

CABINET
16 JUNE 2015

Minutes of the meeting of the Cabinet of Flintshire County Council held at County Hall, Mold on Tuesday, 16 June 2015

PRESENT: Councillor Aaron Shotton (Chair)

Councillors: Bernie Attridge, Chris Bithell, Helen Brown, Derek Butler, Christine Jones and Kevin Jones

APOLOGIES:

Councillors Billy Mullin.

IN ATTENDANCE:

Chief Executive, Chief Officer (Community and Enterprise), Chief Officer (Education and Youth), Chief Officer (Governance), Chief Officer (Organisational Change), Chief Officer (Organisational Change), Chief Officer (Planning and Environment), Chief Officer (Social Services) Chief Officer (Streetscene and Transportation), Corporate Finance Manager and Team Manager – Committee Services

ALSO PRESENT:

Councillors: Glyn Banks, Veronica Gay, Ron Hampson, Hilary Isherwood, Rita Johnson, Dave Mackie, Vicky Perfect, David Roney, Nigel Steele-Mortimer and Carolyn Thomas

The Leader of the Council and Cabinet Member for Finance advised that agenda item number 9, School Modernisation, would be brought forward and considered after the minutes of the last meeting.

13. DECLARATIONS OF INTEREST

The Chief Officer (Governance) advised that any Cabinet members who were school governors should declare a personal interest in agenda item number 9. A personal and prejudicial interest would only need to be declared if a Member was a governor of one of the schools listed in the report. Councillor Christine Jones was a governor of John Summers High School which was referred to in the report but this was only as a passing reference and not for debate so that interest was personal only.

Councillors Derek Butler, Christine Jones, Kevin Jones and Aaron Shotton declared personal interests in agenda item number 9 – School Modernisation.

Councillors Bernie Attridge and Chris Bithell declared personal interests in agenda item number 13 – Community Asset Transfers and Capital Support Funding.

Councillor Helen Brown declared a personal and prejudicial interest in agenda item number 22 – Response from the Organisational Change Call in Meeting on the Medium Term Plan for Libraries.

Councillor Aaron Shotton declared a personal interest in agenda item number 24 – Single Status.

14. MINUTES

The minutes of the meeting held on 19 May 2015 had been circulated with the agenda.

RESOLVED:

That the minutes be approved as a correct record.

15. SCHOOL MODERNISATION

The Cabinet Member for Education and provided an update on progress of the School Modernisation Programme to date, with details of the proposed next phase of the review including consultation taking place from June 2015 to June 2016.

The School Modernisation Programme was required because there was a need to:

- Ensure education provision was both high quality and sustainable;
- Improve the quality of school buildings and facilities;
- Provide the right number of school places, of the right type, in the right locations;
- Address unsustainable school buildings and supporting infrastructure;
- Recognise that doing nothing meant higher pupil teacher ratios as funding reduced; and
- Ensure that external funding through the Welsh Government's (WG's) 21st Century Schools Programme could be maximised

The key criteria for modernisation which underpinned the details above were:

- Educational improvement;
- Resilient school leadership;
- Suitable buildings;
- Unfilled places; and
- Diminishing resources

There were 17% of surplus places in primary schools with the national and local target being to reduce that to under 10%.

On the issue of funding, the Cabinet Member added that the WG funding criteria for 21st Century Schools Programme would only fund modernisation projects. Refurbishments or maintenance projects were not eligible for a grant. However, it was important to note that new schools would not be possible in all areas.

Agreement was sought for formal consultation on closure and other school organisation options for the following schools by September 2016:

- Ysgol Maes Edwin
- Ysgol Llanfynydd
- Ysgol Mornant, Gwespyr Picton

In addition, approval was sought for an area review of the following schools which would follow the process outlined in paragraph 3.04 of the report:

- Area 1 – Brynford CP School Lixwm CP School and Ysgol Rhos Helyg, Rhosesmor
- Area 2 – Nercwys VA School (in relation to faith and community school capacity)

The Chief Officer (Education and Youth) explained that this was a clear example of austerity having an impact on schools and community services which then required difficult decisions to be made. He provided an assurance that each of the schools identified in the report did meet the trigger criteria for review. The decision required today was for that review to commence which would include a dedicated approach to consultation with children and young people, consultation with governors, staff, parents/carers and other stakeholders.

