

CABINET

Minutes of a remote meeting of the Cabinet held on Tuesday, 28 July 2020 at 10.00 am.

PRESENT

Councillors Hugh Evans, Leader and Lead Member for the Economy and Corporate Governance; Bobby Feeley, Lead Member for Well-being and Independence; Huw Hilditch-Roberts, Lead Member for Education, Children's Services and Public Engagement; Brian Jones, Lead Member for Waste, Transport and the Environment; Tony Thomas, Lead Member for Housing and Communities; Julian Thompson-Hill, Lead Member for Finance, Performance and Strategic Assets, and Mark Young, Lead Member for Planning, Public Protection and Safer Communities

Observers: Councillors Joan Butterfield, Meirick Davies, Hugh Irving, Barry Mellor, Peter Scott, Rhys Thomas and Graham Timms

ALSO PRESENT

Chief Executive (JG); Corporate Director Communities (NS); Heads of Service: Legal, HR and Democratic Services (GW), Finance and Property (SG) and Planning, Public Protection and Countryside Services (EJ); Built Environment and Public Protection Manager (GR), Public Protection Business Manager (AL); Public Protection Officer (ME); Chief Digital Officer (BE); ICT Business Partner (MJ); Democratic Services Manager (SP) and Committee Administrator (KEJ)

The Local Democracy Reporter was also in remote attendance to observe proceedings.

POINT OF NOTICE

Due to the current restrictions on travel and requirement for social distancing as a result of the coronavirus pandemic the meeting was held remotely by video conference and was not open to the general public. All members had been given the opportunity to attend as observers and the Local Democracy Reporter had also been invited to observe.

1 APOLOGIES

There were no apologies.

2 DECLARATION OF INTERESTS

No declaration of interest had been raised.

3 URGENT MATTERS

No urgent matters had been raised.

4 MINUTES

The minutes of the Cabinet meeting held on 30 June 2020 were submitted.

Matters Arising – Page 6, Item No. 4 Minutes (Matters Arising): Councillor Peter Scott confirmed he had received an email from the Corporate Director Economy and Public Realm advising that it was anticipated the report to review wider issues arising from the February storms/flooding would be available in September.

RESOLVED that the minutes of the meeting held on 30 June 2020 be received and confirmed as a correct record.

5 ADDITIONAL LICENSING FOR HOUSES IN MULTIPLE OCCUPATION (HMO)

Councillor Tony Thomas presented the report seeking Cabinet approval on re-designating an Additional Licensing Scheme for Houses in Multiple Occupation (HMO) in Rhyl and extending the designation to Prestatyn, Denbigh and Llangollen.

Some background was provided regarding the legislative provisions laid down by the Housing Act 2004 and the duties placed on local authorities to operate a mandatory licensing scheme for certain types of HMOs to ensure proper management and provision of suitable facilities and fire safety arrangements. The Act also enabled local authorities to extend a licensing scheme to other categories of HMO to address particular problems and required that designation be reviewed every 5 years. An additional licensing scheme for HMOs in Rhyl had been operating since 2010 (reviewed and extended by Cabinet in December 2014) and Cabinet approval was now sought to re-designate the Rhyl scheme and also to extend the designation to relevant properties in Prestatyn, Denbigh and Llangollen. A number of elements for consideration had been detailed within the report including the criteria to be applied; justification and evidence for the additional licensing scheme; conditions to be imposed and the outcome of the formal consultation process on the proposals.

Officers responded to questions raised arising from the report as follows –

- elaborated upon the reasoning behind the recommendations given the success of the scheme in Rhyl. Based on the evidence provided it was considered that Prestatyn, Denbigh and Llangollen would also benefit from the scheme given that those areas had the highest density of HMOs after Rhyl and had generated a greater number of service complaints and anti-social behaviour incidents
- in terms of the capacity to administer and enforce the scheme it was considered existing staff resources should be sufficient to cover the additional areas but it would be dependent on the total number and condition of HMOs eligible for the scheme – if more resources were required than anticipated then the additional fees generated by the scheme were expected cover the additional cost
- advised that some local authorities had introduced a county wide policy but it was not considered suitable for Denbighshire given the lack of sufficient evidence to justify that approach and the sufficiency of resources to administer it
- acknowledged that St. Asaph had the next highest number of HMO stock but given the limited staff resources and available evidence to justify additional licensing it had been decided not to include St. Asaph in the scheme
- it was thought opportune to consider extending the designation to other areas alongside the required five yearly review of the designation in Rhyl

