

CABINET
18TH JANUARY 2022

Minutes of the meeting of the Cabinet of Flintshire County Council held virtually via Zoom on Tuesday 18th January 2022.

PRESENT: Councillor Ian Roberts (Chair)

Councillors: Glyn Banks, Chris Bithell, Derek Butler, 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 (Social Services), Corporate Finance Manager, Planning and Development Officer and Team Leader – Democratic Services.

OTHER MEMBERS IN ATTENDANCE:

Councillor Patrick Heesom.

APOLOGIES:

None.

92. DECLARATIONS OF INTEREST

None were declared.

93. MINUTES

The minutes of the meeting held on 14th December 2021 were submitted and confirmed as a correct.

RESOLVED:

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

94. BUDGET 2022/23 AND THE WELSH LOCAL GOVERNMENT PROVISIONAL SETTLEMENT

Councillor Johnson introduced the report and explained that on 14th December Cabinet received an update of an additional budget requirement of £20.696m for the 2022/23 financial year. That update was in advance of receipt of the Welsh Local Government Provisional Settlement which was received on 21st December.

The Cabinet report updated on the key headlines and financial impacts of the Settlement in advance of the final stage of the formal budget setting process in February.

The additional budget requirement would need to increase significantly to take account of the need to meet the impacts of all of the issues identified in the report, including Pay Awards / Real Living Wage and the continuation of additional costs and

lost income arising from the pandemic following the cessation of the Welsh Government (WG) Hardship Fund at the end of March 2022.

A legal and balanced budget for 2022/23 would need to be recommended by Cabinet to Council once all of the work on the issues outlined in the report had been concluded.

The Aggregate External Finance (AEF) allocation provided an amount of £1,476 per capita compared to the Welsh average of £1,611, a ranking of 20th out of the 22 Welsh councils.

For the first time in a number of years the 2022/23 provisional settlement gave indicative allocations for the next two years. Whilst that was welcomed, the indicative uplifts in AEF of 3.5% and 2.4% for 2023/24 and 2024/25 respectively were significantly less than 2022/23 and would provide a significant challenge to meet the inevitable inflationary and demand impacts of Council Services. Therefore it would be essential that decisions made as part of the budget for 2022/23 were considered in the context of the medium term position to build in resilience to meet the challenges of the inevitable cost pressures that would arise in subsequent years.

Even though Flintshire was the 6th largest Welsh Council by population, it stood at 20th out of 22 based on a funding per capita basis. If Flintshire was to receive the same amount of per capita funding of the North Wales average, it would receive an additional £21m per annum.

It was the view of Cabinet Members that if things such as Pay Awards were announced nationally then it should be funded nationally.

The Corporate Finance Manager explained that the impacts of the pay awards were being worked through, as was the one off grant funding. A report would be submitted to Cabinet in February prior to County Council the same afternoon.

Councillor Roberts asked if a letter could be sent to North Wales Members of the Senedd to request that they lobby for the reinstatement of the Highways Maintenance Grant of £950k which had been confirmed it was now discontinued.

RESOLVED:

That the financial implications of the Welsh Local Government Provisional 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.

95. NORTH WALES POPULATION NEEDS ASSESSMENT

Councillor Jones introduced the report which provided an overview of the North Wales Population Needs Assessment 2022 which had been produced as a requirement of the Social Services and Well-being (Wales) Act 2014.

The report was an assessment of the care and support needs of the population and the support needs of carers, covering the North Wales footprint. The development of the document was led by the North Wales Social Care and Well-being Services Improvement Collaborative, with information from the six North Wales councils and the health board, supported by Public Health Wales.

In June 2022 a Market Stability Report must also be published. Together the two documents should provide those commissioning care and support, at a regional and local level, with a comprehensive picture of current and projected demand and supply.

The Chief Officer (Social Services) reinforced the importance of the document which would help to plan for the future. Of the survey responses, 39% came from people in Flintshire so local voices were being heard. Public engagement would continue during the development of the Market Stability Report.

