

COMMUNITIES SCRUTINY COMMITTEE

Minutes of a meeting of the Communities Scrutiny Committee held in the Council Chamber, County Hall, Ruthin on Thursday, 5 September 2019 at 10.00 am.

PRESENT

Councillors Brian Blakeley, Mabon ap Gwynfor, Rachel Flynn, Tina Jones, Anton Sampson, Glenn Swingler, Andrew Thomas, Graham Timms (Vice Chair), Cheryl Williams and Huw Williams (Chair)

Observers – Councillors Martyn Holland, Melvyn Mile and Tony Thomas (Cabinet Lead Member for Housing and Communities)

ALSO PRESENT

Corporate Director Economy and Public Realm (GB), Head of Legal, HR and Democratic Services (GW), Head of Planning and Public Protection (EJ), Head of Highways and Environmental Services (TW), Head of Customers, Communication and Marketing (LG), AONB Area Manager (DS), Countryside and Heritage Services Manager (HR), AONB Countryside Officer South (RJ), Democratic Services Manager (SP), Scrutiny Coordinator (RE) and Committee Administrator (KEJ)

Natural Resources Wales (NRW) Representative – Lead Officer for Denbighshire Area (Bethan Beech)

North Wales Fire and Rescue Service (NWFRS) Representatives – Assistant Chief Fire Officer (Richard Fairhead), Assistant Chief Officer – Corporate Policy and Planning (Shân Morris) and Chair of the Fire and Rescue Authority (Peter Lewis)

1 APOLOGIES

Councillor Merfyn Parry

2 DECLARATION OF INTERESTS

Councillor Brian Blakeley declared a personal interest in agenda item 5 – Llantysilio Mountain Fire, Summer 2018 because he was a member of the North Wales Fire and Rescue Authority.

3 URGENT MATTERS AS AGREED BY THE CHAIR

No urgent matters had been raised.

[At this point the Chair indicated his intention to vary the order of the agenda and bring forward the main business item on Llantysilio Mountain Fire, Summer 2018]

4 LLANTYSILIO MOUNTAIN FIRE, SUMMER 2018

The Chair welcomed everyone to the meeting including representatives of partner organisations and members of the public present.

The Chair and Vice-Chair Councillor Graham Timms jointly presented the Committee's draft report on its review of the fire on Llantysilio Mountain during the summer of 2018 and its impact on the area. The report also sought the Committee to instigate discussions with partner organisations and stakeholders on a way forward with a view to reducing the risk of similar incidents occurring in the future.

The Chair reported upon the aims and objectives of the meeting to debate the draft report and recommendations and present its findings and conclusions to the public. He emphasised that the purpose of the review was not to apportion blame but to better understand what happened to help improve the response and management of similar incidents and reduce the risk of similar fires occurring in the future. Reference was made to the comprehensive process undertaken in terms of evidence gathering and detailed work by the Committee during which it examined the fire incident and multi-agency response to it, and its impact on the local area, environment and businesses, culminating in the Committee's findings and recommendations on the way forward which involved working collaboratively with multiple agencies on a collective solution. The Chair took the opportunity to thank all those involved within that process and production of the final draft report.

The Vice-Chair provided an overview of the Committee's findings and recommendations. A number of common themes had come to light, the main ones being Communication, Wildfires – their management and how best to reduce the risk of them occurring through effective Land Management. In summary –

Communication –

- Communication between various agencies could, at times, have been better. Whilst acknowledging that those responding to the fire were working under extremely difficult conditions and that sudden changes in weather conditions meant that different tactics had to be applied, it was concluded that had the incident been designated a 'Major Incident' and a Tactical Co-ordinating Group established this would have aided better, more effective communication between the various agencies and ensured those affected by the fire were regularly updated on the developing situation. Effective communication, between those dealing with incidents such as this and those affected by it were key, in order for all responders to understand each other's capabilities and resources available to them and to ensure that the general public were given regular, consistent and credible information with a view to combating misinformation which could readily reach an extended audience via social media. Therefore it was recommended that a Tactical Co-ordinating Group be established as early as possible during the response stage to an incident in future to aid communication and understanding. If it became clear as the incident progressed that the Group was no longer required, it could quite easily be stood down. Establishing this Group to communicate strong, clear, co-

ordinated messages during the early stages of an incident would help all concerned.

