

CABINET
17TH JANUARY 2023

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

PRESENT: Councillor Ian Roberts (Chair)

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

IN ATTENDANCE:

Chief Executive, Chief Officer (Governance), Chief Officer (Planning, Environment and Economy), Chief Officer (Streetscene and Transportation), Chief Officer (Education and Youth), Chief Officer (Housing and Assets), Corporate Finance Manager, Corporate Manager – Capital Programme and Assets, Corporate Manager, People and Organisational Development, Senior Manager, Children and Workforce and Team Leader – Democratic Services.

104. DECLARATIONS OF INTEREST

Councillor Healey declared a personal and prejudicial interest in agenda item number 5 – Adoption of the Flintshire Local Development Plan (LDP).

105. MINUTES

The minutes of the meeting held on 20th December 2022 were submitted and confirmed as a correct.

RESOLVED:

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

106. BUDGET 2023/24 AND THE WELSH LOCAL GOVERNMENT PROVISIONAL SETTLEMENT

Councillor Johnson introduced the report which provided an update on:

- the key headlines and financial impacts of the Welsh Local Government Provisional Settlement;
- feedback from the series of specific Overview and Scrutiny Committee meetings, which was appended to the report;
- an update on the changes and risks to the additional budget requirement for the 2023/24 financial year; and
- an update on the work being undertaken on the range of budget solutions available to the Council to set a legal and balanced budget.

Following a report to Cabinet in November where the additional budget gap requirement was estimated to be £32.448m, the Welsh Local Government Provisional Settlement was received on 14th December. Due to consequentials arising from the recent UK budget announcements, the Settlement was improved and

would contribute £19.568m towards the previously reported requirement of £32.448 with the remaining amount needing to be met from the other areas of the budget solutions included in the report.

A number of ongoing risks had been reported previously which would potentially impact further on the additional budget requirement including the level of provision for pay awards, uncertainty around the continuation of funding within the homelessness service and levels of demand for Out of County Placements. The report provided an update on those risks.

The options available to the Council to meet the significant budget requirement was summarised in the report. Consideration was needed for the solutions on:

- Portfolio Cost Reductions
- Corporate Financing Reductions
- Schools Cost Reductions
- Council Tax Uplift

A report had been submitted to each Overview and Scrutiny Committee in December where no new areas of efficiencies were identified.

The report was then presented to Corporate Resources Overview and Scrutiny Committee on 12th January 2023, which was open to all Members of the Council, and details of the questions asked were provided.

A legal and balanced budget for 2023/24 was scheduled to be recommended by Cabinet to Council on 23rd February 2023.

The Chief Executive stressed the challenging backdrop in relation to the budget setting process, which would also be challenging in 2024/25 due to the risks facing the authority.

The Corporate Finance Manager confirmed that work was now focussed on the risks as outlined by Councillor Johnson. A report recommending the budget would be submitted to Cabinet on 23rd February prior to it being considered by County Council that afternoon.

RESOLVED:

That the financial implications of the Welsh Provisional Local Government Settlement and the remaining work which needs to be completed prior to agreeing a set of recommendations for Council to set a legal and balanced budget in February be noted.

107. ADOPTION OF THE FLINTSHIRE LOCAL DEVELOPMENT PLAN (LDP)

Having previously declared a personal and prejudicial interest, Councillor Healey was moved into the virtual lobby.

Councillor Bithell introduced the report and explained that all local planning authorities in Wales were required to produce, and keep under review, a Local Development Plan (LDP). The report set out the culmination of work to prepare and adopt an LDP for Flintshire.

The Flintshire LDP would be the primary strategy and policy document against which the Council would make decisions on development proposals going forward. It was a sound and sustainable Plan that included a requirement to consider the 'Placemarking' agenda and presented a positive approach to managing the future growth that Flintshire was going to experience.

The policies and proposals within the LDP addressed the County's need for new homes, jobs, infrastructure, and community facilities to support economic growth and raise standards of living. In planning for growth, he appreciated that it inevitably involved making some difficult decisions, particularly on releasing land for development in certain areas. Councillors and planners in the past had been brave and bold to make those difficult decisions.

