

CABINET
14TH MARCH 2023

Minutes of the meeting of the Cabinet of Flintshire County Council held virtually via Zoom on Tuesday 14th March 2023.

PRESENT: Councillor Ian Roberts (Chair)

Councillors: Sean Bibby, Chris Bithell, Dave Healey, Dave Hughes, Paul Johnson, Christine Jones and Billy Mullin.

IN ATTENDANCE:

Chief Executive, Chief Officer (Governance), Chief Officer (Planning, Environment and Economy), Chief Officer (Streetscene and Transportation), Chief Officer (Education and Youth), Chief Officer (Housing and Communities), Strategic Finance Manager, Corporate Manager – Capital Programme and Assets, Corporate Manager, People and Organisational Development, and Team Leader – Democratic Services.

Councillor Roberts and the Chief Executive thanked all staff involved in the work required the previous week during the bad weather. Staff worked extremely hard, in challenging conditions, to ensure that networks remained open and vulnerable people were looked after.

OTHER MEMBERS IN ATTENDANCE:

Councillor Bernie Attridge.

135. DECLARATIONS OF INTEREST

None were declared.

136. MINUTES

The minutes of the meeting held on 23rd February 2023 were submitted and confirmed as a correct record, subject to a typographical error under delegated powers.

RESOLVED:

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

137. STRATEGIC EQUALITY PLAN ANNUAL REPORT 2021/22

Councillor Mullin introduced the report and explained that the Council published its equality objectives and four-year Strategic Equality Plan (SEP) in April 2020, fulfilling the requirements of the Public Sector Equality Duties (PSED), as set out in the Equality Act 2010.

The aim of equality objectives was to address the most significant issues and areas of inequality that faced people with protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation).

The Corporate Manager – Capital Programme and Assets said the Equality Act 2010 placed specific duties on public sector organisations in Wales, requiring an annual report, which must outline progress on meeting the PSED and achieving the equality objectives, be published by 31st March each year. The report was the Council’s annual report that highlighted the Council’s progress in implementing the SEP and meeting our equality objectives during 2021/2022. The Plan was appended to the report, which achievements being outlined and areas for improvement.

The Chief Executive said it was an important and wide ranging report, with information on the positive work being undertaken by the Council, and what was being done collectively to improve things for people in our communities.

RESOLVED:

- (a) That the progress made during the year to meet statutory objectives in relation to equalities be noted; and
- (b) That the progress made against the Strategic Equality Plan 2021/22, prior to publication of the annual report on the Council website be endorsed.

138. GRASS CUTTING POLICY – MANAGING ROAD VERGES AND AMENITY GRASSLANDS TO SUPPORT BIODIVERSITY

Councillor Hughes introduced the report and explained that, in response to a request from the Environment & Economy Overview & Scrutiny Committee, an all-Member workshop was held on Tuesday, 24th January 2023 to learn more about the management of road verges and amenity grasslands, wildflowers and biodiversity. Members sought to find out about the use of pesticides and to gain an understanding of existing policies, the action taken to date and opportunities available. The workshop was a joint portfolio event, which was facilitated by officers from both the Planning, Environment & Economy (PE&E) portfolio and Streetscene & Transportation (S&T) portfolio.

Under the Environment (Wales) Act 2016, public authorities must maintain and enhance biodiversity. Sympathetic mowing of road verges and amenity grasslands could help to meet that duty.

The purpose of the report was to provide an overview of the work undertaken to date and consider the opportunities for policy review in the future. In addition, as a portfolio, Streetscene & Transportation routinely reported on the annual performance of the grass cutting service to the Environment & Economy Overview & Scrutiny Committee for assurance purposes. The report therefore also included an update for Cabinet on the performance of the service during 2022.

Councillor Healey commended the working relationship between the Biodiversity Officer and staff in Streetscene to address the important issue.

RESOLVED:

- (a) That the work undertaken to date be supported and opportunities to increase biodiversity in managing our road verges and amenity grasslands be considered; and
- (b) That the proposed changes to the grass cutting policy be approved and the targeted reduction in the use of pesticides be supported.

139. REVENUE BUDGET MONITORING 2022/23 (MONTH 10)

Councillor Johnson introduced the report which provided the latest revenue budget monitoring position for 2022/23 for the Council Fund and the Housing Revenue Account based on the actual income and expenditure as at month 10.

