

FLINTSHIRE COUNTY COUNCIL
26TH SEPTEMBER 2023

Minutes of the meeting of Flintshire County Council held as a hybrid meeting on Tuesday, 26th September 2023.

PRESENT: Councillor Gladys Healey (Chair)

Councillors: Mike Allport, Bernie Attridge, Glyn Banks, Pam Banks, Sean Bibby, Chris Bithell, Gillian Brockley, Helen Brown, Mel Buckley, Tina Claydon, David Coggins Cogan, Geoff Collett, Steve Copple, Bill Crease, Paul Cunningham, Rob Davies, Ron Davies, Adele Davies-Cooke, Chris Dolphin, Rosetta Dolphin, Mared Eastwood, Carol Ellis, David Evans, Chrissy Gee, David Healey, Ian Hodge, Andy Hughes, Dave Hughes, Ray Hughes, Dennis Hutchinson, Alasdair Ibbotson, Paul Johnson, Christine Jones, Richard Jones, Simon Jones, Richard Lloyd, Dave Mackie, Gina Maddison, Roz Mansell, Allan Marshall, Ryan McKeown, Billy Mullin, Debbie Owen, Ted Palmer, Andrew Parkhurst, Mike Peers, Michelle Perfect, Vicky Perfect, Carolyn Preece, David Richardson, Ian Roberts, Dan Rose, Kevin Rush, Dale Selvester, Jason Shallcross, Sam Swash, Linda Thew, Linda Thomas, Ant Turton, Roy Wakelam, Antony Wren and Arnold Woolley.

IN ATTENDANCE:

Chief Executive, Chief Officer (Governance), Chief Officer (Planning, Environment and Economy), Chief Officer (Housing and Assets), Chief Officer (Social Services), Corporate Manager, People and Organisational Development, Highway Network Manager, Democratic Services Manager, Team Leader – Democratic Services and Democratic Services Officers.

APOLOGIES FOR ABSENCE:

Councillors: Marion Bateman, Teresa Carberry, and Hilary McGuill.

26. PRESENTATIONS

FreePay Award – Oxygen Finance

The Chief Executive introduced the item and explained that unlike with usual Award recognitions, which had already been formally presented to recipients at an Awards event, this award had yet to be formally awarded to Flintshire and the County Council meeting was being used for that to happen. Attending the meeting were Sarah Harnin, Oxygen Finance, Lisa McQuaide, Project Manager and Debbie Griffiths, Payment and Receipts Manager.

He explained that on 1st April 2021 the Council, with its appointed partner, Oxygen Finance, launched an early payment programme, 'FastTrack', that not only would benefit the Council through improved payment processes and cost savings, but also its suppliers, by giving them the opportunity to be paid earlier than contracted terms.

In the 26 months since going live, the Council had paid over £21.5m early to small, local businesses as part of the FreePay Programme, with average payments being made in 8 days. Eligible suppliers, (those that were registered locally and small

in company size), were automatically enrolled into FreePay, which was delivered as part of the Council's Accelerated Payment Programme, FastTrack. FreePay enabled the Council to pay suppliers early, without charge, speeding up payments to businesses where cash was most urgently needed, supporting business growth and delivering social value.

Sarah Harnin from Oxygen Finance was welcomed to the meeting to present the award in recognition of the Council's pioneering work. She said that Oxygen was committed to social value and were delighted to see the work undertaken by councils. The work Flintshire County Council had carried out had been instrumental to Oxygen which had enabled them to create the FreePay programme which could then be rolled out elsewhere. She thanked Lisa McQuaide, Debbie Griffiths and teams for their dedication to the programme.

Councillor Johnson commented on the incredible numbers of small local businesses that had received early payments and the benefits to those businesses which enabled them to keep their cash flow moving.

