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Head of Legal and Democratic Services
Pennaeth Gwasanaethau Cyfreithiol a
Democrataidd



TO: ALL MEMBERS OF THE COUNCIL

Your Ref /
Eich Cyf

Our Ref / Ein Cyf CO

Date / Dyddiad 13/10/2010

Ask for / Gofynner am Ceri Owen

Direct Dial / Rhif Union 01352 702350

Fax / Ffacs

Dear Sir / Madam,

A **SPECIAL MEETING OF THE FLINTSHIRE COUNTY COUNCIL** will be held in the **COUNCIL CHAMBER, COUNTY HALL, MOLD** on **TUESDAY, 19 OCTOBER 2010** at **14:00** to consider the following items.

Yours faithfully

Democracy and Governance Manager

AGENDA

1. **PRAYERS**
2. **APOLOGIES FOR ABSENCE**
3. **DECLARATIONS OF INTEREST**
4. **PRESENTATIONS**

A presentation will be made to the following:-

(a) Head Teachers of Ysgol Pen Coch and Ysgol Maes Hyfryd who achieved finalist status in the Our Services - delivering high quality, citizen-centred services category of the 2010 Excellence Wales Awards.

(b) The Street Lighting Team who were the finalists in the Best Service Team: Highways, winter maintenance and street lighting category of the 2010 APSE Service Awards.

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The Council welcomes correspondence in Welsh or English
Mae'r Cyngor yn croesawu gohebiaeth yn y Gymraeg neu'r Saesneg

5. **NOTICE OF CONSTITUTION OF A NEW POLITICAL GROUP**
To note the information of the New Independents Group of nine Members.
6. **POLITICAL BALANCE - REVIEW**
Report of Head of Legal and Democratic Services enclosed
7. **REVIEW OF APPOINTMENTS TO EXTERNAL BODIES**
The Head of Legal and Democratic Services will report verbally at the meeting.
8. **NOTICE OF MOTION**
The following Notices of Motion have been received from Councillors A.P. Shotton and Q.R.H. Dodd, P.G. Heesom, J.B. Attridge and M.J. Peers:-

(i) Councillor A.P. Shotton
"Connah's Quay and surrounding areas are rich in industrial heritage and history. The local area holds many proud traditions, from Steel making to Ship Building. There is a need to safeguard local history, heritage and memories for future generations."

Resolution
"This Council agrees to undertake a feasibility study that will examine and explore all available options for the creation of a local history museum that both celebrates and promotes the heritage of Connah's Quay and surrounding areas."

(ii) Councillors: Q.R.H. Dodd, P.G. Heesom, J.B. Attridge and M.J. Peers
"This Council requests the Constitution Committee to review the arrangements, powers and responsibilities for the appointment of LEA Governors."
9. **ANNUAL PERFORMANCE REPORT 2009/10**
Report of Chief Executive enclosed
10. **MEMBER CHAMPIONS FOR OVERVIEW & SCRUTINY, MEMBER SUPPORT AND DEVELOPMENT AND FOR SUPPORTING PEOPLE**
Report of Democracy and Governance Manager enclosed
11. **BUCKLEY COMMON BYE-LAWS**
Report of Head of Legal and Democratic Services enclosed

LOCAL GOVERNMENT AND HOUSING ACT 1989
Local Government (Committees and Political Groups) Regulations 1990

NOTICE OF CONSTITUTION OF A POLITICAL GROUP

To* COUNCIL MONITORING OFFICER.

We, the undersigned, being Members of Flintshire County Council

HEREBY GIVE YOU NOTICE that we wish to be treated as a political group, for the purposes of the Local Government and Housing Act 1989.

The name of the political group shall be: NEW INDEPENDENTS

The Member of the group who is to act as Leader is: CUR PATRICK HEESOM

The Member of the group who is authorised to act on behalf of the Leader ("the specified representative") is:

Dated: 9/10/10

NAME	SIGNATURE
<u>Patrick Heesom</u>	<u>[Signature]</u>
<u>TIM NEWHOUSE</u>	<u>T Newhouse</u>
<u>DAVID MCFARLANE</u>	<u>D. McFarlane</u>
<u>RITA JOHNSON</u>	<u>R Johnson</u>
<u>EMERYN COOKE</u>	<u>[Signature]</u>
<u>RAY HUGHES</u>	<u>RH [Signature]</u>
<u>PETER MEMBERTON</u>	<u>P.M. Membreton</u>
<u>CAROLYN THOMAS</u>	<u>[Signature]</u>
<u>CAROYN CATTERMOUL</u>	<u>J.C. Cattermoul</u>

* Insert name of Proper Officer

FLINTSHIRE COUNTY COUNCIL

AGENDA ITEM NUMBER: 6

REPORT TO: **SPECIAL MEETING OF THE FLINTSHIRE COUNTY COUNCIL**
DATE : **19 OCTOBER 2010**
REPORT BY: **HEAD OF LEGAL AND DEMOCRATIC SERVICES**
SUBJECT : **POLITICAL BALANCE - REVIEW**

1.00 PURPOSE OF REPORT

1.01 To facilitate a review of political balance on committees following the formation of the New Independents Group.

2.00 BACKGROUND

2.01 Following receipt of formal notice of the creation of any new group the Council needs to decide the allocation of seats to political groups in accordance with Political Balance Rules contained in the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990 as amended.

2.02 The basis of the statutory requirements is that committee seats should be allocated to political groups in so far as practicable in the same proportion as those groups have to the total membership of the County Council.