- Estate owners, farmers and graziers expressed concern about the lack of communication that took place with them during the fire incident. They knew the mountain and local areas well and were ideally placed to advise fire and rescue service personnel about the terrain and potentially hidden dangers.
- It was also important to emphasise that no lives were lost, neither were any properties lost to the fire. However, with some refinements communication and co-ordination could be improved.

Wildfires –

- Given the occurrence of particular conditions these types of wildfires would continue to happen and it was important all agencies were prepared for them.
- Due to the unpredictable nature of these fires and the difficult terrain on which they occurred the Committee was extremely pleased that, as a consequence of the fire and this review, the Estate owners had offered to grant access to the mountain to the Fire and Rescue Service for training purposes.
- The Committee also felt it would be useful if a standard guide was produced for all agencies to refer to as a template when responding to these types of incidents in future. The Local Resilience Forum had already recommended that a Regional Wildfire Plan for North Wales be developed, the Committee felt that this proposed Plan should include four additional elements –
 - establishment of a list of local contractors and resources that could be called upon to assist during such events
 - information on how to deal with the potential loss of telecommunications infrastructure
 - a requirement to liaise with the local Health Board and Public Health Wales regarding the welfare of sick and vulnerable residents, and
 - consideration to be given on the installation of temporary air/water quality monitors

Land Management –

- the lack of robust land management activity on this particular section of the mountain over a number of years had contributed towards the severity of the fire damage to the mountain and to the length of time during which the fire burned
- a number of factors contributed towards this lack of land management –
 - socio-economic reasons – fewer graziers exercising their rights to graze the mountain and a fall in demand for the smaller Welsh Mountain lamb led to a drop in market price which made it economically unviable to produce them

- changes to agricultural policies which meant that opportunities to undertake land management activities was time constrained and, in the graziers and farmers' view entailed an extremely bureaucratic process
 - a perceived lack of governance for the mountain due to its SSSI designation – which had led farmers and graziers to feel that the management of the mountain had been taken away from them, this in turn had given rise to a feeling of mistrust between them and the public agencies. It was important that those barriers were broken down and it was encouraging that Natural Resources Wales, landowners and graziers were keen to discuss a way forward with respect of land management in the area
- from the evidence presented by all involved with habitat management on this mountain it was clear that the establishment of a dedicated Upland and Moorland Management Officer post would assist all concerned to manage the habitat and reduce the risk of similar fires happening in future. A similar post had existed under the former Heather and Hillforts project and that officer had been pivotal in building bridges and maintaining relationships between all agencies and individuals. On that basis the Committee recommended the establishment of a similar post going forward. It was hoped the main agencies could come together to discuss the proposal and agree a way of realising the creation of that post and financing it for the future. The Committee felt that the existence of such a post had the potential to reap social, economic and environmental benefits for this area, county-wide and further afield
 - the lack of land management on this particular part of the mountain was partly due to socio-economic factors and changes to UK and European agricultural policies which were outside the powers of local authorities to change. However with agricultural policies currently under review in Wales and further changes and uncertainties ahead the Committee felt they had a duty to draw to the Welsh Government's attention the urgent need for future Agricultural Policies to be aimed at securing the economic and environmental sustainability of upland and moorland areas across Wales, before other similar habitats and a traditional way of life were lost forever. The Committee intended to write to the Welsh Government to emphasise the need for sheep farming practices and production, including the maintenance of hefting flocks all of which were essential components for effective land management in these types of areas, to be safeguarded through the development of agricultural policies which support them to be economically viable
 - the Committee would also write to the Welsh Government to seek financial assistance to support restoration work on the mountain with a view to attempting to reverse some of the fire damage before it was too late.

During the Committee's subsequent debate members stressed the importance of all agencies working collaboratively to address particular recommendations and were keen to secure a commitment from all those involved in that regard. Members also took the opportunity to comment on the report and raise questions and the Chair subsequently called on both the Council's Head of Highways and Environment and

Countryside Officers, and representatives from the partner organisations present for their response and comments on the report and issues raised.

