

CABINET
19 JANUARY 2016

Minutes of the meeting of the Cabinet of Flintshire County Council held in the Clwyd Committee Room, County Hall, Mold on Tuesday, 19 January 2016

PRESENT: Councillor Aaron Shotton (Chair)

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 (Education and Youth), Chief Officer (Governance), Chief Officer (Streetscene & Transportation), Chief Officer (Organisational Change), Corporate Finance Manager and Committee Officer

OTHER MEMBERS IN ATTENDANCE:

Councillors: Veronica Gay, Ron Hampson, Dave Mackie and Nigel Steele-Mortimer

116. DECLARATIONS OF INTEREST

Councillors Bithell and Brown declared personal and prejudicial interests in agenda item number 7, Review of Discretionary Rate Relief. The Chief Officer (Governance) explained that both Members had received dispensation from the Standards Committee to speak and answer questions but not vote and to leave the room when the voting took place.

On agenda item numbers 9 and 10, School Organisation – Ysgol Llanfynydd and School Organisation – Ysgol Maes Edwin, the Chief Officer (Governance) explained that any Members who were a school governor had a personal interest in both items. The interest was not prejudicial as none of the Cabinet Members were school governors of the schools being discussed. Councillors Bithell, Brown, Butler, Christine Jones, Kevin Jones and Aaron Shotton declared personal interests in agenda item numbers 9 and 10 accordingly.

117. MINUTES

The minutes of the meeting held on 15 December 2015 had been circulated with the agenda.

RESOLVED:

That the minutes be approved as a correct record.

The Chair advised that agenda item numbers 9 and 10, School Organisation – Ysgol Llanfynydd and School Organisation – Ysgol Maes Edwin would be brought forward.

118. SCHOOL ORGANISATION – YSGOL LLANFYNYDD

Councillor Chris Bithell provided details of the responses from the statutory consultation period for Ysgol Llanfynydd. The proposal to enter into formal consultation on closure was approved in June 2015 on the basis of criteria laid down in the Council's School Modernisation Strategy which were: Unfilled places across the primary school portfolio; diminishing resource criteria and small school criteria.

Any school review was sensitive and emotive however the Council was challenged with balancing community feeling with providing a high quality education offer which could be sustained and afforded.

The governing body of Ysgol Llanfynydd had not been able to secure a willing partnering school or schools with which to pursue a federation which had been suggested by a number of consultees.

The Council would take all practicable steps to ease the transition for all pupils, most especially for vulnerable learners such as those with Additional Learning Needs (ALN). It would work alongside pupils, their parents and the relevant schools to make appropriate transition arrangements for pupils to familiarise themselves with their new environments.

In its consultation documents the Council had demonstrated that there was sufficient capacity within the local school network to accommodate pupils from Ysgol Llanfynydd should it close, which was a view that was upheld by Estyn in its response. Additional places could be established at Ysgol Parc Y Llan, Treuddyn, at either no cost or minimal cost for that school to be available to all current pupils at Ysgol Llanfynydd.

Transport eligibility would be determined by the Authority in which the pupil resided and 17 pupils who lived in Flintshire would be entitled to free home to school transport based on the assumption that they would transfer to their nearest school of Ysgol Parc Y Llan.

Comments on the consultation which had been presented to the Education and Youth Overview and Scrutiny Committee were appended to the report.

The Chief Officer (Education and Youth) said there was a lot of affection from the community for this local school and no proposals were made without care and attention to the resilience in the area for those that would be affected.

On resources, he explained that the net saving that could be achieved if the proposal to close Ysgol Llanfynydd was £83,392pa. The estimated costs of transport as a result of the proposals were £16,150 however actual transport costs could only be fully assessed once all families had chosen their preferred school.

He provided details on each of the documents appended to the report, which were: compliance statement; consultation report; Estyn response; statutory proposal anticipated timeline and comments raised by the Education and Youth Overview and Scrutiny Committee.

In response to questions from Councillor Kevin Jones, the Chief Officer explained that no proposals for a federation had been received and that all pupils could be accommodated at Ysgol Parc Y Llan.

Councillor Butler sought assurance that pupils with ALN would be eased into the transition to which the Chief Officer confirmed they would, with that support being extended to all pupils.

