

CABINET
21ST NOVEMBER 2023

Minutes of the meeting of the Cabinet of Flintshire County Council held virtually via Zoom on Tuesday 21st November 2023.

PRESENT: Councillor Ian Roberts (Chair)

Councillors: Sean Bibby, Chris Bithell, Mared Eastwood, Dave Healey, Dave Hughes, 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, Senior Manager, Portfolio Business Support and School Governance, Revenues and Procurement Manager, and Team Leader – Democratic Services.

OTHER MEMBERS IN ATTENDANCE:

Councillors: Bernie Attridge, David Coggins Cogan and Chrissy Gee.

73. DECLARATIONS OF INTEREST

Councillor Paul Johnson declared a personal interest in agenda item number 18 – AURA Leisure and Library Services.

74. MINUTES

The minutes of the meeting held on 17th October 2023 were submitted and confirmed as a correct record.

RESOLVED:

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

75. CAPITAL PROGRAMME 2024/25 – 2026/27

Councillor Johnson introduced the report and explained the Council had limited capital resources from Welsh Government (WG) to support Council priorities, needs and liabilities. However, it had the powers to fund capital schemes by borrowing - this was temporary and ultimately, the cost and repayment of any borrowing was charged to the Council's revenue budget.

Schemes funded by borrowing were carefully considered due to the long-term impacts on the Council's revenue budget.

The report divided the Council Fund Capital Programme into three sections: -

1. Statutory / Regulatory - allocations to cover regulatory and statutory works.

2. Retained Assets - allocations to fund infrastructure works necessary to ensure service and business continuity.

3. Investment - allocations to fund works necessary to remodel services to deliver efficiencies outlined in portfolio business plans and invest in services as outlined in the Council Plan.

Historically, much of the Council's programme had been funded from capital receipts and grants. The Council's ability to generate significant capital receipts was challenging as the assets the Council had available for disposal diminished.

Wherever possible every opportunity to identify assets for sale and other sources of funding such as specific grants and revenue contributions would be explored. However, the Council would need to use prudential borrowing to finance more of the programme going forward. In particular, the Sustainable Communities for Learning Band B programme, and other schemes included within the investment programme would need to be funded through prudential borrowing.

Details of the proposed allocation 2024/25 – 2026/27 and the proposed schemes for the period 2024/25 – 2026/27 for the Investment section of the Capital Programme were provided.

The Chief Executive said a prudent approach towards schemes had been taken due to the pressures in the revenue budget.

The Corporate Finance Manager explained that the report had been submitted to Corporate Resources Overview and Scrutiny Committee the previous week and there were no significant issues raised.

RESOLVED:

- (a) That the allocations and schemes in Table 3 for the Statutory/Regulatory and Retained Assets sections of the Council Fund Capital Programme 2024/25 – 2026/27 be approved;
- (b) That the schemes included in Table 4 for the Investment section of the Council Fund Capital Programme 2024/25 – 2026/27 be approved;
- (c) That it be noted that the shortfall in funding of schemes in 2024/25 and 2025/26 in Table 5 at this point in the approval process allows flexibility. Options including a combination of future capital receipts, alternative grants (if available), prudential borrowing or the re-phasing of schemes will be considered during 2024/25 and included in future Capital Programme reports; and
- (d) That the schemes included in Table 6 for the specifically funded section of the Council Fund Capital Programme which will be funded in part through borrowing be approved.

76. CAPITAL STRATEGY INCLUDING PRUDENTIAL INDICATORS 2024/25 – 2026/27

Councillor Johnson introduced the report which detailed the proposed Capital Programme for the period 2024/25 – 2026/27 for recommendation to Council.

The report explained the need for the Strategy, its key aims, and the content of each of its sections.

Under the Prudential Code for Capital Finance in Local Authorities (the Prudential Code), authorities were required to set a range of Prudential Indicators (PI's). The Capital Strategy included details of the Council's Prudential Indicators for 2024/25 – 2026/27.

The Corporate Finance Manager explained that the report had been submitted to Corporate Resources Overview and Scrutiny Committee the previous week and there were no significant issues raised.