2.03 The allocation of seats or committees to the political groups will need to recognise that:-

- a. There must be no one party committees.
- b. Where there is a majority group it is entitled to a majority upon every committee. (This does not apply where the largest group does not have an overall majority).
- c. The total number of seats allocated to each political group should be (in so far as is practicable) in the same proportion as those groups strengths upon the full Council.
- d. Each committee should (so far as is practicable) have the same proportional division between political groups as is represented upon the full Council.

3.00 CONSIDERATIONS

3.01 Appendix A sets out the percentage of seats which each of the groups and Non-Aligned Members have on the Council, the total number of seats on committees and the ideal distributed totals for each group and Non-Aligned Member.

Date: 13/10/2010

- 3.02 Appendix B suggests how the distributed totals can be allocated to achieve the best balance possible whilst attempting to preserve the status quo as much as possible. To enable the Non-Aligned Members to continue with their allocated committees Members may agree that Overview and Scrutiny Committee A remains Community and Housing and Overview and Scrutiny Committee B now becomes Corporate Resources (previously People and Performance). If Councillor Armstrong-Braun confirms that he does not wish to take up his seat on that Committee, it can then be allocated to either the Conservative Group, the New Independents Group or the other Non-Aligned Member, Councillor Gareth Roberts. (All are slightly under represented; both groups by 0.34 and Councillor Roberts by 0.37).

4.00 RECOMMENDATIONS

- 4.01 That the Council confirms the proposals for the allocation of seats set out in Appendix B.

5.00 FINANCIAL IMPLICATIONS

- 5.01 None as a result of this report.

6.00 ANTI POVERTY IMPACT

- 6.01 Not applicable.

7.00 ENVIRONMENTAL IMPACT

- 7.01 Not applicable.

8.00 EQUALITIES IMPACT

- 8.01 Not applicable.

9.00 PERSONNEL IMPLICATIONS

- 9.01 Not applicable.

10.00 CONSULTATION REQUIRED

- 10.01 None

11.00 CONSULTATION UNDERTAKEN

- 11.01 None

12.00 APPENDICES

12.01 Appendix A and B - Political Balance Calculations

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985
BACKGROUND DOCUMENTS

As referred to in the report.

Contact Officer: Barry Davies
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(A) COMPOSITION OF COUNCIL

Labour	(L)	22	(31.714%)
Alliance	(A)	18	(25.714%)
Liberal Democrat	(L/D)	10	(14.289%)
Conservative	(CON)	9	(12.857%)
New Independents	(NI)	9	(12.857%)
Non Alligned	1 (NA)	1	(1.43%)
	2	<u>1</u>	(1.43%)

70(B) TOTAL SEATS ON COMMITTEES

6 x Scrutiny	@ 15	90
1 x Planning	@ 21	21
1 x Co-ordinating	@ 15	15
1 x Audit	@ 7	7
1 x Licensing	@ 12	12
1 x Constitution	@ 21	<u>21</u>

166(C) DISTRIBUTED TOTALS

Labour	52.64	53
Alliance	42.68	43
Liberal Democrat	23.719	24
Conservative	21.34	21
New Independents	21.34	21
Non Alligned	1 2.37	2
	2 2.37	<u>2</u>

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APPENDIX B

(D) ALLOCATION OF SEATS

	Lab	Alliance	Lib Dem	Cons	New Ind	NA (1)	NA (2)	
1 A - Overview & Scrutiny	15	5	4	2	2	1	1	-
2 B - Overview & Scrutiny	15	5	4	2	1	2	-	1
3 C - Overview & Scrutiny	15	5	4	2	2	2	-	-
4 D - Overview & Scrutiny	15	5	4	2	2	2	-	-
5 E - Overview & Scrutiny	15	5	4	2	2	2	-	-
6 F – Overview & Scrutiny	15	5	4	2	2	2	-	-
7 Co-ordinating	15	4	4	3	2	2	-	-
8 Planning	21	6	5	3	3	3	1	-
9 Audit	7	2	2	1	1	1	-	-
10 Licensing	12	4	3	2	1	1	-	1
11 Constitution	21	7	5	3	3	3	-	-
166	53	43	24	21	21	2	2	

FLINTSHIRE COUNTY COUNCIL

AGENDA ITEM NUMBER: 9

REPORT TO: **SPECIAL MEETING OF THE FLINTSHIRE COUNTY COUNCIL**
DATE : **19 OCTOBER 2010**
REPORT BY: **CHIEF EXECUTIVE**
SUBJECT : **ANNUAL PERFORMANCE REPORT 2009/10**

1.00 PURPOSE OF REPORT

1.01 To approve the 2009/10 Annual Performance Report.

2.00 BACKGROUND

2.01 The Annual Performance Report (the Report) is the council's interpretation of the statutory requirement to publish an Improvement Plan as required by the Local Government (Wales) Measure (2009). It must be published by 31st October each year. The role and purpose of the Report is to account for the organisation's previous year's performance and the key risks and challenges it faces.

2.02 The requirements of the Improvement Plan are met firstly through the Governance/Council Planning Framework which sets out the vision, goals and ambitions for the Council. This Annual Performance Report fulfils the remaining statutory requirements.

2.03 The Annual Performance Report must be approved by the full Council before publication: it cannot be the sole responsibility of the Executive. A summary of the Report must also be published for general public circulation.

3.00 CONSIDERATIONS

3.01 The Annual Performance Report for 2009/10 is based upon performance outturns for 2009/10 and progress against our strategic assessment of risks and challenges.

3.02 The statutory requirements as required by the Local Government (Wales) Measure 2009, are met with a focus on the key risks, performance and priorities within service areas.

