

ENVIRONMENT OVERVIEW & SCRUTINY COMMITTEE
12 NOVEMBER 2019

Minutes of the meeting of the Environment Overview & Scrutiny Committee of Flintshire County Council held at County Hall, Mold on Tuesday, 12 November 2019

PRESENT: Councillor Patrick Heesom (Chairman)

Councillors: Mike Allport, Sean Bibby, Chris Dolphin, Andy Dunbobbin, Veronica Gay, George Hardcastle, Cindy Hinds, Ray Hughes, Dennis Hutchinson, Joe Johnson, Vicky Perfect and Paul Shotton

SUBSTITUTION: Councillor Gladys Healey for Councillor David Evans

APOLOGIES: Councillors Derek Butler, Cabinet Member for Economic Development

ALSO PRESENT: Councillor Ian Roberts

CONTRIBUTORS: Councillor Carolyn Thomas, Deputy Leader and Cabinet Member for Streetscene & Countryside; Councillor Chris Bithell, Cabinet Member for Planning & Public Protection; Chief Officer (Planning, Environment & Economy); Chief Officer (Streetscene & Transportation); Community and Business Protection Manager – Community, Regulatory Service Manager, Operational North and Street Lighting Manager, and Minerals Team Leader

IN ATTENDANCE: Scrutiny Facilitator and Democratic Services Officer.

32. DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)

None were received.

33. MINUTES

The minutes of the meetings held on 17 September, and 15 October 2019 were submitted.

Councillor George Hardcastle moved that the minutes be approved as a correct record and this was seconded by Councillor Dennis Hutchinson.

RESOLVED:

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

34. FORWARD WORK PROGRAMME AND ACTION TRACKING

The Overview & Scrutiny Facilitator presented the current Forward Work Programme for consideration, and outlined the items scheduled for the next meeting of the Committee to be held on 10 December.

The Facilitator also referred to the actions arising from previous meetings, which was appended to the report, and reported on the progress in completing them.

The recommendations in the report were moved by Councillor Paul Shotton and seconded by Councillor Sean Bibby.

RESOLVED:

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

35. REVIEW OF THE COUNCIL'S ENVIRONMENTAL ENFORCEMENT POLICY

The Chief Officer (Streetscene and Transportation) introduced a report to seek a recommendation to Cabinet to approve the revised Environmental Enforcement Policy. He provided background information and advised that the Authority's Policy entitled 'Managing the Local Environment', which was appended to the report, had been reviewed to reflect the various changes to legislation and Portfolio arrangements since 2013.

The Regulatory Service Manager presented the main considerations, as detailed in the report and referred to the aims and objectives of the Environmental Enforcement Policy and the main focus areas. She also drew attention to the data provided on the number of Fixed Penalty Notices (FPNs) issued and explained that there had been a decrease in the use of FPNs and greater emphasis had been put on educating the general public of the harmful effects of dog fouling and discarding of litter.

Members raised a number of concerns about car parking outside school premises and in private residential areas, discarded shopping trolleys, fly-tipping, commercial and side waste, dog fouling, discarded drug equipment, and overgrown trees/hedgerows. Officers responded to the comments and concerns raised. The Chair asked Members to put the specific concerns raised regarding issues in their Ward in writing to the Chief Officer (Streetscene and Transportation) for a detailed response with a copy to the Chair. The Regulatory Service Manager asked Members to contact the Enforcement Team to highlight any problem areas in their Ward which required more close attention.

Councillor Sean Bibby expressed his thanks to the Chief Officer and his team for the improvement to services in his Ward.

At the Chair's request, it was agreed that the Chief Officer would send a copy of the Authority's Environmental Enforcement Policy 'Managing Local Environment', to all Town and Community Councils for information. The Chair also asked that a budget statement be provided to the Committee detailing the

cost of Environmental Enforcement provision in the County. The Chief Officer agreed to provide a budget statement to Members of the Committee.

The recommendations in the report were moved by Councillor Paul Shotton and seconded by Councillor George Hardcastle.

RESOLVED:

That the Committee recommends approval to Cabinet of the proposed revisions to the Councils' Environmental Enforcement Policy as in Appendix 1 to the report.

36. CONTAMINATED LAND REPORT

The Cabinet Member for Planning & Public Protection introduced the report to update the Committee on the assessment of contaminated land sites and following remediation works. He provided background information and advised that the Authority's Contaminated Land Inspection Strategy has been updated in 2019 to reflect the introduction of new legislation and guidance which affects wider corporate policies and the way in which land contamination should be considered. The report sets out the work completed over the 2018-19 financial year and summarises the significant number and type of sites which have been assessed as a result of Part 2A.

The Community and Business Protection Manager advised that the Authority had a statutory duty to identify and assess any land within Flintshire which may be affected by contamination and to secure the remediation of contaminated land in accordance with Part 2A of the Environmental Protection Act 1990. She explained that significant progress had been made with respect to the Contaminated Land Inspection Strategy and the summary of Part2A actions was in the appendix to the report.

