

CABINET
21 APRIL 2015

Minutes of the meeting of the Cabinet of Flintshire County Council held at County Hall, Mold on Tuesday, 21 April 2015

PRESENT: Councillor Aaron Shotton (Chairman)

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

APOLOGY: Councillor Billy Mullin

IN ATTENDANCE:

Chief Executive, Chief Officer (Community and Enterprise), Chief Officer (Governance), Chief Officer (Planning and Environment), Chief Officer (Social Services), Chief Officer (Streetscene and Transportation), Corporate Finance Manager, Programme Co-ordinator and Team Manager – Committee Services.

ALSO PRESENT:

Councillors Clive Carver, Dennis Hutchinson, Hilary Isherwood, Mike Peers, Vicky Perfect and Carolyn Thomas

152. DECLARATIONS OF INTEREST

None were received.

153. MINUTES

The minutes of the meeting held on 17 March 2015 had been circulated with the agenda.

RESOLVED:

That the minutes be approved as a correct record.

154. NEW CUSTOMER SERVICES POLICY

The Chief Officer (Community and Enterprise) introduced the new Customer Services Policy which provided a commitment to customers that when they accessed Council services they would receive consistently excellent standards of customer service.

The standards set out in the policy were the minimum that customers could expect from the Council, alongside individual services which may produce additional service specific standards or targets that were more relevant to the service they provided or the customers they served.

The draft policy was considered at Corporate Resources Overview and Scrutiny Committee on 11 December 2014 where only minor changes were suggested and had been included in the amended policy. A public consultation exercise had been undertaken with a limited response.

RESOLVED:

That the revised Customer Services Policy be approved.

The Leader and Cabinet Member for Finance explained that the next four reports on the agenda were policy reports which were part of the proposed changes and strategy to aid achievement of the £18m savings required for the authority for the current year. He expressed his frustration at the position the Council was in which was as a result of the level of cuts imposed on local authorities from a national level, adding that he feared the future of local Council services because of such measures.

155. FLINTSHIRE PARKING STRATEGIES

The Deputy Leader of the Council and Cabinet Member for Environment introduced the Car Parking Strategy and the introduction of parking charges at all viable town car parks within the ownership of the Council.

Following Member workshops which included representatives from Town and Community Councils and a public consultation exercise, the proposed parking management arrangements would be applied only in towns where the total number of available Council owned parking spaces exceeded 50 spaces and would therefore apply in the following towns:

- Flint
- Holywell
- Mold
- Buckley
- Connah's Quay
- Queensferry
- Shotton

Talacre would also be included in the arrangements because of local concerns regarding parking and the impact it had on local communities and businesses.

Where possible a single consistent charging levy would be applied at each car park and a charging sheet list detailing the charging bands that would apply in each town was attached as appendix 2 to the report.

The introduction of car park charges would impact on the availability of local on-road parking spaces for residents. To overcome this issue, effective residents parking schemes would be required in some areas of the County. Each local parking strategy would contain details of any local resident parking schemes which would be required as a result of the new proposals.

The programme to introduce revised Traffic Regulation Orders and the resident parking schemes would be delivered to coincide with the introduction of parking charges. Based on the information gained from the pilot, it had been assessed that the cost of delivering the residents parking scheme could be recovered through a charge for each residents parking scheme of £25 per annum per car.

The introduction of parking charges in both Flint and Mold would require that the associated staff and visitor car parks in those areas be considered as part of the local parking strategy. This would therefore necessitate the introduction of an affordable and equitable parking permit scheme for the staff that worked at those facilities and used the Council car parks. Following consultation with staff and Trades Unions, the original proposed charging arrangements for parking permits had been modified.

The cost of a parking permit would be equivalent to that provided to non-Council staff at public commuter car parks which was currently £100 per annum with a zero permit charge for staff employed on salaries at or below the nationally recognised living wage and to any modern apprentices employed by the Council. Senior staff would be offered designated spaces at a premium rate and in line with current charging arrangements.

In common with other town car parks, there would be no charge for evening parking in Mold.

Where car parking charges were introduced in a town or area that were above the County wide base level, a contribution to the local Town or Community Council equivalent to 10% of the net difference between base level and actual charge level would be provided to the Town or Community Council to invest into the community.

