

CABINET
17 MARCH 2020

Minutes of the meeting of the Cabinet of Flintshire County Council held in the Clwyd Committee Room, County Hall, Mold on Tuesday, 17 March 2020

PRESENT: Councillor Ian Roberts (Chairman)

Councillors: Glyn Banks, Dave Hughes, Christine Jones and Carolyn Thomas

APOLOGIES:

Councillors: Chris Bithell, Derek Butler and Billy Mullin

IN ATTENDANCE:

Chief Executive, Chief Officer (Governance), Corporate Finance Manager, Chief Officer (Housing and Assets), Chief Officer (Streetscene and Transportation), Chief Officer (Planning, Environment and Economy), Chief Officer (Education and Youth), Strategic Policy Advisor and Democratic Services Officer

OTHER MEMBERS IN ATTENDANCE:

Councillors: Mared Eastwood and Patrick Heesom were present as observers

155. DECLARATIONS OF INTEREST

None.

156. URGENT ITEM OF BUSINESS

As Leader of the Council, Councillor Roberts read out a joint statement on behalf of himself and the Chief Executive:

“We fully empathise and share in the heightened sense of anxiety across communities in the current national situation - one which has no precedent in recent times.

This is a fast-developing and changing national and international situation. Be assured that we have full business continuity planning in place across our services in readiness.

There is a national, regional and local command and decision-making structure in place – from the national COBRA meeting led by the Prime Minister downwards - and we are playing our full part as your County Council. This is now in full operation.

The regional planning and response for North Wales is led by the Strategic Coordination Group (SCG), a group made up of senior professionals from health, emergency and public service partners. This is meeting frequently and both follows the direction of national decision-makers and advisors and contributes to their work with feedback and escalated requests for support. We are a very active member of SCG through the Chief Executive and other lead officers.

A number of members of the public have asked about our role as a council. The response to the national situation is being led by the UK

Government and the devolved national Governments, and is heavily reliant on the advice of the Public Health national agencies and the appointed medical and public health experts. We follow their lead and make regional and local decisions accordingly. Although we play a very important role, we are not the lead in the public eye and must work to national and regional advice and direction. This is why we refer people to the authoritative sources of advice on personal health and well-being, and medical support, such as Public Health Wales.

We will issue local public statements on local responses and service arrangements as and when necessary. We welcome and will be fully supporting community self-support action through our voluntary and charitable partners, Flintshire Local Voluntary Council (FLVC), community organisations and Town and Community Councils. The situation will develop quickly and we will make decisions on prioritising our resources for the most critical services as necessary.

We will make our first announcements on the temporary closure of local facilities and services from today. We have already restricted visits to the residential care homes we operate, and have encouraged our independent care home providers to do the same. We have advised head teachers to restrict access to schools for all but pupils and their teaching and support staff and to cancel all non-essential communal events. We are issuing daily advice to social care partners and to schools.

All essential Council services are running as normal at this stage. This might be subject to change. As an employer we have been taking steps to protect our workforce over the past two weeks. We are now introducing further steps to extend home and remote working to keep our workforce safe so that they can support continuity of services to the public.

All non-essential Council meetings are stood down until further notice including all public Council meetings and events. We appeal for all to help us maintain a sense of calm, to show personal responsibility in following national advice, and to contribute to community and family actions to support the most vulnerable wherever you can.

Colin Everett, Chief Executive and Councillor Ian Roberts, Leader

This was accompanied by a statement by the Welsh Local Government Association dated 16 March 2020:

We want to reassure residents that, in collaboration with our partners, all necessary steps will be taken to ensure the wellbeing of our communities. At the moment council services remain open. Following the government announcement today, we will be assessing the position and making further detailed announcements tomorrow.

