

EXECUTIVE
6TH JANUARY 2009

Minutes of the meeting of the Executive of Flintshire County Council held at County Hall, Mold on Tuesday, 6th January 2009.

PRESENT: Councillor A Woolley (Chairman)

Councillors: C. Ellis, P.G Heesom, N. Matthews, N. Phillips, L.A Sharps, N.R Steele-Mortimer and H. Yale.

ALSO PRESENT: Councillors: J.B Attridge, R.C. Bithell, A. Davies-Cooke, R.G. Hampson, D. Mackie, Doreen Mackie, R. Jones, A.P Shotton and C. Thomas.

IN ATTENDANCE:

Chief Executive, Director of Community Services, Director of Environment, Director of Lifelong Learning, Head of Legal and Democratic Services, Head of Finance and Head of Committee, Member and Electoral Services.

APOLOGIES

Councillors M. Higham and H.D. Hutchinson.

The Chairman reported that Councillor Mel Higham was attending his father-in-law's funeral and Councillor H.D. Hutchinson was attending his seriously ill brother in hospital.

211. MINUTES

The minutes of the meeting held on 9th December 2008 were confirmed as a correct record.

Matter Arising

Minute number 204 – Revenue Budget Monitoring 2008/09 (Month 6)

The Head of Finance referred to the second paragraph of the minutes which referred to a projected net underspend of £0.717m on the General Fund and corrected the minute which should refer to a net overspend.

212. DECLARATIONS OF INTEREST

Councillor A. Woolley declared an interest in Agenda Item No. 14 – Welsh Border Community Transport Funding as the past Chairman and present Member of Welsh Border Community Transport.

213. FINAL LOCAL GOVERNMENT SETTLEMENT 2009/10 / BUDGET 2009/10

The Head of Finance presented a report, the purpose of which was to advise on the final local government settlement for 2009/10 at the all Wales

and Flintshire level and to update Members on the arrangements for the 2009/10 budget.

The Head of Finance referred to the provisional Welsh Local Government Settlement 2009/10 which had been considered at the meeting of the Executive on 29th October 2008. The final settlement had been received on 10th December 2008 and despite collective representations by local authorities to the Assembly to uplift the overall settlement, the funding at the all Wales level had not changed.

Flintshire's increase in aggregate external finance was 3.0% which was an increase from the 2.7% at the provisional stage. This increase had amounted to additional funding of £0.507m but this had been offset by a reduced assumed Council Tax yield of £0.139m due to changes in the estimated tax base at the all Wales level. This had resulted in a net increase in Flintshire's Standard Spending Assessment (SSA) of £0.368m.

The Head of Finance referred to the SSA and the Assembly had retained a "floor funding" arrangement for 2009/10 which would ensure that all authorities received a minimum increase in external funding of 1.5%. Due to the treatment of this arrangement in the settlement, there were two SSA figures for Flintshire which had been the case in the 2008/09 settlement. The calculated SSA (the sum of the AEF and assumed Council Tax yield) had increased by 2.9% to £232.958m which compared to £232.590m at the provisional stage. The stated SSA as published in the settlement papers was £0.140m higher at £233.098m.

Whilst the final settlement did not include formal indicative allocations for 2010/11, the Assembly had produced "unofficial" indicative allocations which showed Flintshire's SSA increasing by 2.6% to £239.815m and AEF by 2.5% to £187.297m.

The Council Tax yield, (the total to be collected from Council Tax assuming spend at SSA) included in the final settlement was £50.949m compared with £51.088m at the provisional stage which was an increase of 2.5% for 2008/09. The Head of Finance reminded Members that this must not be confused with the Council Tax level for Band D properties.

The report provided details on unhypothecated revenue funding whereby in addition to the Aggregate External Finance (AEF) referred to earlier, Flintshire would also receive additional unhypothecated funding in the form of Deprivation Grants of £0.225m and Improvement Grants of £1.496m. However, it was noted that whilst the value of the Improvement Agreement Grant had been published, the payment would be based on performance against agreed Improvement Agreements and it was therefore not guaranteed that 100% of the Grant would be awarded to the Council.

