments (80%) (KPI 6)		78.22%	80% (WG target)	80% (WG target)

3. Reduce fear of crime by making best use of the latest technologies including closed circuit television (CCTV).

Achievement will be measured through:

- Agreement of a forward plan for the resilience of the control room (location and technology renewal)
- Agreement of a new business and funding plan for the future service
- Maintaining continuity of service during the service review
- Maintaining continuity of Council and Town and Community Council partnership funding during the service review

Achievement Milestones for strategy and action plans:

- Agreement of a forward plan for the resilience of the control room (location and technology renewal) by 31/03/17
- Agreement of a new business and funding plan for the future service by 31/03/17

Quarterly summary progress monitoring:

- Maintaining continuity of service during the service review
- Maintaining continuity of Council and Town and Community Council funding during the service review

Priority	Sub-Priority	Impact
Environment	Transport Infrastructure and Services	Safely accessing employment, local services and facilities

What we will do in 2016/17:

1. Access and use available funding to support Council priorities for accessing employment, health, leisure and education.
<p>Achievement will be measured through:</p> <ul style="list-style-type: none"> • Successfully delivering schemes through the Local Transport Fund (infrastructure) • Preparing the existing route map and integrated network map for “Active Travel” • Securing funding via the Rural and Community Development Fund (community transport) <p>Achievement Milestones for strategy and action plans:</p> <ul style="list-style-type: none"> • Local Transport Fund – delivery of infrastructure schemes by 31/03/17 • Active Travel – production of the existing route map and integrated network map by 30/09/17 • Rural and Community Development Fund (community transport) – secure funding by 30/04/2016

2. Prioritise the Council’s road infrastructure for repairs and maintenance and implement programmes of work within available funding in order to improve the resilience, efficiency and reliability of the transport network.														
<p>Achievement will be measured through:</p> <ul style="list-style-type: none"> • Monitoring the condition of the highway’s infrastructure • Undertaking inspections to ensure reinstatements meet the required standards and raise the standard of works undertaken on Flintshire’s network 														
<table border="1"> <thead> <tr> <th>Achievement Measures</th> <th>Lead Officer</th> <th>2015/16 Baseline Data</th> <th>2016/17 Target</th> <th>2016/17 Aspirational Target</th> </tr> </thead> <tbody> <tr> <td>THS/012 - The percentage of principal (A) roads, non-principal (B) roads and non principal (C) roads that are in overall poor condition</td> <td rowspan="2">Chief Officer – Transportation & Streetscene</td> <td>7%</td> <td>8% *</td> <td>8% *</td> </tr> <tr> <td>Percentage of inspections undertaken to ensure reinstatements meet</td> <td>40%</td> <td>50%</td> <td>50%</td> </tr> </tbody> </table>	Achievement Measures	Lead Officer	2015/16 Baseline Data	2016/17 Target	2016/17 Aspirational Target	THS/012 - The percentage of principal (A) roads, non-principal (B) roads and non principal (C) roads that are in overall poor condition	Chief Officer – Transportation & Streetscene	7%	8% *	8% *	Percentage of inspections undertaken to ensure reinstatements meet	40%	50%	50%
Achievement Measures	Lead Officer	2015/16 Baseline Data	2016/17 Target	2016/17 Aspirational Target										
THS/012 - The percentage of principal (A) roads, non-principal (B) roads and non principal (C) roads that are in overall poor condition	Chief Officer – Transportation & Streetscene	7%	8% *	8% *										
Percentage of inspections undertaken to ensure reinstatements meet		40%	50%	50%										

required standards so as to improve the standard of works undertaken on Flintshire's network. (Results of these inspections are issued to promoters on a quarterly basis to promote best practice.)

**Due to reductions in funding the achievement of these reduced target still represents a very ambitious level of performance*

3. Use available funding to support the Council's priorities to improve road safety on the County's highway network.

Achievement will be measured through:

- Delivering WG funded Grant Aided Safety Schemes to address collision trends and concentration on the road network through the Welsh Government's Grant Aid Programme
- Delivering WG funded schemes identified as part of Safe Routes in Communities
- Delivering WG funded road safety initiatives to reduce the risk of collisions of high risk groups (measures for older drivers, newly qualified young drivers and motorcyclists)

Achievement Milestones for strategy and action plans:

- Delivering WG funded Grant Aided Safety Schemes to address collision trends and concentrations on the road network through Welsh Governments Grant Aid Programme by 31/03/17
- Delivering schemes identified as part of WG funded Safe Routes in Communities by 31/03/17

Achievement Measures	Lead Officer	2015/16 Baseline Data	2016/17 Target	2017/18 Aspirational Target
Road safety initiatives to reduce the risk of collisions of high risk groups:	Chief Officer – Transportation & Streetscene			
• Older drivers undertaking a driving assessment		27	27	N/A will depend on funding
• Newly qualified young drivers participating in Pass Plus		44	44	N/A will depend on funding
• Motorcyclists attending Bike Safe / FBOS Courses / Scooter Safe		63	63	N/A will depend on funding

4. Work closely with the communities to develop innovative and sustainable community transport schemes.

Achievement will be measured through:

- Working with interested local communities to develop a Community Transport Strategy
- Developing community transport schemes to compliment the core network of bus services
- Development of community transport "hubs" within available funding

Achievement Milestones for strategy and action plans:

- Work with local communities to develop a Community Transport Strategy by 31/03/17
- Developing community transport schemes to compliment the core network of bus services by 31/03/2017

Achievement Measures	Lead Officer	2015/16 Baseline Data	2016/17 Target	2017/18 Aspirational Target
Number of community transport "hubs" developed within available funding	Chief Officer – Transportation & Streetscene	N/A New Measure	5	5

Priority	Sub-Priority	Impact
Environment	Sustainable Development & Environmental Management	Protecting our local Environment

What we will do in 2016/17:

1. Establish an Environment working Group to ensure that the Council adopts an integrated approach to service delivery which meets the aims and objectives of the Single Environment Grant (SEG).

Achievement will be measured through:

- Gaining approval to the grant submission
- Establishing a Single Environment Group
- Monitoring progress and claiming the equivalent grant funding

Achievement Milestones for strategy and action plans:

- Gaining approval to the grant submission by 01/04/2016
- Establishing a Single Environment Group by 30/06/2016
- Monitoring progress and claiming the equivalent grant funding by 31/03/2017

2. Agree the Local Development Plan's vision and objectives, and options to accommodate growth.

Achievement will be measured through:

- Undertaking a renewable energy assessment for the LDP in partnership with Wrexham Council which will inform the pre-deposit and later deposit plan
- Agree a revised timetable and delivery agreement with Welsh Government leading to the pre-deposit plan
- Publicising the pre-deposit plan
- Completing the public consultation on the pre-deposit plan

Achievement Milestones for strategy and action plans:

- Undertaking a renewable energy assessment for the LDP in partnership with Wrexham Council which will inform the pre-deposit and later deposit plan by 30.09.2016
- Revisit the timetable and delivery agreement with Welsh Government by 31/03/17

- Publication of the pre-deposit plan by 31/03/17
- Completing the public consultation on the pre-deposit plan by 31.03.2017

3. Reducing our Carbon footprint.

Achievement will be measured through:

- Creating two solar farms on Flintshire County Council land
- Install an electricity link between Brook Hill Landfill site and Alltami Depot or agree a virtual private network with Scottish Power to fully utilise the energy generated and reduce costs
- Undertaking a heat mapping and master planning exercise in Flint to assess the potential opportunity for a biomass centre

Achievement Milestones for strategy and action plans:

- Two solar farms to be operational by 31/11/16
- Install an electricity link between Brook Hill Landfill site and Alltami Depot or agree a virtual private network with Scottish Power to fully utilise the energy generated and reduce costs by 31/03/17
- Undertaking a heat mapping and master planning exercise in Flint to assess the potential opportunity for a biomass centre by 31/12/16

Achievement Measures	Lead Officer	2015/16 Baseline Data	2016/17 Target	2017/18 Aspirational Target
EEFLM1 - Carbon Reduction Commitment - Reduce our carbon footprint through delivery of our Carbon Reduction Strategy (non-domestic portfolio)	Chief Officer – Planning & Environment	1.14% (reduction) 19.67% (cumulative reduction weather corrected)	4% reduction	60% cumulative reduction by 2021

4. Reviewing the Flood Risk Management Strategy

Achievement will be measured through:

- Completing Flintshire's Local Flood Risk Management Plans

- Developing a list of priority flood alleviation schemes based on transparent criteria

Achievement Milestones for strategy and action plans:

- Complete Flintshire's Local Flood Risk Management Plans by 01/07/16
- Development of a list of priority flood alleviation schemes based on transparent criteria by 31/03/17

5. Reducing the occurrence and impact of environmental crime.

Achievement will be measured through:

- Identification of environmental crime hotspots from local intelligence and service requests
- Targeted enforcement campaigns in hotspot areas

Quarterly summary progress monitoring:

- Identification of environmental crime hotspots from local intelligence and service requests
- Targeted enforcement campaigns in hotspot areas

Ref.	Short Description	Unit of Measure (e.g. %, Days etc)	Direction of Positive Performance	Outturn Value 2013/14	Target 2014/15	Outturn Value 2014/15	Quartile Position Achieved 2014/15	Wales Average 2014/15	Best in Wales Value 2014/15	Top Quartile Value Wales 2014/15	Target 2015/16	Year End Outturn Value 2015/16 (if available)	Target 2016/17	Target Rationale for 2016/17 Please ensure the rationale includes reasons: (1) where top quartile performance is not being targeted (2) where the target is poorer performance than achieved previously	Aspirational Target 2017/18	Target Classification (current)	Target Classification (proposed)	Classification Rationale	NSI / PAM / Local	
CARBON REDUCTION																				
EEFLM1	Carbon Reduction Commitment - Reduce our carbon footprint through delivery of our Carbon Reduction Strategy (non domestic portfolio)	%	Higher	1.51% (increase in year)	21% cumulative reduction	18.53% (cumulative reduction)	0.43% (reduction)	18.96 (cumulative reduction weather corrected)	Not Applicable - Local Indicator			5%	TBC	4%	Targets have been set in line with the Carbon Reduction Strategy. It is anticipated that ongoing good housekeeping in addition to new technical upgrades will maintain progress. Rationalisation of assets and the CAT programme, whilst initially delayed, will in due course assist in the achievement of the future years targets contributing to the overall target of 60% by 2021. However, the achievement of this target will be subject to additional renewable energy capital projects for which investment will be required.	60% by 2021	Improvement	Improvement		Local
CAM037	The percentage change in the average Display Energy Certificate (DEC) score within local authority public buildings over 1,000 square metres	%	Lower						New PI in the PAM set for 2015/16			2%	TBC	2%	Given the volatile nature of the many factors that can effect the outcome of this measure particularly in relation to school buildings, the target of 2% is being retained until the year end outturn becomes available.	2%	Improvement	Maintenance	Given the volatile nature of the many factors that can effect the outcome of this measure particularly in relation to school buildings, it may be more realistic to move to a maintenance target particularly given the decreasing budgets available to the team to initiate energy improvement	PAM
PLANNING																				
PLA/004b Quarterly	The percentage of minor planning applications determined during the year within 8 weeks	%	Higher	62.05%	66%	71%					66%	TBC	N/A	Being replaced by new Welsh Government measures	N/A	Not Set	Delete		Local	
PLA/004c Quarterly	The percentage of householder applications determined within 8 weeks	%	Higher	92.46%	91%	95%					91%	TBC	N/A	Being replaced by new Welsh Government measures	N/A	Not Set	Delete		Local	
PLA/003 Quarterly	The percentage of Planning Appeals determined during quarter which uphold the Authority's decision	%	Higher	73.53%	66%	55%					66%	TBC	N/A	Being replaced by new Welsh Government measures	N/A	Improvement	Delete		Local	
New Measure	The percentage of minor and householder planning applications determined within 8 weeks	%	Higher	N/A	N/A	N/A					N/A	N/A New Measure	80%	This new measure combines the two measures that previously recorded separate performance for minor applications and householder applications. Performance against the majors target has been lower than that of the householder target therefore the new target is set at 80% to reflect this. The move to a new structure will also help	85%	Not Set	Improvement	The move to a new structure and the introduction of new procedures should enable performance to continue to improve in this category		
New Measure	The percentage of major planning applications determined within 8 weeks (16 weeks for those requiring EIA)	%	Higher	N/A	N/A	N/A					N/A	N/A New Measure	60%	A lower target has been set for the major applications given the many factors that can lead to determination outside of the 8 week period. WG acknowledge the difficulty in achieving an 8 week determination particularly in those applications requiring S106 agreements where traditionally the decision date was recorded once the agreement has been signed. WG now allow for the resolution date to be recorded as the decision date. Compulsory pre-application procedures should also allow for quicker determination and the ability to agree extension of time to determine the application with developers, should both assist in reaching this target.	65%	Improvement	Improvement	The move to a new structure and the introduction of new procedures should enable performance to continue to improve in this category		
New Measure	The percentage of Enforcement cases resolved in 180 days	%	Higher	N/A	N/A	N/A					N/A	74%	75%	Further advice is awaited on the definition of resolution as there have been discussions across the Welsh Authorities as to when a case can be signed off as resolved. However, given the year end outturn of 74%	76%	Incremental	Incremental	Expected that 2016/17 will be a transitional year with the move to a new structure and the development of new procedures and closer collaboration with the Building Control		
PLA/006b Annually	The number of additional affordable housing units provided during the year as a percentage of all additional housing units provided during the year	No. of homes	Higher	22 homes	Not Set	39 homes	Lower Middle Quartile	41	93	49	TBC	TBC	N/A - Mgt Info	There is no specific target set as part of the LDP which is now time expired. We are in the process of developing the LDP and ascertaining the correct level of housing land availability. The affordable housing	N/A - Mgt Info	Not Set	Management Information	See target rationale	PAM & NSI	
PUBLIC PROTECTION																				

PPN/009 Quarterly	The percentage of food establishments which are 'broadly compliant' with food hygiene standards. * Ranked 7th in Wales for 2014/15	%	Higher	85.7%	80%	95.61%	Upper Middle Quartile	94.19%	98.02%	96.03%	93%	96.50%	96%	Aiming for 96.5% - ie same as this year to ensure we are within the top quartile in Wales.	96%	Maintenance	Maintenance	We are already in the top quartile. As some factors relating to the calculation of this indicator are outside of our control (eg the number of new food businesses starting up and the number of applications for rating inspections received), it is consid	PAM
STREET CLEANLINESS																			
STS/005b Annually	The percentage of highways inspected of high or acceptable standard of cleanliness * Ranked 15th in Wales for 2014/15	%	Higher	92.9%	95%	95%	Lower Middle Quartile	96.9%	99.7%	98.3%	95%	93.90%	95%	Performance has significantly improved moving us to 7/22 in Wales but given the subjective nature of this target in that the rating is based on one inspection of the highways that can occur at any time of day on any Highway then this is a realistic target.	95%	Maintenance	Maintenance		PAM
STS/006 Quarterly	The percentage of reported fly tipping incidents cleared within 5	%	Higher	95.81%	95%	97.7%	Upper Middle Quartile	93.05%	100%	97.72%	99%	99%	100%	Strive to reach a 100% return on this target given the current level of 99%	100%	Maintenance	Maintenance		NSI
SSSLM1	Compliance with Flintshire County Council Street scene Standards	%	Higher	80.00%	100%	80%	Not Applicable - Local Indicator				80%	TBC	90%	It is intended that service improvements will be made this year to comply with the standards following improvement to monitoring arrangements and ways of working.	100%	Not Set	Improvement	It is intended that service improvements will be made this year to comply with the standards following improvement to monitoring arrangements and ways of working.	Local
HIGHWAYS																			
THS/012 Annually	The percentage of principal (A) roads, non-principal (B) roads and non principal (C) roads that are in overall poor condition * Ranked 1st in Wales for 2014/15	%	Lower	4.3%	6%	4.5%	Top Quartile	11.9%	4.5%	6.5%	7%	7%	8%	Decreasing budget from Welsh Government will limit the amount of works that can be carried out on maintaining the condition of our highways hence the new, reduced target.	8%	Incremental	Maintenance	The aim is to maintain the condition of the roads at current target level given the level of funding that we receive. 8% is the acceptable level of standard as set by Welsh Government	PAM
THS/007 Annually	The percentage of adults aged 60 or over who hold a concessionary travel pass * Ranked 17th in Wales for 2014/15	%	Higher	75.5%	78%	79.5%	Bottom Quartile	85.8%	100%	90.6%	79%	TBC	80%	Take up of bus passes to date against the mid-year population indicates that this is a realistic target given the rural constraints.	81%	Incremental	Incremental	Whilst remaining an area for improvement, changes to the funding of concessionary bus passes may impact on the ability to improve on past performance therefore improvement is to be sought on an incremental basis.	NSI
WASTE																			
WMT/004b Quarterly	The percentage of municipal waste collected by local authorities sent to	%	Lower	41.67%	40%	42.28%	Bottom Quartile	29.38%	10.32%	15.18%	39%	TBC	5%	Performance significantly improved for 2015/16. This is as a result of all residual 2016/17 will see a full year of residual waste treatment resulting in improved performance.	5%	Incremental	Improvement	Change to improvement as we no longer see landfill as our main point of	NSI &
WMT/009b Quarterly	The percentage of municipal waste collected by local authorities and prepared for reuse and/or recycled, including source separated bio	%	Higher	55.13%	59%	55%	Lower Middle Quartile	56.24%	65.87%	58.82%	59%	58%	60%		62%	Incremental	Incremental	The target is to remain as incremental given that the Welsh Government have set a target of 70% to be achieved by 2025.	NSI & PAM



MEETING

Date of Meeting	Wednesday 11 th May 2016
Report Subject	Planning Enforcement
Cabinet Member	Cabinet Member for Environment
Report Author	Chief Officer Planning and Environment
Type of Report	Operational

EXECUTIVE SUMMARY

A report was presented to the April meeting of the Planning Strategy Group (PSG) advising of the intention to review the Council's Planning Enforcement Policy for reasons relating to recent changes in legislation, the proposed restructuring of the Development Management service and changes in the way the performance of planning enforcement is reported. This intention was supported by PSG and is presented again in the report below by way of a context for the performance of the service for the period 2015/2016. A list of cases dealt with will be presented at the Committee.

The current Planning Enforcement Policy (Appendix 1) sets out the nature of the service, the tools available to deal with breaches of control and the commitments over how the service will operate; what can be done (and can't be done) and the expectations which service users will hold. It is proposed to adopt a less formal approach in revising the policy and to review the priorities over the response to certain breaches in order to provide a more realistic picture of what can be achieved within the resources available. An example of this alternative approach, Brighton and Hove's Enforcement policy, is included in Appendix 2.

Current performance against the recognised performance indicators (PIs) is reported, along with an explanation of how the indicators are interpreted. It is accepted that the figures may not give the full picture of how the enforcement service is performing, or indeed how it is sometimes perceived, but Members are asked to recognise the need for a structured approach through the Policy, which allows resources to be applied appropriately and consistently throughout the County.

RECOMMENDATIONS

1	That the Authority's Planning Enforcement Policy be reviewed and updated along the lines suggested below and that a draft of the new policy be reported to the committee for further endorsement, to allow it to be taken forward for adoption.
2	That the performance of the planning enforcement service against the published indicators for the year 2015/2016 be noted.