Environment Overview and Scrutiny Committee considered the amended policy at its meeting on 15 April where the following amendments and additions to the policy were recommended:

1. Charges for Talacre to be 20p for up to 2 hours, £2 for up to 4 hours and £4 for all day
2. The 50p charge for parking at car parks in Mold be for 3 hours, not 2
3. Discussions to take place with Clwyd Theatr Cymru (CTC) on contributions to car park maintenance
4. Residents Parking Policy to be amended to apply for 24 hours a day 7 days per week
5. A progress report to be submitted to Overview and Scrutiny in 12 months

The Cabinet Member advised that he had received a petition signed by 1200 traders, residents and shoppers in Buckley who were opposed to the introduction of car park charges in any Flintshire town.

The Cabinet Member for Education supported the policy saying he felt motorists should pay for the use of car parks. If they didn't, it was included in the council tax levy which he felt was unfair on those residents who did not own a car and use the car parks. Flintshire County Council was the last authority in Wales to introduce car parking charges and those set out in the policy were relatively low to the charges imposed by neighbouring authorities.

The Cabinet Member for Economic Development concurred with the view of Councillor Bithell, adding his support to the free night time parking, which

would apply to people attending Clwyd Theatr Cymru (CTC), which would assist with the night time economy in towns which was being encouraged.

The Chief Executive explained that once proposals were outlined for no charges for evening parking in town centres, alternative options had to be considered on the way in which possible contributions could be made by CTC to the management costs of the public parking space at County Hall. Talks would take place with CTC on whether such contributions could be made via the grant that they received.

RESOLVED:

- (a) That the County Car Parking Strategy be approved;
- (b) That the Council wide charging sheet which lists the proposed charging bands be approved, and that delegated authority be provided to the Chief Officer (Streetscene and Transportation) following consultation with the Cabinet Member for Environment, to review the charging arrangements applied at each car park on an annual basis;
- (c) That the introduction of car parking permit schemes at County Hall and Flint be approved to allow staff to utilise the car parks within the local parking strategies;
- (d) That the proposals to make a contribution to any Town or Community Council with car parking charges above the base rate as highlighted in the Council wide summary charging sheet be approved;
- (e) That the proposed charge for the residents parking permit and the continued rollout of the residents parking scheme if required by the local parking strategy be approved; and
- (f) That delegated authority be granted to the Chief Officer (Streetscene and Transportation), following consultation with the Cabinet Member for Environment, to review the proposed charge for residents parking permits on an annual basis.
- (g) The following additions and amendments to the policy were approved:
 - 1. Charges for Talacre to be 20p for up to 2 hours, £2 for up to 4 hours and £4 for all day
 - 2. The 50p charge for parking at the short stay car parks in Mold be for 3 hours, not 2
 - 3. Discussions to take place with Clwyd Theatr Cymru (CTC) on contributions to car park maintenance
 - 4. Residents Parking Policy to be amended to apply for 24 hours a day 7 days per week
 - 5. A progress report to be submitted to Overview and Scrutiny in 12 months

156. WASTE COLLECTION POLICY

The Cabinet Member for Waste Strategy, Public Protection and Leisure introduced the revised Waste Collections Policy following the 2015-16 Business Planning process.

In June 2010 the Council adopted its Municipal Waste Strategy which contained a number of key actions which were needed to meet the challenging recycling targets set out in the all Wales National Waste Strategy 'Towards Zero Waste'.

He explained that if the Council failed to meet the Welsh Government (WG) National Strategy landfill targets, infraction charges could be levied against the Council totalling £200 for each tonne of waste land filled above the defined allowance.

In addition, the service was partly funded by WG through the Sustainable Waste Management Grant (SWMG). The level of the grant had been reduced by approximately 5% during 2013-14, 3% in 2014-15 and indications were that further reductions were to be expected in 2015-16 and beyond.

A summary of the following main changes to the existing policy were highlighted and detailed in full in the report:

- Missed collections
- Household Recycling Centres (HRC's)
- Garden Waste Collections (brown bins)
- Deliver of new waste containers
- Bulky waste collections

On HRC's, the Cabinet Member explained that, on the basis of the higher visitor numbers, the facilities in Flint and Connah's Quay would open on Saturday, Sunday and Monday only from 1 June 2015 which reflected the higher footfalls at those sites on those days. The sites would also open on the day following Bank Holidays.

Considerations for the site in Hope when compared to national WG guidelines included:

1. The site had the lowest footfall of all of the current HRC sites with only 4.5% of all HRC users visiting the site
2. The site had the lowest cost per tonne for material handled
3. The site was the worst performing site in terms of recycling with the lowest recycling rate
4. The site had the smallest footprint which restricted the amount of available space for new recycling containers

An option to restrict the site at Hope to receiving recycled material only had been considered but given the poor performance and restrictions on space at the site, the option was not affordable.

