

**CABINET**  
**19<sup>th</sup> DECEMBER 2017**

Minutes of the meeting of the Cabinet of Flintshire County Council held in the Clwyd Committee Room, County Hall, Mold on Tuesday, 19<sup>th</sup> December 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 Officer (Streetscene and Transportation), Chief Officer (Community and Enterprise), Corporate Finance Manager, Democratic Services Manager and Team Leader – Democratic Services.

**OTHER MEMBERS IN ATTENDANCE:**

Councillor Patrick Heesom.

**103. DECLARATIONS OF INTEREST**

None were declared.

**104. MINUTES**

The minutes of the meeting held on 21<sup>st</sup> November 2017 had been circulated with the agenda and approved as a correct record.

**RESOLVED:**

That the minutes be approved as a correct record.

Councillor Jones took the opportunity to express her gratitude to all of the staff in Streetscene, Housing and Social Services, and the emergency services that had attended the fire at the Gateway to Wales Hotel the previous day which was in her ward. Thankfully nobody was injured in the fire and everybody had now been placed in accommodation.

Councillor Attridge echoed the comments of Councillor Jones and said this was a good example of all services working together on a major incident. He asked the Chief Executive to pass on thanks to all of the staff involved. The Chief Executive thanked the Members for their comments and said he would pass on their messages.

Councillor Shotton advised that agenda item number 9, The Introduction of Garden Waste Charges in Flintshire, would be considered first.

**105. THE INTRODUCTION OF GARDEN WASTE CHARGES IN FLINTSHIRE**

Councillor Thomas introduced the Introduction of Garden Waste Charges in Flintshire report which set out how the proposal would be implemented and provided an estimate for the associated financial benefit to the Council from the proposal.

There was no statutory duty on the Council to collect garden waste and given the current period of austerity and the ongoing financial challenges being faced by the Council, it was now necessary to introduce a charge of £30 for the collection of garden waste which would be similar to that which had been introduced by a number of Councils in North Wales and an ever growing number of Councils across England and Wales. The charge for a second or third bin would also be £30.

Residents would be notified of the charge by letter and by stickers which would be placed on the garden waste bins in January 2018. Further communication would be sent out with the Council Tax information in March 2018 and residents would have until 1<sup>st</sup> April 2018 to register for the service. The service would be provided free of charge to all residents in March 2018. A Project Manager was in place to ensure the smooth introduction of the arrangements, which was at no extra cost to the Council.

Councillor Thomas referred to a comment from Councillor Peers at the Environment Overview and Scrutiny Committee on 20<sup>th</sup> November 2017 on the overspend in the service. She explained this related to unforeseen circumstances such as the increase in electricity charges. On a question as to whether the service could find further efficiencies instead of introducing this charge, she explained that the service had already had a budget reduction of 40% and no further efficiencies could be found.

The Chief Officer (Streetscene and Transportation) reiterated that this was a discretionary service which the Council was not required to provide. In 2011 Welsh Government (WG) issued its Waste Collections Blueprint which stated the preferred delivery method for waste collections in Wales, in order to deliver high and sustainable levels of recycling. Flintshire's existing waste and recycling collection service in the main aligned with the Blueprint. However, the Blueprint recommended that this service was to be offered on a chargeable basis.

He commented on the high standard and number of Household Recycling Centres (HRCs) in the County which would have sufficient capacity to receive garden waste for those residents who did not sign up for the service.

At the Environment Overview and Scrutiny Committee, concessions had been discussed. He explained that this would be complicated to introduce to ensure that it was a fair process; it would be challenging to implement and went against the Council's new Fees and Charges Policy. However, the first year of implementation would be to listen and learn.

The Democratic Services Manager introduced the draft minutes from the Environment Overview and Scrutiny Committee which outlined the comments from Members on this proposal. The resolution was "That the comments of the Committee on the arrangements for the introduction of the charging policy for the Garden Waste service, as part of Stage One of the budget proposals for 2018/19, be noted".

Councillor Attridge said an email had been received the previous evening from Councillor David Williams suggesting that the second bin could be charged at £15. In response, Councillor Thomas explained that if a second bin was offered at a reduced

rate, this would have an impact on the budget of £27,000 which would result in the charge of the first bin being increased to over £30. She added that the WG Blueprint encouraged composting. On a comment on fly tipping, there was no evidence from other Counties that had introduced this charge that fly tipping increased. The Chief Officer said a number of different options and charges had been considered but they affected the income target and full cost recovery could not be achieved if a second bin was at a reduced price.

