

CABINET
15TH MARCH 2022

Minutes of the meeting of the Cabinet of Flintshire County Council held virtually via Zoom on Tuesday 15th March 2022.

PRESENT: Councillor Ian Roberts (Chair)

Councillors: Glyn Banks, Chris Bithell, Dave Hughes, Paul Johnson, Christine Jones and Billy Mullin.

IN ATTENDANCE:

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

OTHER MEMBERS IN ATTENDANCE:

Councillor Patrick Heesom.

APOLOGY:

Councillor Derek Butler.

Councillor Roberts thanked all Cabinet Members and Chief Officers for their support during the time of the current administration.

126. DECLARATIONS OF INTEREST

None.

127. MINUTES

The minutes of the meeting held on 15th February 2022 were submitted and confirmed as a correct.

RESOLVED:

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

128. NATIONAL COLLABORATIVE ARRANGEMENTS FOR WELSH (LOCAL AUTHORITY) ADOPTION AND FOSTERING SERVICES

Councillor Jones introduced the report and explained that, through the Welsh Local Government Association (WLGA), proposals had been developed to extend the governance structure of the National Adoption Service (NAS) to incorporate a national approach to specific fostering services through Foster Wales (FW).

WLGA lawyers had drafted a Joint Committee Legal Agreement to be signed by all 22 local authorities, with the Agreement containing a formal Scheme of Delegation with a Joint Committee providing the mechanism for all Welsh local authorities to discharge an executive and oversight role for NAS and FW.

The Chief Officer (Social Services) explained that the report sought agreement to sign the Joint Committee Agreement for the proposed Joint Committee. Agreeing those proposals, and signing the Joint Committee Agreement, would put Flintshire Council's cooperation in those collaborative arrangements on a formal basis. The Agreement clarified roles and responsibilities for the hosting of, and delivery of their adoption and fostering responsibilities.

Local authorities were asked to sign and return the Joint Agreement to the WLGA by 31st March 2022. Each local authority would need to nominate a Member of the Executive/Cabinet to be a voting Member on the Joint Committee.

In response to a question from Councillor Bithell, the Chief Officer (Social Services) explained that funding for this was through a grant which would end in March 2023. The need for a funded exit strategy had been raised with Welsh Government to enable a sustained service beyond the grant period.

Following a question from Councillor Banks, the Chief Officer (Governance) confirmed that the representative on the Joint Committee should be the post of Cabinet Member for Social Services.

RESOLVED:

- (a) That proposals for developing the governance arrangements for the National Adoption Service for Wales, as it assumes responsibility for Foster Wales, be adopted;
- (b) That Cabinet support the signing of the Joint Committee Agreement for the National Adoption Service and Foster Wales;
- (c) That the representative on the Joint Committee be the Cabinet Member for Social Services; and
- (d) The development of the national approach, associated delegation of governance, and local scrutiny arrangements be reported to Constitution and Democratic Services Committee, Social and Health Care Overview and Scrutiny Committee and Full Council.

129. REVENUE BUDGET MONITORING 2021/22 (MONTH 10)

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 10.

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 (£4.604m) which was a favourable movement of (£3.067m) from the surplus figure of (£1.537m) reported at Month 9
- A projected contingency reserve balance as at 31st March 2022 of £5.973m (after taking into account the 2021/22 NJC pay award and the increased contribution to the Emergency Reserve agreed as part of the 2022/23 Budget)

Housing Revenue Account

- Net in-year revenue expenditure forecast to be £0.382m higher than budget
- A projected closing balance as at 31st March 2022 of £4.035m

The significant movement at Month 10 was in the main as a result of additional Social Care funding for Winter pressures being confirmed late in the financial year by Welsh Government (WG) of £2.167m, together with additional grant funding criteria being updated by WG within Children's Services of £0.292m.

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.

Councillor Bithell asked if any costs associated with damage and subsequent clear up from the recent storms were known. The Chief Executive said the damage had not been as significant as was feared, and the Chief Officer (Streetscene and Transportation) clarified that the costs were still be worked through.

In response to a further question from Councillor Bithell, the Chief Executive explained that energy was purchased in advance with the gas contract running out in April 2023 and the electricity contract running out in October 2022.

RESOLVED:

- (a) That the estimated financial impact on the 2021/22 budget be noted; and
- (b) That the carry forward requests be approved.