RESOLVED:

- (a) That the Capital Strategy be approved and recommended to County Council; and
- (b) That the following be approved and recommended to County Council:
 - The Prudential Indicators for 2024/25 – 2026/27 as detailed within Tables 1, and 4-8 of the Capital Strategy
 - Delegated authority for the Corporate Finance Manager to effect movements between the separately agreed limits within the authorised limit for external debt and the operational boundary for external debt (Table 6 of the Capital Strategy)

77. RESOURCES AND WASTE STRATEGY CONSULTATION

Councillor Hughes introduced the report and explained that the Council supported the declarations made by Welsh Government (WG) for the Public Sector to become net zero by 2030 and in December 2019 the Cabinet Members approved a motion to develop a clear Climate Change Strategy, which will set key aims and actions for creating a carbon neutral organisation.

Reducing consumption and increasing reuse and recycling to save precious resource was a key part of reaching net zero.

The draft Resources and Waste Strategy set out the strategic direction to reduce waste and exceed WG statutory recycling targets. Without action the Authority was at risk of circa £1.13m fines for failing to achieve those targets in 2021/2022 and 2022/2023, as well as a further risk of similar fines in 2023/2024.

The new Strategy demonstrated to the Minister the Council's commitment to make change. The report sought approval to undertake a consultation exercise on the draft Resources and Waste Strategy.

The Chief Officer (Streetscene and Transportation) emphasised the risk of possible infraction fines for not achieving the statutory recycling targets and said that, without significant service changes, it was unlikely that the targets would be met. The Chief Officer also highlighted the compositional analysis, which showed that 58% of what went into the residual waste bin could have been recycled using the existing services, of which 30% was food waste.

The focus of the new Resources and Waste Strategy was to support residents and communities to avoid waste and to promote the reuse of valuable materials and, where that was not possible, then to enable residents to recycle items with disposal through the residual stream as the last resort.

Alongside the mandate to educate the public on recycling and undertaking enforcement, further work had been requested by the Minister for the authority to provide a more well thought through, realistic and evidence-based action plan as part of the Resources and Waste Strategy. It would require a collective effort and the Chief Officer explained that it was important that residents and communities had the opportunity to shape the proposals, which would require that a full consultation take place.

The consultation would be launched on 1st December and run through to 12th January. It would take the form of a short online survey, a series of face-to-face drop-in events, briefings for Members and Town and Community Councils and, where access to the online survey was not possible, paper surveys would be provided.

Members supported the report and the upcoming consultation.

RESOLVED:

- (a) That Cabinet acknowledges the progress made on achieving a robust and effective Resources and Waste Strategy to meet net zero targets and mitigate against the risk of fines and achieve statutory recycling targets; and
- (b) That the commencement of a consultation exercise on the authority's draft Resources and Waste Strategy be approved.

78. REVENUE BUDGET MONITORING REPORT 2023/24 (MONTH 6)

Councillor Johnson introduced the report which provided Members with the first detailed overview of the budget monitoring position for the 2023/24 financial year for the Council Fund and Housing Revenue Account and presented the position, based on actual income and expenditure as at Month 6.

The projected year end position was as follows:

Council Fund

- An operating deficit of £3.559m (excluding the impact of the pay award which would need to be met by reserves – currently estimated as £2.727m) which was a favourable movement of £0.101m from the deficit figure reported at Month 5. It was noted that the financial impact of the recent

storm Babet was not currently included in the projection but was expected to be significant

- A projected contingency reserve available balance as at 31st March 2024 of £3.776m (after the estimated impact of pay awards and taking account of the Balances released to Reserves at Month 5)

Housing Revenue Account

- Net in-year revenue expenditure was forecast to be (£0.069m) lower than budget which was a favourable movement of (£0.075m) from the figure reported at Month 5
- A projected closing balance as at 31st March, 2024 of £3.266m

The Corporate Finance Manager explained that the economic outlook remained challenging due to inflation levels remaining high. The impacts of that, together with continued increases in service demand was becoming increasingly hard to deal with as the Councils funding failed to keep up with the scale of those pressures. To assist with managing those risks and mitigating the overall projected overspend, a moratorium on non-contractually committed spend had been put in place alongside a vacancy management process which continued.

