

CABINET

26 SEPTEMBER 2017

Minutes of the meeting of the Cabinet of Flintshire County Council held in the Clwyd Committee Room, County Hall, Mold on Tuesday, 26th September 2017.

PRESENT: Councillor Aaron Shotton (Chair)

Councillors: Bernie Attridge, Chris Bithell, Christine Jones, Billy Mullin, Ian Roberts and Carolyn Thomas.

IN ATTENDANCE:

Chief Executive, Chief Officer (Governance), Chief Officer (Planning and Environment), Chief Officer (Social Services), Chief Officer (Streetscene and Transportation), Corporate Finance Manager, and Team Leader – Democratic Services.

OTHER MEMBERS IN ATTENDANCE:

Councillor Patrick Heesom.

APOLOGY:

Councillor Derek Butler.

41. DECLARATIONS OF INTEREST

Councillors Attridge, Jones, Mullin and Shotton declared personal interests in agenda item number 8 – School Organisation.

42. MINUTES

The minutes of the meeting held on 18th July 2017 had been circulated with the agenda.

Councillor Bithell said he introduced the item on the Food Service Plan for Flintshire County Council 2017/18 not Councillor Mullin.

RESOLVED:

That subject to the above amendment the minutes be approved as a correct record.

Councillor Shotton advised that agenda item number 8 – School Organisation, would be considered as the first agenda item.

43. SCHOOL ORGANISATION

Councillor Roberts introduced the report on School Organisation which outlined conditions attached to a funding initiative recently announced by Welsh Government (WG) to promote innovation and raise standards in small and rural schools. Details of the Council's bid for funding for small and rural schools in Flintshire was highlighted in the report.

Also detailed in the report was the positive developments in the creation of new school federations within the Council's school network.

The funding for small and rural schools was to be used to facilitate and encourage innovation and change which was beneficial to those schools, their pupils and the communities they served. The key purposes of the grant funding was:

- To encourage innovation;
- To support greater school to school working;
- To provide additional administrative support in schools where the head teacher had a significant timetabled teaching commitment of at least 10% of the timetable; and
- To increase the community use of school buildings whether for education or non-education purposes.

On progress on school federations, Councillor Roberts explained that School Governors had the power to federate by choice under provisions introduced in 2010. Until recently there had only been one example within Flintshire of Governors using their powers to federate with a formal federation. A formal federation between Ysgol Mornant and Ysgol Maes Garmon was agreed during the process of statutory proposals to close Ysgol Mornant. The Council would endeavour to support federation when there was mutual agreement between school governing bodies.

The Governing Bodies of Ysgol Gronant and Ysgol Trelogan and Ysgol Y Waun and Gwernymynydd CP School agreed to carry out a consultation on a proposal to establish a federation in their respective schools/areas. For Ysgol Gronant and Ysgol Trelogan, federation would be officially implemented on 8th January 2018. For Ysgol Y Waun and Gwernymynydd CP federation would be officially implemented on 8th February 2018. Each federation would be managed by one Executive Headteacher.

In December 2016 Cabinet commissioned consultation on statutory proposals on two sites, one of which was Brynford and Lixwm CP Schools amalgamating to form one school on a second site. Following discussions with both schools it was recommended that there should be a short pause to allow officers to work with the Governing Bodies of both schools before a recommendation was put before Cabinet, which was supported.

On Nercwys Voluntary Aided (VA) School, the Diocesan Authority and the Governors had held positive discussions on the potential to form a formal federation with a suitable partner and early discussions with another school had begun. Governors had agreed, in principle, to collaborate more closely with another school and to set up a joint Sub-Committee which would be held in the autumn where federation would be discussed. This was supported and it was recommended that more time be allowed for discussions.

The Chief Officer (Education and Youth) commented on the positive steps made by some schools in actively seeking to federate.

The Chief Executive said that more time would be spent with the Governing Bodies of Lixwm and Brynford Schools and that an update would be provided to Cabinet.

