

CABINET
16TH JANUARY 2024

Minutes of the meeting of the Cabinet of Flintshire County Council held virtually via Zoom on Tuesday 16th January 2024.

PRESENT: Councillor Ian Roberts (Chair)

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

IN ATTENDANCE:

Chief Executive, Chief Officer (Governance), Chief Officer (Planning, Environment and Economy), Chief Officer (Social Services), Chief Officer (Housing and Communities), Corporate Finance Manager, Corporate Manager – Capital Programme and Assets, Corporate Manager, People and Organisational Development, Revenues and Procurement Manager, Operational North and Streetlighting Manager Highway Network Manager, Transport Manager and Team Leader – Democratic Services.

OTHER MEMBERS IN ATTENDANCE:

Councillors: Bernie Attridge, Roz Mansell and Andrew Parkhurst.

APOLOGIES: Councillors: Chris Bithell and Billy Mullin.

100. DECLARATIONS OF INTEREST

None.

101. MINUTES

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

RESOLVED:

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

102. MEDIUM TERM FINANCIAL STRATEGY (MTFS) AND BUDGET 2024/25 – WELSH LOCAL GOVERNMENT PROVISIONAL SETTLEMENT

Councillor Johnson introduced the report which provided an update on the key headlines and financial impacts of the Welsh Local Government Provisional Settlement and to update on the work being undertaken on the range of budget solutions available to the Council to set a legal and balanced budget in February.

A summary of the key headlines was set out in the report and had the effect of increasing the 'budget gap' to £12.946m. The Provisional Welsh Local Government Settlement for Flintshire was extremely disappointing and presented an increased challenge to an already very difficult financial position.

Detailed final budget proposals now needed to be prepared for Member consideration and scrutiny and specific proposals would be considered by relevant Overview and Scrutiny Committees from February.

The Chief Executive commented on the disappointing settlement from Welsh Government which had resulted in the requirement to revisit a number of the forecasting and planning assumptions ahead of County Council in February.

The Corporate Finance Manager confirmed the Member briefing arrangements of 22nd January and 25th which had been arranged to provide an opportunity for Members to consider the overall budget proposals in advance of the Overview and Scrutiny meetings.

Councillor Roberts said a robust statement had been issued following the disappointing settlement. He explained that a meeting had been held with Heads and Chairs of Governors the previous evening to outline the proposals that would be made.

RESOLVED:

That the financial implications of the Welsh Provisional Local Government Settlement and the remaining work which needs to be completed prior to agreeing a set of recommendations for Council to set a legal and balanced budget on 20th February (which will be subject to prior consideration and comment by Overview and Scrutiny Committees) be noted.

103. COUNCIL PLAN 2023/24 MID-YEAR PERFORMANCE REPORT

The Chief Executive introduced the report which presented a summary of performance of progress against the Council Plan priorities identified for 2023/24 at the mid-year position.

The report was an exception-based report and concentrated on those areas of performance which were not currently achieving their target at the mid-year position.

The report contained progress against the actions and measures that were monitored and updated on a quarterly basis. Progress against the annual measures within the Council Plan would be captured within the End of Year Performance Report.

RESOLVED:

- (a) That the levels of progress and confidence in the achievement of priorities as detailed within the Council Plan 2023/28 for delivery within 2023/24 be endorsed and supported;
- (b) That the overall performance against Council Plan 2023/24 performance indicators/measures be endorsed and supported; and

- (c) That Cabinet be assured by explanations given for those areas of underperformance.

104. UPDATED CONTAMINATED LAND INSPECTION STRATEGY

The Chief Officer (Planning, Environment and Economy) introduced the report and explained that the Contaminated Land Inspection Strategy described how Flintshire County Council was required by Part 2A of the Environmental Protection Act 1990 to identify and inspect land within its administrative control and explained the steps that the Council would take to investigate the land to secure the remediation of contamination.

Flintshire County Council's Contaminated Land Inspection Strategy had been updated in 2023 to reflect current Council policies, objectives and the replacement of a principal piece of regulatory guidance relating to the assessment of land contamination.

