

CABINET
26TH SEPTEMBER 2022

Minutes of the meeting of the Cabinet of Flintshire County Council held virtually via Zoom on Monday 26th September 2022.

PRESENT: Councillor Ian Roberts (Chair)

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

IN ATTENDANCE:

Chief Executive, Chief Officer (Governance), Chief Officer (Social Services), Chief Officer (Streetscene and Transportation), Chief Officer (Housing and Communities), Corporate Finance Manager, Revenues and Procurement Manager, Benefits Manager, Corporate Manager – Capital Programme and Assets, Senior Manager – School Improvement Systems, Community and Business Protection Manager and Team Leader – Democratic Services.

APOLOGIES: Councillors Chris Bithell and Dave Healey

38. DECLARATIONS OF INTEREST

None.

39. MINUTES

The minutes of the meetings held on 28th June and 12th July 2022 were submitted and confirmed as a correct.

RESOLVED:

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

40. MEDIUM TERM FINANCIAL STRATEGY AND BUDGET 2023/24

Councillor Johnson introduced the item which provided an update to the additional budget requirement for the 2023/24 financial year in advance of the specific Member briefings and Overview and Scrutiny meetings to be held in the Autumn.

The current national employers pay offers for Teachers and NJC (Green Book) employees were now known and the significant financial impact had been included in the revised forecast. Latest intelligence on potential future increases on utility prices had also been built into the forecast, which was also significant.

The impact of pay and utilities, together with other changes to existing cost pressures and some new emerging pressures across Portfolios, had increased the minimum budget requirement to £24.348m.

The Corporate Finance Manager explained that the report also set out the budget solutions and risks that would need to be urgently considered to enable the Council to set a legal and balanced budget in February.

There were a number of ongoing risks that could change the additional budget requirement further, which were detailed in the report.

The Chief Executive reiterated the challenge facing the Council to deal with the deficit position. Each portfolio would be holding a finance briefing session before reports being submitted to Overview and Scrutiny Committees.

Councillor Roberts and the Chief Executive expressed their thanks to all staff who had been involved in Operation London Bridge.

RESOLVED:

- (a) That the revised additional budget requirement for the 2023/24 financial year be received and noted; and
- (b) That the budget solutions and risks that will need to be urgently considered to enable the Council to set a legal and balanced budget in February be noted.

41. COUNCIL TAX PREMIUM SCHEME FOR SECOND HOMES AND LONG-TERM EMPTY PROPERTIES

Councillor Mullin introduced the report and explained that local authorities in Wales had had discretionary powers since 2017 to charge a Council Tax premium of up to 100% above the standard rate of Council Tax on certain classes of second homes and long term empty properties.

From April 2023, local authorities in Wales would have the autonomy to charge, or vary, a Council Tax premium rate of up to 300% above the standard charge which could result in individuals paying an overall charge of 400%.

The Council introduced a premium scheme in 2017 and established a premium rate of 50% on both second homes and long-term empty properties and that rate had applied each year since 2017.

The Revenues and Procurement Manager explained that, following a public consultation that was undertaken in November 2021, the report set out the key considerations and options for Cabinet to consider retaining or varying the premium rates from 2023/24, and for those recommendations to be approved at a future meeting of County Council. In response to a question, he said that most neighbouring authorities charged a levy of 50%.

RESOLVED:

That the current rate of premium of 50% on second homes and long-term empty properties remain the same.

42. NORTH WALES MARKET STABILITY REPORT

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

A single regional MSR report must be produced for the North Wales Region and be approved by Council for each of the local authority areas, and the Board of the Local Health Board.

The assessment of the care market should be produced and published by June 2022. A draft of the report had been shared with Welsh Government (WG). However, it had been made clear to WG that it was an early draft that had not yet been approved by the full Councils and the Health Board. The approval process was taking place between July 2022 and October 2022 with the final version of the MSR going to the Regional Partnership Board (RPB) in November prior to it being submitted to WG.

The Chief Officer (Social Services) explained that the final MSR report must be published on all local authority websites, the Health Board website and the RPB website in both English and Welsh. A copy of the report would also be submitted to Welsh Ministers. The full MSR was a lengthy document and summary reports and an executive summary and accessible formats would also be made available in order to make the content and key messages more accessible and digestible.

