

CABINET
24th OCTOBER 2017

Minutes of the meeting of the Cabinet of Flintshire County Council held in the Clwyd Committee Room, County Hall, Mold on Tuesday, 24th October 2017.

PRESENT: Councillor Aaron Shotton (Chair)

Councillors: Bernie Attridge, Chris Bithell, Derek Butler, Christine Jones, Billy Mullin, Ian Roberts and Carolyn Thomas.

IN ATTENDANCE:

Chief Executive, Chief Officer (Governance), Chief Officers (Organisational Change), Chief Officer (Social Services), Chief Officer (Streetscene and Transportation), Corporate Finance Manager, Corporate Business and Communications Executive Officer (minute number 65 and 66), Planning and Development Officer (minute number 68) and Team Leader – Democratic Services.

OTHER MEMBERS IN ATTENDANCE:

Councillor Patrick Heesom.

62. DECLARATIONS OF INTEREST

Councillors Bithell and Thomas declared personal interests in agenda item number 16 – Bailey Hill Heritage Lottery Fund Stage 2 Application.

63. MINUTES

The minutes of the meeting held on 26th September 2017 had been circulated with the agenda.

Councillor Thomas clarified that the on minute number 59, Consultation Outcomes to the Proposed Conditions of the Draft Dog Control Public Spaces Protection Order (PSPO), officers would work with communities who identified that marked sports pitches were the only space for dog walking to explore the provision of additional amenity space if that space was owned by the Council. Alternatively, it would be the responsibility of the Town or Community Council.

RESOLVED:

That the minutes be approved as a correct record.

64. WELSH LOCAL GOVERNMENT PROVISIONAL SETTLEMENT AND COUNCIL FUND REVENUE BUDGET 2018/19

The Corporate Finance Manager introduced the verbal item which outlined the Provisional Settlement that had been received on 10th October. He explained that the provisional Aggregate External Finance (AEF), which was made up of Revenue Support Grants (RSGs) and Non Domestic Rates (NDRs), for 2018/19 was £187.816m which when compared to the adjusted 2017/18 figure of £189.519 represented a decrease of 0.9% which equated to a reduction of £1.703m.

Transfers into the Settlement included the Single Environment Grant – Waste (£1.640m), Welsh Independent Living Grant (£1.586m), Social Care Workforce Grant (£0.827m), Looked after Children (£0.302m), and Carer’s Respite Care Grant (£0.131m).

A new responsibility had been identified in the Settlement of £0.197m for homeless prevention which would need to be addressed in detail on the funding requirements for Flintshire. Taking that adjustment into account, the Settlement had a negative impact of £1.9m on the current Budget forecast for 2018/19.

He explained the Funding Floor of £1.772m that had been included to ensure that no authority had a reduction of greater than 1% compared to its 2017/18 allocation and top-up funding. Information in relation to specific grants would not be received before 24th October.

The Council’s General Capital Funding had reduced from a 2017/18 total of £6.634m to £6.516m which was a net decrease of £0.118m.

The Chief Executive explained that there was a six week consultation period which ceased on 21st November. The Provisional Settlement would be discussed at a special County Council meeting on 14th November.

Stage 1 of the budget had been discussed at each of the Overview and Scrutiny Committees. Stage 2 would be reported to Corporate Resources Overview and Scrutiny Committee, Cabinet and County Council in December. Stage 3 of the budget would detail the national funding position and the risks.

Councillor Shotton commented on the seriousness of the situation and the impact of austerity on the services provided to the people of Flintshire. It was the Council’s duty to provide for the needs of local people which should be made possible from the funding given to local authorities, by the UK Government, but public services continued to be attacked due to the ongoing cuts to budgets. He implored Cabinet Members to continue to lobby UK Government for a reversal of the current fiscal policy prior to the Chancellor’s Statement on 22nd November. If there was any reversal in the cuts then lobbying would take place with Welsh Government (WG) for the protection of local services.

Councillor Attridge concurred and urged Members to lobby MP’s and AM’s, explaining which services could be affected.

The Chief Executive explained that the Public Engagement Events, ‘Our Flintshire, Our Future 2017’, started this week where the challenges being faced, along with how communities could get involved to help protect the services they valued most, would be discussed.

RESOLVED:

That the verbal report be received.

65. ANNUAL PERFORMANCE REPORT 2016/17

Councillor Mullin introduced the Annual Performance Report 2016/17 which reviewed progress against the Improvement Priorities as detailed in the Improvement Plan 2016/17.

