

CABINET
18TH JULY 2023

Minutes of the meeting of the Cabinet of Flintshire County Council held virtually via Zoom on Tuesday 18th July 2023.

PRESENT: Councillor Dave Hughes (Deputy Leader in the Chair)

Councillors: Sean Bibby, Mared Eastwood, Dave Healey, Paul Johnson, Christine Jones and Billy Mullin.

IN ATTENDANCE:

Chief Executive, Chief Officer (Governance), Chief Officer (Streetscene and Transportation), Chief Officer (Planning, Environment and Economy), Chief Officer (Social Services), Corporate Finance Manager, Corporate Manager – Capital Programme and Assets, Corporate Manager, People and Organisational Development, Highway Network Manager, Strategic Performance Advisor, Senior Manager, Planning and Provision, Democratic Services Manager and Team Leader – Democratic Services.

APOLOGIES:

Councillor: Ian Roberts and Chris Bithell.

OTHER MEMBERS IN ATTENDANCE:

Councillor Bernie Attridge.

20. DECLARATIONS OF INTEREST

None.

21. MINUTES

The minutes of the meeting held on 20th June 2023 were submitted and confirmed as a correct record.

RESOLVED:

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

22. MEDIUM TERM FINANCIAL STRATEGY – BUDGET 2024/25

Councillor Johnson introduced the report and explained that the Council reviewed and updated the Medium Term Financial Strategy (MTFS) annually. The MTFS forecasted the resources the Council would need to meet its every changing cost base for the years ahead. Refining the forecast was the first step in planning the budget requirement for the following financial year.

Following the initial projected budget requirement, the forecast for 2024/25 had been updated to take into account the latest national position on public sector pay, the estimated impact of changes to service demand and the ongoing impacts of

inflation. The revised forecast showed that, at this early stage, there was likely to be an additional budget requirement of £32.222m for 2024/25.

Appended to the report were the details of all of the cost pressures for 2024/25 as well as early indications of pressures for 2025/26 and 2026/27.

An all Member workshop was scheduled to take place on 31st July to enable Members to have a better understanding of the financial position and to contribute to a developing budget strategy.

A detailed budget strategy needed to be developed with urgency in parallel to contributing to national discussions on the financial outlook across Wales including any options available to increase the overall quantum available for local government.

The Corporate Finance Manager provided additional information on the reasons for the increase in the budget requirement.

The Democratic Services Manager explained that the report had been submitted to Corporate Resources Overview and Scrutiny Committee the previous week and no comments were made.

An outline of the budget timeline was set out in the report.

RESOLVED:

- (a) That the update on the additional budget requirement for the 2024/25 financial year be received; and
- (b) That the process and timeline for budget setting for 2024/25 be agreed.

23. ANNUAL PERFORMANCE REPORT

The Chief Executive introduced the Annual Performance Report and explained that it reviewed the Council's progress against the Council Priorities as detailed in the Flintshire County Council Reporting Measures 2022/23.

2022/23 had seen the Council move out of the recovery approach as part of the Covid-19 pandemic and move into a more 'business as usual' approach. Performance against the Council Plan measures was positive overall with 61% of the performance indicators meeting or exceeding target for the year and the Council was now also reporting on more 'Actions' and 'Measures' than in 2021/22; a total of 160 Actions and 111 Measures compared to 2021/22 when 144 Actions and 60 Measures were reported upon.

The Chief Executive added that the performance for 2022/23 against the Council Plan Actions and Measures were summarised in a chart in the report. Overall progress against the actions were:

- Good (green) progress was achieved in 77% (123) of activities
- Satisfactory (amber) progress was achieved in 19% (31) of activities

- Limited (red) progress was made in 4% (6) of activities

The Report would be made available via the Council's website once published and paper copies would also be available with supporting documents.

Both Cabinet and Corporate Resources Overview and Scrutiny Committee had continued to consider performance areas which under-performed (downward trend and/or low quartile benchmark position) throughout 2022/23.

RESOLVED:

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

24. LOCAL TOILET STRATEGY REVIEW

The Chief Officer (Streetscene and Transportation) introduced the report and explained that Flintshire's current local toilet strategy was approved and published in May 2019. National guidelines stated that the policy should be reviewed every two years from when the local authority last published or last reviewed its strategy, and within one year of every ordinary local government election.