The report explained the purpose of the Strategy and the updates made.

The report had been considered at a recent Environment and Economy Overview and Scrutiny Committee and the comments received were reflected in the updated strategy being presented to Cabinet.

RESOLVED:

That the updates to the Contaminated Land Inspection Strategy be endorsed.

105. PROGRESS ON THE NORTH EAST WALES ARCHIVE (NEWA) PROJECT

Councillor Roberts introduced the report and explained that to maximise the impact of archive services in our communities and extend their reach across Flintshire and Denbighshire, and to address major deficiencies in the current archive buildings in Hawarden and Ruthin, both Flintshire and Denbighshire County Councils had a shared ambition to build a new, state of the art archive facility for North East Wales on the County Hall campus, next to Theatr Clwyd.

The facility would bring the Flintshire and Denbighshire collections together in a single location. The new building would also act as a hub in 'hub and spoke' model, which would provide digital access to the archive materials through access points in libraries and other public buildings to widen participation across both Flintshire and Denbighshire.

The Chief Officer (Education and Youth) explained that NEWA, with the support of both Councils, submitted a bid to National Lottery Heritage Fund in February 2021 and narrowly missed out on being awarded funding. There was no negative feedback on the content and quality of the bid, and a new application was actively encouraged. That grant application had been submitted to and by March 2024 the Council would know if had been awarded grant funding or not.

The move to a single building enabled NEWA to combine and better utilise its

resources, protects the archive services in both Councils and enabled the Council to deliver an exciting activity plan that would introduce archives to a wider and more diverse audience, making a positive contribution to the learning and wellbeing of our residents.

RESOLVED:

- (a) That the submission of a further grant application to the NLHF Wales for £7.336m by North East Wales Archive (NEWA) on 15th November 2023 be noted;
- (b) That the outcome of the grant application being known by the end of March 2024 be noted, and if the bid and the project are successful, then the service delivery model will be fully operational by the end of the financial year 2027-28; and
- (c) That the challenges faced by the project since 2021 and the ongoing developments, including the impact on the potential costs of the project in light of inflationary pressures in the current market conditions.

106. REVENUE BUDGET MONITORING REPORT 2023/24 (MONTH 8)

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 8.

The projected year end position was as follows:

Council Fund

- An operating deficit of £2.942m which was a favourable movement of £0.728m from the deficit figure reported at Month 7
- A projected contingency reserve available balance as at 31st March 2024 of £4.918m (after the actual impact of pay awards and taking account of previously approved allocations)

Housing Revenue Account

- Net in-year revenue expenditure was forecast to be £0.018m higher than budget which was an adverse movement of £0.118m from the figure reported at Month 7
- A projected closing balance as at 31st March, 2024 of £3.297m

The Corporate Finance Manager explained that 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 on non-contractually committed spend had been put in

place alongside a vacancy management process which continued.

At Month 8, £1.293m of deferred and/or delayed expenditure had been identified and was analysed by service within Appendix 2. The robust challenge of budget lines and commitments would continue, and further updates provided in future reports.

RESOLVED:

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

107. COUNCIL TAX REFORM – WELSH GOVERNMENT PHASE 2 CONSULTATION

The Chief Officer (Governance) introduced the report which provided Members with information on a phase 2 Welsh Government consultation seeking views on the ongoing council tax reform programme. The phase 2 proposals centred on:

- The scale and pace of potential council tax banding/revaluation reforms
- Reform of the Class F council tax exemption for properties which were unoccupied where the previous occupier had died, and no grant of probate or letters of administration had been made.
- Clarity over the appropriate terminology and criteria for the Class U council tax exemption for households where the occupier was certified as being 'severely mentally impaired'.

The Revenues and Procurement Manager provided full details of the options available.

Councillor Healey explained that the report had been considered at Corporate Resources Overview and Scrutiny Committee the previous week where they supported the expanded version, and for as soon as possible. He moved an amendment to the recommendation to support the expanded version but with an incremental approach, which was supported.

