

CABINET
17 JANUARY 2017

Minutes of the meeting of the Cabinet of Flintshire County Council held at Clwyd Committee Room, County Hall, Mold CH7 6NA on Tuesday, 17th January, 2017

PRESENT: **Aaron Shotton (Chair)**

Councillors: Bernie Attridge, Chris Bithell, Helen Brown, Derek Butler,
Christine Jones, Kevin Jones and Billy Mullin

IN ATTENDANCE:

Chief Executive, Chief Officer (Community and Enterprise), Chief Officer (Governance), Chief Officers (Organisational Change), Chief Officer (Social Services), Chief Officer (Streetscene and Transportation), Corporate Finance Manager, Finance Manager – Technical Accountancy, and Human Resources Manager

Simon Morgan – Cambrian Aquatics Director attended for agenda item number 4 – Connah’s Quay Swimming Pool: Cambrian Aquatics Overview of Business Plan 2016/18

OTHER MEMBERS IN ATTENDANCE:

Councillor David Mackie

117. DECLARATIONS OF INTEREST

Councillor Butler declared a personal interest in agenda item number 10 – Council Tax and Business Rate Statutory Policies 2017/18.

Councillors Bithell and Brown declared personal and prejudicial interests in agenda item number 10 – Council Tax and Business Rate Statutory Policies 2017/18.

Councillor Kevin Jones declared a personal interest in agenda item number 16 – Alternative Delivery Model Social Care Learning Disability Day Care and Work Opportunity Services.

118. MINUTES

The minutes of the meetings held on 6th December 2016 and 13th December 2016 had been circulated with the agenda.

On minute number 109 – Welsh in Education Strategic Plan, Councillor Bithell explained that his comment was in relation to commuted funding. It was agreed that the minute would be amended to reflect that.

RESOLVED:

That subject to the above amendment, the minutes be approved as correct records.

119. CONNAH'S QUAY SWIMMING POOL : CAMBRIAN AQUATICS OVERVIEW OF BUSINESS PLAN 2016/18

Councillor Kevin Jones introduced the Connah's Quay Swimming Pool: Cambrian Aquatics Overview of Business Plan 2016/18 report and welcomed Simon Morgan, Director of Cambrian Aquatics to the meeting.

The Chief Officer (Organisational Change) explained the background to the report following the transfer of Cambrian Aquatics as part of a Community Asset Transfer (CAT) scheme in May 2016.

Since the swimming pool had opened in May 2016 it had operated successfully and the report summarised the positive progress made. The report also proposed a grant of £0.065m for the second year of operation based on the updated business plan which was appended to agenda item number 15 and would be discussed in closed session due to commercial sensitivities.

Simon Morgan thanked the Leader for the opportunity to address Members to highlight the progress to date of Cambrian Aquatics.

He explained that since its inception 26 staff had been recruited and over £20k had been invested in staff training. 14 primary schools were accessing the pool for swimming lessons with the opportunity of quiet working following their swim sessions. All of the community benefits had been achieved and the numbers of public swim sessions had doubled and had received excellent feedback. A clear maintenance schedule was in place with plans to replace the current less energy efficient lighting and work was underway to attract grant funding to subsidise that project. Cash flow of the business remained a challenge but the target of £50 per hour was being achieved in the main.

The Chief Officer (Organisational Change) said this was an excellent example of a successful CAT. The revenue grant of £0.065m would assist with the business moving into the second year and help it to build reserves for the future.

Councillor Attridge thanked Simon Morgan, the Chief Officer (Organisational Change) and Councillor Kevin Jones for their work on the CAT. The report was positive and demonstrated that what the authority had set out to achieve had been met and resulted in the future of the swimming pool in Connah's Quay being secured for future generations.

In response to a question from Councillor Bithell, the Chief Officer (Organisational Change) explained that work was ongoing with Town and Community Councils to seek investments for Cambrian Aquatics. Simon Morgan added that the facilities were used by residents from a wide catchment area and demographic information on the broad usage had been shared with Town and Community Councils.