Councillor Bithell commented that the service had been provided to residents for 15 years despite it not being a statutory requirement. It was not possible in the current financial climate to continue to provide that service free of charge.

Councillor Shotton said that Cabinet had resisted the implementation of this charge for a number of years but that could not continue. There was a duty on the Authority to collect general waste but not garden waste and with the reduction in the Single Environment Grant, it was either implement this charge or find £1m from elsewhere. He commented on the discussion on concessions at Environment Overview and Scrutiny Committee for vulnerable people and pensioners and said the only information the Council could access would be those residents entitled to Council Tax Reduction Scheme (CTRS); alternatively residents could be asked to provide information, both of which would be administratively costly with information changing on a regular basis. The Chief Officer explained that there was approximately 11,000 properties with residents in receipt of CTRS and if the cost was reduced to £20 for them, this would result in a six figure reduction in the target, or alternatively an increase in the £30 cost for all other residents. Following the listen and learn, this could be reviewed.

Councillor Shotton asked if Cabinet could be provided with the information on charges, possible concessions and take up rates, including those people in receipt of CTRS who had signed up for the service, after the first year. The Chief Executive said concessions would be looked at on three principles: (1) was it fair, reasonable and affordable; (2) what alternative service options were available; and (3) was it practicable to implement. He added that the administrative costs for maintaining data for a non-fixed group of claimants could be high which was why a review after one year was suggested. On the comment on efficiencies at the Environment Overview and Scrutiny Committee, he explained that the business plans for all portfolios had been reported to all Overview and Scrutiny Committees, adding that Streetscene delivered one of the highest rates at 40%. There was no further scope for major efficiencies in that service.

**RESOLVED:**

- (a) That the charging policy for the Garden Waste Service and the arrangements detailed within the report for the smooth introduction of the charge which forms part of Stage One budget proposals for 2018/19 be approved; and
- (b) That a full review of charges, possible concessions and take up rates is undertaken between September and December 2018.

### 103. FINANCIAL FORECAST AND BUDGET POSITION

The Chief Executive introduced the verbal item on the Financial Forecast and Budget Position. Stage One of the budget had been completed with Stage Two being discussed at County Council the previous week with the following outcomes:

- Council Tax range would be between 3% and 5%;
  - That the recommendations from Cabinet be received, which were;
- (a) *That the Stage Two Budget options within the Scrutiny report and the recommendations of Cabinet detailed below be received;*
- (i) *That feedback from Corporate Resources Overview and Scrutiny Committee be received with a recommendation to Council on Stage 2 of the budget strategy;*
- (ii) *That the remaining stages of the budget process and the timescales be noted; and*
- (iii) *Cabinet received and accepted in full the 6 draft recommendations from Corporate Resources Overview and Scrutiny Committee (listed below). Cabinet noted and recommended Stage 2 of the budget to County Council with the proviso that the specific proposals on schools budgets and car parking charges would be reported to the respective Overview and Scrutiny Committees in January for full review, for them to report back before any final agreement on those two areas.*

#### *Corporate Resources Overview and Scrutiny Recommendations:*

1. *That having considered the Stage 2 budget options, the report and proposals be noted;*
  2. *That the remaining stages of the budget process and timescales be noted;*
  3. *That the letter to the Cabinet Secretaries for Finance and for Local Government and Public services and the Resilience Statements be circulated to all Members;*
  4. *That the full detail of the assessments of the risks, impacts and consequences of all of the budget proposals be made available for review in January;*
  5. *That the Environment and Education and Youth Overview and Scrutiny Committees be convened in January to review in detail the car parking charges and school budget proposals respectively, including the risks and consequences of the proposals, prior to any final decision being taken; and*
  6. *That a report reviewing the process for the setting of the annual budget process be prepared for the Constitution & Democratic Services Committee at its meeting on 31<sup>st</sup> January 2018.*
- (2) *That the remaining stages of the budget process and the timescales be noted; and*

(b) *That the remaining stages of the budget process and the timescales be noted.*

A discussion was due with Welsh Government (WG) officials on the position. He commented on a possible additional £20m for Local Authorities for 2018/19, with a possible £40m in 2019/20 which based on the formula would be £950,000 and £1.7m for 2018/19 and 2019/20 respectively for Flintshire. He also commented on the three specific requests of WG which were: (1) Domiciliary Care Fee Cap; (2) Intermediate Care Fund; and (3) Apprentice Tax Levy. Councillor Shotton said the lobbying was continuing on those three specific areas.