RESOLVED:

That the Welsh Government (phase 2) proposals to reform Council Tax be noted, and senior officers be authorised to respond to the consultation to recommend the expanded version with an incremental approach.

108. STREETLIGHTING POLICY 2023-2028

Councillor Hughes introduced the report and explained the last time the policy was reviewed was in 2015 when the standards were amended for repairing street lighting faults and the frequency of night-time inspections were revised, as well as including provision for part-night lighting and dimming lights.

The draft policy set out the responsibilities, requirements and standards for all new or replacement external public highway lighting, and aimed to incorporate,

wherever practicable, all relevant codes of practice and legislation, together with industry best practice and national policies.

The revised policy being presented for consideration with the report took into account additional electrical infrastructure, such as electric vehicle charging, vehicle activated signs and defibrillators.

The report had been considered at the recent Environment and Economy Overview and Scrutiny and their comments had been incorporated into the document.

In response to a question from Councillor Roberts, the Operational North and Streetlighting Manager Highway Network Manager confirmed that the arrangements with Town and Community Councils on being able to pay towards keeping lights on remained unchanged.

RESOLVED:

- (a) That the portfolio's performance against the current standards and policy be noted; and
- (b) That the revised Street Lighting policy be supported.

109. UNSAFE MEMORIALS IN FLINTSHIRE CEMETERIES

Councillor Hughes introduced the report and explained that the service was responsible for approximately 20,000 memorials of varying shapes and sizes and the Council had a duty to maintain its burial grounds in good and safe order.

A combination of the absence of records and/or absence of surviving family members willing to undertake the repairs and maintenance on memorials had resulted in approximately 700 memorials within Flintshire's cemeteries being deemed to be structurally unsafe. Whilst those memorials continued to be supported by wooden stakes, a permanent solution had yet to be implemented. In addition to unsafe memorials, kerb sets within the council's older cemeteries were also falling into disrepair, resulting in potential trip hazards.

The purpose of the report was to seek support and approval for an alternative and permanent method of making the memorials safe, if the memorial was not repaired by the registered grave owner, as well as the making safe of any kerb sets that had become detached from the main structure of the grave.

RESOLVED:

- (a) That the proposal to adopt the "digging in" method to stabilise those memorials deemed to be structurally unsafe when the grave owners cannot be traced be supported. This approach will address the ongoing health and safety risk associated with unsafe memorials that only currently receive a temporary short-term fix; and

- (b) That the proposal to address unsafe kerb sets by repositioning all kerb sections within the structure of the grave – either above or below the surface depending on the presence of a concrete slab foundation be supported.

110. ALARM SERVICE CHARGES REVIEW

Councillor Bibby introduced the report and explained that within the Council's housing stock (HRA) there were 2592 sheltered housing accommodation units. Following a review of the warden service in 2009 this service was ceased, and the Community Based Accommodation Service (CBASS) was created. The service provided a tenure neutral service for any older person in Flintshire who may need housing related support.

In addition, the service provided a response service for alarm activations. For HRA residents this was a 24-hour service, operating an out of hours service from within the team for outside office hours (evenings, nights and weekends). The proposal was to apply the increased service charge to all sheltered residents who were currently using the alarm service. All new residents in sheltered schemes with an alarm would have the charge applied as per current process at the beginning of their new contract.

The Chief Officer (Housing and Communities explained that the report provided details of a proposal to increase the service charge to all sheltered residents who were currently using the alarm service and that the service charge would be applied to all sheltered properties at the point they were let in future.

The proposal represented an increase of £0.85 per calendar week, or when calculating over a 50-week period it equated to £0.98 increase. This would achieve full cost recovery from 2024/2025 and could then be reviewed annually as part of the HRA business planning process to align costs to service charges moving forward.

RESOLVED:

That the proposal to achieve full cost recovery for the housing revenue account alarms service be supported and endorsed.

111. HOUSING MANAGEMENT AND ANTI-SOCIAL BEHAVIOUR POLICY

Councillor Bibby introduced the report and explained that the Council was committed to providing an effective and efficient housing management service that reflected best practice, complied with legislation and protected the rights of contract holders as well as minimising risk to the Council for not complying with appropriate legislation.