The report projected how the budget would stand at the close of the financial year, 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 £0.693m (excluding the impact of the pay award which had been met by reserves), which was a favourable movement of £0.810m from the deficit figure reported at Month 9
- A projected contingency reserve available balance as at 31st March 2023 of £7.024m

Housing Revenue Account

- Net in-year revenue expenditure forecast to be £3.101m higher than budget
- A projected closing balance as at 31st March 2023 of £3.373m

Hardship funding from Welsh Government helped secure over £16m of direct financial help the previous year and payments totalling £4.8m in 2022/23 had continued to be claimed for Self-isolation and Statutory Sick Pay Enhancement, along with Free School Meals direct payments and Winter Fuel Payments within their eligible periods.

The open risks outlined in the report would be kept under close review.

RESOLVED:

- (a) That the report and the estimated financial impact on the 2022/23 budget be noted;
- (b) That the carry forward requests be approved; and
- (c) That the transfer of £0.200m from the contingency reserve to replenish Winter Maintenance Reserve be approved.

140. BUSINESS RATE WRITE OFFS IN EXCESS OF £25,000

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

Two Business Rates debts totalling £112,526 were deemed to be irrecoverable and write offs were necessary due to Insolvency.

Both companies had ceased trading, were insolvent and were officially in administration or liquidation and in the final stages of being wound up at Companies House. The Business Rate liabilities had now ended in both cases and since unpaid Business Rates were classed as non-preferential debts, there was little or no assets available for non-preferential creditors and successful recovery of the business rates debts was no longer possible.

There were no direct financial implications for the Council or local taxpayers as business rates losses were borne by the National Collection Pool for Wales.

RESOLVED:

That the two write offs totally £112,526, consisting of £37,856 for A.C. Canoe Products (Chester) Limited and £74,670 for FTS Hatswell Limited be approved.

141. STREETSCENE STANDARDS REVIEW 2022-23

Councillor Hughes introduced the report and explained that in 2012, multiple services were combined to create a new Streetscene and Transportation (S&T) portfolio. At that time, Cabinet approved a set of Streetscene Performance Standards which formed the basis of the new portfolio's quarterly performance report. That was then heavily scrutinised by both the Environment Overview and Scrutiny Committee and Cabinet at the time. Those Streetscene Standards were last reviewed in 2019 and had been subject to minimal change since inception.

The report outlined the intention to review the existing standards and recommend changes that linked more closely to the council plan and portfolio business plan. The authority wanted to ensure that the service continued to meet the needs and expectations of the public and residents it served, whilst making the most efficient use of the available resources.

The uncertainty of future years' financial settlements, the changing demands of the environmental and climate change agenda and the need to provide clear and measurable performance data, would all influence the way S&T delivered services over the coming years. As a service that touched people's lives every day, it was vital to demonstrate real value to the people of Flintshire, but also measure performance in a way that was meaningful and enabled continuous improvement.

The Chief Officer (Streetscene and Transportation) added that the purpose of the report was to illustrate the inadequacies of the existing document and request support from Cabinet for S&T to review and retire the existing Standards.

That would be in favour of a more robust and relevant suite of performance metrics that could be measured, monitored and reported more effectively.

The report had been submitted to Environment and Economy Overview and Scrutiny Committee the previous week where it was resolved that a Task and Finish Group would be set up to support the review of the Standards.

RESOLVED:

- (a) That the proposal to retire the existing Streetscene Standards document be noted, and the intended review to replace them with a revised suite of performance metrics that support service standards in order to measure performance against existing statutory obligations, the Council Plan and existing policies be supported. A further report will be presented once the review has been completed; and
- (b) That the recommendation of the Environment and Economy Overview and Scrutiny Committee that a Member Task & Finish (T&F) Group be set up to support the review of the Streetscene Standards with a view to presenting a further report to both the Scrutiny Committee and Cabinet later in the year outlining the details of the review process, any conclusions drawn and subsequent recommendations be supported.