The strategy review was presented at the Environment & Economy Overview & Scrutiny Committee (E&EOSC) on 7th March 2023 where Members supported the proposed review to the local toilet strategy and the intended approach set out in the report. The purpose of the report was to provide Cabinet Members with an update following the publication of the consultation questionnaire and how the comments raised would be addressed in the proposed action plan.

The action plan would be incorporated within the new local toilet strategy prior to opening the formal 12-week consultation on the revised Local Toilet Strategy over the summer.

The new strategy aimed to reflect the ambition of the council's leadership to provide improved facilities for the residents and visitors of Flintshire.

The questionnaire received 687 responses with approximately 430 responses per question and a summary of the responses was provided.

A further report, to adopt the strategy would be submitted to Cabinet in the autumn.

RESOLVED:

- (a) That the results from the questionnaire be acknowledged and the action plan presented be supported; and
- (b) That the draft revision of the Local Toilet Strategy and renewed action plan prior to the launch of the 12-week consultation be supported.

25. REVENUE BUDGET MONITORING REPORT 2022/23 (FINAL OUTTURN)

Councillor Johnson introduced the report which provided Members with the revenue budget final outturn position for the Council Fund and Housing Revenue Account for the financial year 2022/23 (subject to audit).

The Accounts for 2022/23 were now effectively closed, and the Council was on schedule to submit the formal Statement of Accounts and supporting notes to Audit Wales within the timeframe set by Welsh Government (WG).

As reported previously, measures were introduced to review and challenge non-essential spend and recruitment to vacancies with the aim of reducing in-year expenditure to 'dampen' the projected overspend at that time. That work had made a positive impact on the outturn position.

The final year end position was:

Council Fund

- An operating surplus of (£3.013m) which was a favourable movement of (£0.907m) from the last reported figure of (£2.106m) as at Month 11.
- A projected contingency reserve available balance as at 31st March 2023 of £9.508m.

The Council Fund final outturn surplus position of (£3.013m) did not include various one-off items of expenditure totalling £5.876m approved for funding from the Contingency Reserve such as the Pay Award of £3.826m, COVID related costs of £1.573m and Social Services one off costs within Children's Services of £0.477m. If those amounts had been taken from the in-year revenue budget, there would have been an overall net overspend of £2.863m for the financial year.

The operating surplus of (£3.013m) equated to 0.9% of the Approved Budget, which was above the target MTFS KPI for a variance against budget of 0.5%

Housing Revenue Account

- Net in-year revenue expenditure was £2.688m higher than budget.
- A closing balance as at 31st March, 2023 of £3.786m.

The Corporate Finance Manager explained that, since completion of the report, the accounts had been formally submitted to Audit Wales and would be reported to Governance and Audit Committee the following week.

Unearmarked reserves would be looked into over the summer and any that were no longer required would be moved into the contingency reserve.

The Democratic Services Manager explained that the report had been considered at Corporate Resources Overview and Scrutiny Committee the previous week where questions were asked on waste infraction charges, the cost of the Local Development Plan and the Central Loans and Investment Account. The Committee congratulated the Revenues Manager and his team on achieving a 97.4% collection rate for Council Tax.

RESOLVED:

- (a) That the overall report and the Council Fund contingency sum as at 31st March 2023 (subject to audit) be noted;
- (b) That the final level of balances on the Housing Revenue Account (HRA) (subject to audit) be noted; and
- (c) That the carry forward of funding be approved.

26. INTERIM REVENUE BUDGET MONITORING REPORT 2023/24

Councillor Johnson introduced the report which provided the first overview of the budget monitoring position for the 2023/24 financial year where it was reported by exception on potential significant variances which could impact on the financial position in 2023/24.

The Corporate Finance Manager said at this early stage, financial risks only had been highlighted in the report. The ability to mitigate those risks would centre on review and challenge of delayed and deferred spend, maximising income streams and grant funding.

The final level of Council Fund Contingency Reserve brought forward into 2022/23 was £9.508m as detailed in the 2022/23 outturn report (subject to audit).