Councillor Attridge commented on the projected 1% for pay increases in the budget and asked what the position would be if that percentage was increased. Councillor Shotton explained that the Employers Offer, following national negotiations, was 2% and he was concerned that the Chancellor of the Exchequer had not said whether that would be fully funded. The Chief Executive said it could go beyond 2% with the concern being how that would be funded; the view of WG and the Welsh Local Government Association (WLGA) was that anything over a 1% rise should be funded at a UK level. Councillor Roberts said if it was above 1% the effect on schools would be intolerable.

**RESOLVED:**

That the verbal report be received.

**104. NORTH WALES ECONOMIC GROWTH DEAL BID PROGRESS REPORT**

Councillor Shotton introduced the North Wales Economic Growth Bid Progress Report.

In September 2016 Cabinet adopted the Growth Vision for the Economy of North Wales and supported the progress of the development of a competitive Growth Deal Bid due to be submitted to the UK and Welsh Governments (WG) by the end of November 2017. Details of the Bid were contained in the appendix.

The first meeting of the Shadow Joint Committee had met the previous week where Council Leaders were joined by representatives from the private sector, Higher Education (HE) and Further Education (FE). The Growth Deal Bid was complimentary to, and would support the following:

- UK and WG economic and social policy;
- UK Government policy to develop the competitiveness of economy of the Union post BREXIT negotiations;
- WG policy for regional governance and devolution;
- The UK Government Industrial Strategy;
- The UK Government and WG Sector Plans specifically for nuclear, energy, manufacturing (Automotive and Aerospace) and digital;
- The Wales Infrastructure Plan;
- Cross-border planning and connectivity; and
- The imminent WG Economic Strategy.

The Chief Executive added that the Shadow Joint Committee would be the focal point for negotiations with Councillor Shotton being the Chair of that Joint Committee, supported by the Leader of Gwynedd County Council as Vice Chair. Officer support was from himself and Iwan Trefor Jones, Director, Gwynedd Council. There was an objective to reach the first stage of the agreement, known as 'Heads of Terms' by late spring 2018.

On potential Flintshire benefits to the Growth Deal, there were a number of proposals to support business growth which would be of benefit to existing Flintshire businesses and the Chief Executive commented on Warren Hall in Broughton and employment sites such as Deeside Industrial Park and Enterprise Zone.

Councillor Butler commented on the successful cross border working which had enabled speedy progress on the Growth Deal for North Wales and welcomed the WG policy for regional governance and devolution.

Councillor Shotton said transport was at the heart of the Bid to provide access to people for opportunities, commenting in particular on addressing worklessness and unemployment.

**RESOLVED:**

- (a) That the Growth Deal Bid submitted to the UK and Welsh Governments be supported and the timescales for each of the next stages of bid development be noted; and
- (b) That the priority schemes which could provide local benefit in Flintshire be noted and supported.

**105. CUSTOMER INVOLVEMENT STRATEGY**

Councillor Attridge introduced the Customer Involvement Strategy report which introduced a revised Strategy and action plan for Flintshire County Council's tenants and residents. The review had taken account of tenant's views, legislation and best practice.

It was important that methods by which tenants and residents were engaged with was cost effective and easy to access for all sections of the community. The Strategy and action plan would ensure that the customer involvement service gave the opportunity for all customers to influence and challenge service development and delivery in a way that best suited their needs and secured maximum outcomes from resource investment.

**RESOLVED:**

That the implementation of the revised Customer Involvement Strategy and Action plan 2018-2021 be approved.

## **106. REVENUE BUDGET MONITORING 2017/18 (MONTH 7)**

The Corporate Finance Manager introduced the Revenue Budget Monitoring 2017/18 (Month 7) 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 £1.262m greater than budget; and
- Projected contingency reserve balance as at 31<sup>st</sup> March 2018 of £3.820m.

### **Housing Revenue Account:**

- Net in year expenditure forecast to be £0.03m higher than budget; and
- Projected closing balance as at 31<sup>st</sup> March 2018 of £1.081m.

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

On schools balances, Councillor Roberts explained that there were a number of Secondary Schools that had deficits, with robust actions plans to reduce them, which were offset by the Primary Schools.

The Corporate Finance Manager explained two particular comments had been made at the recent Corporate Resources Overview and Scrutiny Committee: (1) that the three areas of underspend in Social Services be reported to the Social and Health Care Overview and Scrutiny Committee; and (2) whether specific balances on revenue could be dealt with in the same way as capital reserves. A report would be submitted to Corporate Resources Overview and Scrutiny Committee on the second request to explain the implications.