RESOLVED:

- (a) That Welsh Government intervention for small and rural schools and the proposed consultation to amend the School Organisation Code be acknowledged;
- (b) That the progress towards school federal arrangements be acknowledged;
- (c) That there be a short pause to allow officers to work with the Governing Bodies of Lixwm and Brynford Schools; and
- (d) That the previous decision of Cabinet on Nercwys CA be maintained to allow more time for the Council, Diocesan Authority and the school's Governing Body to follow through strategic options for collaboration and sustainability of its school estate.

44. COUNCIL PLAN 2017 – 23

Councillor Shotton introduced the Council Plan 2017-23 which had been reviewed and updated to reflect the key priorities of the Council for the 5 year term of the new administration.

The Chief Executive added that each of the Overview and Scrutiny Committees had discussed the Council Plan and an addendum had been produced which detailed the proposed changes from both Corporate Resources and Organisational Change Overview and Scrutiny Committees, which were felt added value to the Plan.

Councillor Mullin thanked the Overview and Scrutiny Committees for their involvement and comments on the Plan which was welcomed.

Councillor Attridge commented on some things in the Plan which relied on Welsh Government (WG) funding, such as Supporting People to prevent homelessness, to enable the targets in the Plan to be met. Councillor Jones concurred and commented on the reliance on the Integrated Care Fund to help people to remain in their homes.

Councillor Thomas was pleased that Tourism was included in the Plan which would be strengthened due a current restructure taking place.

On page 58, Councillor Bithell asked if the Heritage Strategy was county wide and it was confirmed it was. Following a discussion it was agreed that this would be made clear in the Plan.

Councillor Roberts praised the work that had been undertaken in Flint Town Centre which had been possible due to funding from a lottery grant.

RESOLVED:

That the detailed Council Plan 2017-23 be endorsed prior to adoption by County Council for final publication as amended in light of comments made during the Overview and Scrutiny process.

45. NORTH WALES ECONOMIC GROWTH DEAL BID PROGRESS REPORT

The Chief Executive introduced the report on the North Wales Economic Growth Deal Bid which, following adoption by Cabinet of the *Growth Vision for the Economy of North Wales*, provided details of the regional work that was running in parallel to the development agreement of growth bids in selected regions of England and in South Wales.

Work was advanced on the Strategy for inclusion in a formal bid under the four inter-connected themes of strategic employment and housing sites; business growth and innovation; transport infrastructure and services; and skills, worklessness and social reform.

A preferred regional governance model of a statutory joint committee was set out in the report. Interim arrangements were needed for the political management of the first stage of negotiations pending the formation of a joint committee. Therefore, a 'shadow' joint committee, without any formal decision making powers, was proposed.

Councillor Shotton welcomed the report and commented on the growing momentum within North Wales Councils on making the Growth Deal Bid a success. Once all partner authorities had approved similar reports on the content of the Growth Deal Bid, meetings would commence from October.

Councillor Attridge concurred and said this was another good example of collaborative working.

The Chief Executive said the Community and Enterprise Overview and Scrutiny Committee had received a private briefing on this topic and it had been well received.

RESOLVED:

- (a) That the progress of the development of a competitive Growth Deal Bid for the region be noted and supported;
- (b) That the preferred governance model of a statutory Joint Committee model for further development be supported in principle with a full report on a recommended constitution and terms of reference, supported by an Inter-Authority Agreement, to follow later in the year;
- (c) That the Leader of the Council be authorised to act as a member of a 'Shadow' Joint Committee in the interim period;
- (d) That the Leader of the Council, as one of the Leaders of the six partner Councils represented on the Shadow Joint Committee, be granted

authority to enter into collective first stage negotiations with Governments over the scale and outline content of a Growth Deal Bid, noting that no financial or other commitments will be entered into at this first stage of negotiations; and

- (e) That the Chief Executive be granted delegated authority to authorise an initial revenue contribution from 2017/18 expenditure for the detailed development of the Growth Deal Bid up to a maximum of £50,000.

46. LOCAL DEVELOPMENT PLAN PREFERRED STRATEGY FOR CONSULTATION

Councillor Bithell introduced the report on the Local Development Plan (LDP) Preferred Strategy for Consultation.