An amount of £3.743m remained available from the original £5.316m COVID emergency ring-fenced fund.

A full detailed monitoring report would be provided in September which would include a projection on the overall financial position for 2023/24.

The Democratic Services Manager explained that the report had been considered at Corporate Resources Overview and Scrutiny Committee the previous week and no comments were made.

RESOLVED:

- (a) That the report and potential financial risks on the 2023/24 budget be noted; and
- (b) That an allocation of £0.100m from the Contingency Reserve for Theatr Clwyd Trust be approved.

27. CAPITAL PROGRAMME MONITORING 2022/23 (OUTTURN)

Councillor Johnson introduced the report which summarised the final outturn position for 2022/23 together with changes to the Capital Programme during the last quarter.

The Capital Programme had seen a net decrease in budget of (£12.735m) during the last quarter which comprised of:-

- Net budget decrease in the programme of (£6.382m) (See Table 2 - Council Fund (CF) (£4.243m), Housing Revenue Account (HRA) (£2.139m);
- Carry Forward to 2023/24, approved at Month 9 of (£3.060m) partially offset by Carry Forward reversal of £0.245m;
- Switch of School Maintenance grant (£2.524m) and Additional Learning Needs grant (£1.001m) (all CF);
- Identified savings at outturn of (£0.013m) (CF)

Actual expenditure for the year was £55.013m.

The final outturn funding surplus from the 2022/23 – 2024/25 Capital Programme was £4.313m. The 2023/24 – 2025/26 Capital Programme was approved on the 24th January 2023, accounting for £3.376m of the current year surplus towards the programme and leaving a projected funding surplus of £0.365m. The final outturn for 2022/23 had the impact of a revised opening funding position surplus of £1.302m, prior to the realisation of additional capital receipts and/or other funding sources.

The Democratic Services Manager explained that the report had been considered at Corporate Resources Overview and Scrutiny Committee the previous week and no comments were made.

RESOLVED:

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

28. PRUDENTIAL INDICATORS – ACTUALS 2022/23

Councillor Johnson introduced the report and explained that under the Prudential Code for Capital Finance in Local Authorities (the Prudential Code), as updated in 2017, Councils were required to set a range of prudential indicators.

This report provided details of the Council's actual prudential indicators for the 2022/23 financial year compared with the estimates set for:-

- Prudential indicators for Prudence
- Prudential indicators for Affordability

RESOLVED:

That the prudential indicators be approved.

29. BUSINESS RATES – WRITE OFFS

Councillor Mullin introduced the report and explained that for individual bad debts more than £25,000, Financial Procedure Rules (section 5.2) asked Cabinet to approve recommendations to write off debts.

A Business Rates debt for PPA Ltd, totalling £38,563.06, was deemed to be irrecoverable as the company was now in compulsory liquidation. Business Rates were always classed as non-preferential debts and since there were no assets available for non-preferential creditors successful recovery of this Business Rates debt was no longer possible.

The Chief Officer (Governance) explained that the proposals, as set out in the consultation, did not have any direct resource implications for the Council.

RESOLVED:

That the Business Rates write off totalling £38,563.06 for PPA Ltd be approved.

30. WELSH GOVERNMENT CONSULTATION – BUSINESS RATES IMPROVEMENT RATES RELIEF

Councillor Mullin introduced the report which provided information and a recommended response to a Welsh Government (WG) consultation on proposals to introduce an Improvement Business Rate Relief scheme from April 2024.

The Chief Officer (Governance) explained that the scheme aimed to support growth and investment in the tax-base. It was intended to encourage ratepayers to invest in improvements to their properties by providing short-term relief, for a period of twelve months, from the effect of a resulting rateable value increase in their Non-Domestic Rate (NDR) liability. That was to say that when a property was improved the new level of NDR based on the improved rateable value would be deferred for a year.

RESOLVED:

That the proposals of the Welsh Government consultation be noted, and the Revenues and Procurement Manager in consultation with the Cabinet Member for Governance and Corporate Services including Health and Safety and Human Resources be authorised to respond to the consultation questions as set out in the report.