"Local Government Chronicle Pensions & Investment – Rising Star" Award

The Chief Executive welcomed Ieuan Hughes, Phil Latham and Debbie Fielder to the meeting. He explained that The Local Government Chronicle (LGC) Pensions and Investment Rising Star Awards sought to recognise and identify talented future leaders within the Local Government Pension Scheme (LGPS).

The winner of the award was recognised as an exceptional young officer, making change happen, taking difficult decisions and asking important questions.

At the recent awards ceremony Ieuan Hughes fought off tough competition from across the UK and had been awarded overall winner in this category.

Over the last four years Ieuan had helped shape the Fund's portfolio and investment strategy. He was meticulous in his monitoring of the Fund's performance and was keenly focussed on safeguarding the financial security of members whilst actively championing positive change through responsible and sustainable investment practices.

Councillor Palmer, as Chair of the Clwyd Pension Fund Committee, commented on the impact Ieuan had had on the fund and congratulated him on the award.

27. DECLARATIONS OF INTEREST

Following advice from the Chief Officer (Governance), all Members declared a personal interest in agenda item number 8 – Schedule of Remuneration 2023/24. The following Members declared a personal interest in agenda item number 10 – Notice of Motion (1) in relation to landlords: Councillors: Davies-Cooke, Gee, Hodge, Lloyd, McKeown, Owen and Preece. Councillor Lloyd said he would leave the room during the debate.

28. MINUTES

The minutes of the meeting held on 20th June were submitted.

Councillor Attridge moved them as a correct record which was seconded by Councillor Brown.

Councillor Banks said his comment on free school meals was that the take up was high in deprived areas in Flintshire compared to other counties.

RESOLVED:

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

29. CHAIRS COMMUNICATIONS

All Members had received details of the engagements that the Chair had undertaken since the last meeting. She thanked those Members who attended her Civic Service and Father Wheeler for conducting the Service.

She thanked the Vice Chair, Councillor Hutchinson, and his consort, for events they had attended on her behalf.

On behalf of the Council, she had attended the funeral of a former member of Flintshire County Council, Quentin Dodd. She was sad to report that Councillor Peter Prendergast, who was the Chairman of Denbighshire County Council, had passed away suddenly and a letter of condolence from the Council had been sent.

29. PETITIONS

None were received.

30. ANNUAL PERFORMANCE REPORT 2022/23

The Chief Executive introduced the report which gave an overview of the performance of the Council during 2022/23 against the priorities set within the Council Plan 2022/23 and progress against the Well-being Objectives.

The Report was produced in accordance with two key areas of legislation: (1) Well-being of Future Generations (Wales) Act 2015; and (2) Local Government and Elections (Wales) Act 2021.

The report highlighted areas of high performance amongst all the Portfolio's and all that had been achieved during the last financial year. Full details of those areas of high performance were contained within the appendix to the report.

The Audit Wales published an Annual Audit Summary Report each year on behalf of the Auditor General for Wales. The Auditor General had not made any statutory recommendations with which the Council must comply.

Moving forward, the Council Plan measures would be incorporated into the Annual Performance Report.

Councillor Mullin moved the recommendation which was seconded by Councillor Christine Jones.

Councillor Richard Jones welcomed the comments from the Chief Executive on how the information would be reported in the future, with all of the information contained within one report.

Councillor Peers suggested that the document would be easier to refer to if the bullet points within the appendix were numbers.

On the 20mph speed limit rollout, it referred to the service being successful for acquiring the funding for the project and Councillor Peers asked if Welsh Government (WG) had not provided the funding, would the Council have had to fund the project. The Highway Network Manager explained that the funding for the 20mph project was an application process and details of the costs to roll out the project had to be outlined.

On strong performance in Chief Executives, he asked what the insurance claims related to. The Chief Executive explained that all local authorities had claims for things such as trips, slips and falls and it was important to report on the claims that had been settled at nil cost to the Council and he referred to one such fraudulent claim reported in the press recently. If Corporate Resources Overview and Scrutiny Committee wanted to receive details on insurance claims that could be placed on the Forward Work Programme.

