

**EXECUTIVE**  
**19 OCTOBER 2010**

Minutes of the meeting of the Executive of Flintshire County Council held at County Hall, Mold on Tuesday, 19 October 2010.

**PRESENT: Councillor A. Woolley (Chairman)**

Councillors: C. A. Ellis, H. D. Hutchinson, N. M. Matthews, N. Phillips, L. A. Sharps and N. Steele-Mortimer

**ALSO PRESENT:**

Councillors: J. B. Attridge, G. H. Bateman, R. G. Hampson, P. G. Heesom, R. B. Jones and D. I. Mackie

**IN ATTENDANCE:**

Chief Executive, Director of Environment, Director of Lifelong Learning, Head of Legal & Democratic Services, Head of Finance, Head of Human Resources and Organisational Development, Head of ICT & Customer Services, Head of Development and Resources and Team Manager – Committee Services

**APOLOGIES:**

Councillors: H. Brown and M. Wright

**114. MINUTES**

The minutes of the meetings of the Executive held on 7 September and 21 September 2010 were confirmed as a correct record.

**115. DECLARATIONS OF INTEREST**

Councillors Ellis, Hutchinson, Matthews, Phillips, Steele-Mortimer and Woolley declared interests in agenda item number 13 as they were school governors. Councillor Woolley also declared an interest in agenda item number 14. The Head of Legal and Democratic Service said all of the interests declared were personal, not prejudicial so the Members could discuss and vote on the items.

**116. BETSI CADWALADR UNIVERSITY HEALTH BOARD**

The Chief Executive introduced Mary Burrows, Chief Executive of Betsi Cadwaladr University Health Board (BCUHB), and welcomed her to the meeting.

He introduced the five year strategy of the Board, which was the first in a series of position statements to inform the Council of the strategies and plans of the Board. The Board had consulted all six Councils on a framework for locality planning and, following informal consultation with the Council, had decided to retain the three localities of Deeside; Mold, Buckley and Caergwrle; Flint and Holywell. Localities were intended to be a geographical and professional base for service planning and integration amongst partners. He

also highlighted the principles of locality working, which were detailed in the report.

The Chief Executive said that the Board and Councils needed to improve their communication and arrangements were being made for bi-annual attendance at Overview and Scrutiny meetings in each Council, more frequent written briefings for elected Members and direct communication with Councils when consulting on key strategies and to respect the public interest role of Councils as democratically elected representatives bodies.

The Chief Executive explained the key issues for Flintshire where assurances had been sought over service resilience and continuity, which were: the in-county community hospital network; the future of Flint Hospital; the continuation of the primary health care centre strategy; access to English Border hospitals and a limit to the repatriation of funds where alternative services of quality and accessibility could not be guaranteed, and fulfilling the commitment of the legacy statement of the former Flintshire Local Health Board.

Mary Burrows thanked the Executive for her invitation to attend the meeting. In response to a number of questions raised, Mary Burrows addressed the following:

- There were no plans for patients from North Wales to attend either Swansea or Cardiff for treatment, instead of attending specialist hospitals in Liverpool and Manchester. Links with England would continue to be built
- There were issues on repatriation and value for money. For example, the Board was charged for blood tests carried out at the Countess of Chester Hospital (CoCH) when they could be carried out at no cost at the Wrexham Maelor Hospital. In addition, it should also be about quality of service - contacts with English providers would continue
- Details on any material changes would be done via briefings with the Council and a question and answer sheet would be provided on the 3 cycle engagement consultation
- There were currently 119 doctor vacancies which was due to a number of different factors, such as the change in immigration laws and the areas that doctors were choosing to specialise in. However, work was on-going to reduce the number of vacancies
- Continuing health care cost £78M. A lot of the care could be provided locally by providing services with Social Services to enable best value for money with the best clinical outcomes
- No decisions had been taken on the future of Flint Hospital. In a 10 mile radius, there was Deeside; Mold, Buckley and Caergwrle; Flint and Holywell providing a service for a relatively small population. Discussions were taking place with local authorities as to how improved care could be provided. Flint did have a role but a decision needed to be taken, following discussions, as to whether it was the same as the current role.