3.03 The final Report will be available as a web-based document which will be accessed via the Council's website. Paper copies can be generated as required and the supporting documents which provide the more detailed information will be available as 'signposted' documents. The summary will be included within the household publication 'Your Community, Your Council.'

Date: 13/10/2010

3.04 The Report has been dispatched in black and white; colour copies can be viewed electronically and are available in the Members' rooms.

3.05 The Annual Performance Report was considered by the council's Executive at its meeting on 19 October.

4.00 RECOMMENDATIONS

4.01 To approve the 2009/10 Annual Performance Report.

5.00 FINANCIAL IMPLICATIONS

5.01 There are no specific financial implications within this report.

6.00 ANTI POVERTY IMPACT

6.01 There are no specific anti poverty implications within this report.

7.00 ENVIRONMENTAL IMPACT

7.01 There are no specific environmental implications within this report.

8.00 EQUALITIES IMPACT

8.01 There are no specific equalities implications within this report.

9.00 PERSONNEL IMPLICATIONS

9.01 There are no specific personnel implications within this report.

10.00 CONSULTATION REQUIRED

10.01 Not applicable.

11.00 CONSULTATION UNDERTAKEN

11.01 Not applicable.

12.00 APPENDICES

12.01 Draft Annual Performance Report 2009/10.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 BACKGROUND DOCUMENTS

Executive Report - 2008/09 PI Outturns

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ANNUAL PERFORMANCE REPORT

FLINTSHIRE PERFORMANCE REPORT

2009 / 10

Date:
30th October 2010



ANNUAL PERFORMANCE REPORT 2009/10

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7. Supporting documents

- Strategic Assessment of Risks and Challenges 2009/10
- Flintshire County Council Administration Priorities
- Preliminary Corporate Assessment – Report by The Auditor General for Wales
- Outturn Performance Indicator 2009/10 Tables
- Progress against Regulatory Plan (external audit and inspection)
- Tables of the 2010/11 Targets
- National Performance Bulletin and Flintshire's Response
- Improvement Agreement
- Directorate Plans – Community Services, Environment and Lifelong Learning
- Estyn Inspection Report
- CSSIW Inspection Reports – Safeguarding Children Review and Fostering and Adoption Services
- HMIP Inspection Report – Youth Justice
- Overview and Scrutiny Report
- Flintshire Social Services Annual Performance Report – July 2010

1. Introduction

This fifth annual performance report gives:-

- an overview of the performance of the Council during 2009/10 by using actual and comparative performance information against nationally set performance indicators;
- 2009/10 year end position on how the Council is progressing in managing the strategic risks and challenges it faces;
- the outcomes of external regulatory work and the Council's response to those outcomes and actions to improve governance and services;
- an assessment of achievement of the Council's Improvement Agreement with the Welsh Assembly Government (WAG)

The publication fulfils in part the statutory requirements to publish an annual Improvement Plan as part of the Local Government (Wales) Measure (2009). The Governance/Council Planning Framework which sets out the vision, goals and ambitions for the Council, will fulfil the remaining statutory requirements.

The Council is under-going a major programme of modernisation, change and improvement. The Council aims to:-

- be more efficient and cost effective
- adapt to the changing needs and demands of communities
- be more flexible in providing services to high standards of customer satisfaction
- consistently perform to high standards across all public services
- work positively and effectively as a partner with the public, business and voluntary sectors and with town and community councils
- promote the image and reputation of the County regionally, nationally and internationally
- set an example to society in the way it behaves and works
- be a modern employer of choice

1.1 Flintshire County Council's Administration Priorities

During 2009/10 a statement of the priorities of the Administration for the period 2010 to 2012 was produced which sought: -

- to clarify expectations for the Council and its professional management
- to ensure that formal priorities of the Council are consistent with the political priorities of the Administration
- to directly meet the comments in the most recent Annual Letter of the Wales Audit Office

The Council is committed to numerous strategic and service priorities as a statutory public body and in partnerships with others in the public, private and third sectors. The list of priorities is comprehensive having 10 governance and 30 public service priorities. These priorities are set out in partnership strategies from the County Vision of the Local Strategic Partnership to the Regeneration Strategy; in corporate strategies from the Improvement Agreement with the Welsh Assembly Government to the Strategic Assessment of Risks and Challenges; in service plans which are set at directorate and divisional level.

The priorities combine commitments to: -

- deal with big challenges
- change where the Council needs to adapt to meet the needs and expectations of the County and those of the Welsh Assembly
- improve the way the Council is run and performs

Whilst the list is not exhaustive it is a list of the over-riding priorities of the moment. It should not be assumed that the commitments listed all require new investment. Some commitments will require additional capacity or financial investment; others require improvement by making better use of the resources we already have.

Please [follow the link](#) to take you to the list of the priorities. In addition, section 5 of this report shows the links between services and the administration priorities.

The Statement of priorities for the Administration will go through a refined review by Executive and be published following its update.

1.2 Approach to Corporate Governance, Performance & Risk Management

The Council continues to use a number of approaches implemented and or enhanced during 2008/09. These approaches include:

- i) directorate and service planning
- ii) strategic assessment of risks and challenges (SARC)
- iii) target setting
- iv) focus on Improvement Targets
- v) performance reporting model
- vi) improvement Agreement / Outcome Agreement with WAG
- vii) links between risk assessment, regulatory activity and accountability
- viii) Flintshire Futures

i) Directorate and Service Planning

Flintshire has three Directorates –

Community Services

Environment

Lifelong Learning

Directorate Plans give clarity on Directorate priorities and incorporate governance arrangements within the Directorate. The plans also contribute to corporate and partnership priorities and longer term aspirations.