The report was being considered by County Council the following day.

RESOLVED:

That the North Wales Market Stability Report 2022 be approved.

43. REVENUE BUDGET MONITORING 2022/23 (MONTH 4)

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

The projected year end position was:

Council Fund

- An operating deficit of £0.285m (excluding the impact of the pay award which would need to be met by reserves)
- A projected contingency reserve available balance as at 31st March 2023 of £6.911m (before the impact of final pay awards)

Housing Revenue Account

- Net in-year revenue expenditure forecast to be £0.188m higher than budget
- A projected closing balance as at 31st March 2023 of £6.287m

Hardship Funding from Welsh Government (WG) helped secure £16m of direct financial help the previous year and the authority would continue to claim for payments to Self-isolation and Statutory Sick Pay Enhancement payments, along with Free School Meals direct payments in 2022/23.

A brought forward amount of £2.066m remained available from the original £3m emergency ring-fenced fund. The 2022/23 budget approved in February included a further top up of £3.250m to the Reserve to provide a prudent safeguard against any ongoing impacts of the pandemic. Early indications were that whilst the risks due to COVID-19 had diminished considerably, the inflationary risk had increased. The position would be monitored closely over the coming months and any impacts would be reflected in future reports.

Details of pay awards for teaching and non-teaching staff were outlined in the report.

RESOLVED:

That the estimated financial impact on the 2022/23 budget be noted.

44. CAPITAL PROGRAMME MONITORING 2022/23 (MONTH 4)

Councillor Johnson introduced the report which summarised changes made to the Capital Programme 2022/23 since it was set in December 2021 to the end of Month 4 (July 2022), along with expenditure to date and projected outturn.

The Capital Programme had seen a net increase in budget of £29.590m during the period which comprised of:

- Net budget increase in the programme of £15.864m (Council Fund (CF) £17.621m, Housing Revenue Account (HRA) (£1.757m));
- Introduction of Carry Forward from 2021/22 of £13.726 (CF £13.726m, HRA £0.000m)

Actual expenditure was £14.290m.

Capital receipts received in the first quarter of 2022/23, totalled £1.058m. That gave a revised projected surplus in the Capital Programme at Month 4 of £3.126m (from an opening funding position surplus of £2.068m) for the 2022/23 – 2024/25 Capital Programme, prior to the realisation of additional capital receipts and/or other funding sources.

RESOLVED:

- (a) That the report be approved;
- (b) That the carry forward adjustments be approved; and
- (c) That the additional allocations be approved.

45. TREASURY MANAGEMENT ANNUAL REPORT 2021/22

Councillor Johnson introduced the draft Treasury Management Annual Report 2021/22 which was appended to the report.

As required by the Council's Financial Procedure Rules, the Annual Report was reviewed by the Governance and Audit Committee on 27th July where officers responded to questions to the satisfaction of the Committee and there were no specific issues to bring to the attention of Cabinet.

It was recommended that the report be presented to Council on 18th October for final approval.

RESOLVED:

That Cabinet recommends the draft Treasury Management Annual Report 2021/22 to Council on 18th October for final approval.

46. WELSH GOVERNMENT CONSULTATION – COUNCIL TAX REFORM

Councillor Mullin introduced the report which provided information on a Welsh Government (WG) phase 1 consultation seeking views on the reform of Council Tax.

The Revenues and Procurement Manager explained that the proposals included:

- Completing a Council Tax revaluation
- Designing a new system of bands and tax rates that was more progressive
- Improving the framework of discounts, disregarded persons, exemptions and premiums
- Improving the Council Tax Reduction Scheme

The report provided a series of recommended responses on the reform proposals to specific questions posed by WG.

RESOLVED:

That the Revenues and Procurement Manager be authorised to respond to the consultation on the proposals of the Welsh Government Consultation to reform Council Tax as outlined in the report.

47. COST OF LIVING CRISIS

Councillor Johnson introduced the report and explained that the recent increase in the cost of living had come at a time when a combination of factors were impacting on individuals, families, and communities, driving more people into poverty and creating social needs that were not an issue pre-pandemic.