She added that a bed presence did not necessarily measure the quality of health care

- Communication was carried out via a 3 cycle engagement. She emphasised that work was taking place at a fast pace which was important as the board was over budget – if that budget did not reduce, it could impact on local authorities

The Chief Executive explained that meetings of the Board were attended by Sheila Wentworth, who represented the six North Wales Councils. He added that discussions on options for proposed changes would take place with other local bodies, such as the Probation Service and the Police, all of which had different decision making processes. Therefore, it was important to have continuing dialogue. In addition, continuing healthcare was an issue. He understood the situation with Flint Hospital and said clarity from the Minister was needed on what scope the Board would have to consider options. Mary Burrows responded that she hoped to have a response on that issue imminently.

In conclusion, Mary Burrows said it was important that information was received in a timely manner and said she, and other members of the Board, could be contacted via email and a response would be provided. This would assist in the reduction of inaccurate press articles.

#### **RESOLVED:**

That the five year plan of the Besti Cadwaladr University Health Board, and supporting information, as the first in a series of position statements to inform the Council of the strategies and plans of the Board, be noted.

### **117. RISK MANAGEMENT STRATEGY**

The Chief Executive introduced the complete revision of the Risk Management Strategy. The revision took into account the matured approach to risk management, the development of the Strategic Assessment of Risks and Challenges (SARC), the business planning process, the development of the business continuity process, the Council's Governance Framework, the development of the Strategic Partnership Governance Framework and the adoption of the refined Risk Matrix (Likelihood and Impact).

#### **RESOLVED**

That the complete revision of the Risk Management Strategy be noted.

### **118. TRENT IMPROVEMENT PROGRAMME AND SALARY OVERPAYMENTS**

The Head of Human Resources and Organisational Development explained the progress made in relation to the Trent Improvement Programme and the approach being undertaken for managing the salary overpayments to employees which had been identified as a result of the Trent Improvement Programme work.

Following the implementation of the Midland Trent System in November 2008, work had been in progress to ensure that the payroll data held on employees, posts occupied and pay was accurate. It had become apparent that significant amounts of data that were migrated from the former in-house Payroll system did not transfer accurately to the new Midland Trent system. Unfortunately, this was not detected until some time after implementation but had created some additional challenges and risks in paying employees accurately and had contributed to the number of errors made in relation to pay.

Work was underway to ensure that the Overpayments Procedure was properly documented and that all key stakeholders understood how it would be applied in the future. Whilst every effort was being made to recover all overpayments, the Heads of Human Resources and Organisational Development and Finance have reviewed roles and responsibilities of the Payroll Team and Corporate Debt Team to ensure that a proportionate and consistent approach was taken in relation to recovering debt/overpayments.

In response to a question on the competence of the software, the Head of Human Resources and Organisational Development explained that the overpayments were a result of a number of issues, such as data input and system issues which had not been addressed.

The Chief Executive added that the system was a complex one and there had been issues with functionality that the Authority had raised with Midland Trent. A number of other local bodies had experienced some of the same issues, which were being raised with the supplier. He added that progress reports would be submitted to the Executive and the relevant Overview and Scrutiny Committee.

### **RESOLVED**

That the work being undertaken as part of the Trent Improvement Programme and the measures and actions being implemented to address the identified issues and risks be noted and endorsed.

#### **119. TRANSFORMING EDUCATION: NORTH WALES REGIONAL COLLABORATION PROJECT FOR THE PROVISION OF SCHOOL IMPROVEMENT SERVICES**

The Executive Member for Education explained the progress to date with the implementation of the North Wales Regional School Improvement Service project.

The North Wales Education Consortium had recognised the need to increase significantly the level of collaboration in service delivery within the Local Authority Education Sector in North Wales in order to improve efficiency, increase capacity and strengthen the specialist support provision to both local authorities and their schools. It had identified School Improvement Services as the key area to initiate collaborative working.

The Director of Lifelong Learning highlighted the drivers for change: The School Effectiveness Framework (SEF), the new Estyn Common Inspection Framework (CIF) and the Education Funding Review (EFR), the governance arrangements and the timescales for the project.