Councillor Shotton asked if there was still an opportunity for the proposal of a federation to be submitted prior to the report being considered again at Cabinet in April 2016. The Chief Officer responded that if a viable federation proposal was submitted, that could be considered by Cabinet. He explained that following the meeting today, a statutory notice would be issued for a 28 day period for submission of any objections. The deadline for objections would be 26 February 2016. The objection report would then be published within 28 days and to Cabinet within 35 days with a report being submitted to the next available meeting being on 19 April 2016.

The Chief Executive added that discussion on a possible federation and timeline also applied to the next agenda item, School Organisation – Ysgol Maes Edwin. At Cabinet on 19 April 2016 the report would recommend either implementation of the school closure or to withdraw the statutory proposals and substitute with an alternative should a viable proposition be put forward. The current status quo was not a sustainable option and a feasible alternative would need to be submitted with formal proposal from two or more schools to form a federation, which would need to be in the best interest of the schools and pupils.

A subsequent discussion took place on agenda item number 10, School Organisation – Ysgol Maes Edwin where a formal additional resolution was agreed as follows: “That if a detailed business case for a federation is received by the end of February 2016 Cabinet will consider it alongside the outcome of the statutory consultation process at its meeting on 19 April 2016”.

RESOLVED:

- (a) That the responses from the statutory consultation period for Ysgol Llanfynydd be considered;
- (b) That the comments from the Education and Youth Overview and Scrutiny Committee and the evidence and analysis provided by officers within the reports be considered; and
- (c) That Cabinet proceed to a formal statutory consultation on the closure of Ysgol Llanfynydd.

119. SCHOOL ORGANISATION – YSGOL MAES EDWIN

Councillor Bithell provided details of the responses from the statutory consultation period for Ysgol Maes Edwin, Flint Mountain. The proposal to enter into formal consultation on closure was approved in June 2015 on the basis of criteria laid down in the Council’s School Modernisation Strategy which were: Unfilled places

across the primary school portfolio; diminishing resource criteria; small school criteria and being currently in Welsh Government (WG) categorisation 4, on a scale of 1-4, with 4 being the lowest, for educational standards.

He reiterated his earlier comments of any review being sensitive and emotive however the Council was challenged with balancing community feeling with providing a high quality education offer which could be sustained and afforded.

The concerns raised by pupils, community, staff, parents and carers were outlined in the report.

The Council would take all practicable steps to ease the transition for all pupils, most especially for vulnerable learners such as those with Additional Learning Needs (ALN) and would work alongside pupils, their parents and the relevant schools to make appropriate transition arrangements for pupils to familiarise themselves with their new environments.

It was the Council's view that there was sufficient capacity within the local school network to accommodate pupils from Ysgol Maes Edwin should it close, with Estyn commenting "The local authority has given a clear rationale for the proposed expected benefits when compared with the status quo in relation to finance, surplus places and the continuity and progression in pupils' learning".

Under the current transport policy fewer than 10 pupils would be entitled to free home to school transport based on the assumption that they would transfer to their nearest school, Ysgol Owen Jones in Northop, on the basis of the route being a hazardous one.

On 6 January 2016 Education and Youth Overview and Scrutiny Committee met to consider the outcomes from the consultation. The resolutions from that meeting were (1) That the process be suspended for two months to allow the opportunity for federation to be reviewed and (2) that comments be collated and presented to Cabinet. Those comments were appended to the report.

Councillor Bithell explained that at the time of writing the report the governing body had not been able to identify a willing partnering school or schools in which to pursue a federation with neighbouring schools confirming that they had not and would not bring forward a federation proposal with Ysgol Maes Edwin. However, the previous evening an email that had been sent to Cabinet Members from the acting Chair of Governors who indicated that there was the possibility of a federation of more than two schools that could be proposed. On that basis he moved an amendment to recommendation 3 in the report to be "That the process be suspended for three weeks to allow the opportunity for a federation to be reviewed and submission of a firm and viable proposition", which was seconded by Councillor Attridge. He felt that this would provide sufficient time to allow any information to be gathered and submitted.