31. ANNUAL REVIEW OF FEES AND CHARGES 2023

Councillor Johnson introduced the report and explained that the 2023 review of fees and charges had been completed in line with the Council's Income Generation Policy, which set out the rationale and process for an annual review of fees and charges.

The outcome of the review was appended to the report and would apply from 1st October 2023.

Applying the principles contained within the Council's Income Generation Policy, version three of which was endorsed by Cabinet in July 2022, had ensured that any changes to charging had been appropriately managed under the 2023 review.

Version three of the policy is attached as Appendix B.

The report also outlined the ongoing requirements of the annual review of fees and charges for 2023, particularly for those fees and charges which were still to demonstrate that they achieved full cost recovery.

Councillor Hughes said there was an amendment to the details in the appendix which related to town centre car parking charges, which should read as follows:

- 60 minutes would become 90 minutes and the fee would increase from 30 pence to 50 pence
- 120 minutes would become 150 minutes and the fee would increase from 50 pence to 70 pence
 - The charges would apply between 0800-1500 hours and it would be free to park after 3pm

RESOLVED:

- (a) That the schedule of fees and charges documented in Appendix A for implementation on 1st October 2023 be approved; and
- (b) That it be agreed that a customer friendly version of the schedule of fees and charges be produced and published.

32. RENEWAL OF THE NORTH WALES CONSTRUCTION PARTNERSHIP FRAMEWORK

Councillor Eastwood introduced the report and explained that the use of procurement frameworks were widely acknowledged and used as a way of reducing transaction costs, providing continuous improvement within long-term relationships and to allow public sector organisations to get better value and greater community wealth.

The North Wales Construction Partnership was established in 2014, primarily to deliver the construction of new school buildings, or the remodelling and refurbishment of existing school buildings, under the Welsh Government's (WG) Sustainable Communities for Learning Programme previously known as the 21st Century Schools programme.

The Framework was a partnership between the six North Wales Authorities with Denbighshire County Council acting as the lead Authority. The Framework

delivered a range of projects across different sectors and could also be used by other public sector organisations in the region to deliver their construction projects.

The current framework agreement expired in May 2024, and the report outlined the proposed approach for renewing the Framework Agreement.

RESOLVED:

That the approach outlined to procure the next framework generation of the North Wales Construction Partnership be endorsed.

33. ACCESS BARRIER REVIEW – WALES COAST PATH

Councillor Healey introduced the report and explained that the Council had appointed a consultant to undertake a review of the existing access control measures in place on a section of the Wales Coast Path (WCP) between Chester and Queensferry.

The access control barriers were in place to protect users of the WCP against the risks posed by illegal vehicle access to the path, however, the existing barriers could cause access issues to users of some mobility scooters & unconventional cycles.

The study reviewed the background context, legislations, barrier dimensions and user constraints in order to put forward recommendations for all 14 access points from Chester to Deeside. Recommendations to improve access were balanced against any impact of such amendments on illegal vehicle accessibility.

There were two main proposed recommendations:

- A frame - upgrade this barrier to a Radar Lock Gated A Frame Barrier. This would offer a cost-effective solution with the potential for improved accessibility by legitimate users holding a radar key (which were readily available online) whilst still maintaining an effective deterrent to illegal vehicle ingress.
- Chicane - It was recommended that the existing chicane barriers be replaced by a staggered gates solution. This would retain the existing level of permeability for legitimate users (which could be enhanced should the gates be fitted with radar locks which could be opened as required), and would retain the existing level of deterrent to illegal vehicle access.

On 11th July the Environment and Economy Overview and Scrutiny Committee and Flintshire's Local Access Forum (LAF) both supported the work to provide improved access to the WCP and recommended that further consultation with specific user groups would be advantageous. It was proposed that as a design was drawn up at each specific access point, then the plan would be shared and feedback invited from the North Wales Police Design-out Crime Officer, cycling and disability groups. Implementation would then follow.

The Chief Officer (Planning, Environment and Economy) explained that grant funding would be accessed to implement the solutions.

RESOLVED:

That the findings of the review be noted and the recommendations for improved accessibility be supported.