The Chief Executive explained that the report must be published by 31st October each year and must be approved by County Council prior to publication. The assessment took into account consideration assessments of performance for each of the Improvement Priorities through:

- Progress against key actions and projects;
- Progress against identified risks and challenges;
- Performance indicator outturns (target and trend analysis); and
- Regulatory, audit and inspection activity.

The Corporate Business and Communications Executive Officer added that, despite the backdrop of austerity faced by the Council, Flintshire was ranked as the top authority in Wales to show improvement between 2015/16 and 2016/17.

Members thanked staff across the authority for work undertaken during the ongoing difficult periods, whilst being ranked as the top authority to show improvement which was a notable achievement.

RESOLVED:

That the 2016/17 Annual Performance Report be endorsed for publication.

66. FLINTSHIRE PUBLIC SERVICES BOARD REVIEW AND WELL-BEING PLAN DEVELOPMENT

The Chief Executive introduced the Flintshire Public Services Board (PSB) Review and Well-being Plan Development report which provided an overview of the work of the Flintshire PSB to date and the development of the Well-being Plan. The report also provided a brief overview of the strategic partnerships which reported into the PSB.

The high level aim of the PSB was to “protect, sustain and improve the economic, social, environmental and cultural well-being of Flintshire through collaborative working as a single public service”. A Well-being assessment for Flintshire had been produced and published in line with statutory requirements and presented a contemporary picture of life and well-being in Flintshire. Progress updates were outlined in the report.

The Flintshire PSB had selected and endorsed five themes which had a number of priorities:

1. Theme: Well-being and Independent Living;
2. Theme: Community Safety;
3. Theme: Resilient Communities;

4. Economy and Skills; and
5. Environment.

A 12 week consultation period commenced in October 2017 and would conclude at the end of January 2018. The public engagement events would form part of the statutory public consultation. The Plan would be submitted to Corporate Resources Overview and Scrutiny Committee seeking support and to Cabinet for endorsement of the structure and content. The Plan would also be presented to the other statutory bodies of the PSB for endorsement.

RESOLVED:

- (a) That Members be assured on the level of progress the Flintshire Public Services Board (PSB) has made to date;
- (b) That the PSB themes/priorities for the Well-being Plan be supported;
- (c) That the level of progress of the various strategic partnerships be supported; and
- (d) That the next steps outlined in the report and the timeframe around delivery be noted.

67. CORPORATE SAFEGUARDING POLICY

Councillor Jones introduced the Corporate Safeguarding Policy report which outlined the work being undertaken to ensure that the Council fulfilled its safeguarding responsibilities, identified areas for improvement and presented the Corporate Safeguarding Policy for approval prior to publication.

The Corporate Safeguarding Policy provided a framework to safeguard and protect children and adults, with the Policy describing roles and responsibilities expected of every employee and elected Members, volunteers and contractors. It included information on the types of abuse, recognising abuse and how to report any concerns.

The Chief Officer (Social Services) said the development of the Policy had been a positive process which had involved training being provided by AFTA Thought which was attended by approximately 300 employees. To support the implementation of the Policy a summary document and a set of Frequently Asked Questions would be published and made available to employees. Two e-learning programmes for safeguarding children and adults were also available. Presentations on safeguarding would be made to Overview and Scrutiny Committees in the coming months to raise the awareness of Members.

The implementation of the Policy would be measured through a number of performance indicators which were detailed in the report.

RESOLVED:

- (a) That Cabinet be assured that work is being undertaken to improve corporate arrangements for safeguarding children and adults; and
- (b) That the Corporate Safeguarding Policy be approved for publication and implementation.

68. STRATEGIC REVIEW OF THE CARE SECTOR

Councillor Jones introduced the Strategic Review of the Care Sector report. In order to support the local sector, Flintshire County Council had funded a 12 month post to look at the key factors that were influencing the fragility of the care sector in Flintshire.

A programme plan had been developed to address key priority areas of the work and the project would support the evidential case being made in Flintshire on the fragility of the sector, helping to address some of the pressing issues providers and commissioners were raising. The report would be shared with Welsh Government (WG) to support the case for more investment in the social care sector, would be published on the Council's website and shared with partners.

The report, which set out the need for increased funding, workforce improvements and recognition of the full needs of the sector, would inform the evidence base for national case-making.

The Chief Officer (Social Services) thanked Cabinet Members for supporting the piece of work on the development of a business case and the recommendations moving forward.