A number of questions had been raised at the recent meeting of Education and Youth Overview and Scrutiny Committee which covered:

- The community impact, particularly on rural communities;
- The possible increase in school transport;
- Was 10% of surplus places realistic in all areas;
- Would a change in school organisation meet future demand; and
- What would the impact be on the Welsh language and the Welsh language education

An assurance had been given at the Overview and Scrutiny Committee meeting that each of the issues would be looked into and reported back. A further report and options appraisal would then be submitted to Cabinet for consideration.

The Cabinet Member for Waste Strategy, Public Protection and Leisure asked if approving the commencement of a review could potentially exacerbate the issue with less parents choosing to send their children to the schools identified in the report. Also, he felt it was easier to move children to a different school in an urban framework that it was in a rural area based on distance and transport. He also asked how much work had been undertaken on predictions for future school places.

The Chief Officer (Education and Youth) explained that Members would not be asked to take a decision on school modernisation unless officers were confident that there were sufficient school places in the area for current pupil numbers and future learners based on the projections carried out. A full environmental impact assessment and transport appraisal would be carried out prior to a future report being submitted to Cabinet. On whether the issue could be exacerbated, the Chief Officer explained that a high level of professionalism from individual schools was expected during the process and stressed the importance of communication and remaining confident during the process which the Council would help to support.

The Leader and Cabinet Member for Finance commented on the recent review undertaken on the 6th form provision at Flint where the number of surplus places had in fact reduced following the community working together to retain that facility.

The Cabinet Member for Economic Development said there had been a reluctance from some rural villages in the past to have housing developments in their village which in turn had a knock on effect on the numbers of pupils attending the village schools.

The Leader and Cabinet Member for Finance clarified that if the report was agreed, consultation would begin and end on 19 October with a report being submitted to Cabinet in November. He emphasised that the situation the Council was faced with was as a direct result of continuing cuts from Central Government and WG. Two things were needed which were (1) an understanding of the impact of funding reductions and (2) exploration with the school community on how the funding reductions could be mitigated against.

The Chief Officer (Education and Youth) added that the report to Cabinet in November would include a financial appraisal on the situation for school communities as well as details on federations.

The Deputy Leader and Cabinet Member for Environment asked if the data was available to show the numbers of children who chose not to go to one of the schools listed in the report when it was their nearest school. The Chief Officer (Education and Youth) said that information could be collated for each address in the areas concerned.

The Chief Executive emphasised the importance of the review keeping to the timescales laid out in the report to reduce any risk during the time the review was taking place. He also reiterated that decisions had not been made and were not pre-determined and concurred with the comments of the Leader on the situation with 6th form provision at Flint.

The Cabinet Member for Education added that a question had been asked at the Overview and Scrutiny Committee meeting whether the school admissions policy could be changed to direct children to their nearest school. However, by law, parents had the choice to send their children to a school which was not their nearest one so the policy could not be amended.

The Leader and Cabinet Member for Finance said the Cabinet expected the following:

- Consultation to be carried out to all affected;
- What would the situation be the status quo remained; and
- How the funding issues could collectively be mitigated.

RESOLVED:

- (a) That the progress for Band A of the 21st Century Schools Programme be noted; and

- (b) That the implementation of reviews from June 2015 to June 2016 be approved.

16. MEDIUM TERM FINANCIAL STRATEGY

The Leader and Cabinet Member for Finance presented part one of the latest revision of the Medium Term Financial Strategy (MTFS) which set out the financial forecast for the Council for 2015-2018.

Producing an accurate medium term forecast in a period of fiscal and economic uncertainty was extremely challenging as there was no certainty over future levels of the main revenue support government grant that underpinned the Council's overall funding. Therefore, a number of assumptions had been made in arriving at a forecast.

The Chief Executive explained that the MTFS was in two parts, the first part being the production of a medium term forecast and the second being solutions to the funding 'gaps'.

A summary of the financial picture for the three year period was detailed in the report and predicted a total funding 'gap' of £52.8m. To deal with the projected funding gap, Chief Officers and Cabinet Members had reviewed options for 2016/17 – 2017/18 drawing on the developing business plans for each portfolio which was in addition to work on options for corporate financing choices. It was those options, building on the strategies for organisational change and service reform already being implemented, which would form the second part of the MTFS on solutions to bridging the funding 'gap'.

The report and MTFS had been considered at Corporate Resources Overview and Scrutiny Committee the previous week and would be submitted again to that Committee in July. Full Member engagement on the development of the second part of the strategy was also being planned for the summer months.

The Chief Executive added that the Chancellor would be announcing the emergency Budget on 8 July 2015 with the consequences for Welsh local authorities being known by the autumn / winter.

