

CABINET
16TH JUNE 2020

Minutes of the meeting of the Cabinet of Flintshire County Council held virtually via Webex on Tuesday 16th June, 2020.

PRESENT: Councillor Ian Roberts (Chair)

Councillors: Glyn Banks, Chris Bithell, Dave Hughes, Christine Jones, Billy Mullin and Carolyn Thomas.

IN ATTENDANCE:

Chief Executive, Chief Officer (Governance), Corporate Finance Manager, Chief Officer (Planning, Environment and Economy), Chief Officer (Social Services), and Team Leader – Democratic Services.

APOLOGY:

Councillor Derek Butler.

OTHER MEMBERS IN ATTENDANCE:

Councillor Hilary McGuill.

The Leader and all Cabinet Members expressed their thanks to all employees of Flintshire County Council for the way in which they had responded to the emergency situation, working throughout and sometimes carrying out different roles. Councillor Roberts also thanked the public for following lockdown rules which had been critical in managing the peak of the outbreak and all of the staff who continued to run critical services.

170. DECLARATIONS OF INTEREST

None.

171. MINUTES

The minutes of the meetings held on 18th February and 17th March were submitted and approved as a correct record.

RESOLVED:

That the minutes be approved as a correct record.

172. FLINTSHIRE LOCAL DEVELOPMENT PLAN – UPDATE ON PROGRESS AND POSITION WITH THE PLAN’S TIMETABLE

Councillor Bithell introduced the Flintshire Local Development Plan – Update on Progress and Position with the Plan’s Timetable report.

Work on the Council’s Local Development Plan (LDP) was guided by a Delivery Agreement which had to be approved by the relevant Welsh Minister. Part

of that agreement was a timetable that committed the Council to reach key milestones in Plan preparation by prescribed dates.

Following the public consultation that ended in November, the Plan had remained 'on track'. However the present emergency situation and the lack of public access to key public buildings such as Council offices, Connects Centres and libraries prevented a full list of all of the representations received from being made available for public inspection, as required by legislation. In addition, the inability of the Council to meet to agree the responses and to the submission of the Plan for Examination had meant that the Plan's timetable had been required to be reviewed and amendments proposed.

The Chief Officer (Planning, Environment and Economy) explained that the report highlighted the good progress made with the Plan; the reasons for the need to review the timetable; how that had been discussed with Welsh Government (WG) and the Planning Inspectorate; and the implications in terms of a revised timeline for the plan, including the consideration of and decisions the Council would need to take, and when. Key points arising from discussions with WG and the Planning Inspectorate were outlined in the report.

It would not be feasible to publish representations until July at the earliest. This would mean a meeting of County Council in September and a provisional date of 29th had been set. Submission of the Plan for Examination would then be in October and would trigger formal appointment of an Inspector and preparations for an Examination in late January 2021.

In response to a question from Councillor Thomas on libraries and representations being made available to the public, the Chief Executive explained that there had not been a national agreement for libraries to open. The Chief Officer added that WG had invited the Council to develop a strategy for representations to be made available, with the website being part of that.

Councillor Heesom, as Chair of Environment Overview and Scrutiny Committee had expressed views on the impact of flooding and flood risk. The Chief Officer said the report before Cabinet Members was not to look into the detail of the LDP, but was about changes to the delivery dates.

RESOLVED:

- (a) That Cabinet note the continuing positive progress being made by the Local Development Plan; and
- (b) That the amended timetable shown within Appendix 1 of the report for the key remaining stages in plan preparation be approved, and a formal request be made to Welsh Government to agree a revision to the Local Development Plan Delivery agreement timetable

173. REVENUE BUDGET MONITORING – FINAL OUTTURN 2019/20

Councillor Banks introduced the Revenue Budget Monitoring – Final Outturn 2019/20 report which provided the outturn position for the Council Fund and Housing Revenue Account.

The Statement of Accounts would be subject to audit over the summer and the final audited accounts would be presented to Audit Committee in September for formal approval.

As had been reported previously, specific areas were under tactical review to further reduce the overspend position, with the outcome of those not being fully known until late in the accounts closedown programme. The main areas under review were the final outcome of the Single Person Discount Scheme and the ongoing review of the complex Central Loans and Investment Account.

Measures had been introduced to review and challenge non-essential spend and recruitment to vacancies with the aim of reducing in-year expenditure to 'dampen' the projected overspend at that time. That work had resulted in a positive impact on the outturn position.

The response to the emergency situation with Covid-19 was immediate with impacts on Council services. Reductions in projected expenditure no longer required in mid-late March, as some services were adjusted in response, also had a positive effect on the outturn position.