It was therefore important for the Council and its partners to consider what action and support could be provided to communities to mitigate some of those impacts.

The report explored some of the reasons for the crisis, reflected on the response so far and looked to the future response.

In order to address the wide scope of the issues it would be necessary to coordinate the activities of the Council and its partners to ensure that the response and support offered within communities was as wide ranging as possible. The diagram in the report showed a comprehensive view of the range of support that would be necessary.

The report detailed the response of the Council in the last year and the next steps. Details of the Winter Fuel Payment Scheme 2022/23, and the qualifying benefits, were also provided in the report.

There was a proposal for Warm Hubs which would provide additional support. There were 22 community centres within the Council's own sheltered accommodation schemes across the County. Since the easing of lockdown restrictions, the Council has been able to reopen a number of those centres for residents to attend classes and coffee mornings to help alleviate loneliness and isolation.

As part of the Warm Hub proposals, residents would be supported to eat well with the provision of a fridge, microwave and Well-Fed meals at each centre, giving the residents the opportunity to eat together or take their meal home with them. In addition to the centres, the Council would also support community hubs in Shotton and Holywell as well as the community centre in the Holway to become Warm Hubs.

The Benefits Manager reiterated that this was a work in progress and work was continuing to take place on finding ways to support communities to fill any gaps.

The Chief Executive said there were many third sector organisations that the Council wanted to work with to support local communities.

RESOLVED:

That the update on the cost of living support schemes be noted, and the development of Warm Hubs be supported and approved.

48. RECYCLING BRING SITES

Councillor Hughes introduced the report and explained that a recycling bring site was a localised collection point where recycling containers were placed in places such as car parks and on streets so that residents had convenient access to facilities for the disposal of recyclable materials. Such facilities had been in place for many years and, at one time, they were the only option for residents to recycle in addition to the household recycling centres (HRCs).

The Chief Officer (Streetscene and Transportation) explained that the introduction of the kerbside sorting service had made recycling much more convenient for residents and was available to all households in Flintshire. Having banks at the bring sites for recyclable materials such as glass was now unnecessary, as an alternative kerbside collection service was available, in addition to the HRCs. It would also assist with reducing fly tipping and costs associated with cleaning those sites.

With the provision for weekly kerbside collections for recycling glass and the availability of textile banks at all five HRCs, there was an opportunity to review the provision of the bring sites in Flintshire and consider their ongoing suitability.

RESOLVED:

- (a) That the recommended removal of the textile recycling bring sites across the county be approved; and
- (b) That it be noted that the current glass contractor will be removing all glass igloos from bring sites across the county.

49. DEVELOPMENT OF A LOCAL VISITOR LEVY

Councillor Mullin introduced the report and explained that Welsh Government (WG) had recently announced, as part of the co-operation agreement with Plaid Cymru, a programme for Government between 2021-2026 which included a commitment to consulting on and introducing tax raising powers for local authorities to raise a levy on overnight visitor's accommodation in Wales.

The Revenues and Procurement Manager explained that the policy aims for a visitor levy was to enable local authorities to raise additional revenue to re-invest in the conditions that made tourism a success.

The purpose of the report was to provide Cabinet with early, basic information on the development of the levy and work led by WG. A further report would be submitted to Cabinet in November.

RESOLVED:

That the latest developments for the development of a local Visitor Levy ahead of the formal Welsh Government consultation in the Autumn 2022 be noted.

50. SELF-EVALUATION REPORT EDUCATION SERVICES 2021/22

Councillor Roberts introduced the report and explained that the Education and Youth Portfolio undertook a rigorous annual self-evaluation of its performance and services to provide assurance to the Council on the quality of education services in Flintshire. The report identified strengths and areas for further improvement and those areas for improvement were then reflected in the Council Improvement Plan and the Portfolio's own Business Plan.

The report was structured to provide assurance to the Council across the three inspection areas of:

- Outcomes
- Quality of Education Services (including Youth Services)
- Leadership and Management

The overall conclusion of the self-evaluation report was that education services in Flintshire were strong, effectively supported children and young people and provided good value for money.

Councillor Roberts expressed his thanks to the Chief Officer and her staff for their work on the document, and all school based staff for their contributions.