REPORT DETAILS

1.00	EXPLAINING THE PROPOSED CHANGES TO PLANNING ENFORCEMENT POLICY AND PROCEDURE AND REPORTING ON CURRENT PERFORMANCE
1.01	The current 'Policy for the operation of the Planning Enforcement Service' was approved by the Council's Executive in December 2005 and it continues to be relevant and applicable in most cases, reflecting the general principles behind effective planning enforcement. Most Local Planning Authorities have a similar policy, although the size of enforcement teams and the management structure will obviously vary. Under the proposed structure for the Development Management Service (which includes Planning Enforcement) the enforcement role will be assimilated into the two new Area Development Control teams (which themselves replace the existing 'Major Applications' and 'Other Applications' teams).
1.02	Other significant changes affecting planning enforcement result from recent legislative changes which follow the Planning Act (Wales), introducing certain new powers (such as the Temporary Stop Notice and Enforcement Warning Notice (EWN)). Finally, there has recently been a review of the way in which an Authority's enforcement performance is measured, with a new set of performance indicators (PIs) against which we submit quarterly returns to Welsh Government(WG)
1.03	<p>The Enforcement Policy essentially sets out the approach we will take in relation to breaches of planning control in Flintshire. Ideally, there would be no breaches but when and where they do occur they can impact on people's lives in a very direct way as well as having a more general impact on the environment. There are also legal repercussions in a failure to adhere to the terms of a planning permission and in addressing breaches of planning control there are certain legal requirements which have to be followed. Enforcement controls seek to balance the concerns of local people, and the rights and amenity of landowners and householders against the need to encourage and allow appropriate development under proper planning control.</p> <p>It is intended that the revised policy should take a less formal and less</p>

1.04	<p>detailed approach in some parts, in line with the approach taken in some other authorities (See Appendix 3). This proposed approach is reflected to some extent in the way in which we currently display information on Enforcement on our Planning website, as illustrated in the extract below:</p>
1.05	<p><i>“Flintshire Planning Enforcement</i></p> <p><i>Some people fail to ask for the necessary permission before carrying out works or starting an activity. Others may receive planning permission but fail to act in compliance with the permission or some conditions that may have been imposed. The Planning Enforcement Service deals with these breaches.</i></p> <p><i>Investigating alleged breaches of planning control</i></p> <p><i>It is not a criminal offence to carry out development, which should have first been the subject of planning permission, but it will become a criminal offence if an Enforcement Notice is not complied with. Enforcement action is normally taken as a last resort but there may be cases where formal action is necessary from the outset. Investigations are carried out in accordance with the Police and Criminal Investigations Act and in some cases may result in prosecutions. All reported breaches of planning control will be investigated. For each individual case, we will:</i></p> <ul style="list-style-type: none"> <input type="checkbox"/> <i>Register all written complaints.</i> <input type="checkbox"/> <i>Treat all complaints as confidential within the Council.</i> <input type="checkbox"/> <i>Acknowledge complaints within 3 working days (providing contact names and addresses are provided).</i> <input type="checkbox"/> <i>Carry out site visits and investigations on a priority basis.</i> <input type="checkbox"/> <i>Request the submission of a retrospective application where there is a likelihood of permission being granted.</i> <input type="checkbox"/> <i>Inform the complainant by letter when a retrospective application has been received.</i> <input type="checkbox"/> <i>Where necessary, we will take enforcement action by serving the appropriate legal notice specifying what needs to be done and by when.</i> <input type="checkbox"/> <i>Inform the complainant when enforcement action has been taken and when the Enforcement Notice takes effect.</i> <input type="checkbox"/> <i>Handle enforcement appeals and keep the complainant aware of the proceedings.</i> <input type="checkbox"/> <i>Notify all complainants when the investigations have been completed (providing contact names and addresses are provided).</i> <input type="checkbox"/> <i>Take Enforcement Action as appropriate when necessary.”</i>
1.06	<p>Recent changes in legislation (including new enforcement powers) will also require changes to the way in which we undertake the enforcement role. The most significant changes following the recent raft of secondary legislation from an enforcement perspective are :</p> <ul style="list-style-type: none"> <input type="checkbox"/> The requirement for a ‘major’ developer to give notice of the commencement of development, aimed at avoiding the uncertainty over this on occasions. It will, however, involve the Authority’s officers visiting the development site to ascertain whether the works referred to are sufficient to constitute a commencement of development for the purposes of the legislation <input type="checkbox"/> The requirement for a ‘major’ developer to display a copy of the decision notice and plan (which must be updated each time a change occurs, a condition is discharged, etc.) at the site, where it can be viewed from a public place. This recognises the interest local people

	<p>will have in a development and effectively encourages them to monitor the development. In theory, this might assist the enforcement service in having “eyes and ears on the ground”, but it is suspected that the service will get a significant increase in the number of callers who believe that a planning permission or certain conditions are not being complied with and it will be down to the officers to check whether or not this is the case</p> <ul style="list-style-type: none"> <input type="checkbox"/> The introduction of the new House in Multiple Occupation (HMO) class places an obligation on local planning authorities to regulate those properties which are being occupied in breach of the new definition <input type="checkbox"/> The introduction of the Enforcement Warning Notice (EWN) to be served where an unauthorised development could potentially be made acceptable through the imposition of conditions if a planning application were to be made. 									
1.07	<p>Since the original Enforcement Policy was drafted there have been changes in the way Welsh Government collects performance data for publication and comparison. As well as introducing the new Sustainable Development Indicators (SDI) the enforcement performance is now measured against two indicators :</p>									
	<table border="1"> <thead> <tr> <th data-bbox="320 929 676 1003">PERFORMANCE INDICATOR (No.)</th> <th data-bbox="676 929 1032 1003">FLINTSHIRE 2015/2016</th> <th data-bbox="1032 929 1385 1003">WELSH AVERAGE 2015/2016</th> </tr> </thead> <tbody> <tr> <td data-bbox="320 1003 676 1151">(15). Percentage of enforcement cases investigated within 84 days</td> <td data-bbox="676 1003 1032 1151">77.4%</td> <td data-bbox="1032 1003 1385 1151">Not published</td> </tr> <tr> <td data-bbox="320 1151 676 1299">(17). Percentage of enforcement cases resolved within 180 days</td> <td data-bbox="676 1151 1032 1299">83.3%</td> <td data-bbox="1032 1151 1385 1299">Not published</td> </tr> </tbody> </table>	PERFORMANCE INDICATOR (No.)	FLINTSHIRE 2015/2016	WELSH AVERAGE 2015/2016	(15). Percentage of enforcement cases investigated within 84 days	77.4%	Not published	(17). Percentage of enforcement cases resolved within 180 days	83.3%	Not published
PERFORMANCE INDICATOR (No.)	FLINTSHIRE 2015/2016	WELSH AVERAGE 2015/2016								
(15). Percentage of enforcement cases investigated within 84 days	77.4%	Not published								
(17). Percentage of enforcement cases resolved within 180 days	83.3%	Not published								
1.08	<p>There has been some confusion over the way in which these indicators are to be interpreted and there is clearly a need for a consistent approach to allow comparison with other Authorities’ performance. The latest WG guidance defines “investigated” (PI 15) as the LPA having received an enforcement complaint “by whatever means of communication” and having concluded and notified the complainant that:</p> <ul style="list-style-type: none"> <input type="checkbox"/> No breach of planning control has occurred <input type="checkbox"/> A breach has occurred but planning enforcement action is not expedient <input type="checkbox"/> A breach has occurred and planning enforcement action will need to be pursued 									
1.09	<p>Performance Indicator 17 identifies the end to end response to confirmed breaches of planning control, following their initial investigation as defined in Indicator 15, to their final resolution. “Resolved” is therefore one of the following positions:</p> <ul style="list-style-type: none"> <input type="checkbox"/> planning permission is subsequently granted through a planning application or enforcement appeal <input type="checkbox"/> an enforcement notice or breach of condition notice is complied with by the developer 									

1.10

- the breach of control is ceased by the developer
- direct action by the authority removes the breach of control.

The final aspect of the review which needs to be addressed here is the priority to be afforded to the types of complaint. The current practice is identified in Appendix 1 of the existing policy (which is appended to this report). It is proposed that this would be revised, possibly along the lines shown in the table below:

Priority	Type of Breach	Action
1	<ul style="list-style-type: none"> <input type="checkbox"/> Breaches that cause serious harm to the local environment because of noise, smell, visual impact etc. <input type="checkbox"/> Breaches that are contrary to well established planning policies and in designated areas, such as SSSI, AONB. Protected species, etc. <input type="checkbox"/> Breaches that seriously compromise the integrity of a Listed Building, Scheduled Monument, TPO, etc. <input type="checkbox"/> Development that may result in a threat to public and highway safety 	Site visit within 3 working days
2	<ul style="list-style-type: none"> <input type="checkbox"/> Breaches that are not causing serious harm but would nonetheless be unlikely to receive planning permission <input type="checkbox"/> Use of land and/or buildings adversely impacting on residential amenity by reason of noise and disturbance <input type="checkbox"/> Non-compliance with pre-commencement Conditions and other restrictive conditions imposed on planning permissions <input type="checkbox"/> Unauthorised advertisements which are detrimental to highway safety or visual amenity 	Site visit within 5 working days
3	<ul style="list-style-type: none"> <input type="checkbox"/> Breaches which would be likely to receive planning permission if an application was to be submitted 	Site visit within 15 working days

1.11

There are a number of reasons for revisiting the priorities, not least the fact that the Enforcement Team has reduced in size and will under the new structure be assimilated into the two Area Development Control Teams. At this stage it is envisaged that the compliance aspect of enforcement will very much become part of the application case officer's responsibilities within the concept of seeing the development through from inception to completion.

1.12

Those enforcement cases which arise from unauthorised development and are not followed by a retrospective planning application, will be allocated to a case officer and receive a high priority if applicable, but this will be in the context of the need also to prioritise the positive aspects of the Development Management Service – facilitating speedy planning permissions for sustainable development, employment creation, etc.

1.13	<p>A comparison with other Authorities shows that, in some, the highest priority commands a response only within the first week. Clearly, each Authority must set its own targets in accordance with its resource levels, but it is felt that revised time scales will present a more realistic picture of what can be expected and what can be achieved. In this respect it is important that elected members continue to acknowledge the provisions of the policy so that they can advise their constituents of what response they can expect following receipt of a complaint. The policy will make it clear that certain issues are not covered by planning enforcement and although it is difficult for some members of the public to understand and accept this, unless it is made clear at the outset the resources will not necessarily be available to address those cases that are of a higher priority.</p>
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2.00	RESOURCE IMPLICATIONS
2.01	No direct resource implications from the recommendations of this report.

3.00	CONSULTATIONS REQUIRED / CARRIED OUT
3.01	<p>As the Planning Enforcement Policy is essentially a statement of how we will address infringements of planning and other legislation based largely on factors which are beyond its remit, there can be no requirement for external consultation. Officers of various services affected by the policy will be consulted along with their relevant Cabinet Members where appropriate. The intention is to report the draft policy through Planning Strategy Group and this Committee before taking it forward for adoption.</p>

4.00	RISK MANAGEMENT
4.01	<p>The risk to the environment, the amenities of residents and the reputation of Flintshire County Council through not having an effective enforcement service and clear policies which control this.</p> <p>This is addressed through updating the Planning Enforcement Policy to take account of the proposed structure and resources in setting realistic commitments over the operation of the service.</p>

5.00	APPENDICES
5.01	<p>Appendix 1 – Current ‘Policy for the Operation of the Planning Enforcement Service’</p> <p>Appendix 2 – Example of an alternative approach to an enforcement policy – Brighton and Hove Council</p>

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	<p>Contact Officer: Glyn P. Jones – Planning Development Manager Telephone: 01352 703248 E-mail: glyn.p.jones@flintshire.gov.uk</p>

7.00	GLOSSARY OF TERMS
7.01	<p>Council Executive – The governance body which preceded the current Cabinet structure</p> <p>Local Planning Authorities – the 22 Unitary Authorities and 3 National Park Authorities within Wales which have the statutory duty to undertake the land use planning function.</p> <p>Temporary Stop Notice – an enforcement power which can require the immediate cessation of an unauthorised development where significant harm is being caused</p> <p>Enforcement Warning Notice – an enforcement power which seeks to avoid the need for a formal Enforcement Notice where the unauthorised development might be acceptable subject to the grant of conditional planning permission</p> <p>‘Major’ development – In terms of residential development 10 dwellings or more and development of similar scale in other categories</p> <p>House in Multiple Occupation – a dwelling which is being occupied by three or more people who are living independently but sharing some facilities</p> <p>SSSI – an area designated as a Site of Special Scientific Interest because of a particular feature of natural or ecological significance</p> <p>AONB – An area designated as an Area of Outstanding Natural Beauty, which carries additional planning controls</p> <p>Listed Building – A building of architectural or historic interest which is protected by legislation</p> <p>Scheduled Monument – An ancient monument (castle, dyke, etc.) which is protected by legislation</p> <p>TPO – A tree or group of trees which is significant in visual or amenity terms and is protected by a Tree Preservation Order</p>

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Policy for the operation of the Planning Enforcement Service

Approved by Executive

13th December 2005



Directorate of Environment and Regeneration

November 2005

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1. Introduction

1.1 In order for the British Planning system to work effectively and for the community to have confidence in it, it is necessary that breaches of planning control are properly enforced. It is the Council's Policy to pursue effective and appropriate planning enforcement action to remedy the undesirable effects of unauthorised development and activities, and to deter those who would otherwise seek to undermine the operation of the British planning system.

1.2 In Flintshire the most up to date planning policies are contained in the Flintshire County Council Unitary Development (Deposit Draft) and in the main these are implemented through the development control process. The Council expects applications for planning permission to be submitted where this is required by legislation and to comply with the policies and provisions of the plan and any relevant supplementary planning guidance. The Council furthermore expects development that is granted planning permission to be carried out in accordance with any conditions imposed. It is the Council's policy to be as proactive as possible in monitoring compliance with those conditions.

1.3 Policy IMP2 (Compliance and Enforcement) of the Flintshire UDP (Deposit Draft) states:-

"The Council will seek to monitor planning compliance and use its enforcement powers to control unauthorised development and use of land and buildings, to ensure that development is carried out in accordance with planning legislation".

This Unitary Development Plan Policy and the procedural operation of the enforcement service is fully in line with Planning Policy Wales (March 2002), Planning Guidance (Wales) Technical Advice Note 9 – Enforcement of Planning Control (October 1997) and Welsh Office Circular 24/97 Enforcing Planning Control – Legislation Provisions and Procedural Requirements: December 1997.

Furthermore the Council fully endorses the Planning Officers Society – Wales, Model Planning Enforcement Standards for Wales, and this Flintshire Enforcement Policy builds on the standards and operational requirements of that document.

2. Purpose of the Flintshire Policy for Planning Enforcement

2.1 There is a considerable extent of legislative requirements regarding the operation of planning enforcement and the extent of available powers. Nevertheless there is a need for customers of the service, whether they be people reporting suspected breaches of control, those causing the breach or the community itself, to understand the means by which breaches of planning control are investigated by the Council, the range of powers and penalties that may be used and the standards of service which the Council aims to achieve.

2.2 This Policy therefore sets out what planning enforcement does and does not do, how reported breaches are dealt with, the criteria used for assessing priorities and how both reactive and proactive action may be taken. Furthermore this Policy sets out how we aim to deal with our customers, the measures the Council will use to protect its staff employed to carry out Council policy and the way the achievements of the enforcement service will be monitored and reported.

3. What Planning Enforcement Does/Does Not Do

3.1 The Council policy for planning enforcement is not to punish persons for doing unauthorised work but, in the interests of the general public, to remedy the undesirable effects of a breach occurring in the first place. Whilst there is a considerable range of enforcement powers available to the Council, formal enforcement action will normally be used as a last resort, unless it is absolutely necessary from the outset. Whilst the enforcement of planning law is a statutory function of the Council, the decision to pursue such action is discretionary. The judgement and decision to exercise such formal powers are based on a wide range of complex variables and the power to take Enforcement Action has been delegated by the Council to the Chief Planning Services Officer.

- 3.2 The decisive issue for the Council must be whether the breach of control unacceptably affects quality of life to a material extent. It is usually inappropriate to take formal enforcement action against a trivial or technical breach of control that causes no harm to the wider amenity.
- 3.3 Understandably people may have genuine concerns and anxiety about activities that they believe affect them. However, planning enforcement can only be considered against matters that are breaches of planning control. Many issues that are of concern to residents are matters outside of planning control and accordingly concerns about these issues should be reported to the appropriate organisation or section of the Council.
- 3.4 The Planning Division will therefore investigate, in appropriate circumstances, all alleged breaches of planning control which include:-
- Building works and uses of land carried out without planning permission.
 - Building works and uses of land being carried out not in accordance with planning permission.
 - Unauthorised advertisements (not within the highway) on land and buildings.
 - Flyposting.
 - Untidy land which adversely affects the amenity of a neighbourhood.
 - Unauthorised alterations to listed buildings.
 - Unauthorised works to buildings and trees within conservation areas.
 - Unauthorised works to a tree subject to a Tree Preservation Order.
 - Unauthorised mineral extraction and disposal of waste on land outside the highway.
- 3.5 The Planning Division does not investigate the following matters. Concerns regarding these should be directed to the appropriate body (as named in brackets).
- Activities and advertisements on the highway (Highway Department).
 - Noise disturbance, pollution and hygiene problems (Environmental Health Pollution Control or Environment Agency).
 - Dangerous buildings (Environmental Health/Building Control).
 - Disputes concerning ownership of land, including ownership of boundary fences etc. (Civil Matters).
 - Issues concerning housing owned by the Council (Community & Housing).
 - Public buildings and land owned by the Council (Community & Housing).
 - Disturbance resulting from anti social behaviour (Police).

4. Dealing with Reported Breaches of Planning Control

4.1 Receipt of Reported Alleged Breach

- 4.1.1 It is Council policy to expect all reported breaches of planning control to be in writing giving details of their name and address as well as the issue of concern and how it is affecting their and the wider communities amenity.
- 4.1.2 The Council encourages the use of a standard report form to assist members of the public and Council members to provide a basic level of information on alleged

breaches of planning control to enable an assessment of the issue to be made by officers.

4.1.3 Anonymous reports are discouraged by the Council and in all cases efforts will be made to seek information relating to the name and address of the person reporting the breach. In cases where anonymous reports are received, a report record will be made but the decision to investigate or progress the issue may well be influenced by the absence of appropriate information.

4.1.4 It is the policy of the Council that all reported breaches of Planning Control are confidential and personal details are considered exempt and will not be disclosed under the Freedom of Information Act at this stage. In the event of formal enforcement action being taken and the Council having to rely on evidence submitted, disclosure of personal detail may be made but in such cases agreement of the reporter will be sought prior to its use.

4.1.5 On receipt of a reported breach of planning control a data base record will be created and the case given a unique reference number. The investigation process may not commence however until such time as a written details of the alleged breach of planning control has been received to enable the following information to be recorded:

- The reporters name, address and telephone number.
- The date of receipt of the written report of alleged breach.
- The subject property/site/address.
- Details of the persons/organisation carrying out the alleged breach (if known).
- Details of the alleged breach.
- The environmental harm being caused by the alleged breach to:
 - The reporter and
 - The wider community.
- Any other relevant information.

4.1.6 The Council expects that the same principles for progressing alleged breaches will be followed by Members, other sections and departments of the Council, other Government or statutory agencies and Town and Community Councils. Relevant details submitted via electronic mail to (planningenforcement@flintshire.gov.uk) will be viewed as an appropriate written report.

4.2 Acknowledgement of Alleged Breach of Planning Control

4.2.1 The Council aims to acknowledge receipt of a written report of an alleged breach of planning control within 5 working days. The acknowledgement letter will provide the unique reference number, which should always be quoted in any contact, as well as the name of the investigating officer assigned to initially investigate the case.

4.2.2 An alleged breach reported by telephone will not be acknowledged, however reports of alleged breaches of planning control made in person at the Council offices via the use of the standard reporting form will be acknowledged.

4.2.3 Acknowledgement letters will detail the priority rating assigned to the case (as set out in Appendix 1) which will be assessed having regard to the information and details made available to the Council. In the event of the enforcement assessment of the case justifying a higher or lower priority rating the person reporting the alleged breach will be notified.

- 4.2.4 In instances where the reported alleged breach is assigned as a Priority 1 case the Council will aim to carry out an initial site visit within 2 working days. In Priority 2 cases the aim will be to carry out an initial site visit within 5 working days and in Priority 3 cases an initial visit within 15 working days is the aim of the Council, however the ability to progress Priority 3 cases will be dependant on the volume of higher priority cases under investigation.
- 4.3 Keeping the Person Reporting the Breach and Local Members Informed
- 4.3.1 Following acknowledgement and investigation the person reporting the alleged breach of planning control will be kept informed of progress. The Council will aim to provide a written update of progress at 6 weekly intervals following acknowledgement. However it may well be that the investigating officer will be in more frequent contact as the case progresses or that the case may have been resolved within that time.
- 4.3.2 Where a local Member has expressed in writing interest in an alleged breach of Planning Control either themselves or on behalf of other parties. The Council will aim to keep him/her informed of progress within a compatible time scale to that set out in 4.3.1.
- 4.3.3 In the event of enforcement investigations moving to a formal stage of the Enforcement process Local Members will be kept updated of progress at key stages of the process.
- 4.4 Case Progression
- 4.4.1 It is the policy of the Council to ensure that all alleged breach of control investigations are conducted in a methodical and robust way. Depending on the nature of the reported alleged breach the investigation may be relatively straightforward or could be complex involving extensive research or monitoring over a length of time. Whilst the way each case under investigation is progressed may well vary, the general approach will be in accordance with internal office procedures based on the advice and recommendation of the POSW Model Planning Enforcement Standards for Wales and which have had regard to national advice contained within Planning Guidance (Wales) and Technical Advice Note (Wales) 9 – Enforcement of Planning Control.
- 4.4.2 Investigation officers will carry out site visits, as necessary, to establish whether a breach of planning control has occurred and to ascertain the nature of any remedial action that may be appropriate to remedy any breach. In undertaking such site visits officers will identify themselves as well as the reason for the visit. In this regard officers are authorised by the Council to undertake site inspections for enforcement purposes and will carry and show identification which details powers of entry and authorisation to undertake site visits. Officers may take with them such other persons necessary to assist them in their investigation and will, where appropriate, take measurements and photographs for the purposes of evidence. Officers, wherever possible, will make contemporaneous notes at the time of the visit and will attempt to identify the occupier and/or owner of the site/building in question.
- 4.4.3 In undertaking site visits officers will, if they suspect that an offence has been committed, have regard to the provisions of Section 66 and 67 (9) of the Police and Criminal Evidence Act 1984 in relation to cautioning suspected offenders.
- 4.4.4 The range of powers available for use in planning enforcement investigations are set out in (Appendix 2) of this Policy. The Council's policy is to undertake such investigation fully in line with legislation and the powers available. Prevention of Council officers undertaking investigation can constitute an offence. Officers, where appropriate, may involve the Police in carrying out investigations and the Council will instigate prosecution proceedings against individuals where necessary.

- 4.4.5 If it is clear that a breach of planning control has taken place the owner/occupier of the site and the person responsible for the breach (if different) will be informed immediately (if possible) of the planning implications and the risk of carrying out development without planning permission. The interested parties will be advised to stop work until the matter is resolved and that any further activity/development carried out would be entirely at their own risk and could be subject to possible enforcement action. Officers will take full notes of the any discussions and advice given during the site visit and subsequently will confirm this in writing as soon as practical following the visit.
- 4.4.6 In carrying out an investigation and where a breach of planning control has occurred officers will seek to establish robust information and evidence in order to ascertain the options for appropriate further action which are likely to be one of the following scenarios, which are further detailed in TAN9.
- Whether an unconditional planning permission is likely to be granted in respect of the breach-in such cases the recommended course of action would likely to be to invite the submission of an application for planning permission.
 - Whether the development could be made acceptable by imposing conditions, again in such cases the recommended course of action would be likely to be to seek an application to be submitted to enable the local planning authority to consider the imposition of any necessary conditions.
 - Whether relocation is required as the development would only be acceptable on an alternative site. Negotiation on the possible relocation and the provision of sufficient time to enable such relocation to be progressed may then take place.
 - Whether the development is unacceptable and relocation is not feasible, in such cases action may be unavoidable, although sufficient time may be provided to enable the recipient(s) of the notice to relocate.
 - Whether the unauthorised development warrants immediate action in which case action is likely to be progressed promptly to avoid serious harm to amenity or interests of acknowledged importance.
- 4.4.7 In certain cases, the Council will give consideration to direct action to resolve the breach.
- 4.4.8 It is the Policy of the Council that in cases where formal action is taken the Council will seek to recover its costs for work undertaken because of the time consuming complex nature of the work. Such costs, if granted, would be in addition to any financial penalties incurred.
- 4.4.9 The Council will not instigate formal Enforcement action until such time as full consultation has taken place with the Council's legal officers.

