

CABINET
17TH OCTOBER 2023

Minutes of the meeting of the Cabinet of Flintshire County Council held virtually via Zoom on Tuesday 17th October 2023.

PRESENT: Councillor Ian Roberts (Chair)

Councillors: Sean Bibby, Chris Bithell, Mared Eastwood, Dave Healey, Dave Hughes, Paul Johnson, Christine Jones and Billy Mullin.

IN ATTENDANCE:

Chief Executive, Chief Officer (Governance), Chief Officer (Streetscene and Transportation), Chief Officer (Planning, Environment and Economy), Chief Officer (Social Services), Finance Manager, Corporate Manager – Capital Programme and Assets, Corporate Manager, People and Organisational Development, Senior Manager, Portfolio Business Support and School Governance, Democratic Services Manager and Team Leader – Democratic Services.

OTHER MEMBERS IN ATTENDANCE:

Councillor Bernie Attridge, Helen Brown and David Coggins Cogan.

Prior to the start of the meeting, Councillor Roberts welcomed Gill Murgatroyd to the meeting who was in attendance to observe as an independent member of the Council's Standards Committee.

60. DECLARATIONS OF INTEREST

None.

61. MINUTES

The minutes of the meeting held on 19th September 2023 were submitted and confirmed as a correct record.

RESOLVED:

That the minutes of the meeting be approved as a correct record.

62. CORPORATE SELF ASSESSMENT

Councillor Mullin introduced the report and explained that Councils must produce a self-assessment report in respect of each financial year. The report must set out its conclusions on the extent to which it met the performance requirements during that year, and any actions it intended to take, or had already taken, to increase the extent to which it was meeting the performance requirements.

The self-assessment model followed a three-stage process:

- Stage One – 'desk based' analysis and evaluation
- Stage Two – opinion sourcing, consultation, and engagement

- Stage Three – final published assessment and improvement plan

The Chief Executive explained that the results of the Corporate Self-assessment identified that overall, the Council was performing well against the assessment; 3% Very Best Practice, 6% Very Best Practice / Good Evidence and 74% Good Evidence. The results of the Corporate Self-assessment also identified opportunities for improvement; 14% Evidence but Further Action Required and 2% Some Evidence but Lacking in Key Areas.

Councillor Healey welcomed the document and congratulated everybody involved in the process.

RESOLVED:

- (a) That the findings of the Corporate Self-Assessment 2022/23 be accepted and approved; and
- (b) That the opportunities for improvement identified in the Corporate Self-Assessment 2022/23 be approved.

63. HOUSING STRATEGY ACTION PLAN PERFORMANCE UPDATE

Councillor Bibby introduced the report which provided an update on delivery of the Housing Strategy Delivery Plan 2019/2024 with particular emphasis on the financial year 2022/23.

The Housing Strategy had a delivery plan which set out three strategic priorities and related activity to achieve those priorities:

Priority 1: increase supply to provide the right type of homes in the right location

Priority 2: provide support to ensure people lived and remained in the right type of home

Priority 3: improve the quality and sustainability of homes

Details were provided on the progress against the action plan for the financial year 2022/23; planned development/delivery programme; progress against established measures; renewal of the housing strategy and action plan; and next steps. The next steps set out an outline framework for renewal of the strategy and the reporting timelines.

Councillor Johnson welcomed the report which clarified the level of challenge faced in the current economic climate.

The report had been submitted to Community and Housing Overview and Scrutiny Committee and there were no comments on the recommendations.

RESOLVED:

- (a) That comments on the Housing Strategy Action Plan 2019/24 be received;
and
- (b) That the changes outlined in the report on the following be noted:
 - The PDP process and the move to an online portal
 - The removal of the 20% limitation on the budget for acquisitions
 - The alignment of standards and intervention rate for acquisitions under SHG with those from TACP

64. FLINTSHIRE HOUSING NEEDS PROSPECTUS

Councillor Bibby introduced the report and explained that Welsh Government (WG) required that each Local Authority (LA) develop a Housing Needs Prospectus to be updated on an annual basis.