The Planning and Development Officer gave an example of where the data would help plan and prepare for the future, and that was dementia prevention.

Councillor Jones added the wide range of areas that were covered by the assessment, including inequality and homelessness. Members welcomed the report.

RESOLVED:

- (a) That the North Wales Population Needs Assessment be supported prior to submission to Council in February 2022; and
- (b) That the process for the approval of the Regional Market Stability Report be agreed.

96. VEHICLE PERMIT CRITERIA FOR HOUSEHOLD RECYCLING CENTRES

Councillor Banks introduced the report and explained that, following two all Member seminars in September 2021, a number of recommendations were presented to Cabinet on changes to be made to the current waste strategy in order for the Council to achieve 70% recycling by 2025.

One recommendation was to review the Household Recycling Centre (HRC) vehicle permit criteria in order to make it clearer to service users what types and sizes of vehicles should or should not be issued a permit and to ensure that traders did not take advantage of the system. A second recommendation was to introduce a booking system for hazardous and difficult waste streams to better manage their arrival at site.

Both recommendations were approved by Cabinet in September 2021, however a further report was requested to give further clarity on how the changes would be implemented. This report set out the revised Vehicle Permit Policy and proposed the booking criteria for the disposal of asbestos and mattress waste.

The Chief Officer (Streetscene and Transportation) explained that the key points in the proposed Vehicle Permit Criteria Policy were outlined in the report. She added that the current permitting system unintentionally allowed traders and commercial businesses to exploit the system and bring in trade waste streams. When questioned or challenged by staff, some of those customers could become abusive and violent leading to unpleasant working environments.

RESOLVED:

- (a) That the revised Vehicle Permit Policy for Household Recycling Centres be approved; and
- (b) That the Household Recycling Centre booking system criteria be approved.

97. REVENUE BUDGET MONITORING 2021/22 (MONTH 8)

Councillor Johnson introduced the report which provided the latest detailed revenue budget monitoring position in 2021/22 for the Council Fund and Housing Revenue Account for the financial year and presented the position, based on actual income and expenditure, as at Month 8.

The report projected how the budget would stand at the close of the financial year, without new actions to reduce cost pressures and/or improve the financial return on efficiency planning and cost control was:

Council Fund

- An operating surplus of (£0.716m) (excluding the impact of the NJC pay award which would be met by reserves) which was a favourable movement of (£0.061m) from the surplus figure of (£0.655m) reported at Month 7
- A projected contingency reserve balance as at 31st March 2022 of £6.586m

Housing Revenue Account

- Net in-year revenue expenditure forecast to be £0.548m higher than budget
- A projected closing balance as at 31st March 2022 of £3.924m

Details on the impact to the budget due to Storm Christoph were outlined in the report which totalled in the region of £0.200m.

The Corporate Finance Manager explained that the report also detailed the position by portfolio; significant variances that month; achievement of planned in-year efficiencies; emergency funding, unearmarked reserves and earmarked reserves.

RESOLVED:

That the estimated financial impact on the 2021/22 budget be noted.

98. TREASURY MANAGEMENT MID-YEAR REVIEW 2021/22

Councillor Johnson introduced the report which presented the draft Treasury Management Mid-Year Report 2021/22 for approval and recommendation to Council.

As required by the Council's Financial Procedure Rules, this review had been reported to Governance and Audit Committee on 17th November and would be reported to Council on 25th January 2022.

RESOLVED:

That the Treasury Management Mid-Year Report 2021/22 be approved and recommended to Council.

99. LEVELLING UP FUND ROUND TWO

Councillor Butler introduced the report and explained that the Levelling Up Fund (LUF) contributed to the UK Government levelling up agenda by investing in infrastructure that improved everyday life across the UK, including regenerating town centres and high streets, upgrading local transport, and investing in cultural and heritage assets. The £4.8 billion fund was designed to realise a visible and tangible impact on people and places and support economic recovery.