Councillor Shotton said this was a watershed moment for Flintshire County Council which saw an organisation grow from the grass roots, which had not been witnessed before, and the experiences could be shared with other CATs.

Simon Morgan confirmed that meetings had been held with other CAT groups and he was happy to provide any advice in their development.

RESOLVED:

That a revenue grant of £0.065m be provided to Cambrian Aquatics to support the operation of Connah's Quay Swimming Pool in line with the legal agreements already signed between Cambrian Aquatics and Flintshire County Council.

120. COUNCIL FUND BUDGET 2017/18 – PART 3 CLOSING STRATEGY

Councillor Shotton introduced the Council Fund Budget 2017/18 – Part 3 Closing Strategy report which provided an update on the remaining amount to be found to achieve a balanced budget.

The Chief Executive explained that the remaining gap was £2m which was a slight increase to the figure of £1.9m reported to County Council in December. The limited options available to close the gap, which were set out in full in the report, were:

- Domiciliary Care – Charging Levels
- Local Taxation
- School Investment
- Use of Reserves and Balances

On Domiciliary Care, a Welsh Government (WG) announcement had recently been made on raising the charging cap from the current amount of £60 per week to £70 per week from 1st April 2017. For Flintshire, that would generate an additional income of £0.238m in 2017/18. In addition, WG had announced that as part of the Settlement, an additional £10m to support the rising costs of domiciliary care across Wales would be provided. Bases on an assumed formula distribution the Council should receive additional funds in the region of £0.430m.

The North Wales Fire and Rescue Authority had approved an increase of 4% on its levy which for Flintshire, when taking population changes into account, resulted in an annual increase of 4.52% (£0.317m) which was not included in the budget. An option was to add the levy increase to the planned Council Tax increase which would raise it from 3.00% to 3.55%.

The Corporate Finance Manager explained that there was the option to utilise reserves to assist in closing the budget gap but that would only provide a one year solution. As part of the approved Corporate Financial Stewardship options an amount of £0.699m had already been earmarked to meet the first year costs of the new UK Government Apprentice Tax Levy. A decision on what was considered to be a prudent use of reserves needed to take into account both the future sustainability of the budget and the impact on the reserve levels which remained for future years.

The outstanding risks and issues, which were detailed in full in the report, were:

- Single Environment Grant
- Transportation Costs
- Household Recycling Centres

- Car Park Income – County Hall
- Impact of the Outturn 2016/17

In response to a question from Councillor Bithell, the Chief Executive explained that the Police Precept increase was expected to be between 3.5/4%.

The Chief Executive explained that the report would be considered at a special meeting of Corporate Resources Overview and Scrutiny Committee on 20th January which all Members had been invited to. Final budget proposals would be considered by Cabinet on 14th February prior to consideration by County Council later that day.

RESOLVED:

- (a) That the details and the implications of the Welsh Government Final Settlement be noted; and
- (b) That the limited options for closing the remaining 'gap' of £2m, for consultation with the Corporate Resources Overview and Scrutiny Committee, be reviewed.

121. DRAFT HOUSING REVENUE ACCOUNT (HRA) BUDGET 2017/18 & CAPITAL PROGRAMME 2017/18

Councillor Brown introduced the Draft Housing Revenue Account (HRA) Budget 2017/18 & Capital Programme 2017/18 report.

The HRA was required to produce a 30 year business plan with a focus on the achievement of the Welsh Housing Quality Standard (WHQS), Choices document promises, ongoing efficiencies made and 200 new Council homes being built. The longer term picture showed a strong account with surplus income over expenditure needs which presented opportunities to do more to improve service delivery, provided reassurance that once achieved, the WHQS could be maintained, and could provide further capital funding for new builds.

A rent increase of 2.5% (plus up to or minus £2) per week was being recommended as was a garage rent increase of £1 per week and a garage plot rent increase of £0.20 per week.