The main discussion points focused on the following –

- in seeking a commitment from relevant partners to progressing the recommendations the Committee highlighted the importance of engaging an Upland/Moorland Management Officer which they considered to be a key post requiring long term financing, with careful consideration to be given to its remit and scope in order to maximise benefits for the wider area. The Head of Highways and Environment confirmed that the Council fully supported the report recommendations and was committed to working with partners to find a solution to funding and creating the post which Denbighshire was happy to host. In terms of timescales, the detail and job description would first need to be agreed followed by a recruitment process; consequently it was hoped someone would be in post by the start of the next financial year. Natural Resources Wales (NRW) representative Bethan Beech confirmed that NRW was very supportive of the report's recommendations, particularly the need to appoint an Upland/Moorland Management Officer, which NRW supported in principle, and she was confident that NRW would be able to make a financial contribution to that post and looked forward to working with partner agencies led by Denbighshire in that regard. Given NRW's short funding cycle it was not possible to give a long term funding commitment but NRW understood the need for a long term solution and welcomed the benefits of the post both to the farming community and biodiversity and in managing and reducing future risk. The Assistant Chief Fire Officer for the North Wales Fire and Rescue Service (NWFRS) Richard Fairhead also welcomed the recommendations from the review and looked forward to working with partners to address them. NWFRS believed that fire prevention was key to mitigating against such incidents and all stakeholders should work together in that regard, and welcomed the opportunity to work with partners to appoint an Upland/Moorland Management Officer in North Wales. Chair of the Fire and Rescue Authority Peter Lewis took the opportunity to comment on various aspects of the report advising that: based on past experience some of the concerns regarding the recovery rate post fire might not materialise; whilst offers of help from graziers was welcomed and their expertise acknowledged, a fire situation was entirely different and given that safety was paramount, it was important to ensure that the control and implementation of help was in the hands of the Fire and Rescue Service; fire breaks had slowed down the fire but he highlighted the difficulties when dealing with fire in those particular circumstances, above and below ground, which could simmer for hours in the dry root structure and subsequently flare up. From the Fire and Rescue Authority's perspective Mr. Lewis welcomed the report and looked forward to working with partners
- some discussion focused on the extent of the fire damage and the restoration timeframe/recovery rate. Bethan Beech advised that NRW had commissioned specialist contractors to carry out a survey of the mountain which had been undertaken in June/July 2019 and a draft report had been produced which would be ready to share with partners/stakeholders in the next few weeks. She had visited the site and there were some severely damaged areas which would require long term recovery (which she likened to a similar fire on Berwyn

Mountains in 1976 for which a complete recovery had taken thirty years) and other medium term damaged areas which were starting to recover. The report would be shared with partners and stakeholders when ready and contained a range of recommendations which would be discussed with partners to help identify what actions should be taken together with the financial cost of restoration works. The Chair asked that the report also be shared with the Committee when available

- assurances were sought regarding completion of the land management agreements for Llantysilio Mountain and Bethan Beech explained that the area was owned by four main land owners and therefore four S.16 land management agreements were required which had not yet been agreed for technical reasons. However negotiations were positive and NRW had funding allocated for management over the winter and she was fairly confident that the agreements would be in place by then. She clarified that NRW could give permission for land management works but an agreement allowed NRW to contribute towards the cost. In addition some areas of the mountain already had consent permission in place to enable management works to be carried out.

Responding to specific questions arising from the report and recommendations –

- Bethan Beech (NRW) explained that the Fire Severity Index (FSI) calculation (which provided a trigger for the prevention restrictions on access land mapped under the Countryside and Rights of Way Act 2000) had not reached the high risk level required in order to call for areas to be closed. The FSI model was currently being reviewed on a UK basis. Fire management plans were already in place for Welsh Government (WG) owned forestry areas, which NRW managed on behalf of WG, which the Upland/Moorland Management Officer would need to be aware of
- the Head of Customers, Communication and Marketing responded to a question regarding the recommendation to convene a Tactical Co-ordinating Group confirming that it would ensure the relevant processes were initiated and all agencies were well versed and trained to respond in such a situation. The response included co-ordinated messages to the public and engagement with affected residents and visitors to the area. Members highlighted the importance of keeping local members well informed and the use of social media as a means of providing regular updates and accurate information.
- the AONB Area Manager and Countryside and Heritage Services Manager confirmed that a similar post to the Upland/Moorland Management Officer post had existed under the former Heather and Hillforts project which was a five year project funded by the Heritage Lottery Fund and they welcomed the recommendation to create a similar post. Officers also confirmed that a list of contractors to cut fire breaks had been made available during the incident and it would be useful for the new post holder to compile lists of contractors, graziers and partners, not just for when there may be an incident, but around management, to share equipment and coordinate activities; such a process would also help in the event of an incident
- the Assistant Chief Fire Officer (NWFRS) responded to a question regarding the availability of hydrants in the event of fire advising that fire hydrant engineers were employed by the Fire and Rescue Service who followed a programme of inspection and testing of hydrants and worked with water utilities on a system of

maintenance and repair. Each appliance was fitted with a mobile data terminal and mapping system to ensure clear and easy identification of hydrants and water supplies by fire and rescue personnel.