The Renting Homes (Wales) Act 2016, which came into effect from the 1st December 2022, was the biggest change to housing law in Wales for decades. The new legislation had changed the way all landlords in Wales rented their properties.

The Renting Homes (Wales) Act 2016 aimed to simplify the process of renting a home in Wales and to provide parties with more information about their rights and

obligations. The Act was now partially in force, for the purpose of making regulations and issuing guidance.

The implementation of the significant changes brought about by the Act, had made it necessary to review and draft revised policies and procedures. The report provided an overview of the changes that had been made to the Housing Management Policy and the Anti-Social Behaviour Policy.

The Chief Officer (Housing and Communities) explained that the policy had been reported to Community and Housing Overview and Scrutiny Committee twice and comments received were on specific issues. Comments on the policy related to procedural guidance.

RESOLVED:

That the Housing Management and Anti-Social Behaviour policies be approved.

112. BAILEY HILL MOLD

Councillor Healey introduced the report and explained that Bailey Hill in Mold was a Council-owned green space in the heart of Mold and it incorporated the remains of Mold Castle.

Previously overgrown and under-used, the site had been restored to be a valuable community resource through a tripartite partnership between the Council, Mold Town Council, and the Friends of Bailey Hill.

The report provides a summary of the project that has been undertaken. 1.05

The Chief Officer (Planning, Environment and Economy) explained that the report had been submitted to Environment and Economy Overview and Scrutiny Committee where discussions had focussed on resource implications. At present the costs sat with Mold Town Council. That would need to be reviewed and the costs more fairly distributed.

RESOLVED:

That the successful completion of development at Bailey Hill in Mold be noted.

113. ACCESS BARRIER REVIEW UPDATE

Councillor Healey introduced the report and explained that Flintshire County Council appointed a consultant to undertake a review of the existing access control measures in place on a section of the Wales Coast Path (WCP) between Chester and Queensferry.

The recommendations from the consultant study were discussed at Flintshire Local Access Forum, Environment and Economy Overview & Scrutiny Committee and Cabinet in July 2023. The resolution at Cabinet was to gain further feedback from users and stakeholders when implementation designs were established.

A Plan and specification were drawn up for access points to the Wales Coast Path around the Saltney footbridge area and sent out for feedback during October. A summary of responses was appended to the report.

Environment and Economy Overview & Scrutiny Committee considered the feedback on 19th December where the proposals were supported by a majority.

The option presented highlighted the opportunities and risks to the Authority.

Councillors Bibby and Jones welcomed the report and the proposed improvements which provided a pragmatic compromise.

RESOLVED:

- (a) That the feedback on the proposed access improvements and the potential risks to the Authority be noted; and
- (b) That the proposed improvements to the access points as detailed in the plan and specification be approved.

114. EXERCISE OF DELEGATED POWERS

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

Housing and Communities

- **The Flintshire County Council – Prince’s Street, Primrose Street, Chapel Street, Dodd’s Drive and Summersville Close, Connah’s Quay – Proposed Prohibition of Waiting At Any Time**
To advise Members of the unresolved matter(s) received following the advertisement of the proposed Prohibition of Waiting At Any Time on the roads listed above.

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 item by virtue of exempt information under paragraph(s) 14 of Part 4 of Schedule 12A of the Local Government Act 1972 (as amended).

115. FLEET CONTRACT REVIEW

Councillor Hughes introduced the report which provided an update on the Fleet Contract.

The report had been submitted to Environment and Economy Overview and Scrutiny Committee the previous week where the recommendations were supported.

RESOLVED:

- (a) That the update on the fleet contract be noted including that the update had been provided to Environment and Economy Overview and Scrutiny Committee the previous week;
- (b) That the preferred option to bring the fleet operations and management back in-house to ensure the seamless continuation of this critical service be supported; and
- (c) That a further short-term extension with the current supplier for no more than 12 months, to allow the Council time to make alternative provision, be approved.

116. 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 11.48 a.m.)

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Chair