The Corporate Finance Manager added that, as in previous years, there were late awards of grant from Welsh Government (WG), the Health Board and other third parties. The positive movements for items under review and additional grant funding totalled £1.108M. The cumulative effect of other movements was a further positive impact of £0.855M on the outturn position.

The final year end position was:

Council Fund

- An operating surplus of £0.439M (£1.524M deficit at Month 11)
- A Contingency Reserve balance as at 31st March 2020 of £2.370M

Housing Revenue Account (HRA)

- Net in year expenditure was £0.686M lower than budget
- A closing un-earmarked balance as at 31st March 2020 of £2.008M

When considering the final year end position, it was acknowledged that there had been a significant movement from Month 10. However, as a proportion, the positive movement of £1.963M from Month 10 to year end was only 0.72% of the Annual Budget of £271.350M. There were a number of factors influencing the movement and they were detailed in the report.

The Chief Executive added that it was important to note that the majority of the positive budget movements gave only a one-off benefit and would not have been material to the budget-setting process for 2020/21. Had those movements been known at the time of budget-setting then Council would have been advised to increase the Contingency Reserve to safeguard against the significant open risks that were reported at the time.

The Corporate Finance Manager highlighted areas of the report: the overall position; significant movements; achievement of planned in-year efficiencies; reserves and balances; and council fund earmarked reserves 2019/20.

Councillor Carver, as Chair of Corporate Resources Overview and Scrutiny Committee made the following comments:

“In these difficult and demanding times, Council staff are to be congratulated on their financial achievements in keeping on top of COVID-19 challenges which six months ago were unexpected.

However, I am concerned that the Annual Variance for Transportation is 11.35% of the Approved Budget.

With regard to Out of County Placements, it is still my view as suggested previously, that costs for Out of County Placements, which are so unpredictable, should be serviced from a central Welsh Government budget, rather than from a Council's resources. That would of course obviously require a change in Welsh Government policy/legislation”.

RESOLVED:

- (a) That the overall report and the Council Fund contingency sum as at 31st March 2020 be noted; and
- (b) That the final level of balances on the Housing Revenue Account as at 31st March 2020 be noted.

174. CAPITAL PROGRAMME – FINAL OUTTURN 2019/20

Councillor Banks introduced the Capital Programme – Final Outturn 2019/20 report which summarised the final outturn position together with changes made to the Capital Programme during the last quarter.

The Capital Programme had seen a net reduction in budget of £6.348M during the last quarter which comprised of:

- Net budget reduction in the programme of £0.494M – Council Fund (CF) £0.948M, Housing Revenue Account (HRA) £0.454M; and
- Net Carry Forward to 2020/21 - £4.034M, additional School Maintenance Grant £2.185M partially offset by Carry Forward reversal of £0.365M.

The Corporate Finance Manager explained that actual expenditure for the year was £63.014M. The final outturn funding surplus from the 2019/20 – 2021/22 Capital Programme was £1.145M.

The 2020/21 – 2022/23 Capital Programme was approved on 28th January 2020, with a funding deficit of £2.264M. The surplus carry forward would lead to an opening funding position deficit of £1.119M, prior to the realisation of additional capital receipts and/or other funding sources.

Councillor Carver, as Chair of Corporate Resources Overview and Scrutiny Committee, made the following comment:

“In these difficult and demanding times, Council staff are to be congratulated on their financial achievements in keeping on top of COVID-19 challenges which six months ago were unexpected”.

RESOLVED:

- (a) That the overall report be approved;
- (b) That the carry forward adjustments be approved; and
- (c) That the funding of schemes from the current ‘headroom’ be approved.

175. PRUDENTIAL INDICATORS – ACTUALS 2019/20

Councillor Banks introduced the Prudential Indicators – Actuals 2019/20 report and explained that under the Prudential Code for Capital Finance in Local Authorities, Councils were required to set a range of Prudential Indicators.

The report provided details of the Council’s actual Prudential Indicators for 2019/20 compared with the estimates set for:

- Prudential Indicators for Prudence; and
- Prudential Indicators for Affordability.

Councillor Carver, as Chair of Corporate Resources Overview and Scrutiny Committee made the following comment:

“I am satisfied with the report and I congratulate Council staff involved on their financial achievements in keeping on top of COVID-19 challenges which six months ago were unexpected”.

RESOLVED:

That the report be approved.