The Corporate Finance Manager provided details on some of the assumptions made within the MTFS on the national pressures, such as the Council Tax Reduction Scheme, Discretionary Housing Payments, Impacts of Legislation and Case Law and the Independent Living Fund.

The Leader and Cabinet Member for Finance said the MTFS would provide a better understanding for the public on the scale of the financial pressures faced by the Council. He added that a key priority in the Council's Improvement Plan was to ensure the Council was as efficient as possible and said this could be used as a lobbying tool to put a case forward to Central Government and WG. He commented on the impact of some components such as pay increases which were negotiated nationally but were no longer funded nationally. Also business rates which were collected locally but then put into a

pool - the Council needed to be assured that they were receiving the correct share back. Issues such as these would be discussed at the Welsh Local Government Association (WLGA) Conference later that week.

The Deputy Leader said the MTFFS sent out a clear message on the financial situation and the loss of services across Wales, which should be used by all Members to lobby both Central and WG. The Chief Executive responded that the MTFFS was easier to read which would help in portraying the message from the Council out and he welcomed any feedback on the document.

The Leader and Cabinet Member for Finance said the Member workshop in July would look at the impact on services based on the projected gap over three years of £52.8m. All Members should lobby Central Government and WG over the coming months.

RESOLVED:

That part one of the revised Medium Term Financial Strategy and the financial forecasts it makes be received and adopted.

17. YEAR END IMPROVEMENT PLAN MONITORING REPORT (2014/15).

The Chief Executive introduced the Year End Improvement Plan monitoring reports for the period 1 April 2014 to 31 March 2015.

An overall assessment was provided in the table in the report which was based on the detailed reports.

RESOLVED:

- (a) That Cabinet Members note the sufficiency of actions taken to manage delivery of the Improvement Priority impacts; and
- (b) That the following be noted:
- The levels of progress and confidence in the achievement of key activities which seek to deliver the impacts of the Improvement Plan;
 - The levels of performance against Improvement Plan measures for year end; and
 - The current (net) risk levels and targeted risk levels for the risks identified in the Improvement Plan and the arrangements to control them

18. YEAR END CHIEF OFFICER PERFORMANCE REPORTS 2014/15

The Chief Executive presented the 2014/15 year end Chief Officer performance reports which covered the period October 2014 to March 2015.

The contents of the report included:

- Areas of positive performance;
- Areas of concern;

- The Council Improvement Priorities that were not set as an in-year priority;
- Progress for key projects and collaborative areas of work;
- Risk summaries;
- Reporting against findings from internal and external regulatory bodies e.g. Wales Audit Office, Care and Social Services Inspectorate Wales or Estyn; and
- Performance against the statutory national performance indications (NSIs and PAMs).

RESOLVED:

- (a) That the mid-year Chief Officer reports be received; and
- (b) That the following be noted:
- Areas of positive performance;
 - Areas of concern;
 - The progress updates for the Council Improvement Priorities that are not set as an in-year priority;
 - Progress updates for key projects and collaborative areas of work;
 - The risks highlighted (including operational, project and collaborative risks);
 - The assessment of any regulatory reports; and
 - Performance against the NSIs and PAMs

19. LOCAL SERVICE BOARD & STRATEGIC PARTNERSHIPS PERFORMANCE - END OF YEAR 2014/15

The Chief Executive introduced the report which highlighted the status of each of the strategic partnerships.

The report detailed the progress against milestones, activities and confidence in outcomes against the four priorities of the Local Service Board.

The reports had been formatted to reflect the good practice adopted by the production of the Council's Annual Performance Report 2013/14 and had taken into account potential improvements raised by the Wales Audit Office (WAO), such as providing a balanced view of performance during the year.

RESOLVED:

That the progress made in the end of year reports be noted and the commitments made be endorsed.

20. ANNUAL COUNCIL REPORTING FRAMEWORK (ACRF)

The Cabinet Member for Social Services presented the draft annual report on the effectiveness of the Council's social care services and priorities for improvement.

A Member Task and Finish Group had shaped the key messages contained within the report and Members had given a steer on the final style of the document which would be produced in a user friendly style by Double Click.

The overall assessment was that Social Services in Flintshire continued to drive forward service improvement, ensuring an effective range of good quality services that supported and protected vulnerable people.

The Chief Officer (Social Services) said the report would form an integral part of the Care and Social Services Inspectorate Wales (CSSIW) performance evaluation of Flintshire Social Services. The evaluation also informed the Wales Audit Office (WAO) assessment of Flintshire County Council as part of the Annual Improvement Report.

RESOLVED:

That the draft report be approved for publication.