The report proposed the development of two bids to be submitted to the UK Government as part of the round two of the programme expected early in 2022. It was proposed that bids were focussed on the coastal communities of Flintshire to: improve conditions for businesses, reduce crime and anti-social behaviour; bring heritage assets back into use; and encourage local people and visitors to use the coastal area.

Whilst every local authority could bid for LUF funding, the fund was especially intended to support investment in places where it could make the biggest difference to everyday life, including ex-industrial areas, deprived towns, and coastal communities. The UK Government had placed local authorities into categories 1, 2 or 3, depending on their identified level of need, with category 1 representing places deemed in most need of investment. Flintshire County Council had been identified as a 'category 2' local authority.

The LUF enabled local authorities to apply for up to £20m per parliamentary constituency. Bids above £20m and below £50m would be accepted for transport projects only. Round two was expected to commence in spring 2022. The programme was due to end in March 2024 which provided a very constrained period in which to deliver capital projects.

The Chief Officer (Planning, Environment and Economy) explained that the intention was to submit two bids, one for each parliamentary constituency. Bids would focus on involving regeneration, culture and heritage. The Council had appointed Mutual Ventures to project manage the process and contribute to the preparation of bids.

Members welcomed the report and wished the bids every success.

RESOLVED:

- (a) that approval be given to develop and submit bids for Round Two of the Levelling Up Fund in line with the proposals set out in the report; and
- (b) That delegated authority be given to the Chief Officer (Planning, Environment and Economy) and the Cabinet Member for Economic Development to amend and submit the final bids in line with the strategic direction set out in the report, developing specific interventions to reflect the need to submit competitive and deliverable proposals.

100. FLINTSHIRE COAST PARK

Councillor Butler introduced the report and explained that in 2014 a strategic framework of opportunities along the Dee Estuary foreshore was produced. The proposal of a coast park sought to identify the estuary foreshore as a single entity akin to a Regional Park.

The concept of a Flintshire Coast Park should be explored again in light of opportunities related to Levelling Up funding (LUF) availability.

Work to develop a Regional Coast Park for Flintshire would provide a fresh impetus and focus for the coast, raising the profile of the foreshore and enabling communities and businesses to work sustainably and innovatively to help deliver environmental, economic and social prosperity.

Councillor Roberts welcomed the report, and said that a key issue that needed to be addressed was the missing link in the coastal path between Connah's Quay and Flint. Along the A548 it was one of its narrowest sections. There had previously been proposals to resolve the issue but they were rejected at the time by the RSPB and Countryside Council Wales, who were concerned it would clip the site of special scientific interest. He felt improving the path between Connah's Quay and Flint would form a key part of the proposals. A solution was needed with RSPB and Natural Resources Wales as this was an area with potential to be used for walking, cycling and recreational activities. The Chief Officer said he would arrange a meeting with the relevant public bodies to discuss the issue.

All other Cabinet Members welcomed the report, commenting on the heritage, including industrial heritage and the beautiful countryside. Councillor Jones asked if "Northern Gateway" could be amended to read "Northern Gateway Sealand". Councillor Hughes felt Flint Castle was not well advertised, and that the coastal path should link to Greenfield Valley. In response to his comment on the Castle, Councillor Roberts explained that it was the aim of Welsh Government (WG) to have a visitor centre and a café at the Castle.

RESOLVED:

- (a) That the strategic direction set out in the Coast Park Prospectus be noted, and the work to develop the creation of a Regional Flintshire Coast Park be supported; and

- (b) That Cabinet welcomes the views of the Environment and Economy Overview and Scrutiny Committee, and delegates authority to the Chief Officer (Planning, Environment and Economy) (in consultation with the Cabinet Member for Economic Development) to make minor changes to the proposals to reflect those views.

101. FLINTSHIRE ECONOMY UPDATE

Councillor Butler introduced the report which provided a summary of current economic conditions in the region and the County, drawing from a number of sources. The report provided details of the governance structures in place to respond to economic recovery and the work programmes currently underway.

The impacts of the Covid-19 pandemic and the UK departure from the European Union were not yet known, and were still evolving.