Work had finalised on the LDP which now resulted in a Preferred Strategy. All of the work on the Plan had been overseen by the Council's Planning Strategy Group (PSG) who had considered and agreed each stage and also considered feedback received from the various consultation and engagement exercises. The consensus from the feedback had assisted the PSG to agree the content of the Preferred Strategy to recommend to Cabinet for approval and to go out for formal consultation.

The Chief Officer (Planning and Environment) added that during July Member and Town and Community Council briefings had taken place on the Strategy prior to it going out for consultation. The sessions had all been well attended and overall feedback had been positive. He explained that the Strategy was not based on the traditional approach; it was employment led. This was also the approach adopted by Anglesey and Gwynedd Councils who had prepared a joint LDP, which was found to be 'sound' earlier in the year.

RESOLVED:

- (a) That the final draft Local Development Plan Preferred Strategy appended to the report be prepared and published for formal public consultation;
- (b) That officers be granted delegated authority to continue to refine and finalise the Preferred Strategy document and supporting information in preparation for consultation; and
- (c) That the Local Development Plan Preferred Strategy be published for formal consultation during October 2017.

47. PROCUREMENT STRATEGY ACTION PLAN

Councillor Mullin introduced the Procurement Strategy Action Plan which had been prepared to show how the outcomes in the Strategy would be delivered. The action plan also included the measures that would be used to track progress.

The Chief Officer (Governance) explained that the Action Plan had been submitted to the recent Corporate Resources Overview and Scrutiny Committee

where it was supported. In response to a question from Councillor Attridge, the Chief Officer (Governance) explained that the opportunity to work with more Councils was a possibility. The Strategy had been a collaboration with Denbighshire County Council as they hosted the Procurement Team for both authorities.

Councillor Shotton welcomed the categories of the planned actions, particularly those on community benefits. The Chief Officer (Governance) explained that a report would be submitted to Cabinet on the arrangements for community benefits which would show a handbook that would be available for contractors, explaining what an appropriate community benefit was for the different types of contracts.

RESOLVED:

That the action plan and the measure that will be publicly reported be approved.

48. FREE CHILDCARE OFFER

Councillor Jones introduced the Free Childcare Offer report and explained that the aim of the Offer was to mitigate against the effects of poverty on outcomes for children and to reduce inequalities.

The Childcare Offer would, by the end of the current Welsh Assembly in 2021, provide working parents with 30 hours of government-funded childcare and early education for 3 and 4 year olds for 48 weeks of the year. To date 152 applications had been received via an automated application process which enabled parents to register on line and self-select registered childcare providers from the registered 122. The original figure of 441 children was extended to a potential 748 children, with the aim to maximise the grant for Flintshire families.

The Chief Officer (Social Services) added it had been a challenging but rewarding process with significant progress being made. The report outlined the risks to the project, such as not having sufficient childcare places for 748 children; not signing up enough parents to achieve the target number; and holiday provision.

The Chief Officer (Education) paid credit to the Early Years and Family Support Team and the Early Entitlement Team who had undertaken the required work on this project. Welsh Government (WG) feedback had been positive, noting that Flintshire had overcome some of the challenges that other authorities had not been able to. The comments were echoed by Councillor Jones.

In response to a question by Councillor Attridge, the Chief Officer (Social Services) explained that there was no financial commitment required from the Council and the scheme was cost neutral.

RESOLVED:

That the updated report on the Council's early implementation of the Childcare Offer be received and the progress made be acknowledged.

49. REVIEW OF THE WINTER MAINTENANCE POLICY

Councillor Thomas introduced the Winter Maintenance Policy report which updated the current Winter Maintenance Policy. It also confirmed the legislative requirements of providing such a service, the budget allocation and actual expenditure incurred by the Council in complying with the existing policy and delivering the service over the past four financial years.

The Chief Officer (Streetscene and Transportation) added that it was good practice to regularly review the Policy and the report outlined the changes contained in the most recent version of the Winter Maintenance Policy. In addition, the report outlined the County's response to other adverse weather events such as flooding and high winds and approval was sought of the regional Sand Bag Distribution Policy which would be activated during periods of heavy rainfall or other flooding events.