Relating the discussion back to the previous item, Members felt there needed to be consistency with how both reports were dealt with and based on that, Councillor Bithell withdrew his amendment with Councillor Attridge withdrawing his support as seconder.

As with the previous item, the Chief Officer (Education and Youth) explained that following the meeting today, a statutory notice would be issued for a 28 day period for submission of any objections. The deadline for objections would be 26 February 2016. The objection report would then be published within 28 days and to Cabinet within 35 days with the next available meeting being on 19 April 2016 when the report would recommend either implementation of the school closure statutory notice or to withdraw the statutory proposals and support a federation proposal should a viable proposal be put forward. The current status quo was not a sustainable option and a feasible alternative would need to be submitted with formal proposal from two or more schools to form a federation, which would need to be in the best interest of the schools and pupils. The Chief Executive added that any proposals for a federation would be expected to be received in the coming days to enable early engagement.

Following the discussion an additional recommendation was suggested as “That if a detailed business case is received before the end of February 2016 Cabinet will consider it alongside the outcome of the statutory consultation process at its meeting on 19 April 2016” which was agreed.

RESOLVED:

- (a) That the responses from the statutory consultation period for Ysgol Maes Edwin, Flint Mountain, be considered;
- (b) That the comments from the Education and Youth Overview and Scrutiny Committee and the evidence and analysis provided by officers within the report be considered;
- (c) That Cabinet proceed to a formal statutory consultation on the closure of Ysgol Maes Edwin, Flint Mountain; and
- (d) That if a detailed business case for a federation is received before the end of February 2016 Cabinet will consider it alongside the outcome of the statutory consultation process at its meeting on 19 April 2016.

120. PROVISIONAL LOCAL GOVERNMENT SETTLEMENT

Councillor Shotton introduced the report, explaining that a draft response had been submitted to Cabinet on 15 December 2015. The Settlement was open to consultation until 20 January 2016 with the Final Settlement being published in early March 2016.

The Chief Executive explained that the draft outline of a Council response was set out in the report which covered The Settlement for 2016/17; Future Settlements and Immediate National Budget Work for 2016/17.

He highlighted the response on pressing Welsh Government (WG) for a lower reduction in the new Single Environment Grant (SEG) than the proposed reduction of -6.7% and £0.210m for Flintshire, due to its likely impact on key local public services. Also highlighted was the request made to WG for an exemption from social care

charging caps to introduce a cost recovery plan within 2016/17, both of which were supported by Cabinet Members.

RESOLVED:

That Cabinet provide a response to the consultation based on the outline set out in the report.

121. COUNCIL FUND REVENUE BUDGET 2016/17

Councillor Shotton introduced the report on the Council Fund Revenue Budget 2016/17 for adoption by Cabinet and recommendation to County Council.

Work on the budget was not complete which was due to the scale of the savings and efficiencies to be found and the uncertainty over the national budget position and its impacts on the Council.

The Chief Executive and Corporate Finance Manager delivered a presentation which covered the following areas:

- 'Building Blocks' of the budget
- Initial Forecast for 2016/17
- Budget Stage 1 Phase 1
- Budget Strategy Stage 1 Phase 1
- Impact of Provisional Settlement
- Service Business Planning Proposals
- Corporate Finance Efficiency Proposals 2016/17
- Summary of Revised Gap at Phase 1
- Budget Stage 1 Phase 2
- First Stage Second Phase Proposals
- Summary of Proposals Phases 1 and 2
- New and Emergent Pressures 1
- New and Emergent Pressures 2
- Budget Stage 2
- Ongoing Work to Balance the Budget
- First Revision of the MTFS 2017/18 Forecast
- MTFS Revised Forecast 2017/18
- MTFS Forecast 2017/18
- Next Steps and Timescales

There was a remaining budget gap of £1.598m which would rise to around £3.447m when taking into account new and emergent pressures which were under ongoing review. If approved, ongoing work on the budget would be restricted to the details described in C and D of the report.

The MTFS forecast was based on a working assumption that Council Tax would be increased in 2016/17 by 3%. Given the outstanding work on the examination of new and emergent pressures, the level at which Council Tax would need to be set would require serious consideration. This would be determined by County Council.