Member workshops, including representatives from Town and Community Councils, had taken place prior to the report being submitted to Environment Overview and Scrutiny Committee.

The Leader and Cabinet Member for Finance said the report had been discussed in a number of places. However, he queried the level of consultation that had taken place with adjoining ward Members whose residents would also be affected by the closure of the site in Hope and suggested that direct consultation would be of benefit. In addition, he said that there was a by-election taking place on 7 May for the Caergwrle Ward and the newly elected Member should also be consulted on the proposals. However, he added that if a decision on the closure of Hope HRC was deferred, it would have implications for the budget with the identified savings being required from elsewhere.

The Cabinet Member for Waste Strategy, Public Protection and Leisure moved an amendment to the recommendations that, to allow for further public consultation and discussion with the new Member for the Caergwrle ward, a discussion about the future of Hope Household Recycling Centre be deferred until June 2015.

The Deputy Leader and Cabinet Member for Environment supported the amendment and handed in a petition he had received from residents to keep the HRC in Hope open.

The Cabinet Member for Economic Development also supported the amendment but added that, during such a time of austerity, it would be unfair to favour one community over another when the whole of the Council faced cuts of 30%.

RESOLVED:

That the new Waste Collection Policy be approved with the exception of the closure of Hope Household Recycling Centre which is deferred until June 2015 to allow for future public consultation and discussion with the new Member for the Caergwrle ward following the by-election on 7 May 2015.

157. STREETLIGHTING POLICY

The Deputy Leader and Cabinet Member for Environment introduced the Council's revised Street Lighting Policy.

A summary of the following main changes to the existing policy were highlighted and detailed in full in the report:

- Extension of part night lighting
- Changes to fault repair standards
- Reduced night time inspection regime

Member workshops, including representatives from Town and Community Councils, had taken place prior to the report being submitted to Environment Overview and Scrutiny Committee.

RESOLVED:

That the Council's revised Street Lighting Policy be approved.

158. GRASS CUTTING POLICY

The Deputy Leader and Cabinet Member for Environment introduced the County's revised Grass Cutting Policy.

A summary of the following main changes to the existing policy were highlighted and detailed in full in the report:

- Frequency of cuts on rural highway verges
- Operational arrangements

Member workshops, including representatives from Town and Community Councils, had taken place prior to the report being submitted to Environment Overview and Scrutiny Committee.

RESOLVED:

That the County's revised Grass Cutting Policy be approved.

159. SCHOOL STANDARDS & ORGANISATION ACT 2013

The Cabinet Member for Education provided details of the changes in school organisation decision making arising from the School Standards and Organisation (Wales) Act 2013 (SSOWA).

The previous system allowed a single objector without a direct interest in a school to cause a referral to Welsh Ministers which was considered inappropriate by Welsh Government (WG).

New arrangements in the SSOWA were included which were designed to reflect the impact of school organisation proposals in an area by ensuring that decisions were taken at an appropriate level, in accordance with the level of concern expressed by those most involved in the locality.

RESOLVED:

That the changes concerning determination of school organisation proposals be noted.

160. REVENUE BUDGET MONITORING 2014/15 (MONTH 10)

The Leader and Cabinet Member for Finance introduced the report which provided Members with the latest revenue budget monitoring information for 2014/15 for the Council Fund and Housing Revenue Account (HRA) based on actual income and expenditure as at month 10 and projected forward to year-end based on the most up to date information available.

The report had been considered at Corporate Resources Overview and Scrutiny Committee the previous week, with the following comments being noted:

1. The levels of spending on overtime and agency staff within Streetscene resulting in a projected overspend of £86k
2. The cost implications of the decision not to progress the John Summers High School project
3. Areas where it would appear that projected income had been over-stated.
4. Areas where potential losses had been over-stated
5. For the recycling income, there was a potential under-achievement due to market volatility - assurance needed that the most beneficial contracts were being sought and secured
6. The Committee strongly supported the actions taken with regard to the Euticals site and for pursuing any cost recovery from the parent company

The year-end position, as estimated at month 10 was:

Council Fund

- Net in year expenditure forecast to be £1.716m lower than budget
- Projected contingency reserve balance at 31 March 2015 of £4.657m

Housing Revenue Account

- Net in year expenditure forecast to be £0.354m less than budget
- Projected closing balance as at 31 March 2015 of £1.519m

The Corporate Finance Manager explained that, taking into account the unearmarked reserves and the current projected outturn at month 10, the projected balance on the contingency reserve at 31 March 2015 was £4.657m.