In response to a question raised by Councillor Paul Shotton regarding resource implications, the Chief Officer (Planning, Economy & Environment) advised that the Authority had an annual revenue budget to fund the assessments which is held within the Pollution Control Budget. Capital funding was also set aside from the capital programme to fund the costs of any remediation works necessary at any site where such works were required. Capital funding of £1m from the Welsh Government (WG) was made available for the 2017/18 financial year and competitive applications for funding were invited from Welsh local authorities. The Authority made four bids and was awarded £221,268.00. Bids for funding would continue as and when further money was available from the WG.

The Chair asked Members to put the specific concerns raised around contaminated land issues in their Ward in writing to the Chief Officer (Planning, Economy and Environment) for a detailed response with a copy to the Chair.

The recommendations in the report was moved by Councillor Sean Bibby and seconded by Councillor Gladys Healey.

RESOLVED:

- (a) That the progress made addressing historically contaminated land be noted; and
- (b) That the progression of Flintshire County Council's Contaminated Land Inspection Strategy be supported.

37. COUNCIL PLAN 2019/20 – MID YEAR MONITORING REPORT

The Chief Officer (Planning, Environment and Economy) introduced the report which presented a summary of performance at the mid-year point of 2019/20 for the Council Plan priorities 'Green Council, 'Ambitious Council' and 'Safe and Clean Council' relevant to the Committee.

The Chief Officer advised that the mid-year monitoring report for the 2019/20 Council Plan was a positive report, with 88% of activities making good progress and 90% likely to achieve their planned outcomes. 77% of the performance indicators had met or exceeded their targets. Risks were being managed with a minority of 14% being assessed as major.

In response to the comment made by Councillor Paul Shotton concerning the need to access E-charging points at locations across the County, the Deputy Leader and Cabinet Member for Streetscene & Countryside advised that a report on the Council's response to the challenge of climate change and the achievement of carbon neutrality by 2030 would be submitted to Cabinet in December. She explained that work was also being undertaken with the Welsh Government and National Grid around other forms of power supply such as Hydrogen. The Chief Officer advised that the Authority was accessing the grant funding available from both national and Welsh Government to support the process.

The recommendation in the report was moved by Councillor Joe Johnson and seconded by Councillor Ray Hughes.

RESOLVED:

That the report be noted.

38. REVIEW OF STREETLIGHTING POLICY

The Chief Officer (Streetscene and Transportation) introduced a report to seek a recommendation to Cabinet to approve the revised Streetlighting Policy.

The Chief Officer provided background information and advised that the current Street Lighting Policy was approved in 2015, however, there had been significant developments in terms of energy saving options and improvements in the efficiency of electrical equipment since and a review of the policy was now required. The Chief Officer invited the Operational North and Street Lighting Manager to present the report.

The Operational North and Street Lighting Manager reported on the key considerations, as detailed in the report, and drew attention to the main changes to the Policy concerning evening inspections, scheduled inspections and electrical testing. The revised Street Lighting Policy (October 2019) was appended to the report.

Councillor Dennis Hutchinson raised concerns about street lighting on unadopted residential developments. Officers responded to the questions raised around planning applications, adoption to local authority ownership, and enforcement. The Operational North and Street Lighting Manager drew attention to page 145 of the report which referred to adoptions to the street lighting inventory. The Cabinet Member for Streetscene & Countryside acknowledged the points raised and said that the Welsh Government was considering the issue of unadopted residential developments.

Members expressed thanks to the Chief Officer and his team for the improvements to street lighting.

In response to the comments from Councillor Ray Hughes concerning lighting in play areas during the winter months, the Operational North and Street Lighting Manager advised that the relevant Town/Community Council would need to submit a bid to the Authority for consideration in the first instance.

The recommendations were moved by Councillor George Hardcastle and seconded by Councillor Dennis Hutchinson.

RESOLVED:

- (a) That the Committee recommends to Cabinet approval of the revised Street Lighting Policy as in Appendix 1 to the report and notes the matters raised by Members; and
- (b) That a report on the legislation be submitted to a future meeting of the Committee.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 - TO CONSIDER THE EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED:

That the press and public be excluded for the remainder of the meeting for the following items by virtue of exempt information under paragraph(s) 14 of Part 4 of Schedule 12A of the Local Government Act 1972 (as amended).

39. UPDATE ON MINERALS AND WASTE PLANNING SHARED SERVICE

The Cabinet Member for Planning & Public Protection introduced the report to provide an update on the Minerals and Waste Planning Shared Service. He advised that the minerals and waste planning function was operated as a collaborative service across North Wales. The report summarised the purpose and function of the service and explained the governance and funding proposals for the continuation of the service.

The Chief Officer (Planning, Environment & Economy) provided background information and context and invited the Minerals Team Leader to present the key considerations as detailed in the report.

The recommendation in the report was moved by Councillor Sean Bibby and seconded by Councillor Gladys Healey.

RESOLVED:

That the purpose, funding and governance arrangements for the continuation of the Shared North Wales Minerals and Waste Planning Service be supported.

40. MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE

There was one member of the press in attendance.

(The meeting started at 10.00 am and ended at 12.41 pm)

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Chairman