21. EDUCATION INFORMATION TECHNOLOGY REVIEW

The Chief Officer (Governance) provided results of the consultation with schools on reconfiguring the Education Information and Communication Technology (ICT) Service.

As part of Phase 1 of the ICT review and the adoption of the new operating model it was agreed that:

- Education ICT should be merged with Corporate ICT;
- A review of the service should be undertaken to seek to improve its capacity to meet customer demands; and
- The service would be remodelled to make the 30% savings required of all services.

A period of intense consultation and engagement was undertaken with the school community between January and March 2015. Officers attended the primary and secondary heads federations on several occasions, the Schools Budget Forum, drop in sessions and one to one discussions with headteachers. These resulted in 81% of primary schools and 83% of secondary schools expressing formal support for the proposals.

The Leader and Cabinet Member for Finance asked if the report would be submitted to Education and Youth Overview and Scrutiny Committee. The Chief Officer (Governance) explained that it would be considered at their meeting on 16 July 2015 which allowed implementation to begin prior to the school holidays, subject to any comments that might arise at the Scrutiny Committee meeting.

RESOLVED:

- (a) That the proposed new model for the Education ICT service be approved with a start date of April 2016; and
- (b) That delegated authority be given to the Chief Officer (Governance) in consultation with the Cabinet Members for Corporate Management and

Education and Youth to revise the scheme to take account of comments made at the Education and Youth Overview and Scrutiny Committee meeting.

22. REVENUE BUDGET MONITORING 2014/15 (MONTH 12)

The Leader and Cabinet Member for Finance provided Members with the latest revenue budget monitoring information for 2014/15 for the Council Fund and Housing Revenue Account based on actual income and expenditure as at month 12. The final outturn for 2014/15 would be presented to Cabinet in July.

The projected year end position, as estimated at Month 12, was:

Council Fund

- Net in year expenditure forecast to be £2.059m lower than budget; and
- Projected contingency reserve balance at 31 March 2015 of £5.00m

Housing Revenue Account

- Net in year expenditure forecast to be £0.069m more than budget; and
- Projected closing balance as at 31 March 2015 of £1.906m

The reasons for all movements from Month 10 were summarised in Appendix 1 to the report with the projected variances occurring for the year to date summarised in Appendix 2.

A number of carry forward requests had been identified and were detailed in Appendix 6, all of which were recommended for approval.

The report provided details on the significant budget movement between Month 10 to Month 12, corporate and functional efficiencies, workforce efficiencies, carry forward requests, inflation, monitoring budget assumptions and risks and unearmarked reserves.

Also detailed in the report was the cost for the closure plan for the orphaned site at Sandycroft. The Council was in a position to scope the full cost for the closure of risks and it was confirmed that within the total projected cost of £1.7m the in year liability falling on the Council for closure of risk was £0.800m. This had been included in the closing outturn position.

The position at Month 12 on the Housing Revenue Account (HRA) was an overall projected overspend of £0.069m and a projected closing balance at Month 12 of £1.096m, which at 3.65% of total expenditure satisfied the prudent approach of ensuring a minimum level of 3%.

The Leader and Cabinet Member for Finance, following a comment at Corporate Resources Overview and Scrutiny Committee the previous week, provided clarification that there was no additional funding available this year from the underspend the previous year as the efficiencies were not recurring. The Chief Executive added that the reserve would be used for any in year pressures.

RESOLVED:

- (a) That the report be noted;
- (b) That the projected Council Fund contingency sum as at 31 March 2015 be noted;
- (c) That the projected final level of balances on the Housing Revenue Account be noted; and
- (d) That the carry forward requested detailed in Appendix 6 be approved.

23. BUSINESS RATES - RETAIL RELIEF 2015 - 16

The Leader and Cabinet Member for Finance provided details of the 2015-16 Business Rates 'Retail' relief scheme which would provide grants of up to £1,500. Qualifying businesses would now benefit from a 50% increase in grant levels.

The Cabinet Member for Education said this would be welcomed by any struggling local businesses and asked if there was any indication of how many would benefit. The Chief Officer (Community and Enterprise) said she would obtain that information and share it with Cabinet Members.

In response to a comment from the Leader and Cabinet Member for Finance, the Cabinet Member for Economic Development said the scheme would be fully publicised and businesses had already been contacted. Officers could also assist businesses in the completion of the required form.

RESOLVED:

That the introduction of the scheme from 1 April 2015 be approved, and 'retail relief' of up to £1,500 be awarded to qualifying businesses for the financial year 2015-16.