The specific grants information contained in the final settlement was indicative only and subject to change and not all had been received at this stage. With regard to general capital funding for Flintshire at the final stage was £10.345m which compared to £10.431m in 2008/09. This was divided

into general capital grants of £2.586m (£2.604m in 2008/09) and £7.759m support for borrowing (£7.827m in 2008/09).

The Head of Finance then referred to the 2009/10 budget timetable and the initial budget proposals would be presented to the Executive on 27th January 2009. The timetable for consideration of the 2009/10 budget was set out in Appendix B to the report and this provided for consultation with Overview and Scrutiny Committees, the School Budget Forum and the Flintshire Joint Trade Unions Committee.

The Chief Executive referred to the Council's consultation response to the provisional settlement which had been circulated as Appendix A to the report. This indicated the need for prudence and efficiencies through improved working practices and to accelerate the organisational change proposals. Following the announcement of the final settlement, consideration would be given to the budget and the emerging budget pressures prior to a report being made to the Executive at its meeting on the 27th January 2009.

The Chairman referred to the increase in AEF between the provisional and final settlement which amounted to additional funding of £0.507m and emphasised the importance of making improvements against the agreed Improvement Agreements otherwise the Improvement Agreement Grant might not be paid in full with a potential £368,000 bonus being reduced.

The Executive Member for Housing Strategy and Planning expressed his concern on capital funding side of the budget which had remained unchanged for a number of years. There were indications that the Government was driving capital expenditure through other channels, such as the Strategic Capital Investment Fund and the Council should be making representations through the Welsh Local Government Association to the Welsh Assembly Government via the Chief Executive. In this regard, the Chairman confirmed that both he and the Chief Executive had been in correspondence and discussion with the Welsh Assembly Ministers and Senior Civil Servants regarding the Strategic Capital Investment Fund.

RESOLVED:

That the final Welsh Local Government Settlement 2009/10 information be noted.

214. PRICEWATERHOUSE COOPERS REPORT ON CONTRACTOR FUNCTIONS

The Executive Member for Corporate Governance and Strategy introduced a report which presented the findings of the study undertaken by PriceWaterhouse Coopers on Contractor Functions and supported its use in providing foundation information for the review of Contracting Functions within the programme of organisational review phase 2.

The Chief Executive referred to consideration of this matter at both the Audit Committee and County Council, as part of the Relationship Manager's

Annual Letter, when it had been agreed that this represented a thorough and informing piece of work. The main findings and recommendations from the report were set out in paragraph 3.03 of the report and included a programme of review and work was ongoing in respect of Housing, Streetscene and Leisure.

The Chief Executive endorsed the recommendation on distinct Service Plans for contractor functions, the Governance needing attention so that Members and officers received information on the activity of contracting units, the basis of recharging central costs and a rationalisation of the Council depots.

On the issue of depots, a review was currently being undertaken with the priority to relocate the Canton Depot. In response to a question, the Chief Executive confirmed that the report had been circulated to all Members of the Council and in accordance with the agreed protocol, this report would now be submitted to both the Audit Committee and the appropriate Overview and Scrutiny Committee.

RESOLVED:

- (a) That the findings of the report be noted; and
- (b) That its use be supported in providing foundation information for the review of Contracting Functions within the programme of organisational review phase 2.

215. STRATEGIC ASSESSMENT OF RISKS AND CHALLENGES 2008/09 REVIEW

The Executive Member for Corporate Governance and Strategy introduced a report, the purpose of which was to receive the outcomes of the Audit Committee and Overview and Scrutiny Committee meetings which reviewed the Strategic Assessment of Risks and Challenges for 2008/09; to endorse the revised structure and presentation of the document and to endorse the use of the revised version in business and regulatory planning.