In response to a question from Councillor Bithell, the Corporate Finance Manager explained that it was anticipated that costs relating to Storm Babet would be available to report to Cabinet in December.

RESOLVED:

- (a) That the report and the estimated financial impact on the 2023/24 budget be noted; and
- (b) That the change of use for £0.100m of an earmarked reserve for the Carelink service as outlined in the report be approved.

79. CAPITAL PROGRAMME MONITORING 2023/24 (MONTH 6)

Councillor Johnson introduced the report and explained that it summarised changes made to the Capital Programme 2023/24 since it was set in January 2023 to the end of Month 6 (September 2023), along with expenditure incurred to date and the projected outturn.

The Capital Programme had seen a net decrease in budget of (£4.422m) during the period which comprised of:-

- Net budget decrease in the programme of (£1.342m) (See Table 2 - Council Fund (CF) £4.326m, Housing Revenue Account (HRA) (£5.668m);
- Net Carry Forward to 2024/25 approved at Month 4 of (£3.080m)

Actual expenditure was £27.517m (See Table 3).

Capital receipts received in the second quarter of 2023/24 totalled £0.043m. That provided a revised projected surplus in the Capital Programme at Month 6 of

£1.996m (from a Month 4 funding surplus of £1.953m) for the 2023/24 – 2025/26 Capital Programme, prior to the realisation of additional capital receipts and/or other funding sources.

When reported to Corporate Resources Overview and Scrutiny Committee, it was requested that the table on the investment on county towns should cover a longer time period to show investments over time.

RESOLVED:

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

80. COUNCIL TAX BASE FOR 2024/25

Councillor Johnson introduced the report and explained that setting of the Council Tax base was integral to the revenue budget and Council Tax setting process for 2024/25. It allowed the Council, Police & Crime Commissioners Office for North Wales, and town/community councils to also calculate next year's Council Tax precept.

The base had been calculated at 66,081 band 'D' equivalent properties, after considering the total number of properties that would be subject to Council Tax, including those that are subject to the Council Tax premium rates, less those which were exempt from Council Tax or where statutory household discounts applied.

Setting the tax base at 66,081 band 'D' equivalents also incorporated the continuation of the Council Tax premium rates of 75% for Long Term Empty properties and 100% for Second Homes. Overall, this represented growth in the tax base of 0.4% compared to the previous year, representing to an extra 266 band D equivalent properties.

RESOLVED:

81. SHARED PROSPERITY FUND

Councillor Healey introduced the report and explained that the Shared Prosperity Fund (SPF) would deliver £2.5bn of investment until March 2025 across the UK. The aim of the programme was "to build pride in place and increase life chances". United Kingdom (UK) Government had allocated £126m to North Wales to deliver the programme between 2022/2023 and 2024/2025, with £11m allocated to Flintshire for the core programme.

Cabinet approved the criteria and process for allocating funding from the programme to projects on 22 November 2022 and gave delegated authority to the Chief Officer (Planning, Environment and Economy) and Cabinet Member for Climate

Change and Economy to do so. A rigorous process was undertaken which involved two stages in order to finalise the allocations to worthy projects, a total of 23.

The report provided an update on the allocation of SPF funds to projects and what the expected outcomes of the programme were for Flintshire communities. In addition, the report set out recommendations for how the residual SPF funding and any unallocated funding arising during the delivery of the programme should be allocated.

The Chief Officer (Planning, Environment and Economy) explained that the report had been submitted to Environment and Economy Overview and Scrutiny Committee the previous week and Members were broadly supportive of the content of the report. The appendices to the report identified the successful projects and an update report would be submitted on a six-monthly basis.

RESOLVED:

- (a) That the progress made in developing the Shared Prosperity Fund programme both regionally and locally be noted; and
- (b) That the recommended approach to allocating any residual SPF money be approved and delegated authority be given to the Chief Officer (Planning, Environment and Economy) and the Cabinet Member for Climate Change and Economy to operate that approach and to manage changes within the projects approved.