24. COMMUNITY ASSET TRANSFERS AND CAPITAL SUPPORT FUNDING

The Chief Officer (Organisational Change) provided an update on progress of Community Asset Transfers (CATs). Agreement was sought for the mechanism and thresholds for providing funding support to organisations to assist in their delivery of CATs.

Local Authorities had discretion to dispose of surplus property at less than best condition subject to Member approval. This allowed for the consideration of bids from Community and Voluntary Groups for Council owned property.

The public assets owned by the Council were one of its major strengths. However, the Council must balance the requirement to dispose of surplus or underutilised assets to provide funding for the capital programme with the need to regenerate local communities and encourage social enterprise through the alternative use of its building and land assets. Asset categories that were appropriate for the CAT were outlined in the report.

The Council recognised that community ownership could play a part in enhancing the local environment and providing opportunities for all sectors of the community and CATS could help to promote public value.

Since the launch of the refreshed CAT process a number of meetings had taken place with Town and Community Councils and other interested groups to explain the three stage process. As at the end of May the following expressions of interest had been processed:

- Number of assets on the CAT list = 403;
- Number of enquiries = 255;
- Expressions of interest received = 65; and
- Moving through to a stage 2 panel = 5.

The intention was to transfer assets on a 27 year lease to the local community with the County Council retaining the freehold interest in the asset. Responsibility for all costs i.e. revenue, running costs, repair and maintenance and any capital costs would pass over to the community group. The asset would be transferred at a peppercorn rent, usually £1.00.

Should the assets be leased out on finance leases, the assets would not be on the Council's balance sheet and the funding given to the community group would not qualify for inclusion in the capital programme.

The overall intention was to create increased community ownership and responsibility for the assets within its location and protect assets in ways which the Council could no longer afford to do. However, such activity would have a positive impact on revenue as it would reduce its ongoing maintenance burden for a number of years.

Details on the asset type and suggested funding allocations were outlined in the report.

In progressing a CAT the Council would encourage organisations to work together to develop one business model for the asset transfer of the site or building, however, if that could not be achieved then the CAT scheme would consider separate business models. In normal circumstances a priority would be given to an organisation who was the current or most recent leaseholder.

The Leader and Cabinet Member for Finance said it was imperative that communities were supported through any CAT process and asked if the report would be submitted to the Organisational Change Overview and Scrutiny Committee. The Chief Officer (Organisational Change) explained that the report would be submitted to that Committee in July.

The Cabinet Member for Education commented that not many expressions of interest appeared to be progressing to stage two. He asked if the leases would be standard or specific to each CAT and did the Council have sufficient resource to carry out the required processes.

The Chief Officer (Organisational Change) explained that the timeframe to reach stage 2 was approximately 9-12 months and the process had been in place

for 9 months. Approximately five business plans were expected to be considered at each stage 2 panel. A model legal document would be prepared which would then be completed for each CAT and signed off by Legal Services at the end of the process.

In response to a question from the Cabinet Member for Waste Strategy, Public Protection and Leisure, the Chief Officer (Organisational Change) explained that work did not have to be carried out by council approved contractors but there would be certain standard requirements such as company insurance. In response to a further question, the Chief Officer explained that the Council was working closing with Flintshire Local Voluntary Council who were providing an appropriate course and helping organisations to submit expressions of interest.

RESOLVED:

- (a) That the allocation of capital funding to act as 'pump priming' to community organisations for capital work with £500,000 allocated in 2015/16 and 2016/17 be supported; and
- (b) That the funding thresholds detailed in paragraph 3.03.1 of the report be supported.

25. USE OF COMMUTED SUMS

The Cabinet Member for Housing provided details on the proposed utilisation of commuted sums which were derived for the purposes of providing affordable housing.

A commuted sum was an amount of money paid by a developer to the Council, where the size or scale of a development triggered a requirement for affordable housing but it was not possible to achieve appropriate affordable housing on the site. That route would be followed only where more direct provision of affordable homes had been explored and the Council was satisfied that it was not workable given the particular circumstances of the proposed development.

The money would be used to provide affordable housing on an alternative site and the principles applied in the collection and use of payments would be dealt with through a Section 106 legal agreement.

Where a commuted sum was to be considered, the onus was placed on the applicant to demonstrate why it was not possible to provide the affordable housing on-site.

Committed sums would be earmarked to enable the provision of affordable housing through a variety of means which were outlined in the report. A record would be kept and monitored of all sums received and how they had been spent through the Council's monthly capital monitoring exercise. The Council's Assets Programme Board would also receive reports and act as the approving body for schemes.