176. WELSH LANGUAGE ANNUAL MONITORING REPORT 2019/20

Councillor Mullin introduced the Welsh Language Annual Monitoring Report 2019/20 report which provided an overview of progress in complying with the Welsh Language Standards and identified areas in which to progress and improve.

The Policy Development Officer – Equalities explained that the Council had a statutory duty to publish an annual report setting out how it had met the Welsh Language Standards (WLS). The Standards which the Council had to comply with were set out in a Compliance Notice. They were unique to each organisation and specified what the organisations were expected to implement in Welsh and by when they were required to comply.

There had been some outstanding areas of achievement promoting the Welsh language which were outlined in the report. There were also three areas outlined in the report where issues remained as areas in which to progress and improve.

There had been two complaints about Welsh language during 2019/20, compared to six in 2018/19. The Welsh Language Commissioner decided not to investigate either of the two complaints as the Council had already taken actions to rectify the error.

Next steps were identified as:

- A mid-year report on the areas in which to progress and improve would be submitted to Cabinet;
- Workforce communications would be published to increase the number of employees who completed the Welsh language awareness e-learning module;
- Regular communications regarding compliance with and celebration of the Welsh Language Standards would be shared with the workforce; and
- Work with the Welsh Language Network to reduce the number of employees who reported that they did not have any Welsh language skills.

Councillor Bithell asked which languages the document was produced in, and was advised English and Welsh. If a request was made for it be available in another language that would be provided upon request. He commented that it was important for County Councillors to also attend e-learning modules.

Councillor Carver, as Chair of Corporate Resources Overview and Scrutiny Committee made the following comment:

“My view is that the annual report 2019/20 should be approved. There is however a minor omission; in that within the 2018/19 annual report, reference was made to their having been three complaints referred to the Welsh Language Commissioner of which two were dealt with. At the time of the report, the third complaint was still being investigated by the Welsh Language Commissioner. The 2019/20 Report however, does not refer to the outcome of

that third complaint of 2018/19". The Policy Development Officer – Equalities explained that a judgement had been reached and a breach was the outcome and related to a contractor.

RESOLVED:

- (a) That the areas in which to progress and improved be noted, and a mid-year report on progress be built into the Forward Work Programme;
- (b) That the publication of the report on the Council's website be approved; and
- (c) That the Welsh Language Annual Report be included on the forward work programme of Corporate Resources Overview and Scrutiny Committee.

177. SOCIAL SERVICES ANNUAL REPORT

Councillor Christine Jones introduced the Social Services Annual Report and explained that the Statutory Director of Social Services was required to produce the report, summarising their view on their local authority's social care functions, and priorities for improvement, as legislated in the Social Services and Wellbeing (Wales) Act 2014 and the Regulations and Inspections Act (Wales) 2015.

The purpose of the Social Services Annual Report was to set out a self-evaluation with priorities for improvement. The report would form an integral part of Care Inspectorate Wales' (CIW) performance evaluation of Social Services. The evaluation also informed the Wales Audit Office's assessment of the Council as part of their annual improvement report.

The Chief Officer (Social Services) explained that the style of the report followed that of previous reports and would be produced in an electronic friendly style by Double Click. The report would also be translated and be made available in a bi-lingual format on the Council's website following approval.

The annual report outlined the improvement priorities identified for 2020/22 and they were detailed in the report, including the extension of Marleyfield and the implementation of the 'Mockingbird Model' of Fostering.

As Chair of Social and Health Care Overview and Scrutiny Committee, Councillor McGuill asked a number of question which had been responded to directly via email, as detailed below:

Q - How many micro care units are up and operating caring for how many clients (lot of money going into this and perfect timing with lockdown to grow these businesses)

A - As described within the report this is a Pilot with funding coming WG Rural Communities and Economic Challenge grants, significant amounts of work had been undertaken pre Coronavirus, and we were at the point of having a number of Micro care interested and ready to go. However this has halted due to the C19 regulations PHW guidance. We continue to develop and

advertise the work we are doing and will be ready move forward with at least two micro cares once lock restriction are eased.

Q - Technology usage has expanded massively across all ages and abilities what are we doing to capture this and again grow this form of contact with people? Training is one field but so many others now is the time to "go for it".

A - As part of the regional transformational projects, which Flintshire leads on, we have launched the get checked out website for people with a learning disability, this is a live website and it will evolve as people begin to use this, we will know how many hits we've had on this. There is excellent use of technology in children's service and this has proved to be a really popular medium during lock down, staff are reporting the young people are very engaged so good learning for the future use of tech in this area. Alongside this our training team are using technology including Zoom and other online training resources to ensure staff are well trained and supported. I pads are being used with individuals to help them stay in touch with family and this will continue.