5. Proactive Enforcement

- 5.1 As well as dealing with reported alleged breaches of planning control an increasingly important element of enforcement work involves being proactive, by monitoring new development to ensure breaches of control do not occur.
- 5.2 Cases that emerge from such monitoring will be prioritised in accordance with the Council policy on priority Appendix 1. Cases will be recorded on the enforcement system database.
- 5.3 Considerable negotiation often take place during the consideration of a planning application and specific planning conditions are imposed for valid and justified reasons. The Council expects developers to fully comply with any imposed requirements. Very little flexibility exists where developers fail to comply with some types of planning condition and failure to

fully comply with them in effect may make any planning permission issued unimplementable. In such cases unless development activity ceases on the site until such time as a regularising planning application has been determined, the Council will consider the use of formal enforcement action.

- 5.4 It is the Policy of the Council to monitor, in particular, sites which are particularly sensitive, where development proposals have been contentious and subject to considerable negotiation and where developers/agents are known to fail to comply with conditions. In such cases the Council will consider enforcement action from the outset including the use of Stop Notices and Injunctions as appropriate.

6. Enforcement Register/Publicity/Performance Monitoring

- 6.1 Under Section 188 of the Town and Country Planning Act 1990 the Local Planning Authority is required to keep a public register of enforcement and stop notices. The register will contain the relevant information as stated by legislation and will be updated in accordance with statutory timescale. The Register will be available for public inspection during normal office hours at planning reception in the County Hall complex.

- 6.2 The Council will use the local and wider press to publicise successful enforcement appeals, prosecutions and outcomes. This approach is taken to demonstrate that the Council will not tolerate unauthorised work and that the undertaking of work without the appropriate planning permission or compliance with planning conditions is not a short cut or a means of saving time but could well lead to time delays and financial penalties.

- 6.3 To ensure that the enforcement service is delivered in a timely, efficient and cost effective manner, performance will be monitored on a regular basis with clear reporting mechanisms in place.

- Arrangements will be developed to ensure that all outstanding cases are regularly reviewed. This will allow discussion to take place in relation to difficult cases and assist in bringing long standing cases to resolution.
- The number and outcome of appeals will be developed to ensure that all outstanding cases are regularly reviewed. This will allow discussion to take place in relation to difficult cases and assist in bringing long standing cases to resolution.
- The more complex cases and appeals will be reviewed at regular intervals at Divisional Management level.
- Where targets have been identified for dealing with reported breaches of planning control there will be quarterly reporting on performance against targets.
- Performance will be reported to Council members in an Annual Report and shall include performance against targets as well as:
 - The number and type of notice served in a given period.
 - The number and outcome of appeals in a given period
 - The number and outcome of prosecutions in a given period.
 - The number of alleged breaches of planning control reported in a given period.
 - The number of cases resolved within 12 weeks in a given period. (target for year end 2006 is 65%).

For the purposes of the last point the Council will use the standards recommended by POSW Model standard for Planning Enforcement in Wales and resolved shall be defined as:

- No breach found.
- Investigation reveals that it is not expedient to take action.
- The breach ceases.
- A retrospective application (or similar) is submitted.
- The relevant notice has been served.

6.4 This policy will be reviewed annually in the light of monitoring of performance against the objections and targets set out in the Policy and the policies may therefore be subsequent to change.

APPENDIX I

Prioritisation of Cases

To ensure the efficient and consistent progress of cases, the Council has adopted the following criteria for assessing case priority, which is in line with POSW Model Planning Enforcement Standards for Wales, and will be prioritised for action depending on the severity of the potential breach.

Priority 1 (High)

- Allegations of unauthorised work to Listed Buildings.
- Allegations of unauthorised work to Scheduled Ancient Monuments.
- Allegations of work to trees subject to a Tree Preservation Order or trees in Conservation Areas.
- Allegations of work to the fabric of buildings in Conservation Areas.
- Allegations of work relating to sites within statutory designations (Sites of Special Scientific Interest, Areas of Outstanding Natural Beauty, Heritage Coasts) which appear to have the potential to be significantly detrimental to the area.
- Allegations of work on sites where protected species (flora or/and fauna) are known to be present.
- Allegations relating to large scale engineering operations (including tipping).
- Allegations which indicate an immediate threat to public safety, to include issues relating to highway safety.
- Allegations of unlawful advertisements off the highway which suggest an immediate threat to highway safety.

In instances of Priority 1 cases, an initial site visit should be undertaken within 2 working days of the receipt of the reported alleged breach of planning control in writing.

Priority 2 (Medium)

- Allegations relating to a use of a building which is reported as adversely impacting on residential amenity by reason of noise and disturbance.
- Allegations of new building work beyond the classifications given in Priority 1.
- Allegations that are numerous in number suggesting widespread impact on amenity.
- Allegations relating to commencement of development in non-compliance with planning conditions.
- Allegations relating to the non-compliance of conditions on previously developed sites.
- Allegations of unlawful advertisements off the highway which suggest a detrimental impact on visual amenity.

In instances of Priority 2 cases, an initial site visit should be undertaken within 5 working days of the receipt of the reported breach in writing.

Priority 3 (Low)

- Allegations that include reference to boundary disputes/issues*.
- Allegations that include reference to disputes relating to land ownership*.
- Allegations relating to minor building and engineering operations.
- Allegations relating to changes of use of buildings that do not impact on residential amenity.
- Allegations relating to development of a minor or insignificant visual impact.

*Note: Allegations which solely relate to land ownership and boundary disputes are matters not ordinarily subject to planning legislation and relate to civil matters to be progressed by the affected parties.

In instances of Priority 3 cases, an initial site visit should be undertaken within 15 working days of the receipt of the reported breach in writing. Progress of Priority 3 cases may well be affected by Higher Priority Workloads.

As cases are progressed and following the undertaking of initial research and site visits (see below) the priority assigned to particular cases may require amendment. In such cases the local planning authority will record such changes and advise the reporter of the breach accordingly.

In addition to the above lists all cases where formal enforcement action has commenced or appeals have been lodged will be treated as High Priority casework.

APPENDIX II

1. Taking Action

1.1 Introduction

1.1.1 Progressing formal enforcement action is a discretionary power. Any action taken should be commensurate with the breach of control and should only be progressed when it is expedient, having regard to all material planning considerations. In this regard it is not an offence to carry out development without first obtaining planning permission.

1.2 Nevertheless it is an offence to:

- Alter the character of a listed building without listed building consent,
- To display advertisements without advertisement consent,
- To carry out works to protected trees without the consent of the Council,
- To remove hedgerows without complying with the Hedgerow Regulations 1997,
- To undertake demolition in a Conservation Area without first obtaining approval.

1.3 Section 73A of the Town and Country Planning Act 1990 (as amended) specifically provides that planning permission may be granted to regularise development already carried out. Enforcement action should not be taken simply to remedy the absence of planning permission where development carried out is acceptable on its planning merits.

2. Planning Enforcement Powers

The following mechanisms are available to Local Planning Authorities to obtain information in respect of a breach of planning control as well as information relating to land interests.

2.1 The Planning Contravention Notice (PCN)

2.1.1 The serving of a PCN is an optional procedure that may be used to obtain information about allegedly unauthorised development. It does not constitute taking enforcement action in itself. However, a PCN may only be served when it appears that a breach of planning control may have occurred. The PCN may require the recipient to provide information about the use of the land and any operations or activities taking place. In particular it may require the recipient:

- To state whether the land is being used for any purpose specified in the notice, or whether any operations or activities specified are being or have been carried out.
- To state when any use, operation or activity began.
- To give the name and address of any person known to have used the land for the specified purpose or carried out any operation or activity.
- To provide details of any relevant planning permissions or reasons why planning permission is not required.
- To state the nature of his/her interest in the land and the name and address of any other person known to have an interest in the land.

It is an offence to fail to comply with the requirements of a PCN or to make false or misleading statements. It is the policy of the Council to prosecute in such cases.

2.2 Land Registry Search

Such a search will, in the majority of cases (subject to the land being registered) reveal all parties with an interest in a site as well as the nature of that interest. Likewise if the breach involves a business, a company search may well reveal information on company directors and officials, who may, in person, be subject of subsequent enforcement action.

2.3 Requisitions for Information

In addition to Planning Contravention Notices, a Requisition for Information under Section 330 of the Town and Country Planning Act 1990 can be served to seek further information on land ownership.

2.4 Section 16 Notice

Alternatively a Section 16 Notice under the Local Government Miscellaneous Provisions Act 1972 can also be used to ascertain land ownership details.

2.5 In terms of taking action, the following information as regards to the form of Notices is relevant. The Town and Country Planning Act 1990 (as amended) defines taking enforcement action as either the issue of an enforcement notice or the service of a breach of condition notice.

2.5.1 The Enforcement Notice

An Enforcement Notice will:-

- State the nature of the alleged breach as either development without planning permission, or failing to comply with any condition or limitation subject to which planning permission has been granted.
- Identify the land to which the notice relates.
- Clearly state the matters that appear to constitute a breach of planning control.
- State the reasons for issuing the notice, including any relevant policy of the development plan.
- Specify the calendar date on which the notice will take effect (not less than 28 days after service to allow for an appeal).
- Specify the steps that the local planning authority will require to be taken or the activities that are required to cease in order to remedy the breach or any injury to amenity it has caused.
- State a reasonable period for compliance after the notice takes effect, having regard to the practicalities of carrying out the required steps and the impact of the breach (where appropriate different periods may be given for each step).

The purpose of these requirements will be to:-

- Remedy the breach by making the development comply with the terms (including any conditions or limitations) of any planning permission granted in respect of the land (whether that permission has been granted by the Council following a planning application, or by the General Permitted Development Order under “permitted development rights”); or
- Remedy the breach by discontinuing any unauthorised use of the land, or by restoring the land to its condition before the breach took place; or
- Remedy any injury to amenity that has been caused by the breach.

2.5.2 In appropriate circumstances the local planning authority may choose to specify steps to alleviate injury to amenity. For example, it may require the alteration of an

unauthorised building by the removal of windows to prevent overlooking, or it may require the offending part of a mixed use to cease. In such circumstances, once compliance with the notice has been achieved, the remaining building or use(s) will be deemed to have planning permission (concept of under enforcement).

2.5.3 The steps required by an enforcement notice should not exceed what is necessary to remedy any breach of control or injury to amenity in order to minimise the risk of a successful appeal. Similarly, the period for compliance with the notice will be reasonable having regard to the circumstances of the case.

2.5.4 The Notice should be served on:

- The owner of the land to which the notice relates,
- Any occupier (in addition to the owner) of the land or buildings, and
- Any other person having an interest in the land that is materially affected by the notice (e.g., mortgagees).

2.6 Section 174 of the Town and Country Planning Act 1990 (as amended) provides a right of appeal to the Welsh Assembly Government against an enforcement notice. An appeal must be made before the notice takes effect (normally 28 days after issue). It may be made by the owner, occupier, or any other person with a legal interest in the land, whether or not a copy of the notice was served on them. An enforcement appeal will be concerned with the validity of the notice and/or the planning merits of the case. The grounds of appeal are (in logical order):

- Ground (e): that copies of the notice were not properly served
- Ground (b): that as a matter of fact the alleged development has not taken place
- Ground (c): that the development (if it has taken place) does not constitute a breach of planning control
- Ground (d): that the time limit for taking enforcement action had passed
- Ground (a): that planning permission ought to be granted (or the condition or limitation discharged)
- Ground (f): that the steps required by the notice exceed what is necessary to remedy any injury to amenity
- Ground (g): that the period for compliance is too short

Grounds (e), (b), (c) and (d) are often referred to as the “legal grounds” of appeal. A successful appeal under any of these grounds is likely to result in the notice being quashed. The onus is upon the appellant to prove his case on the balance of probability. However there is also an onus on the local planning authority to consider these issues in detail prior to serving of a notice.

Grounds (f) and (g) are not concerned with the planning merits of the case or legal issues. Therefore, even if the appeal is successful on these grounds it is likely that the notice will be varied to make the steps less onerous, or to give a longer period for compliance.

An appeal against an enforcement notice may be determined by one of three methods: an inquiry, hearing or written representations. Unlike a planning appeal, costs can be awarded whichever method is used if either the local planning authority or the appellant is found to have acted unreasonably.

2.7 The Stop Notice

2.7.1 Where a breach of planning control is causing serious harm to the amenity of an area, or an appeal against an enforcement notice appears to have been made simply to delay it taking effect, the service of a Stop Notice may be appropriate. A Stop Notice can only be served in conjunction with an enforcement notice and

where that notice has not already taken effect. Such a Notice is designed to prohibit the carrying out on the site of any activity that is within the scope of the breach of planning control. A Stop Notice cannot be issued in respect of the use of a building as a dwelling house.

- 2.7.2 Normally a Stop Notice will take effect 3 days after service, although in cases where the activity to be prohibited is causing irremediable damage it may take effect immediately provided reasons are given at the time of service. It will remain in force until the period for compliance with the corresponding enforcement notice has expired, or the notice is withdrawn. There is no appeal against a stop notice.
- 2.7.3 Stop Notices should be served on any person who appears to have an interest in the land to which the notice relates, or appears to be engaged in any activity prohibited by the notice. The related enforcement notice will always be annexed to the Stop Notice. Likewise the Stop Notice should always be displayed on the site in question.

2.8 Breach of Condition Notice

- 2.8.1 The Breach of Condition Notice (BCN) is an alternative to an enforcement notice for remedying a breach of planning control arising from failure to comply with any condition or limitation subject to which planning permission has been granted. There is no right of appeal.
- 2.8.2 A BCN will not be appropriate in all cases where a condition (or conditions) has not been complied with. The notice is served on the “person responsible” for the breach and is not a legal charge on the land. Consequently only that person can be prosecuted for an offence, and it is a defence to show that all reasonable measures to comply with the conditions specified in the notice were taken. It is for the Court to decide what are “reasonable measures” in any particular case. Furthermore, there is no “default” power for the Council to enter the land and carry out works.
- 2.8.3 As with an enforcement notice, the BCN will specify the steps that must be taken, or the activities that must cease, in order to secure compliance with the condition(s). Thus the BCN may be mandatory (requiring something to be done) or prohibitory (requiring something to stop). However, it can only seek to secure full compliance with the condition(s). A BCN will also specify a period for compliance, which will not be less than 28 days.

2.9 Injunctions

- 2.9.1 Legal powers are available for local planning authorities to apply to the High Court or County Court for an injunction. The scope of an injunction is very wide and it may be sought at any stage in the planning enforcement process, either as the preferred remedy or in addition to some other formal action (for example, to secure compliance with an enforcement notice where prosecution has been unsuccessful). Normally the “test” will be that nothing short of an injunction would be effective.
- 2.9.2 An injunction is directed at a person and is not a charge on the land. It may seek to restrain an actual or anticipated breach of planning control. It can be mandatory (requiring something to be done) or prohibitory (requiring something to stop). Injunctions are classified by the period of time for which the order remains in force. If an immediate remedy is considered necessary the Council may seek an interlocutory injunction as a matter of urgency before the Court has had the opportunity to hear all the evidence. A substantive or final injunction is one granted by the Court following a full trial.

2.9.3 The decision whether to grant an injunction is always in the absolute discretion of the Court. In any application for an injunction the Court will need to be satisfied that:-

- The authority has taken account of all relevant considerations.
- There is clear evidence that a breach of planning control has already occurred, or is likely to occur on land in the County.
- An injunction is an appropriate measure to take in the circumstances of the case.
- Where an injunction is sought against an “unknown person”, the authority has taken all reasonable steps to identify that person within the time available.

2.10 Section 215 Notices

2.10.1 If it appears to a local planning authority that the condition of land adversely affects the amenities of an area, a Section 215 Notice (Town and Country Planning Act 1990) can be served. Such a Notice will state reasons as to why the condition of the land impacts on the amenity of the area and will also specify the steps required to remedy the situation. The only right of appeal is directly to the Magistrates Court. Failure to comply with the notice will result in prosecution in the Magistrates Court.

2.11 Listed Buildings and Conservation Areas

2.11.1 There are additional controls that apply to Listed Buildings and Conservation Areas. It is an offence to undertake works to a listed building that affects its character without first obtaining Listed Building Consent. In such cases a Listed Building Enforcement Notice may be served or the local planning authority can pursue a prosecution in the Magistrates Court.

2.11.2 It is also an offence to undertake works of demolition to buildings within Conservation Areas without first obtaining the required permission.

2.11.3 In addition, Building Preservation Notices, Urgent Works notices and Repairs Notices can be issued in respect of cases where the condition of listed buildings gives cause for concern.

2.12 Trees and Hedgerows

2.12.1 Permission from the local planning authority should be obtained before undertaking any works to trees that are subject to a Tree Preservation Order or are sited within Conservation Areas. Local planning authorities can instigate proceedings for prosecution in unlawful felling, lopping or topping of trees that are the subject of a Tree Preservation Order or within a Conservation Area. Authorities can also serve Tree Replacement Notices where trees are removed without consent or exemption.

2.12.2 In the same way it is an offence to undertake work of removal of hedgerows in circumstances where permission is first required under the terms of the Hedgerow Regulations 1997. Local planning authorities can instigate proceedings for prosecution in respect of unlawful removal of hedgerows. Authorities can also serve Hedgerow Replacement Notices where trees are removed without consent or exemption.

2.13 Advertisements

2.13.1 Under the terms of the Town and Country Planning (Control of Advertisements) Regulations 1992, the following approaches are available (in appropriate circumstances):

- The ability to serve **Discontinuance Notices** where substantial injury to the amenity of a locality or a danger to members of the public occurs as a result of the unlawful display of advertisements.

- **Prosecute for the display of unlawful advertisements.**
- **Prosecute persistent fly posting.** Authorities can monitor Fly Posting and obtain evidence via photographs, copies of the posters concerned and location plans for possible prosecutions in Court.
- **Section 225 of the Town and Country Planning Act 1990** can be used to obliterate/remove any placard or poster displayed illegally.

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Planning Enforcement Policy

2011



city planning

Foreword

Brighton & Hove City Council was formed in 1997 and is an historic and vibrant city housing 247,817 people (2001) and employing over 10,000. Demands on land and its use increases continually thereby creating the groundwork for friction between competing users of land be they commercial or residential.

Brighton & Hove City Council has numerous areas of special architectural or historic interest, which it is committed to preserving and enhancing through effective use of its enforcement powers particularly in relation to its 900 plus listed buildings and 34 conservation areas. There is evidence of growing public concern over development that takes place without the appropriate planning permission or without proper reference to approved plans or attached conditions. The number of enforcement enquiries in the City of Brighton & Hove has grown steadily over the years and the Government also recognises that public expectations in this area have become more demanding.

This Planning Enforcement Policy sets a framework for how the Planning Enforcement Team will handle complaints and any subsequent investigations into breaches of planning control. It will clearly set out the aims of the Planning Enforcement Team, the background to Planning Enforcement and the scope of enforcement powers. This Planning Enforcement Policy will set out priorities for responses to complaints and clarify the timescales for response by Enforcement Officers. This policy document will also seek to formulise how Members and the general public will be kept up to date in relation to the work being carried out by the Planning Enforcement Team.



Introduction

The Development Control service operates in connection with the council's statutory role as local planning authority in the regulation of the use and development of land and buildings under the Planning Acts and related legislation. Given the high quality of its townscape, particularly its important conservation areas and listed buildings, the enforcement of planning control is very important to Brighton & Hove City Council in order to:

- Help ensure the credibility of the planning system, and to ensure fairness for those who adhere to planning controls.
- Protect it from the effects of unacceptable development.
- Remedy the unacceptable harmful effects of unauthorised development.
- Ensure the adopted planning policies applicable to the City of Brighton & Hove are properly implemented.

This document sets out the council's approach to handling planning related enforcement matters. It is designed to let the public know what action they can expect when a breach of planning control is reported, where resources will be targeted and the timescales they can expect for a response at certain key stages in the process.

It is an important principle of the planning system that the use of formal planning enforcement action is a discretionary power of the council. In considering any enforcement action, the decisive issue for this Council is whether the breach of planning control would unacceptably affect public amenity or the existing use of land and buildings, and therefore merit such action in the public interest.

The council considers that educating its residents in relation to both national and local planning legislation is a key element to effectively enforcing planning controls. As residents become more informed and aware of the regulations it is hoped that less unauthorised building work will take place within the City of Brighton & Hove.

Principle of Enforcement

Brighton & Hove City Council believe in firm but fair regulation. Underlying the policy of firm but fair regulation are the principles of:

- Proportionality in the application of the law and in securing compliance.
- Consistency of approach.
- Transparency about how the service operates and what those regulated may expect from the service.
- Targeting of enforcement action and education.

Proportionality

Proportionality means relating enforcement action to the risks. Those whom the law protects and those on whom it places duties, expect the action taken by the enforcing authority to be proportionate to the seriousness of any breach.

Consistency

Consistency of approach does not mean uniformity, it means taking a similar approach in similar circumstances to achieve similar ends. The Council aims to achieve consistency in advice given, the response to incidents, the use of powers and decisions on whether to prosecute.

Officers need to take account of many variables:

- The scale of impact.
- Matters of fact and degree.
- The history of previous incidents or breaches.

Decisions on enforcement action are a matter of professional judgement and discretion needs to be exercised. The Planning Enforcement Team will continue to develop arrangements to promote consistency including effective arrangements for liaison with other Council services and enforcing authorities.

Transparency

Transparency is important in maintaining public confidence in the service's ability to regulate. It is about helping those regulated and others, to understand what is expected of them and what they should expect from the Council. It means making clear why an officer intends to take or has taken enforcement action. It also means distinguishing between statutory requirements and advice or guidance about what is desirable or good practice but not compulsory.

Targeted enforcement action and education

Targeting of enforcement action and education are crucial factors in an effective enforcement service. They ensure that the public is aware of planning regulations as well as increasing public confidence in the service.

The Council's Approach to Planning Enforcement

The Council recognises the importance of establishing effective control over unauthorised development and will not condone wilful breaches of planning control. It must however be remembered that enforcement is a discretionary activity. Apart from some listed building and advertisements cases it is not illegal to carry out works without the relevant consent. It only becomes, illegal after the Council issue an enforcement notice and those in breach fail to comply with the requirements of the notice. In considering whether it is expedient to take enforcement action, the Council will take into account its relevant planning policies and all other material considerations including relevant appeal decisions and case law. Consideration will also be given to the reasonable time and resources available to carry out the enforcement function.

The Council will assess whether a breach of planning control unacceptably affects public amenity or causes harm to land and buildings. The Council considers that the objective of planning enforcement is compliance not punishment and as such will encourage its officers to work with those in breach to achieve favourable outcomes without having to issue a formal notice. In cases where those in breach are not pro-actively working with officers or fail to meet agreed deadlines, formal action will be considered and notices issued where it is appropriate to do so.

