

CABINET
19 MARCH 2019

Minutes of the meeting of the Cabinet of Flintshire County Council held in the Clwyd Committee Room, County Hall, Mold on Tuesday, 19th March 2019.

PRESENT: Councillor Aaron Shotton (Chairman)

Councillors: Bernie Attridge, Derek Butler, Christine Jones, Billy Mullin and Carolyn Thomas.

IN ATTENDANCE:

Chief Executive, Chief Officer (Governance), Corporate Finance Manager, Chief Officer (Streetscene and Transportation), Chief Officer (Planning and Environment), Senior Manager – Integrated Services and Lead Adults, Senior Manager – School Planning and Provision, Enterprise and Regeneration Manager, Affordable Housing Officer, Homeless and Advice Team Manager and Team Leader – Democratic Services.

APOLOGIES:

Councillors: Chris Bithell and Ian Roberts.

OTHER MEMBERS IN ATTENDANCE:

Councillor Patrick Heesom.

322. DECLARATIONS OF INTEREST

None.

323. MINUTES

The minutes of the meeting held on 19th February 2019 were approved as a correct record.

RESOLVED:

That the minutes be approved as a correct record.

324. WELSH LANGUAGE PROMOTION STRATEGY

Councillor Mullin introduced the Welsh Language Promotion Strategy report which detailed the final five-year Welsh Language Promotion Strategy for Flintshire.

The strategy identified how the Council could work together with partner agencies and others in the community such as Town and Community Councils and businesses to promote the Welsh language.

The Chief Executive explained that a partnership approach between Flintshire County Council and Wrexham County Borough Council to build on the work of the existing Welsh Language Forum facilitated by Menter Iaith could be explored with the aim being to refocus its activities on increasing the numbers of Welsh speakers across Flintshire and Wrexham counties. The strategy had

recently been positively received at Corporate Resources Overview and Scrutiny Committee.

RESOLVED:

- (a) That the Welsh Language Promotion Strategy be endorsed, prior to publication and implementation;
- (b) That a review of opportunities to work in partnership with Wrexham County Borough Council, Menter Iaith Fflint a Wrecsam and other key stakeholders to develop a sub-regional forum to monitor and progress both counties' Welsh Language Promotion Strategies be supported; and
- (c) That an annual report be made on progress with the Strategy to include a review and refresh of the implementation action plan.

325. SOCIAL VALUE STRATEGY

Councillor Mullin introduced the Social Value Strategy report which demonstrated how social value looked beyond the financial cost of a service and considered what wider additional benefits to the community could be guaranteed.

Implementing the Social Value Strategy would be a key element in delivering the Well-being of Future Generations Act and would enable the Council and partners to create new resources for priority work streams.

The Enterprise and Regeneration Manager explained that a review of the original Community Benefits Strategy had been undertaken and a broader approach, outlined in the report, was proposed to generate social value from Council and partner activities.

The revised strategy challenged partners, services and suppliers to consider how they could generate additional value for the communities of Flintshire and how that could be measured. The approach would be a key tool in helping the Council and its partners to demonstrate how the Well-being of Future Generations Act was being delivered. The process of considering how wider benefits could be realised during service design and the generation of measurable social value would provide a robust evidence base.

The initial focus would be on generating social value through the procurement process as that offered the greatest and most immediate opportunities to deliver considerable social value. Developing an effective approach would require new resources, details of which were outlined in the report.

Councillor Shotton commented on examples of where Flintshire had already benefited from social, citing 21st Century Schools, Social Care and the council house building programme. The Council wished to unlock further community benefits which this strategy would help to deliver.

Councillor Thomas commented on the possible opportunity to run community transport buses through this strategy.

The Chief Executive referred to a comment at a recent meeting of Organisational Change Overview and Scrutiny Committee from the Chair, Councillor Mackie, on whether social value would be open to challenge – this would be discussed with the Chief Officer (Governance) and the Procurement Team.