Service Plans are produced for each of the services provided by Directorates. These Plans highlight operational issues and include information on Improvement Targets, Strategic Assessment of Risks and Challenges, Audit, Regulation and Inspection findings, service redesign projects and their implications on Corporate Services.

ii) Strategic Assessment of Risks and Challenges

The strategic assessment of risks and challenges is a long-term statement capturing the organisational challenges where change and improvement is required. The assessment contains work-streams which are a fundamental part of an organisational change programme (for example, school asset planning) and more immediate improvement challenges (such as housing repairs and maintenance).

It is a 'live' working document which informs (1) the Governance/Council Planning Framework, (2) the Improvement Plan (3) The Joint Risk Assessment, (4) the Regulatory

Plan, (5) the Community Strategy, (6) the Improvement Agreement and (7) the annual and forward budget process.

The review document provides a position statement for each of the items within the assessment. In particular it: -

- identifies the primary and secondary leads for each risk
- sets objectives for each risk
- actions and progress statements provide information on
 - i. likelihood factors are mitigated
 - ii. risks are aligned to actions
 - iii. progress has been undertaken
 - iv. projected milestones
 - v. 'predictive' green date

In addition, the risks are shown with a 'risk log' identifying changes on a quarterly basis since March 2008.

The established principles as to how the SARC operate are as follows: -

- The evolving and 'live' nature of the document means that it is periodically being reviewed, refreshed and updated. Earlier versions are saved and the most recent version will be displayed on the Council's website, (follow link)
- Periodic member reporting on a half yearly basis,
- Risk and challenge areas are included in respective officer appraisals,
- Quarterly updates are provided in the quarterly performance reports.

iii) Target Setting for 2010/11

The Council has traditionally set targets on an annual basis. The achievement of targets is undertaken by officers as part of the implementation of service plans. To manage performance across the council more effectively and to engage members in reviewing and scrutinising performance, a new approach to target setting was adopted during 2008/09 which: -

1. set both long-term and annual targets against PIs; and
2. adopted a more sophisticated way of classifying targets.

The categories of targets are as follows: -

- an **improvement target** where performance is currently unsatisfactory;
- an **incremental target** where a marginal improvement in performance is sought as a business objective where performance is currently satisfactory; and
- a **maintenance target** where performance is currently good and needs to continue.

Target setting and reporting for 2010/11 is based on a number of principles: -

- Targets are set once each year and will be included in service plans;
- The review and categorisation of targets takes place each November by Executive when the previous financial year's national data is available. No alterations to classifications will be made outside of this time;
- All improvement targets are supported by an action plan; and
- Consistent referencing is used in all reports.

From 2010/11:

- All quarterly performance reports will include progress against the improvement targets including listing those that are only reported annually from 2010/11; and
- Any changes to national data sets will be reported to Executive as soon as practicable after the Welsh Assembly Government have published the set (usually annually).

The review of targets in November will include consideration of the 'in-year' target for 2010/11, a provisional target for 2011/12 and a longer-term 'aspirational' target where applicable, such as for national standards.

The review of the categorisation of targets is undertaken by Heads of Service. Internal challenge of these proposals is undertaken within separate sessions by Overview and Scrutiny members prior to endorsement by Executive.

iv) Focus on Improvement Targets

In addition to the set of improvement targets agreed by Executive, the Council has entered into an Improvement Agreement with the Welsh Assembly Government which includes additional targets for improvement.

This improved approach to target setting sought to achieve higher numbers of targets being met each year, and provide a focus on service areas which needed improvement from either a customer focus or efficiency perspective.

Target setting for 2009/10 was a more considered process where services assessed what should be expected, how current performance occurs, what is possible and what needs to be done through the best use of resources, management practice, business systems and change management. These assessments may have led to a requirement for a significant change and additional resources, whether temporary (e.g. a new software system) or permanent (e.g. additional employees). In this case the action plan would consider resource allocation against performance objectives and prioritise accordingly. National guidance and good practice models were examined and applied where relevant.

Senior managers applied this method of thinking to the improvement targets and where appropriate have identified longer term 'aspirational' targets. Their targets, reasoning and planned actions to achieve results have been endorsed by Executive. Improvement Agreement targets were also identified and subject to this approach.

Target setting for 2010/11 and beyond will build upon and consolidate this approach.

v) Performance Reporting Model

The content and format of performance reports to Executive and Overview and Scrutiny has varied in recent years as requests for changes to presentation and analysis have been met and data capture, analysis and reporting systems have become more sophisticated. Performance reporting needs to be at a high standard of rigour and consistency.

The Executive on 21st April 2009 endorsed a new approach to performance reporting which seeks to ensure an improved and more meaningful style of reporting.

Quarterly performance reports are produced giving accountability for performance by Heads of Services. The reports are presented to Executive and Overview and Scrutiny on a quarterly basis.

The quarterly performance reports are based on the following sources of performance information: -

- performance indicators – both national and local improvement targets
- actions / milestones in relation to the Strategic Assessment of Risks and Challenges
- performance against the Improvement Agreement
- resource management (HR, budget, ICT, Assets)
- internal / external audit regulation – key findings
- customer satisfaction

Each performance report starts with a managerial assessment which is a contextual executive summary of the issues contained within the report.

Where appropriate a Red, Amber, Green (RAG) status is provided to indicate status of performance or action. Any RAG status is a subjective assessment: -

- **RED** equates to a position or forecast position of under-performance, negative trend, non-achievement of target, non-achievement of action milestones.
- **AMBER** equates to a mid position where improvement may have been made (i.e. improved trend) but the target for the year is unlikely to be reached, or where action milestones have been deferred or slightly missed.
- **GREEN** equates to a position or forecast position of positive trend on performance, meeting of target, and meeting of action milestones.