Government guidance is that schools should remain open for the time being. The message to parents is that, as in other areas of Wales, schools will open tomorrow as normal and the position will be kept under continuous review. Residents and parents are urged to follow the Government's revised social distancing guidelines and anyone who is experiencing symptoms should continue

to follow Public Health Wales advice which can be found here:
<https://phw.nhs.wales/topics/latest-information-on-novel-coronavirus-covid-19/>

Chris Llewellyn, Chief Executive and Councillor Andrew Morgan, Leader

RESOLVED:

That the verbal report be received.

157. STRATEGIC EQUALITY PLAN 2020/24

The Chief Executive introduced a report to agree the Council's revised equality objectives and Strategic Equality Plan (SEP) for 2020/2024 prior to statutory publication.

The Strategic Policy Advisor provided an overview of the key considerations and research used to develop the SEP. Six of the seven equality objectives were consistent with those set in 2016, with the addition of a new objective on poverty which reflected the new socio-economic duty placed on public bodies. Actions in the SEP would be reviewed annually and incorporated within the CAMMS system to provide more robust reporting.

Councillor Banks welcomed the move to review the Plan on an annual basis which provided more flexibility.

The recommendation was moved and seconded by Councillors Roberts and Thomas.

RESOLVED:

That the Council's equality objectives and Strategic Equality Plan (SEP) 2020/2024 be endorsed.

158. TOWN CENTRE REGENERATION UPDATE

The Chief Officer (Planning, Environment and Economy) presented an update report on the strategic approach to regenerating town centres as identified in the refreshed Council Plan for 2020 onwards.

In addition to updating on actions taken by the Council since February 2019, the report detailed the expectation by Welsh Government (WG) for councils to adopt a more ambitious approach to town centre regeneration. The report also identified the need for additional resources to supplement the team to carry out the additional work. The report and recommendations had been well received by the Environment Overview & Scrutiny Committee.

In moving the recommendations, Councillor Thomas said that the discussion at that meeting had been positive. She spoke about the changing context of town centres in exploring options such as transport hubs, quality accommodation and projects under the Townscape Heritage Initiative investment programme.

Councillor Banks congratulated the team on successful bids for WG funding.

RESOLVED:

- (a) That progress in delivering the priorities for town centre regeneration agreed at the May 2019 Cabinet meeting be noted;
- (b) That the future strategic direction set out in the report to deliver those priorities in the future be supported;
- (c) That delegated authority be given to the Chief Officer (Planning, Environment and Economy) in consultation with the Cabinet Member for Economic Development to bid for external funding as it becomes available to support the approaches to town centre regeneration set out in the report; and
- (d) That the allocation of resources as identified in the report to increase the impact of the Council's approach to town centre regeneration be supported.

159. SCHOOL MODERNISATION – 21ST CENTURY SCHOOLS CAPITAL PROGRAMME

Councillor Roberts introduced an update report on projects within Band B of the 21st Century Schools Capital Programme as part of the Council's commitment to invest in schools to improve the learning environment for pupils in Flintshire.

In moving the recommendations, Councillor Roberts explained that the projects were for the development of a new building for Ysgol Croes Atti in Flint and a consultation strategy for a revised model of primary and secondary education in the Saltney/Broughton area. Approval was also sought to engage with the Welsh Government's (WG) strategic partner for the Council's nominated Mutual Investment Model (MIM) project to co-locate primary and secondary provision in Mynydd Isa. This project had been identified as the best fit for a WG pathfinder project which would benefit from MIM improved intervention rates.

Councillor Roberts emphasised that any consultation would not take place during the current period due to the restrictions in place.

Councillor Thomas seconded the recommendations and welcomed the steps taken by the Council to improve school buildings which would also have a positive impact on carbon emissions.

Councillor Banks welcomed the proposal for Flintshire's first new build Welsh Medium primary school and took the opportunity to pay tribute to WG for working with the Council on school modernisation.