Councillor Butler commented on the opportunities for social enterprise on Deeside Industrial Park, such as restaurants being made available to meet the demand where there were a large number of employees.

RESOLVED:

- (a) That the draft Social Value Strategy be approved; and
- (b) That the release of reserves funding to deliver the Social Value Strategy, including the recruitment of a lead officer, be approved.

326. BECOMING A 'DEMENTIA FRIENDLY COUNCIL'

Councillor Jones introduced the Becoming a Dementia Friendly Council report and explained that the Alzheimer's Society's Dementia Friendly Communities/Organisations programme aimed to encourage everyone to share responsibility to ensure that people with dementia felt understood, valued and able to contribute to their community.

It focussed on improving inclusion and quality of life through training and awareness raising within communities and organisations so they were better able to respond to the needs of those living with dementia and their carers.

The Senior Manager – Integrated Services and Lead Adults said that dementia featured as a priority within a number of the Council's corporate plans but in order to seal the Council's commitment, the Council wished to progress to becoming a Dementia Friendly Council which would be one of the first in North Wales.

Raising awareness of dementia and how it impacted people in communities had been taking place over a number of years with the aim of upskilling staff to improve the Council's practice, with a number of positive outcomes achieved. To date Flintshire had seven Dementia Friendly Communities and three Dementia Friendly Organisations.

In response to a question from Councillor Thomas, the Senior Manager said she would find out the details of the process and pathways in relation to the database held by the Police, and how people with dementia were added to that database, and respond directly to Councillor Thomas. She would also send out to Cabinet Members the 'Herbert Protocol' which formed part of the training on dementia.

RESOLVED:

That it be agreed that Flintshire County Council move towards becoming a Dementia Friendly Organisation.

327. FLINTSHIRE COUNTY COUNCIL'S RESPONSE TO THE WELSH GOVERNMENT WHITE PAPER 'IMPROVING PUBLIC TRANSPORT'

Councillor Thomas introduced the Flintshire County Council's Response to the Welsh Government White Paper 'Improving Public Transport' report which included the Council's formal response to the White Paper.

Councillor Thomas said a review was needed to save bus transport and Welsh Government (WG) was looking at using devolved powers to revise legislation and regulate bus service provision, giving local authorities powers to be able to run their own bus services which she welcomed.

Commercial operators were making business decisions to only run efficient and commercially viable services which resulted in some areas being cut off - this impacted on the vulnerable, the elderly, the disabled and those who did not own a car. She felt it was important for people to remain independent, mobile and active which was a challenge for the Council and also for WG.

The Chief Officer (Planning and Environment) explained that the Licensing Committee had received the draft response at the meeting in January where it received full support. He added that, with reference to licensing, national standards were fully supported but at this stage there was no detail contained within the White Paper as to how the Joint Transport Agreement would undertake the licensing function – it was therefore felt that enforcement and implementation should take place at a local level.

Councillor Shotton commented that the review was long overdue and stressed the importance of the consultation document.

RESOLVED:

That the response to the Welsh Government consultation document 'Improving Public Transport' be approved.

328. SHELTERED ACCOMMODATION REVIEW

Councillor Attridge introduced the Sheltered Accommodation Review report and explained that the Council's sheltered housing was currently for people aged over 60 and the mini-group accommodation was for people aged over 50 years.

However, the Council's age criteria was an operational issue, due to the Housing Association partners' criteria being over 55 years resulting in three different age specifications at the point of allocating properties.

A review of sheltered accommodation was proposed within the context of an increasing demand for social housing across Flintshire; an increasing number

of people with physical disabilities; and the strategic principle in the draft Housing Strategy of making the best use of existing stock.

An initial desk analysis had been undertaken and provided a better understanding of the Council's stock use, full details of which were outlined in the report.

Flintshire County Council was the only partner of the Housing Register who had two levels of age criteria for sheltered accommodation, neither of which aligned with the Council's partner's criteria. All other Single Access Route to Housing (SARTH) partners had a criteria of over 55 and it was proposed that Flintshire County Council aligned the age criteria with those partners.

