

ENVIRONMENT & ECONOMY OVERVIEW & SCRUTINY COMMITTEE
12 SEPTEMBER 2023

Minutes of the meeting of the Environment & Economy Overview & Scrutiny Committee of Flintshire County Council held at Hybrid Meeting on Tuesday, 12th September, 2023

PRESENT: Councillor David Evans (Chair)

Councillors: Mike Allport, Mel Buckley, Chris Dolphin, Ray Hughes, Richard Lloyd, Mike Peers, Vicky Perfect, Dan Rose, and Roy Wakelam

SUBSTITUTIONS: Councillor Bill Crease for Councillor Ian Hodge and Councillor Andrew Parkhurst for Councillor Hilary McGuill

CONTRIBUTORS:

Councillor Dave Hughes (Deputy Leader of the Council and Cabinet Member for Streetscene and Regional Transport Strategy), Councillor Chris Bithell (Cabinet Member for Planning, Public Health and Public Protection), Chief Officer (Streetscene & Transportation), Community Business and Protection Manager, Highway Network Manager, Streetscene & Transportation Co-ordinator Area 6, and Team Manager (Administration and Enforcement Streetscene & Transportation), Trading Standards Investigations and Community Safety Manager, and Access and Natural Environment Manager

IN ATTENDANCE: Democratic Services Manager and Democratic Services Officers

23. DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)

There were no declarations of interest.

24. MINUTES

The minutes of the meeting held on 11 July 2023, were submitted.

The minutes were approved as an accurate record as moved by Councillor Roy Wakelam and seconded by Councillor Mike Peers.

RESOLVED:

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

25. FORWARD WORK PROGRAMME AND ACTION TRACKING

The Democratic Services Manager presented the Forward Work Programme and Action Tracking report.

The Democratic Services Manager referred to the Action Tracking report and advised that both outstanding actions had been completed. He also referred to the Forward Work Programme and drew attention to the items listed for the next meetings of the Committee on 10 October and 14 November 2023.

Members were invited to raise any further items to include on the Programme. Councillor Mike Peers proposed that an item on Enforcement be included to consider matters which were relevant to the Environment & Economy Overview and Scrutiny Committee and cited parking, public spaces, dog control, and dog fouling as examples. This was agreed by the Committee.

RESOLVED:

- (a) That subject to the above amendment the Forward Work Programme 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

26. REVIEW OF WINTER MAINTENANCE

The Chief Officer (Streetscene and Transportation) introduced the report to seek approval of the revised Winter Maintenance Policy which included details of the Council's response during other emergency inclement weather events.

The Chief Officer provided background information and asked the Highway Network Manager to present the report which outlined the current winter maintenance policy (Appendix 1), the legislative requirements for providing such a service, and the actions taken by the Streetscene and Transportation portfolio to support winter service operations. In addition, the report outlined the County's response to other adverse weather events, such as heavy rainfall and high winds.

Councillor Roy Wakelam referred to section 3.3.1 within the Winter Maintenance Policy regarding de-icing materials which suggested the gritting contract had expired. The Highway Network Manager advised that there was error within the Policy and would advise the Committee of the new contract dates. He added that the contract was negotiated on a national basis.

Councillor Mike Peers referred to the duty "*to ensure, so far as is reasonably practicable, that safe passage along a highway is not endangered by snow or ice*" (Highways Act 1980, Section A1 (TA), and drew attention to a road which was exposed to ice conditions due to surface water retention. Officers responded to the further questions and concerns raised by Councillor Peers around salt bins, weather stations, priority of roads, and agricultural contractors. The Chief Officer provided explanation around the use of forecasting from weather stations, and prioritising of important and strategic risk routes.

Officers also responded to the questions raised by Councillor Richard Lloyd concerning the allocation of salt bins, deployment of sand bags in areas known to be at risk of flooding, and recruitment of drivers.

Officers responded to a question from the Chair on the anticipated impact on service delivery due to the Welsh Government's introduction of a 20mph speed limit on restricted roads across Wales.

The recommendation in the report was moved by Councillor Mike Peers and seconded by Councillor Ray Wakelam.

RESOLVED:

- (a) That the refreshed winter maintenance service policy as presented in this report and attached as Appendix 1 be noted;
- (b) That the portfolio's response to adverse weather events over the Winter season 2022-2023 be noted;
- (c) That the continued need to maintain the revenue budget at present levels along with earmarked reserves of £250k be supported; and
- (d) That a further report be presented to the Committee in 2024 following a review of the 2023-2024 season by the weather forecasting provider in relation to geographically specific treatment decision making.