The Chief Officer (Housing and Communities) reported that the current prospectus had been reviewed and an updated draft developed for approval. The format and content had not changed significantly to alter the direction of travel set out in last year's prospectus. The changes identified in the report reflected the increasing demand for social housing from the housing register and homelessness duties including significantly increased demand for temporary accommodation which was impacting on the homeless prevention team and the Councils revenue budget.

The report provided the annual update on the Council Housing Needs prospectus in order to ensure, that as part of the WG Grant framework, the LA identified their priorities for Social Housing Grant, in addition to providing a clear and concise summary of housing need and demand.

In response to a comment from Councillor Hughes, the Chief Officer (Housing and Communities) explained that further breakdowns on void management were being looked into which would provide further analysis on properties that there was little demand for.

The report had been submitted to Community and Housing Overview and Scrutiny Committee and there were no comments on the recommendations. A Task and Finish Group had been established and would report back to the Overview and Scrutiny Committee in December.

RESOLVED:

- (a) That the content of the draft Flintshire Housing Need Prospectus be approved;
and
- (b) That it be noted that the Local Housing Strategy 2019-2024 was due for review next year.

65. REVENUE BUDGET MONITORING REPORT 2023/24 (MONTH 5)

Councillor Johnson introduced the report which provided Members with the first detailed overview of the budget monitoring position for the 2023/24 financial year for the Council Fund and Housing Revenue Account and presented the position, based on actual income and expenditure as at Month 5.

The projected year end position was as follows:

Council Fund

- An operating deficit of £3.660m (excluding the impact of the pay award which would need to be met by reserves – currently estimated as £2.727m) which was an adverse movement of £1.016m from the deficit figure reported at Month 4
- A projected contingency reserve available balance as at 31st March 2024 of £3.027m (after the estimated impact of pay awards)

Housing Revenue Account

- Net in-year revenue expenditure was forecast to be £0.006m higher than budget which was an adverse movement of £0.071m from the figure reported at Month 4
- A projected closing balance as at 31st March, 2024 of £3.191m

The economic outlook remained challenging due to inflation levels remaining high. The impacts of that, together with continued increases in service demand was becoming increasingly hard to deal with as the Councils funding failed to keep up with the scale of those pressures. To assist with managing those risks and mitigating the overall projected overspend, a moratorium through the review of non-essential spend and a vacancy management process continued.

The report went to Corporate Resources Overview and Scrutiny Committee and answers to the question were provided either at the meeting or soon after.

The Finance Manager emphasised the need for services to be robust on spending freezes which were to be introduced. A workforce communication on a moratorium would be sent out to all staff.

RESOLVED:

That the report and the estimated financial impact on the 2023/24 budget be noted.

66. RENEWAL OF PUBLIC SPACE PROTECTION ORDERS – ALCOHOL AND DOG CONTROL

Councillor Bithell introduced the report and explained that Public Spaces Protection Orders (PSPOs) were an intervention to prevent individuals or groups committing anti-social behaviour in a public space. They were part of the Anti-social Behaviour, Crime and Policing Act 2014.

Active from 19th October 2017, Cabinet approved the making of a dog control

Public Space Protection Order following a period of consultation and other requirements under the Anti-social Behaviour, Crime and Policing Act 2014. The PSPO required dog owners to:

1. Remove their dogs' waste from all public places within Flintshire
2. Have a means on their person to pick up dog waste
3. Place their dog on a lead when asked by an authorised officer, if the dog was causing a nuisance
4. Prohibit dogs from entering the playing areas of public marked sports pitches, formal recreation areas including but not exclusively bowling greens and tennis courts, fenced equipped children's play areas and all areas within school grounds
5. Keep their dog on a lead in cemeteries.

Under provisions of the Anti-social Behaviour, Crime and Behaviour Act 2014, Flintshire's Alcohol Designated Public Place Order transitioned into a Public Space Protection Order on the same date. This order allowed Police Officers the power to ask members of the public to surrender alcohol if a member of the public was believed to be causing a nuisance in a public place. This was not a total alcohol ban in public areas, and was not applicable to licensed premises, but encouragement of sensible drinking.

Both Orders were renewed in 2020 and were now up for review and renewal or they would expire on 29th October 2023.