Q - We state our aim is prevention rather than relying upon mental health services but how? There will certainly be more need for these services very soon.

A - We have a very successful programme of work for people with enduring mental health by way of wide ranging recovery classes and back to work schemes. We are working with health colleagues and part of the North Wales Mental Health Transformation work to open Ican centres, one will be based in Flint Library. This was due to open in the spring, unfortunately that is now on hold but once there is easement on the regs we will pick this work back up.

Q - Where we are weekly testing staff in social care settings and our homes, and i am also assuming domiciliary care staff, what testing are we doing in order to protect our users?

A - Whilst this is not a question for the Director's report, in short there are significant amounts of work going on re testing all social care staff across the sector. Residential care staff are the focus of the work at the moment as the Coronavirus is more prevalent in care homes and less so for those in receipt of care in the community. PHW website has all the details. To confirm Flintshire Social Services has led the North Wales silver Cell and are very well sighted and proactive in our approach to supporting the whole sector.

Q - Arosfa is this being used since March? If so how? Is there still a cost to us?

A - Yes this facility is still being used and complying with PHW regulations in relation to numbers, social distancing and priority needs for disabled children. We continue to fund Arsofa as the facility is open albeit for fewer young people. Irrespective of whether it's open or not there is national government guidelines in place regarding funding for services, as part of the Governments Furlough arrangements.

Q - Day services like Hwb Cyfle - same is it being used? Costs etc.

A - Yes this facility is still being used as above and priority needs for people with a learning disability, in addition there is significant on line work and regular contact with this group.

Q - Assessment centre Ewloe - Social Services development team - is this a dedicated training centre? Where is it?

A - The workforce development team are now based in Ty Dewi Sant and we have training rooms in the basement of the building to deliver training as well as having use of the auditorium for larger training sessions.

Two errors one is page 21 second column first sentence and also the third column. Also page 37 insight twice.

Noted and thank you.

RESOLVED:

That the annual report be approved and adopted.

178. 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

- **Flintshire County Council. Section 23 of the Road Traffic Regulation Act 1984. Proposed Pedestrian Crossing on B5129 Chester Road and Leaches Lane, Mancot**

To advise Members of the objections received following the advertisement of the proposed Pedestrian Crossing (Zebra) on Leaches Lane, Mancot.

- **Flintshire County Council. Mancot Lane, Willow Lane, Field View, Mancot Way, Crossways, Hawarden Way, Leaches Lane, Foxes Close, Cottage Lane, Colliery Lane, The Paddock, Wilton Road, Clos Coed, Mancot Royal Close and Earle's Crescent, Mancot. Proposed Prohibition of Waiting at any Time and Limited Waiting**

To advise Members of the objections receive following the advertisement of the proposed Waiting Restrictions on Mancot Lane, Willow Lane, Field View, Mancot Way, Crossways, Hawarden Way, Leaches Lane, Foxes Close, Cottage Lane, Colliery Lane, The Paddock, Wilton Road, Clos Coed, Mancot Royal Close and Earle's Crescent, Mancot.

- **Flintshire County Council. Leaches Lane, Hawarden Way, Foxes Close, Earle's Crescent, Field View, Cottage Lane, The Paddock, Colliery Lane, Wilton Road, Willow Lane, Hampton Avenue, Clos Coed, Marnel Drive, Mancot Royal Close, Crossways, Mancot Way, Ashfield Crescent, Maxwell Avenue, Wenlock Crescent, Sunnyside, Deiniol's Road, Oakley**

Road, Leaches Close, Oak Court, Orchard Close, Westway and Mancot Lane, Mancot.

To advise Members of the objections received following the advertisement of the proposed 20mph Speed Limit and 20mph Speed Limit Zone on Leaches Lane, Hawarden Way, Foxes Close, Earle's Crescent, Field View, Cottage Lane, The Paddock, Colliery Lane, Wilton Road, Willow Lane, Hampton Avenue, Clos Coed, Marnel Drive, Mancot Royal Close, Crossways, Mancot Way, Ashfield Crescent, Maxwell Avenue, Wenlock Crescent, Sunnyside, Deiniol's Road, Oakley Road, Leaches Close, Oak Court, Orchard Close, Westway and Mancot Lane, Mancot.

- **Flintshire County Council Highways Act 1980 Section 90C. Notice of Proposal to Construct Flat Top Raised Tables at Church Street, Flint, Flintshire**

To advise Members of an objection received following the advertisement of the proposal Flat Top Raised Tables at Church Street, Flint.