All quarterly performance reports are accompanied by a table of performance data and a summary of the SARC.

vi) Improvement Agreement / Outcome Agreement with Welsh Assembly Government

All Welsh Councils were required to agree an Improvement Agreement with the Welsh Assembly Government during 2008/09 to access the national Improvement Agreement Grant. The Improvement Agreement Grant equates to an income stream of £1,497m per year over a three year period.

The four strategic themes and eight outcomes selected for the agreement are: -

1. A Healthy, Fair and Just Society – Adults	
1.1 Helped to Live in the Community	1.2 Provision of Facilities at Home
2. A Healthy, Fair and Just Society – Children	
2.1 Improving Educational Attainment	2.2 Provision of Care
3. Sustainable Communities	
3.1 Reducing our Carbon Footprint	3.2 Housing Matters
4. A Prosperous, Cultural and Diverse Society	
4.1 Ensuring a High Skills Base	4.2 Supporting Local Businesses

The contents of the final Improvement Agreement ([follow link](#)) have been incorporated within the Council's directorate and service plans and progress has been reported on a quarterly basis as part of the aforementioned performance reporting arrangements. Overview and Scrutiny Committees review the progress as part of their forward work plans and Executive are presented with a progress report twice yearly. The Improvement

Agreement has been audited to agree the sum payable for 2009/10 (the final year of the agreement) in line with the Council's achievements. The view from the Wales Audit Office is:

"Based on the information and evidence I have reviewed, I am satisfied that Flintshire Council has achieved the majority of its targets as set out in each of the outcomes included in the Improvement Agreement". We are awaiting judgement from WAG regarding the financial implication but are relatively confident of achieving 100% grant.

Flintshire County Council are currently preparing and negotiating their Outcome Agreement with the Welsh Assembly Government, as is the requirement for all Councils in Wales. The Outcome Agreement replaces the Improvement Agreement and seeks to promote outcomes for local people in the context of the Government's national priorities. The development of Outcome Agreements with local authorities will be an interim step towards establishing Outcome Agreements across local public services. WAG has been complimentary regarding the preparation of our draft agreement.

vii) Links between risk assessment, regulatory activity and accountability

The integration of the Council's self assessment of performance, the external regulator's assessment and the internal regulatory functions have been strengthened further during 2009/10. Regular meetings between the Council's regulators, Internal Audit and the Chief Executive consider appropriateness of internal and external scrutiny to ensure effectiveness of time and effort, value for money and appropriateness across the relevant bodies. Further work is required to ensure that this is embedded within all regulatory planning and assurance work to reduce duplication and maximise effectiveness.

viii) Flintshire Futures

Local Government, along with the rest of the public service, faces a challenging financial future, with significant reductions to its revenue and capital funding. Through its Flintshire Futures Programme, the Council will aim to seek out all opportunities for efficiency and to consider options to enable it to cope with reduction in funding of up to 10% over a three year period.

The first aim of the Flintshire Futures programme is to bridge as much of the 'gap' as possible through reducing the operating costs of the organisation through good management action. The second aim is to give options for further cost and budget reductions and choices for members to review and challenge.

There is the need to invest to save to make big change happen.

The Flintshire Futures programme has two parts: -

The Change Programme – The aim of the Change Programme, building on the first two phases of organisational change which are already at an advanced stage within the organisation, is to make the Council as efficient as possible. Efficiency is a dominant philosophy in the Change Programme. It will concentrate on those possibilities for change which are internal and do not make a direct and significant impact on public services. It will have five themes:

- Theme 1: Service Reviews
- Theme 2: Customer
- Theme 3: Workforce
- Theme 4: Systems
- Theme 5: Facilities

The Choice Programme – The aim of the Choice Programme is to choose the most effective and cost-efficient ways of governing and providing services. Whether directly or in forms of partnership and procurement with local government, public, third and private sectors. It will concentrate on the options for investment in public services, their design, and the way in which they are provided. The Choice Programme will have a direct and significant impact on the public services we provide.

The combined financial efficiencies of the Change and Choice Programmes will bridge the funding 'gap' to some extent. Any remaining 'gap' will have to be bridged by reductions in services against a set of politically supported priorities. Therefore, a further sixth theme of the Choice Programme would be - Theme 6: Choices Between Services

Key Progress Made to Date

- A Programme Manager has been appointed who is shared with Wrexham County Borough Council.
- A Programme Team has been seconded in from across the Council.
- Flintshire Futures Principles have been drafted.
- A series of discussion and workshops has been undertaken with senior officers to determine the scopes of potential projects.
- Detailed work is being undertaken to build business cases and a profile of efficiencies over time.

1.3 Overall Performance Summary

Overall the authority improved in 52% (98) of indicators, significantly so in 22% (42) and met or exceeded 52% (96) of the targets set for 2009/10, significantly exceeding them in 14% (26). Charts depicting the overall trend and target analysis can be seen below.