Any local authority that made a PSPO could extend the period for which it had effect if it was satisfied, on reasonable grounds, that doing so was necessary to prevent an occurrence or recurrence of the activities identified in the order, or an increase in the frequency or seriousness of those activities, after that time.

In addition to that, the Council had been approached by both Mold Town Council and Connah's Quay and District Angling Club to request that variations were made to the Dog Control PSPO to exclude dogs from Mold Memorial Gardens, Maes Bodlonfa, Mold and Rosie Waters, Wepre Park, Connah's Quay.

Consultation on the current prohibitions and the proposed variations took place in accordance with legal requirements for 6 weeks between June 5th and 14th July 2023. In total 881 responses were received. There was strong support to renew both PSPOs, as was detailed in the report, including the variations requested.

The Chief Officer (Planning, Environment and Economy) explained that a petition had been received in relation to the Mold memorial gardens and whilst it was acknowledged by the authority, strict processes meant that it could not be considered and the recommendation was to enforce the ban. It was important to note that the responses are outside of the consultation period which ended in July 2023. From that consultation, over 60% were in favour of banning dogs from the memorial garden in Mold. He clarified that during the consultation period the plans were online and on site too.

RESOLVED:

That the extension of Public Space Protection Orders (PSPOs) to cover dog control and alcohol control in Flintshire, as outlined below, be approved:

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 formal recreational areas including but not exclusively bowling greens and tennis courts
 - Fenced footpath around The Rosie, Wepre Park, Connah's Quay as marked on the map shown as appendix 3
 - Mold Memorial Park, Maes Bodlonfa, Mold as shown as 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 would 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) That subject to approval, the agreed Public Space Protection Orders covering dog control and alcohol control commence on 29th October 2023 following a notice period and publicity of the upcoming order.

67. DISABLED ADAPTATIONS POLICY

Councillor Bibby introduced the report and explained that the Housing Grants, Construction and Regeneration Act 1996 placed a mandatory duty on Local Authorities to provide disabled facilities grants (DFGs).

The grant was available for adapting or providing facilities for a disabled person in a dwelling. The report detailed the amendments to the policy that had been necessary to align adaptations for the private sector or with those for local authority council housing.

The statutory limit for any DFG was set by Welsh Government (WG) and was currently £36,000 per application within a five-year period. However, further applications could be made within this period if the customer's medical condition had changed. That case would then be reviewed with the Occupational Therapist upon application.

The council must ensure that any adaptation works would provide the most effective long-term solution to meet the needs of the disabled person.

Councillor Attridge, who was in attendance as an observer, declared a personal interest.

The Chief Officer (Housing and Communities) explained that the report had been considered at the Community and Housing Overview and Scrutiny Committee the previous month and the recommendations were supported. Questions were asked, and answered, on the availability of Occupational Therapists and land charges.

RESOLVED:

That the updated Disabled Adaptations policy which covered both private homes and council stock properties be supported and approved.

68. ELECTIONS ACT 2022 – VOTER IDENTIFICATION (VOTER ID) UPDATE

Councillor Mullin introduced the report and explained that The Elections Act 2022 made a number of changes to the elections process at UK Parliamentary and Police and Crime Commissioner elections. This did not apply to Flintshire County Council, Town and Community or Senedd elections.

Some of the changes included the requirement that voters produce an approved form of photo ID at the polling station, changes to absent voting rules, EU citizens' voting rights and 'votes for life' for overseas electors.

The report provided an update on the voter identification (ID) process and support provided to voters who did not have an acceptable form of photo ID. It also outlined work undertaken to promote Voter ID and planned communications ahead of the Police and Crime Commissioner elections scheduled for Thursday 2nd May 2024.

A discussion took place on the forms of ID that would be acceptable and the Chief Officer (Governance) said there were many, all of which were listed on the Council's website. He also said that people could apply for a postal vote or nominate a proxy voter on their behalf.

In response to a question from Councillor Bithell on informing residents, the Chief Officer explained that every household in Flintshire had been written to with the details, press releases had been issued and would continue to do so on the run up to elections.