The Chief Executive gave a presentation on the review of Strategic Risks and Challenges and referred to the assessment which had been first developed by the Executive in March 2008 and adopted in June 2008. There were three categories which were Community Leadership, Council Delivery and Council Governance.

The initial review of the risks and challenges had been considered by the Executive at its meeting on 7th October 2008 and had subsequently been reviewed by all Overview and Scrutiny Committees and the Audit Committee. The revised model provided the primary and secondary officer leads, the objectives set against each risk and actions and progress statements which would provide mitigating likelihood factors, align to risk mitigation and a progress statement. A quarterly risk review would be undertaken on the levels of risks since March 2008 and the predictive levels of risk to eventual

“green” status with more frequent reviews being undertaken by the Corporate Management Team. Examples of the revised model for Streetscene and Customer Service Access points were tabled and the Chief Executive referred to these and highlighted the layout of the model in respect of risk title, risk description, the primary lead and secondary lead and the quarterly risk review together with the risks, objectives and actions and progress statement to mitigate the likelihood of the risk.

The next steps were to apply the model to all risks and this would inform the Improvement Plan, the Regulatory Plan and Service Planning and the Regulatory Plan which was to be discussed with the Regulators in the near future. The Executive, at its meeting on 17th February, would receive the quarterly review of all risks for December 2008.

In conclusion, the Chief Executive thanked the Overview and Scrutiny Committees and individual Members for their views.

The Executive Member for Housing Strategy and Planning expressed his appreciation of the work being undertaken and to links with Overview and Scrutiny and with the Executive and referred to the role of Overview and Scrutiny Committee Chairs and Executive Members which was complimenting the role of the Executive.

RESOLVED:

- (a) That the outcomes of the Audit Committee and the Overview and Scrutiny Committee meetings which reviewed the strategic assessment of risks and challenges for 2008/09, be received;
- (b) That the revised structure and presentation of the document be endorsed; and
- (c) That the use of the revised version in business and regulatory planning be endorsed.

216. ANNUAL LETTER – FLINTSHIRE COUNTY COUNCIL 2007/08

The Executive Member for Corporate Governance and Strategy introduced a report, the purpose of which was to present to the Executive the Annual Letter of the appointed Auditor and Relationship Manager for 2007/08 and to agree a response to the issues of significance included within the Letter.

The Chief Executive referred to the Annual Letter being considered by both the Audit Committee and County Council and explained that it was necessary for the Executive to consider this matter as it was an Executive function to respond to the Annual Letter.

The Audit Committee resolutions, as reported to the County Council on 2nd December, had indicated that it was satisfied that the Letter presented a fair and balanced picture; the Committee was satisfied with the responses the

Council had made and the progress outlined in the Letter; and that the positive comments in relation to performance and acceptance of challenges, be noted.

The Chief Executive summarised the formal verbal response to the Letter which had been given to the Council meeting previously. In summary, he firstly made reference to good progress on planning for the future waste management requirements as reported previously.

The position on the Housing Strategy was being considered by the Housing Strategy Review Board and would be the subject of a report to a special meeting of the Council at a date to be arranged. Progress continued to be made within the Planning and Development Control Section and meetings of the Planning Protocol Working Group were proceeding. The new HR/Payroll System Project and the HRMIS had been reported on previously and was operational and would be able to provide enhanced management information in the near future. The Strategic Planning framework for tackling school organisation and education capital issues was ongoing and a report was to be considered as part of an agenda item later in the meeting. These critical reviews were all being managed as a priority.

The Executive Member for Housing Strategy and Planning endorsed the Chief Executive's comments on the progress being made within the Planning and Development Control Section and he thanked the Executive Members for their support on this issue.

RESOLVED:

That the Annual Letter be received and the formal response should incorporate the wording suggested by the Chief Executive to the effect that the areas highlighted as requiring further attention in paragraph 6 on page 7 of the report were in the process of being responded to and there were no areas where assurances cannot be given.