In response to a question from Councillor Thomas, the Homeless and Advice Team Manager explained that if a resident was affected by bedroom tax and wanted to downsize, they would go into Band 1, but for properties available from general needs stock, not sheltered accommodation.

RESOLVED:

- (a) That the eligibility criteria for all mini-groups and sheltered schemes to age 55 so as to bring them in line with our Housing Association and Local Authority Single Access Route to Housing Partners be approved; and
- (b) That the scope of the review be approved with update reports being brought back to Cabinet and Overview and Scrutiny as the review progresses.

329. LOCAL FULL FIBRE NETWORK (LFFN)

Councillor Mullin introduced the Local Full Fibre Network (LFFN) report which provided an update on the digital work carried out to date by the North Wales Economic Ambition Board (NWEAB).

The Chief Officer (Governance) provided details on the development of the Digital Connectivity Strategy for the region, including an update on the LFFN project being developed to secure funding from UK Government's Department for Digital, Culture, Media and Sport.

At the meeting in March of the NWEAB, a Digital Connectivity Strategy for the region was approved. It was also agreed at that meeting that Denbighshire County Council would be the lead authority for the purposes of the bid for the funding.

The Enterprise and Regeneration Manager explained that the LFFN focussed on upgrading public sector connectivity by replacing current copper connections with better value, faster 'full fibre' connections at around 400 sites across the region. Amongst the direct public sector beneficiaries would be Local Authorities, Betsi Cadwalader University Health Board, North Wales Fire and Rescue Service and GP surgeries. Surrounding residential and business properties would also benefit from the investment in the fibre network. The outcome of the £13m investment would be an almost complete coverage of full

fibre connectivity across the public sector in North Wales, making it one of the best connected in the UK.

Councillor Shotton welcomed the report and said it was universally beneficial to the region of North Wales and would help to expand employment sectors.

The Chief Executive said this was a top priority in the Growth Deal work and all partner organisations were taking similar reports to Cabinet meetings for approval. He thanked Denbighshire and Wrexham Councils, who had led the project, for the work undertaken to date.

In response to a question from Councillor Attridge, the Chief Officer (Governance) explained that £33,000 of the funding would be met from the contingency element in the Capital Programme and the revenue cost of £9,500 would be met from reserves from the Revenue budget; the costs had emerged after the budget process had been completed.

RESOLVED:

- (a) That the North Wales Connectivity Strategy be adopted;
- (b) That it be approved that the Council enters into a suitable Inter-Authority Agreement with the other partner bodies in respect of the Local Full Fibre Network project; and
- (c) That the S151 Officer and Monitoring Officer, in consultation with the Cabinet Members for Corporate Management and Assets and Economic Development, and the Leader of the Council, be authorised to agree the final terms of the Inter Authority Agreement.

330. BUSINESS RATES – HIGH STREET AND RETAIL RATE RELIEF SCHEME

Councillor Mullin introduced the Business Rate – High Street and Retail Rate Relief Scheme report.

Welsh Government (WG) had recently announced a £23.6m package of additional funding across Wales to continue and expand the High Street Rate Relief Scheme to eligible ratepayers for 2019/20.

The Chief Officer (Governance) said the enhanced scheme, which was fully funded by WG, would provide support of up to £2,500 towards Business Rates bills for retail properties with a rateable value of up to £50,000. As well as increasing the level of support for retailers in town centres, the enhanced scheme would support retailers in other locations. The scheme was designed to make full use of the consequential funding WG had received in the UK Autumn Budget.

RESOLVED:

That the High Street and Retail Rates Relief Scheme for 2019/20 be adopted and rate relief of up to £2,500 to eligible retail businesses be provided.