130. SCHOOL ADMISSION ARRANGEMENTS

Councillor Roberts introduced the report which advised on the outcome of the statutory consultation exercise on the admission arrangements for 2023/24 for approval.

In accordance with the School Admissions Code, the local authority was required to undertake a statutory consultation exercise on its admission arrangements for the following year. Consultation must be complete by 1st March and the admission arrangements must be determined by 15th April each year. Statutory consultees included all schools in the area, the diocesan authorities and neighbouring authorities.

The current admission arrangements had been in place since 2003 and the majority of parental preferences continued to be met. The number of admission appeals in recent years were outlined in the report.

The consultation process took place between 05.01.22 and 04.02.22 and no comments were received. There were no changes proposed to the admission arrangements.

RESOLVED:

That the proposed admission arrangements for 2023/24 be approved.

131. ANIMAL WELFARE (LICENSING OF ACTIVITIES INVOLVING ANIMALS) (WALES) REGULATIONS 2021

Councillor Bithell introduced the report and explained that the Animal Welfare (Licensing of Activities Involving Animals) (Wales) Regulations 2021 required, subject to qualifying criteria, any person wishing to sell animals in the course of a business to obtain a licence from their local authority under those regulations.

The main changes introduced by the regulations were:

- To require the licensing of operators which sold animals as pets in the course of a business including keeping animals in the course of a business with a view to their being sold or resold
- To introduce stricter welfare standards for those that sold animals as pets
- To introduce mandatory licensing conditions for those licensed to sell animals as pets
- Introducing a ban on the commercial third party sale of puppies and kittens

In order to deal efficiently with applications and animal welfare issues, it was proposed that the powers within the legislation be delegated to the Team Manager – Licensing & Pest Control and the Service Manager for Community and Business Protection.

RESOLVED:

- (a) That delegated powers be given to the Team Manager – Licensing & Pest Control and the Service Manager for Community and Business Protection for the following powers contained in the Animal Welfare (Licensing of Activities Involving Animals) (Wales) Regulations:
- Power to grant a licence
 - Power to refuse a licence
 - Power to renew a licence
 - Power to vary a licence
 - Power to vary a licence with immediate effect
 - Power to impose conditions
 - Power to suspend a licence

- Power to suspend a licence with immediate effect
 - Power to reinstate a suspended licence
 - Power to revoke a licence
 - Power to appoint inspectors
- (b) That the Flintshire County Councils Constitution be amended to reflect the change; and
- (c) That any changes to the delegation of powers in respect of those regulations are delegated to the Chief Officer (Planning, Environment and Economy) in discussion with the Cabinet Member for Planning and Public Protection.

132. **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.

Revenues

- **Business Rates – Adoption of Retail, Leisure and Hospitality Rates Relief (RLHRR) Scheme for 2022/23**
Welsh Government (WG) have extended the business rate relief scheme aimed at supporting business in the retail, leisure and hospitality sectors. Eligible ratepayers will be provided with 50% rate relief. The scheme is a temporary measure to support businesses and is fully funded by WG. There is also requirement for individual local authorities to adopt the schemes and determine which businesses can be awarded relief using the scheme guidance provided by WG.

Streetscene and Transportation

- **The Flintshire County Council B5127 Mill Lane, Elfed Drive, Potters Way, Beechtree Road, Tabernacle Street, Orchard Close, Padeswood Road North, Mold Road, Brunswick Road and Hawkesbury Road, Buckley – Proposed Prohibition of Waiting At Any Time**
To advise Members of the correspondence received following the advertisement of the proposed Prohibition of Waiting At Any Time on the roads listed above.

**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).

133. NEWYDD BUSINESS PLAN 2022/23

The Chief Executive introduced the report which outlined the NEWydd Business Plan for 2022/23.

In October 2021 Cabinet agreed a new/extended Services Concession Agreement with NEWydd from 1st April to 31st March 2024. In line with that arrangement NEWydd were required to produce an annual Business Plan to include financial budgeting and forecasting.

RESOLVED:

- (a) That the strategic risks facing the business be noted and the Business Plan 2022/23, including the mitigation of those risks identified, be endorsed; and
- (b) That Cabinet continue to support and approve the current approach regarding delegated powers in relation to setting the price of a Primary School meal (delegated to the Cabinet Member and Managing Director).

134. 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 10.45 a.m.)

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Chair