The Cabinet Member for Education asked if commuted sums could be used for schemes outside of the area in which it was provided for. The Chief Officer (Community and Enterprise) explained that the relevant Town or Community Council would be approached to determine if there was a requirement for affordable housing in that area and if there wasn't, alternative areas would be considered after a period of two years. This was to ensure that the money was not returned to the developer which was a requirement if after five years it had not been spent for the purposes provided.

RESOLVED:

- (a) That the process for the acceptance, calculation use and monitoring of commuted sums as outlined in the report and Local Planning Guidance Note No. 9 – Affordable Housing, be approved; and
- (b) That the revised Local Planning Guidance Note No. 9 be approved.

26. COMMUNAL HEATING CHARGES

The Cabinet Member for Housing provided details on the proposed heating charges to the communal Housing Revenue Account (HRA) properties in 2015/16.

The Council had been able to purchase gas this year at a reduced price and Members were asked to approve a decrease in the weekly heating charge across all 9 of the communal heating schemes, full details of which were in the report.

RESOLVED:

- (a) That any refunds as a rent credit if the tenant is in rent arrears or a cheque refund if the rent account is up to date be applied; and
- (b) That a decrease in the weekly heating charges as detailed in the table in the report be approved.

27. SPEED LIMIT REVIEW - PROGRESS REPORT

The Deputy Leader and Cabinet Member for Environment provided details on the progress made on the County wide Speed Limit Review for the classified (A and B) road network.

At Cabinet in July 2013 a proposal to complete a programme of speed limit reviews was approved to be done within a two year period. However, progress on the project had been slower than expected due a number of reasons which were outlined in the report.

Of the 37 sites identified as requiring a change to the existing speed limit order, five had been completed, seven were committed and would be completed within the next three months and 25 had yet to be ordered and advertised. It was now necessary to develop a new programme and method of delivery in order to complete the work at the earliest possible opportunity.

To expedite the work, it was proposed that the Council engage an Agency Engineer who was capable of designing the new speed limits, creating the legal orders and arranging the necessary consultation process. It was expected that the Engineer would be capable of progressing the outstanding schemes to completion within six months with a revised completion date of 30 November 2015.

The Chief Officer (Streetscene and Transportation) said the estimate costs of completing the remaining routes was £180k and the cost of engaging the Agency Engineer was approximately £30k. The Welsh Government Prudential Borrowing Initiative (PBI) scheme was no longer available and all of the available funding had been utilised for other highway improvement schemes across Flintshire. The costs for completing the speed limit review would therefore be met from the Streetscene and Transportation budget and an in-year budget pressure would be created as a result.

Progress against the new timetable would be monitored monthly by the Cabinet Member for Environment.

The Cabinet Member for Education asked why the status of some of the schemes listed on the appendix to the report said 'To be re-advertised'. The Chief Officer (Streetscene and Transportation) said he would find out the details and provide a response to Cabinet Members. On a further question about objections received, the Chief Officer explained that each review was open to objections as part of the process to be followed. Most objections were dealt with by negotiation with the objector and minor amendments being made to the proposals.

RESOLVED:

That the revised completion date for the project and the engagement of the Agency Engineer to carry out the work required to deliver the speed limit review within the revised timescale be approved.

28. PROPOSED SOLAR FARMS AT FORMER LANDFILL SITES

The Cabinet Member for Waste Strategy, Public Protection and Leisure provided information on the sites which had been identified as being potentially suitable to install renewable energy systems and sought approval to proceed to the detailed business / feasibility stage and the submission of outline planning applications for both of the sites.

Two former landfill sites at Standard and Brookhill in Buckley had been identified as potential locations for solar farms, both of which were relatively straightforward to progress.

Due to the close proximity of Brookhill landfill site to Alltami Depot, it was feasible for the electricity generated at Brookhill to be connected via a "private wire" arrangement to Alltami Depot, eliminating the current £100k annual electricity costs at the site. The provision of a "private wire" connection between Brookhill and Alltami Depot would open up further opportunities for the use of an

electric vehicle fleet by the service and the provision for charging points within the Depot.

RESOLVED:

- (a) That the two projects be supported and the development of the detailed feasibility and business cases through the engagement of specialist support through the APSE energy initiative to provide the necessary financial and legal due diligence checks be approved;
- (b) That a further report be submitted to Cabinet following completion of the feasibility and final business case work which recommends the most appropriate financing arrangement and seeks final approval for the project; and
- (c) That the submission of an outline planning application for the solar farm schemes at Standard and Brookhill landfill sites be approved.