Figure 1

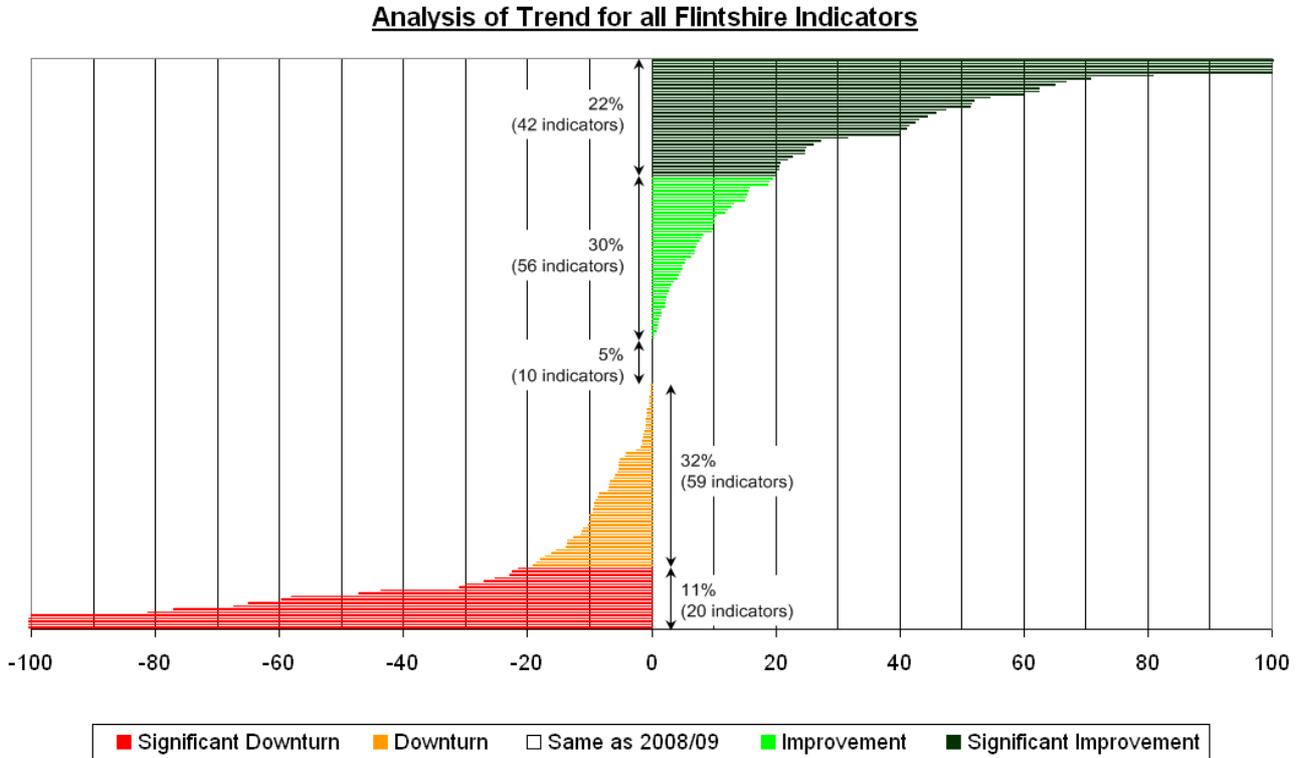
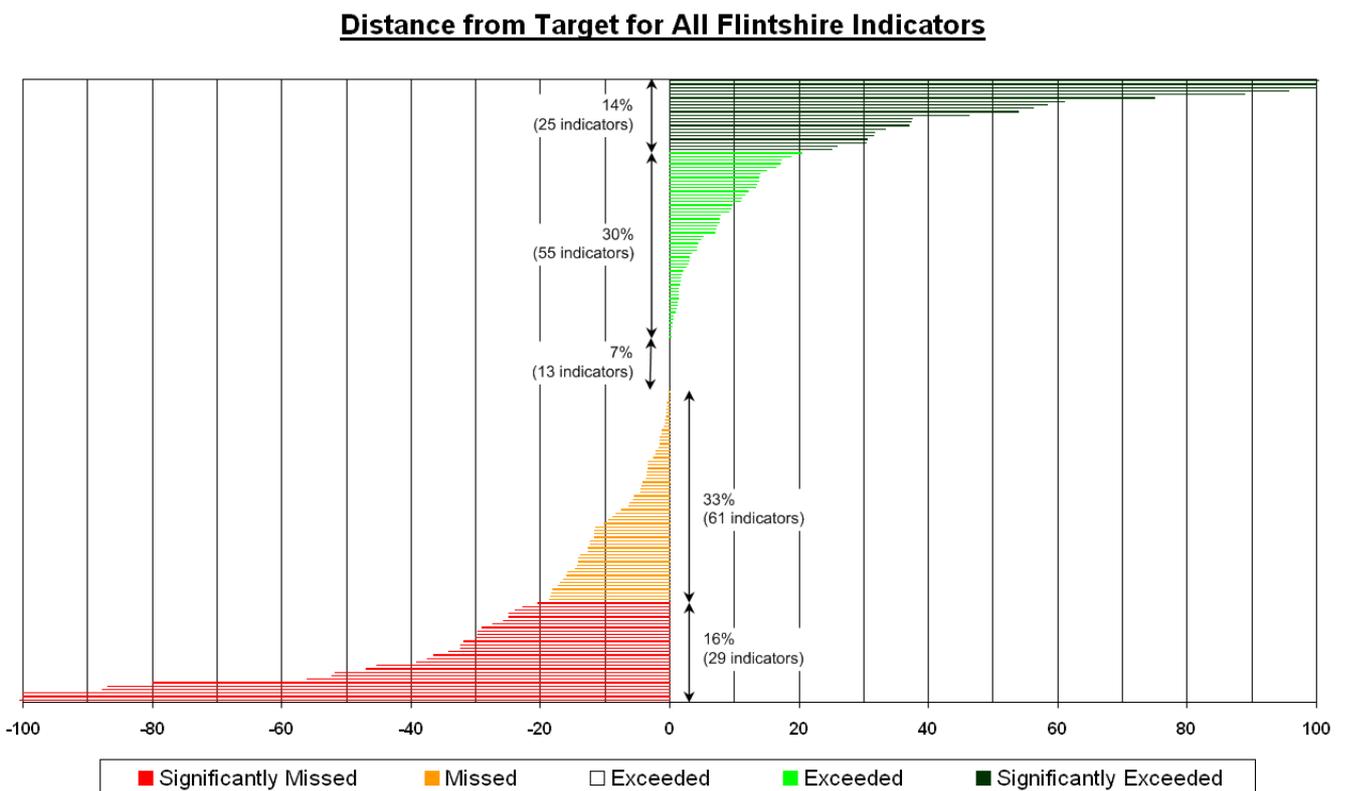