£20m had been built into the WHQS and Asset Investment Programme for 2017/18 which included provision for internal work streams, external enveloping works, environmental programmes, fire risks and Disability Discrimination Act (DDA) works, asbestos, off gas and energy efficiency works. In addition, £7,704 of prudential borrowing had been budgeted in 2017/18 for Council housing building schemes.

Councillor Shotton said this was a momentous year for Flintshire with the progress on the new build schemes and the investment in the current housing stock. Councillor Attridge concurred and said a commitment had been given in 2012 to build new Council houses and that had now come to fruition. The homes were much needed and he received compliments on the scheme in Connah's Quay on a daily basis.

The Chief Executive said that the commitment in the Choices document had been honoured but the Major Repairs Allowance (MRA) continued to be a risk MRA as its long term continuity as core capital funding was not assured at a national level.

Councillor Brown commented on the Flintshire Standard and that the new build scheme in Connah's Quay had exceeded the expectations of tenants.

RESOLVED:

- (a) That the HRA budget for 2017/18 as set out in the business plan be approved and recommended to Council;
- (b) That a rent increase of 2.5% (plus up to or minus £2) as set out in the business plan with target rents applied for new tenancies be approved;
- (c) That a garage rent increase of £1 per week and a garage plot rent increase of £0.20 per week be approved and recommended to Council; and
- (d) That the proposed HRA Capital Programme for 2017/18 as set out in Appendix D be approved.

122. BUY BACK OF COUNCIL RIGHT TO BUY (RTB) PROPERTIES

Councillor Brown introduced the Buy Back of Council Right to Buy (RTB) Properties report. A new policy was proposed which set out the Councils approach to the strategic acquisition of properties that became available on the open market including taking up the option of purchasing ex Council properties that had been sold under the Right to Buy (RTB) scheme.

The Chief Officer (Community and Enterprise) explained that the policy also highlighted the potential circumstances wherein the Council may consider property purchases as a "strategic acquisition", where there was a sound business case for doing so.

Examples of "strategic acquisition" were:

- Properties causing blight in neighbourhoods where the Council had an interest or investment;
- Properties where the owner was struggling with mortgage or cost of maintaining the property;
- Properties that could meet an unmet demand; and
- Properties that would free up land or access to a site suitable for development of affordable housing.

Councillor Shotton welcomed the report which was a significant milestone in helping to tackle the ongoing housing crisis.

The Chief Officer (Community and Enterprise) said the report had been considered at Community and Enterprise Overview and Scrutiny Committee and had been welcomed by Members.

RESOLVED:

That the implementation of a Strategic Acquisition Policy (incorporating Right to Buy Buyback) be approved.

123. LOCAL PLANNING GUIDANCE NOTES TO BE FORMALLY ADOPTED AS SUPPLEMENTARY PLANNING GUIDANCE NOTES

Councillor Attridge introduced the Local Planning Guidance Notes (LPGNs) to be Formally Adopted as Supplementary Planning Guidance Notes report which sought final approval for them to be used in support of policies in the adopted Flintshire Unitary Development Plan (UDP), for use in determining planning applications.

Councillor Bithell said he was a member of Planning Strategy Group where the LGPNs had been discussed and he particularly welcomed No. 23 – Developer Contributions to Education which would help to cater to the requirements of the pupils on a need basis.

The Chief Officer (Planning and Environment) explained that the benefits of the guidance notes being adopted were that they were afforded greater weight as material planning considerations on land use planning decisions than had previously been the case.

RESOLVED:

That the guidance notes as Supplementary Planning Guidance be approved.

124. REVENUE BUDGET MONITORING 2016/17 (MONTH 8)

The Corporate Finance Manager introduced the Revenue Budget Monitoring 2016/17 (Month 8) report which provided the latest revenue budget monitoring position for 2016/17 for the Council Fund and Housing Revenue Account based on actual income and expenditure. The report projected how the budget would stand at the close of the financial year if all things remained equal.