£50,000 had been secured from the Welsh Local Government Association (WLGA) 'Capacity Building Fund', to build capacity to deliver the project. All authorities had committed a match funding contribution. The collaborative project had been tasked to secure a further 10% savings which amounted to circa £1M across the six authorities.

The Chief Executive added that this was a prime example of regional collaboration on a large project. It displayed pace, vision and ambition and was viewed by the Minister as a "blueprint" for other regions.

### **RESOLVED**

That the report be noted.

## **120. ANNUAL PERFORMANCE REPORT 2009/10**

The Chief Executive introduced the 2009/10 Annual Performance Report prior to it being considered at County Council that afternoon.

The Policy, Performance and Partnerships Manager explained that the Annual Performance Report was the Council's interpretation of the statutory requirement to publish an Improvement Plan as required by the Local Government (Wales) Measure (2009) which must be published by 31 October each year. The role and purpose of the Report was to account for the organisation's previous year's performance and the key risks and challenges it faced.

In response to a question by the Executive Member for Social Services on the provision of services despite budget cuts, the Chief Executive said the Regulators would need to be open minded on some Performance Indicators where local Councils were satisfied with performance. He felt the regime could be eased.

### **RESOLVED**

That the 2009/10 draft Annual Performance Report be approved.

## **121. LOCAL GOVERNMENT DATA UNIT ANNUAL PERFORMANCE BULLETIN 2009/10**

The Chief Executive informed Members of the annual national Performance Bulletin publication by the Local Government Data Unit and the Council's response. He reported that in the Western Mail newspaper, Flintshire County Council were shown as 6<sup>th</sup> out of 22 Council's in Wales in a 'basket of indicators' and were performing better than average. The Policy, Performance and Partnerships Manager said that Flintshire had achieved the

4<sup>th</sup> highest position where performance was better than average and showed an increased shift in improvement.

The Executive Member for Social Services said the performance indicator on Social Care for Children – Young Carers was not one that could be controlled by the Authority. Young carers chose whether or not to have an assessment so poor performance could be challenged. The Chief Executive responded that this was an example of where performance indicators should not be taken in isolation.

### **RESOLVED**

That the contents of the Local Government Data Unit's Performance Bulletin and the Council's response be noted.

## **122. CAPITAL PROGRAMME 2010/11 (MONTH 4)**

The Head of Finance provided the latest capital programme information for 2010/11.

The original capital programme total of £27.342M had increased to £37.697M; the explanation for the net increase of £10.355M was detailed in the report. The report also summarised the cumulative information relating to each programme area.

The capital receipts position continued to be closely monitored in the light of the economic downturn. As at the end of Month 4, it was anticipated that the full value of budgeted 2010/11 capital receipts would be received.

A table in the report detailed how the capital programme was financed. Recorded capital expenditure across the whole programme stood at £3.409M at Month 4, which was less than 10% of the revised budget total.

### **RESOLVED**

That the report be noted and approved.

## **123. REVENUE BUDGET MONITORING 2010/11 (MONTH 5)**

The Head of Finance introduced the report which provided Members with the most up to date budget monitoring information (Month 5) for the Council Fund and the Housing Revenue Account in 2010/11. The projected year end position as estimated at Month 5 was: Council Fund – Net overspend of £2.338M (overspend of £2.006M at Month 3) and Housing Revenue Account – Net overspend of £0.057M (underspend of £0.033M at Month 3).

The Chief Executive read out the following statement:

“There is some understandable concern that the Council is reporting a projected variation of an additional spend of £2.34M in its Council Fund budget for the current financial year.

This is a projection. There are two important points to note. Firstly, it is our aim to contain the increase - this is a projection after 5 months of the financial year with 7 months to go. The Council has a good track record of staying within its budget year on year. Secondly, the Council has set aside a Contingency Fund to absorb such variations and avoid a position where the Council would exceed its overall budget limit.