217. GREEN DRAGON : ENVIRONMENTAL MANAGEMENT SYSTEM

The Executive Member for Corporate Governance and Strategy introduced a report, the purpose of which was to inform the Executive that Flintshire County Council had been successful in gaining Green Dragon Level 3 accreditation and to seek approval to continue with the system by maintaining Level 3 in 2009 and to aspire to gain Levels 4 and 5 by 2012. The Executive Member reported that the final report was still to be received but confirmation had indicated that Flintshire was the first Council in North Wales to achieve Level 3.

The Chief Executive stated that verbal confirmation had been received and that a letter to advise that Level 3 had been achieved was awaited. This management system had been in place for a number of years and represented significant progress and the commitment of both Members and Officers. The report at paragraph 3.04 outlined the business case for

continuing with the Green Dragon standard and progressing through to Level 5.

RESOLVED

- (a) That the accreditation for Green Dragon : Environmental Management Level 3, be acknowledged; and
- (b) that the principle for the continuance of Green Dragon by maintaining Level 3 over the forthcoming year and for its continuance to gain Levels 4 and 5 by 2012, be supported.

218. REVENUE BUDGET MONITORING 2008/09, (MONTH 7)

The Head of Finance presented a report which provided an update on the Council's financial position for 2008/09 in respect of the General Fund and the Housing Revenue Account. She asked Members to note the projected net overspend of £0.320m which compared to £0.717m at month 6 on the General Fund and the projected overspend of £0.510m which compared to £0.436m at month 6 on the Housing Revenue Account. The final stages of the budget preparation for the 2009/10 financial year were now being reached in which the projections and implications arising from the current financial year 2008/09 had to be taken into account.

The Head of Finance then referred to the significant new variances from the month 6 report, which showed an in-year overspend of £0.320m which was a decrease of £0.397m on the figure reported at month 6. These included the Community Services Out of County ringfenced budget overspend of £0.881m, the Community and Housing Waste Disposal underspend of £0.429m and the Central and Corporate Central Loans and Investment account underspend of £0.926m. There was also a request for a carry forward on the Community and Housing Fire Safety Order in the sum of £0.350m.

The variances on fuel and energy costs and the impact this would have on Council services was monitored and a more informed view would be available for the next monitoring report. In conclusion, the Head of Finance referred to the impact on the overall reserves if the overspends could not be managed, the amount remaining as at 31st March would be £1.676m.

The Chairman referred to the request to the carry forward for Community and Housing Fire Safety Order which needed to be added to the recommendations.

RESOLVED:

- (a) That the overall report be noted;
- (b) That the General Fund contingency sum available at 31st March 2009 be noted;

- (c) That the projected final level of balances on the Housing Revenue Account, be noted; and
- (d) That the request for carry forward for Community and Housing Fire Safety Order in the sum of £0.350m, be approved.

219. EQUALITY PROGRESS REPORT

The Executive Member for Corporate Governance and Strategy introduced a report, the purpose of which was to provide and update on progress towards meeting the equality objectives and standards and to inform the Executive of future actions.

RESOLVED:

- (a) That the report be noted;
- (b) That a further report be received on the detailed project plan to work towards a single equality scheme; and
- (c) That a progress report be received on the pilot project of the equality improvement framework in Community Services.

220. A541 HENDRE – 30/40 MPH SPEED LIMIT

The Executive Member for Environment presented a report, the purpose of which was to advise Members of an unresolved objection received following the advertisement of the proposal to introduce a 40 mph and revised 30 mph speed limit on the A541 Denbigh Road at Hendre and to recommend that Members overruled the objection.

The Director of Environment reminded Members that this matter had been deferred at the meeting of the Executive on the 18th November as two letters had been omitted from the correspondence appended to the report. These two letters were now enclosed as part of the Appendix and he also referred to a subsequent letter received from the Objector dated 20th December 2008 which was tabled at the commencement of the meeting.

RESOLVED:

- (a) That the unresolved objection be overruled; and
- (b) The implementation of the new and modified speed limits as advertised, be approved.

