

CABINET
17 NOVEMBER 2015

Minutes of the meeting of the Cabinet of Flintshire County Council held at County Hall, Mold on Tuesday, 17 November 2015

PRESENT: Councillor Aaron Shotton (Chair)

Councillors: Bernie Attridge, Chris Bithell, Christine Jones and Kevin Jones

APOLOGIES:

Councillors: Helen Brown, Derek Butler and Billy Mullin

IN ATTENDANCE:

Chief Executive, Chief Officer (Community and Enterprise), Chief Officer (Education and Youth), Chief Officer (Governance), Chief Officer (Social Services) Corporate Finance Manager and Team Manager – Committee Services

89. DECLARATIONS OF INTEREST

Councillor Christine Jones declared a personal and prejudicial interest in agenda item number 7 – John Summers High School – Options for Home to School Transport.

90. MINUTES

The minutes of the meeting held on 13 October 2015 had been circulated with the agenda.

RESOLVED:

That the minutes be approved as a correct record.

91. APPROVAL TO APPLY TO WELSH GOVERNMENT FOR SUSPENSION OF THE RIGHT TO BUY IN FLINTSHIRE

The Chief Officer (Community and Enterprise) sought approval to carry out consultation with internal and external stakeholders, as required by Welsh Government (WG), to gain their approval to support an application to suspend the Right to Buy (RTB) of Council owned housing in Flintshire.

The suspension of RTB could make a significant contribution to ensuring the continued availability of Council social housing and to maximising the housing opportunities available to all households living across Flintshire.

From March 2003 to March 2013 the proportion of dwellings in the social rented sector had fallen from 21 per cent of total housing stock to 16 per cent.

At Cabinet in September 2014 approval was given to the Strategic Housing and Regeneration Programme (SHARP) to undertake a major procurement to appoint a development partner with the aim of developing 500 houses of which 200

would be new Council houses and 300 would be affordable housing. Under existing legislation, Council tenants allocated to those new homes would be able to exercise their Right to Buy. The homes and the rental income streams generated by them would then be lost to the Council in perpetuity.

Given that the legislation to end the RTB would not be introduced until following the WG election in 2016 there was the option for all stock-retaining local authorities like Flintshire to apply to WG to suspend RTB in its area through the 2011 Housing (Wales Measure).

Councillor Shotton commented on the progress made in this area since 2012, particularly in the retention of Council properties following the Council's Housing Ballot Project. This was a sensible option to protect the remaining stock and the homes to be built under the SHARP project.

RESOLVED:

That consultation with internal / external Stakeholders with a view to making an application to Welsh Government to suspend the Right to Buy in Flintshire be approved.

92. AGEING WELL IN FLINTSHIRE

Councillor Christine Jones introduced the report which provided the background and context for the development of an Ageing Well in Flintshire Plan which was required from all Local Authorities by the Older People's Commissioner for Wales in conjunction with Welsh Government (WG) as a key deliverable against the national Older People's Strategy for Wales 2013-2023.

The Plan was organised into five Ageing Well priority areas and outlined the first series of activity that was planned for the next five years to make Flintshire a good place to grow old. The five priority areas were:

1. Age-Friendly Communities
2. Falls Prevention
3. Dementia Supportive Communities
4. Opportunities for Learning and Employment
5. Loneliness and Isolation

The Chief Officer (Social Services) commented on the importance of the Plan, central to which was a recognition that services such as education, leisure, housing, transport, community facilities and support to remain in employment played an essential part in the wellbeing of older people.

In response to a question from Councillor Attridge, the Chief Officer (Social Services) explained that the work would be co-ordinated and supported within existing staffing resources. Councillor Attridge commented on the lack of funding from WG to help with such programmes. The Chief Executive said that whilst additional resources were not required at the moment it did not mean that they would not be in the future.

RESOLVED:

That the Ageing Well in Flintshire plan be supported and the content agreed prior to submission to the Older People's Commissioner for Wales.

93. TRADES UNION BILL

The Chief Executive introduced the Trades Union Bill which had been published on 15 July 2015 and set out proposed reforms to the law for the roles of Trades Unions.

The Bill was currently proceeding through the parliamentary process. Appended to the report was a copy of the document that had been debated at the Welsh Local Government Association (WLGA) Council which outlined the key changes, key issues and opinion from the Chartered Institute for Personnel and Development (CIPD).