Figure 2



Improvement Targets

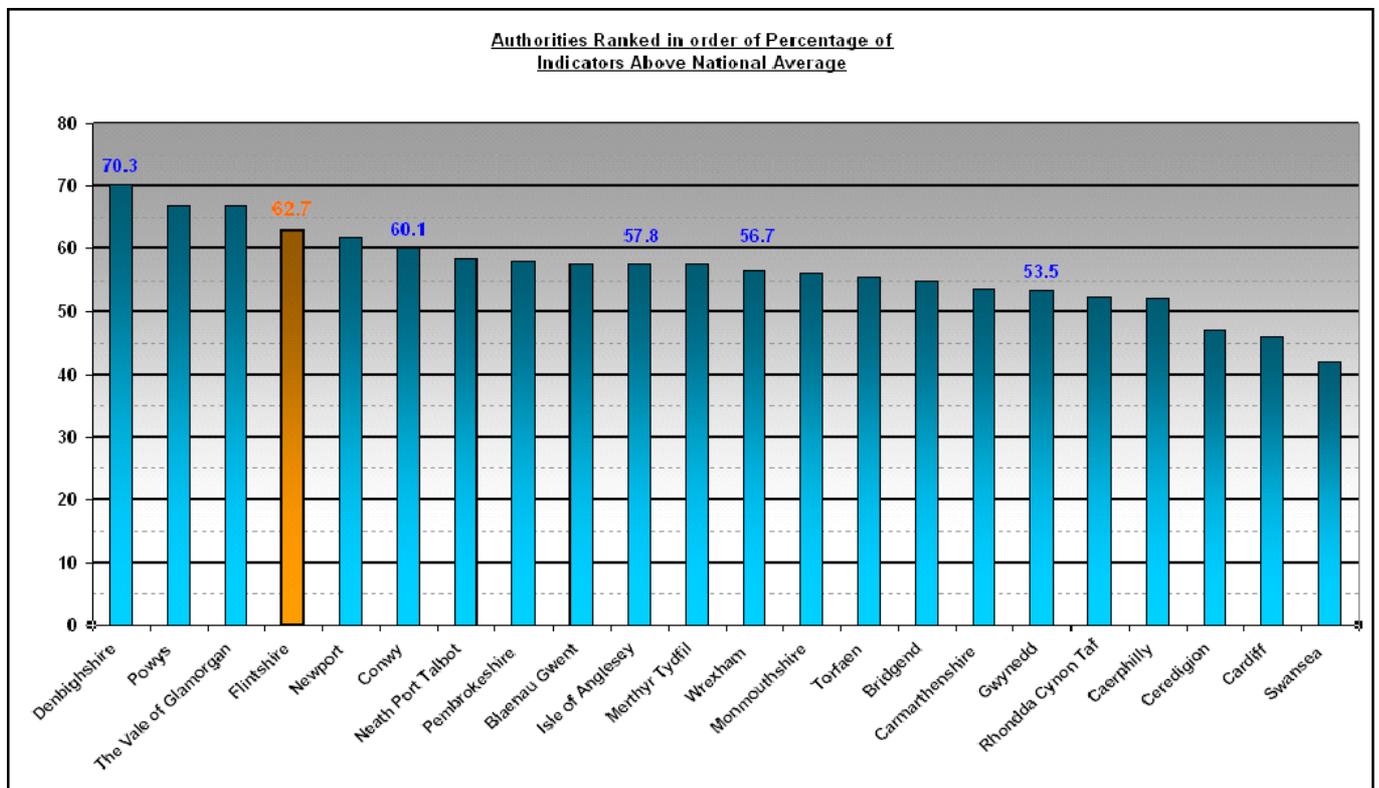
- 66% (33) of indicators showed improvement on the previous year, 38% (19) significantly. 34% (18) of the indicators downturned, 10% (5) significantly.
- 60% (32) met or exceeded target, 20% (11) significantly missed

Improvement Agreement Targets

- 76% (13) improved whilst 24% (4) indicators showed a downturn.
- 59% (13) met or exceeded target, 41% (9) missed and 18% (4) significantly so.

When examining our performance on a national basis the following chart (figure 3) shows our overall ranking for all indicators places Flintshire in fourth position. This is calculated by the number of indicators in which each authority scored above the Welsh average. The performance this year is significantly better than last year when Flintshire was in eighth position. Flintshire had 63% of indicators which achieved higher than the Welsh average.

Figure 3



1.4 Looking Back

Flintshire County Council has been successful during 2009/10 in a wide range of activities and services, some examples include:

NEW SERVICES AND FACILITIES

Deeside Renewal Area

Flintshire County Council has approved the Declaration of the Deeside Renewal Area which covers parts of Connah's Quay, Shotton and Queensferry. The Declaration will secure £900k funding from the Welsh Assembly Government for a range of initiatives aimed at improving housing and the local environment in the area.