Councillor Bibby asked what training would be provided to those staff working at the polling station. The Chief Officer explained that training to all polling station staff was provided before every election and it would be covered within that. The Council also liaised closely with North Wales Police throughout any election period.

RESOLVED:

- (a) That the update on Voter ID be noted;
- (b) That the work undertaken and planned communications to promote Voter ID be supported.

69. CHANGES TO THE SCHEME OF DELEGATION

Councillor Bithell introduced the report which sought approval to delegate all matters and Council responses associated with Developments of National Significance (DNS) and Nationally Significant Infrastructure Projects (NSIP), to the Chief Officer (Planning, Environment and Economy).

The changes to the Scheme of Delegation sought was outlined in the report and covered all steps in respect of both types of applications.

Examples of both types of projects were given by the Chief Officer (Planning, Environment and Economy).

RESOLVED:

- (a) That the proposed changes to the Scheme of Delegation as set out in the report be endorsed; and
- (b) That the proposed changes to be actioned under Delegated Powers to the Leader of the Council as set out in the appendix to the report be endorsed.

70. EXERCISE OF DELEGATED POWERS

An information item on the actions taken under delegated powers was submitted. The actions were as set out below:-

Streetscene and Transportation

- **The Flintshire County Council (Cymau Road, Abermorddu; Blackbrook, Sychdyn; Crecas Lane, Ffordd Y Faenol Fach, Grange Lane and Ddreiniog Road, Carmel; Mountain Road, Cilcain; Bryn Yorlin Lane and Ffordd Las, Cymau; Duckers Lane, Mancot; Ffordd Y Gilrhos, Treuddyn; Ffordd Penrallt, Gwaenysgor; Cae Rhug Lane, Gwernaffield; Kelsterton Lane, Kelsterton; B5121, Parc Capel, Ffordd Gledlom, Unnamed Road, Unnamed Road, Ffordd Y Graig and Unnamed Road, Lixwm; Ffordd Llanfynydd, Llanfynydd; Ffordd Y Pentre, Ffordd Y Bryn and Henffordd, Nercwys; Penyfron Road, Pantymwyn; Brynford Road, Pentre Halkyn,**

High Street, Trelawnyd; Unnamed Road, Trelogan; Well Street, Buckley; and Wood Lane, Broughton) (20mph Speed Limit) Order 202x

To advise Members of the objections received following the advertisement of the 20mph speed limit on the roads listed above.

- **The Flintshire County Council (Various Roads Within Flintshire) (30mph Speed Limit) Order 202-**
To advise Members of the objections received following the advertisement of the above.
- **The Flintshire County Council (Drury New Road, Drury Lane, Bannel Lane and Padeswood Road South, Buckley) and (Station Road, Talacre)**
To advise Members of the objections received following the advertisement of the 40mph and 50mph speed limits on the roads as listed above.

Housing and Assets

- **Community Asset Transfer**
The report relates to the Community Asset Transfer of Connah's Quay Community Garden, Off Mill Lane, Connah's Quay, CH5 4HA.
- **Community Asset Transfer**
The report relates to the Community Asset Transfer of Connah's Quay Cricket Club, Central Park, Connah's Quay, CH5 4DZ.
- **Community Asset Transfer**
The report relates to the Community Asset Transfer of Ffynonngroyw Community Centre, Main Road, Ffynonngroyw, Flintshire, CH9 9SN.

NEWydd Catering and Cleaning

- **School Meal Price Increase**
Increases the price of meals within schools to continue to provide a quality service in line with sharply increasing costs, particularly those associated with both food and labour.

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).

71. CHILDCARE AND EARLY YEARS CAPITAL PROGRAMME 2022-2025

Councillor Jones introduced the report which outlined the proposed projects for phase 2 of the Childcare and Early Years capital programme. The projects within the

programme had been prioritised using Childcare Sufficiency Assessments and Welsh Government funding criteria.

RESOLVED:

That the proposed Childcare and Early Years capital (phase 2) programme and subsequent Business Justification Case submission to Welsh Government for capital funding be approved.

72. MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE

There were no members of the public in attendance.

(The meeting commenced at 10.00 a.m. and ended at 11.31 a.m.)

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Chair