Investigating Alleged Breaches

In some cases the enforcement team may be unable to take formal action against developments that are reported by members of the public. For example when:

- The works or change of use fall within 'permitted development' tolerances under the terms of the Town and Country Planning Act 1990 (General Permitted Development Order as amended 2008) or use classes order.
- An advertisement benefits from 'deemed consent' under the Town and Country Planning (Control of Advertisements) Regulations 2007.
- Immunity from enforcement action has occurred by way of a use being established for a period of 10 years (4 years for a self-contained dwelling) or building works have been being completed more than 4 years ago.
- The works are considered 'de minimis', i.e too minor to fall under the scope of planning control.

Breaches of planning control which may require action could include:

- Unauthorised works to a listed building, a property or building in a conservation area or property or building subject to, an Article 4 direction.
- Unauthorised change of use of a building or land.
- Conditions of a planning permission not being met or discharged.
- Unauthorised extensions to a residential property.
- Unauthorised display of a sign or advertisement.
- Engineering operations.

In addition to responding to complaints the service will carry out targeted pro-active campaigns when resources allow.



What the complainant can expect from the enforcement service

To initiate a planning enforcement investigation, complaints should be made via the standard form which can be found on the council's website, Council offices or can be sent out to complainants if requested. The complaint will only be accepted if this form is filled out in full including the identity and address of the writer, the address at which the alleged breach of planning control has taken place, a description of the unauthorised development/use and the harm that is considered to be caused by it. Complainants will also be encouraged to send in dated context photographs of the alleged breach, in order to assist the enforcement investigation. Only in exceptional circumstances, such as when emergency action is required, or when there is a special reason why using the standard form is not feasible, will be possible to initiate investigations by telephone or personal visit to speak to the Planning Enforcement Team.

The council will not investigate anonymous complaints as it means we cannot verify particular aspects of the complaint at a later stage. All complaints received will be treated in the strictest confidence. However sometimes in exceptional circumstances complainants may be asked to provide evidence to assist the investigation's legal proceedings.

Issues such as boundary positioning and land ownership disputes do not fall under the remit of town planning. Should complaints be made to the Planning Enforcement Team which fall outside the Team's remit, the Team will endeavour to re-direct the complaint or to advise accordingly. Formal enforcement action will not normally be taken where a trivial or technical breach of planning causes no harm to the local environment.

In respect to complaints received about alleged breaches the following service standards apply:

- 1) Written acknowledgements of receipt of complaint within three working days.
- 2) Other than in cases where immediate or urgent action may be required (see (3) below) initial investigation to be undertaken within ten working days of receipt.
- 3) In cases of reported breaches in planning control involving a serious and/or irreversible harm, the complaint will be investigated as a matter of priority, usually within 48 hours of receipt. Urgent action will be instigated to stop unlawful activity where harm being caused makes this appropriate. Such cases include damage or demolition of listed buildings or any other cases where there is a serious and imminent danger of harm to people or irreversible damage to property.
- 4) The complainant is advised to contact the designated case officer preferable by email or phone 4/6 weeks after receiving their acknowledgement letter. At this stage the officer will be able to inform the complainant on the progress of the investigation.
- 5) Within 5 days of the decision to close an enforcement case the complainant will be notified by letter or email advising them why the case was closed.

What those in breach may expect from the enforcement service

Under normal circumstances, prior to taking formal enforcement action the officer concerned will fully and openly discuss the circumstances of the breach and where possible attempt to resolve any points of difference. A person in breach will be contacted within 5 days of a site visit having taken place advising them what they are required to do in order to remedy the breach of planning control. Should a retrospective application for planning permission be applicable, the letter will also advise those in breach on the likelihood of obtaining a favourable recommendation from the Enforcement Officer. In almost all cases written notification of the breach and opportunities to rectify the situation will be given prior to any action being taken. However, this may not be possible if urgent or immediate action is required, such as in examples given in (3) above.

When breaches appear to have occurred officers will:

- Communicate clearly to the responsible party or their planning agent identifying the problem and the measures that may need to be taken to achieve compliance.
- In the case of formal action being authorised the contravener's rights of appeal will be explained to them.
- Where officers consider there is no significant planning harm or that harmful effects may be satisfactorily addressed by mitigation measures, the Enforcement Team will allow a reasonable period for the submission of a retrospective planning application to regularise a breach of planning control.
- Where initial attempts to persuade those in breach to voluntarily remedy the harmful effects of unauthorised development fail, negotiations will not hamper or delay whatever formal enforcement action may be required to make the development acceptable. Officers will be keen to see that persons in breach are pro-actively seeking to resolve breaches of planning control rather than attempting to delay matters.
- Initiate formal enforcement powers given to local planning authorities when necessary, after being satisfied that there is a clear breach of planning control that would unacceptably affect public amenity of the existing use of land and building meriting protection in the public interest.
- Persistent offenders and those who seek to exploit the planning process at the expense of others will be dealt with using appropriate enforcement processes.



What officers can expect from complainants and those in breach

Planning Enforcement Officers often deal with heavy caseloads and can as a result experience many pressures on their time throughout the day. Therefore in order to allow Officers to make best use of their time and ensure that the enforcement service is as effective and efficient as possible members of the public are asked to adhere to the following:

- If people wish to speak to an Enforcement Officer in person at the council offices they will be required to book an appointment as walk in callers will not be seen.
- People are asked to treat officers with respect and listen to what is being said rather than what they 'think or want to hear'. Sometimes a favourable outcome cannot always be achieved. If this occurs the reason for no action being taken will be explained in full by the Officer in a clear and understandable fashion.
- Officers are happy to speak to members of the public on the phone provided the conversations are productive. If callers are unreasonable in their expectations or are rude to staff they will be asked to only communicate with the Officer via letters or email to which they can expect a response within 10 working days of receipt.

Enforcement options

As discussed earlier in this policy document Officers will seek to work with those in breach to voluntarily resolve contraventions whenever this is possible and appropriate thereby avoiding formal action having to be taken. When this is not possible or appropriate, to obtain a satisfactory voluntary resolution to a contravention and if it is considered expedient to take formal enforcement action to rectify or resolve the breach, the main options for action are summarised as follows:

Section 215 Notices:

Where the condition of land or a building is adversely affecting the amenity of a neighbourhood the council may issue a Notice under Section 215 of the Town and Country Planning Act 1990, requiring the owner or occupier to remedy the condition of the land or building. Failure to comply with the Notice is a criminal offence. The council also has powers, where a Notice has not been complied with, to enter the land and carry out the work itself and recover the cost from the owner.

Breach of Condition Notice:

These can be used as an alternative to an Enforcement Notice. There is no right of appeal against this notice.

Enforcement Notice:

This is the usual method of remedying unauthorised development and there is a right of appeal against the notice. The use of the Enforcement Notice is an effective tool and such notices will be served fairly early on in cases that cause significant harm or where the transgressor has made clear they are unwilling to remedy the breach. The transgressor has the right to appeal against the notice to the planning inspectorate.

Stop Notice:

This can be used in conjunction with an enforcement notice where the breach of planning control is causing serious harm and should only be used in extreme cases. In such cases where Stop Notices are issued the council may be liable to pay compensation if it is later decided that the Stop Notice was not appropriate.

Temporary Stop Notice:

These are similar to Stop Notices (above) but take effect immediately from the moment they are displayed on a site, and last for up to 28 days. A temporary Stop Notice would be issued only where it is appropriate that the use or activity should cease immediately because of its effect on (for example) amenity, the environment, public safety etc. It may be issued even where planning permission has been granted for development, in a case where the developer is not complying with conditions attached to the permission.

Injunction:

This involves seeking an order from the court preventing an activity or operation from taking place. Failure to comply with the requirements of an injunction amounts to a criminal offence.

Default Powers:

The council may enter the land and take the necessary action to secure compliance when enforcement notices are in effect. This is only used in extreme cases and when resources allow. The council will seek to recover all cost associated with carrying out works in default.

Appeals:

There is a right of appeal against most statutory Notices issued by the council (exceptions are Breach of Condition Notices, Stop Notices). Appeals are in most cases made to the Department for Communities and Local Government (the Planning Inspectorate) or in some cases to the Magistrates' Court. When a notice is issued the recipient will also be given the necessary information on how to exercise their right of appeal.

Informing the public

The council is committed to educating and informing Members and the public in relation to the work carried out by its Planning Enforcement Team. The council will attempt to strike a balance between informing the public about planning legislation through articles in city news as well as publicising prosecutions and cases where direct action has been taken. It is considered important to highlight prosecution and direct action to discourage others from breaching planning regulations and ensure the public have confidence in the enforcement service.

Pro-active campaigns will be used to educate the public in relation to the targeted breaches of planning control through Council publications and press releases. Local community groups may also be encouraged to assist in targeted campaigns in their particular area.

As part of the council's commitment to being open and accountable a full year report will be presented to the Planning Committee regarding planning enforcement. Throughout the year ward members will be made aware of cases where enforcement notices have been issued, appeal decisions and the outcomes of any court action taken in their ward.

The planning and investigations section of the website will be updated on a regular basis with relevant enforcement related new stories, before and after photographs and will identify the number of cases closed and the reasons why they were closed.

Key Aims and Objectives

- 45% of all cases reported to be resolved without formal enforcement action having to be taken.
- Preserve and enhance the character and appearance of the City of Brighton & Hove's conservation areas.
- Seek to remove illegal advertisements that cause harm to local amenity or highway safety in a timely fashion.
- Improve the character and appearance of buildings in disrepair through the service of section 215 notices.
- Ensure planning conditions are discharged and adhered to.



Particular Customer Needs

The service will endeavour to be flexible in responding to customer needs by adapting the method of operation to suit the customer. In particular, service leaflets, letters or other documents will be translated into other languages at no additional expense to the customers. Arrangements will also be made for interpreters when this is necessary.

Contacts and further information

Our service provides a range of supplementary planning documents, design guidelines, planning information and forms. These can be obtained by:

- Looking on the council website www.brighton-hove.gov.uk
- Emailing planninginvestiagtion@brighton-hove.gov.uk
- By writing to us or visiting us at

Environment
City Planning
Hove Town Hall
Norton Road
Hove BN3 3BQ

General enquiries contact numbers Planning Contact Centre: 01273 29 2222

Hove Town Hall has full access for disabled people and induction loops in the general reception area. If you need any help getting into the building, please let us know beforehand and we will make arrangements to help you.

If you need this document in Braille, large print, audio tape, or another language, please contact us on 01273 292929.

Appendix 1

Service Indicators

Action	Target
Register and acknowledge all written complaints	3 working days
Carry out initial site visit	Within 10 working days of case being registered
Customers to contact case officer either by email or on the phone	4-6 weeks after receiving acknowledgement letter
The complainant to be informed of the outcome of the case	Within 5 days of case being closed

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ENVIRONMENT OVERVIEW AND SCRUTINY

Date of Meeting	Wednesday 11 May 2016
Report Subject	Environmental Enforcement Arrangements
Cabinet Member	Deputy Leader of the Council and Cabinet Member for the Environment
Report Author	Chief Officer (Streetscene & Transportation)
Type of Report	Strategic & Operational

EXECUTIVE SUMMARY

Despite the efforts of the in-house Environmental Enforcement Teams, environmental crimes such as dog fouling and littering continues to be a major problem in the County and both issues blight our parks, open spaces and streets. In an attempt to overcome the problem, the Council introduced a zero tolerance enforcement approach as part of the Business Planning process in 2015-16. The initial element of the project was an extensive public engagement and awareness raising exercise, with staff from the Streetscene and Transportation service visiting selected businesses, particularly in town centres, to notify them and their customers of the new more rigorous enforcement arrangements. In addition, visits were made to T&CC's, to inform them and the local community of the changes to enforcement priorities.

In order to provide additional resources to deliver the zero tolerance approach to littering and dog fouling enforcement, it is proposed to enter into an agreement with a private partner with a proven track record in the enforcement of environmental crime. The arrangement will initially be provided through a 12 month pilot arrangement which will allow a full evaluation of the success of the arrangement to undertaken, before a longer term contract and commitment can be organised.

RECOMMENDATIONS

1	To seek a recommendation from Scrutiny to Cabinet to approve 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.
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REPORT DETAILS

1.00	BACKGROUND TO ENVIRONMENTAL ENFORCEMENT
1.01	Local Authorities are empowered under the Environmental Protection Act 1990 (Section 87/88) to issue Fixed Penalty Notices (FPN's) for dealing quickly and effectively with low level environmental offending, such as littering and failing to remove dog waste. The fixed penalty is set at £75.00 and this is retained by the issuing Local Authority and can be used to supplement further enforcement activities and for the benefit of the service for which the FPN was issued.
1.02	The FPN is not a fine however payment of the penalty discharges a person's liability to conviction for the offence for which the FPN was issued. It does not constitute an admission of guilt, but removes the possibility of the creation of a record of criminal conviction for the indiscretion. It is the current Council policy to institute legal proceedings against an individual, where FPN's are not paid.
1.03	Environmental enforcement activities are currently undertaken by staff from the Streetscene and Transportation portfolio. The team also enforce both on and off street car parking offences (including offences under the Traffic Management Act 2004) and following the roll out of parking charges across the County in 2015, the resources within the service have obviously become stretched.
1.04	Many Local Authorities having entered into partnerships with private companies to help supplement their enforcement activities. In North Wales, Wrexham, Conwy and Denbighshire County Councils currently utilise a private partner for the issuing of FPN's for dog fouling and littering.
1.05	In line with agreements reached with other Local Authorities, it is proposed that a partner will be engaged on the basis of a 'no fee' financial model, with all costs associated with provision of the service met from the income generated by the issuing and collection of FPN's. The organisation will in addition provide the Council with a small fixed percentage of the money raised through the FPN's.
1.06	In March 2016, the Deputy Leader, Cabinet Member for Waste and senior officers from the Streetscene and Transportation service, met with two national organisations, both with suitable experience of providing environmental enforcement services. Subsequently, formal proposals have been received from one of the organisations which will meet the needs of the service on a 12 month trial basis. The proposals will be at zero cost to the Council and will provide a return of 15% on all FPN's served by the company.
1.07	The organisation will also be responsible for all back office systems required to deliver the service, including collecting the payments and building prosecution packs in readiness for formal action against those people who choose not to pay the FPN.
1.08	The agreement with the partner will include clear service level agreements which will specify the principles on which the contract will be managed and operated. This will include a requirement for the company to provide a

	minimum level of service for the enforcement of dog fouling, which will prevent the company concentrating on littering offences which can be seen by some as an 'easy target' for enforcement.
1.08	The proposal will not impact on the work of the existing enforcement team and they will continue to enforce car parking offences and will be available for specific high profile campaigns against environmental crime and its subsequent enforcement. They will also be available to investigate and develop prosecution cases against fly tipping offenders and carry out education and promotional events in schools and local community events across the County.
1.09	Whilst on duty, the Enforcement Officers from the partnering organisation will wear the same uniform as Councils Enforcement Officers and each will carry shoulder mounted CCTV cameras to record all public contact.

2.00	RESOURCE IMPLICATIONS
2.01	There are no negative financial issues relating to this proposal. In line with agreements reached with other local authorities, the partner will be sought on the basis of a 'no fee' financial model with all costs associated with provision of the service met through the issuing and collection of FPN's and at the provider's risk.
2.02	The issuing of FPN's is not intended to be an income generation exercise and the recovery of payments of FPN's levied is required by law to remain within the service area and for the benefit of the service provided.

3.00	CONSULTATIONS REQUIRED / CARRIED OUT
3.01	Consultation on zero tolerance has been undertaken with T&CC's.
3.02	Public Houses and Betting shops etc. within town centres have been visited and posters provided to inform their customers of the new zero tolerance approach.
3.03	With Cabinet Members.
3.04	No equality implications have been identified resulting from this proposal as there are no exceptions made for within legislation concerning the enforcement of environmental crime such as offences of littering and dog fouling.

4.00	RISK MANAGEMENT
4.01	The most significant risk to the Council is likely to be public perceptions resulting from a more proactive approach to the enforcement of littering and dog fouling offences
4.02	The service will be monitored and managed through the Streetscene and Transportation Enforcement Manager and her team and a full review and benefit analysis will be undertaken before a full contract arrangements is recommended for consideration

5.00	APPENDICES
5.01	None

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	<p>Insert any hyperlinks to supporting documents if necessary.</p> <p>Contact Officer: Stephen O Jones Telephone: 01352 704700 E-mail: stephen.o.jones@flintshire.gov.uk</p>

7.00	GLOSSARY OF TERMS
7.01	FPN - Fixed Penalty Notices



ENVIRONMENT OVERVIEW AND SCRUTINY COMMITTEE

Date of Meeting	Wednesday 11 th May 2016
Report Subject	Review of the HRC provision and Bulky Waste Collection service
Cabinet Member	Cabinet Member for Waste and Public Protection
Report Author	Chief Officer, Streetscene & Transportation
Type of Report	Strategic & Operational

EXECUTIVE SUMMARY

Welsh Government have now completed their review of the Councils waste service, which included a review of the Councils Household Recycling Centre (HRC) provision. The study concluded that the Councils HRC provision (in terms of the number of sites) was greater than was necessary and that the facilities offered at each site did not match the minimum requirements of the high quality sites which regularly achieve high levels of recycling elsewhere in the Country.

The report recommended that a County of the size and demographic features of Flintshire should offer just three HRC sites, with each site offering good access and excellent recycling facilities to users. The report also made recommendations on which of the current sites would provide the best configuration and coverage across the County.

The Council has recently completed a wide ranging consultation process on the rationalisation of HRC's. Over 500 responses were received and the feedback from the process is included in this report

RECOMMENDATIONS

1	To seek a recommendation from the Environment Overview and Scrutiny Committee to Cabinet to approve the proposals within the WG study for the future HRC provision in the County.
2	To seek a recommendation from the Environment Overview and Scrutiny Committee to Cabinet for the proposed pilot scheme to engage a local Social Enterprise to provide the Bulky Waste collection service.

REPORT DETAILS

1.00	EXPLAINING THE BACKGROUND THE NEW POLICY																			
1.01	In June 2010 the Council adopted its Municipal Waste Strategy. The Strategy contains a number of key actions which were needed to meet the challenging recycling targets set out in the all Wales National Waste Strategy 'Towards Zero Waste'																			
1.02	On 15 th March 2011 the Council's Executive formally approved its Household Waste Collection Policy which supported the introduction of a Managed Weekly Collection (MWC) service, fundamentally changing the way the Council collected all domestic waste in the County. The new MWC service was designed to increase participation in recycling and reduce the Council's reliance on landfill in order meet the challenging targets set out in the Strategy. Further revisions to the Policy were approved by Cabinet in December 2013 and again in April 2015																			
1.03	Failure to meet the WG National Strategy landfill targets could result in infraction charges being levied against the Council totalling £200 for each tonne of waste land filled above the defined allowance. This would result in a relatively minor failure to meet the target of (say) 1,000 tonnes or the equivalent of just 1% of the Council's current Municipal Waste arising, resulting in a financial penalty of £200,000 for that year alone. In addition, a further £200/tonne infraction charge could be levied, if the Council fails to achieve the Statutory Waste Recycling target in a same period, resulting in the possibility of a further £200,000 penalty being served upon the Council.																			
1.04	<p>Since the introduction of the Policy and the new collection arrangements, recycling levels across all areas of the County have increased, allowing the Council to achieve the 2012–13 and 2015-16 statutory targets and to be well on track to achieve the subsequent targets - which are shown below:</p> <p style="text-align: center;">Table 1 - Summary of municipal waste targets</p> <table border="1" data-bbox="357 1525 1350 1944"> <thead> <tr> <th data-bbox="357 1525 858 1700" rowspan="2">TARGET FOR EACH INDIVIDUAL LOCAL AUTHORITY:</th> <th colspan="4" data-bbox="858 1525 1350 1641">TARGETS FOR EACH TARGET YEAR</th> </tr> <tr> <th data-bbox="858 1641 970 1700">12-13</th> <th data-bbox="970 1641 1075 1700">15-16</th> <th data-bbox="1075 1641 1211 1700">19-20</th> <th data-bbox="1211 1641 1350 1700">24-25</th> </tr> </thead> <tbody> <tr> <td data-bbox="357 1700 858 1789">Minimum levels of preparing for reuse and recycling / composting (or AD)</td> <td data-bbox="858 1700 970 1789">52%</td> <td data-bbox="970 1700 1075 1789">58%</td> <td data-bbox="1075 1700 1211 1789">64%</td> <td data-bbox="1211 1700 1350 1789">70%</td> </tr> <tr> <td data-bbox="357 1789 858 1944">Minimum proportion of reuse/recycling/composting that must come from source separation (kerbside, bring and/or civic amenity (CA) site</td> <td data-bbox="858 1789 970 1944">80%</td> <td data-bbox="970 1789 1075 1944">80%</td> <td data-bbox="1075 1789 1211 1944">80%</td> <td data-bbox="1211 1789 1350 1944">80%</td> </tr> </tbody> </table>	TARGET FOR EACH INDIVIDUAL LOCAL AUTHORITY:	TARGETS FOR EACH TARGET YEAR				12-13	15-16	19-20	24-25	Minimum levels of preparing for reuse and recycling / composting (or AD)	52%	58%	64%	70%	Minimum proportion of reuse/recycling/composting that must come from source separation (kerbside, bring and/or civic amenity (CA) site	80%	80%	80%	80%
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1.05	Approximately 30% of the total domestic waste currently produced in Flintshire is deposited at the HRC sites and the average recycling rate achieved at the sites is just approximately 70%. This is due to the lack of facilities and space at the sites to offer the full range of recycling containers for residents to recycle their waste
1.06	The Councils recycling service receives significant funding from WG through the Sustainable Waste Management Grant (SWMG) which has now been combined within the Single Environment Grant (SEG). The level of the Grant has been reducing since the financial year 2013-14 and indications are that further reductions are to be expected. WG has recently undertaken a study on the Councils waste service (Appendix 1) and have now made some specific recommendation on the future of the HRC service provision.
1.07	The study concluded that the Councils HRC provision was greater than was necessary (in terms of the number of sites provided) and that the facilities offered at each site did not match the minimum requirements for the high quality sites which achieved high levels of recycling elsewhere in the Country.
1.08	<p>The WG study reviewed the optimum configuration and location of sites in the County and the proposals considered a number of factors, before making a recommendation on the number of sites that should remain.</p> <p>The factors included:</p> <ul style="list-style-type: none"> • Percentage of residents within a 20 minute drive of the sites • Development potential of the site to meet the requirements of a high quality and high performing site <p>The WG study recommends that Flintshire County Council should operate three HRC sites at locations across the County, with each site offering good access and excellent recycling facilities to users.</p> <p>On this basis, the report recommends that the Council should operate sites at the following locations</p> <ol style="list-style-type: none"> 1. Greenfield 2. Sandycroft 3. Nercwys near Mold <p>Subject to Cabinet approval of the changes, the closures of the remaining facilities will come into effect on 1st November 2016</p>
1.09	In order that the Council can provide an excellent service at each of the sites it will be necessary to improve the facilities at the Nercwys facility and WG have indicated their initial support for capital funding to improve these facilities through the provision of grant payments. With the completion of the WG study, the grant submission can now be progressed with WG for this funding.

