

**ENVIRONMENT OVERVIEW & SCRUTINY COMMITTEE**  
**11 DECEMBER 2018**

Minutes of the meeting of the Environment Overview & Scrutiny Committee of Flintshire County Council held in the Delyn Room, County Hall, Mold on Tuesday, 11<sup>th</sup> December 2018.

**PRESENT: Councillor Ray Hughes (Chairman)**

Councillors: Mike Allport, Sean Bibby, Chris Dolphin, Andy Dunbobbin, David Evans, Cindy Hinds, Dave Hughes, Joe Johnson, Vicky Perfect, Paul Shotton and Owen Thomas

**SUBSTITUTES:** Councillor Mike Peers (for Veronica Gay) and Richard Jones (for Colin Legg)

**CONTRIBUTORS:** Councillor Chris Bithell, Cabinet Member for Planning and Public Protection, Councillor Carolyn Thomas, Cabinet Member for Streetscene and Countryside; Chief Officer (Streetscene and Transportation), Chief Officer (Planning, Environment and Economy); Programme Manager Ancillary & Waste Services; Programme Manager and Recycling & Compliance Officer

**APOLOGIES:** Councillor Haydn Bateman

**IN ATTENDANCE:** Councillors Christine Jones (Cabinet Member for Social Services, Councillor Ian Dunbar and Councillor Ted Palmer, Environment O & S Facilitator and Democratic Services Support Officer

**35. DECLARATIONS OF INTEREST**

None were received.

**36. DRAFT INTERIM HOUSES IN MULTIPLE OCCUPATION (HMO) DEVELOPER ADVICE NOTE**

The Cabinet Member for Planning and Public Protection informed Members that following changes to the guidance issued by Welsh Government (WG) developments of Houses in Multiple Occupation (HMO) applications were now required to go to Planning Committee. There had been a significant increase in this type of property leading to complaints by local residents and Councillors. Previously properties like this were found in university towns but because of the shortage of housing more were being developed. He outlined what the Developer Advice Note would entail as the current policies were not sufficient to cover this. The Planning Committee had found it difficult when dealing with these types of Planning Applications as there was no specific policy covering HMOs under the Urban Development Plan (UDP). The policy was being developed for inclusion within the Local Development Plan and this Developer Advice Notice provided guidance in the interim to developers. The Advice Note required approval prior to being released for consultation and adopted by Cabinet and this Committee had been asked for its comments.

The Chief Officer (Planning Environment and Economy) reported that Planning Strategy Group had been consulted on this and the draft Interim

Developer Advice Note was attached to the report as Appendix 1. Once the Committee endorsed the Cabinet's decision to approve the content it would then be published for public consultation. Following the consultation it would be adopted by Cabinet and then an all Member Workshop would be held.

Councillor Joe Johnson sought clarification regarding the definition of HMO and asked if it meant 3 people who were not members of the same family. The Chief Officer confirmed that was the case.

Councillor Owen Thomas referred to the (UDP) saying previously policies were able to be put in place prior to its adoption and asked if the policy could be formalised in the same way. In response the Chief Officer said the UDP was different to Local Development Plan (LDP) in that the plan was already adopted.

Councillor Mike Peers confirmed Planning Strategy Group had made comments on this. The report stated Cabinet received the report on the 9<sup>th</sup> October but on the agenda for Cabinet it was presented on the 23<sup>rd</sup> October and sought clarification. He felt that the Committee should have had sight of the draft document prior to consideration at Cabinet. He then referred to Outlook and Privacy point 4.12 "The LPA considers that a reasonable outlook comprises a minimum distance of 12 metres" and felt it should be changed to "aim for a minimum distance of 12 metres". At 4.15 Councillor Peers suggested that when referring to the basement window minimum distances be included. He added that the plans and diagrams were clear but advised concerns were raised at Planning Strategy Group regarding fire escapes and he suggested a reference to Building Control was inserted and what was covered by them.

In response the Chief Officer (Planning Environment and Economy) confirmed the date of the Cabinet meeting was the 23<sup>rd</sup> October. With regard to seeking the Committee's views he said the formal consultation had not commenced and that this was not the final document. With regard to 4.12 he was happy to change this to "aim for a minimum distance of 12 metres" With regard to Planning Strategy Group's concerns regarding fire safety he said there were a lot of partners involved in this such as the Fire Service, Environmental Health etc. At the back of the note a list of contact information and responsibilities could be included and that this could be discussed at the Member workshop. The Chief Officer agreed to take those points forward.