221. MERSEY DEE ALLIANCE BUSINESS PLAN 2008-11

The Director of Environment presented a report, the purpose of which was to advise on the Mersey Dee Alliance Business Plan for 2008-11 and to seek support for this strategy. He reminded Members of the close working that had taken place involving Wrexham, Flintshire, Chester and West

Cheshire following the recognition of shared economic social and environmental interests across North East Wales and the West Cheshire area. This relationship was formalised and expanded in April 2007 when it became the Mersey Dee Alliance. The Membership of the Alliance was outlined in the report.

The Alliance was managed by a Board and Flintshire was represented by the Leader and the Chief Executive and the formal agreement which set out the administrative and governance arrangements had previously been agreed by the Council. This consortium represented a unique region in that it was a cohesive economic sub-region which was divided by a national boundary.

The Alliance had developed a Business Plan to build on the areas competitiveness but also included promotion and developing an integrated transport system for the sub-region. The Business Plan was presented to a stakeholder event held on 22nd September 2008 in Chester and all member Authorities had undertaken to seek approval of the Business Plan by their Executives.

The Executive Member for the Environment moved the recommendations of the report and to the continued membership of the Alliance in the sum of £5,000 per annum for which provision was made within the base budget. He emphasised the importance of the Alliance to the area in the current economic climate and endorsed the comment made by the Director that industry did not recognise national boundaries.

The Executive Member for Planning and Housing Strategy welcomed the recognition in the report to the enhancement and improvement of the local environment and in particular the Dee Estuary and the corridor of development of a linear park along the course of the River Dee. The Business Plan had also made reference to freight strategy and the need for integration including Mostyn Dock which he welcomed.

The Executive Member for Waste Strategy and Management said that she had been at the event launch in Chester and apart from providing an opportunity to network with other Local Authority representatives, the Alliance represented a huge opportunity for development.

The Chief Executive referred to the history of the partnership and whilst there had been concerns on the impact of local government re-organisation in Cheshire might have on the Alliance, partner commitment had been maintained.

The Business Plan had made reference to the Key Objectives for 2008-11 which included MDA key sites. Particular reference was made to the Northern Gateway at Deeside, Aerospace at Hawarden and Warren Hall, Broughton with support needed from the Welsh Assembly Government to meet its commitment to fund the infrastructure costs of the latter scheme. A key objective of the Plan was labour market productivity, skills availability and creating a competitive location. National support would also be needed for

the Composite Academy Project being led by Deeside College which was referred to in the Plan.

RESOLVED:

That the contents of the MDA Business Plan 2009-11, be agreed.

222. SCHOOL MODERNISATION STRATEGY : FIT FOR PURPOSE GUIDANCE

The Executive Member for Lifelong Learning introduced a report which provided a summary of the work undertaken in the Autumn term 2008 to produce guidance for identifying the minimum standards for school accommodation and facilities to support and contribute to the process of modernisation of primary and secondary schools in Flintshire.

The report also presented a draft Fit for Purpose Guidance document for approval and to clarify the future use of the guidance as part of the criteria for prioritising future capital programme work for schools against short, mid and longer term timelines.

The draft Guidance for primary schools had been circulated as an Appendix to the report but it had not been possible to prepare a similar document for secondary schools which would be submitted to the next Executive.

The Director of Lifelong Learning emphasised the importance of developing a whole Council approach to have schools fit for purpose and that there were two components. Firstly, to have regular audits and analysis of school buildings and sites and secondly, to have a document outlining the fit for purpose criteria. Subject to the approval by the Executive, the fit for purpose guidance would be put out to consultation.

The Head of Legal and Democratic Services referred to the recommendations of the report and as the fit for purpose guidance for secondary schools was not yet available, the recommendations needed to be amended to delete "and secondary".