27. PUBLIC SPACES PROTECTION ORDER REVIEW (PSPO'S)

The Community Business and Protection Manager introduced the report to review the current PSPO's prior to consideration by Cabinet. She provided background information and referred to the main considerations as detailed in the report.

The Trading Standards Investigations & Community Safety Manager and Team Manager (Administration and Enforcement Streetscene & Transportation) gave a joint presentation which covered the following points:

- maps of new access
- result of consultation for dog control PSPO
- current PSPO's - alcohol control
- result of consultation for alcohol PSPO
- enforcement of dog control PSPO's
- next steps

Councillor Richard Lloyd commented on the need for improved signage and enforcement in some areas.

Councillor Mike Peers commented on the difficulties that may be experienced by elderly or disabled people with poor mobility in removing their dog's waste and said consideration needed to be given to how best to assist with the problem. Officers responded to the comments raised by Councillor Peers regarding the response given to the consultation exercise on page 72 and 73 of the report.

Councillor Andrew Parkhurst also asked if exceptions would be made for people who used guide dogs or other assistance dogs for support.

Councillor Andrew Parkhurst asked why the public consultation didn't allow for the public to make comments as this was a consultation, not a referendum and the comments that some members of the public had emailed separately provided, in his view, a greater insight than just looking at the percentages of responses to the various questions. Officers accepted the point and said that future PSPO consultations would include a facility to add comments. The Chair asked that all County Council consultations allow for comments to be made".

Officers agreed to respond to Councillor Mike Allport following the meeting on a specific matter he raised concerning an area of land in the Higher Kinnerton Ward.

The recommendations in the report were moved by Councillor Bill Crease and seconded by Councillor Mike Peers. When put to the vote the recommendations were carried.

RESOLVED:

- (a) That Public Space Protection Orders (PSPO's) be extended to cover dog control and alcohol control in Flintshire.

The dog control PSPO will require a person in charge of a dog to:

- (i) Remove their dogs waste from all public places within Flintshire.
(ii) Prohibit taking, or permitting the dog to enter or remain in:
- all areas within school grounds,
- the playing areas of marked sports pitches
- the playing areas of formal recreational areas including but not exclusively bowling greens and tennis courts
- fenced enclosed children's play areas.
- the fenced footpath around The Rosie, Wepre Park, Connah's Quay as marked on Map 1 (Appendix 3)
- Mold Memorial Park, Maes Bodlonfa, Mold as marked on Map 2 (Appendix 4)
(iii) Keep their dogs on a lead within a cemetery.
(iv) Have appropriate means on their person, at all times, to pick up their dogs' waste from all public places in Flintshire.
(v) Put their dog on a lead, when directed by an authorised officer, if the dog is loose and causing a nuisance or annoyance to any other person, bird, or animal

The alcohol control PSPO will impose the following prohibitions and/or requirements in public spaces in Flintshire, at all times

- (i) Any person who, without reasonable excuse, continues drinking intoxicating liquor in a public area within the Restricted Area when asked to stop by an authorised officer, commits an offence.
(ii) Any person who whilst in a public area within the Restricted Area, without reasonable excuse, fails to surrender any intoxicating liquor in their possession when asked to do so by an authorised officer, commits an offence.
(iii). An authorised officer who imposes a requirement under Article

4(a) and/or 4(b) must tell the person that failing, without reasonable excuse, to comply with the prohibition and/or requirement is an offence.

- (b) For information, but subject to final Cabinet determination, the agreed Public Space Protection Orders covering dog control and alcohol control commences on 29 October 2023 following a notice period and publicity of the upcoming order.

28. ASH DIEBACK UPDATE

The Access and Natural Environment Manager presented the report to update members on how Flintshire County Council has confronted ash dieback in 2022/23 in line with the 2019 Ash Dieback Action Plan. He provided background information and reported on the main considerations as detailed in the report.

In response to a question from Councillor Bill Crease the Access and Natural Environment Manager explained there was limited scope for recovering the cost of felling trees.

Councillor Mike Peers asked if the Welsh Government provided any financial assistance to local authorities to address the issue of Ash Dieback which was a national problem and commented on the potential increase in costs in the future. The Access and Natural Environment Manager responded to the comments by Councillor Peers and provided information on the further question raised concerning the roadside 'recovery programme' to re-plant felled trees lost to ash dieback.

The recommendation in the report was moved by Councillor Richard Lloyd and seconded by Councillor Roy Wakelam..

RESOLVED:

That the update be noted and officers supported in their ongoing work associated with Ash Dieback.

29. ATTENDANCE BY MEMBERS OF THE PRESS AND PUBLIC

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

(The meeting started at 10.00 a.m and ended at 11.32 a.m)

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Chairman