On the HRA, the position at month 10 was an overall projected underspend of £0.354m and a projected closing balance at month 10 of £1.519m, which at 5.06% of total expenditure satisfied the prudent approach of ensuring a minimum level of 3%.

Details of the requests for carry forward were outlined in the report.

RESOLVED:

- (a) That the report be noted;
- (b) That the projected Council Fund contingency sum as at 31 March 2015 be noted;
- (c) That the projected final level of balances on the Housing Revenue Account be noted; and
- (d) That the carry forward requests be approved.

161. HOUSING BENEFIT OVERPAYMENT POLICY

The Leader and Cabinet Member for Finance provided details of the Council's Housing Benefit Overpayments Policy 2015 which had been considered and supported at Corporate Resources Overview and Scrutiny Committee the previous week.

The Chief Officer (Community and Enterprise) said the Council would seek to maximise recovery of overpaid Housing Benefit in accordance with the Authority's legal responsibility and its duty to protect public funds. The recovery of Housing Benefit Overpayments was included in the Council's Fair Debt Policy.

In developing the Policy, consideration had been given to the merits of specific cases and the need to exercise discretion in a fair and reasonable manner.

RESOLVED:

That the Housing Benefit Overpayment Policy be adopted.

162. DISCRETIONARY HOUSING PAYMENT POLICY

The Leader and Cabinet Member for Finance introduced the Council's revised Discretionary Housing Payment (DHP) Policy 2015 which had been considered and supported at Corporate Resources Overview and Scrutiny Committee the previous week.

The Chief Officer (Community and Enterprise) explained that Central Government's Welfare Reform programme had been designed to make the transition from Benefits into work easier. However in some cases it had caused a negative financial impact on households and individuals and the Government had identified DHP as a temporary support to enable claimants during transition.

Corporate Resources Overview and Scrutiny Committee recommended an amendment to paragraph 3.3 of the policy to include "social" as well as financial consequences of not making an award, which was supported.

RESOLVED:

That the Discretionary Housing Payment Policy be adopted from April 2015 with paragraph 3.3 being amended to include "social" as well as financial consequences of not making an award.

163. MOBILE HOMES SITE (WALES) ACT 2013

The Cabinet Member for Waste Strategy, Public Protection and Leisure provided details on the new legislation.

The Mobile Homes (Wales) Act, which came into force on 1 October 2014, required all residential mobile home parks to be relicensed by the Local Authority. It also introduced changes to the procedures for applying for a site licence,

including a 'fit and proper person' test for owners and managers, a range of enforcement provisions for the Local Authority and a longer, five year licence.

As the new arrangements for Caravan Site licensing included the introduction of a 'fit and proper person' test, it was felt that the Licensing Sub-Committee would be ideally placed to consider applications where such issues needed to be considered.

RESOLVED:

- (a) That any application for a site licence where the fitness and propriety of the applicant is questioned be referred to and determined by a Licensing Sub-Committee;
- (b) That enforcement powers be delegated to Environmental Health Team Leaders and Environmental Health Officers, and to the Licensing Team Leader and Licensing Officers; and
- (c) That the decision of adoption of a fee level be delegated to the Chief Officer (Planning and Environment) in consultation with the Cabinet Member for Waste Strategy, Public Protection and Leisure.

164. WASTE TRANSFER STATION AND BIOMASS PRODUCTION/STORAGE AREA IN GREENFIELD

The Cabinet Member for Waste Strategy, Public Protection and Leisure outlined the proposals to develop a proposed Waste Transfer Station and Biomass production / storage facility on land adjacent to the existing Housing Recycling Centre in Greenfield.

Details of two successful bids were provided, and a third bid which would be considered in May 2015, were provided.

A robust business case could be made to construct a second bulking up facility in the North of the County, which would only be used when vehicles were collecting in the local area. The business case identified two benefits:

1. Direct financial benefit from fuel savings which would deliver the savings identified in the 2016-17 Portfolio Business Plan
2. The proposals would deliver additional capacity to the current waste rounds, which would negate the need to introduce an additional waste round to deal with the ever growing number of properties being constructed in the County

In addition, the facility would offer the opportunity for neighbouring authorities to operate into the facility.

The remaining area of the site could be surfaced to provide a storage area for the timber material which was currently brought to Household Recycling Centre sites for disposal. The timber would need to be covered to allow it to dry before being chipped or shredded to form Biomass. The Biomass material would

become available for use in an appropriate boiler at a Council owned facility or sold directly to merchants for use nationally.

In response to a question from the Deputy Leader and Cabinet Member for Environment, the Chief Officer (Streetscene and Transportation) explained that the business case was not dependant on neighbouring authorities utilising the facilities. If the opportunity was to be offered to neighbouring authorities, a report would be submitted to Cabinet.