In response to a further question on agency costs, it was agreed that the Corporate Manager, People and Organisational Development would provide a written response.

Councillor Coggins Cogan commented that the figures were a snapshot in time which were meaningless as they were not comparable to anything else. He felt the Council needed to be clearer on how the lack of funds was affecting the local authority. The Chief Executive responded that within the Council Plan there was a lot of performance data which was a useful document and accepted the comment on the lack of funds where it affected performance.

Councillor Glyn Banks commented on the good work undertaken in relation to the Welsh language, including the Welsh language classes and the alterations undertaken at schools.

Councillor Attridge said he hoped the properties at Glan y Morfa were being used to support people with disabilities. The Chief Officer (Social Services) confirmed that the properties referred to were used to support people with disabilities.

On comments from Councillor Attridge on care packages and working with the Countess of Chester Hospital (COCH), the Chief Officer (Social Services) explained that the Council had Social Workers based at COCH and they had a good working

relationship with the hospital. He said the Council worked well collectively with COCH, Wrexham Maelor and Glan Clwyd, adding that the Welsh approaches to health and social care were different to those in England.

Councillor Roberts welcomed the comments from Councillor Glyn Banks on the Welsh language and said he hoped Welsh would be used more frequently in the Council Chamber.

On being put to the vote, the recommendation was carried.

RESOLVED:

That the 2022/23 Annual Performance Report, noting the performance achieved, be approved.

31. SCHEDULE OF REMUNERATION 2023/24

The Chief Officer (Governance) introduced the report and explained that it was an annual report.

The Schedule of Remuneration for 2023/24 was appended to the report.

In response to a question from Councillor Attridge, the Chief Officer (Governance) confirmed that the cost of the Deputy Leader role was split between the two appointed Deputy Leaders.

Councillor Rob Davies moved the recommendation which was seconded by Councillor Copple.

RESOLVED:

That the completed Schedule of Remuneration for 2023/24 be approved for publication.

32. ANNUAL REPORT OF THE STANDARDS COMMITTEE

The Chief Officer (Governance) introduced the report and explained the Local Government and Elections (Wales) Act 2021 imposed an obligation on the Standards Committee to publish an annual report, and to have regard to statutory guidance as to the contents of such reports.

The first such report was attached for consideration by Council. It contained two recommendations which had either been actioned or which were in hand.

In moving the recommendation, Councillor Parkhurst thanked his colleagues on the Standards Committee, particularly the Chair, Julia Hughes. It was seconded by Councillor Wren.

RESOLVED:

That the Standards Committee be thanked for its first report and the recommendations be accepted.

33. NOTICES OF MOTION

The following Notices of Motion had been submitted:

'Report a Rogue' Landlord and Rogue Landlord Checker Tools for Flintshire
Proposed by Councillor Sam Swash – Seconded by Councillor Alasdair Ibbotson

This Council notes:

1. that data from Shelter Cymru shows that up to one third of people in Wales are living in unsafe or unaffordable housing.
2. that one in ten people in Wales are living in properties that are not structurally sound or have issues such as faulty wiring or fire risks.
3. that tens of thousands of people say that they have experienced discrimination when trying to find a home.
4. that one in four people in Wales are living in homes with significant damp, mould or condensation problems.
5. that there are now more people in Wales living in the private rented sector than live in social housing.
6. that the number of rogue landlords being prosecuted by local authorities in England and Wales remains very low, despite large numbers of complaints.
7. that in 2017 Sadiq Khan, the Mayor of London, launched a 'Report a Rogue' online tool to report concerns with a rental property or landlord to the enforcement teams in the relevant borough.