34. FOOD SERVICE PLAN 2023-24 FOR FLINTSHIRE COUNTY COUNCIL

Councillor Healey introduced the report which 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 Chief Officer (Planning, Environment and Economy) added that the report was submitted to Environment and Economy Overview and Scrutiny Committee the previous week where Members expressed their appreciated of the work undertaken by the service.

RESOLVED:

That the Food Service Plan 2023-24 be approved.

35. RESILIENCE AND CAPACITY WITHIN STREETSCENE AND TRANSPORTATION

Councillor Hughes introduced the report and explained that the Streetscene and Transportation portfolio had been experiencing several issues over the last two years with staff recruitment, retention and long-term absences, which had impacted the resilience and capacity of the existing teams.

It was anticipated that the demands on the portfolio would continue to increase as legislation was updated or introduced and the pressure to deliver additional or new services multiplied.

The report provided Members with an overview of the ongoing staffing issues within the portfolio, which were impacting the resilience and capacity of the existing teams to respond to service demands and deliver service priorities effectively and flexibly.

The report presented proposals to address the resilience and capacity issues within the portfolio in two key areas: fleet services and waste strategy. The proposals did not require any structural changes and did not place any current employees at risk. Those areas of the portfolio had been identified as high risk, where increased capacity was required to ensure that the service remained resilient and ensured that statutory targets were met, legal duties were fulfilled, and future anticipated demand was met.

The Chief Officer (Streetscene and Transportation) explained that the Fleet Manager role was a statutory one and as the prescribed transport manager on the operator's licence, it was required to ensure that the legal requirements for road haulage were met.

RESOLVED:

- (a) That the challenges faced by the portfolio in terms of staff resilience and capacity be recognised and the associated risks highlighted be noted; and
- (b) That the proposals detailed with the report be supported, which would require additional budget to be allocated for the creation of the following additional posts:
 - Fleet Services – two additional posts to support delivery and provide resilience
 - Waste Strategy – three additional recycling and compliance data officer posts

36. EXERCISE OF DELEGATED POWERS

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

Streetscene and Transportation

- **The Flintshire County Council (Kinnerton Lane and Lesters Lane, Higher Kinnerton) (40MPH Speed Limit) (Amendment No. 02) Order 202**
To advise Members of the objection received following the advertisement of the 40mph speed limit on the roads as listed above.

NEWydd Catering and Cleaning

- **School Meal Price Increase**
The cost pressure on the provision of school meals since the previous review in April 2022 has been significant. With RPI currently at 13.8% and specifically food inflation running at 19.3% and with the added pressure of labour rates increasing by more than 10% the need for an increase in the price of a school meal whilst highly regrettable is clear.

Increased enable NEWydd to continue to provide a quality service in line with sharply increasing costs, particularly those associated with both food and labour.

Housing and Assets

- **Community Asset Transfer, Glanrafon Youth Centre, Mold, Flintshire**
The areas and asset to be transferred are detailed on the site location plan edged red. The period of the transfer is for twenty seven years at a peppercorn rent, with an option to break at year five exercisable by the tenant only.

- **Community Asset Transfer, Bagillt Library, Gadlys Lane, Bagillt, Flintshire**
The areas and asset to be transferred are detailed on the site location plan edged red. The period of the transfer is for twenty seven years at a peppercorn rent, with an option to break at year give exercisable by the tenant only.

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).

37. TRI FFORDD AND GROWING PLACES RE-LOCATION PROJECT (MAES GWERN DEVELOPMENT)

Councillor Jones introduced the report on the relocation project for Tri Ffordd and Growing Places.

RESOLVED:

That the progress made for the Maes Gwern development be noted and authority be granted to enter into a contract for the construction of the new development providing the Welsh Government grant was approved.

38. PROCUREMENT OF A NEW MANAGED AGENCY CONTRACT

Councillor Mullin introduced the report for the procurement of a new managed agency contact which would initially be established for a period of three years.

RESOLVED:

That the award of contract to the company outlined in the report, for an initial period of three years commencing 29th August 2023, with an option to extend up to a further 12 months, be approved.

39. MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE

There were no members of the public in attendance.

(The meeting commenced at 10.00 a.m. and ended at 11.32 a.m.)

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Chair