The Chief Executive added that if the third bid outlined in the report was unsuccessful a further report would be submitted to Cabinet on how the project could be funded.

RESOLVED:

- (a) That the continued development of the proposed Waste Transfer Station proposals in Greenfield be approved;
- (b) That the continued development of the proposed Biomass storage and production facility in Greenfield be approved; and
- (c) That the use of the prudential borrowing funding previously allocated to Household Recycling Centre and waste improvements to part fund the scheme be approved.

165. NORTH WALES REGIONAL SCHOOL IMPROVEMENT SERVICE (GWE) - CHANGES TO CONSTITUTIONAL ARRANGEMENTS

The Cabinet Member for Education provided details of the changes to the membership of the GwE Joint Committee in response to the adoption of the National Model for Regional Working.

Appendix 2 to the report provided details to the revision of the membership of the Joint Committee and the establishment of an Advisory Board and Management Board to support the Managing Director and Senior Management Team of GwE.

As part of the Joint Committee review, it was suggested that Gwynedd Standing Orders be adopted in relation to quorum which would mean, in the case of the Joint Committee, that three voting members would need to be present to effect a quorum.

RESOLVED:

That the amended governance arrangements for GwE, the North Wales Regional School Improvement Service, be approved in order to comply with the requirements of the National Model for Regional Working.

166. COMMUNITY REVIEW - FLINT MOUNTAIN

The Leader and Cabinet Member for Finance introduced the report issued by the Local Democracy & Boundary Commission for Wales which sought views

on three options for community boundaries for the Flint Mountain area. The report had been considered at County Council the previous week.

The Cabinet Member for Education queried why the review had taken place and questioned whether more support should need to be shown prior to the Boundary Commission undertaking such reviews. The Chief Executive explained that the reason why the review was undertaken would be challenged.

RESOLVED:

That the consultation document be responded to, supporting Option A, as insufficient evidence has been produced to alter the existing arrangement.

167. WEBCASTING OF MEMBER MEETINGS

The Leader and Cabinet Member for Finance introduced the report which provided a recommendation from the Constitution Committee that the Council implements webcasting of those Member meetings of most interest to the public, with officers investigating ways of doing so within available staffing resources.

RESOLVED:

- (a) That the introduction of webcasting of those meetings of greatest public interest namely meetings of the Planning and Development Control Committee and meetings of County Council be agreed;
- (b) That the Chief Officer (Governance) be authorised to enter into a contact for 3 years for meetings held in the Council Chamber;
- (c) That the Chief Officer (Governance) in consultation with the Leader and Deputy Leader, make recommendations to the Democratic Services Committee on how webcasting can be accommodated within available staffing resources; and
- (d) That the Chief Officer (Governance) recommend to Council the protocol appended to the report on webcasting of meetings.

168. TWELFTH ANNUAL REPORT OF THE FLINTSHIRE LOCAL ACCESS FORUM - 2013/14

The Leader and Cabinet Member for Finance introduced the twelfth report of the Flintshire Local Access Forum.

RESOLVED:

That the twelfth annual report of the Flintshire Local Access Forum, for 2013/14, be noted and approved and be submitted to National Resources Wales for their records.

169. EXERCISE OF DELEGATED POWERS

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

Planning and Environment

- **Public Protection Fees and Charges for 2015/16**

New charges for various licences, registrations and the bereavement service have been reviewed and took effect from 01.04.15 apart from the taxi licence increase which would have come into force from 01.05.15

Community and Enterprise

- **Business Rates – Write Offs**

The write off of three business rate accounts where the overall debt for each company is greater than £5,000 totalling £46,460.06.

- **Council Tax – Write Offs**

The write off of two council tax accounts where the overall debt for each is greater than £5,000, totalling £17,533.70.

170. 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 item by virtue of exempt information under paragraph 14 of Part 4 of Schedule 12A of the Local Government Act 1972 (as amended).

171. FORMER EUTICALS SITE, SANDYCROFT

The Cabinet Member for Waste Strategy, Public Protection and Leisure provided details of a phased plan for the resolution of the ongoing risk to public health posed by the abandoned site at Sandycroft formerly owned by the company Euticals.

RESOLVED:

That the grant offer of Welsh Government be accepted and the Council proceeds with phases 1 and 2 of the project plan to remove the risk to the public and dispose of the site as set out in the report.

172. MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE

There were 16 members of the public and two members of the press in attendance.

(The meeting started at 9.30 am and ended at 12.15 pm)

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Chairman