RESOLVED:

- (a) To proceed with statutory consultation through the School Organisation Code, for relocating Ysgol Croes Atti, Flint to a new site on the Croes Atti housing development;
- (b) That the Council's nominated MIM project to the proposed project for the Mynydd Isa area be amended and by doing so allow officers to engage with WG's Strategic Partner for MIM, when they become available in Autumn 2020;
- (c) To consult through the School Organisation code on the proposal to amalgamate local authority maintained primary school provision in the Saltney area – Saltney Ferry Primary School and Saltney Wood Memorial Primary School; and
- (d) To consult informally with key stakeholders in Saltney and Broughton with regard to developing a new offer of secondary education that is modern, high quality and attracts local pupils from across the local area, and is sustainable.

160. SCHOOL MODERNISATION - THE SCHOOL STANDARDS AND ORGANISATION (WALES) ACT 2013 - LIXWM SCHOOL RE-DESIGNATION

Councillor Roberts introduced a report to share details of responses received during the objection period to re-designate Lixwm Community Primary School to a Voluntary Aided (VA) School and to seek support for the re-designation to proceed. He confirmed that no objections had been received.

The Chief Officer (Education & Youth) said that the report was the culmination of a significant amount of work undertaken with communities.

RESOLVED:

That Cabinet proceed with the proposal to re-designate Lixwm Community Primary School as a Voluntary Aided (VA) school.

161. SCHOOL ADMISSION ARRANGEMENTS 2021/22

The Chief Officer (Education & Youth) introduced a report to provide details on the outcome of the statutory consultation exercise on admission arrangements for September 2021. During the consultation process, no schools had requested a review of their admission numbers for 2021/22. The current admission arrangements set out in the report indicated that the majority of parental preferences continued to be met.

RESOLVED:

That the proposed admission arrangements for 2021/22 be approved.

162. REVENUE BUDGET MONITORING 2019/20 (MONTH 10)

Councillor Banks introduced the report on the revenue budget monitoring position for the Council Fund and Housing Revenue Account (HRA) as at Month

10. This reflected the budget position at the close of the financial year if all things remained unchanged. No issues had been raised on the report by the Corporate Resources Overview & Scrutiny Committee.

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 deficit of £1.625m which is a favourable movement of £0.041m from the deficit figure of £1.666m reported at Month 9; and
- A projected contingency reserve balance as at 31 March 2020 of £3.244m.

Housing Revenue Account

- Net in-year revenue expenditure forecast to be £0.062m lower than budget which was a positive movement of £0.165m from the deficit figure of £0.103m reported at Month 9; and
- A projected closing balance as at 31 March 2020 of £1.385m.

The measures introduced to mitigate the overall projected overspend position had made a positive impact and this work would continue with specific areas under tactical review as detailed in the report. The potential for late grant awards from Welsh Government (WG) could also improve the year-end outturn.

On the significant variances, confirmation was awaited on the Council's allocation of Additional Winter Pressures grant funding to be distributed through the Regional Partnership Board.

On Reserves and Balances, the projected year-end balance on Contingency Reserves was £3.244m.

There was one request for carry-forward of funding on the Hwb In-Schools Infrastructure grant scheme which needed to be claimed before the end of the financial year. The allocation of this funding to support school ICT networks would be allocated against existing spend in-year, and approval sought for the resulting underspend to be carried forward to the next financial year to fund the implementation stage.

The Chief Executive said that no significant change was expected to the end of year position and that delayed expenditure arising from addressing flooding issues was a possibility. No additional emergency spend was expected in response to the Coronavirus outbreak, however officers were working on contingency budgets for 2020/21. Any information on national funding to support services and lost income would be shared when available.

RESOLVED:

- (a) That the overall report and the projected Council Fund contingency sum as at 31st March 2020 be noted;

- (b) That the projected final level of balances on the Housing Revenue Account (HRA) be noted; and
- (c) That the carry forward request included in paragraph 1.22 be approved.