Councillor Roberts welcomed the criteria for traffic restrictions for the A548 Flintshire Bridge and asked what signage would be used. The Chief Officer (Streetscene and Transportation) explained that a review of all signage in Flintshire was being undertaken and a report would be submitted to Cabinet Members in due course.

Councillor Shotton was pleased to note the details on the new gritting fleet for 2017/18 which were fitted with Schmidt Autologic software. This aided drivers in operations whilst ensuring exactly the right amount of salt was spread on the network. He also welcomed the new Sand Bag Distribution Policy.

RESOLVED:

- (a) That the revised Winter Maintenance Policy (2017-19) and the procedures contained therein for delivering the winter maintenance service be approved; and
- (b) That the details of the County's response to other adverse weather events and the new Sand Bag Distribution Policy be approved.

50. REVIEW OF THE COUNCIL'S RESIDENTS PARKING POLICY

Councillor Thomas introduced the Review of the Council's Residents Parking Policy report. It explained that where there was a need for residents to park on street, in the absence of off street parking places, a Resident Parking Scheme could be implemented to allow residents to park in marked bays outside their properties when displaying a valid permit.

A report was submitted to Environment Overview and Scrutiny Committee in June and it was recommended that the level of local support required to bring a scheme to delivery should be increased from 50% to 75%. The increased figure had not been included in the revised policy as it was considered extremely unlikely that any proposal would receive that level of response which would result in blocking any schemes being progressed in the future. In other Councils 50% was the approval level where Residents Parking options were offered to the community.

The Chief Officer (Streetscene and Transportation) explained that a Resident Parking Scheme Assessment Matrix was proposed which would prioritise requested schemes for consideration. This would score relevant aspects of the policy against the need for the scheme and was consistent with the Traffic Regulation Order Assessment Matrix for prioritising traffic restrictions. Due to increasing requests for Residents Parking Schemes and the cost of staff resources, it was recommended that following the matrix, the three highest scoring Resident Parking Schemes were progressed each financial year. That was affordable within the current budget.

Councillor Attridge asked if schemes would only be progressed if it had the support of the local Town or Community Council. The Chief Officer (Streetscene and Transportation) explained that any scheme would require the support of the Town or Community Council and schemes would not progress if that support was not given.

Councillors Bithell and Roberts spoke in support of the percentage remaining at 50% as raising it to 75% would be unachievable.

RESOLVED:

- (a) That the changes to the existing Residents Parking Policy be approved; and
- (b) That the Residents Parking Scheme Assessment Matrix which will be used to prioritise future requests for Residents Parking schemes be approved.

51. ANNUAL IMPROVEMENT REPORT OF THE AUDITOR GENERAL FOR WALES

Councillor Shotton welcomed Mr. Paul Goodlad from Wales Audit Office to the meeting.

Mr Goodlad explained that the Annual Improvement Report (AIR) summarised the audit and regulatory work undertaken at the Council by the Wales Audit Office (WAO) since the last report was published in June 2016. This report was published in the new format.

Overall the Auditor General for Wales had reached a positive conclusion of *"The Council is meeting its statutory requirements in relation to continuous improvement"* and no formal recommendations had been made during the year.

The Executive Response, which was appended to the report, was the Council's response and current status of progress on the areas identified as voluntary proposals for improvement.

The Chief Executive said that the report had been submitted to the recent Corporate Resources Overview and Scrutiny Committee where it had been explained that there were no formal recommendations but the Council did want to respond on the voluntary proposals for improvement. He commented on the

positive observations in the report, particularly on the good governance arrangements.

At the Corporate Resources Overview and Scrutiny Committee a discussion had taken place on Scrutiny Committees having more input in some areas. The Chief Executive explained that on budget items, Overview and Scrutiny Committees were able to track progress the Chairs of those Committees were being encouraged to identify areas of interest for them to track. Councillor Attridge commented on the low number of calls ins by Overview and Scrutiny Committees on Cabinet decisions which demonstrated the effectiveness of the pre scrutiny process that the Council followed, which included reporting any specific comments to Cabinet.