Councillor Shotton said the details within the report demonstrated the scale of the challenge faced by the authority and provided a clear picture about what the authority aimed to achieve. He commented on the indication from the First Minister that schools funding would be protected be 1% above the change in the overall Welsh Government budget. For 2016/17 that equated to 1.85%. The budget proposals met the Ministerial expectation of protecting schools and the Council would continue to review investment in schools, particularly inflationary pressures.

In responding to a question from Councillor Attridge, the Chief Executive said that the Schools Budget Forum had recently met and received an update on the budget, as had the Education and Youth Overview and Scrutiny Committee.

RESOLVED:

- (a) That the first stage – first phase of budget proposals for the Council Fund Revenue Budget 2016/17 be adopted for recommendation to Council;
- (b) That the first stage – second phase proposals for the Council Fund Revenue Budget 2016/17 be adopted for referral to the respective Overview and Scrutiny Committees, and secondly to Cabinet and then final consideration by Cabinet in February; and
- (c) That the strategy for ongoing work to seek to close the remaining budget 'gap' be endorsed and recommend a balanced annual budget to Cabinet in February.

122. COUNCIL TAX REDUCTION SCHEME

The Chief Officer (Community and Enterprise) explained that there was a requirement for the Council to formally adopt the Council Tax Reduction Scheme for the Authority on an annual basis.

There was limited discretion given to the Council to apply additional elements that were more generous than the normal scheme and details of the discretions exercised in the current scheme were outlined in the report.

To mitigate inflationary increase in Council Tax, the Council had set a budget provision of £317,000 for 2016/17 which assumed an annual increase in Council Tax of 3.0%.

RESOLVED:

That the adoption of the Council Tax Reduction Scheme and to maintain the current discretionary elements for 2016-17 be agreed.

123. REVIEW OF DISCRETIONARY RATE RELIEF

The Chief Officer (Community and Enterprise) sought approval of a review of the Discretionary Rate Relief (DRR) Scheme which would review the current levels of

rate relief and potentially provide efficiencies for the Council to help bridge the budget gap from 2017/18 and beyond.

Councillor Attridge asked if it the letters to all business ratepayers currently in receipt of DRR would be able to be sent out in January. The Chief Officer explained that if the review was approved by Cabinet and not the subject of a call-in, the letters could be finalised and sent out within one week.

RESOLVED:

- (a) That the review of Discretionary Rate Relief leading to the development of a new scheme which could be implemented from April 2017 be approved; and
- (b) That the despatch of letters in January 2016 to all business ratepayers with the statutory 12 months lead in time to revoke the current scheme and the existing level of awards before changes to Discretionary Rate Relief levels are implemented in 2017-18.

Councillors Bithell and Brown left the room during consideration of this item.

124. WELSH LOCAL GOVERNMENT ASSOCIATION (WLGA) MANIFESTO LOCALISM 2016-21

Councillor Shotton explained that the Welsh Local Government Association (WLGA) had recently published its Manifesto for Local Government, Localism 2016-21, in advance of the National Assembly for Wales's elections which were taking place in May 2016 and sought support of local authorities.

Councillor Attridge said he was pleased to see that Cabinet's earlier comments on the draft Manifesto had been included by the WLGA.

Councillor Shotton commented on the call for *Commitment to the principle of Subsidiarity* with Councils seeking momentum behind the devolution of powers beyond Cardiff Bay to local government and to local communities.

The Chief Executive added that the Local Government Bill was being reported to County Council the following week where localism could be debated.

RESOLVED:

- (a) That Cabinet formally support the Welsh Local Government Association Manifesto Localism 2016-21; and
- (b) That the Council engage with the Association and fellow councils in working with a newly elected Welsh Government in May to promote adoption of the Manifesto proposals in national policy and funding plans.

125. STRATEGIC HOUSING AND REGENERATION PROJECT (SHARP)

The Cabinet Member for Housing introduced the report which sought approval to progress to the next key stages of the Council's Strategic Housing and Regeneration Programme (SHARP) and set out the proposals to develop the former Custom House School site in Connah's Quay. She was pleased to inform Members that of the 11 local authorities who had voted to retain its housing stock, Flintshire was the first authority to start to build new Council homes.