The report provided detailed information on Brexit; Covid-19; economic update; commercial estate; business rates; town centres and regional and local responses.

The Chief Officer (Planning, Environment and Economy) explained that this was an evidence based report which had been requested by, and well received by, the Recovery Committee. He added that there had been fewer large-scale redundancies announced following Covid than had been feared. There had been a high level of job vacancies for nursing, personal care, care workers, kitchen and catering assistants, cleaners and van drivers all proving hard to fill.

The Chief Executive welcomed the report which provided a strong assessment of the economy. He thanked officers for the report.

Councillors Bithell and Johnson welcomed the report, commenting that Flintshire had been mentioned in the Sunday Times, reporting that it was bucking the trend in recovery and that Flintshire saw improved figures on the Competitiveness Index. In response to a question from Councillor Bithell, the Chief Executive said that a discussion took place at Recovery Committee on skills and linking in with the North Wales Economic Ambition Board (NWEAB). The Committee requested that a representative from the NWEAB attend a future meeting to explain how they were linking into Flintshire to drive the local economy.

RESOLVED:

That the contents and conclusions of the report be noted and supported.

102. PARC ADFER COMMUNITY BENEFIT FUND

Councillor Banks introduced the report and explained that, as part of the procurement of the Parc Adfer contract and the North Wales Residual Waste Treatment Partnership (NWRTP), it was agreed to fund and manage a Community Benefit Fund (CBF) that would run for the duration of the contract.

The CBF was a contractual commitment between the Authority and Enfinium (formerly Wheelabrator Technologies Inc) and was also a contractual commitment for each individual partner authority within the Second Inter Authority Agreement.

To date the CBF had been used to fund an initial Parc Adfer Community Recovery Fund, which was now closed for applications. It awarded grants to over 10 projects with a total value of over £60,000. Details of the main CBF, including project and eligibility criteria, were outlined in the report, seeking approval for a launch in early 2022.

The existing panel and governance arrangements set up for the Community Recovery Fund would remain largely in place for the main CBF when it was launched, as will many of the overarching eligibility criteria. However, the type of projects to be funded would be different to reflect the original intention of the fund which was to fund community projects which provided environmental benefit to the local area.

Councillor thanked the Project Manager, Steffan Owen, for all of his work on this project.

On the project criteria, the Chief Officer (Streetscene and Transportation) explained that there were 5 criteria, not 6 as stated in the report. Following Cabinet approval, the North Wales Residual Waste Joint Committee (NWRWJC) would be briefed on the outcome and revised eligibility criteria for the CBF. Once that briefing had taken place, the CBF could be launched publicly with the issue of a press statement, update on the Council's website and a letter written to stakeholders to inform them. It was anticipated that this could occur in late February / early March 2022.

RESOLVED:

- (a) That the main eligibility and proposed criteria for the Parc Adfer Community Benefit Fund be approved and the proposed launch of the fund in early 2022 be supported; and
- (b) That delegated authority be given to the Chief Officer (Streetscene and Transportation), in consultation with the Cabinet Member for Streetscene, to make amendments to the necessary documentation (e.g. guidance notes) that are contained within the fund's intentions and desired outcomes, and to make minor changes to the governance arrangements (e.g. panel membership, officer support etc).

103. FOOD SERVICE PLAN 2021-22 FOR FLINTSHIRE COUNTY COUNCIL

Councillor Bithell introduced the report and explained that the Food Service Plan provided an overview of the Food Service in line with The Framework Agreement on Official Feed and Food Controls by Local Authorities April 2010. The plan set out the aims and objectives for the Service for the forthcoming year, and how those were to be achieved.

The 2021-22 Plan had been delayed due to the pressures brought about on the service by the global pandemic and also the late publication of the Recovery Plan by the Food Standards Agency.

The Chief Officer (Planning, Environment and Economy) outlined the key achievements for 2020-21, and the targets for 2021-22.

Members thanked the team for the work they undertook.