In response to a question from Councillor Bithell on not being able to guarantee the number of planning applications submitted, Mr. Goodlad explained that an 85% achievement of the target was not the lowest but some Councils did achieve a higher figure. He commented on their being some scope with 'creative accounting' and also ensuring that efficiencies were implemented as soon as they had been agreed to help to achieve a higher saving.

RESOLVED:

That the Annual Improvement Report for 2016/17 be accepted and the Executive Response to the Annual Improvement Report be submitted to County Council for endorsement.

52. WALES AUDIT OFFICE STUDY REPORTS

Mr. Paul Goodlad introduced the item and explained that the Wales Audit Office (WAO) had recently completed three reviews of the Council as part of their performance audit work. They were:

- Corporate Assessment follow-up;
- Good Governance when determining service changes; and
- Effectiveness of the Council's efficiency savings programme.

He made particular comments on Effectiveness of the Council's efficiency savings programme which had not been looked into in detail previously and he was pleased to say that the planning and monitoring of efficiency savings were effective and robust. There were some areas where the Council could continue to strengthen its approach but they were not areas of concern.

Councillor Attridge welcomed the report and the comments of Mr. Goodlad. He was pleased with the comments made in areas where the Council had previously been criticised. He thanked the finance team and the Leader and Cabinet Member for Finance for their work to ensure a positive report.

RESOLVED:

That the Executive Response to the reviews of the Wales Audit Office be endorsed.

53. **REVENUE BUDGET MONITORING 2017/18 (MONTH 4)**

The Corporate Finance Manager introduced the Revenue Budget Monitoring 2017/18 (Month 4) report which provided the current revenue budget monitoring position for 2017/18 for the Council Fund and Housing Revenue Account. This was the first full monitoring report for the year and presented the position, based on actual income and expenditure. The report projected how the budget would stand at the close of the financial year if all things remained equal.

The projected year end position, without mitigation to reduce cost pressures and improved the yield on efficiency planning, was:

Council Fund

- Net in year expenditure forecast to be £1.256m more than budget; and
- Projected contingency reserve balance as at 31st March 2018 of £3.878m.

Housing Revenue Account

- Net in-year expenditure forecast to be £0.026m higher than budget; and
- Projected closing balance as at 31st March 2018 of £1.090m.

The report covered the latest in-year forecast by portfolio; tracking of in year risks and emerging issues; other tracked risks; new emerging risks in 2017/18; inflation; and reserves and balances.

On Streetscene and Transportation, the Corporate Finance Manager explained that the projected overspend of £1.910m partly comprised the materialisation of some of the known significant risks when the 2017/18 budget was set by Council and included additional costs of £0.675m following re-procurement for covering various public transport routes and the confirmed reduction of the Single Environment Grant of £0.111m. Further variations were listed in the report and the net position on the projected overspend was a net operating deficit of £0.569m. Major variations affecting that operating deficit were also detailed in the report and work was ongoing to assess any potential impact on those in year variances on the Medium Term Financial Strategy (MTFS) forecast for 2018/19.

Following a review of services within Social Services for Adults, it was considered appropriate to seek approval for realignment of budget between some areas of Older People, which were currently reflecting underspends, and Learning Disabilities, which was experiencing some significant demand.

RESOLVED:

- (a) That the overall report and the projected Council Fund contingency sum as at 31st March 2018 be noted;

- (b) That the projected final level of balances on the Housing Revenue Account (HRA) be noted;
- (c) That a budget virement within Social Services be agreed to realign the budget to meet service needs; and
- (d) That an allocation of £0.052m be approved from the contingency reserve to provide financial support to meet in-year budget pressures anticipated for 2017-18 in respect of regional economic development structures and support for events.

54. CAPITAL PROGRAMME MONITORING 2017/18 (MONTH 4)

The Corporate Finance Manager introduced the Capital Programme Monitoring 2017/18 (Month 4) report.

Table 1 in the report showed how the programme had changed during 2017/18 with more detailed information relating to each Portfolio being appended to the report.

Carry forward requests were detailed in the report as was an additional allocation due to a landslip on the B5101 in Ffrith.