29. UPDATE ON THE COUNCIL'S HIGHWAY ASSET MANAGEMENT PLAN (HAMP)

The Deputy Leader and Cabinet Member for Environment provided an update on the progress made on the Highway Asset Management Plan (HAMP) Improvement Plan and sought approval for the targeted allocation of both revenue and capital funding to the most appropriate asset on the network, utilising the principles of the HAMP to guide the outcome.

In January 2012 Welsh Government (WG) announced a new initiative to provide additional highway funding to each Council in Wales to address the long standing maintenance backlog and carry out significant highways improvements on the network. The Council used its HAMP to inform the bids that were submitted to WG to secure £8.4m of funding. To ensure that funding was targeted at the assets with the greatest need, an internal risk workshop assessed the key risks associated with each individual asset on the network which included: structures; street lighting; carriageway and footways.

A risk workshop would take place on 9 June 2015 to risk score all of the individual asset requirements which prioritised the work required and to ensure those schemes with the greatest economic and environmental benefits were put forward against the various allocations.

A table in the report showed the provisional allocation of this year's budget of £1,589,000 to deal with this year's pressures. In addition to the ongoing maintenance requirements of the network, five highway subsidence scheme had been identified which would require funding to prevent ultimate failure of key routes. Details of those schemes were outlined in the report.

Subject to the outcome of the workshop, the first scheme would be completed during the current year and the remaining subsidence scheme would be completed in priority order over the following years.

RESOLVED:

- (a) That the updated Highway Asset Management Plan (HAMP) Improvement Plan be approved;
- (b) That the reallocation of funding across the Highway Asset Groups as dictated by the risk based approach detailed in the report be approved; and
- (c) That a further report be presented to Cabinet with the details of the individual annual asset allocations each year following the risk workshop.

30. DEVELOPER GUIDANCE NOTE: SPECULATIVE HOUSING DEVELOPMENT PROPOSALS

The Chief Officer (Planning and Environment) provided details on planning guidance to be issued to developers in the event that they were proposing to submit speculative applications for housing development due to a lack of a five year housing land supply.

The guidance note had been produced in order to ensure that if developers were considering the submission of applications because of the land supply position, then they must fully justify their case that their proposal warranted making an exception to the Unitary Development Plan and represented a sustainable form of development.

The content of the guidance note was self-explanatory and was specifically designed to ensure that developers provided full information to justify their proposals in order that the Council could give their applications appropriate consideration, given that they were essentially exceptions to the development plan.

RESOLVED:

- (a) That the content of the Developer Guidance Note for use in supporting the Development Management process in dealing with applications for speculative development, made on the basis of a sub 5 year land supply be approved; and
- (b) That delegated authority be given to the Chief Officer (Planning and Environment) to make any necessary changes to allow the guidance note to be finalised for publication.

31. REQUEST FOR DELEGATED AUTHORITY UNDER PART 1 OF THE HOUSING (WALES) ACT 2014

The Cabinet Member for Waste Strategy, Public Protection and Leisure introduced the report which sought approval of the delegation of additional powers to the Chief Officer (Planning and Environment) under Part 1 of the Housing (Wales) Act 2014.

The main elements of the Act included regulation of the private rented sector; reform of homelessness law; including placing a stronger duty on local authorities to prevent homelessness; a duty on local authorities to provide sites for Gypsies and Travellers where a need had been identified; introduction of standards for local authorities on rents, service charges and quality of accommodation and reform of the Housing Revenue Account Subsidy system.

RESOLVED:

- (a) That the powers under Part 1 of the Housing (Wales) Act 2014 be delegated to the Chief Officer (Planning and Environment);
- (b) That delegated authority be automatically delegated to the Chief Officer (Planning and Environment) in respect of any subsequent Regulations made under Part 1 Housing (Wales) Act 2014;
- (c) That delegated authority to set fees and charges for Part 1 regulation and enforcement be provided to the Chief Officer (Planning and Environment) in conjunction with the Cabinet Member; and
- (d) That the Chief Officer (Planning and Environment) be authorised to delegate the powers to other appropriately trained and competent officers within the Council by providing them with relevant authorisations.

32. GWAENYSGOR CONSERVATION AREA APPRAISAL AND MANAGEMENT PLAN

The Deputy Leader and Cabinet Member for Environment introduced the report which sought approval of the Gwaenysgor Conservation Area Appraisal and Management Plan.