Why has the variation happened? There are five main reasons why budgets can vary in year:-

- the demand for services rises
- the economy does not behave as predicted
- the external market changes e.g energy rates soar or the costs of external providers rise
- where change and modernisation is needed budgets for services may no longer be adequate or sustainable
- standards for services can change by external direction e.g from Government or external regulators

The variation has to be managed. It should be kept in perspective. At £2.34M the variation is 1% of the total budget of some £242M. The public services are facing a challenging financial future with the Comprehensive Spending Review being announced. To help prepare the way the Council has already achieved an additional £2M of efficiencies within the financial year. However, as we reduce our overhead and other costs there will be less room for manoeuvre. We will have to be more radical in modernising the organisation to reduce costs further; make service choices and be creative with solutions; be more ambitious about sharing costs and services with partners in the public, voluntary and private sectors. Our strategy for this longer-term work is set out as Flintshire Futures.

The biggest budget variation in-year is the steeply rising cost of Out of County Placements for vulnerable young people with complex needs. This is a demand led rise which is not entirely in the control of the Council and this accounts for £1.62M. There is an intense action plan covering the whole system of commissioning placements ranging from reviewing how we choose placements to the types and market costs of provision. There are positive early results in a reduction in the overspend on this service.

The other notable variation is the cost of Governing Bodies making redundancies in schools. The variation here is £0.274M. Although these are decisions made by schools - based on changes in pupil numbers and budgets - the Council bears the cost. The provision we

have put aside is no longer adequate. We will have to find a solution for meeting these costs in future years.

The flat economy continues to have an impact. Our income levels in areas such as leisure and planning continue to fall below target and our investment income is not yielding the levels of interest of earlier years. All of these trends have a negative impact on our total income which places stress on our total budget where the public and Government still expects the same standard and quality of service.

On some of these big budget variations there are national discussions on national solutions. We are not the only Council facing such variations and a general trend means that a wider solution at a higher level than a local resolution is required.

The financial position will continue to be reported regularly as will our actions to manage it”.

The Executive Member for Leisure Services and Public Protection said he felt there had been unfair criticism on the overspend on Out of County Placements which was a demand led service for young people with complex needs.

#### **RESOLVED**

- (a) That the report be noted;
- (b) That the estimated Council Contingency Sum as at 31 March 2011 be noted; and
- (c) That the allocation of a further £0.400M from HRA balances to the housing repairs and maintenance budget, resulting in a projected closing balance of £0.774M as at 31 March 2011 be approved

#### **124. TREASURY MANAGEMENT MID YEAR REPORT 2010/11**

The Head of Finance presented the Treasury Management Mid Year Report for 2010/11 for recommendation to the County Council.

The Council had nominated Audit Committee to be responsible for ensuring effective scrutiny of the treasury management strategy and policies. Treasury management updates had been provided to the Audit Committee at each quarterly meeting so far during 2010/11 and the Audit Committee also received the Mid Year update on 29 September 2010.

#### **RESOLVED**

That the Treasury Management Mid Year Report for 2010/11 be approved and recommended to County Council.



## **125. SCHOOL ADMISSIONS POLICY**

The Executive Member for Education reported the outcome of the change in the nursery admissions policy for September 2010, and outlined the timetable for the statutory annual consultation on admissions arrangements for 2011.

An amendment to the table in paragraph 3.01 was noted – the number of nurseries oversubscribed in 2009 was 3, not 17. In addition, the number of nurseries with applications refused was 17, not 3.

The Director of Lifelong Learning said the report had been considered by the Lifelong Learning Overview and Scrutiny Committee who had noted that the change in the nursery admissions policy had had little effect. An update report would be submitted to the Executive and to the relevant Overview and Scrutiny Committee in 2011.

### **RESOLVED**

- (a) That the proposed admission arrangements for September 2012 as attached to the report be used as the basis for consultation; and
- (b) That a report on the outcome of the consultation is presented to the Executive and subsequently to the County Council in order that the admission arrangements are determined by 15 April 2011

## **126. BUCKLEY COMMON BYE-LAWS**

The Head of Legal and Democratic Services presented the Buckley Common byelaws which were recommended for approval by the County Council.

The proposed byelaw sought to control the use of Buckley Common with current local environmental and other issues in mind and in respect of potential uses of Buckley Common that required control.