Properties and land associated with each property would be designed to comply with Secured by Design guidelines and the Council's "Flintshire House Standard". The standard would inform the design and specification of all the new housing delivered through the SHARP and form a benchmark to ensure consistent, good quality of internal layout, fixtures and fittings, high standards of energy efficiency and external appearance in keeping with local circumstance, low maintenance product specifications, adequate parking and a public realm designed to promote cohesive and inclusive communities.

The Chief Officer (Community and Enterprise) explained that Standard Development Scheme assumptions had been developed which made allowances for voids; maintenance costs and rental income levels and would be used to assess all potential new build development schemes to determine scheme feasibility and viability with a minimum requirement for all Cabinet approved schemes to pay back the scheme costs within 50 years.

Discussions were taking place with Welsh Government (WG) to seek receipt of the Social Housing Grant which was a grant that was available to Housing Associations.

Councillor Butler welcomed the scheme which would employ Social Enterprises as part of the supply chain who would provide services such as cleaning, printing, signage and recruitment services.

Councillor Shotton commented on the plans to develop a Training Academy with Coleg Cambria, Contractor partners and other key stakeholders to ensure that sustainable and meaningful apprenticeship opportunities were created for young people to not only work on the SHARP, but also other major Council construction programmes.

RESOLVED:

- (a) That the development of 12 new Council homes on Custom House School site, Connah's Quay, be approved, at a total cost of £1,548,936; and
- (b) That the standard scheme development assumptions as identified in the report be approved.

126. MEDIUM TERM LIBRARIES PLAN: HOPE, MYNYDD ISA AND SALTNEY LIBRARIES

Councillor Bithell introduced the assessment of the feasibility of Community Asset Transfers (CAT's) of libraries in the areas of Hope, Mynydd Isa and Saltney. A recommendation on the way forward for each library was detailed in the report along with a timescale that was within the context of the medium term libraries plan. It aimed to support the achievement of the £0.544m of savings through CAT's put forward as a budget efficiency proposal for 2016/17.

He thanked the officers for the level of engagement with the public in each area who were seeking the best solution for their library. The early work to support the communities demonstrated that a CAT was feasible in both Hope and Mynydd Isa, with community organisations coming forward with a commitment to make a CAT work. Further work was required to support the communities to finalise their plan for a CAT with a proposed target date for completing the work of 31 March 2015, however recognising that it may require more time. A final date for completion of those CAT's and therefore provision of library services in those areas was proposed at the end of June 2016.

The early work to support the community and the formal consultation showed that at present a CAT was not feasible in Saltney. Given that the consultation responses had asked for more time, and whilst recognising there were proposed budget savings for 2016/17, it was recommended to give the community of Saltney until the end of February 2016 to consider again if a CAT was feasible and how that might work. It was proposed to make clear that if an interest was not expressed by then, the service would cease at the end of March 2016. The final date for completion of the CAT and therefore provision of library service was proposed at the end of June 2016.

Councillor Shotton welcomed the extension to the consultation for the community of Saltney which was a positive move in identifying an ADM.

RESOLVED:

- (a) That the assessment of the feasibility of community asset transfers for the libraries in Hope, Mynydd Isa and Saltney be considered, in particular reviewing the formal consultation with communities and the draft notes from Organisational Change Overview and Scrutiny Committee;
- (b) That community asset transfers be proceeded in Hope and Mynydd Isa, with a target date range of April-June 2016 for completion, and with the final basis for transfer to be brought back to Cabinet;
- (c) That in Saltney, based on the formal community consultation, the end of February 2016 be agreed for further consideration by the community to express an interest with a final date of the end of June 2016 for any final transfer; and
- (d) That if no interest is expressed by the community of Saltney by the end of February 2016 that provision of a library service is ceased from 31 March 2016.