In response to a question from Councillor Attridge, the Chief Officer (Social Services) explained that all partners supported the work that had been undertaken and the responsibilities were joint between Betsi Cadwalader University Health Board and the Council.

The Chief Executive welcomed the report which was evidence based and forecasted future demand. He said it would help to support the next stage of lobbying to UK and Welsh Governments as it demonstrated the fragility of the care sector.

In response to a question from Councillor Bithell, the Planning and Development Officer explained that the report covered the potential implications on how Brexit could affect the care sector.

Councillor Shotton welcomed the report which evidenced what interventions were needed in the care sector and the importance of developing a workforce that could be retained. He said Flintshire County Council stood in defence of services such as care homes. The Chief Executive added that if the Council removed the provision of the three care homes in the County, the authority would still have a duty to provide places but there was no supply from external providers. The Chief Officer (Social

Services) said any alternatives to the Council's own care homes would be more expensive.

RESOLVED:

- (a) That the report be received;
- (b) That the report be published; and
- (c) That the approach to Welsh Government (WG) be approved for them to respond to the needs of the care sector.

69. INCOME GENERATION POLICY

Councillor Mullin introduced the Income Generation Policy report which proposed a number of key objectives and principles to assist in the setting of appropriate and benchmarked fees and charges, together with the mechanism for regular reviews and monitoring.

The Chief Officer (Organisational Change) explained that there had been a longstanding requirement to develop a Policy which brought together all fees and charges in one place, as well as reviewing their methods of calculation and application. A number of key objectives and key principles were set out in the report for consideration.

It was suggested that monitoring fees and charges should be undertaken through the Council's Programme Boards. The adoption of the Policy would provide the strategic framework and consistency to address fees and charging issues within the Council. On adoption, fees and charges would be increased. There may be cases where, due to the significant gap between the charge and full cost recovery, there would need to be an incremental approach taken so that full cost recovery was achieved over a longer time period.

A recurring income target of £500,000 had been set but was not being achieved. The ability to achieve the target would remain the position if a more rigorous and challenging approach was not adopted.

RESOLVED:

That the Income Policy be noted and approved.

70. OUTCOME OF THE ACTIVE TRAVEL CONSULTATION PROCESS

Councillor Thomas introduced the Outcome of the Active Travel Consultation Process report which outlined progress following consideration of a report to Cabinet on 6th June on the delivery of duties under the Active Travel (Wales) Act 2013.

A number of informal engagement events had been held prior to the statutory consultation and as a result of the feedback, a number of amendments had been made to the draft Integrated Network Map (INM). Some requests for routes were rejected

and there had also been several amendments made to the Existing Route Map (ERM). The revised INM and the revised ERM would be submitted to Welsh Government (WG) for approval on 3rd November 2017.

The Chief Officer (Streetscene and Transportation) explained that the responses outlined in the appendix to the report were aspirational request and a number of the schemes would not be achievable.

RESOLVED:

That the content of the report and the submission to Welsh Government (WG) be approved.

71. ADOPTION OF ZONE 3 DEESIDE INDUSTRIAL PARK

Councillor Thomas introduced the Adoption of Zone 3 Deeside Industrial Park report.

She explained that the roads around Deeside Industrial Park (DIP) were un-adopted but over the past 6 months land issues had been resolved and the Council was in a position to adopt the roads and footways. On adoption, Welsh Government (WG) had committed to provide the Council with a commuted sum which was the equivalent to the cost of reconstructing some of the carriageways and footways in the area. The report recommended reallocating the funding in a more constructive manner in order to upgrade the footpaths to provide a dedicated cycle network around Zone 3 which was in line with the Council's aspiration to improve Active Travel Links throughout the DIP. The proposal was also aligned with the aspirations of the Deeside Plan and the wider vision for a North East Wales integrated transport "Metro" concept.

There were significant parking issues within Zone 3, which had created access problems and incidents of antisocial behaviour which were associated with the drivers of heavy goods vehicles who parked their vehicles on some of the roads overnight. The proposals in the report would help provide a solution to both of those issues.

Councillor Jones welcomed the report and the cycleway as there was currently a significant stretch of the cycle network that was missing through the Zone. She expressed concern on the overnight parking problems at Zone 3 which could only be resolved by the provision of a lorry park. Councillor Attridge concurred with the views on the overnight parking problems and said WG needed to understand that the problem would move elsewhere until a lorry park was provided.