1.10	<p>Bulky Collections</p> <p>The Streetscene and Transportation service will also introduce a new arrangement for the kerbside collection of bulky waste. It is proposed to introduce a pilot scheme with a Social Enterprise (Flintshire Refurbs) to extend the existing arrangement for the collection of bulky waste electrical equipment to allow them to collect all requested bulky waste collections. The material will be taken to an appropriate closed HRC site, to allow the material to be assessed for reuse or broken down to the individual recyclable components. The pilot will last for a period of 1 year, following which a review will be carried out to evaluate the cost effectiveness of the proposals. A further report will then be presented on the future of the service once the pilot period has been completed.</p>
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2.00	RESOURCE IMPLICATIONS
2.01	Reduction in HRC provision will reduce the labour requirement, achieving the savings identified in the portfolio Business Planning process and make the saving necessary to meet the reduced WG grant funding. Labour will be redeployed into other areas of the service.

3.00	CONSULTATIONS REQUIRED / CARRIED OUT
3.01	Consultation has taken place with HRC site users regarding their aspirations for the HRC provision the information received in shown in Appendix 2 .
3.02	Comments have been invited from members and T&CC'S the information received in shown in Appendix 2 .
3.03	A full EIA has being completed and the impact on the statutory protect groups has also been tested at stakeholders workshops

4.00	RISK MANAGEMENT
4.01	A Project Review Board has been set up to monitor and oversee the implementation of the proposals, and to ensure that the project stays on target.

5.00	APPENDICES
5.01	Appendix 1 – Summary outcome of the consultation process
5.02	Appendix 2 – WG Study in the Council waste and HRC service

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	<p>Insert any hyperlinks to supporting documents if necessary.</p> <p>Contact Officer: Stephen O Jones Telephone: 01352 704700 E-mail: stephen.o.jones@flintshire.gov.uk</p>

7.00	GLOSSARY OF TERMS
7.01	HRC - Household Recycling Centre

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Flintshire HRC support: Phase 1



Phase 1: An independent options appraisal for HRC network reconfiguration

WRAP's vision is a world in which resources are used sustainably.

Our mission is to accelerate the move to a sustainable resource-efficient economy through re-inventing how we design, produce and sell products; re-thinking how we use and consume products; and re-defining what is possible through re-use and recycling.

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Document reference : WRAP, 2015, Flintshire, HRC support: Phase 1, Prepared by Resource Futures

Front cover photography: Sandycroft HRC

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Executive summary

The WRAP Collaborative Change Programme (CCP) support Welsh Authorities to achieve the targets set out in the Welsh Government waste strategy. Resource Futures has been contracted under the CCP to support Flintshire County Council (FCC) to review the household waste recycling centre (HRC) network and provide an independent appraisal of the most efficient network configuration and review the performance of the sites.

The work is split into two phases: Phase 1 included conducting a spatial and drive time analysis and HRC network options appraisal to identify the most efficient delivery option. Phase 2, involves a performance assessment of the HRCs that will remain within the network from 1 November 2016. This report is focussed on Phase 1: An independent options appraisal for HRC network reconfiguration.

FCC has a large number of HRCs for the size of the county and the population. Reducing the number of sites will thereby reduce operating costs, make better use of the remaining facilities by improving performance and therefore make the network more cost effective.

Five scenarios have been considered in the spatial analysis and options appraisal. The factors considered by FCC and Resource Futures when developing the scenarios are:

- land ownership/designation
- type of facility: historic amenity site or purpose built to maximise recycling
- size of the site and capacity to accept more waste
- current throughput, and
- current recycling rate.

The scenarios are:

1. Scenario 1: Current provision of six sites
2. Scenario 2: Greenfield, Sandycroft, Buckley and Nercwys, Mold HRCs
3. Scenario 3: Greenfield, Sandycroft and Buckley HRCs
4. Scenario 4: Greenfield, Sandycroft and Nercwys, Mold HRCs
5. Scenario 5: Greenfield and Nercwys, Mold HRCs only.

Based on the results of the analysis, Scenario 4 would have been identified as being the most appropriate. Phase 2 of this study will involve conducting performance reviews of the sites, this will help to highlight the changes that are needed at specific sites to ensure they can accommodate the additional tonnage and number of site users and that the maximum amount of recycling and reuse is diverted from the waste stream.

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1.0 Introduction

The WRAP Collaborative Change Programme (CCP) is funded by the Welsh Government to support Welsh Authorities to achieve the targets set out in its waste strategy. Resource Futures has been contracted under the CCP to provide technical expertise to review household recycling centres (HRC) and Waste Transfer Stations (WTS). Support is provided to Flintshire County Council (FCC) to review the HRC network and provide an independent appraisal of the most efficient HRC network configuration and review the performance of the sites. This report is focussed on Phase 1: An independent options appraisal for HRC network reconfiguration.

In 2012, the average population per HRC was calculated for Wales. The result was 43,000 residents served per site. In Flintshire, the figure is currently 25,418 based on a population of 152,506¹. Guidance produced by Resource Futures for the Welsh Local Government Association suggested as a guide sites should serve approximately 50,000 residents. This would suggest that with a population of just over 150,000 residents, three sites would be sufficient.

As with all local authorities budgetary constraints and increasing statutory recycling targets are encouraging departments to look at all their services, and many waste disposal authorities have considered or have already rationalised and improved the facilities offered at their network of HRC's. FCC is no different. If any changes are made, they will come into force on 1 November 2016, in order to make savings from financial year 2016/17. This independent assessment involves spatial analysis and an options appraisal to identify the most effective HRC network in Flintshire, i.e. a high level of provision, low travel times for the majority of residents and improved recycling performance.

However, the public expects even more from their services i.e. a wider range of materials recycled and reused, friendly and efficient staff, and a clean, modern, pleasant site. Therefore the sites that remain within the FCC HRC network need to be able to meet the expectations of the public as well as the operational requirements of the waste department.

2.0 Background

The table below considers the positive and negative aspects of each HRC in Flintshire.

	Positive aspects	Negative aspects
Buckley	<ul style="list-style-type: none"> • Central site • Well known and used 	<ul style="list-style-type: none"> • Small site, suffers congestion • Surrounding land partially protected by SAC • Low recycling rate due to lack of segregation when containers are full
Connah's Quay	<ul style="list-style-type: none"> • Near population 	<ul style="list-style-type: none"> • Reduced opening hours • Restricted access due to low level bridge • Particularly suffers from theft and vandalism
Flint	<ul style="list-style-type: none"> • Near population 	<ul style="list-style-type: none"> • Reduced opening hours • Could not be redeveloped to accept more waste, due to location
Greenfield	<ul style="list-style-type: none"> • Large, purpose built site 	<ul style="list-style-type: none"> • Potentially suffers cross border

¹ Population from 2011 Census data.

	Positive aspects	Negative aspects
	<ul style="list-style-type: none"> High throughput but could accept considerably more High recycling rate 	abuse from Denbighshire residents
Hope	Site already closed	
Nercwys, Mold	<ul style="list-style-type: none"> Long term lease Large site, could be redeveloped within existing footprint - if required 	<ul style="list-style-type: none"> Rural location
Sandycroft	<ul style="list-style-type: none"> Good size purpose built site High recycling rate Could accept more waste 	<ul style="list-style-type: none"> Potentially suffers cross border abuse from Cheshire residents

3.0 Network reconfiguration

3.1 FCC statutory duty

HRCs play a significant role in enhancing the recycling and waste management services that local authorities provide for the public. They accept large tonnages of waste and can achieve high recycling rates, providing a valuable service to local residents. However, financial pressures and the resources required to achieve ever-higher recycling rates are stretching ever decreasing local authority budgets. Managing an efficient and cost effective HRC network can contribute to financial savings.

HRCs are licensed under the Environmental Protection Act 1990. FCC has a statutory duty to provide these facilities. The legislation indicates that HRCs must be reasonably accessible and available at all reasonable times, for people resident in the area. There is no mention of the number of facilities needed.

National guidance² states there is no minimum acceptable level of provision. Suggested recommendations are:

- Maximum catchment radii of three miles in urban areas and seven miles in rural areas covering the great majority of residents.
- Maximum driving times to a site for the great majority of residents of 20 minutes in urban areas, and 30 minutes in rural areas; though preferably less than this by the order of 10 minutes in each case

3.2 Justification for scenario selection

Greenfield and Sandycroft are relatively new sites, purpose built to provide an efficient and safe way for residents to dispose of waste. Greenfield is well used but has capacity to accept more waste and site users. Sandycroft is currently underutilised but is very high performing. Flint HRC is in close proximity to Greenfield and Connah's Quay is near Sandycroft. Flint and Connahs Quay have the lowest recycling rates.). Therefore, it would seem justified to encourage residents to use the larger sites at Greenfield and Sandycroft, which are more customer friendly and where more items can be segregated and higher recycling rates achieved (Sandycroft is the highest performing HRC in the county).

Table 1 Flintshire HRCs

²

[http://www.wrap.org.uk/sites/files/wrap/2013%2003%2014%20INH0449_HRC_Guidance_Final%20LC%20RG%20comments%20\(2\).pdf](http://www.wrap.org.uk/sites/files/wrap/2013%2003%2014%20INH0449_HRC_Guidance_Final%20LC%20RG%20comments%20(2).pdf)

Site	Throughput (tonnes) ³	Recycling Rate (%)
Buckley	6,797	68.8
Nercwys, Mold	5,103	75.1
Greenfield	6,322	77.9
Sandycroft	2,632	84.9
Hope (prior to closure)	477	51.5
Flint	1,680	60.7
Connah's Quay	2,048	55.9
Total	25,059	72.6

Buckley HRC is in the centre of the County with Nercwys, Mold to the south. Buckley is well used by residents (it has the highest total throughput of any site), but it has quite a low recycling rate, due to being a small site and lack of segregation when containers are full/ the site is busy. Nercwys, Mold is a large site which could be redeveloped if required. It is the third highest performing site (in terms of recycling rate) and receives the third highest total throughput.

Taking account of the guidance discussed above and the background information, a number of HRC network scenarios have been assessed. These scenarios are modelled to assess drive time for householders to access sites, spatial analysis and tonnage throughputs. The factors taken into account when developing the scenarios are:

- Land ownership/designation
- Historic amenity site or purpose built to maximise recycling
- Size of the site and capacity to accept more waste
- current throughput, and
- current recycling rate.

The five scenarios are:

1. Scenario 1: Current provision of six sites
2. Scenario 2: Greenfield, Sandycroft, Buckley and Nercwys, Mold HRCs
3. Scenario 3: Greenfield, Sandycroft and Buckley HRCs
4. Scenario 4: Greenfield, Sandycroft and Nercwys, Mold HRCs
5. Scenario 5: Greenfield and Nercwys, Mold HRCs

4.0 Spatial analysis

The following spatial assessment section is based on accurate and current postcode data held by Flintshire County Council (FCC). The original data set (up to date in December 2015) comprised 4,067 postcode areas of which 3,887 (96%) had associated data on the number of households from the Office of National Statistics, equating to 63,821 households. Of all the postcodes, 23 were not included within the spatial assessment as they were not recognised by the GIS software. This equated to 218 households or 0.3% of the total number of households. In total 63,603 households were included in the analysis.

When plotted, six postcodes fell outside of the defined Flintshire boundary and were excluded. Using Mappoint software, the household and HRC location data were combined and a matrix of distances and driving times was produced. This formed the basis of the distance and driving time analysis, where driving times were calculated using the current

³ Whole year (2015-16) estimate based on quarter 2 2015

road network and not 'as the crow flies' estimates. It doesn't however take account of short or long term roadworks.

Having closed Hope earlier in 2016, at present FCC operates six HRCS primarily located in the south and east of the authority and illustrated in Figure 1. Maps have been plotted to illustrate the existing service provision alongside additional maps showing the provision that would be offered in each of three different scenarios in which a smaller combination of sites were modelled, as follows:

1. Current provision
2. Greenfield, Sandycroft, Buckley and Nercwys, Mold HRCs
3. Greenfield, Sandycroft and Buckley HRCs
4. Greenfield, Sandycroft and Nercwys, Mold HRCs
5. Greenfield and Nercwys, Mold HRCs

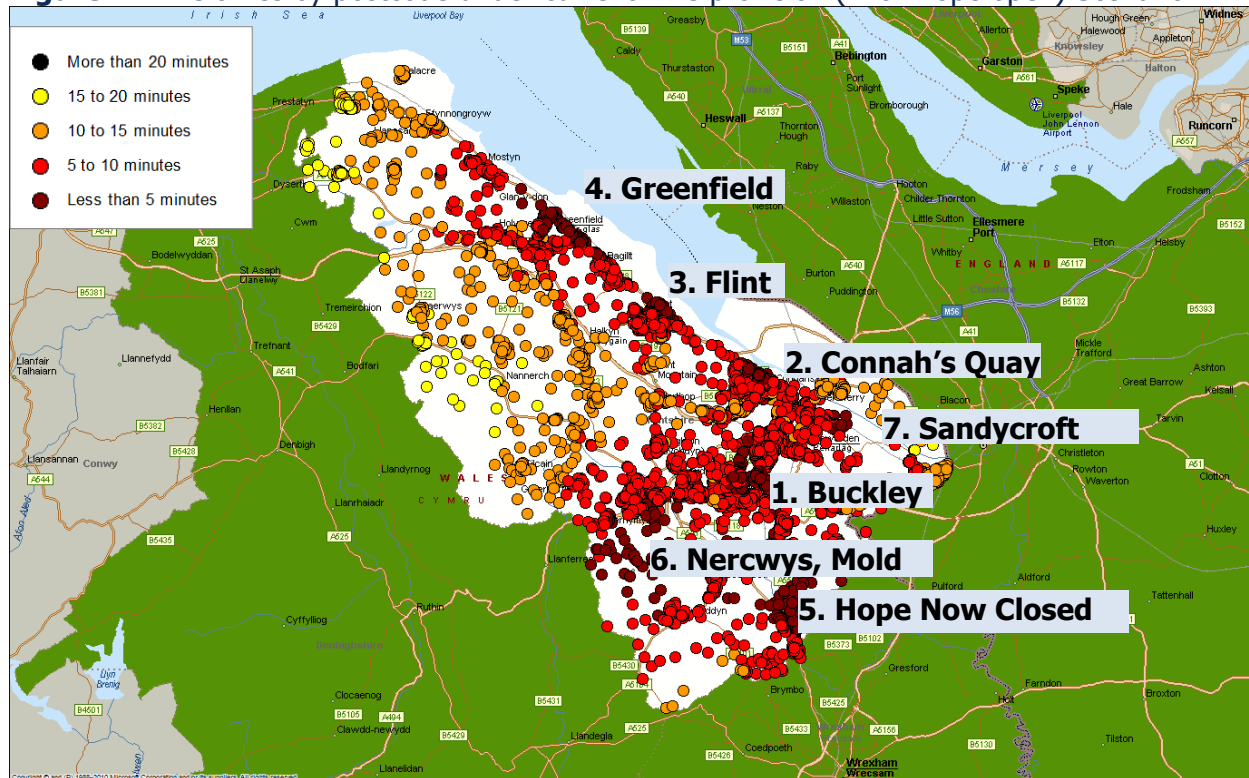
Figure 1 Location of current HRCs in Flintshire (Prior to Hope closure)



4.1 Scenario 1 - Current provision

The following section gives the minimum driving times between households and the provision at the six sites in Flintshire, aggregated to postcode level for clarity. These figures show how travel times differ across the local authority. The density of the data points correlates broadly with household density and there are five time bands (see legend).

Figure 2 Drive times by postcode under current HRC provision (With Hope open) Scenario 1



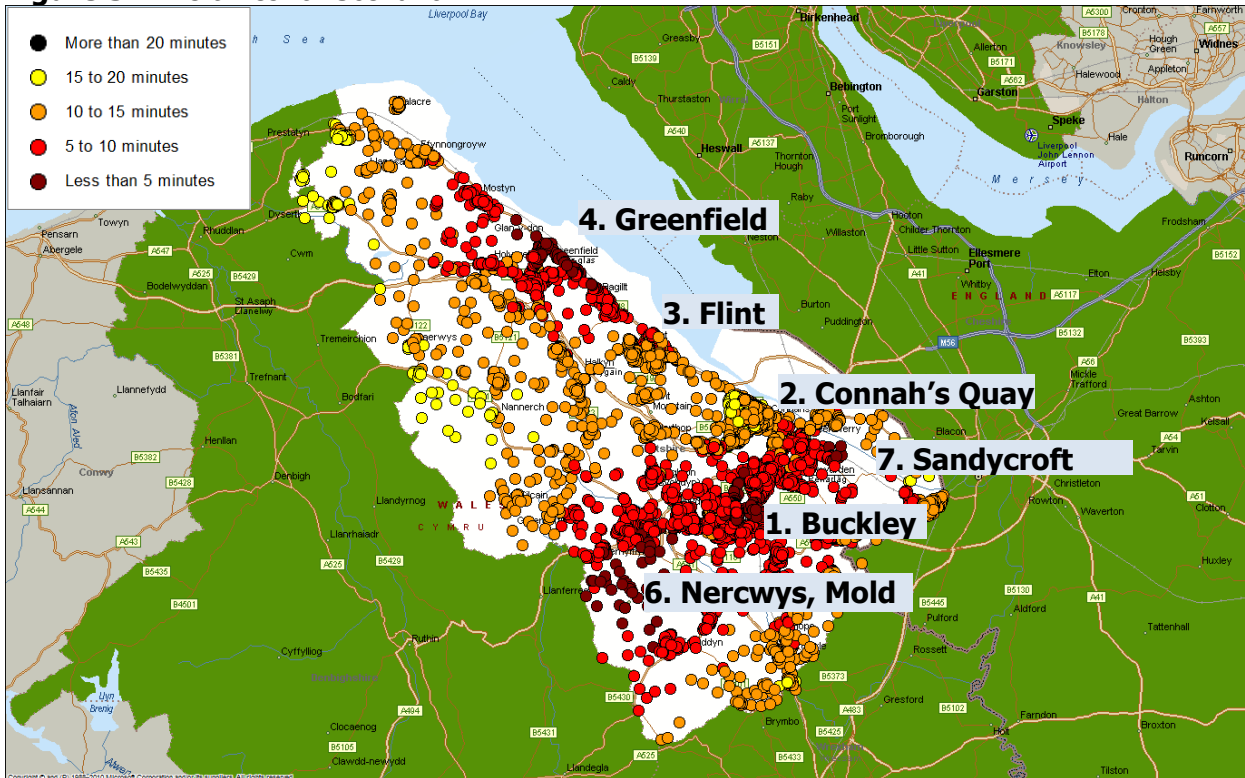
The provision offered by the current configuration is good; the majority of households (79.5%) are able to drive to an HRC in less than 10 minutes. Within 15 minutes 98.3% of the population can drive to the site and 100% of the population are able to drive to the site within 18 minutes.

The current configuration meets WRAP's recommendation on HRC provision which states that the great majority of residents, in good traffic conditions, should be able to drive to an HRC in less than 20 minutes. Referring to the **Figure 2**, households along the North East coast and to the South East are served well by the sites. A small number of households in the far North and West of the authority fall into the 15-20 minute driving time band but no households will have to travel for longer than 20 minutes to reach an HRC.

4.2 Scenario 2 - Greenfield, Sandycroft, Buckley and Nercwys, Mold HRCs

The following scenario gives an indication of the provision which would be offered if two further sites were closed and only Greenfield, Sandycroft, Buckley and Nercwys, Mold HRCs remained.

Figure 3 Drive times for Scenario 2



In the above scenario, there are clear areas where more people would have to travel for longer times in order to reach an HRC. In particular, these areas lie in the regions where the HRCs have been removed i.e. in the area surrounding Hope, Flint and Connah's Quay HRCs.

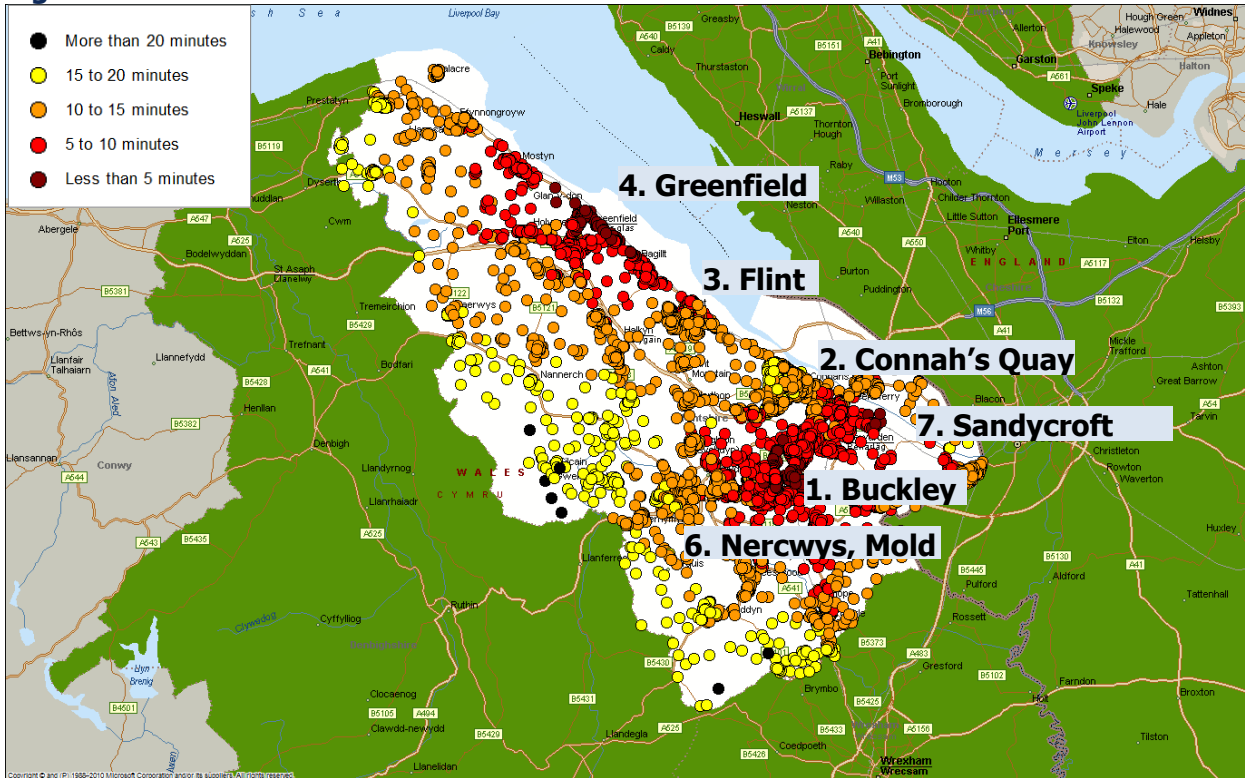
The removal of two further HRCs (plus Hope - which is already closed) in Scenario 2 (Flint and Connah's Quay) is estimated to reduce the proportion of households within 10 minutes' drive time to 56.1% from 79.5%. The proportion of household within 15 minutes reduces to 94.6% from 98.3% but importantly, all households are still within 18 minutes' drive of an HRC.