The main reforms within the Bill were:

- Industrial action ballots (including ballot participation thresholds);
- Industrial action notices and the length of ballot mandates;
- Picketing; and
- The contribution to political funds from union members

The Chief Executive commented in particular on *Trade Union Facility Time* and *The Use of Agency Workers to Cover Industrial Action* which he felt would not help in the continuation of good working relationships with Trades Unions.

Councillor Shotton said Flintshire County Council had fed into the WLGA response and said the legislation would be even more restrictive if passed in the House of Lords.

In response to a question, the Chief Executive said that if the Bill was passed and there was Industrial Action in the future, his advice would be that the Council adopt the same stance as previous and provide a list of staff exempt from Industrial Action to carry out critical services, and agency workers would not be employed.

RESOLVED:

That delegated authority be given to the Chief Executive in consultation with the Leader to write to relevant Ministers, especially those in the House of Lords, based on comments at the meeting and at the Welsh Local Government Association (WLGA), expressing support for the Trades Union movement and seeking the dismissal of the Bill.

94. JOHN SUMMERS HIGH SCHOOL – OPTIONS FOR HOME TO SCHOOL TRANSPORT

Councillor Bithell explained that the report was before Members following a commitment to review in detail the options for future home to school transport arrangements for John Summers High School in the event of school closure.

A Ministerial decision on the closure of the school was expected in early 2016. By September 2017 there were expected to be 191 pupils on roll, based on current numbers. Although Hawarden High School would be the nearest school for some pupils, the majority of pupils within the existing John Summers High School cohort would not gain a place through the admissions process as most year groups were already full. Therefore, Connah's Quay High School was considered to be the "partnering" school.

An estimate of likely transport costs on four possible options was outlined in the report and was based on the home addresses of the currently anticipated student cohort.

The Chief Officer (Education and Youth) explained the options which were:

1. Option A – Apply current Home to School Policy (cost £695/day or £132,050 pa)
2. Option B – Apply current Home to School Transport Policy with consideration given to additional discretionary transport for families on income support who did not meet the mileage criteria and/or had large family groups over 2 children (in the current year groups) and were between 2-2.5 miles away from the school. Under this option, approximately 148 pupils would be eligible for free transport (cost £695/day or £132,050 pa)
3. Option C – Apply discretionary transport arrangements for the full current pupil cohort to the partnering school (transport from home area). Approximately 191 pupils would be eligible (all pupils currently on role) (cost £890/day or £169,100 pa)
4. Option D – Apply discretionary transport arrangements for the full current pupil cohort to the partnering school (transport provided from Queensferry campus only). Approximately 191 pupils would be eligible (all pupils currently on roll) (cost £645/day or £122,550 pa)

The numbers on roll would continue to be monitored to ensure that transport was only provided for the cohort that was at John Summers High School at the point of transition. The Chief Executive added that local consultation would take place with schools and the local community on the workability of the scheme, taking on board local knowledge.

Members endorsed Option C.

RESOLVED:

- (a) That the four options on transport provision be considered;

- (b) That Option C be supported, to apply discretionary transport arrangements for the full current pupil cohort to the partnering school from the student's home area; and
- (c) That consultation takes place on the most effective manner in which to implement Option C.

Councillor Christine Jones left the room during discussion of the item.

95. CHANGES TO DOG BREEDING REGULATIONS

Councillor Kevin Jones provided details of the changes to Dog Breeding Regulations and sought approval to set an appropriate scheme of delegated authority for the Animal Welfare (Breeding of Dogs) (Wales) Regulations 2014.

The Breeding of Dogs Act 1973 had been replaced within Wales by the (Breeding of Dogs) (Wales) Regulations 2014 which came into force on 30 April 2015. Any person wishing to breed dogs in Wales must obtain a licence from their Local Authority in compliance with the new regulations and relevant licence conditions.

The new regulations specified requirements that must be complied with before a licence could be issued by the Authority. The legislation covered fee setting and circumstances under which a licence may be varied, suspended or revoked.

Members welcomed the report and the regulations on the breeding of dogs.

RESOLVED:

- (a) That powers under the Animal Welfare (Breeding of Dogs) (Wales) Regulations 2014 be delegated to the Community Protection Team Leader – Licensing, and the Licensing Team;
- (b) That the suite of conditions approved by the All Wales Technical Panel for Animal Health and Welfare be adopted;
- (c) That all further decisions in relation to conditions be delegated to the Chief Officer (Planning and Environment) with approval by the Cabinet Member for Public Protection, Leisure Services and Waste Strategy; and
- (d) That the decision of the adoption of the fee level be delegated to the Chief Officer (Planning and Environment) with approval by the Cabinet Member for Public Protections, Leisure Services and Waste Strategy.