- **Flintshire County Council. A548 Chester Street, A548 Chester Road, A548 Holywell Street, A548 Trelawny Square, Evans Street, Duke Street, Park Avenue, Castle Dyke Street, Marsh Lane, St Mary's Walk, Barons Close Borough Grove, Trelawny Avenue, Lower Sydney Street, Church Street, Earl Street, Lower Mumforth Street, Corporation Street, Salusbury Street, Castle Street, Sydney Street, Feather Street, Queen Street and Market Square / Y Farchnad Flint. Proposed Prohibition of Waiting, Prohibition of Waiting at Any Time and Limited Waiting.**

To advise Members of the objections received following the advertisement of the proposed Prohibition of Waiting At Any Time and Limited Waiting on A548 Chester Street, A548 Chester Road, A548 Holywell Street, A548 Trelawny Square, Evans Street, Duke Street, Park Avenue, Castle Dyke Street, Marsh Lane, St Mary's Walk, Barons Close, Borough Grove, Trelawny Avenue, Lower Sydney Street, Church Street, Earl Street, Lower Mumforth Street, Corporation Street, Salusbusy Street, Castle Street, Sydney Street, Feather Street, Queen Street and Market Square / Y Farchnad Flint.

- **Surface Dressing Contract 2020-2024**

Flintshire County Council propose to undertake a programme of carriageway surface dressing works which will be undertaken annually in various locations throughout the County, up to the value of £350k per annum over a five year period subject to future funding being available. The cumulative value of the works over the full five year term will be up to £1.75M. The report sought a decision on the procurement of an external supplier to undertake the works on behalf of the Council.

- **A5026 Fron Park Road, Pen Y Ball Street, West Drive, Cae Mefus and A5026 Lloc, Holywell. Proposed Prohibition of Waiting At Any Time**

To advise Members of the objections received following the advertisement of the proposed Prohibition of Waiting At Any Time on the A5026 Fron Park Road, Pen Y Ball Street, West Drive, Cae Mefus and the A5026 Lloc, Holywell.

- **Flintshire County Council. B5121 Brynford Street, Holywell. One Way Traffic Order 20-**

To advise Members of the objections received following the advertisement of the proposed One Way on the B5121 Brynford Street, Holywell.

- **Flintshire County Council. Pen-Y-Ball Street, Holywell. One Way Traffic Order 20-**

To advise Members of the objections received following the advertisement of the proposed One Way on Pen-Y-Ball Street, Holywell.

Housing and Assets

- **Council Rent - Application to write off tenancy arrears**

Financial Procedure Rules (section 5.2) stipulates that individual bad and irrecoverable debts in excess of £5,000 are considered for write off in conjunction with the relevant Cabinet Member.

The decision to write off is in respect of one tenant who is subject to a Debt Relief Order (DRO). Rent arrears of £6,761.54 are included in the DRO which are now irrecoverable as a result of the award of the DRO.

- **Council Rent - Application to write off tenancy arrears**

Financial Procedure Rules (section 5.2) stipulates that individual bad and irrecoverable debts in excess of £5,000 are considered for write off in conjunction with the relevant Cabinet Member.

The decision to write off is in respect of one tenant who is subject to a Debt Relief Order (DRO). Rent arrears of £7,086 are included in the DRO which are now irrecoverable as a result of the award of the DRO.

- **Council Tax Write Offs**

Financial Procedure Rules (section 9.6) – Income and Expenditure stipulate that any individual debt between the values of £5,000 and £25,000 shall be reported to the Corporate Finance Manager/Section 151 Officer for consideration to write off, in conjunction with the Cabinet Member for Corporate Management and Assets.

Details of two Council Tax accounts were outlined, with the total being £17,427.90.

- **Business Rates Write Offs**

Financial Procedure Rules (section 9.6) – Income and Expenditure stipulate that any individual debt between the values of £5,000 and £25,000 shall be reported to the Corporate Finance Manager/Section 151 Officer for consideration to write off, in conjunction with the Cabinet Member for Corporate Management and Assets.

A schedule was attached which summarised by the category of write off involving 17 Business Rate accounts where the overall debt for each company is greater than £5,000.

- **Disposal of Land at Hope Hall Farm, Hope**

This land disposal relates to the disposal of seven acres of land which previously formed part of Hope Hall Farm. The Council holds the freehold interest in the land which is shown in edged red on the plan. The Council will receive a capital receipt from the disposal of the land.

179. MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE

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

(The meeting commenced at 1.00 p.m. and ended at 2.10 p.m.)

.....
Chair