RESOLVED:

- (a) That Section 228 of the Highways Act be approved to be used as a mechanism to adopt the highways within Zone 3 of Deeside Industrial Park; and
- (b) That the reallocation of the commuted sum funding which is being proposed by Welsh Government (WG) be approved to improve the footways to provide a fully integrated cycle network serving each business located within Zone 3.

72. COMMUNITY RESILIENCE AND COMMUNITY BENEFITS STRATEGY

Councillor Shotton introduced the Community Resilience and Community Benefits Strategy report which provided an overview of the work being done in the area, building on previous work to grow the social sector through social enterprise development including Community Asset Transfers (CATs) and Alternative Delivery Models (ADMs).

The report proposed the agreement of a Community Benefits Strategy which defined, for the first time, a set of community benefits that could be used in all types of procurement contracts but that could also be used to assess the level of community benefit an organisation was delivering.

The Chief Officer (Organisational Change) said 24 social enterprises / social organisations operating in Flintshire over the last year were the beneficiaries of Council support to help their development. That, along with the CAT programme, had resulted in a number of assets being transferred to social enterprises / community organisations. The results of that work, both developing organisations and enabling them to take on assets and services, resulted in a stronger social sector working at a community level. He took this opportunity to congratulate Café Isa who had won the Best Social Business Award at the Flintshire Business Week Ceremony the previous week.

He added that with an increase in the number and size of organisations in the social sector, this enabled future work to build on this stronger social sector base and for the sector to be recognised as valuable and business like. It also encouraged a raised awareness across the public, private and social sectors about the delivery of social objectives or community benefits.

RESOLVED:

That the Community Benefits Strategy be approved.

73. WELSH IN THE WORKPLACE POLICY

Councillor Mullin introduced the Welsh in the Workplace Policy report which contained the draft Policy for adoption prior to publication. An overview of progress on meeting the Welsh Language Standards was also provided.

The Chief Executive added that the Policy reinforced the Council's commitments to the Welsh language.

In response to a question from Councillor Bithell, the Chief Executive said he would make enquiries and provide details of any opportunities available for Members to learn Welsh. He would send any details to all Members of the Council.

RESOLVED:

- (a) That Members be assured that work is being undertaken to comply with the Welsh Language Standards;

- (b) That the Welsh in the Workplace Policy be adopted; and
- (c) That the annual reports on work carried out to meet the Welsh Language Standards be received.

74. ARMED FORCES COVENANT ANNUAL REPORT

Councillor Mullin introduced the Armed Forces Covenant Annual Report. The Armed Forces Covenant was a promise from the nation that those who served or had served in the armed forces, and their families, were treated fairly.

The Council was committed to supporting the Armed Forces community by working with a range of partners who had signed the Covenant, including Flintshire Local Voluntary Council and the Royal British Legion. The North Wales Fire and Rescue Service would also be joining the Armed Forces Covenant.

RESOLVED:

- (a) That the positive progress made in meeting the Armed Forces Covenant be endorsed and the commitments for further improvement be supported; and
- (b) That the Armed Forces Annual Report be approved prior to approval by full Council and publication on the Council's website.

75. REVENUE BUDGET MONITORING 2017/18 (MONTH 5)

The Corporate Finance Manager introduced the Revenue Budget Monitoring 2017/18 (Month 5) report which provided the current revenue budget monitoring position for 2017/18 for the Council Fund and the Housing Revenue Account. The report presented the position, based on actual income and expenditure and projected how the budget would stand at the close of the financial year if all things remained equal.

The projected year end position, without mitigation to reduce cost pressures and improve the yield on efficiency planning, was:

Council Fund

- Net in year expenditure forecast to be £1.348m more than budget; and
- Projected contingency reserve balance as at 31st March 2018 of £3.734m.

Housing Revenue Account

- Net in year expenditure forecast to be £0.026m higher than budget; and
- Projected closing balance as at 31st March 2018 of £1.090m.

The report covered the latest in-year forecast by portfolio; tracking of in year risks and emerging issues; inflation; and reserves and balances.

The Chief Executive explained that taking into account the current projected overspend at Month 5, and previously agreed allocations, the balance on the Contingency Reserve was projected to be £3.734m. He reminded Members that reserves could only ever be used once.

There were no comments from the meeting of Corporate Resources Overview and Scrutiny Committee the previous week that needed to be raised at Cabinet.

RESOLVED:

- (a) That the overall report and the projected Council Fund contingency sum as at 31st March 2018 be noted; and
- (b) That the projected final level of balances on the Housing Revenue Account (HRA) be noted.