127. REVENUE BUDGET MONITORING 2015/16 (MONTH 7)

The Corporate Finance Manager provided the latest revenue budget monitoring position for 2015/16 for the Council Fund and the Housing Revenue Account and reported that no specific issues had been raised when considered at the recent Corporate Resources Overview and Scrutiny Committee meeting. The position was based on actual income and expenditure as at Month 7 and projected to the year-end. The projected year-end position, as estimated at Month 7 was as follows:

Council Fund

- Net in year expenditure forecast to be £0.387m lower than budget
- Projected contingency reserve balance at 31 March 2016 of £4.923m

Housing Revenue Account

- Net in year expenditure forecast to be £0.149mm lower than budget
- Projected closing balance as at 31 March 2016 of £1.386m

There was a significant budget change between the Social Services and Streetscene and Transportation portfolios in Month 7 as the transport budget of £0.656m had been transferred from Social Services to Streetscene and Transportation which reflected current reporting structures.

Another significant budget virement was the movement of £0.367m between Education and Youth and Central and Corporate Finance which related to local Government Borrowing Initiative (LGBI) funding for 21st Century Schools which had been included in the Education and Youth portfolio but was now reflected within Central and Corporate Finance.

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

The report also outlined details on a number of risk areas as follows:

- Municipal Mutual Insurance (MMI)
- Recycling
- Car Parking
- Out of County Placements
- Former Euticals Site
- In Year Reductions in Specific Government Grants

RESOLVED:

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

- (c) That a contribution from the contingency reserve of £0.800m to meet the estimated increase in levy required to meet past and future claim liabilities in relation to the former Municipal Mutual Insurance company be agreed; and
- (d) That a contribution from the contingency reserve of £0.100m to meet the resource requirements for specialist social work for child protection be agreed.

128. PARKING PROVISION IN TALACRE

Councillor Attridge provided a summary of the processes followed to date in tackling the parking problems in Talacre and recommended future actions to alleviate the parking pressures in the village, recognising that options for parking in the village were limited by the wildlife importance of most of the surrounding land.

To alleviate the pressures on the village on busy days it was proposed that:

1. The Lighthouse car park be leased from its owners, extended to include the Council owned car park adjacent to the site and managed by the Council to maximise parking availability
2. Agreement be sought with the Talacre Community Centre Trust to use the land to the rear of the building for parking
3. An agreement be made with National Resources Wales (NRW) and ENI for the Council to manage the hardstanding area at the entrance to the beach car park
4. Small scale maintenance work be undertaken on the beach car park to maximise availability during the year
5. That a Traffic Regulation Order (TRO) be put in place to regulate on-street parking, reduce congestion on busy days, and alleviate problems for residents. The provision of such an order could not be accommodated without the provision of some alternative off road parking facilities. In the event that the agreements could not be made, the TRO would need to be reconsidered.

It was expected that subject to the various agreements, those measures could be put in place before the summer of 2016.

The proposed plan for parking provided 415 spaces as follows:

- Overspill car park on Gamfa Wen – 150 spaces
- Lighthouse Inn car park leased from owners and existing Council car park – 60 spaces
- Hard standing area at entrance to beach car park (subject to flooding) – 35 spaces
- Land to rear of community centre – 70 spaces
- A portion of the beach car park was still available for visitor use although it was subject to closure due to flooding and would reduce in size over time as the natural habitat regenerated – 100 spaces

The parking in Talacre would continue to be monitored and an ongoing dialogue would be maintained with NRW and ENI to find further long-term alternative solutions as the beach car park reduced in size.

RESOLVED:

That the proposed plan for providing improved parking in Talacre be approved.

129. 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

- **Revision of Records Office Fees and Charges**
To approve minor changes to charges at the Records Office including photocopying and reproduction fees. These increases were in line with charging elsewhere and would make a minor difference to overall finance of the Records Office.

Organisational Change

- **Museum Accreditation**
To approve a one year extension to the existing Museum Service Collections Management Framework and Forward Plan to enable Mold and Buckley Museums to continue as fully accredited within the national Museum Accreditation Scheme.

Organisational Change

- **Leisure Services – Tariff / Price List 2016**
The average price increase for 2016 across all Leisure Services’ activities was 1.8%. Spa charges were not included in the tariff; they were revised as necessary in line with industry norms. Leisure Services’ tariff ran in accordance with the calendar year rather than the financial year.

RESOLVED:

That the actions taken under delegated powers be noted.

127. MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE

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

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

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Chair