The final outturn surplus from 2016/17 was £4.688m of which £3.567m was allocated to schemes in 2017/18. Schemes put forward for the years 2017/18 – 2019/20 showed a potential shortfall in funding of £3.187m. Actual in year receipts as at Month 4 amounted to £1.499m.

Whilst all funding for 2017/18 schemes was in place, taken as a whole this indicated that there was still a shortfall in the total programme (2017/18 – 2019/20) of £0.566m. The options for funding this were kept flexible and included a combination of future capital receipts, alternative grants, prudential borrowing or phasing schemes over several years. This would be closely monitored and updates would be included in future monitoring reports.

RESOLVED:

- (a) That the overall report be approved;
- (b) That the carry forward adjustments be approved; and
- (c) That the additional allocation be approved.

55. TREASURY MANAGEMENT ANNUAL REPORT 2016/17

The Corporate Finance Manager introduced the Treasury Management Annual Report 2016/17 which was to be recommended to County Council for adoption later that day.

RESOLVED:

That the Annual Treasury Management Report for 2016/17 be approved and recommended to County Council for adoption.

56. BUSINESS RATES – WRITE OFFS

Councillor Mullin introduced the Business Rates – Write Offs report which provided details of two business rate debts that were considered to be irrecoverable for Limited Liability Companies that were no longer trading and had either been placed into administration or had been liquidated.

There were no assets and successful recovery of the business rate debts was no longer possible and a write off was necessary for:

- Lancashire Fuels 4U Limited (in liquidation) - £73,932.05; and
- Novo Drinks Limited (in administration) - £39,415.39.

Councillor Bithell praised officers for their efforts in attempting to recover the debts.

RESOLVED:

That the write off of the business debt rates, amounting to £73,932.05 for Lancashire Fuels 4U and £39,415.39 for Novo Drinks Ltd. be approved.

57. REVISED ENVIRONMENTAL ENFORCEMENT AND CAR PARKING ARRANGEMENTS

Councillor Thomas introduced the Revised Environmental Enforcement and Car Parking Arrangements report which reviewed the best option for moving the service forward, taking into account the range of enforcement activities that were required.

It was recommended that a Business Partner be engaged to undertake the enforcement of low level environmental crime, dog control and car parking offences on behalf of the Council. The enforcement of fly tipping and abandoned vehicles would remain with the Council along with the enforcement of black wheel bin side waste.

The Chief Officer (Streetscene and Transportation) commented on the appeals process whereby the Council would appoint a senior officer who would review any appeals in relation to the issuing of any Fixed Penalty Notices (FPN)/Penalty Charge Notices (PCN) to ensure that they had been issued appropriately. The conduct of the officers employed by the contractor would be thoroughly investigated by the Council's appointed officer.

In July 2017 Cabinet approved a report which introduced changes to the Council's waste and recycling collection service which included a commitment to enforce the problem of placing side waste alongside the black wheel bin collections. Side waste was presented by a minority of residents and those that presented it were often not recycling. Details of the enforcement procedure for

side waste was appended to the report, with Option 1 being recommended on number (1).

In response to a comment from Councillor Attridge, the Chief Officer (Streetscene and Transportation) said that any issues would be dealt with when the contract was put together. He explained that weekly enforcement plans would be agreed in advance which would include targeting areas brought to their attention by local Members. How the staff of the business partner were paid was out of the control of the Council but the current provider had stated that there was no direct link to performance and pay.

RESOLVED:

- (a) That the procurement of a single Business Partner on a short term 2 year contract (with an option to extend based on performance) to undertake the enforcement of low level environmental crime, dog control and car parking offences on behalf of the Council be approved; and
- (b) That Option 1 be recommended as the preferred method of managing the enforcement of side waste.

58. BIODIVERSITY DUTY PLAN AND SUSTAINABILITY POLICY

Councillor Thomas introduced the Biodiversity Duty Plan and Sustainability Policy which had been produced in response to the enhanced biodiversity and resilience of ecosystems duty under Section 6 of the Environment (Wales) Act 2016.