96. REVENUE BUDGET MONITORING 2015/16 (MONTH 5)

The Corporate Finance Manager provided the latest revenue budget monitoring position for 2015/16 for the Council Fund and the Housing Revenue Account. The position was based on actual income and expenditure as at Month 4

and projected forward to year end. The projected year end position, as estimated at Month 5 was:

Council Fund

- Net in year expenditure forecast to be £0.595m higher than budget
- Projected contingency reserve balance at 31 March 2016 of £3.941m

Housing Revenue Account

- Net in year expenditure forecast to be £0.041m higher than budget
- Projected closing balance at 31 March 2016 of £1.196m

There were no significant budget changes between portfolios in Month 5. The overall overspend within Streetscene and Transportation had increased and was due in part to the delay in the implementation of a number of efficiencies as reported to the Programme Board. In addition fluctuations in recycle sales due to a volatile market had led to an increased pressure on income projections which had resulted in a shortfall of £0.347m. Full details of the movements were explained in the appendix to the report.

The report provided details on the programme of efficiencies, inflation, unearmarked reserves and earmarked reserves.

The Chief Executive added that the Corporate Resources Overview and Scrutiny Committee had requested further analysis on the variations in the Streetscene and Transportation portfolio. A presentation would be delivered at the next meeting of that Committee.

RESOLVED:

- (a) That the overall report and the projected Council Fund contingency sum as at 31 March 2016 be noted; and
- (b) That the projected final level of balances on the Housing Revenue Account be noted.

97. COUNCIL TAX BASE FOR 2016-17

The Chief Officer (Community and Enterprise) explained that setting the Council Tax Base for the next financial year allowed the County Council, Police and Crime Commissioners Office for North Wales and Town and Community Councils to calculate next year's Council Tax precept which funded, or partly funded, local services.

The Tax Base for 2016-17 had been calculated as being 62,759 band D equivalent chargeable properties, after taking into account the total number of properties that were either exempt from council tax or where household discounts applied for disabled reductions or other status discounts.

Setting the Tax Base at 62,759 band D equivalent properties also represented growth in the Base of 1.2% compared to the previous year, equivalent to an increase of 766 band D equivalent properties.

The latest Tax Base was calculated using a projected collection level of 99.0% which ensured the Council set the highest collection level in Wales and demonstrated the successes in collecting Council Tax. The Tax Base also reflected a small allowance of 1% for bad debts.

RESOLVED:

- (a) That the Tax Base of 62,759 band D equivalent properties for the financial year 2016-17 be approved; and
- (b) That a set level of 'nil' of discount for properties falling within any of the Prescribed Classes (A, B or C) continue to be set and for this to apply to the whole of the County area.

98. EXERCISE OF DELEGATED POWERS

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

Organisational Change – Leisure Services

- **Fitness Suite Equipment**

To approve the replacement of fitness suite equipment in Deeside, Mold, Flint and Holywell Leisure Centres with a total value of £390.142 which will be funded via prudential borrowing over 5 years.

Organisational Change

- **School Meal Price Increase**

Increases to the price of meals within schools to bring them more into line with other school meal providers across Wales.

Streetscene

- **Queensferry Roundabout and Asda Signal Junction Improvement Works**
Modifications and other highway related improvement works.

Community and Enterprise

- **Installation of Solar PV on Council Houses**

Installation of Solar PV (Solar Panels) on Council Houses prior to the cut in the Feed in Tariff on 31 December 2015.

Community and Enterprise

- **Proposed Granting of an Easement to Provide a Gas Main Supplying 10 Council Properties at Tegfan Court, High Street, Caergwrle**

It is recommended that approval is given for a mains gas pipe to be laid to Tegfan Court, Caergwrle so the tenants can be connected and enjoy lower cost and lower carbon heating. To this end, to facilitate the installation and as the gas main supply pipe and the associated equipment will remain in the

ownership of the Statutory Undertaker, the County Council is required to grant an easement to the Statutory Undertaker.

RESOLVED:

That the actions taken under delegated powers be noted.

99. 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 15 of Part 4 of Schedule 12A of the Local Government Act 1972 (as amended).

100. CHILDREN'S SERVICES SENIOR MANAGER RESTRUCTURE

Councillor Christine Jones introduced the proposed new improved senior management arrangements for Children's and Safeguarding Services for consideration.

RESOLVED:

That the new Children's Services Senior Management Structure be endorsed.

101. MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE

There were 2 members of the press in attendance and one member of the public.

(The meeting commenced at 9.30am and ended at 10.50am)

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Chair