Councillor Sean Bibby referred to the terraced streets within his ward saying that this was a real concern to residents and that some HMO's do not go through planning. Waste and fly tipping were a big problem as well as parking along narrow streets where one house could have 4 or 5 occupants with residents finding themselves unable to park. Also there were issues with developers' bulk buying these properties leaving first time buyers unable to get on the property ladder. It was unsettling for the communities as these were transient residents not families. In response the Cabinet Member for Streetscene and Countryside agreed waste problems with HMO's and flats were an issue. Funds were being made available by WG to tackle areas such as terraced streets and that once this was finalised she would report back to Committee. The Chief Officer (Planning Environment and Economy) reassured Members all these issues were part of the Developer Advice Note but unfortunately the Council was unable to control who lived in these properties or their behaviour.

Councillor David Evans asked would Retrospective Planning Approval need to be applied for if it was discovered a property was an illegal HMO. He asked whether residents were encouraged to report any suspicions and suggested an additional appendix be added providing advice to residents on how to report cases? In response The Chief Officer agreed this was a fair point and a link to the Enforcement Team could be added for residents who wished to report their concerns. As regards Retrospective Planning Approval he said this was not always granted in some cases they would progress straight to Enforcement.

Councillor Paul Shotton was pleased to see Cabinet addressing these concerns and that the Planning Strategy Group had already commented on this. He added the impact on residents was immense and the number of issues raised in the Connah's Quay area was a real problem.

The Cabinet Member (Streetscene and Transportation) referred to Councillor Evans' comments saying until recently there were no regulations in place and that some of the properties referred to may be historical but now Planning Permission had to be granted.

**RESOLVED:**

That the Committee endorses the Cabinet's decision to approve the content of the Draft Interim HMO Developer Advice Note attached to this report, and for it to be published for public consultation at the earliest possible opportunity.

**37. 6 MONTH REVIEW OF THE REVISED CAR PARKING CHARGES**

The Chief Officer (Streetscene & Transportation) introduced Chris Taylor and Ruth Cartwright who had been working on the programmes for car parking.

The Chief Officer advised the Strategy was approved in March 2017 by Cabinet with the new Strategy and Charges introduced in May 2018 and that this report was a 6 month review following its introduction.

He referred Members to the two limitations at 1.09 and the changes within the report at 1.10. The requests for change by Town & Community Councils were listed at 1.10 and at point 1.11 were listed the suggestions which were unable to be put forward.

Buckley Town Council's request for an extended period of free parking if the town council were providing the costs was shown at 1.11 (point 9). This unfortunately did not meet the limitations but it had been agreed to bring this to committee for their consideration of the effect of the recommendation, which could result in no enforcement and free access to parking. This may result in car parks being used by shop workers and business owners leaving in a limited amount of available parking for shoppers and visitors.

The Strategy and the Income Projections were listed at Appendix 1, with suggested changes to the Strategy listed in Appendix 2 and guidelines to assist

Town & Community Councils at Appendix 4. Any comments made on the report would be taken back to Cabinet in January.

The Chair referred to the handout which had been circulated at the meeting from Buckley Town Council and suggested Members had some time to read this before continuing with the meeting. It was confirmed this had only been received by Officers the previous day and that a lot of information had been requested in the handout which had to be completed by Officers prior to the meeting.

## **Adjournment**

Councillor Joe Johnson asked if it was possible to have two designated parking spaces for the Police in Holywell and the Cabinet Member for Streetscene and Countryside agreed to look into this request.

Councillor Vicky Perfect reported that parking charges were working well in Flint and has improved available parking spaces near the town.

Councillor Richard Jones referred to the income information contained in the report and believed the Parking Strategy should be tailored for each specific area. He referred to the MRUK (Assessing the Impact of Car Parking Charges on Town Centre Footfall) report prepared for WG and referred to the recommendations within that report which emphasised the need for local authorities to develop parking strategies which factor in local nuances in town centre layouts and retail offerings. He added that the proposals put forward by Welsh Government on NNDR would help but local authorities must do their part also. He continued saying car parking charges did not increase footfall in towns especially when Broughton car parks were free and there was more choice in Mold. He felt it should be left to local towns to decide not local authorities. Councillor Jones said the second limitation at 1.09 should be removed to allow our towns to grow. In response to questions from Councillor Jones the Cabinet Member for Streetscene and Countryside said Welsh Government's report was something new but there were still the hidden costs such as rates and street lighting costs for car parks which had to be met. She said footfalls figures had already fallen prior the implementation of the Strategy and referred to the improvements in Holywell. She added that working together was key to this.