The projected year end position, without any further action to reduce cost pressures or to identify new efficiencies was:

Council Fund

- Net in year expenditure comprised an operating deficit of £1.810m – an increase in the deficit of £0.039m from Month 7
- The overall projected in-year position had improved by £2.886m due to the change in accounting policy for MRP as agreed by County Council This had the effect of eliminating the operating deficit
- Projected contingency reserve balance of £4.268m

Housing Revenue Account

- Net in year expenditure forecast to be £0.037m higher than budget

- Projected closing balance as at 31st March 2017 of £1.061m

The report had been submitted to the recent Corporate Resources Overview and Scrutiny Committee where questions had been asked on mitigating risks in the future. The Chief Executive added that a discussion had taken place on the in-year operating deficit of £1.810m to which he had explained that a significant amount of work had been undertaken to ensure that those risks did not recur from 1st April 2017.

On Transport costs, following the liquidation of one of the transport operators, Welsh Government (WG) had offered a provisional grant award to the three local authorities affected for 2016/17. Negotiations were ongoing on the distribution of the grant and the information should be available to be included in the month 9 budget report.

On the vacancies in social work outlined in the report, Councillor Bithell asked if recruitment from other countries was being considered as had previously when the Authority had recruited social workers from Canada. The Chief Executive explained that this was not actively being done. He commented on the area of work and the spikes in demand with the best way to obtain immediate supply being through agencies.

The report covered significant budget movements; programme of efficiencies; inflation; reserves and balances; and an overview of the Housing Revenue Account.

RESOLVED:

- (a) That the overall report and projected Council Fund contingency sum as at 31st March 2017 be noted, and work on actions and options for mitigating action continue to be supported; and
- (b) That the projected final level of balances on the Housing Revenue Account be noted.

125. COUNCIL TAX AND BUSINESS RATE STATUTORY POLICIES 2017/18

Councillor Mullin introduced the Council Tax and Business Rate Statutory Policies 2017/18 report.

Each year there was a need to approve certain policies for the administration of Council Tax and Business Rates which were:

- Council Tax Discounts on second and long term empty homes;
- Council Tax Discretionary Discounts;
- Business Rates Discretionary Rate Relief; and
- Business Rates 'top-up' Discretionary Rate Reliefs to small businesses

The Chief Officer (Community and Enterprise) added that the policy framework for Business Rates Discretionary Rate Relief in 2017-18 had been approved by Cabinet in July 2016, and that for empty properties in May 2016.

RESOLVED:

- (a) That a policy of not awarding Council Tax discounts on second and long term empty homes in 2017-18 be adopted. This will enable the Council to raise a Council Tax premium, in certain circumstances, at the rate of 50% above the standard rate of Council Tax as already agreed through the introduction of the Premium scheme from 2017-18 (i.e. a 150% charge);
- (b) That the current policy to only consider Discretionary Council Tax discounts in cases of civil emergencies and natural disasters be continued;
- (c) That the implementation of the new Discretionary Business Rate Relief Policy Framework for 2017-18 as previously agreed by Cabinet be noted; and
- (d) That the current policy of not awarding 'top-up' Discretionary Discounts to businesses already qualifying for Small Business Rate Relief be continued in 2017-18.

126. THEATR CLWYD - COMPLIMENTARY TICKET POLICY

The Chief Officer (Organisational Change) introduced the Theatr Clwyd – Complimentary Ticket Policy report.

In October Cabinet had asked the Theatr Board to consider the notice of motion that was submitted to County Council on 14th June 2016 and to provide a final response on how the issue would be addressed. The Board met in November and agreed to implement the notice of motion from the next season which began in January 2017.