In summary, the configuration still lies within WRAP's guidelines; no household will have to travel for more than 20 minutes to reach an HRC. The impact of removing the three sites (in terms of drive times) is relatively small.

4.3 Scenario 3 - Greenfield, Sandycroft and Buckley HRCs

In Scenario 3, provision has been assessed based on the removal of three further HRCs with only those at Greenfield, Sandycroft and Buckley remaining.

Figure 4 Drive times for Scenario 3



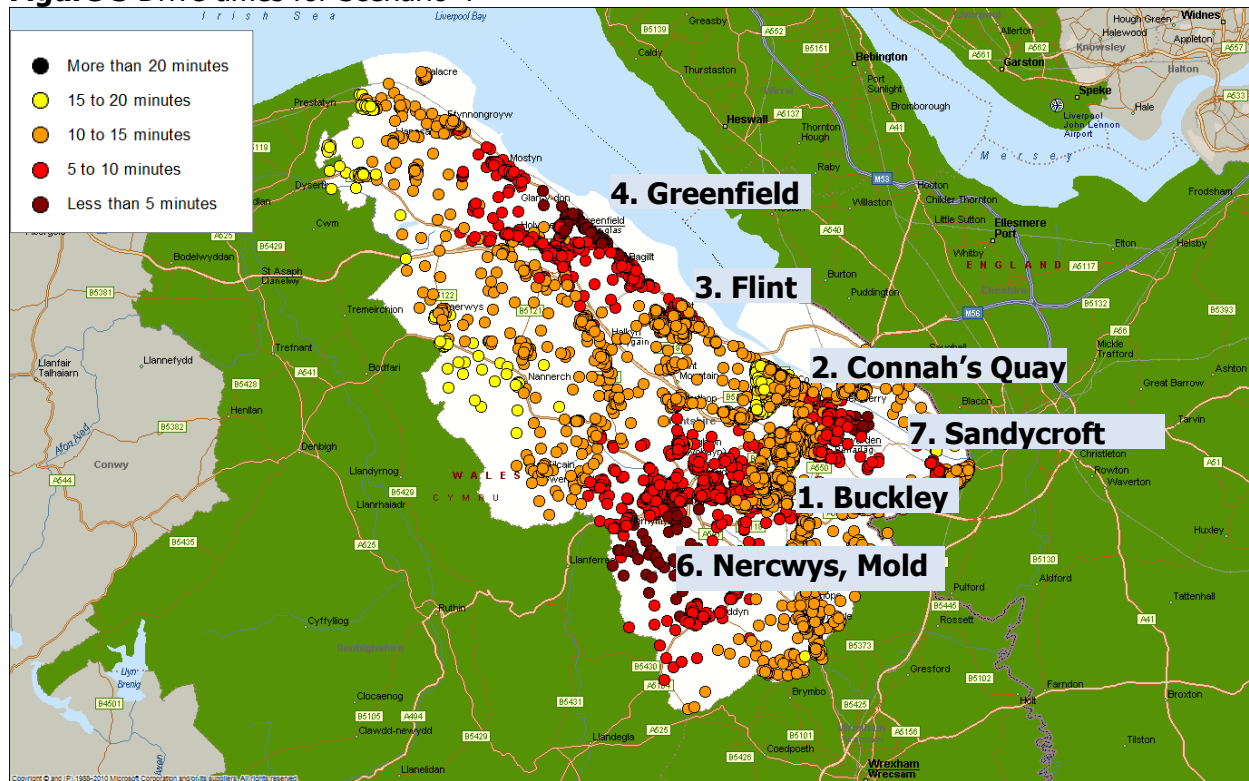
In Scenario 3 41.4% of households would be able to reach an HRC within 10 minutes compared to the current configuration (79.5%). However, the proportion of households within 15 minutes of an HRC rises to 89.4% and 99.9% of households are within 20 minutes' drive time of a site. The households (0.1% of the total) that fall just outside the 20 minute drive time radius are indicated in black on the above

In summary, this scenario meets WRAP's recommendations on HRC travel time, however, as would be expected drive times are longer for more households than in Scenarios 1 and 2.

4.4 Scenario 4 - Greenfield, Sandycroft and Nercwys, Mold HRCs

Scenario 4 presents a configuration whereby three further HRCs are closed but those at Greenfield, Sandycroft and Nercwys, Mold remain.

Figure 5 Drive times for Scenario 4

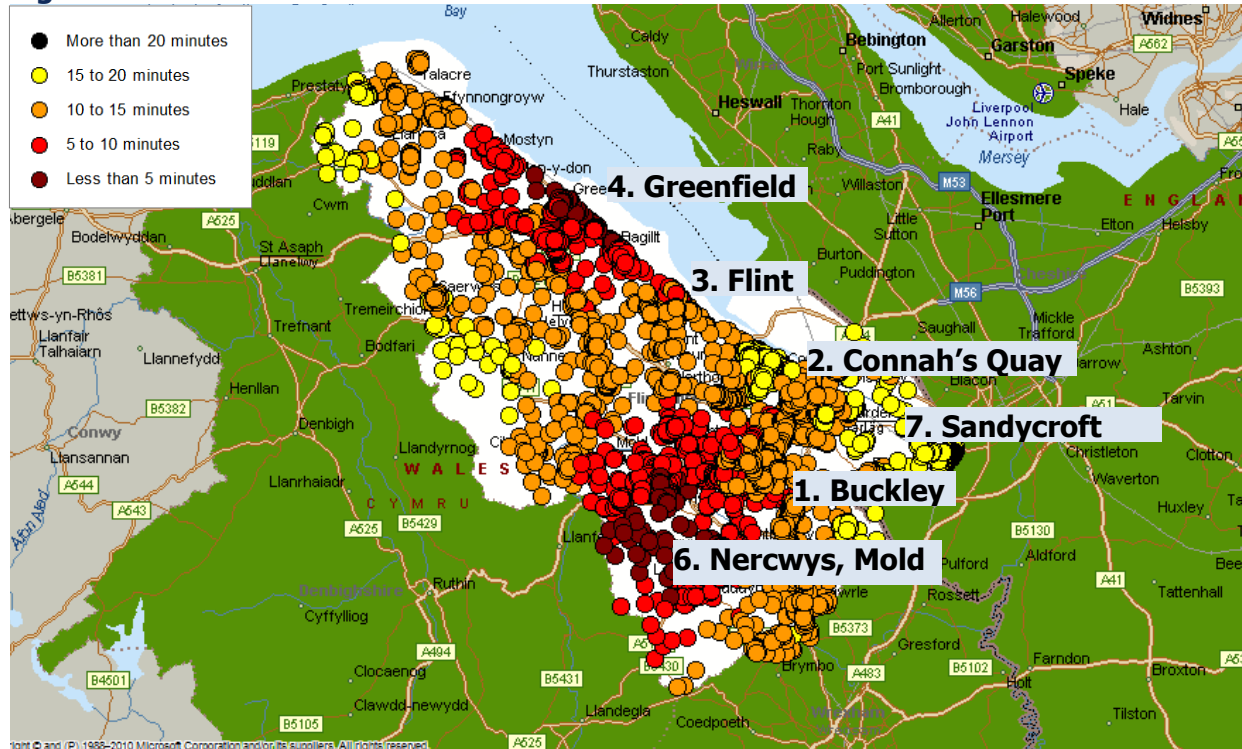


Referring to the map, the HRC network in Scenario 4 offers 39.8% of households less than a 10 minute journey to an HRC. This is lower than in Scenario 3 where 41.4% of households fell within 10 minutes of an HRC. This is likely due to the higher population density in the East of Flintshire. Approximately 92.1% of households fall within 15 minutes of a site and so although the configuration performs marginally worse than Scenario 3 for the lower drive times, it compensates for the shortfall within the 20 minutes time band. All households would be within 19 minutes of a site, again performing slightly better than Scenario 3.

4.5 Scenario 5 – Greenfield and Nercwys, Mold HRCs

Scenario 5 presents a configuration whereby all but Greenfield and Nercwys, Mold HRCs have been closed.

Figure 6 Drive times for Scenario 5



As might be expected, Scenario 5 with just two HRCs offers the least amount of coverage across Flintshire. However due to their locations this particular configuration is likely to offer the greatest coverage across the county should just two sites remain open. Figure 6 identifies that the majority of households in the south west of the authority are able to reach Nercwys, Mold HRC in under 10 minutes. This is also the case for a significant proportion of households along the north east coast. However, Scenario 5 clearly affects households along the north west border and in the east of the authority, the latter of which there are 343 households (0.5% of the total) having to travel more than 20 minutes to reach a site. It should be noted that Scenario 5 also fits within the WRAP guidance stating that the majority (in this case 99.5%) of households should fall within 20 minutes of an HRC.

4.6 Drive time analysis

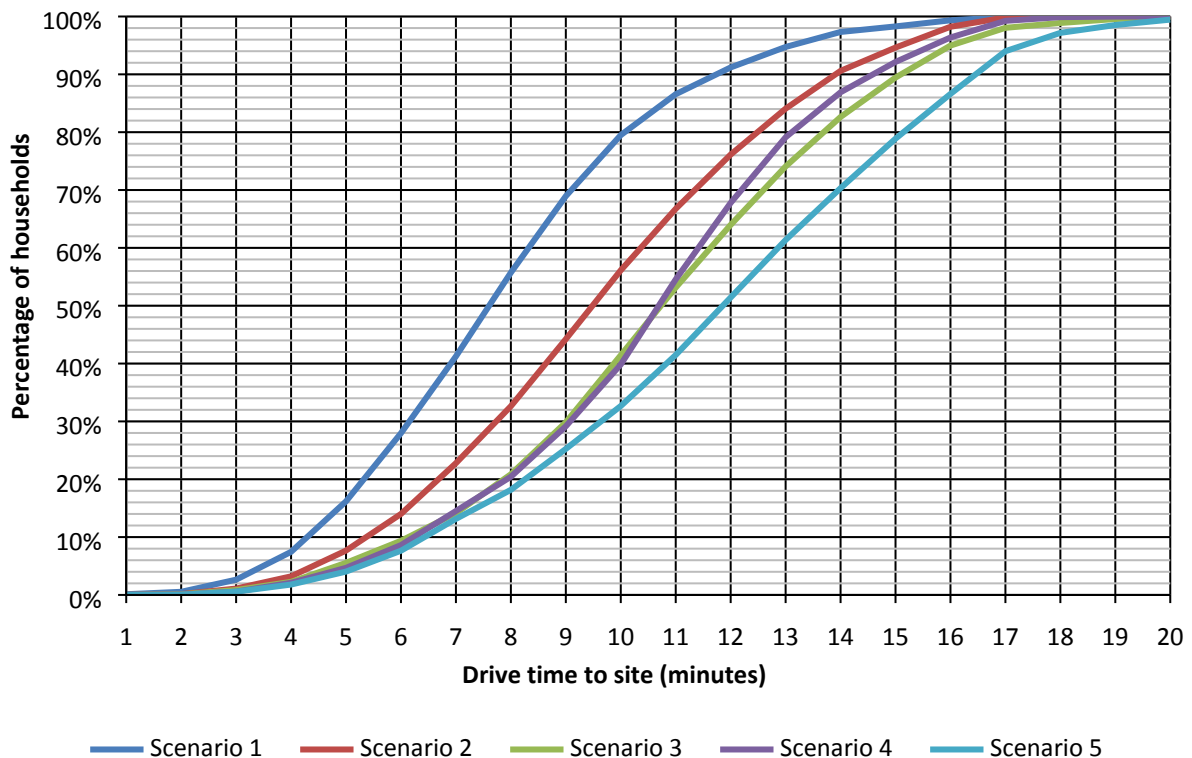
The following chart gives the number of households served within each minute of the nearest HRC, this provides an alternative indication of how each scenario could serve households in the county.

The current provision (Scenario 1) offers the best coverage of households within the shortest drive times as indicated in

Figure 7. Scenario 2 appears to offer the next best provision followed by Scenarios 3 and 4 which offer approximately similar provision. Scenario 5 offers the least provision as might be expected.

The figure below presents the modelled data in terms of cumulative coverage, whereby the proportion of the population served is plotted within each minute driving time from the site. The scenario with the leftmost cumulative percentage offers the best provision to households and the rightmost the worst.

Figure 7 Cumulative percentage of households served within minutes of driving time



However, it should be noted that the analysis does not account for roadworks or areas of peak time congestion.

4.7 Households served per site

Although the drive time analysis is not a precise measure of how many people will use a site⁴, it provides a reasonable indication of which site should be most convenient for householders as the calculations are based on the existing road network. The facilities offered by each site will also have a bearing on the sites to which people choose to take their waste and recycling.

⁴ For example it does not account for site users that prefer to use a site close to their place of work.

Table 2 below summarises the proportion of households in each of the five travel time bands for each of the modelled scenarios and confirms that scenario 1 (seven sites) provides the greatest coverage. As might be expected, scenario 2 with four sites covers the second greatest area and scenarios 3 and 4 show similar coverage with the latter performing marginally better. Scenario 5 shows the least coverage. All scenarios fit within the WRAP guidance stating that the majority of households should fall within 20 minutes of an HRC.

Table 2 Proportion of households in each of the 5 travel time bands for each scenario

Scenario	Proportion of Households				
	Less than 5 minutes	5 to 10 minutes	10 to 15 minutes	15 to 20 minutes	More than 20 minutes
Scenario 1	16.2%	63.3%	18.8%	1.7%	0%
Scenario 2	7.7%	48.5%	38.5%	5.4%	0%
Scenario 3	5.5%	35.9%	48.0%	10.5%	0.1%
Scenario 4	4.7%	35.2%	52.3%	7.9%	0%
Scenario 5	4.0%	28.6%	46.2%	20.6%	0.5%

Based on the drive time analysis, the table below shows the number of households closest to a site in each scenario. The current provision (Scenario 1) in Table 3 shows that the Buckley, Connah’s Quay, Greenfield and Nercwys, Mold sites are the closest sites to the largest proportion of households, each attracting approximately 20% or slightly below of all households, on the assumption that people will visit the closest site to their household.

Table 3 Number of households closest to each site in each proposed scenario

Scenario	Number of households						
	Buckley	Connah’s Quay	Flint	Greenfield	Nercwys, Mold	Sandycroft	
Scenario 1	12,530 (20%)	10,913 (17%)	6,300 (10%)	11,243 (18%)	12,103 (19%)	5,477 (9%)	
Scenario 2	20,215 (32%)	-	-	16,971 (27%)	14,467 (23%)	12,002 (19%)	
Scenario 3	34,084 (54%)	-	-	17,569 (28%)	-	12,002 (19%)	
Scenario 4	-	-	-	17,002 (27%)	28,716 (45%)	17,885 (28%)	
Scenario 5	-	-	-	17,874 (28%)	45,729 (72%)	-	

In all scenarios in which it is included, Buckley HRC is closest to the largest majority of households. In Scenario 2, the site would be required to serve an additional 7,500 households. In Scenario 3, Buckley would have to serve almost three times the number of households it currently serves at approximately 34,000 (compared to 12,500 currently). This will result in a wide variance across the three remaining sites with Buckley receiving almost twice as much material as Greenfield and three times as much as Sandycroft. Scenario 4 provides the best balance across all sites for the three site options.

Section 5 discusses the impact of the different scenarios on tonnage throughput, i.e. if three times as many site users visit Buckley, is there sufficient headroom for the site to accept the waste (as well as operational capacity).

The Greenfield HRC has been modelled in all five scenarios and would be required to serve an additional ~50% households in each. Nercwys, Mold HRC would have to serve just 2,000 additional households in Scenario 2 but would have to more than double its provision in Scenario 4 and almost quadruple it in Scenario 5. Sandycroft HRC would have to serve twice as many residents in Scenarios 2 and 3 and approximately three times as many in Scenario 4. The options appraisal considers whether the sites are likely to be able to cope with the additional tonnage and vehicles, and if not, whether they can be redeveloped to accept more waste. This will also be considered further in Phase 2 together with Traffic Impact Assessments for each of the proposed sites.

The percentage of households that falls into a given time band is shown in the table below. Scenario two offers the best level of provision where more people are served in the shorter time intervals.

Table 4 Drive time group comparison for current and potential provision scenarios

HRC Configuration		Scenario 1	Scenario 2	Scenario 3	Scenario 4	Scenario 4
Percentage of households within	5 mins	16.2%	7.7%	5.5%	4.7%	4.0%
	10 mins	79.5%	56.1%	41.4%	39.8%	32.7%
	15 mins	98.3%	94.6%	89.4%	92.1%	78.9%
	20 mins	100.0%	100.0%	99.9%	100.0%	99.5%
Average driving time (minutes: seconds)		07:55	09:35	10:51	10:33	11:31

5.0 Task 4: Waste flows

5.1 Displacement of waste when sites are closed

There is little evidence as to where waste is displaced to when sites close. Anecdotal evidence from authorities that have rationalised their sites suggests flytipping does not increase. It is likely that some waste will be disposed of at the kerbside but the majority will be retained within the HRC network. Research conducted by Resource Futures on data from WasteDataFlow suggests that there is a 5–10% fall in total HRC throughput following closure of a site. However many factors will impact changes in HRC throughputs, therefore any expectation of reduced waste arisings should be treated with caution. For this reason, Section 5.2 below which examines the potential impact on HRC site throughputs assumes the same tonnage as 2015.

5.2 Potential impact on HRC site throughputs

The spatial analysis suggests which site householders would travel to if their nearest site closed. The model uses the principle that a householder would visit the next closest site to them (in terms of drive time). On the assumption that members of the public will continue to use the sites at their current rate and that they bring the same quantity of material to the site (e.g. kg/hh/year per site), this model can be used to predict the effect of site closures on the tonnage throughputs of the remaining sites. Table 5 presents the results of this modelling.

Table 5 Estimated effect on tonnage throughputs⁵

Scenario		Buckley	Connah's Quay	Flint	Greenfield	Nercwys, Mold	Sandycroft
1	No. of households	12,530	10,913	6,300	11,243	12,103	5,477
	Tonnage (t)	6,797	2,048	1,680	6,322	5,103	2,632
2	No. of households	20,215			16,971	14,467	12,002
	Tonnage (t)	10,966 (+61%)			9,542 (+51%)	6,099 (+20%)	5,767 (+119%)
3	No. of households	34,084			17,569		12,002
	Tonnage (t)	18,490 (+172%)			9,878 (+56%)		5,767 (+119%)
4	No. of households				17,002	28,716	17,885
	Tonnage (t)				9,560 (+51%)	12,106 (+137%)	8,593 (+227%)
5	No. of households				17,874	45,729	
	Tonnage (t)				10,051 (+59%)	19,281 (278%)	

The table shows that in Scenario 2, three of the four remaining sites would experience a significant rise of at least 50% in tonnage throughput, with the exception of Nercwys, Mold HRC which would see a 20% rise. The analysis suggests Sandycroft HRC would more than double (+119%) its annual throughput.

Unsurprisingly, the impact upon tonnage throughputs becomes even more significant in Scenario 3 with Buckley HRC almost tripling from 6,797 tonnes to 18,490 tonnes. The Sandycroft site may experience a 119% rise in throughput (i.e. more than double) and the Greenfield site shows a more modest 56% rise in throughput.

In Scenario 4, the analysis suggests Sandycroft HRC is modelled to experience a very large increase in tonnage from 2,632 tonnes to 8,593 tonnes, an increase of approximately 227%. Nercwys, Mold HRC shows a significant but smaller increase at 137% and the site at Greenfield shows the smallest increase at 51%.

Scenario 5 shows a similar increase in tonnage throughput of approximately 59% at the Greenfield site. The Nercwys, Mold site in this scenario however would experience the largest increase in tonnage throughput meaning that the site would have to deal with approximately 278% more material, or 14,178 tonnes. This is a huge increase and unless major works are carried out at the site, it is unlikely to cope.

6.0 Options appraisal

The options appraisal includes the scenarios modelled in the spatial analysis and waste flows tasks. The 'do nothing' (or baseline) option is the current provision of six sites and the other four options are appraised against this. Phase 2 of this work involves completing a

⁵ Estimates based on quarter 2 2015 tonnage data

performance improvement site review for each HRC expected to form the reconfigured network.

The following criteria have been identified to evaluate the options:

- Deliver effective and efficient services
- Drive times
- Recover value from residual waste
- Contribute to a more resource efficient Flintshire
- Tenure of properties
- Deliverability and timescales (to provide a high quality⁶ service)
- Manage waste according to the hierarchy
- Capacity to manage throughput
- Achieve/ maintain high levels of public satisfaction
- Increase public awareness

Table 6 discusses the evaluation criteria for each option. Each criteria is assessed using the following scale with Option 1 forming the baseline for reference:

- 5 = Highly satisfactory
- 3 = Satisfactory
- 1 = Unsatisfactory

Based on the above, the options have been scored and ranked. The results are in Table 8.