The key stages of the LDP preparation were outlined in the report. The examination of the LDP commenced on 11th November 2020 and Hearing Sessions took place over an eight month period concluding on 23rd November 2021. During the examination the Council had to consider and respond to a significant new issue that arose with the introduction by National Resource Wales (NRW) on stricter new targets for the levels of phosphates permitted to enter SAC protected rivers, and in the case of the LDP the Bala Lake and River Dee Special Area of Conservation. Inspectors were provided with sufficient evidence to allow them to conclude the Examination of the LDP.

At Cabinet on 31st May 2022 Members approved for public consultation the 'Matters Arising Changes' (MACs) to the Deposit LDP. The consultation concluded on 29th July 2022 with approximately 122 representations being duly made. All comments were forwarded to the Inspectors for their consideration. In accordance with statutory obligations the comments were not considered by the Council.

The Inspectors had now submitted their final Report which was appended to the Cabinet report and the Examination had closed. The Report found the LDP to be sound and subject to the binding nature of it, the plan would need to be adopted by County Council.

Councillor Bithell thanked his colleagues on Planning Strategy Group (PSG) for all of their hard work on the LDP.

The Chief Officer (Planning, Environment and Economy) thanked all officers involved, particularly for the way in which things had been required to have been carried out in a different way. The report would be submitted to County Council the following week and if approved, a new suite of policies would be created that Members would need training on. The Council, if approved, would then have the opportunity to have an input into the Strategic Development Plan.

Councillor Roberts thanks officers and Members for the tremendous amount of work undertaken.

RESOLVED:

- (a) That the Flintshire Local Development Plan (Final version at appendix 2 – as amended by the binding changes set out in the Inspectors Report) be adopted as the new development plan for the Flintshire administrative area;
- (b) That the Adoption Statement (appendix 3), Final Sustainability Appraisal including Equalities Impact Assessment (appendix 4) and Habitat Regulations Assessment (appendix 5) be approved; and
- (c) That the Chief Officer (Planning, Environment and Economy) be authorised to make outstanding typographical, grammatical, presentational, or factual amendments to the Flintshire Local Development Plan and supporting documents prior to its final publication.

108. HOUSING REVENUE ACCOUNT (HRA) 30 YEAR FINANCIAL BUSINESS PLAN

Councillor Bibby introduced the report which presented the draft Housing Revenue Account (HRA) 30-year Financial Business Plan and the proposed HRA Budget for 2023/24.

Full details were provided on borrowing, rents, garage rents, service charges, the capital programme and capital funding, and reserves.

On reserves, they should not be used to fund recurring pressures in the Budget as that would make the Business Plan unsustainable. The Council was looking to utilise £0.589m of existing reserves towards one off pressures identified in the 2023/24 Business Plan, which was considered affordable and left a sufficient level of reserves to balance future risks.

It was recommended that levels were reviewed in year and a proportion of any surplus reserves were released to support the improvement in void rates across the County.

The HRA was a ring-fenced budget. The HRA budget and Business Plan demonstrated that the Council could achieve the ongoing Welsh Housing Quality Standard (WHQS), could meet service improvement plans and commitments and with prudential borrowing could continue its Council house building programme.

RESOLVED:

- (a) That the HRA 30-year Financial Business Plan and budget for 2023/24 as set out in the report and appendices be approved; and
- (b) That it be agreed that consideration should be given, in year, to utilise available reserves to bring into use void properties across Flintshire.

109. WASTE STRATEGY REVIEW

Councillor Hughes introduced the report and explained that over the last five years the Waste Strategy had been reviewed three times with the most recent review being the 'Target 70' in July 2021. Those reviews had allowed the Council to implement major service changes, which had contributed to improving the way waste and recycling services were delivered.

In its current Waste Strategy 'Beyond Recycling', Welsh Government (WG) set statutory targets for local authorities in Wales to reuse, recycle or compost a minimum of 64% of waste by 2022-23, and 70% of waste by 2024-25.

However, recycling performance levels in Flintshire had progressively decreased year on year with the COVID-19 pandemic and associated restrictions having a significant impact. The purpose of this review was to focus on achieving the statutory recycling targets and avoiding financial penalties if they failed to be achieved.