RESOLVED:

- (a) That the use of a draft fit for purpose guidance for primary schools for consultation be approved;
- (b) That the draft fit for purpose guidance for primary schools be referred to Lifelong Learning Overview and Scrutiny Committee for consideration;
- (c) That consultation be undertaken on the draft fit for purpose guidance with schools and partners;

- (d) That a further report be presented to the Executive on the local statement (as set out in paragraphs 3.06 and 3.07 of the report) as required for the strategic planning of education assets; and
- (e) That the consultation findings be reported to the Executive in March 2009.

223. WELSH BORDER COMMUNITY TRANSPORT FUNDING

The Head of Legal and Democratic Services introduced a report which highlighted the recommendations of the Environment and Regeneration Overview and Scrutiny Committee and Co-ordinating Committee which highlighted the invaluable service provided by Welsh Border Community Transport and the high risk of vulnerable Flintshire residents losing this service when funding ceased in March 2009. There was the potential loss of £120,000 as a result of the cessation of Welsh Assembly Government funding.

The Head of Legal and Democratic Services also highlighted rural development plan funding and to four major objectives called AXIS with the County Council's participation focussing on the implementation of projects outlined under AXIS 3 and AXIS 4. In November 2007, Flintshire submitted a required Business Plan to the Welsh Assembly Government which provided details of these projects, the resources required, outputs to be achieved and management arrangements. The Welsh Assembly Government in June 2008 had announced details of those projects that were approved for RDP funding and only three out of fifteen projects submitted were not approved. One of the three refused was an AXIS 4 project which was to be implemented by Cadwyn Clwyd. This project was to include the Demand Responsive Transport Scheme, "Pub is the Hub" and development work. The Council had not been informed why the Welsh Assembly Government were unable to approve the project.

Members expressed concern on the impact that the Welsh Border Community Transport funding and the Demand Responsive Transport Scheme would have on the area, particularly on older people who relied on services for visits.

The Executive Member for Environment referred to transportation within Flintshire and expressed concern on poor communication on bus services and timetables and the quality of service being provided. He asked for a major overhaul of all the Flintshire County Council's subsidised routes and for the Director and the appropriate Overview and Scrutiny Committee to consider this. He supported his views by referring to the complaints he had received from members of the public.

In response, the Director of Environment referred to Members understanding the distinction between commercial and non-commercial bus services and there was a misconception by members of the public that all buses services were run by the County Council. The County Council worked with operators and the Executive Member had been right to highlight the

difficulties being experienced in rural areas where bus services provided access to key facilities such as hospitals. He agreed to undertake a review of the County Council subsidised services and to prepare a report for consideration at a future meeting.

RESOLVED:

- (a) That the Executive recognises the prospective shortfall in Welsh Border Community Transport funding and enlist the support of Assembly Members in seeking alternative sources of funding;
- (b) That the Welsh Assembly Government be requested to provide a rejection letter outlining the reasons for refusal of funding for the AXIS 4 project which would allow the Authority to appeal against the decision; and
- (c) That the Director of Environment undertake a review of the transport system subsidised by Flintshire County Council and for a report to be submitted to the Executive in due course.

224. EXERCISE OF DELEGATED POWERS

An information report of the Chief Executive, the purpose of which was to inform Members of actions taken under delegated powers, was introduced by the Chairman.

The actions taken were as set out below:-

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| Environment | <ul style="list-style-type: none">- Extension of traffic signal maintenance contracts 2009-11- Proposed footpath at Bryn Road, Bryn-y-Baal- All Wales Coastal Path and Dee Coastal Path – Improvements at Greenfield Dock- Release of restrictive covenant – former surgery School Lane, Greenfield |
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225. DURATION OF MEETING

The meeting commenced at 9.30 am and ended at 10.50 am.

226. MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE

There were two members of the press present.

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Chairman

SUMMARY OF DECLARATIONS MADE BY MEMBERS
IN ACCORDANCE WITH FLINTSHIRE COUNTY COUNCIL'S
CODE OF CONDUCT

EXECUTIVE	DATE: 6th January 2009
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MEMBER	ITEM	MIN. NO. REFERS
Councillor A. Woolley	Welsh Border Community Transport Funding	223