### **RESOLVED**

That the County Council be recommended to approve the making of the proposed byelaws in the form attached to the report, and that the byelaw will be submitted to the Welsh Assembly Government for confirmation after the appropriate notification process had been undertaken.

## **127. EXERCISE OF DELEGATED POWERS**

An information report on the actions taken under delegated powers was submitted.

The actions taken were as set out below:-

## Environment

- Extension of Mold to Saltney Greenway (Mold to Afonwen)
- Disposal of part of the site of the former Belmont School, Buckley for the construction of a Primary Health Care centre
- Release of restrictive covenant at 19 Kinds Road, Connah's Quay, Flintshire
- Proposed puffin crossing on the B5125, Ewloe, outside No 113 The Highway
- Acquisition of lease for 24 Ryeland Street, Shotton

## **RESOLVED**

That the actions taken under delegated powers be noted.

## **ADJOURNMENT**

The meeting adjourned for the Leader to make a personal statement.

## **THE MEETING RECONVENED**

Following information from an exempt information report on the Leisure Services Action Plan being disclosed to the press the previous week, a discussion took place on the merits of discussing the agenda item in the public session of the meeting. It was recommended by the Executive Member for Leisure Services and Public Protection that the item be considered in the public session, which was duly seconded.

### **128. LEISURE SERVICES ACTION PLAN**

The Executive Member for Leisure Services expressed his disappointment at the information in the report being revealed to the press. He said it was disrespectful to staff.

Unfortunately the numbers of people attending leisure centres was reducing. He took on board all of the recent comments and suggestions made, a number of which were on Swim Flintshire. The Executive Member suggested an alternative recommendation which was:

“That the Executive agree that officers consult with staff and all service users including sports clubs, school governing bodies, Town and Community Councils and anyone else who may have an input into the proposals and report back to the December meeting of the Executive”.

The amended recommendation was supported by the Executive Member for Environment. He commented on the number of grant funded posts in leisure services which were at risk if funding did not continue. He suggested that alternative possibilities could be considered, such as employees being given the opportunity to operate co-operatives where catering was provided at leisure centres. In addition, he felt the continuation of support for the Swim Flintshire elite members should continue.

The Chief Executive responded that if the Welsh Assembly Government (WAG) withdrew any specific grants, the Authority would have to re-prioritise accordingly. He said there were approximately 300 posts funded through grants, some of which he believed would lose their funding in part or whole. He added that the current leisure budget was unsustainable.

The Director of Lifelong Learning shared the concerns of the Executive Member for Leisure Services and Public Protection on the information being disclosed. He explained that there was overspending on current budget provision in the service which would continue if no action was taken. A number of comments had been received on how services could possibly be provided in different ways, and comments on how leisure activity could be sustained. These suggestions would be considered before a report back to the Executive in December, if the amendment suggested by the Executive Member for Leisure Services and Public Protection was accepted.

**RESOLVED:**

That officers consult with staff and all service users including sports clubs, school governing bodies, Town and Community Councils and anyone else who may have an input into the proposals and report back to the December meeting of the Executive.

**129. LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 - TO CONSIDER THE EXCLUSION OF THE PRESS AND PUBLIC**

**RESOLVED**

That the press and public be excluded from the remainder of the meeting for the following items by virtue of exempt information under the paragraph 15 of Schedule 12A of the Local Government Act 1972 (as amended).

**130. PROPOSED REGIONAL TELECARE MONITORING CENTRE**

The Head of Development and Resources presented the report on the Council's Carelink service to merge with Conwy Careline (operated by Conwy Borough Council) and Gofal Mon (operated by Isle of Anglesey County Council) to form a new regional monitoring centre.

**RESOLVED**

That the proposal to create a single regional service and grant delegated authority to enable officers to delivery the new service be endorsed.

**131. DURATION OF MEETING**

The meeting commenced at 9.30am and ended at 11.55a.m.

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

There were 2 members of the press in attendance.

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**Chairman**

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

<b>EXECUTIVE</b>	<b>DATE: 19 OCTOBER 2010</b>
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<b>MEMBER</b>	<b>ITEM</b>	<b>MIN. NO. REFERS</b>
	NONE	