Gwaenysgor was one of eight villages with conservation areas that had been previously selected for initial appraisal and public engagement work. Due to its compact size, the fact that Gwaenysgor had one of the earliest designated conservation areas, and the fact that public expectation had previously been raised as part of earlier community consultation, Gwaenysgor was selected as the first to bring forward a management plan for, with others to follow in the future.

The Chief Officer (Planning and Environment) added that an Article 4 Direction to achieve control over the future replacement of features such as windows and doors to reinstate the lost architectural character would be introduced through the planning process with a report also being submitted to Cabinet.

RESOLVED:

- (a) That the Gwaenysgor Conservation Area Appraisal and Management Plan be endorsed;
- (b) That the principle of making an Article 4 Direction be endorsed; and

- (c) That delegated authority be given to the Chief Officer (Planning and Environment) to make necessary changes to allow the report to be finalised for publication.

33. RESPONSE FROM THE ORGANISATIONAL CHANGE CALL IN MEETING ON THE MEDIUM TERM PLAN FOR LIBRARIES

The Chief Officer (Governance) provided details on the result of the call in of decision number 3173 – Medium Term Plan for Libraries – Proposal to Develop a New Hub Library at Deeside Leisure Centre and to Relocate Hawarden, Mancot and Queensferry Libraries.

The Overview and Scrutiny Committee was satisfied with the explanation received and the decision makers had been informed that the decision could be implemented.

RESOLVED:

That the decision of the Organisational Change Overview and Scrutiny Committee on the Medium Term Plan for Libraries – Proposal to Develop a New Hub Library at Deeside Leisure Centre and Relocate Hawarden, Mancot and Queensferry Libraries be noted.

34. EXERCISE OF DELEGATED POWERS

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

Community and Enterprise

- **51, 51a, 51b, 51c Mold Road, Buckley**
Entering into an additional private sector lease to provide adequate levels of smaller accommodation units to enable the Local Authority to meet the requirements of the Housing (Wales) Act 2014 to prevent and alleviate homelessness.

Organisational Change

- **Security Fence to Westwood School**
The provision of a security fence to areas of Westwood School to prevent unauthorised access.

Planning and Environment

- **Animal and Pest Control Fees and Charges 2015/16**
Omission of Animal and Pest Control Advisory Visit Fee from full list of Fees and Charges approved for 2015/16.

Streetscene and Transportation

- **A5119 Mold – King Street Speed Limit**
To advise Members of an unresolved objection received following the advertisement of the proposals to reduce the speed limit on the A5119 between Leadmills and the traffic signals at Rhyd y Galed, and to recommend that Members overrule the objection.

RESOLVED:

That actions taken under delegated powers be noted.

35. 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 14 of Part 4 of Schedule 12A of the Local Government Act 1972 (as amended).

36. SINGLE STATUS

The Chief Executive presented the closure report on the Single Status project and outlined the work-streams to be continued post project closure. He also reported the financial outcomes of the implementation of the Single Status Agreement.

RESOLVED:

- (a) That the Project Closure Report be received to formally close the Single Status Project;
- (b) That plans for the closure of the incomplete work-streams be approved:
 - Completion of COT3 signings;
 - Completion of appeals and maintenance applications;
 - Completion of negotiations and agreement of issued Equal Pay claims;
 - Re-issue of contracts of employment; and
 - Completion of the review of relief workers and any accrued rights
- (c) That the governance arrangements for maintaining the Single Status Agreement be approved;
- (d) That the financial reconciliation for the Equal Pay/Single Status Financial Reserve be noted;
- (e) That the balance remaining in the Equal Pay/Single Status Financial Reserve be set aside as firstly a contingency for any future liabilities arising from the incomplete work-streams and secondly, as an earmarked reserve for the payment of the next phase of exit costs for employees leaving the employment of the Council through the voluntary redundancy programme or as a consequence of service reviews flowing from the portfolio business plans for 2015/16 – 2017/18;
- (f) That Welsh Government be advised that capitalisation will no longer be needed to assist with the costs of settling Equal Pay; and

- (g) That the updated financial forecast for the future year impacts of the Single Status Agreement to be included in the revised Medium Term Financial Strategy be noted.

37. RESTRUCTURE OF INFORMATION AND COMMUNICATION TECHNOLOGY

The Chief Officer (Governance) introduced the report on the streamlined establishment structure for the Information and Community Technology (ICT) service.

RESOLVED:

That the streamlined structure be approved.

38. MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE

There were 28 members of the public and two members of the press in attendance.

(The meeting started at 9.30 am and ended at 12.50 pm)

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Chairman