The Act required that Public Authorities must seek to maintain and enhance biodiversity so far as was consistent with the proper exercise of their functions and in so doing, promote the resilience of ecosystems.

The local authority had a duty to function sustainability and lead by example when it came to protecting and enhancing the natural environment. The Environment & Sustainability Policy would set out Flintshire's approach to meet the challenge.

The Chief Officer (Planning and Environment) added that this linked into the priority in the Council Plan 'Green Council'.

RESOLVED:

- (a) That the vision, objectives and actions set out in the Biodiversity Duty Delivery Plan be agreed; and
- (b) That the Environment & Sustainability Policy be endorsed.

59. CONSULTATION OUTCOMES TO THE PROPOSED CONDITIONS OF THE DRAFT DOG CONTROL PUBLIC SPACES PROTECTION ORDER (PSPO)

Councillor Thomas introduced the report which proposed two options for adoption of a Dog Control Public Spaces Protection Order (PSPO). The options were detailed in the report as were the responses to the consultation.

On the prohibition of dogs on marked sports pitches, 21 who responded made supportive comments, 24 made representation questioning the prohibition and 31 questioned whether alternative provisions for dog exercise were to be made as a result of the planned exclusion areas. The RSPCA and the Kennel Club both considered that dogs should be allowed onto marked sports pitches.

At the Environment Overview and Scrutiny Committee on 19th September Members voted in favour of Option 2 which would see a further period of consultation regarding dog exclusion on marked sports pitches. A further recommendation had been put forward that dogs could be exercised around the perimeter of marked sports pitches on a lead. The Cabinet Member supported Option 2 however any further consultation would need to be undertaken by Town and Community Councils.

Councillor Attridge spoke in favour of dogs being excluded from marked sports pitches, citing examples of sports games having to be postponed to clean up dog waste. He said it was not acceptable to the health and welfare of Flintshire residents to allow dogs onto marked sports pitches. Councillor Mullin concurred with the views of Councillor Attridge commenting that similar problems were being faced at the marked sports pitch in Broughton.

Councillor Shotton also supported the views of Councillors Attridge and Mullin and supported Option 1 in the recommendation. However, he said the Council needed to be mindful of some of the views from communities following the consultation. Following a question, the Chief Officer (Planning and Environment) explained that the PSPO would define the areas that were prohibited. Where there no other area for dogs to be exercised in an area, alternatives would be sought. Following a discussion it was agreed that officers would work with those communities who identified that marked sports pitches were the only space for dog walking to explore the provision of additional amenity space where the space was owned by the Council.

RESOLVED:

- (a) That following the period of consultation that a Public Space Protection Order (PSPO) be made to cover dog control and dog fouling in Flintshire with the following conditions:
 - i. Remove their dogs' waste from all public places within Flintshire;
 - ii. Prohibit taking, or permitting the dog to enter or remain in:
 - a. All areas within school grounds;
 - b. The playing areas of formal recreational areas including but not exclusively bowling greens and tennis courts;
 - c. Fenced enclosed children's play areas.

- iii. Keep their dogs on a lead within a Cemetery;
 - iv. Have means on their person, at all times, appropriate means 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; and
 - vi. That officer's work with those communities who identified that marked sports pitches were the only space for dog walking to explore the provision of additional amenity space where the space was owned by the Council.
- (b) That the Public Space Protection Order covering dog control and dog fouling commencing on 20th October, following a Notice period and publicity of the upcoming order, be agreed.