163. INDEPENDENT AFFORDABLE HOUSING SUPPLY REVIEW

Councillor Hughes introduced an update on progress with the recommendations of the independent review of Affordable Housing Supply in Wales which had been commissioned by Welsh Government (WG). The WG responses and timescales to the recommendations were appended to the report alongside actions being taken by the Council on a local and regional basis with strategic partners to improve delivery arrangements for the supply of affordable housing.

The Chief Officer (Housing and Assets) said that the independent panel had agreed the definition of affordable housing in the context of Technical Advice Note (TAN) 2 which included a range of housing models such as equity share schemes, Help to Buy and Rent to Own.

Councillor Thomas referred to the grant funding received by Registered Social Landlords which did not apply to councils. The Chief Officer said that this resulted in the Council taking a more innovative approach to its house building programme. In response to further questions, he provided an update on progress at Garden City where the first modular build scheme in Flintshire was being developed. In acknowledging the financial impact of installing solar panels on houses, he paid tribute to the work of the Energy team.

Following a query by Councillor Banks, the Chief Officer provided clarification on work being undertaken by WG on Public Sector Land recommendations in the report.

The recommendation was moved by Councillor Hughes and seconded by Councillor Thomas.

RESOLVED:

That the attached recommendations from the review and the Minister's comments be noted, and that further updates be received as the implications of the recommended actions are further developed.

164. NORTH EAST WALES HOMES LIMITED

Councillor Hughes introduced a report on North East Wales (NEW) Homes to seek a change to the company's rules (Articles of Association) to allow more independent Directors on the board and remove the provision for a Council officer director. In moving the recommendations, he said that the changes to increase skills and experience on the board would contribute towards the company's commitment to provide affordable housing.

In response to a question from Councillor Banks, the Chief Officer (Governance) said that whilst the house building programme had so far focussed

on Flintshire, it was the aspiration of NEW Homes to expand its asset base across the region.

RESOLVED:

- (a) That an amendment to the NEW Homes Articles of Association be approved, to remove the provision for up to 1 Council Officer on the board and amend to allow up to 4 independent directors on the board as detailed in Appendix A; and
- (b) That authority be given to the Cabinet Member for Housing and Assets to sign the Written Resolution authorising the changes.

165. FLY TIPPING AND HOUSEHOLD DUTY OF CARE ENFORCEMENT

Councillor Thomas introduced a report on the twelve month review of the process for issuing Fixed Penalty Notices (FPNs) for small-scale fly tipping offences and sought approval for the introduction of education and enforcement for householder Duty of Care requirements.

It had been identified that around two thirds of fly tipping originated from domestic properties where residents had transferred their waste to unregistered traders. The proposed education campaign was to highlight householder responsibilities on domestic waste disposal and to issue an FPN where it could be demonstrated that residents had failed in their legal duty, with a reduction applied for early payment.

The Chief Officer (Streetscene and Transportation) explained that the number of fly tipping cases in Flintshire may be due to the Council's proactive approach to encourage reporting of incidents which were then recorded to monitor hotspot areas. He reported good performance on the removal of fly tipping within 24 hours and said that investigations were carried out to identify the source where possible.

Councillor Banks took the opportunity to pay tribute to Streetscene operatives and spoke in support of a further increase in the FPN charge as a deterrent. This view was shared by Councillor Jones who referred to the impact of fly tipping on flooding issues.

Councillor Thomas clarified that fly tipping of large-scale items incurred an FPN charge of £1,000.

The recommendations were moved and seconded by Councillors Thomas and Jones.

RESOLVED:

- (a) That progress on the issuing of Fixed Penalty Notices for small scale fly tip events be noted;

- (b) That the Countywide education campaign and subsequent enforcement of Householder Duty of Care arrangements through Fixed Penalty Notice be approved;
- (c) That the Fixed Penalty Notice charge for breach of Householder Duty of Care at £300 be approved, with a reduction to £150 if the FPN is paid within 10 days; and
- (d) That the Fixed Penalty Notice charge for small scale fly tipping offences at £300 be approved, with a reduction to £150 if the FPN is paid within 10 days.