82. SOCIAL ENTERPRISE

Councillor Healey introduced the report and explained that Audit Wales had recently completed a review of support for the social enterprise sector by Welsh local authorities. They had issued several recommendations and created a self-assessment tool for local authorities to use. Flintshire County Council already had a well-established structure to support the sector and was recently awarded the Social Enterprise Place accreditation to reflect its achievements. However, the Audit Wales report provided the Council with the opportunity to reflect on its performance and to improve the service.

The report presented a proposed response to the Audit Wales report recommendations, a self-assessment exercise undertaken by the Council using the Audit Wales template and finally a revised Social Enterprise Action Plan which reflected any areas for improvement identified.

The Chief Officer (Planning, Environment and Economy) explained that the report had been submitted to Environment and Economy Overview and Scrutiny Committee where details on social enterprise were positively received.

RESOLVED:

- (a) That the draft response to the Audit Wales report '*A missed opportunity*' – *Social Enterprises* be approved; and

- (b) That the draft Social Enterprise Action Plan which had been developed following the publication of the report above be approved.

83. FLINTSHIRE COUNTY COUNCIL'S CARBON FOOTPRINT REPORT 2022-23

Councillor Healey introduced the report and explained that the Council calculated its carbon footprint annually to measure the quantity of greenhouse gas emissions it was responsible for to monitor and direct decarbonisation efforts towards Net Zero Carbon by 2030. In September 2023, the calculation for the period 1st April 2022 – 31st March 2023 was completed and submitted to Welsh Government (WG).

The Carbon Emission Update 2022/23 presented the results of the 2022/23 calculation whilst comparing them against figures from the Council's baseline year of 2018/19, which showed a reduction of greenhouse gas emissions in 2022/23. The report also provided explanation as to why emissions had changed, as well as noting any improvements or difficulties relating to the data and methodology.

The report concluded with a recommendation to investigate the use of digital technologies such as Microsoft Power BI to improve data quality for greater emissions management and reduce the time staff spent collecting the data, and also key considerations for the Climate Change Strategy review in 2024/25, in particular baseline emissions and targets for Supply Chain and targets for Mobility & Transport.

The Chief Officer (Planning, Environment and Economy) said data was maturing all of the time and would be better again the following year, particularly in relation to staff travel. Questions were raised at Environment and Economy Overview and Scrutiny Committee on the way in which data was presented and in future, different types of renewable energy would be split within the report. A request was also made for additional data on baseline figures and the report was broadly supported.

RESOLVED:

That the report be noted, including the progress made in the past year to improve data collection for the Council's carbon footprint.

84. HOMELESS PRESSURES

Councillor Bibby introduced the report and explained that within the Revenue Budget Monitoring Report 2023/24 (Month 4) reported to Cabinet in September 2023 it was recommended that, as required by the Council's Finance Procedure Rules, a separate report was to be prepared by Housing and Communities to expand on the reasons for the significant overspend on the homelessness budget and the mitigations being put in place.

Within the Housing Solutions service there were specific budgets for homeless accommodation settings for 'interim housing'. In addition to that budgeted provision for those locations, including the Homeless Hub, there was a further specific budget for emergency accommodation. That budget was used when there was no remaining

capacity in other budgeted temporary accommodation. The emergency accommodation used was mostly hotel rooms, within and beyond the boundaries of Flintshire, together with some use of other forms of holiday lets, such as caravans and apartments.

Options had been developed for consideration to manage the overspend on the homelessness budget which were outlined in the appendix to the report.

The Chief Officer (Housing and Communities) explained that the report had been submitted to Community and Housing Overview and Scrutiny Committee where the options outlined in the appendix were supported.

RESOLVED:

- (a) That the latest financial position in relation to homelessness be noted; and
- (b) That the options outlined in appendix 1 to increase supply and mitigate further overspends on the homelessness budget be supported.

85. CORPORATE DEBT POLICY – HOUSING RENT COLLECTION

Councillor Bibby introduced the report and said a recent report to the Community and Housing Overview and Scrutiny Committee provided the latest operational update on the collection of housing rent, along with proposals to improve the collections by taking earlier court action.