In response to questions from Councillor David Evans on the costs of maintaining car parks the Chief Officer (Streetscene & Transportation) agreed to re-circulate the full recovery costs information to Members but added the fixed maintenance costs was a budget in the region of £40,000 annually to maintain all car parks but that the NNDR rates were substantially more than this. Regarding staff moving to Ewloe they would still require a parking permit and this would not equate to a loss of income. He continued saying the proposals to install pay and display machines on the top tiers would create extra capacity for visitors to County Hall, Llwynegrin and Theatr Clwyd.

Councillor Chris Dolphin said more investment was required in car parks especially fixing pot holes. He supported the request for designated parking for the Police and suggested there were two trolley bays that could be converted into designated parking in Holywell. He referred to a recent visit to Flint where there

were currently lots of free parking but the Leisure Centre car park was empty. The Chief Officer (Streetscene and Transportation) responded saying the local area co-ordinator should have reported the pot holes and that he would investigate why this was missed. As regards Flint car parks he said there were a number of other car parks, some private and others subject to development planning applications and would disappear.

Councillor Mike Peers agreed with Councillor Jones and asked for the removal of the second limitation on page 29 and referred to the work being undertaken in Buckley to increase footfall. Buckley had offered to pay £46,000 which could have covered all the loss of income but this was not accepted because of the second limitation. He referred to the new charges in Mold which were changed prior to the 6 months review of car parking adding not all towns were treating equally. He referred to 1.08 in the report and the losses incurred of £46,000 saying the higher purchase rate tickets had not been as successful as the 30p per hour tickets and that this was highlighted by Scrutiny in January as a potential problem. At 1.10 charging for disabled spaces he said this could not be agreed. With the reduction in revenue for car parks, increased on street parking problems and the losses in revenue what was proposed to deal with these issues.

Councillor Cindy Hinds commented in relation to car parking fees when you don't drive and use public transport or taxis this was far more expensive. In response the Cabinet Member for Streetscene and Countryside said the car parking service had not met the budget targets this year. She added that the bus strategy needed to ensure that buses go into town centres.

Councillor Andy Dunbobbin referred to the Temporary Order in Holywell which ended in December and asked how Holywell plan to maintain free parking.

Councillor Owen Thomas referred to the profit made in Mold and asked what was being reinvested back into the car parks. He suggested Wednesdays and Saturdays were a problem in Mold as the town was full and there were issues with street parking especially on Wrexham Street. He emphasised that Mold was successful and needed more investment in car parks.

Councillor Sean Bibby referred to 1.11 .3 in the report suggested an increased tariff on Alexander Street which seemed fair but the impact on residents near the car park was a problem with cars parking in the side streets all day and residents finding themselves unable to park. Flint Station was located in a commercial area and did not have the problems faced at Shotton. Consideration should be given to the issues faced here which had been reported repeatedly over a number of years by residents near the station before the increased charge was considered. He suggested that residents' car parking permits would resolve this. He continued to say there were also problems with parking on junctions and understood Enforcement had inspected the area but they were a small team, people were parking anywhere rather than paying for parking.

Councillor Richard Jones produced a graph which highlighted the December spikes where the Town Council paid for free parking which proved customers relax and shop more if they were not concerned about parking. At

1.11 he read out point number 2 and said this was the admission that free parking was an advantage and he could not understand why the Town Council was prohibited from paying towards free parking and local Town Councils being included in decision making affecting their towns. He urged the Council to remove the prescriptive nature of the Car Parking Strategy to allow a more localised tailored approach. He then referred to Enforcement and the costs which were over £110,000 with the same for NNDR and said Mold was making a profit but some towns do not make enough income to cover these costs. He added if town councils were permitted to pay towards free parking that would take the pressure off the Local Authority.

The Cabinet Member for Planning and Public Protection commented that car parking charges had been present in Mold for over 40 years but that there was no such thing as free car parking. To cover the cost the precepts would have to be raised and then Council Tax which was already increasing because of the statutory requirements. Car parking charges were only introduced in recent years and Buckley and Holywell were already struggling. He agreed shoppers paid more in Mold but there was also more traffic and impact on the car parks. He also said there was no free parking in Broughton it was paid in the goods purchased. Austerity had increased the pressure on the Authority.