- reference was made to the tragic fire in Prestatyn in 2012 which may have been prevented had an additional licensing scheme been in place; whilst there had not been sufficient evidence at that time to justify additional licensing, more detailed statistics and supportive evidence was now available to make that case
- elaborated upon the storage and disposal of refuse in terms of meeting the minimum licensing standards for HMOs together with both the tenants and landlords responsibilities in that regard – assurances were provided that support was available for vulnerable tenants in terms of meeting their obligations
- in relation to ensuring compliance with the scheme assurances were given regarding the good working relationship with management and letting agencies and their positive engagement with the process and response to requests
- explained the process for identifying eligible HMOs for additional licensing from various sources including RentSmart but acknowledged the difficulties in bringing rogue landlords into the scheme which was reliant on other intelligence.

Cabinet welcomed the report and considered that the current scheme in Rhyl had worked well and agreed that Prestatyn, Denbigh and Llangollen could also benefit from additional licensing based on the evidence provided.

RESOLVED that Cabinet approve the re-designation of the Additional Licensing Scheme in Rhyl and extend the designation to Prestatyn, Denbigh and Llangollen.

6 TEST, TRACE AND PROTECT - INTER AUTHORITY AGREEMENT

Councillor Mark Young presented the report seeking Cabinet approval to delegate authority to the Head of Planning, Public Protection and Countryside Services to enter into an Inter-Authority Agreement (IAA) with the other North Wales local authorities to govern the recruitment and management of extra staff to operate the contact tracing element of the Test Trace and Protect (TTP) project.

In May 2020 the Welsh Government published a national strategy which included the requirement to track and trace the spread of Covid-19 in Wales. As part of that strategy North Wales local authorities had established local contact tracing teams with redeployed staff. As more council services resumed those staff would need to return to their normal duties and staffing the contact tracing teams would become a critical issue. Welsh Government had approved £11.2m funding for the project in North Wales for the remainder of the financial year. It was proposed that Flintshire County Council coordinate the recruitment and management of staff for the project on behalf all North Wales local authorities and that the governance arrangements be set out in an Inter-Authority Agreement. Further detail including benefits of the approach and operation of the project had been provided in the report.

Cabinet highlighted the importance of the TTP project in containing the spread of Covid-19 together with an effective testing programme, with some frustration having been expressed over the response to testing and turnaround times. In terms of identifying high risk areas and future strategy the Chief Executive reported upon the outcome of the analysis following the first wave of Covid-19 with the majority of those affected related to health and social care sectors. A number of high risk areas and vulnerable groups had been identified and much work was ongoing across Betsi Cadwaladr University Health Board and the Health and Social Care

Recovery Group in order to respond to those factors, further analyse data and manage the risks going forward. Seasonal flu was also a concern given the additional pressure on health and social care systems and there would be an active campaign to offer and promote the flu vaccine with the aim of reducing that pressure across the system.

The Leader welcomed the Welsh Government funding allocation for the project across the region and hoped it would be sufficient. He was keen to highlight the importance of communication and promotion of the TTP project and to ensure that those contacted took heed of the advice given and responded quickly and positively. The Head of Planning, Public Protection and Countryside Services agreed that an effective communication plan would be vital and reported upon the publicizing of case studies on individuals working as contact tracers to promote the issue and highlight its importance; there would also be a regional communication plan. He also drew attention to the 'Protect' element of the project advising that his service was working closely with businesses in terms of prevention work which also remained a key focus across other local authority services. Councillor Mark Young reported upon the success of the TTP in Denbighshire to date but advised that further work was ongoing to ascertain what support would be available for businesses adversely affected as part of that process.

RESOLVED that Cabinet delegate authority to the Head of Planning, Public Protection and Countryside Services following consultation with the Lead Member for Planning, Public Protection and Countryside Services, s151 Officer and Monitoring Officer to agree and sign the Inter-Authority Agreement to ensure that the Council supports the national and regional coordinated strategy to contain the spread of Covid-19.