This Council believes:

1. that the housing crisis represents one of the greatest challenges facing both Wales and the United Kingdom.
2. that tenants should be better protected from facing discrimination on the basis of ethnicity, gender, sexual orientation, nationality, religion, disability or pet ownership.
3. that local authorities should take seriously their duty to take enforcement action against rogue landlords.
4. that tenants should be encouraged to report rogue landlords to their local authority and that the local authority should keep a public database of landlords who have been prosecuted or faced civil enforcement action for housing offences.

This Council resolves:

1. to create a 'Report a Rogue' tool for tenants to report rogue landlords to Flintshire County Council.

2. to create a Rogue Landlord Checker; a publicly available and searchable database of landlords in Flintshire who have been prosecuted or faced civil enforcement action for housing offences.

In speaking to the Notice of Motion, Councillor Swash commented on housing inequality and landlord and tenant relationships, with the aim of this Notice of Motion being to make them more equal and make it a safer place for tenants.

Councillor Parkhurst moved an amendment to the Notice of Motion for the words 'rogue property agents' be to be included in addition to rogue landlords. The mover and seconder of the Notice of Motion accepted the amendment.

In responding to the Notice of Motion, the Cabinet Member for Planning, Public Health and Public Protection read out the following:

"At the outset, it is important to note that in Flintshire we already take our responsibility for the standards within the Private Rented Housing sector seriously. Our Housing Standards and Enforcement Officers already undertake important work in this area. Their aim is to work with landlords to help achieve compliance with legal requirements in the private rented sector. However, when necessary, enforcement action is taken.

During the last financial year (2022/23) a total of 327 inspections of privately rented properties were undertaken, which resulted in 13 Improvement Notice served; 5 Prohibition Orders; 1 Emergency Prohibition Order; 10 Hazard Awareness Notices; and 5 Prosecutions undertaken. This year we have seen a successful prosecution of a landlord who was fined just under £30,000 for putting residents at risk due to HMO licensing conditions not being met. I'd like to thank our officers for their hard work in this area.

The purpose of the Report a Rogue Landlord Scheme is a tool which would provide further help to those who are tenants or prospective tenants. Nevertheless, I think it is also important that we promote the other tool that already exists and is at the disposal of tenants, which is the Rent Smart Wales (RSW) Public Register. It is possible to search for a property address, landlord name, agent name and RSW reference number to check that a property is registered and that the person/company they are entering into an agreement with had the relevant licence for the property.

If adopted, this Notice of Motion would put Flintshire in a unique position as a Welsh authority in adopting such a Report a Rogue Landlord Scheme. We would be following in the footsteps of the London Boroughs in developing such a tool. It will take time to develop. As a Council we must now allow officers time to scope out the requirements on how it can be implemented. There will be resource and cost implications, not only to our Housing Enforcement Team, but also to colleagues in IT, Legal and Information Governance. Those impacts will need to be considered and quantified. I recommend that they are brought to Cabinet for oversight and development once we are in receipt of that information".

Councillor Attridge said that Rent Smart Wales was already in place which he felt provided more protection than the arrangements in England. Councillor Peers concurred and felt the Notice of Motion was a duplication of Rent Smart Wales.

Councillor Banks welcomed the Notice of Motion and said he had been assisting somebody recently in a 'no fault' eviction.

Councillor Ellis queried how this would work if a property was not registered with Rent Smart Wales, commenting that properties were falling through the net.

The Chief Officer (Planning, Environment and Economy) said processes were already in place as outlined by the Cabinet Member. If the properties referred to by Councillor Ellis were private rental properties, they could be looked into, and he asked her to contact him outside of the meeting to provide details. If the properties were not registered, then the proposed scheme would not help in that scenario.

Councillor Owen felt processes were already in place with Rent Smart Wales and suggested that the Landlord Forum be re-established.

Councillor Crease commented on the budget issues facing the Council and felt that this was a duplication of Rent Smart Wales and would have a budget implication.

Councillor Ibbotson advised that Rent Smart Wales did not deal with anti-social behaviour. He felt the Notice of Motion would improve what was offered by the Council at no long-term cost.