6.1 Development Potential

Resource Futures conducted site visits of the Nercwys, Mold, Buckley, Sandycroft and Greenfield HRCs. The site assessments will be formally documented in the Phase 2 report however the below table briefly discusses the development potential of the four sites in respect of the options appraisal.

Table 6: Development potential of Flintshire HRCs

Site	Development Potential
Nercwys, Mold	The Nercwys, Mold HRC is a single level site rurally situated around 1.5 miles to the south of Mold town centre. The site is furthest south west of all of the sites in the county. The layout of site is much less convenient for vehicle movements in comparison to the newer sites in Flintshire. The surrounding area is privately owned fields and woodland, but there may still be potential to expand the footprint of the site. The site could also be developed within its current footprint, improvements could be made to traffic flow and skip servicing in particular. The site would need to be redeveloped in order to manage higher waste throughputs, but there is potential to do so.
Buckley	The Buckley HRC is a single level site situated in a suburban location in between Buckley and Ewloe. Unfortunately there is limited potential for development at the Buckley HRC and the area surrounding the site is partially protected by a Special Area of Conservation (SAC) and is unlikely to be able to be developed for this reason. With regard to developing the site within its current footprint, this is also unlikely to produce worthwhile performance improvements due to the limited

⁶ A high quality service is deemed by this study to be a site that prioritised the waste hierarchy, is high performing in terms of recycling rates, has good traffic management and minimum congestion, has excellent Health and Safety standards and is generally a good experience for the resident.

	space to develop whilst keeping the site open during servicing. It is unlikely the site would be able to cope with the significantly higher throughputs it could expect if nearby sites close. The site would need to be redeveloped but it is not feasible within the current footprint.
Greenfield	The Greenfield HRC site is a modern purpose built, split level site. The site is the most northerly in the county; it is located close to Holywell on the Greenfield business park and industrial estate on the edge of the Dee estuary. The modern design of the site does not require development to make improvements to its performance or efficiency. The site is located adjacent to a council run composting operation on land owned by the council; and so there is likely to be some space for expansion.
Sandycroft	The Sandycroft site is also a relatively new purpose built single level site situated in a suburban location on the edge of Sandycroft. The site has a modern design and is unlikely to require any further developments in order to improve efficiency or enhance performance. The site does however have room for expansion as it is located on a brownfield site next to the River Dee with ample space to expand out towards the river.

6.2 Cost Modelling

Cost modelling will be conducted in Phase 2. As with all cost modelling, the costs of developing the sites will be analysed alongside the predicted benefits of long-term cost savings associated with higher performing sites (additional revenue from recycling, reduced landfill tax from reduction of non-recyclable waste). Furthermore all sites will be exploring a re-use model which can bring additional revenue to the sites offsetting the initial capital outlay.

Table 7 Option appraisal evaluation

	Option 1	Option 2	Option 3	Option 4	Option 5
	Current configuration of sites	Greenfield, Sandycroft, Buckley and Nercwys, Mold	Greenfield, Sandycroft and Buckley	Greenfield, Sandycroft and Nercwys, Mold	Greenfield and Nercwys, Mold
Drive times	This has the most acceptable drive times, i.e. The highest number of residents will travel the shortest distance to a site.	Whilst more residents have to travel further than in Option 1, the drive times are within advice provided in WRAP guidance.	Whilst residents have to travel further than in Option 1 and 2, the drive times are within advice provided in WRAP guidance.	Whilst residents have to travel further than in Option 1, the drive times are within advice provided in WRAP guidance.	Although this option still satisfies the advice provided in the WRAP guidance, the performance in terms of drive time is least favourable.
Recover value from residual waste	This option offers the least recovery from residual waste because there are a number of low performing sites. Whilst some improvements could be made, there are challenging barriers e.g. space restrictions at Buckley.	More value is expected to be recovered from the waste as these sites are generally high performing (with the exception of Buckley).	More value is expected to be recovered from the waste as these sites are generally high performing (with the exception of Buckley).	More value is expected to be recovered from the waste as these sites are high performing. Should waste be diverted to these sites it is likely that they would achieve a comparatively higher recycling rate and thus more value. The sites also have capacity to be developed or expanded and so further value could be recovered by efficiency improvements/re-development.	As Greenfield and Nercwys, Mold are two of the four highest performing sites, more value could be driven out of the material that would be diverted to these sites. However, as Nercwys, Mold would experience a much higher throughput, careful thought must go in to redeveloping the site to be able to cope with higher tonnages and maintain high recycling rates.
Manage waste according to the hierarchy	Re-use is not prioritised in the current configuration. Redeveloping sites to add re-use facilities will help manage waste more appropriately.	The large sites could prioritise re-use and thereby help Flintshire to be more resource efficient. However, there is limited ability to add re-use at Buckley.	The large sites could prioritise re-use and thereby help Flintshire to be more resource efficient. However, there is limited ability to add re-use at Buckley.	The large sites could, prioritise re-use and thereby manage waste according to the hierarchy and generate more value from recovered materials.	The larger Greenfield site could easily accommodate a re-use facility. However, In its current configuration it would be difficult for Nercwys, Mold to accommodate re-use.
Tenure of properties	Not all sites are owned by FCC or have a long term lease, which increases uncertainty in long term planning. Reducing sites to those that are owned or have newer leases will	There is less risk associated with this option as land is owned or long term leased.	There is less risk than with option 1, however a SAC is in place over part of the land where any extension may be required and would restrict the development of the site.	There is less risk associated with this option as land is owned or long term leased.	Land is either owned or long-term leased by FCC and so there is limited risk with this option.

	Option 1	Option 2	Option 3	Option 4	Option 5
	Current configuration of sites	Greenfield, Sandycroft, Buckley and Nercwys, Mold	Greenfield, Sandycroft and Buckley	Greenfield, Sandycroft and Nercwys, Mold	Greenfield and Nercwys, Mold
Deliverability and timescales (to provide a high quality service)	manage this risk This option is easy to deliver as it is the 'do nothing' approach.	This option is easy to deliver as the majority of waste is accepted at these sites. Some performance improvement will be required	This option will not allow FCC to deliver a high quality, waste hierarchy focused service compared to Options 2 and 4 due to the problems at Buckley.	This option can deliver a high quality service in the medium term, following performance improvement to ensure Nercwys, Mold can accommodate the additional tonnage.	This option would not allow FCC to deliver a high quality service in the short and medium term due to the reasons stated above.
Capacity to manage throughput	This option has capacity to manage the waste throughputs as all sites, with the exception of Buckley could attract more waste.	This option has capacity to manage the waste throughputs as all sites, with the exception of Buckley which would struggle to accommodate significant additional tonnage.	This option may struggle to manage the waste throughputs as Buckley is already a very busy site and cannot be easily redeveloped to accept more and reduce congestion. (due to SAC)	This option has capacity to manage the waste throughputs as all sites.	It is likely Greenfield could be developed or improved to manage an additional 50% of throughput but Nercwys, Mold is unlikely to be able to manage a four-fold increase as predicted by the 'Potential impact' table (Table 5).
Achieve/maintain high levels of public satisfaction	The public are satisfied with their current service.	Closure of sites will be unpopular in communities surrounding the Flint and Connah's Quay sites, however once residents visit efficient and well managed sites and the benefits are clearly explained to them, it is likely they will be satisfied with the service, especially if the financial benefits are highlighted.	Closure of sites will be unpopular in Flint, Nercwys, Mold and Connah's Quay. Residents however are likely to be satisfied with the benefits of the larger sites e.g. greater efficiency, improved layout, better customer experience etc. However, the congestion problems at Buckley could be exacerbated in this scenario, causing complaints.	Closure of sites will be unpopular in communities surrounding Flint, Buckley and Connah's Quay, however once residents visit efficient and well managed sites, it is expected that they will appreciate the greater efficiencies and better experience they have at the purpose built sites, especially if Nercwys, Mold is redeveloped.	This scenario is likely to achieve the highest amounts of public dissatisfaction due to the largest amount of site closures. The Sandycroft site is only one year old and FCC will need to excellent management and communication regarding the reasons for closure to the public.
Increase public awareness	If the status quo is preserved, FCC may wish to plan a communications campaign to help raise awareness of the opportunities for recycling	Changing the network and focussing on high performing sites with greater ability to segregate will raise public awareness of recycling in general	Changing the network and focussing on high performing sites with greater ability to segregate will raise public awareness of recycling in general	Changing the network and focussing on high performing sites with greater ability to segregate will raise public awareness of recycling in general	Although a network change of this scale would go hand in hand with a public awareness campaign to promote the value of recycling, there is a risk that

	Option 1	Option 2	Option 3	Option 4	Option 5
	Current configuration of sites	Greenfield, Sandycroft, Buckley and Nercwys, Mold	Greenfield, Sandycroft and Buckley	Greenfield, Sandycroft and Nercwys, Mold	Greenfield and Nercwys, Mold
	and re-use at HRCs.				the additional time spend getting to the sites may reduce the amount of time available for segregation.

Table 8 Scores of options evaluation

	Option 1 Current configuration of sites	Option 2 Greenfield, Sandycroft, Buckley and Nercwys, Mold	Option 3 Greenfield, Sandycroft and Buckley	Option 4 Greenfield, Sandycroft and Nercwys, Mold	Option 5 Greenfield and Nercwys, Mold
Deliver effective and efficient services	1	3	5	5	3
Drive times	5	5	5	5	3
Recover value from residual waste	3	3	5	5	5
Contribute to a more resource efficient Flintshire	3	3	3	5	5
Tenure of properties	3	3	5	5	5
Deliverability and timescales (to provide a high quality service)	1	3	3	3	3
Manage waste according to the hierarchy	3	3	5	5	5
Capacity to manage throughput	5	5	1	3	1
Achieve/ maintain high levels of public satisfaction	5	3	3	5	3
Increase public awareness	3	5	5	5	3
TOTAL	32	36	40	46	36
RANK	5	=3	2	1	=3

The criteria have differing importance to FCC. Weighting the priorities that are most important will help to differentiate between the scenarios. The priorities and the associated maximum weighted scores are in the table below.

Table 9 Weighted scores of options evaluation

	Weighting	Option 1	Option 2	Option 3	Option 4	Option 5
		Current configuration of sites	Greenfield, Sandycroft, Buckley and Nercwys, Mold	Greenfield, Sandycroft and Buckley	Greenfield, Sandycroft and Nercwys, Mold	Greenfield and Nercwys, Mold
Deliver effective and efficient services	11	11	33	55	55	33
Drive times	9	45	45	45	45	27
Recover value from residual waste	8	24	24	40	40	40
Contribute to a more resource efficient Flintshire	7	21	21	21	35	35
Tenure of properties	6	18	18	30	30	30
Deliverability and timescales (to provide a high quality service)	8	8	24	24	24	24
Manage waste according to the hierarchy	4	12	12	20	20	20
Capacity to manage throughput	6	30	30	6	18	6
Achieve/ maintain high levels of public satisfaction	2	10	6	6	10	6
Increase public awareness	1	3	5	5	5	3
TOTAL		182	218	252	282	224
RANK		5	4	2	1	3

The results of the options appraisal suggests that the most favourable option is to close Flint, Connah's Quay, Hope and Buckley.

Rank	Option
1	Option 4: Greenfield, Sandycroft and Nercwys, Mold
2	Option 3: Greenfield, Sandycroft and Buckley
3	Option 5: Greenfield and Nercwys, Mold
4	Option 2: Greenfield, Sandycroft, Buckley and Nercwys, Mold
5	Option 1: Current configuration of sites

7.0 Summary

Based on the research undertaken for this study, FCC could close a further three sites (and retain three) whilst still performing its statutory duty and providing a high quality and comprehensive service within an acceptable drive time of 20 minutes as per WRAP guidance.

The drive time analysis, spatial assessment and potential impact on tonnage throughput suggests that if FCC decide to reduce the network to a total of three sites, Nercwys, Mold HRC is likely to perform better than Buckley. Whilst FCC will need to ensure there is adequate headroom at all the remaining sites, it is likely that Buckley could not accommodate the scale of increase the analysis predicts. There may be further economic benefits to FCC if they are able to sell the land at Buckley.

As Buckley is the most heavily used site in the county (in terms of throughput) FCC will need to ensure that if this site is to close, there are adequate facilities in place. Residents can travel to Nercwys, Mold or Sandycroft, however the Nercwys, Mold site may require improvements before it could accept significant additional waste. A detailed performance review in Phase 2 will identify what is required.

The closure of the sites at Flint, Connors Quay should not have a detrimental impact on the community as they can be well served by alternative HRCs which are close to those locations and provide suitable facilities.

www.wrapcymru.org.uk/relevant link

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Flintshire County Council

Household Recycling Centre Survey - April 2016

Methodology:

An on-site face to face survey with HRC service users, undertaken at ad-hoc periods throughout the day.

A separate electronic survey for County Councillors and Town and Community Councils

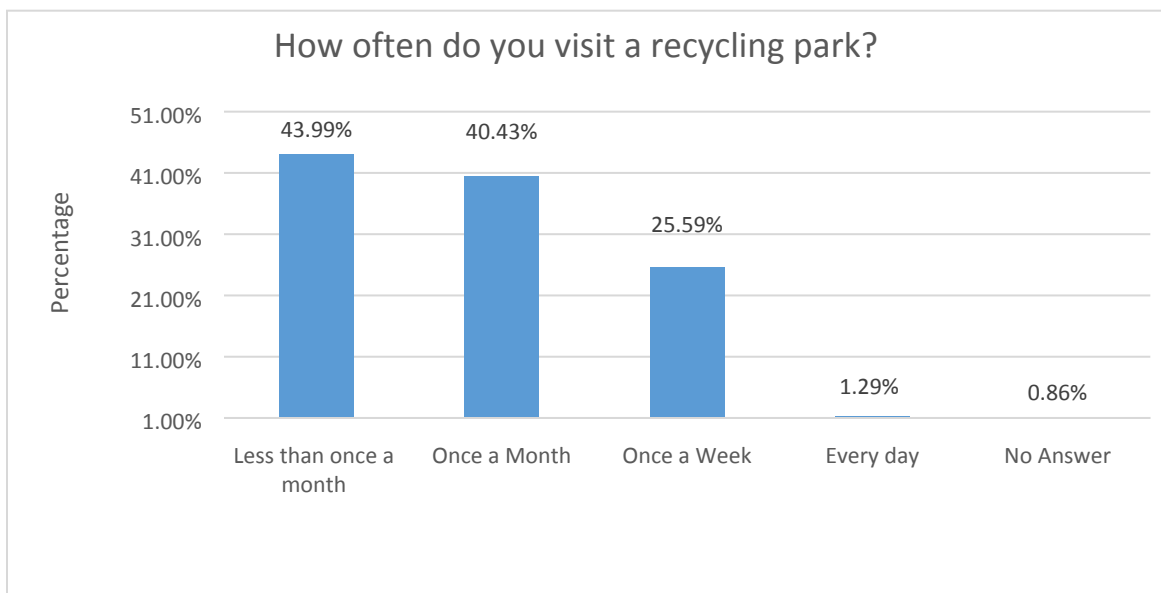
Duration of Survey:

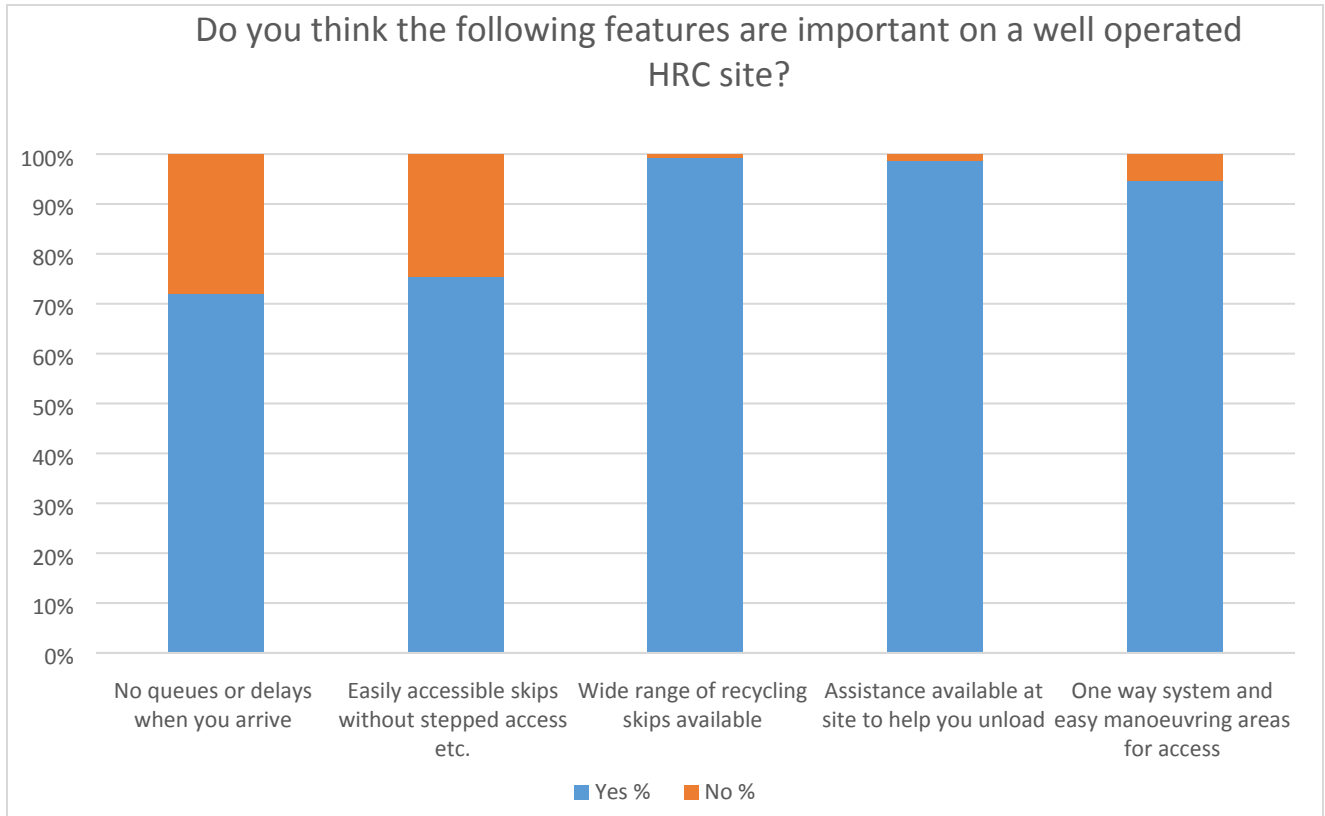
Thursday 30 March 2016 to Friday 29 April 2016

Numbers responding:

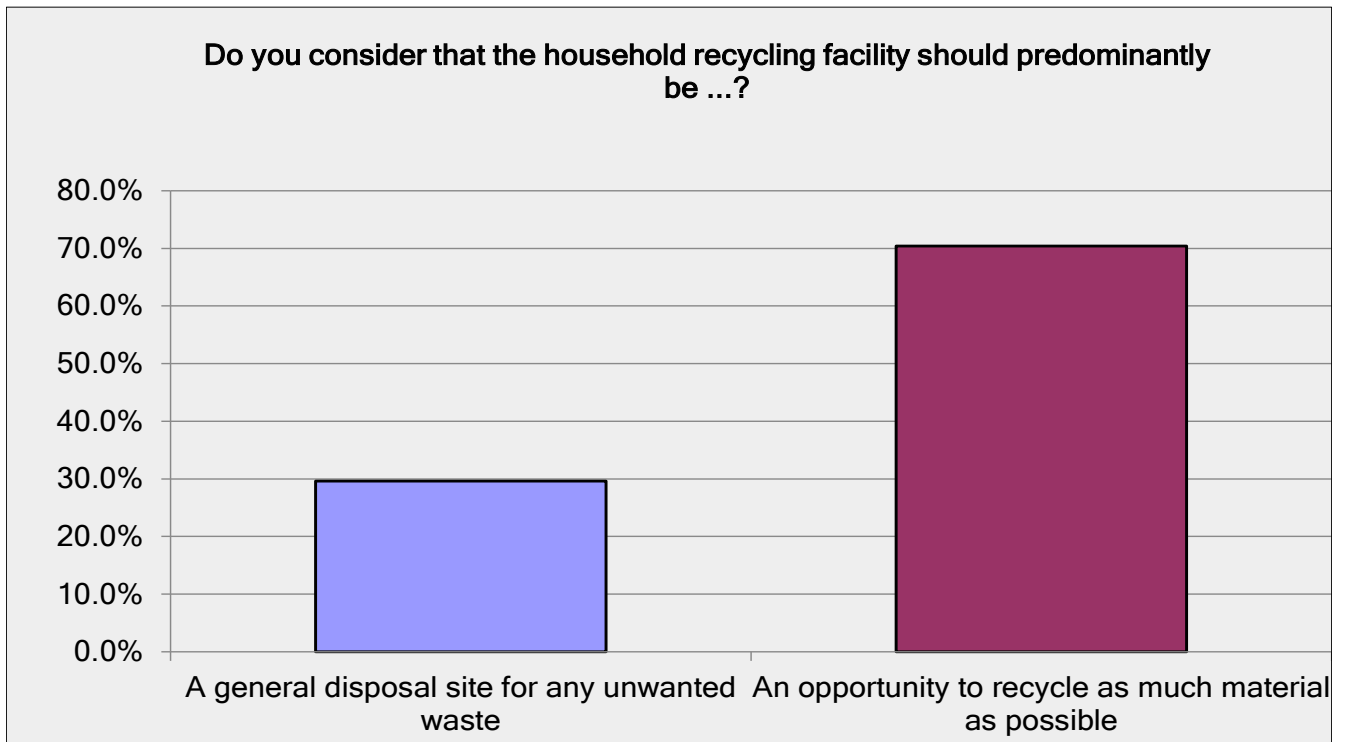
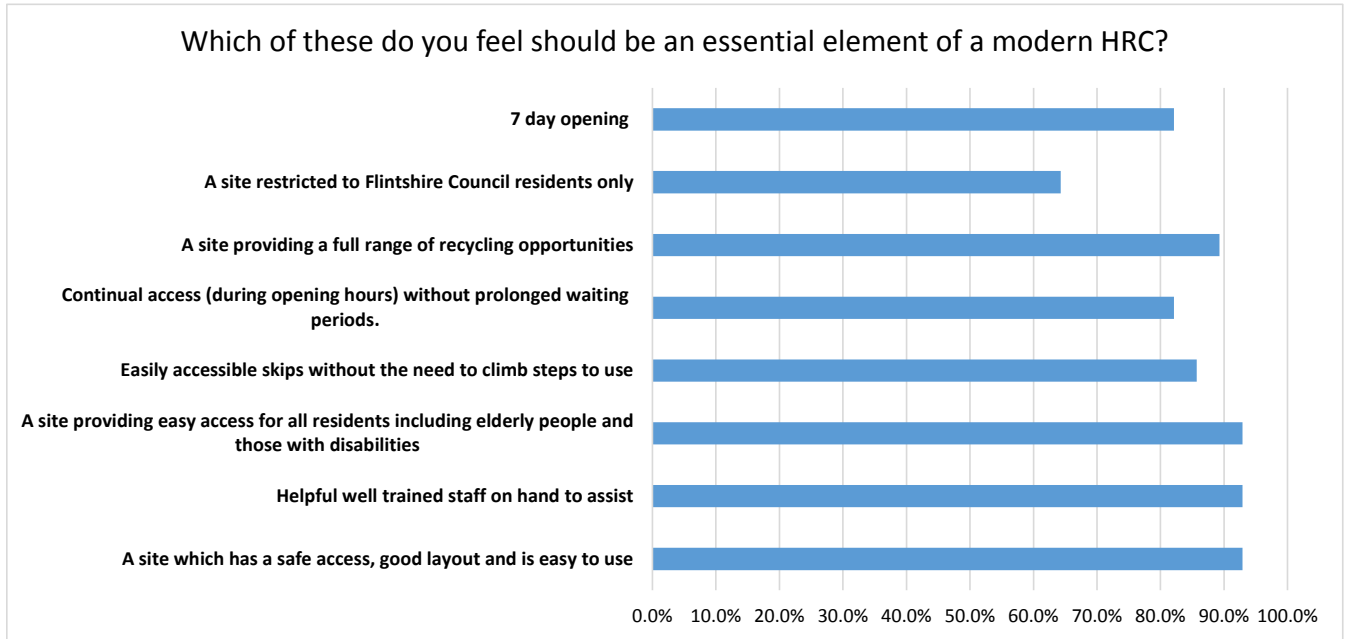
Service users across all six HRC sites	605
County Councillors	22
Town and Community Councils	14