Councillor Tony Thomas, Lead Member for Housing and Communities (including Countryside) and Chair of the Clwydian Range and Dee Valley AONB emphasised the role of AONB. Whilst safety was a top priority during the fire incident going forward the AONB team had the skill and expertise to aid recovery of the mountain and he highlighted the need for resources to expedite its restoration. He commended the team on their work and the work of the Fire and Rescue Service and other partners in tackling the fire under extremely difficult circumstances and believed that lessons had been learned for the future. He also commended the creation of an Upland/Moorland Management Officer post to help coordinate and facilitate land management actions.

The Chair brought the debate to a close and on behalf of the Committee he thanked all services involved in tackling the fire and for the work which was still being undertaken to progress the report recommendations, provide safeguards for the future, and in the restoration and recovery work on the mountain. The Committee welcomed the report and positive response received to it. Having discussed with partners the way forward in relation to reducing the risk of similar incidents occurring in the future and having considered and voted on each of the report recommendations separately (with an amendment relating to recommendation 3.3 for the Committee to receive regular progress reports) it was –

RESOLVED that the Committee –

- (a) *endorses the recommendations of the North Wales Local Resilience Forum (NWLRF) following its joint review of the Llantysilio Mountain fire incident, for implementation at future mountain fire incidents, namely:*
- (i) *Convening of a physical or virtual Tactical Co-ordinating Group (TCG) to promote:*
 - *Multi agency interoperability*
 - *Consistent, proactive and agreed messages to public*
 - *Daily updates from agencies*
 - *Consideration of recovery issues earlier in response phase*
 - *Better understanding of the technical and equipment resources for firefighting across different organisations.*
 - *Understand the stresses and impacts on personnel in the primary (NWFRS) and supporting agencies*
 - (ii) *To arrange and hold a joint familiarisation session to share knowledge and experience of heathland and grassland fires. This will also gain awareness of available resources and equipment of agencies across North Wales*
 - (iii) *More structured engagement with graziers and landowners would assist in encouraging active land management. Consider using the National Strategic Arson Reduction Board (SARB) as a method of achieving wider support and buy in for reduction of wildfire risk.*

- (iv) *All agencies to review NWFRS gateway control procedures to ensure safety and for the incident command unit to be informed who is present at the scene*
 - (v) *NRW to review Fire Risk Index and assess the information being fed into it. Once the index has been reviewed to share with other agencies*
 - (vi) *Develop a regional wildfire plan for North Wales*
 - (vii) *DCC and NRW to consider what further engagement is required to address concerns of local councillors and business interests that were affected during the response phase;*
- (b) *proposes the following recommendations in relation to dealing with major/emergency incidents and requests that they be included in the Regional Wildfire Plan:*
- (i) *that a Tactical Co-ordinating Group should be established during the early stages of responding to a major/emergency incident, such as a wildfire, in order to facilitate a single-point of contact for all agencies, those affected, press/media and public to ensure that all involved are fully briefed on the developing situation on a regular basis. The existence of this Group would aid effective handover of incident management responsibilities during shift changes. The TCG could be stood down if it became clear that it was no longer needed;*
 - (ii) *the development of a list of local contractors and resources to assist during emergencies with the cutting of firebreaks etc. (similar to the winter maintenance contractor list which local authorities compile on a regular basis)*
 - (iii) *information on how to deal with the potential loss of any telecommunications/TV/Radio masts and other crucial technology links and their immediate effect on the emergency services' response to incidents, local businesses, tourism and other industries and possibly local and national security;*
 - (iv) *a requirement to liaise with the local Health Board and Public Health Wales where the welfare of sick and vulnerable residents is in question; and*
 - (v) *consideration of the installation of temporary air/water quality monitors to safeguard the public's health during the duration of this type of incident;*
- (c) *recommends that an Upland/Moorland Management Officer post be established. The Committee sees the benefits of this post to include leading on the effective co-ordination with the various agencies, landowners, farmers, graziers and local communities on land management activities and plans, with a view to supporting the habitat, ecosystems and economies of upland areas and reducing the risk of wildfires. Relevant agencies are recommended to agree on how this key post can be financed and supported.*
- (d) *writes to the Welsh Government seeking it to:*

- (i) act **urgently** to make sure that future Agricultural Policies are aimed at securing the economic and environmental sustainability of upland and moorland areas across Wales by ensuring that sheep farming practices and production, essential components for effective and sustainable land management in these areas, is economically viable and maintained for the future; and
 - (ii) to seek financial assistance for the restoration work on Llantysilio Mountain;
- (e) receives regular information and updates on developments, and receives a report back to the Committee in six months' time on the progress made in addressing the recommendations laid out in the report.