The Chief Executive said he had been at the Board meeting in November where the resolution was fully supported. Following an article in the Daily Post, the Chief Executive clarified that he welcomed the decision to stop offering complimentary items to board members, Councillors and other officials which, despite such a practice being adopted throughout the industry to help develop audiences and encourage sponsor and media patronage, and despite the fact the practice had a minimal financial impact, it was the right decision from the point of view of public perception. He referred to the comment made by the Chair of the Board, Councillor Ron Davies adding it was important to note that he and many other of the Board members had waived the privileges for many years and, in fact, had often made donations to the Theatr.

RESOLVED:

That the response from the Theatr Board be welcomed.

127. PLAY AREAS, PLAY SCHEMES AND STRATEGIC PLAY FORUM UPDATE

Councillor Kevin Jones introduced the Play Areas, Play Schemes and Strategic Play Forum Update report.

The Council had made a commitment to the sustaining of play activity in the County through:

- Continuation of the revenue match funding for play areas (£0.105m per annum);
- Provisional allocation of capital funding through the capital programme to refurbish play areas (£0.887m over three years subject to Council decision in February);
- To continue to maintain all play areas during 2017/18;
- One year of transition funding to enable play schemes to continue during 2016 after the cessation of Welsh Government Grant from Families First; and
- The agreement to re-invigorate the Flintshire Strategic Play Forum to co-ordinate play activity across Flintshire.

The report provided a progress update against those issues including recommending approval of the match funding schemes for play areas and the allocation of a one off sum of £0.040m to support play schemes in 2017.

The Council operated a revenue match funding scheme aimed at maintaining play areas that required a match fund from Town and Community Councils. A list of schemes put forward by Town and Community Councils was appended to the report and totalled £0.123m which was £0.018m over the available budget. It was proposed to roll the revenue funding for 2015/16 and 2016/17 into one fund to deliver all of the schemes which would leave £0.087m available for match funding schemes in 2017/18.

The Council had provisionally allocated £0.887m of capital funding to refurbish play areas over the next three financial years, subject to agreement of the capital programme in February. It was proposed based on need and sustainability to bring a programme of proposed projects to Cabinet early in 2017.

A one off funding of £0.080m had been provided to continue the level of play scheme provision provided in previous years. Those schemes were funded partly by the County Council and partly by Town and Community Councils. It had been made clear by the Council that funding would not continue in 2017/18 and the Council had been working to enable sustainability of provision without funding. The result was to provide a three week offer to all areas apart from Connah's Quay, which had a much larger scheme that Town and Community Councils could buy back from the Council. The proposal was that the Council allocate a one off fund of £0.040m to enable the costs for Town and Community Councils to be reduced by an average of 50%. For example, an area with one play scheme would see an increase of £409 for Town and Community Councils making a total cost for a play scheme provision of £1,309. Without the Council's contribution, the increase for Town and Community Councils would have been £818.

It had been agreed that the Flintshire Strategic Play Forum be re-established and an initial seminar had been held in November 2016. The next steps would be the appointment of a Chair and Vice Chair and training for Members after May 2017.

Councillor Shotton welcomed the report which demonstrated a continuation of supporting play provision in the County.

The Chief Executive said the report had been fully supported at the recent Organisational Change Overview and Scrutiny Committee. He added that this was a one year solution but meant that Town and Community Councils were provided with more time to identify a solution beyond 2017 for play schemes.

Councillor Kevin Jones commented that the provision of play linked to the earlier item on Local Planning Guidance Notes and provision could now be tailored based on need. Councillor Attridge added that alongside supplying play areas, Section 106 agreements could include maintenance of such areas.

RESOLVED:

That the approach outlined in the report to continue to sustain play activity in Flintshire including the details below be adopted:

- Agreement of the play area match funding schemes detailed at Appendix 1; and
- The allocation of a one off fund of £0.040m to support a Flintshire play scheme programme for 2017.

128. WELSH PUBLIC LIBRARY STANDARDS: REVIEW OF PERFORMANCE 2015/16

Councillor Bithell introduced the Welsh Public Library Standards: Review of Performance 2015/16 report.