Councillor Paul Shotton commented there were a number of issues at play here. He referred to the loss of the recovery shortfall and delays in the implementation at car parks in Flint and hopefully the recovery would be shown in 2019/20. He agreed that Town Centres were struggling but there had been large retail units closing down which impacted on footfall into towns. He referred to the Princes Trust's work in developing town centres and this should be looked at and put on the forward work plan of the Community & Enterprise Overview & Scrutiny Committee. In response to Councillor Shotton's point the Chief Officer (Streetscene & Transportation) explained the loss of income was a deficit not a loss and would improve in future years. As regards Councillor Johnson's request the Chief Officer (Streetscene & Transportation) would speak to the Police to make arrangements for designated parking.

With regard to the displacement problem the Chief Officer (Streetscene & Transportation) explained double yellow lines could not be placed without a valid reason but if there was unsafe parking this could be addressed by the introduction of traffic orders. With regard to Shotton Station car park the Chief Officer (Streetscene & Transportation) would speak to Councillor Bibby outside the meeting to find a solution for this. He continued with regard to Mold car parks he had worked with the town council to try and improve the parking offer and agreed Enforcement needed have a stronger presence, however they were a small team which worked weekends and busy days to deal with problems. The Chief Officer (Streetscene & Transportation) then referred to Holywell and reported on the hard work involved to improve the offer for the town and referred to the submission of bid for a transport grant which was unfortunately unsuccessful but other options were being considered and pressure was continuing to be put to WG for funding for a worthwhile scheme. He outlined the interim arrangements which were being proposed.

In response to the question on Parking Enforcement the Chief Officer advised he did not have the information to hand but would circulate to Members

following the meeting. With regard to Councillors Peers and Jones comments about recommending the removal of Limitation 2 with the Strategy the Chief Officer advised it was his role to present the facts and for Members of the Committee to make recommendations and for Cabinet to make a decision.

Councillor Peers referred to the letter which stated the Chief Officer would recommend the six month review and removal of limitation 2. He then referred to 1.10 and the trials of contactless payments and asked what were the proposals or costings for this. The Chief Officer (Streetscene and Transportation) responded saying the wording in the letter may not be strictly correct. As regards to the chip and pin payments these were not free and there would be a cost in reconfiguring the machines. More detail would be provided.

Councillor Chris Dolphin referred to the Holywell High Street bid to WG which failed and asked the reason why as the Environment Minister and Business Secretary were from Flintshire. The Cabinet Member for Streetscene and Countryside reported she had written to Ken Skates. He had responded to say he was not part of the assessment team but would provide further information and assumed Holywell must not have met the criteria. She had asked for feedback so the bid could be re-written to meet that criteria. She then referred to Llangollen's successful pedestrian areas bid which had included active travel bids. The Chief Officer (Streetscene and Transportation) added a lot of work and effort went into that bid but the scheme was hugely oversubscribed.

Councillor Peers moved the proposal 1.09 on page 29 with the removal of the 2<sup>nd</sup> criteria "That any proposal will meet the principles of the council's car parking strategy and would promote management of the car parking network to provide available spaces and therefore access to the town centres". When put to the vote this vote was lost

Councillor Bibby asked that at 1.10 point 3 there should be no increase in the fee until on street parking had been looked at. When put to the vote this vote was lost

The Chair then asked the Committee to consider the recommendations as outlined within the report which were moved and seconded. When put to the vote the Chair used his casting vote to support the proposed recommendations.

**RESOLVED:**

- (a) That the Committee notes the content of the 6 month review of the new car park charging regime introduced in May 2018; and
- (b) That the Committee recommends Cabinet approve the associated changes to the charging arrangements, as highlighted in this report, which are considered to be within the boundaries and limitations of the overall strategy.

**38. THE REVIEW OF GARDEN WASTE CHARGES IN FLINTSHIRE**

The Chief Officer (Streetscene & Transportation) introduced the Recycling and Compliance Officer to Committee. He presented the report which aligned the

Council's waste and recycling model with the Welsh Government Collections Blueprint. This was approved by Cabinet in January and the take up for this service was better than expected at 40% and it was proposed to keep the charge the same for next year. He advised that 30% of those who took up the service were on benefits.