Following two all-Member workshops in November 2022, the report outlined how it was proposed to minimise waste and maximise recycling in order to improve recycling performance and achieve the statutory recycling targets.

Following a recent compositional analysis, initial results had shown that up to 50% of what was placed in the residual waste bins by residents in Flintshire was recyclable material. Furthermore, 27% of the residual waste contents was found to be food waste. With a separate weekly kerbside collection service available for food waste and weekly collection for recycling, the current situation was not sustainable and remained a significant risk to the local authority.

The general themes of feedback from the Member workshops was outlined in the report. A key measure introduced by a number of other local authorities across Wales was to limit how much waste households could throw away. By restricting the capacity of the residual waste bin, people were encouraged to make more use of the recycling kerbside collection service. Reducing residual waste could be achieved by reducing the capacity of the residual waste bin or changing the frequency of waste collections.

A comparison of a number of waste collection models across Wales had taken place and it was clear that restricting residual waste improved recycling levels which in turn had a significant impact on recycling performance. Reducing residual waste capacity to 60 litres had seen the following average improvements:

- Overall reduction in household residual waste (including Household Recycling Centres) of 30%
- Increase in kerbside dry recycling of 17%
- Increase in good waste capture of 28%

If the collection frequency changed from the current fortnightly model, that would have an impact on required resources to deliver the collection services. Full details were provided in the report. A change in collection frequency could require consideration of changes to the container size or container types, which would involve

further considerations including funding, health and safety, impact on crews, compatibility with vehicles and storage for residents.

Capital funding would be required to procure alternative sized residual waste containers should a change in container size be required. That was estimated to be in the region of £1m.

The Chief Officer (Streetscene and Transportation) explained the details in the table which showed the current overall waste arising, recycling performance and potential fines that could be levied by WG to Flintshire for failing to achieve the statutory recycling targets.

The report was presented to the Environment & Economy Overview and Scrutiny Committee on 10th January 2023 and Members discussed the various options for alternative collection frequencies. The Committee proposed running a pilot for a reduced frequency collection service in one area of the county.

It was also proposed that an increase in the charge for garden waste collections be considered as part of the review. If the charge was increased by £1, it would generate additional income of £32k per year. Members of the Environment & Economy Overview and Scrutiny Committee supported that proposal.

Councillor Hughes and the Chief Officer explained the importance of changing behaviour through education and added that the practical implications of the suggested pilot would be challenging.

Councillor Bithell felt that if the targets had been met previously then they should be able to be again, and queried the best way to provide information to residents.

The Chief Officer said the area for the pilot had not yet been determined, or when it would start and for how long. A significant piece of work needed to be carried out and she suggested that she bring an updated report to Cabinet prior to the pilot being launched.

Councillor Roberts said Cabinet needed to take notice of the recommendation from Environment and Economy Overview and Scrutiny Committee.

RESOLVED:

- (a) That the Council's current recycling performance against statutory targets along with associated risks be noted;
- (b) That the options presented for alternative waste collection delivery models in order to achieve the statutory recycling targets set by Welsh Government be considered, and that the proposal to pilot a reduction in collection frequencies in one area of the county be supported; and
- (c) That the proposal to increase the garden waste subscription fee to recover increasing operational costs be approved.

110. REVENUE BUDGET MONITORING 2022/23 (MONTH 8)

Councillor Johnson introduced the report which provided the latest revenue budget monitoring position for 2022/23 for the Council Fund and the Housing Revenue Account.

The projected year end position was:

Council Fund

- An operating deficit of £0.352m (excluding the impact of the pay award which had been met by reserves), which was an adverse movement of £0.258m from the deficit figure reported at Month 7
- A projected contingency reserve available balance as at 31st March 2023 of £3.797m

Housing Revenue Account

- Net in-year revenue expenditure forecast to be £3.076m higher than budget
- A projected closing balance as at 31st March 2023 of £3.398m

Hardship funding from Welsh Government helped secure £6m of direct financial help the previous year and payments in 2022/23 had continued to be claimed for Self-isolation and Statutory Sick Pay Enhancement, along with Free School Meals direct payments and Winter Fuel Payments within their eligible periods.