The fifth quality framework of Welsh Public Library Standards that was operated within provided opportunities for libraries to deliver services in innovative ways including the flexibility to make best use of the resources available to them. Library services contributed to a range of Welsh Government (WG) outcomes such as literacy, skills and learning, digital inclusion, poverty, and health and well-being. The framework was themes around four core service aspects:

- Customers and communities;
- Access for all;
- Learning for life; and
- Leadership and development

There were 18 core entitlements which outlined what residents could expect of their library service and in 2015-16 Flintshire met 17 of them in full and partially met one. This was expected to be 18 in the next return as all service points would offer Wi-Fi.

There were 23 quality indicators, not all of which were measured by targets. Of those measured by targets, Flintshire achieved two in full, four in part and did not meet one.

Councillor Shotton commented on the library in Holywell which had recently opened within the Leisure Centre. He thanked everybody involved in the project which had received positive feedback locally.

RESOLVED:

That the progress of delivery against Welsh Public Library Standards be noted.

129. THE INTEGRATED TRANSPORT UNIT

Councillor Attridge introduced the Integrated Transport Unit (ITU) report which provided details on a proposed revised procurement process and a starting date for new contracts.

At any one time the ITU had approximately 450 individual contracts with local suppliers, delivering all of the transport needs for Schools, Colleges, Social Care and the general Public Transport service. This created a significant amount of workload for staff within the service and put pressure on the local supply chain to deal with the continuous tender processes.

The report proposed a revised procurement option which would reduce the workloads both within the ITU and for the local supply chain with contracts operating for a period of four years from the start of the new arrangement. In order to align the commencement dates for all of the existing contracts it would be necessary to extend the current transport contracts to the proposed start date of the new arrangement which was 4th September 2017.

Councillor Kevin Jones welcomed the report which would result in a streamlined process and also provide security to operators for the duration of the contract.

RESOLVED:

- (a) That the new procurement model for the Transportation contracts, detailed within the Procurement Commissioning Form, be approved; and
- (b) That the extension of the existing Transport contracts until 4th September 2017, in order to coincide with the commencement of the new procurement arrangements, be approved.

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 14 of Part 4 of Schedule 12A of the Local Government Act 1972 (as amended).

130. CONNAH'S QUAY SWIMMING POOL : DETAILED BUSINESS PLAN 2016/18

The Chief Officer (Organisational Change) introduced the Connah's Quay Swimming Pool: Detailed Business Plan report. The report detailed key financial information which was in addition to agenda item number 4 which had been considered in open session.

Members welcomed the report and the progress of Cambrian Aquatics during their first year of trading.

RESOLVED:

- (a) That a revenue grant of £0.065m be provided to Cambrian Aquatics to support the operation of Connah's Quay Swimming Pool in line with the legal agreements already signed between Cambrian Aquatics and Flintshire County Council; and
- (b) That release of the grant be subject to a number of conditions as follows:
 - An updated full profit and loss breakdown to be provided before release of the grant;
 - A full year review document to be provided after the end of May 2017 and before the end of July 2017; and
 - Audited accounts to be received before the end of 2017.

131. ALTERNATIVE DELIVERY MODEL SOCIAL CARE LEARNING DISABILITY DAY CARE AND WORK OPPORTUNITY SERVICES

Councillor Christine Jones introduced the Alternative Delivery Model Social Care Learning Disability Day Care and Work Opportunity Services report.

The Chief Executive explained that approval was sought for a preferred provider to enable further clarifications to be sought on their submitted bid prior to a final decision in March over whether to award a contract. This would enable the other company who had submitted a bid to be informed that they had not been awarded the contract.

RESOLVED:

- (a) That Home Farm Trust be approved as the preferred provider to deliver the Learning Disability Day Care and Work Opportunity Services to proceed to a stage of further clarifications on their submitted bid prior to a final decision over whether to award a contract; and
- (b) That a full and final report be brought back to Cabinet no later than March to inform a decision on the future model for the service and whether to award a contract.

132. MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE

There were no members of the public and one member of the press in attendance.

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Chairman