RESOLVED:

That the Food Service Plan 2021-22 be approved.

104. EXERCISE OF DELEGATED POWERS

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

Education and Youth

- **Local Authority Appointed School Governors**
Appointment of Local Authority Governor(s) representatives on school governing bodies in accordance with The Government of Maintained Schools (Wales) Regulations 2005.

Housing and Assets

- **Council Rent – Application to Write Off Tenancy Arrears**
Financial Procedure Rules (section 5.2) stipulates that individual bad and irrecoverable debts in excess of £5,000 are considered for write off in conjunction with the relevant Cabinet Member. The decision to write off is in respect of two separate cases where tenants are subject to Debt Relief Orders (DROs). In the first case, rent arrears of £6,356.86 are included in the DRO. In the second case, the rent arrears of £9,361.53 are included in the DRO. The arrears are no longer recoverable in either case.
- **Housing Benefit Overpayment**
Financial Procedure Rules (section 5.2) stipulates that individual bad and irrecoverable debts in excess of £5,000 are considered for write off in conjunction with the relevant Cabinet Member. The decision to write off is in respect of one customer who is subject to a Debt Relief Order (DRO). The Housing Benefit Overpayment of £6,397.83 is included in the DRO which is now irrecoverable as a result of the award of the DRO.
- **Housing Benefit Overpayment**
We have an overpayment of £14,713.92 for the period 06.04.15 to 29.09.19. The overpayment has been referred to fraud however they sent it to compliance so it cannot be treated as fraud. A Debt Relief Order (DRO) has

now been received that includes our debt so we are unable to recover the overpayment.

Executive Office

- **Amendment to Council Community Chest Grant Scheme to Reduce the Time Limits Within Which Local Authorities can Re-apply for funding**
The Council's Community Chest Grant provides grants of up to £1,000 for local community organisations who meet the grant criteria. Successful organisations cannot re-apply for a new grant within a three year financial period of receiving a grant of £1,000 from this fund. This has meant that some applications, that would otherwise be successful, are rejected on this basis whilst there is surplus money available which is not awarded each financial year. Reducing the time limit to a two year (rolling) period in which organisations can re-apply for the funding will ensure timely, financial support is available to local organisations and ensure the fund is fully allocated each financial year.

Revenues

- **Business Rates Write Offs**
The Corporate Finance Manager and the Cabinet Member for Corporate Management and Assets are authorised to write off debts between £5k and £25k. A Business Rate debt totalling £17,428 for Nite Stop Ltd, T/A A55 Holiday inn is irrecoverable and has been written off as the company entering into liquidation and was wound up on 20th July 2021.
- **Council Tax Write Offs**
The Corporate Finance Manager and the Cabinet Member for Corporate Management and Assets are authorised to write off debts between £5k and £25k. Three Council Tax debts totalling £16,910.49 are deemed to be irrecoverable and are subject to write off.
 - Case 1 has a balance outstanding of £6,186.52 and the liable person has entered an insolvency – Individual Voluntary arrangement
 - Case 2 is for £5,119.49 and the liable person has been declared bankrupt on the 6th August 2021
 - Case 3 has a balance of £5,604.48. The liable person has passed away and there is no money in the estate to pay these debts

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).

105. RESIDENTIAL SHORT BREAKS AND THERAPEUTIC SERVICES FOR CHILDREN AND YOUNG PEOPLE IN FLINTSHIRE

Councillor Jones introduced the report and explained that the current contracts were due to expire in March 2022 and as such, the services would be required to go out to competitive tender in order to comply with the Contract Procedure Rules and the Public Contract Regulations.

RESOLVED:

- (a) That the proposal to re-commission the Residential, Short Breaks and Therapeutic Services for Children and Young People in Flintshire in line with Contract Procedure Rules be approved; and
- (b) That delegated powers be given to the Chief Officer (Social Services) to enter into a contract with the successful provider following the procurement process.

106. MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE

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

(The meeting commenced at 10.00 a.m. and ended at 11.20 a.m.)

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Chair