RESOLVED:

- (a) That the outcome of the Education Portfolio's annual self-evaluation report on the quality of education services for the period 2021/2022 be noted; and
- (b) That any observations be provided to the Portfolio Team.

51. EXERCISE OF DELEGATED POWERS

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

Housing and Assets

- **Community Asset Transfer**
This relates to the Community Asset Transfer of Ty Calon, Chester Road West, Deeside.
- **Community Asset Transfer**
This relates to the Community Asset Transfer of Buckley Cricket Club, Lane End Ground, Chester Road, Buckley.

Revenues

- **Council Housing Rents – Former Tenancy Arrears Write Offs**
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 2 cases of unpaid rent. Following the steps taken, the former tenancy arrears in each case are considered to be irrecoverable and there is no prospect of securing payment. The total amount of unpaid rent associated with these two is £13,003.98.
- **Business Rates Write Offs**
Financial Procedure Rules requires the Corporate Finance Manager and the Cabinet Member for Governance and Corporate Management to write off

debts between £5k and £25k. There are two outstanding Business Rates debts totalling £15,133.81 that have been written off for debts between 2019/20 to 2021/22 which are deemed irrecoverable.

- **Council Tax Write Offs**

Financial Procedure Rules requires the Corporate Finance Manager and the Cabinet Member for Governance and Corporate Management to write off debts between £5k and £25k. Three outstanding Council Tax debts totalling £26,224.98 which are deemed irrecoverable and a write off is considered necessary.

- **Council Housing Rents Write Offs**

Financial Procedure Rules requires the Corporate Finance Manager and the Cabinet Member for Governance and Corporate Management to write off debts between £5k and £25k. There are two outstanding Business Rates debts totalling £15,133.81 that have been written off for debts between 2019/20 to 2021/22 which are deemed irrecoverable.

- **Council Housing Rents Write Offs**

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 cases of unpaid rent where the tenants are subject to insolvency. The debts are considered to be irrecoverable and there is no prospect of securing payment. The total amount of unpaid rent associated with these two cases is £15,324.75.

Education & 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.

Planning, Environment & Economy

- **UK Shared Prosperity Fund (UKSPF)**

Cabinet at the meeting on 12th July agreed, amongst other things, that delegated authority be given to the Chief Officer (Planning, Environment and Economy) and the Cabinet Member for Climate Change and Economy to develop and submit Flintshire's priorities for inclusion in the regional Investment Plan to enable the programme funding to be drawn down. It also authorised Gwynedd County Council to act as the lead body to submit the regional Investment Plan to UK Government on behalf of the six North Wales authorities.

Streetscene and Transportation

- **The Flintshire County Council – B5441 Drome Road and Green Lane West, Deeside – Proposed Prohibition of Waiting At Any Time**

To advise Members of the objections received following the advertisement of the proposed Prohibition of Waiting At Any Time on the B5441 Drome Road and Green Lane West, Deeside.

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).

52. THEATR CLWYD PROJECT

Councillor Roberts introduced the report which provided an update on the Theatr Clwyd project.

It provided a potential solution to a funding gap and highlighted the risks of not proceeding together with the economic benefits of investment into the Theatr project and community and social benefit package.

RESOLVED:

- (a) That Cabinet approve the additional £1.5m required to proceed with the Theatr Clwyd project;
- (b) That in doing so, approval be given to enter into a contract for the construction phase, this being subject to confirmation of additional funding from Welsh Government; and
- (c) That Cabinet refers the project to County Council for a final decision in the event that Welsh Government is unable or unwilling to proportionally increase its contribution in line with the increased costs of the project.

53. COMMISSIONING OF RESIDENTIAL AND THERAPEUTIC SERVICES FOR CHILDREN AND YOUNG PEOPLE IN FLINTSHIRE

Councillor Jones introduced the report which sought approval for awarding a contract for the continued delivery of Residential and Therapeutic Services for Children and Young People in Flintshire.

RESOLVED:

That the approach to award the contract for the continued delivery of Residential and Therapeutic Services for Children and Young People in Flintshire be approved.

54. MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE

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

(The meeting commenced at 2.00 p.m. and ended at 3.57 p.m.)

.....

Chair