### **RESOLVED:**

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

## **107. TREASURY MANAGEMENT MID-YEAR REVIEW**

The Corporate Finance Manager introduced the Treasury Management Mid-Year Review report which was to be recommended to Council.

Regulatory changes were coming into force in the near future with the main change being MiFID II (the second Markets in Financial Instruments Directive) which would come into force on 3<sup>rd</sup> January 2018. MiFID II required local authorities to be categorised by regulated financial services firms as retain clients by default who could “opt up” to be professional clients, providing that they met certain criteria.

The Council was classed as a professional client. To “opt up” and continue its status the Council must hold an investment balance of at least £10m with the person authorised to make investment decisions having at least one year’s relevant experience. Officers had considered the differing impacts of remaining a professional client or changing to a retail client and it was recommended that the Council maintained its current MiFID status of professional in order to continue to manage the Council’s daily treasury management activities as at present.

**RESOLVED:**

- (a) That the Treasury Management Mid-Year Report 2017/18 be approved and recommended to Council; and
- (b) That Council be recommended to approve the decision to “opt up” to professional client status by regulated financial services firms as a result of the second Markets in Financial Instruments Directive (MiFID II).

**108. THE RELEASE OF CHINESE LANTERNS FROM COUNCIL LAND**

Councillor Bithell introduced the Release of Chinese Lanterns from Council Land report.

There had been increasing concern from a wide range of stakeholders, such as the Marine Conservation Society, Royal National Lifeboat Institution (RNLI), National Farmers Union, Farmers Union of Wales, Royal Society for the Prevention of Cruelty to Animals (RSPCA) and various Fire and Rescue Services, about the possible impact of sky lanterns on livestock and the environment. Particular concerns included the risks to animal welfare through ingestion of debris, litter in the countryside, the sea and on the coastline, risks to aviation and impacts on coastal rescue services. Since sky lanterns contained a naked flame, there was an additional concern about the fire risk to buildings, property and crops from uncontrolled landing.

Endeavouring to prosecute a party under either of these Acts could prove challenging as there was a debate on at what point the littering actually took place and how it could be monitored and subsequently enforced. In addition, the resources required were likely to be considerable and, at a time of budgetary constraints, could be prohibitive.

**RESOLVED:**

That the Council introduce a voluntary ban on the release of sky lanterns from Council owned/controlled land; and that a communication exercise be undertaken to make consumers and charity organisations aware of the risks associated with sky lanterns and the fact they should not be released from Council owned/controlled land.



## 109. 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

- **The Flintshire County Council Englefield Crescent, Wats Dyke Avenue and Ellesmere Road, Mynydd Isa (Prohibition and Restriction of Waiting and Loading and Parking Places) (Civil Enforcement and Consolidation) (Amendment No 10) Order 201.**

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. 10 Order, which introduces No Waiting At Any Time and Limited Waiting and Limited Parking on Englefield Crescent, Wats Dyke Avenue and Ellesmere Road, Mynydd Isa.

- **Increase in Rate of Oayments for De-Mnimis Agreements – Commercial Bus Services**

To advise Members of the proposals to increase the rate of the payments for De-Minimis Agreements on commercial bus services from September 2017.

- **Bereavement Services Fees Increase**

Bereavement Services Fees were last increased in April 2015. It is proposed to increase all fees by 5% apart from those fees associated with Bricked Graves which it is proposed to increase by 10%. A recent Audit report has highlighted that moving forward we need to annually review these fees and apply any increase as required whilst ensuring value for money is still achieved in the very sensitive service.

### Organisational Change

- **Sale of Halkyn Depot, Fulbrooke, Halkyn CH8 8BY**

The former depot is to be sold to Gwynedd Council following the exercise of an Option to Purchase under their Lease Agreement.

- **Land Adjoining Plas Yn Dre Ucha, High Street, Trewlawnyd**

The sale of this land to the adjoining owner will free up two additional parking spaces in the High Street public car park.

- **Former Llanfynydd C.P. School Playing Fields, Llanfynydd**

This playing field is surplus to requirements following the closure of the Llanfynydd C.P. School.

### RESOLVED:

That the actions taken under delegated powers be noted.

**110. MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE**

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

(The meeting commenced at 9.30 a.m. and ended at 10.50 a.m.)

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**Chair**