331. REVENUE BUDGET MONITORING 2018/19 (MONTH 10)

The Corporate Finance Manager introduced the Revenue Budget Monitoring 2018/19 (Month 10) report which provided the latest revenue budget monitoring position for 2018/19 for the Council Fund and Housing Revenue Account. The report presented the position, based on actual income and expenditure, as at Month 10 of the financial year.

The report projected how the budget would stand at the close of the financial year if all things remained unchanged. Given that the Council was approaching the close of the financial year significant variations on the final out-turn position were unlikely.

The projected year end position, without new actions to reduce cost pressures and/or improve the financial return on efficiency planning and cost control was:

Council Fund

- An operating surplus of £0.743m (£0.233m at Month 9); and
- A projected contingency reserve balance as at 31st March 2019 of £8.527m, which, when taking into account the agreed contributions for the 2019/20 budgeted, reduced to £6.306m.

The positive movement of £0.510m was due to very recent variances including the ending of some out of county placements and the notification of one-off Non Domestic Rate (NDR) income. Those variations could not have been foreseen at the time of setting the 2019/20 annual budget. The improvements in the outturn would have a positive impact on the projected availability of reserves at year end which would help safeguard the Council against the known risks in 2019/20. Further use of reserves to help balance the budget for next year would be unsustainable, and the advice on the amount of reserves which could have been drawn down would have remained unchanged at the stage of setting the annual budget even with the improved position.

Housing Revenue Account

- Net in-year revenue expenditure forecast to be £0.067m lower than budget; and
- A projected closing balance as at 31st March 2019 of £1.165m.

The report covered the Council Fund projected position; projected position by portfolio; out of county placements; central and corporate finance; tracking of in-year risks and emerging issues; achievement of planned in-year efficiencies; other tracked risks; independent inquiry into child sexual abuse; income; recycling income; schools – risks and impacts; other in-year issues; reserves and balances; earmarked reserves; and a request for carry forward of funding.

The Chief Executive explained that, as the last meeting of Corporate Resources Overview and Scrutiny Committee had been cancelled, the Cabinet report was sent to Members of the Overview and Scrutiny Committee before the Cabinet agenda was despatched for any comments; none had been received.

He added that information had been included in the report on late grant notifications, detailing the grant, whether it was additional or new, the amount and the impact on the 2018/19 budget.

RESOLVED:

- (a) That the overall report and the projected Council Fund contingency sum as at 31st March 2019 be noted;
- (b) That the projected final level of balances on the Housing Revenue Account be noted; and
- (c) That the carry forward request in paragraph 1.23 be approved.

332. SCHOOL ADMISSION ARRANGEMENTS 2020/21

The Senior Manager – School Planning and Provision introduced the School Admission Arrangements 2020/21 report which advised on the outcome of the statutory consultation exercise on the admission arrangements for September 2020.

In accordance with the School Admissions Code, the local authority was required to undertake a statutory consultation exercise on its admission arrangements for the following year. Consultation must cover the full admission arrangements, including the admissions policy, over-subscription criteria, the timetable for admissions and admission numbers, all of which were detailed in the report.

Comments were received during the consultation period from the Secondary Heads Federation on the process for changing schools during the school year. They were concerned, in particular, about the number of requests to transfer schools which were made during a school year and the disruption those could cause to a learner's education. In 2017/18 1228 transfers were processed which was a similar number to some other local authorities in Wales. Many transfers were as a result of house moves but some were not. In order to ensure that parents had given serious consideration to all options prior to requesting a transfer, it was suggested that the following wording, as agreed with Secondary Head teachers, be included in the policy:

“The Local Authority does not encourage transfers between schools, and a change of school mid-term can seriously disrupt the continuity of a child's education. If parents feel that a problem at school is so serious as to necessitate a change they are urged to take all reasonable steps to resolve the issue with the school first and then to seek advice from the Admissions Team if necessary before applying for a transfer. In cases involving school transfers request that do not involve a house move, the Local Authority reserves the right to arrange for the child to start the new school at the beginning of the next half term to minimise disruption to their own and other children's education. All secondary schools have mid-year transition programmes that will support pupils who are undertaking a mid-phase transfer. The programmes include extended visits to schools by parents/carers and pupils”.