60. EXERCISE OF DELEGATED POWERS

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

Organisational Change

- **Sale of Aberllanerch Bungalow, Bryn Road, Alltami, Mold by Informal Tender**
Sale of vacant agricultural holding having the benefit of planning consent for the replacement of the existing dwelling with a larger unit.
- **Sale of Land Adjoining 20 Bernsdale Close, Sandycroft**
The land comprises a flagged area of land held in the Housing Revenue Account. The sale will release the Council from a substantial repairing liability.
- **Sale of the Side Garden of 8 Maes Alaw, Flint**
The side garden of the property was originally excluded from the Right to Buy purchase from the owner.
- **Sale of Land Adjacent to Grantec Ltd., Spencer Industrial Estate, Buckley**
Grantec had encroached upon the above land and a sale to them has now been agreed.
- **Sale of Land Adjacent to Bryn Abbey, Strand Lane, Holywell**
This small area of land (25 sq. ms. approx.) currently forms part of the Ysgol Trefynnon demise and is being sold to allow the adjacent owners maintenance access to the rear of their building.
- **School Meal Price Increase**
Increases the price of meals within schools to bring them more into line with other school meal providers across Wales.
- **Leisure, Library and Museum Services – Sign Off of Conditions to Enable Transfer of Services to, and Completion of Leases with, Aura Leisure and Libraries Ltd., the New Community Benefit Society**

This covers the work completed to enable the signing off of the conditions (agreed at Cabinet on 13th December 2016) to enable the transfer of services to, and signing of leases with, Aura Leisure and Libraries Ltd., the new Community Benefit Society from 1st September 2017.

Community and Enterprise

- **Business Rates – Application for Hardship Relief**

Section 49 of the Local Government Finance Act 1988 gives the Council the discretion to reduce or remit the payment of business rates where it is satisfied that the ratepayer would sustain hardship if it did not do so and it is reasonable for it to do so having regard to the interests of its council tax payers.

An application received from Bagillt Community Association has been refused on the grounds that the community centre has sufficient income and capital to meet their 20% business rates liability.

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An application received from Buckley Boxing Club has been refused on the grounds that the club has sufficient income and capital to meet their 20% business rates liability.

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An application received from Jump 2 It Deeside Ltd. has been refused on the grounds that it is not deemed to be in the wider public interest to support the awarding of Hardship Rate Relief.

- **Business Rates – Application for Hardship Relief**

Section 49 of the Local Government Finance Act 1988 gives the Council the discretion to reduce or remit the payment of business rates where it is satisfied that the ratepayer would sustain hardship if it did not do so and it is reasonable for it to do so having regard to the interests of its council tax payers.

An application received from Mynydd Isa Scouting Group has been refused on the grounds that the club has sufficient income and capital to meet their 20% business rates liability.

- **Business Rates – Application for Hardship Relief**

Section 49 of the Local Government Finance Act 1988 gives the Council the discretion to reduce or remit the payment of business rates where it is satisfied that the ratepayer would sustain hardship if it did not do so and it is reasonable for it to do so having regard to the interests of its council tax payers.

An application received from a registered charity ‘SHARE’ (Supporting Homeless Assisting Refugees Everywhere) has been refused on the grounds that it is not deemed to be in the wider public interest to support the awarding of Hardship Rate Relief.

- **Flintshire Registration Service**

Following the publication of the “Flintshire County Council Fees and Charges Review” report by Deloitte’s in December 2016, a review of non-statutory registration fees has been undertaken to take advantage of the opportunities highlighted in the report. The Chief Officer (Community and Enterprise) has delegated powers to set the non-statutory fees.

- **Leased Accommodation – Syrian Vulnerable Persons Relocation Scheme**

Entering into private sector lease agreements to provide up to five family properties to enable the Local Authority to participate in the Syrian Vulnerable Persons Relocation Scheme.

Legal

- **Legal Fees and Recharges 2017**

The Council legal team recovers the cost of undertaking certain legal work such as land sales and the preparation of S.106 agreements from third parties (the purchaser, developer etc). Following a benchmarking exercise against other public authorities in Wales the level of fees has been increased slightly. The Council has also revised the hourly charge out rates for its legal team to reflect current rates in the market place. This is predicted to raise the level of income from £60,000 (for 2015/16) to £75,000 (during 2017/18).

- **Legal Staffing Structure July 2017**

Cabinet agreed the Legal Services staffing structure in June 2016 which included a number of new posts. Those posts have been advertised but have not been filled. By redistributing work within the team it will be possible to change the qualification level for the vacant posts to make them more attractive to applicants. The proposed changes are cost neutral whilst improving capacity and resilience in identified areas of weakness and to meet expected growth in demand.

RESOLVED:

That the actions taken under delegated powers be noted.

61. MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE

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

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Chairman