Councillor Chris Dolphin referred to the size of the bins which he felt were not big enough and that a second bin should be free and proposed that be put forward as Option 6 (£30 first bin second bin free). He added that other authorities use bigger bins and suggested postponing the use of technology for registering a bin to a property until further consideration had been given to providing bigger bins. He then referred to an email he had sent requesting Concessions be given to charities but this had not been progressed.

The Programme Manager Ancillary & Waste Services responded saying the 140 litre was a standard size across Wales. The 240 litre and 140 litre bins were trialled in 2003 but there had been operational problems together with a number of breakages and weight issues with the lift equipment and it was deemed that the 140 litre bin was the most suitable.

The Chief Officer Streetscene & Transportation acknowledged Councillor Dolphin's comments that the second bin should be free.

Councillor Mike Peers noted the comments regarding larger bins and referred to the Environment meeting on the 16<sup>th</sup> January 2018 when the Chief Officer advised the provision of larger bins would be looked at and asked what was the outcome had been.

Councillor Peers was pleased the Council had met the cost of recovery for this service of £166,000 but suggested this could be seen as the Council making a profit and questioned whether streamlining payments should be undertaken earlier than 2020. If the cost for the Chip and pin technology was £30,000 why not use the excess from current year. At 1.16 the potential for offering reduced rates for the elderly and vulnerable was considered during the first year of production and an undertaking was given that a review would take place and asked regarding the outcome. He agreed with Councillor Dolphin's comment that the bin was not big enough

The Cabinet Member for Streetscene and Countryside stated the larger bins were too heavy for the machines to pick up. The second bin reduction charge could impact on the budget which could mean charging more for the first bin. As regards Concessions – An audit of people on the Council tax Reduction Scheme indicated 30% subscribed to the scheme. These were the reasons for not reducing or increasing the rates this year. She also commended the small team who managed to send out 30,000 stickers and deal with telephone queries which was impressive. Councillor Paul Shotton said this was a controversial issue and the 40% take up was encouraging and that Direct Payments would make it easier for the team.

Councillor Joe Johnson asked how the payments were made. It was confirmed 95% were over the telephone with the team encouraging the online payment method for the future.

The Chair commented that residents had the option of composting their garden waste if they did not wish to pay for the service.

Councillor Richard Jones supported Councillor Dolphin's comment that the bins were too small and residents should be with issued larger 240 litre bins. He added that the cost of the service was to go and collect and dispose of the garden waste. He advised that the WG initiative was not to generate income but to lower the carbon footprint to HRC sites. He added that in comparison to neighbouring authorities Flintshire was more expensive as our neighbouring authorities had the 240 litre bins

Councillor Owen Thomas suggested the money should be was used to promote compost bins

Councillor Andy Dunbobbin commented Flintshire should not be ashamed of making a profit but the money should be reinvested.

The Chief Officer (Streetscene and Transportation) responded to say the costs would go up next year. He added that to replace 30,000 bins at £20 each would cost in the region £600,000.

When put to the vote Option 6 £30 first charge 2<sup>nd</sup> bin free, the vote was lost.

**RESOLVED:**

- (a) That the Committee support the continuation of the charging policy for the Garden Waste Service for 2019 and in subsequent years;
- (b) That the Committee recommends Cabinet approves the continuation of the flat rate charging mechanism, without concessions and that the charge of £30 will continue to apply for each bin collection made during the 2019 season;
- (c) That the Committee recommends Cabinet approve that from 2019, the annual review of the Garden Waste charge should be included in the annual portfolio review of fees and charges; and
- (d) That the Committee recommends Cabinet approves the request to Cabinet for the service to explore an alternative, technology based system to monitor payments and notify the waste collectors of a paid subscription, in readiness for the 2020 season and that £30k of the funds raised in the 2018-19 financial year are set aside to fund the new arrangement

**39. NORTH EAST WALES METRO**

The Chief Officer (Streetscene & Transportation) introduced Ian Bushell Project Manager for North East Wales Metro to committee but because of time constraints it was proposed to defer this report until the New Year.

**RESOLVED:**

The Committee agreed for this item to be deferred to the next meeting.

**40. MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE**

There was one member of the press and no members of the public in attendance.

(The meeting started at 9.00 am and ended at 11.30 am)

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**Chairman**