Councillor Richard Jones sought advice on whether there was a cost to the proposal and if officers through it would be a useful tool. The Chief Officer (Planning, Environment and Economy) said he did not think it would be a zero cost. He suggested that he develop a proposal and submit it to Cabinet, if supported today.

On being put to the vote, the Notice of Motion, as amended, was carried.

RESOLVED:

That the Notice of Motion, as amended, be supported.

Councillor Johnson sought a brief adjournment, which was seconded, for the purposes of circulating an amendment to the following Notice of Motion. Councillor Coggins Cogan commented that the amendment should have been circulated prior to the start of the meeting.

On being put to the vote the adjournment was supported and a 15-minute adjournment took place.

Free School Meals – Councillor David Coggins Cogan

The ongoing Cost of Living crisis forces more and more families throughout Flintshire into food poverty. In June, Welsh Government (WG) announced it was ending the holiday provision of Free School Meals, removing a safety net from those

who needed it the most: vulnerable children trapped in poverty through no fault of their own.

Several councils across Wales urgently approved funding to continue the Free School Meals during the summer break. Those Cabinets decided alleviating food poverty for children was a priority. Flintshire's Cabinet decided differently and refused funding altogether. This was a political choice.

Torfaen Council, unable to afford the full cost, provided one-off payments to families eligible for Free School Meals. The Leader of Flintshire Council dismissed this option out of hand. The full burden of the halted Free School Meals policy fell on those least able to bear it: children living in poverty.

This policy decision not to fund holiday Free School Meals was not communicated to Members. This hampered Members' efforts in proactively informing their residents of this new pressure on family finances. Deliberately choosing not to inform Members about the discontinuation of holiday Free School Meals is unforgivable.

Therefore, this Council:

1. Notes with disappointment the Cabinet's decision:
 - a. not to fund Free School Meals during the holidays; and
 - b. not to provide any part-funding to eligible children.
2. Notes and objects to the Cabinet's total lack of communication in telling Members that Informal Cabinet decided against funding holiday provision of Free School Meals.
3. Calls upon the Cabinet to reconsider its decision and to reinstate holiday provision of Free School Meals for as long as the Cost of Living crisis continues.

Notes

- Informal Cabinet discussed holiday provision of Free School Meals on 27th July 2023.
- Despite the critical nature of food poverty for many families across Flintshire, the Cabinet did not inform Members of its decision.
- This lack of communication seriously undermined Members' abilities to proactively warn families and provide them with information about the (very limited) alternative options.

Councillor Coggins Cogan questioned why all Members had not been informed of the decision taken at Informal Cabinet on 27th July. He said if Members had been aware they would have been in a position to direct parents to alternative provisions available to them. Parents were embarrassed to ask for support which resulted in vulnerable families being left exposed. He sought support of the Notice of Motion which would protect children in the future.

In seconding the Notice of Motion, Councillor Parkhurst said it was a decision of WG to stop providing free school meals in the school holidays, not a decision of this authority. When he questioned the First Minister, he had been told there was no money in the budget to continue the provision.

Councillor Richard Jones proposed a further adjournment, which was seconded by Councillor Attridge, to allow a discussion to take place between the Members involved in the Notice of Motion and the amendment to it which was carried.

Following the adjournment, the Chief Officer (Governance) thanked everybody for their patience and said the adjournment had helped in finding a way forward.

The amendment to the Notice of Motion, as proposed by Councillor Roberts, had been accepted by the mover and seconder and therefore became the substantive Notice of Motion.

Councillor Roberts addressed the amended Notice of Motion and said the ongoing Cost of Living crisis forced more and more families throughout Flintshire into food poverty. In June WG announced it was ending the holiday provision of free school meals, removing a safety net from those who needed it, the most vulnerable children trapped in poverty through no fault of their own.