RESOLVED:

- (a) That the report and the estimated financial impact on the 2022/23 budget be noted;
- (b) That the carry forward request be supported; and
- (c) That the Contingency Reserve be increased by £2.4m from the additional Revenue Support allocation it received at the end of the 2022/23 financial year to enhance the level remaining to safeguard the Council against risks and other unforeseen events.

111. SOCIAL VALUE PERFORMANCE AND MONITORING PROGRESS UPDATE

Councillor Johnson introduced the report and explained that generating social value from the Council's commissioning and procurement activities was the largest contributor to increased social value and remained a key area of focus for the Council.

The report outlined performance data for the full financial year 2021/22, as well as the first six months of 2022/23.

The report also outlined the next steps for implementing the recommendations made and endorsed by Cabinet the previous year.

Councillor Bithell thanked the Social Value Development Officer for the report and complimented her on what had been achieved to date. In response to a question, the officer explained that each contract was assessed on a number of aspects, including price and quality and anything over £25,000 had social value factored in. Work was being undertaken to ensure thresholds were in place so that social value was included in all procurement exercises. In response to a further question, the Social Value Development Officer explained that if an apprentice had not completed the required hours, the completed hours would be carried forward onto another job within the Council.

In response to a comment from Councillor Hughes, the Social Value Development Officer explained that carbon had been part of social value targets for contracts over £1m but where possible carbon measures would be included in smaller contracts.

RESOLVED:

- (a) That the positive performance achieved in relation to generating social value during 2021/22, as well as the first six months of 2022/23 be noted; and
- (b) That the next steps proposed be supported.

112. HOUSING RENT INCOME AND WELFARE RESPONSE

Councillor Bibby introduced the report which provided a combined operational update on the latest welfare response impacts and current levels of 2022/23 housing rent arrears.

Rent arrears up to week 34 were £2.9m, compared to £2.7m at the same point the previous year. The ongoing cost of living crisis was having a detrimental impact on collections with some tenants struggling to meet the increasing living costs.

The use of the risk-based software was still being deployed to mitigate risks and ensure that early engagement was made with those tenants who were failing to maintain their rent payments.

The report also provided a further update on the impacts that welfare reforms continued to have on residents and other cost of living challenges. It also provided an update on the work that was ongoing to mitigate many of those challenges and to support those households through the cost of living crisis.

RESOLVED:

- (a) That the latest financial position for 2022/23 rent collections be noted; and
- (b) That the ongoing work to manage the impacts that welfare reform has, and will continue to have, on some of the most vulnerable residents along with implementing support via Welsh Government support measures to mitigate the cost of living crisis be supported.

113. EXERCISE OF DELEGATED POWERS

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

Streetscene and Transportation

- **The Flintshire County Council – Wrexham Road, Fagl Lane and Stryt Isa, Hope – Proposed Prohibition of Waiting At Any Time**
To advise Members of the objections received following the advertisement of the proposed Prohibition of Waiting At Any Time on the roads listed above.
- **Street Works Fees and Charges for 2023/24**
The fees and charges levied for various licences and applications issued within Street Works have been reviewed and the proposed charges for 2023/24 are set out in the delegated powers sheet. The CPIH 12 month rolling rate as of March 2022 was 6.2%. This has been used as the normative inflation index amount and applied to all applicable fees and charges to generate the 2022 fees and charges amount payable. In order to allow applicants to set budgets for the forthcoming financial year, Street Works charges will take effect from 1st April 2023.

At this point the meeting was disrupted by member(s) of the public and the meeting was ended. The final part of the meeting, which was to consider a confidential report, was held via a new meeting link.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 – TO CONSIDER THE EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED:

That the press and public be excluded for the remainder of the meeting for the following items by virtue of exempt information under paragraph(s) 14 of Part 4 of Schedule 12A of the Local Government Act 1972 (as amended).

118. SALE OF EXPRESSWAY BUSINESS PARK, QUEENSFERRY

The Corporate Manager, Capital Programme and Assets, introduced the report which sought support to dispose of a County Council Leasehold Interest.

RESOLVED:

That the disposal of the Council's leasehold interest, as outlined in the report, be approved.

119. MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE

There were four members of the public in attendance.

(The meeting commenced at 10.00 a.m. and ended at 11.45 a.m.)

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Chair