Responses by Service Users



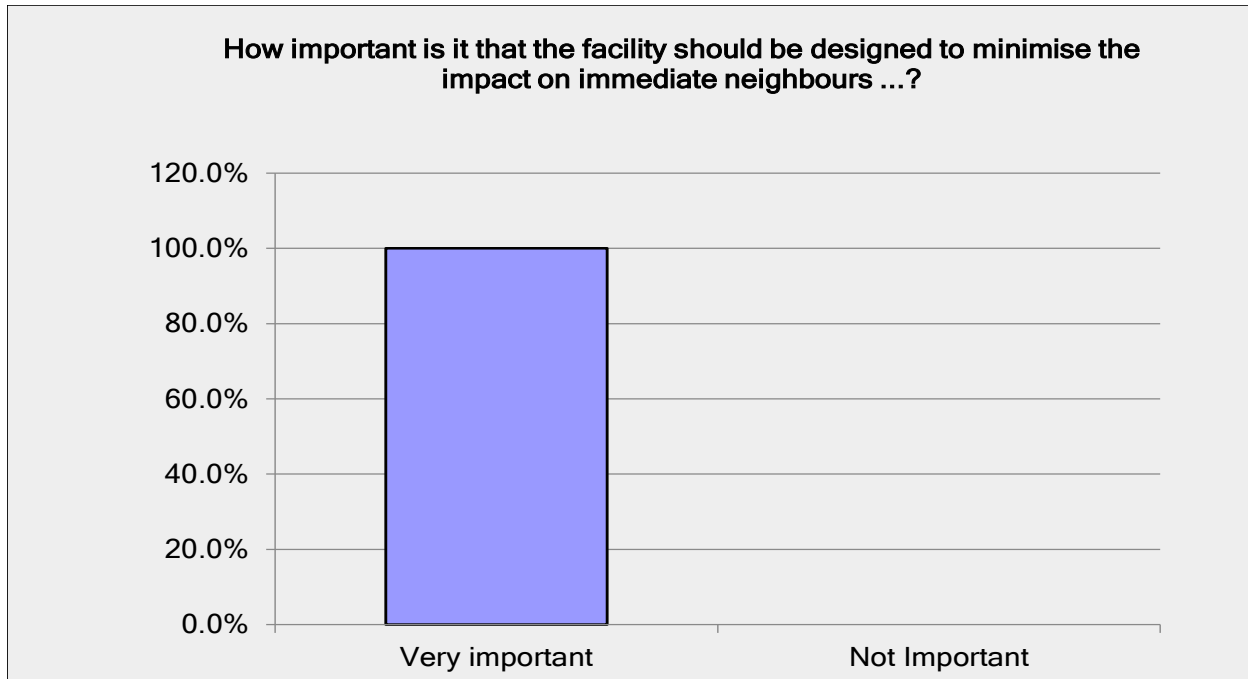


Responses by County Councillors and Town & Community Councils



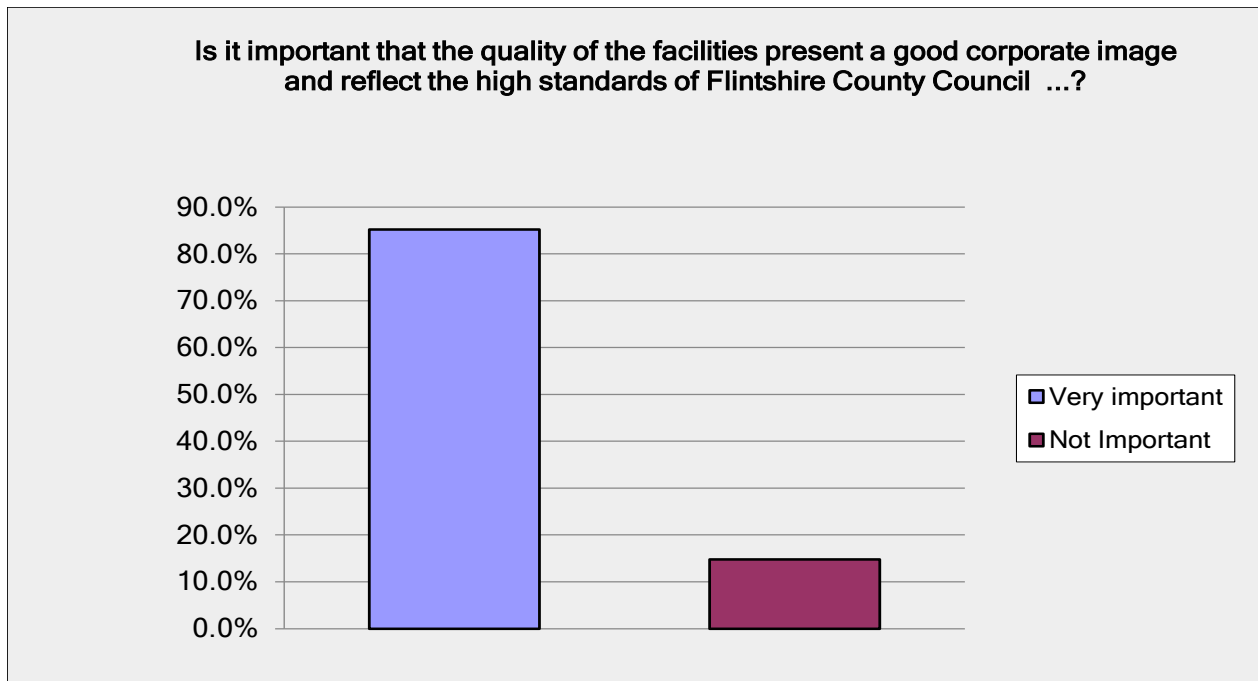
Respondents were asked to qualify their response to the question above

- To meet FCC recycling targets, also at present there is no opportunity to recycle yogurt pots, butter tubs, drink cartons. Also keeps the country side tidy
- To keep the country side tidy, prevent fly tipping & meet FCC recycling targets
- Refer to excellent facilities at Greenfield Recycling Centre
- Consider it is both a general disposal site and an opportunity to recycle as much as possible. A general disposal site should reduce fly tipping but should also encourage and facilitate recycling.
- There is a need for sites which offer facilities for residents to dispose of unwanted waste so as to ensure that there is no excuse for fly tipping. The site should also offer the opportunity to recycle.
- To reduce landfill
- To reduce landfill
- I consider both options at Q5 to be equally important. Residents want just one location where both recyclable items and non-recyclable items can be disposed of.
- To reduce use of landfill and cost to Flintshire CC
- Where else would it be disposed.
- I consider the bi-weekly waste collection service, to be inadequate for large families, families with young children, using nappies, people emptying cat litter etc. the current black bin is too small for a lot of families
- less to landfill
- Residents say there is more fly tipping since the Flint site only opens 3 days
- Everyone should be aware of recycling to help environment and reduce amount going to landfill
- Whilst there should be a facility for unwanted waste residents should be encouraged to recycle for environmental reasons.
- In question 5 I would mark both
- Stops fly tipping
- Because people fly tip and I get the complaints
- This will help stop any fly tipping, and the more we recycle the less into land fill
- Although Flintshire has excellent kerbside recycling, residents still need to be able to dispose for recycling large items such as white goods and waste from DIY etc.
- We have to do this for our future as there is so much waste today that we have to recycle as much as we can.
- A place to take items that cannot be recycled on doorstep such as general plastics, excess recycling, garden waste but also need to get rid of general waste that cannot be recycled at the same time. Needs to be convenient.
- Residents sometimes have large household waste to dispose of and to be able to deposit it for recycling
- Landfill is not an option as high cost to global and pollution issues for future generation
- People should be recycling at kerbside



Respondents were asked to qualify their response to the above question:

- for privacy and respect
- For privacy and respect
- Refer to excellent facilities at Greenfield Recycling Centre
- Very important if sited close to residential properties. Industrial sites are less affected by waste sites than residential sites.
- Waste sites can be noisy, odourous places which draw traffic by users.
- Pollution, noise and dust nuisance to neighbours
- Pollution, noise and dust nuisance to neighbours
- You need amicable co-existence, not perpetual confrontation
- To ensure that it is supported by local residents
- to reduce nuisance
- who wants smelly and noisy skip site
- All residents deserve peace and quiet in their home environment
- We've got to think of our neighbours not to affect their quality of life .
- If it can be done with minimal disturbance of immediate neighbours that is a good thing.
- As a Council we must be considerate towards our neighbours
- Nobody wants a site too close to them, so less impact on neighbours would give councillors less complaints
- As a Council we have to set a good example.
- If it is near a residential area we must protect materials from flying out of skips and also the amount of traffic it would bring.
- Flow of traffic, noise and odour should not be an issue for neighbours' quality of life
- Most facilities are in the correct locations such as the one in C/Q and Sandycroft
- Being a good neighbour leads to stronger positive working relations
- Good for PR



Respondents were asked to qualify their response to the question above:

- Users will show respect when using the facility
- commands respect for the use of the facility
- Refer to excellent facilities at Greenfield Recycling Centre
- The facility should always operate to the highest standards of H*S - it matters not who operates it.
- The corporate image is not important. What is important is a safe, well run, tidy facility with knowledgeable/helpful staff to encourage users to dispose of or recycle waste in a responsible manner.
- To encourage people to use the facility
- To encourage people to use the facility
- Dowdy unkempt sites with overflowing skips and grumpy unhelpful staff in scruffy overalls will deter residents from attending
- A tidy site reflects well on FCC as a well run body.
- People just want a site where they can dispose the waste
- for a lot of people it is there main contact with Flintshire
- In my view residents come first
- We want to be a caring considerate council
- FCC gets enough bad publicity as it is!
- There is too much of a gap between options - a range of options would have been better
- The location and facility needs to be well located
- FCC would ALWAYS want to have a good image, so standards need to be high in everything we do

- As a Council, Flintshire has to set a good example, otherwise it will have the finger pointed at it for bad practice and this will be used by businesses as an example/excuse should they be taken to task themselves. I also believe that a dirty and/or untidy site encourages a couldn't care less attitude which can lead to fly tipping.
- We should always show a good standard of service
- It should be welcoming, helpful and convenient to encourage people to recycling and bring their waste rather than fly tip or have overflowing kerb side collection bins and bags
- We strive to ensure recycling is done so the facility should represent a good image to help
- We are a funded service by our residents and should deliver a 1st class service with A1 class customer service with a SMILE
- It is important to be a practical site not an all singing all dancing one helpful personnel are more important

Other general comments on the review of the HRC provision are listed below:

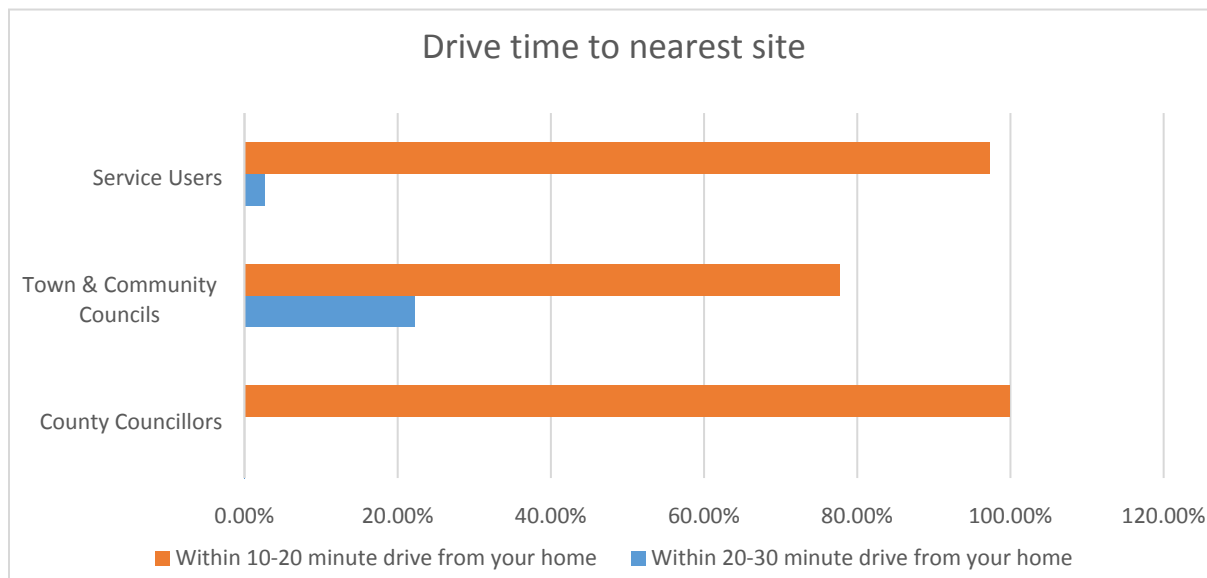
- Our area is now on a Sunday collection which is a nuisance with noise at 6.30 in the morning. Better on a Saturday.
- Nercwys site provides a vital service. We would like a modern facility but not at the cost of losing a facility that is nearby. The Brymbo site known as 'The Lodge' is an excellent example of a recycling facility site.
- 1. The Nercwys site is a vital service. 2. We would like a modern facility but not at the cost of losing a facility that is nearby.
- The Town Council considers that the Greenfield Recycling Centre is model on which future provision should be based and developed
- Buckley waste disposal site should be retained as it serves the largest town in Flintshire and Buckley has been the waste disposal capital of Flintshire for years.
- Council members were generally happy with the current service offered but recognised that some improvements could be made.
- The Community Councillors would wish to see the return of the skip service. In particular, as both Trelawnyd & Gwaenysgor are rural village locations
- (1) Should a three weekly home collection be imposed, this would be unacceptable. (2) The plastic bottle collection is limited. Other plastics should be included.
- Current closure plans will be counter productive.
- Look at footfall levels at each site
- It is now very expensive to have large waste items picked up by the council, and Flintshire no longer picks up black bags put out with their wheelie bin so having, a local, nearby skip site is essential for the people of Connah's Quay south. Closing the skip site in Connah's quay would be a retrograde step. if fly tipping increases, how is that saving money? Driving to a more remote skip site will cause more pollution, carbon emissions and take longer for my residents
- I welcome additional facilities like free compost at HRC sites
- The important issue is to encourage recycling. Have you considered divided boxes for

householders instead of bags which appear not to last very long.

- Buckley is well used and has good networks to nearby Towns and villages plus it's near to existing landfill and recycling cutting down on Road miles.
- The site in Flint needs to remain open. When you have to drive to sites e.g. Greenfield they should be open for business at the hours advertised and not close early. It is very annoying to drive and find it shut. The steps at Flint are not a problem if the staff help those with problems and there wasn't a lot of help at Greenfield when I went there.
- I would like to see FCC accept further items kerbside, i.e. aluminium foil containers and other plastics. Even if currently a poor market it may be cheaper than landfill tax?
- A recycling centre is handy for a lot of residents so we can take the overspill of our recycling bins (especially garden waste). Also if we are having anything new then all that we don't want can be taken there. It costs so much to hire a skip. Some residents can't afford a skip.
- Last time I went to Nercwys the paper, metal, general and other skips were overflowing. I think Chargehands should be able to stay in one site for continuity, monitoring and good management.
- We need one each in the largest towns even if they are open for part week days
- Personally -don't get positive feed-back re customer service at Sandycroft site - many residents feel that "Meet & Greet" is not evident at all
- Difficult for less able to access steps

Drive time to nearest site

One question, relating to the drive time people were prepared to travel to a HRC was asked of all three groups:





ENVIRONMENT OVERVIEW & SCRUTINY COMMITTEE

Date of Meeting	Wednesday 11 th May 2016
Report Subject	Forward Work Programme
Cabinet Member	N / A
Report Author	Environment Overview & Scrutiny Facilitator
Type of Report	Operational

EXECUTIVE SUMMARY

Overview & Scrutiny presents a unique opportunity for Members to determine the Forward Work programme of the Committee of which they are Members. By reviewing and prioritising the Forward Work Programme Members are able to ensure it is Member-led and includes the right issues. A copy of the Forward Work Programme is attached at Appendix 1 for Members' consideration which has been updated following the last meeting.

The Committee is asked to consider, and amend where necessary, the Forward Work Programme for the Environment Overview & Scrutiny Committee.

RECOMMENDATION

1	That the Committee considers the draft Forward Work Programme and approve/amend as necessary.
2	That the Facilitator, in consultation with the Chair and Vice-Chair of the Committee be authorised to vary the Forward Work Programme between meetings, as the need arises.

REPORT DETAILS

1.00	EXPLAINING THE FORWARD WORK PROGRAMME
1.01	Items feed into a Committee's Forward Work Programme from a number of sources. Members can suggest topics for review by Overview & Scrutiny Committees, members of the public can suggest topics, items can be referred by the Cabinet for consultation purposes, or by County Council or Chief Officers. Other possible items are identified from the Cabinet Work Programme and the Improvement Plan.
1.02	<p>In identifying topics for future consideration, it is useful for a 'test of significance' to be applied. This can be achieved by asking a range of questions as follows:</p> <ol style="list-style-type: none">1. Will the review contribute to the Council's priorities and/or objectives?2. Is it an area of major change or risk?3. Are there issues of concern in performance?4. Is there new Government guidance of legislation?5. Is it prompted by the work carried out by Regulators/Internal Audit?
2.00	RESOURCE IMPLICATIONS
2.01	None as a result of this report.
3.00	CONSULTATIONS REQUIRED / CARRIED OUT
3.01	Publication of this report constitutes consultation.
4.00	RISK MANAGEMENT
4.01	None as a result of this report.
5.00	APPENDICES
5.01	Appendix 1 – Draft Forward Work Programme
6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	<p>None.</p> <p>Contact Officer: Margaret Parry-Jones Overview & Scrutiny Facilitator</p> <p>Telephone: 01352 702427</p> <p>E-mail: margaret.parry-jones@flintshire.gov.uk</p>

7.00	GLOSSARY OF TERMS
7.01	Improvement Plan: the document which sets out the annual priorities of the Council. It is a requirement of the Local Government (Wales) Measure 2009 to set Improvement Objectives and publish an Improvement Plan.

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ENVIRONMENT OVERVIEW & SCRUTINY FORWARD WORK PROGRAMME

Draft Forward Work Programme

Date of Meeting	Subject	Purpose of Report/Presentation	Scrutiny Focus	Responsible/Contact Officer	Submission Deadline
15 June 2016 10.00 a.m.	Year End Reporting & Chief Officer Reports	To enable Members to fulfil their scrutiny role in relation to performance monitoring.	Assurance	Facilitator	
	Update on North Wales Waste Project	To receive a progress update every 6 months	Assurance	Chief Officer Streetscene and Transportation	
	DOG DNA Task and Finish Group feedback	To receive an update report from the Task & Finish group	Options Consultation	Chief Officer Planning & Environment	
	Clwydian Area of Outstanding Natural Beauty	To receive a report on the recent work of the Clwydian AONB.	Information	Chief Officer Planning and Environment	
19 July 2016 2.00 p.m.	Rights of Way Service Review (Part 2)	To consider the review	Consultation	Chief Officer Planning & Environment	
	Annual Performance Report (Planning)	To receive the Annual Performance Report (Planning) for Flintshire County Council.	Assurance	Chief Officer Planning and Environment	
	Rogue Traders App	To inform members of the rogue traders app available to members of the public in Flintshire	Information	Chief Officer Planning & Environment	

ENVIRONMENT OVERVIEW & SCRUTINY FORWARD WORK PROGRAMME

ITEMS TO BE SCHEDULED as agreed by Committee

Item	Purpose of Report/Session	Responsible / Contact Officer
Renewable Energy – OCTOBER MEETING	To receive an update report on progress to date	Energy Manager
Collaborative Projects update (To receive an update on collaborative projects regionally and sub-regionally)		To be confirmed

REGULAR ITEMS

Month	Item	Purpose of Report	Responsible / Contact Officer
Quarterly/ Half-Yearly	Improvement Plan Monitoring and Performance Reports	To enable Members to fulfil their scrutiny role in relation to performance monitoring.	Chief Officers
Half-Yearly	North Wales Residual Waste Treatment Project	To receive and consider further details on the progress of the project.	To be confirmed