76. BAILEY HILL – HERITAGE LOTTERY FUND STAGE 2 APPLICATION

Councillor Roberts introduced the Bailey Hill – Heritage Lottery Fund Stage 2 Application report which details progress on the project and proposed the Council's position and contributions towards the project ahead of submission of the application.

Bailey Hill was a significant project to improve the heritage environment of the Motte and Bailey Caste which included large areas of tree removal, access improvements, a new play area and site-wide interpretation including a display area in the Custodians Lodge.

In response to a question from Councillor Attridge, the Chief Officer (Organisational Change) explained that the Council contribution towards the overall masterplan and capital costs had been previously identified as funding for the play area.

(Having earlier declared interests, Councillors Bithell and Thomas left the room during consideration of the item.)

RESOLVED:

- (a) That the Council's position and contributions towards the project, as outlined in the report, be agreed; and
- (b) That delegated authority be given for submission for the Stage 2 Heritage Lottery Application, in line with the position and contributions outlined (subject to minor changes) by the Chief Officer (Organisational Change) in consultation with the Cabinet Member for Education.

77. 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

- **Proposed Prohibition and Restriction of Waiting and Loading and Parking Places. Civil Enforcement and Consolidation Order. Amendment No. 4**
To advise Members of the objections received following the advertisement of the proposed Prohibition and Restriction of Waiting and Loading and Parking Places Amendment No. 4 Order, which introduces No Waiting At Any Time, Limited Waiting and Limited Parking on Cymau Road and Wyndham Drive, Abermorddu.

Community and Enterprise (Revenues Service)

- **Business Rates – Application for Hardship Relief**
Section 49 of the Local Government Finance Act 1988 gives the Council the discretion to reduce or remit the payment of business rates where it is satisfied that the ratepayer would sustain hardship if it did not do so and it is reasonable for it to do so having regard to the interest of its council tax payers.

An application received from Halkyn Parish Hall Trust has been refused on the grounds that it is not deemed to be in the wider public interest to support the awarding of Hardship Rate Relief.

RESOLVED:

That the actions taken under delegated powers be noted.

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 paragraphs 14 and 15 of Part 4 of Schedule 12A of the Local Government Act 1972 (as amended).

78. COUNTY HALL CIVIC CAMPUS AND EWLOE OFFICE RE-LOCATION – OUTLINE PLAN

The Chief Executive presented the County Hall Civic Campus and Ewloe Office Re-location – Outline Plan report.

The Council had reduced the size of its office accommodation required at County Hall in Mold and now only occupied Phases 1 and 2. Unity House in Ewloe was vacant and negotiations to finalise the dilapidations claim had been concluded. In the short to medium term there was a viable option to consider moving a large number of office staff from County Hall to Unity House whilst at the same time considering the longer term strategy for a civic hub.

Initial planning work and an associated business case set out the short to medium term options stating that a relocation to Unity House could be achieved by

2018. The report provided further details on the costings and plans and proposed a phased approach to moving.

In response to a question from Councillors Thomas and Attridge, the Chief Executive explained that the report was considered to be confidential due to the nature of the commercial information it contained, particularly in relation to the estimated value of the land at County Hall. It was agreed that the non-confidential details of the report would be shared as soon as possible.

Following a discussion, the recommendations in the report were amended and agreed as outlined below.

RESOLVED:

- (a) That a business case be approved for detailed consultation with Trade Unions and the workforce and for consideration in the 2018/19 budget; and
- (b) That a masterplan be commissioned for the County Hall campus and tenders be invited for the demolition for Phases 3 and 4.

79. CONTRACT PROCUREMENT REPORT FOR CONNAH'S QUAY HIGH SCHOOL

Councillor Roberts introduced the Contract Procurement Report for Connah's Quay High School which sought approval to contract with Kier Construction for the Capital investment project at Connah's Quay High School.

RESOLVED:

That it be approved that the Council legally contract with Kier Construction to enable commencement for the construction of the capital improvement project at Connah's Quay High School.

80. DIGITAL PRINT SERVICE

Councillor Mullin introduced the Digital Print Service report which proposed a revised interim establishment structure.

RESOLVED:

- (a) That the appointment of a pool of suppliers on a 2 year contract, that will ensure the Council obtains the most economically advantageous terms for its colour printing needs, be noted; and
- (b) That in light of the reducing demand for print services, the digital print service be revised and the interim establishment structure appended to the report be approved.

81. MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE

There were no members of the public and two members of the press in attendance.

(The meeting commenced at 9.30 a.m. and ended at 11.35 a.m.)

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Chair