166. DOMESTIC ENERGY PROGRAMMES

The Chief Officer (Planning, Environment and Economy) introduced a report to provide an update on the approaches being taken by the Council's Domestic Energy Efficiency Programme team to tackle fuel poverty in Flintshire.

The report, which included anonymised examples of assistance given to residents to improve their quality of life, had been well received by the Environment Overview & Scrutiny Committee.

During the debate, Members paid tribute to the important work undertaken by the team and their positive engagement with residents to provide reassurance and assist with other issues. The Chief Officer agreed to pass on the positive feedback to the team.

RESOLVED:

That the excellent progress made in delivering domestic energy efficiency programmes to support fuel-poor households in Flintshire be noted and that this work area continue to be supported as a Council priority in the future.

167. 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

- **20mph Speed Limit and 20mph Speed Limit Zone in Mancot**

To advise Members of the objections received following the advertisement of the proposed 20mph Speed Limit and 20mph Speed Limit Zone on Leaches Lane, Hawarden Way, Foxes Close, Earle's Crescent, Field View, Cottage Lane, The Paddock, Colliery Lane, Wilton Road, Willow Lane, Hampton Avenue, Clos Coed, Marnel Drive, Mancot Royal Close, Crossways, Mancot Way, Ashfield Crescent, Maxwell Avenue, Wenlock Crescent, Sunnyside, Deiniol's Road, Oakley Road, Leaches Close, Oak Court, Orchard Close, Westway and Mancot Lane, Mancot.

- **Proposed prohibition of waiting at any time and limited waiting in Mancot**

To advise Members of the objections received following the advertisement of the proposed waiting restrictions on Mancot Lane, Willow Lane, Field View, Mancot Way, Crossways, Hawarden Way, Leaches Lane, Foxes Close, Cottage Lane, Colliery Lane, The Paddock, Wilton Road, Clos Coed, Mancot Royal Close and Earle's Crescent, Mancot.

- **Section 23 of the Road Traffic Regulation Act 1984 - Proposed pedestrian crossing on B5129 Chester Road and Leaches Lane, Mancot**

To advise Members of the objections received following the advertisement of the proposed pedestrian crossing (Zebra) on Leaches Lane, Mancot.

Housing and Assets

- **Council Rent - Applications to write off tenancy arrears**

Financial Procedure Rules (section 5.2) stipulates that individual bad and irrecoverable debts in excess of £5,000 are considered for write off in conjunction with the relevant Cabinet Member.

The decision to write off is in respect of two tenants who are subject to Debt Relief Orders (DRO). Rent arrears totalling £13,848.08 for the two cases are included in the DROs which are now irrecoverable as a result of the award of the DROs.

Corporate Debt Section

- **Corporate Debt Write Offs**

Financial Procedure Rules (section 9.6 - Income and Expenditure) stipulates that any individual debt between the values of £5,000 and £25,000 shall be reported to the Corporate Finance Manager/Section 151 Officer for consideration to write off, in conjunction with the Cabinet Member for Corporate Resources.

The decision to write off is in respect of two accounts totalling £25,724.38. All recovery remedies have now been exhausted including the use of debt collection agents and county court action. There is no further action that can be taken to recover this outstanding balance.

168. CLOSING COMMENTS - CORONAVIRUS

Councillor Roberts took the opportunity to express his gratitude to officers who were putting in place preparations to plan for services continuing over the coming weeks.

Other Members paid tribute to teams within their respective portfolios, particularly those in front-line services for their dedication in helping residents.

Councillor Banks took the opportunity to commend the Leader and Chief Executive along with individuals volunteering across communities.

The Chief Executive gave assurance that services were currently continuing as normal during this difficult period and that guidance was being updated and issued regularly.

169. MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE

There was one member of the press in attendance.

(The meeting commenced at 9.35am and finished at 10.30am)

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Chairman