Several Councils across Wales urgently approved funding to continue free school meals during the summer break. Those Cabinets decided alleviating food poverty for children was a priority. The full burden of the halted free school meals policy fell on those least able to bear children living in poverty.

The policy decision not to fund free school meals was not communicated to Members. That hampered Members' efforts in proactively informing their residents of this new pressure on family finances. Choosing not to inform Members about the discontinuation of holiday free school meals was regrettable and he apologised to the Chamber for that. Councillor Roberts moved the following:

"This Council notes with disappointment WG's decision not to fund free school meals during the holidays and not to provide any part funding to eligible children.

This Council will work with WG in asking it to reinstate provision of resources for free school meals.

Cabinet will give a commitment to work to find resources during the Christmas holidays for families on free school meals and will bring a report to Cabinet in November with proposals for how this can be achieved.

Cabinet will set up a working group to report back to Cabinet. The working group will be chaired by a back-bench Member of the Council but will contain Councillor Paul Johnson and Councillor Mared Eastwood with representatives from across the Chamber.

The working group will look at the issue of free school meals and will report before the budget.

Cabinet notes with disappointment WG's decision not to fund free school meals during the holidays and not to provide any funding to eligible children".

Councillor Ellis commented on the provision offered from Buckley Town Council for local children which she was proud of. She questions why Members were not informed of the decision taken by the Cabinet and sought assurance that something like that would not happen in the future. By way of personal explanation, Councillor Roberts responded and said Members were aware the previous year when the budget was set that there was no budgetary provision available for free school meals over the summer holiday period and that no amendment had been received at that time. It was announced in WG's final budget in March that there were financial resources for Easter and half term in May to fund free school meals, but not for the summer. He had submitted a letter to the Minister in June requesting the reinstatement of that financial resource but that did not happen. He commented on the high level of media coverage about the removal of the provision of free school meals. He had not received emails from Members about free school meals in Flintshire. Moving forward with the agreed Notice of Motion he hoped the Council could work together to provide the children of Flintshire what they needed.

The Chief Officer (Governance) advised that the amendment, which was now the substantive motion, had several elements to it. The key parts were around the funding commitment to provide funding over the Christmas holidays then a commitment to look at longer term funding which was the purpose of the working group.

In response to a question from Councillor Crease, the Chief Officer (Governance) confirmed that the Working Group would be looking at possibilities from 1st April 2024. Before then, funding would be found for the Christmas period only.

In his right of reply, Councillor Coggins Cogan thanked the Chair and supporting officers for their assistance. He also expressed his thanks to the Leader as he had offered a positive outcome. He appreciated that people were of different views but was grateful that Members had come together to reach a positive solution.

On being put to the vote, the Notice of Motion, as amended, was carried.

RESOLVED:

That the Notice of Motion, as amended, be supported.

34. PUBLIC QUESTION TIME

The Chief Officer (Governance) advised that none had been received by the deadline.

35. QUESTIONS

Three were received and had been included in the agenda for the meeting.

One was from Councillor Swash on launching a publicly owned municipal bus company in Flintshire once the Welsh Government (WG) passed its “One Bus, One Timetable, One Ticket” legislation. A full written response had been provided to all Members from Councillor David Hughes, Deputy Leader and Cabinet Member for Streetscene and Transportation.

Two were from Councillor Coggins Cogan on free school meals. At the meeting Councillor Coggins Cogan withdrew his questions.

An urgent question had been submitted by Councillor Brown, after the deadline, which had been accepted, on a call for the Leader and his Cabinet to join residents to call for the 20mph speed limit to be rescinded by Mark Drakeford. Copies of the question were circulated to all Members and a response was given by the Leader.

36. QUESTIONS FROM MEMBERS ON COMMITTEE MINUTES

None were received.

37. MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE

There were no members of the press or public in attendance.

(The meeting started at 1.00 p. m. and ended at 5.25 p.m.)

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Chair