7 FINANCE REPORT

Councillor Julian Thompson-Hill presented the report detailing the latest financial position and progress against the agreed budget strategy as outlined below –

- the net revenue budget for 2020/21 was £208.302m (£198.538m in 2019/20)
- an overspend of £7.585m was forecast for service and corporate budgets (the overspend did not assume any 'income loss' grant that may be received)
- highlighted current risks and assumptions relating to individual service areas together with the financial impact of coronavirus and Leisure ADM budgets
- detailed required savings and efficiencies of £4.448m to be identified and agreed including corporate savings relating to triennial actuarial review of Clwyd Pension Fund (£2m); 1% schools savings (£0.692m); service savings (£1.756m)
- provided a general update on the Capital Plan, Housing Revenue Account and Housing Capital Plan.

Councillor Thompson-Hill elaborated upon the latest financial position in detail, particularly with regard to the financial impact of Covid-19, including grant funding secured to date and the position on claims for both revenue and income losses together with the submission of expenditure and income pressures for Quarter 2. In terms of loss of income there were indications from Welsh Government (WG) that at least four main areas, where loss of income was common across all 22 local

authorities, would be paid from the Quarter 1 claim. This covered leisure, car parking, waste and school meals income and would equate to approximately £2.5m for Denbighshire – this amount had not been assumed in the figures because no formal confirmation had yet been received. Loss of income classed as a 'local decision' taken by individual local authorities may not be funded by WG and it was still unknown as to how loss of income for Quarter 2 and beyond would be treated. The significant uncertainties made it extremely difficult for future financial planning.

The following issues were raised during the ensuing debate –

- Councillor Bobby Feeley welcomed the grant funding received, particularly for social care and homelessness, and noted that leisure services would also likely benefit from some funding for loss of income for Quarter 1. However she felt a specific case should be made to recognise leisure services as an essential service given the health and wellbeing benefits which should be funded accordingly. It was hoped that the claim for loss of income for leisure services for Quarter 1 would be paid in full. The Leader added that all 22 local authorities were in the same position in terms of pressures but reported upon regular meetings with Ministers via the Welsh Local Government Association which provided an effective means of communication, and the financial pressures faced by local authorities had been acknowledged. It was hoped that the pressures could be addressed through grant funding but it was important to have a clear message in that regard going forward to inform the budget process.
- Councillor Mark Young queried the availability of the £78m announced in the supplementary budget for losses of income in Quarter 1 and the Lead Member for Finance was pleased to report that the latest information indicated the full amount would now be allocated for that purpose. The Head of Finance added that it was hoped the claim for loss of earnings across the four areas common to all 22 local authorities would be paid in full but the outcome was still uncertain. It was anticipated that the remainder of the funding announced would be used to address the areas of loss of income where there were differences in approach and to ensure fairness across the local authorities. In line with the Council's agreed financial strategy work continued to maximise income from WG and ensure appropriate internal financial management to respond to those pressures.
- in response to questions raised by Councillor Meirick Davies, Councillor Bobby Feeley reported upon the limited leisure offer currently available outdoors in line with government restrictions but confirmed it had not been possible to open indoor facilities as yet. Members noted the positive feedback received following opening of the outdoor leisure facilities which had been well received. With regard to Rhyl Queen's Market Redevelopment, the Leader confirmed the expectation that all buildings would be cleared within the next few weeks. He confirmed a shortfall of funding and work was ongoing with partners to draw down funding in order to proceed as planned.

RESOLVED that Cabinet notes the budgets set for 2020/21 and progress against the agreed budget strategy.

The Cabinet forward work programme was presented for consideration and members noted the items scheduled for forthcoming meetings.

Councillor Meirick Davies referred to the Denbighshire and Flintshire Joint Archives Project scheduled for November and advised that 'North East Wales Archives' had been used to describe the project in correspondence. He asked that a Welsh name be considered for the project and to review whether 'North East' was appropriate. The Leader asked the Lead Member to give due consideration to those comments.

RESOLVED that *Cabinet's forward work programme be noted.*

The meeting concluded at 11.20 hrs.