This report set out proposals to amend the Corporate Debt Recovery Policy and to strengthen the debt recovery process for housing rent.

The key change was a documented threshold for taking court action against contract holders who owed the equivalent of 12 weeks rent and/or £1,500 and who were not engaging with the Council.

Other minor changes to the Corporate Debt Recovery Policy related to write off authorisations and would replicate recent changes to the Financial Procedure Rules whereby the Corporate Finance Manager now had autonomy to write off single debts up to £10,000 (instead of £5,000). Debts between £10,000 and £25,000 would continue to be written off in consultation with the Cabinet Member and debts above £25,000 were referred to Cabinet prior to write off.

The Chief Officer (Governance) explained that the proposed change was presented to Corporate Resources Overview and Scrutiny Committee the previous week and was positively received.

RESOLVED:

That the proposed changes to the Corporate Debt Recovery Policy to strengthen the collection of Housing Rent by taking court action, as a default position, in cases where contract holders were not making payment, and were 12 weeks in arrears and/or who owed £1,500 or more be approved.

86. ALLEVIATING FOOD POVERTY OVER THE SCHOOL HOLIDAYS

Councillor Johnson introduced the report and said during the Covid pandemic Welsh Government (WG) committed to provide additional funding to support free school meals during the holiday and half term period. The scheme was intended to address 'holiday hunger' and help families struggling during the cost-of-living crisis and the mechanism for delivering that initiative was either a direct payment to families of eligible children, vouchers, or the provision of a lunch.

At the end of June WG confirmed that it was ending its support for free school meal provision for children during holidays and half terms.

At the Council meeting of the 26th September 2023 a Notice of Motion relating to Free School Meals was adopted, the key points of which were:

- *Cabinet will give a commitment to work to find resources during the Christmas holidays for families on free school meals and will bring a report to Cabinet in November with proposals for how this can be achieved*
- *Cabinet will set up a working group to report back to Cabinet. The working group will be chaired by a back-bench Member of the Council but will contain Councillor Paul Johnson and Councillor Mared Eastwood with representatives from across the Chamber*

The Terms of Reference for the working group were appended to the report.

RESOLVED:

- (a) That the payment of £25.00 per eligible pupil to address the period covering the Christmas holiday period, be approved to be taken from the hardship fund (total estimated amount £129,825); and
- (b) That a Member Working Group be set up and that group report back its findings before the 2024/25 budget is concluded. The principle aim of the Working Group will be to consider and recommend sustainable options for future school holidays.

87. 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 Communities

- **Request Permission to Tender a New Housing Support Project**
Flintshire Housing Support Team are requesting permission to commission a new supported housing project for people aged 25+ with multiple support needs. These can include mental health, substance misuse, offending,

moderate learning difficulties, adverse childhood experiences, trauma. The list is not exhaustive.

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).

88. EXPANSION OF SPECIALIST EDUCATIONAL PROVISION

Councillor Eastwood introduced the report which sought agreement to the proposed expansion of inhouse specialist education provision and approval to proceed to issue statutory notice for an increase in pupil places at Ysgol Pen Coch primary special school, Flint.

This would be in line with the requirements of The School Standards and Organisation (Wales) Act 2013 and School Organisation Code 2018.

RESOLVED:

That approval be given to proceed to issue a statutory notice for an increase in pupil places at Ysgol Pen Coch, Flint.

89. AURA LEISURE AND LIBRARY SERVICES

Councillor Eastwood introduced the report and explained that Aura Leisure and Libraries Limited was established in 2017 to deliver a project, the aims and objectives of which fell within eligibility criteria for grant funding from the Council.

The Council had been in discussion with Aura regarding options for a new longer-term contract and had commissioned work to help aid understanding and decision making.

RESOLVED:

- (a) That the high-level principles of a new contractual arrangement be supported and other factors of note be considered;
- (b) That a funding inflationary increase offer of 3.1% to Aura for 2024/25 be supported; and
- (c) That seeking a further extension of the current funding agreement, for 12 months duration, if early agreement cannot be obtained on a new contractual arrangement from April 2024 and/or there are any further slippages in the preliminary work be supported.

86. 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 11.33 a.m.)

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Chair