142. HYNET CARBON CAPTURE PROJECT: CARBON DIOXIDE PIPELINE AND CONSENTING PROCESS UPDATE

Councillor Bithell introduced the report and explained that Liverpool Bay CCS (Carbon Capture Storage) Limited (the Developer) was proposing to construct and install a new carbon dioxide pipeline between Ince, near Stanlow, (Cheshire) and Flint, and repurpose an existing natural gas pipeline between Flint and Talacre (the 'Connah's Quay to Point of Ayr Pipeline'). That project was known as the HyNet North West Carbon Dioxide Pipeline and was considered to be a Nationally Significant Infrastructure Project (NSIP). The consenting process was different for an NSIP and an application had been made under the Planning Act 2008 for a permission known as a Development Consent Order (DCO) to construct and operate the proposed Carbon Dioxide Pipeline NSIP.

Integral to the HyNet North West project was the redevelopment and works at the Point of Ayr Gas Terminal, works between the Gas terminal and the Mean Low Water Spring mark, and the construction of three Blocked Valve Stations along the existing 'Connah's Quay to Point of Ayr Pipeline'. The developer would seek consent for those works under the Town and Country Planning Act 1990.

The report sought delegated authority to allow officers to respond to matters arising during the examination of the NSIP, represent the Council in the hearings, provide a response on the Statement of Common Ground, answer questions that arose, and to provide a Local Impact Report.

This report provides details on the project, the two consenting processes and the role of the Local Planning Authority.

The Chief Officer (Planning, Environment and Economy) said there was an amendment to the recommendation to remove the words “Member for Planning, Public Health and Public Protection” so that it was in consultation with the Cabinet. This was supported. He explained that the purpose of the report was to seek consent to respond to the local impact report which would allow objective information to be submitted to the Inspectors.

A series of briefing sessions would be arranged, commencing with Cabinet.

Councillor Healey thanked the officer leading on the work for the session provided to Members.

RESOLVED:

- (a) That the Council’s response to the Examining Authority with respect to the Local Impact Report on the HyNet Northwest Carbon Dioxide Pipeline be delegated to officers in consultation with the Cabinet; and
- (b) Responses relating to providing comments on the Statement of Common Ground, providing Written Representations, addressing questions and any matters arising as part of the subsequent Examination and during hearing sessions to be delegated to the Chief Officer (Planning, Environment and Economy).

143. ADMISSIONS CONSULTATION 2024/2025

Councillor Roberts introduced the report which was to advise on the outcome of the statutory consultation exercise on the admission arrangements for 2024/25 and to recommend approval.

Consultation must cover the full admission arrangements including the admissions policy, oversubscription criteria, the timetable for admissions and admission numbers (i.e., the maximum number of pupils to be admitted by the admissions authority into each year group). The information was appended to the report.

The current admission arrangements had been in place since 2003 and the majority of parental preferences continued to be met (approximately 96%). The number of admission appeals in recent years was detailed in the table in the report.

The consultation process took place between 13th January 2023 and 3rd February 2023 and no comments were received. There were no changes proposed to the admission arrangements. The proposed admissions timetable had been drawn up in consultation with neighbouring authorities and took into account factors such as allowing parents sufficient time to visit/research schools and express their preferences, the time needed to process applications, etc.

As part of the consultation, Headteachers were asked if there had been any changes to the accommodation at their Schools which could necessitate a review of their Admission Number. No requests had been received. There were changes to the capacity and admission numbers at a number of schools as a result of extensions and/or new builds, and those figures were appended to the report.

RESOLVED:

That the proposed admission arrangements for 2024/25 be approved.

144. REPORT BACK FROM THE CALL-IN OF DECISION NO. 4056 – WASTE STRATEGY REVIEW

Councillor Hughes introduced the report and explained that a decision of the Cabinet – Record No 4056 “Waste Strategy Review” had been called in.

The call-in meeting of the Environment and Economy Overview and Scrutiny Committee was held on 1st February 2023.

He said that having considered the decision, the Committee chose Option 3, to refer it back to the decision-making person or body (i.e. Cabinet) for reconsideration. Cabinet had considered the decision taken and the comments made and the decision taken was that for four months (March, April, May and June 2023) waste would be monitored and if there was evidence of a significant decrease in recyclable waste placed in the black bins then Cabinet would re-look at the proposal for three weekly collections.

The Chief Officer (Streetscene and Transportation) said recycling targets still needed to be met to avoid the risk of the Council receiving a substantial fine from Welsh Government (WG). She added that 50% of what was placed in black bins was recyclable, with 27% of it being food waste. There would need to be a significant improvement in recycling by residents to achieve the 64% target in 2022-2023 and 70% by 2024-2-25, alongside the Council carrying out enforcement and running education campaigns.