The wording was supported by Members with the caveat that the wording “the Local Authority does not encourage” being changed to “the Local Authority discourages”.

Councillor Attridge asked for further information on the number of mid-year transfers that took place. The Senior Manager – School Planning and Provision explained that the figure was similar to previous years and some transfers were unavoidable. The aim was to minimise the disruption to a learner’s education.

In response to a question from Councillor Thomas, the Senior Manager explained that 96% of pupils got their first choice of school which was a higher percentage than some other local authorities. The transport policy was made clear to parents that free school transport would only be provided if the school was the nearest one to their home.

The Admissions team were thanked for all of the work undertaken throughout the year.

RESOLVED:

That the proposed admission arrangements for 2020/21 be approved, noting that Flintshire County Council discourages (rather than does not encourage) moves during the school year.

333. UPDATE ON THE CODE OF PRACTICE ON ETHICAL EMPLOYMENT IN SUPPLY CHAINS

Councillor Mullin introduced the Update on the Code of Practice on Ethical Employment in Supply Chains report which followed the adoption of the Welsh Government’s Code of Practice on Ethical Employment in Supply Chains being approved at Cabinet on 19th June 2018.

The Chief Officer (Governance) explained that, in adopting the code, the Council committed to undertake 32 actions in order to ensure that there was no unethical employment practice amongst any of its suppliers or contractors. The commitments included obligations to:

- Take active steps, such as producing a modern slavery statement;
- Introduce systems that would uncover and prevent unethical practice such as risk assessing whether any of the Council’s suppliers might engage in unethical employment practices; and
- Respond if concerns were raised with it e.g. an allegation that a supplier did not pay a fair wage to oversee suppliers.

All active steps had been undertaken to implement the commitments – further work remained to ensure that the systems were implemented and that employees were trained in their existence and use. In total, 21 of the actions had been completed.

One active step was to approve an annual statement on modern slavery. The statement described the Council’s actions in seeking to eradicate such unethical practice and a draft of the statement was appended to the report.

In response to a comment, the Chief Officer (Governance) explained that the Procurement Team would provide advice to managers when tender exercises were being undertaken.

RESOLVED:

- (a) That the progress in implementing the commitments under the Code of Ethical Practice in Procurement be noted; and
- (b) That the statement on modern slavery be approved.

334. EXERCISE OF DELEGATED POWERS

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

Revenues Service

- **Business Rates – Application for Hardship Rate Relief**
Section 49 of the Local Government Finance Act 1988 gives the Council the discretion to reduce or remit the payment of rates where it is satisfied that the ratepayer would sustain hardship if it did not do so and it is reasonable for it to do so having regard to the interests of its council tax payers. An application received from a ratepayer operating as a limited company on Deeside Industrial Park has been refused on the grounds that it is not deemed to be in the wider public interest to support the awarding of Hardship Rate Relief.
- **Council Rent – Application to Write Off Tenancy Arrears**
Financial Procedure Rules (section 5.2) stipulates that individual bad and recoverable debts in excess of £5,000 are considered for write off in conjunction with the relevant Cabinet Member. The write off request is in respect of one tenant who is subject to a Debt Relief Order (DRO). Rent arrears of £5,992.96 are included in the DRO which are now irrecoverable as a result of the award of the DRO.