At this juncture (11.10 a.m.) the meeting adjourned for a refreshment break.

5 MINUTES

The minutes of the Committee's meeting held on 4 July 2019 were submitted.

Accuracy – Councillor Rachel Flynn advised that her apologies for non-attendance at the last meeting had been omitted from the minutes.

RESOLVED that, subject to the above, the minutes of the meeting held on 4 July 2019 be received and approved as a correct record.

6 SCRUTINY WORK PROGRAMME

The Scrutiny Coordinator submitted a report (previously circulated) seeking members' review of the Committee's work programme and provided an update on relevant issues.

Discussion focused on the following –

- the reasoning behind proposed changes to the work programme as detailed in the report to ensure items were considered in a timely manner to better inform debate and scrutiny of particular topics was discussed and the changes agreed
- the inclusion of the progress report on the recommendations in the Llantysilio Mountain Fire report in approximately six months' time as agreed earlier on the agenda was reaffirmed
- Councillor Andrew Thomas queried progress made with the siting of brown visitor signs on the A55 as previously discussed by the Committee and the Scrutiny Coordinator agreed to seek an update for members on the current position
- following a scrutiny request from Councillor Rachel Flynn, an item relating to the Children and Adult Mental Health Service (CAMHS) would be considered by Partnerships Scrutiny Committee on 16 September 2019
- following an issue raised by Councillors Brian Blakeley and Rachel Flynn and subsequent scrutiny request from Councillor Brian Blakeley regarding the capacity of schools in the county's coastal area, the Scrutiny Chairs and Vice Chairs Group had considered that information provided by the Modernising

Education Team had addressed the issue raised and therefore detailed scrutiny was not required – the Scrutiny Coordinator agreed to re-circulate the outcome

- members were encouraged to submit any proposal forms regarding topics for scrutiny for submission to the next meeting of the Scrutiny Chairs and Vice Chairs Group on 11 September
- with regard to the item on the Cabinet work programme relating to the Alternative Delivery Model for leisure related functions/activities and Board Membership, it was confirmed that following consideration of the item at Cabinet in September, the intention was for the matter to be submitted to full Council in October
- details of the Infrastructure to make it easier to stage events project had been provided within the report and a nomination to serve on the Project Board to aid engagement and a cross county approach to decision making was discussed together with the merits of appointing a substitute representative
- the Committee had also been asked to appoint two representatives on the School Standards Monitoring Group (SSMG) and details of the Group's terms of reference and meeting dates for 2019/2020 had been previously circulated to which members gave due consideration
- members were also advised of changes to the Service Challenge Process which had been referenced within the Committee's information brief and agreed that the previously appointed representatives be retained for the individual service areas for the forthcoming year whilst acknowledging some realignment may be needed in light of restructures. The Chair urged members to advise him or the Scrutiny Coordinator if they were unable to attend a service challenge meeting and indicated that he would be willing to deputise where possible
- the Scrutiny Coordinator advised that no nominations had been forthcoming for a fifth representative to serve on the Learner Transport Working Group. Councillor Rachel Flynn expressed an interest on the understanding that meetings would need to fit around her family commitments.

RESOLVED that –

- (a) subject to the above, the forward work programme as detailed in Appendix 1 to the report be approved;*
- (b) Councillor Anton Sampson be appointed to serve on the 'Infrastructure to make it easier to stage events Project Board' and Councillor Brian Blakeley be appointed substitute representative in the event substitutes were permitted;*
- (c) Councillors Rachel Flynn and Graham Timms be appointed to serve on the Schools Standards Monitoring Group (SSMG);*
- (d) the Committee's previously appointed representatives on the Service Challenge be retained for the individual service areas and re-appointed for the forthcoming year, and*
- (e) Councillor Rachel Flynn be appointed the fifth elected member to serve on the Learner Transport Policy Working Group but in the event that the timing of meetings proved difficult for Councillor Flynn to attend, the Committee's*

representation on the Group be reduced to four elected members and one co-opted member.

7 FEEDBACK FROM COMMITTEE REPRESENTATIVES

No reports from committee representatives had been received.

The meeting concluded at 11.50 a.m.