Councillor Healey supported the proposal put forward by Councillor Hughes.

Councillor Roberts expressed his thanks to the Flintshire residents that did engage with the Council on waste and recycling. If the recycling targets improved there was no desire by the Cabinet to introduce three weekly collections and he urged the residents of Flintshire to help to improve the recycling rates. If black bins were overflowing, it would indicate that there was recyclable material in there and enforcement would be considered.

RESOLVED:

- (a) That the decision of the Environment & Economy Overview & Scrutiny Committee call-in meeting with regard to Record No 4056 Waste Strategy Review be noted;

- (b) That a further period of monitoring over the next four months, to see whether recycling rates can be improved through education and enforcement, be approved; and
- (c) That a further report be brought back in September 2023.

145. EXERCISE OF DELEGATED POWERS

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

Revenues

- **Write Offs**

Financial Procedure Rules requires the Corporate Finance Manager and the Cabinet Member for Governance and Corporate Services including Health and Safety and Human Resources to write off debts between £10k and £25k.

There are three outstanding debts totalling £33,068.40. One relating to outstanding Business Rates and two relating to Corporate Debt invoices. Recovery options have been exhausted in all cases and the outstanding balances are deemed irrecoverable and a write off is considered necessary.

- **Business Rates – Adoption of Retail, Leisure and Hospitality Rates Relief (RLHRR) Scheme for 2023/24.**

Welsh Government (WG) have extended the business rate relief scheme aimed at supporting businesses in the retail, leisure and hospitality sectors. Eligible ratepayers will be provided with 75% rate relief during 2023/24.

The scheme is a temporary measure to support businesses and is fully funded by WG. There is also requirement for individual local authorities to adopt the schemes and determine which businesses can be awarded relief using the scheme guidance provided by WG.

Housing and Assets

- **Community Asset Transfer**

The report relates to the Community Asset Transfer of Former Scout Hut Premises and Lane, Park Avenue, Mold.

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, 15 and 16 of Part 4 of Schedule 12A of the Local Government Act 1972 (as amended).

146. NORTH EAST WALES (NEW) HOMES BUSINESS PLAN 2023/2052

Councillor Bibby introduced the report and explained that the North East Wales (NEW) Homes Business Plan set out key elements of the company's proposed Development Strategy which increases the number of Affordable Rent Properties to be delivered over the next two years, increasing the total number of properties managed by NEW Homes.

There was an obligation of NEW Homes to seek Cabinet approval in respect of any Business Plan that provided the strategic objectives of the company.

RESOLVED:

That the NEW Homes Business Plan 2023/2052 be approved.

147. HOUSING SUPPORT GRANT – EXTENSION OF CONTRACT FOR THE WALLICH, HOMELESS HUB

Councillor Bibby introduced the report which provided an overview of the contract extension for the Emergency Homeless Hub.

RESOLVED:

That the contract for The Glanrafon – Emergency Homeless Hub for 1 year (end of 2023/24) with an option for an additional year (end of 2024/25) be extended.

148. PLAS BELLIN (LOCAL SOLUTIONS) CONTRACT EXTENSION

Councillor Bibby introduced the report which provided an overview of the Plan Bellin project, which was a supported housing project for families, and the circumstances leading to the Housing Support Teams request for a further one-year extension to their contract.

RESOLVED:

(a) That the change in service delivery model linked to services of housing support for vulnerable families presently delivered from Plan Belin Supported Housing Project for vulnerable families be noted; and

(b) That the extension and agreed way forward to enable families affected by the sudden sale of Plan Belin to be supported fully as they transition to alternative accommodation within the community be approved.

149. APPROACH TO PAY FOR LEAVERS

Councillor Mullin introduced the report and explained that the annual cost of living pay award, if any, was often agreed part way through a financial year. Previously it had been the Council's practice to retrospectively pay that award to employees who left before the award was agreed, if it was requested.

The Corporate Manager, People and Organisational Development outlined the three options which were available.

RESOLVED:

That the current practice cease with immediate effect and a policy decision be made that employees will only be entitled to receive payment for increases awarded as part of the national negotiating process if they are in employment on the date that any collective agreement is achieved.

150. 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 11.15 a.m.)

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Chair