Streetscene and Transportation

- **The Flintshire County Council Linderick Avenue, Southfields Close, Muirfield Road and Selsdon Close, Buckley (Prohibition and Restriction of Waiting and Loading and Parking Places) (Civil Enforcement and Consolidation) (Amendment No 12) Order 201.**
To advise Members of the objections received following the advertisement of the proposed Prohibition and Restriction of Waiting and Loading and Parking Places Amendment No. 12 Order, on Linderick Avenue, Southfields Close, Muirfields Road and Selsdon Close, Buckley.
- **The Flintshire County Council A549 Brunswick Road, B5128 Church Road, Knowle Lane, Oak Tree Close, Mountain Close, Lon Butterly, Pemba Drive, Victoria Road, Duke's Field Drive, Linthorpe Road, B5127 Mill Lane and Hawkesbury Road, Buckley. Proposed Prohibition of Waiting, Prohibition of Waiting at any Time and Limited Waiting.**

To advise Members of the objections received following the advertisement of the proposed Prohibition and Restriction of Waiting and Loading and Parking Places Amendment No. 12 Order, on Linderick Avenue, Southfields Close, Muirfields Road and Selsdon Close, Buckley.

- **The Flintshire County Council (Broughton Hall Road, Church Road, Cadnant Court and Clewden Road, Broughton) (20mph Speed Limit Zone) Order 20-**

To advise Members of the objections received following the advertisement of the proposed 20mph Speed Limit Zone on Broughton Hall Road, Church Road, Cadnant Court and Cledwen Road, Broughton.

- **Construction of Sinusoidal Humps and Flat Top Raised Tables at Broughton Hall Road and Church Road, Broughton**

To advise Members of the objections received following the advertisement of the proposed construction of sinusoidal humps and flat top raised tables at Broughton Hall Road and Church Road, Broughton.

- **Disposal of Optare Buses via Sale and Auction**

Seven ex-Deeside shuttle buses and two buses previously operated by GHA Coaches are surplus to requirement, following the receipt of capital funding from WG to replace the buses with new more energy efficient vehicles.

The seven ex-Deeside shuttle buses are to be sent to auction with Wilsons of Queensferry where it is considered they will achieve improved sale prices when compared with the previously used auctioneer, this also keeps the sale within the Flintshire area. The two ex GHA operated vehicles were removed from the previous auction as the bids received were considered to be too low. Since then they have been refurbished by a local operator (P&O Lloyd) with a view to re-auction, however P&O Lloyd have now offered to purchase the buses at values in excess of the previous maximum auction bids.

Both of these options look to maximise value for money and adhere to the principles of Best Value and are in the best interests of the Local Authority, particularly given that these vehicles have high mileage and are coming towards their end of working life.

- **The Flintshire County Council (Wepre Lane, Connah's Quay) (30mph Speed Limit) Order 201-**

To advise Members of an objection received following the advertisement of the proposed 30mph Speed Limit Way on Wepre Lane, Connah's Quay.

- **The Flintshire County Council (Old Warren, Broughton) (40mph Speed Limit) Order 201-**

To advise Members of an objection received following the advertisement of the proposed 40mph Speed Limit Way at the Old Warren in Broughton.

- **The Flintshire County Council (A5104 Chester Road, B5125 Chester Road, Broughton) (Restricted Road, 30mph, 40mph and 50mph Speed Limit) Order 201-**

To advise Members of an objection received following the advertisement of the proposed 30mph, 40mph and 50mph Speed Limit Way on the A5104 Chester Road, B5125 Chester Road, Broughton.

- **The Flintshire County Council (Various Roads, Connah's Quay and Northop) (40mph and 50mph Speed Limit) Order 201-**

To advise Members of an objection received following the advertisement of the proposed 40mph Speed Limit Way on the B5126 Mold Road, Connah's Quay.

Housing and Assets

- **Transfer of 5 No. Properties (Plot No's 9-11 and 19 and 20 at Kinnerton, Kinnerton Lane and Higher Kinnerton**

Elan Homes covenant to transfer the properties for £1.00 each to the Council or to a company wholly owned by the Council, any such company having agreed with the Council to use the Affordable Dwellings as Affordable Housing.

335. MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE

There was 1 member of the press and no members of the public in attendance.

(The meeting commenced at 9.30 a.m. and ended at 11.20 a.m.).

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Chairman