Town Action Plans

Town Partnerships are now in place for the seven main towns across Flintshire and these are developing action plans for each town centre. A total of 40 projects have been supported through the Town Action Plan programme that are designed to make the most of local assets, tackle local eyesores, support local retailers and improve the quality of life for local people. Longer term masterplans are now being developed for Mold, Holywell, Buckley, Shotton and Connah's Quay.

Transportation e-Procurement

Flintshire Transportation Service has joined with Denbighshire County Council to pioneer the use of e-procurement in North Wales for passenger transport contracts. The success of the pilot exercise has now enabled other authorities in North Wales to benefit from the success of the new approach and new procedures.

Ysgol Pen Coch and Ysgol Maes Hyfryd

Flintshire's two new build special schools opened in September 2009. Ysgol Pen Coch, primary specialist school is attached to Flint Gwynedd and Ysgol Maes Hyfryd, specialist high school shares the campus of Flint High school. The schools provide high quality, modern facilities for children who have additional educational needs.

Food Waste Collection

Flintshire commenced its first phase of the food waste collection scheme which aims to divert peoples' food waste away from landfill sites and by passing it through a treatment facility to create a bio gas to generate electricity and heat as well as compost. The initial pilot is now to be rolled out across the County.

North East Wales Community Equipment Service

The Community Equipment Service has been developed in partnership with Betsi Cadwaladr University Health Board and Wrexham County Borough Council. The service is hosted and managed by Flintshire and provides equipment that enables children and adults who require assistance to perform essential activities of daily life, to maintain their health and autonomy, and to live as full a life as possible.

New Build Accommodation - Greenfield

Supported accommodation has been developed in Greenfield to enable 5 people to move from residential or home with parents to ordinary bungalows on a new housing association site. The Physical Disability, Sensory Impairment team and Occupational Therapy team have ensured that specialist equipment and support are in place to promote and encourage the independence of the new tenants.

IMPROVED CUSTOMER FACILITIES and SERVICES

Improved Reception Area – County Hall

Flintshire County Council's customers are now benefiting from improved facilities at the new look reception at Entrance 3, Phase IV of County Hall. The much improved reception area now provides services for all Directorates from one reception desk and also allows customers to access services via the website from an on-site kiosk. A Planning duty room has been provided to allow customers to talk to a planning officer with an extension to the hours of this service from half a day to a 9.00 to 5.00pm service. A dedicated licensing office has also been provided for customer convenience.

Highways Maintenance

The worse winter in 30 years, impacted significantly on the condition of the highways in Flintshire in 2009/10. These conditions, coupled with the national rock salt shortage, tested our service to the limit in striving to keep the highway network open and safe to use. The number of potholes in the highway increased from 5381 in 2008/9 to 8352 in 2009/10. Over 600 new potholes were reported in a single week in February 2010. This created a significant backlog of potholes which stood at over 1800 in mid February 2010. The service implemented a successful plan with revised procedures, re-aligned financial resources, utilised new technology and new management focus to reduce the growth and significantly reduce the backlog in the last quarter of 2009/10. The backlog has now been cleared.

Planning - Development Control

A manual has been produced which describes the procedures adopted by the Development Control Service of the Council in relation to statutory and other requirements. In turn this provides a statement of the standard of service to be expected and a commitment to our customers. In this context the Manual includes or makes cross reference to guidance and advisory documents which are displayed on the Council's Planning web pages; these provide a general context for the detailed procedures in the manual. In essence the Manual is an element of the Code of Practice for all Planning, Technical and Administrative Officers involved in the provision of the Development Control Service.

Housing Management and Maintenance

An independent tenant satisfaction survey has recently been commissioned and the results will be reported to members later in the year. This will provide data and evidence to support future service improvement priorities. Current priorities for service improvement are to:

- Improve productivity levels, helping to address historic trading account deficits and repair backlogs
- Perform as well as the top quartile authorities in Wales
- Improve the performance and efficiency of the stores function
- Provide opportunities to deliver improved value for money so increasing the resources available to invest in tenants homes
- Provide modern office facilities for the service as a replacement to Canton Depot
- Improve tenant satisfaction by increasing the flexibility and responsiveness of the service

Newly Established Mentor/Volunteer Service

This service provides a mentor or volunteer to children who are either looked after, in need or have left the care of the Local Authority. The service provides the children with the opportunity to engage in social, leisure or other past times with a dedicated mentor/volunteer who offers guidance and support.

Building on the mentor project the expansion of the service sees the use of Volunteers to provide valuable one to one support. Previously this had been restricted to young People over the age of 18.

We have recruited in the region of 20 Mentors/ volunteers and are engaged in a range of volunteer activities including supporting young people to attend activity and supporting events. This will provide a valuable resource within Social Services for Children and ensure that children and young people can effectively access social opportunities which might have otherwise been restricted due to limited support opportunities.

FLINTSHIRE'S AWARDS

ICT wins national excellence award

The Information and Communications Technology (ICT) department won a highly commended award at the 2009 Local Government IT Excellence Awards for its data centre improvement project. New technologies have been implemented allowing the reduction in the number of large computers in the data centre resulting in performance improvements, cost reductions and a 57% reduction in the use of energy. In addition the department were also selected as a finalist in the UK IT Industry Awards for the same project.

ICT Training gains Microsoft accreditation

For the last 10 years the Flintshire ICT Training Unit has been accredited to the Institute of ICT Training to the prestigious gold standard. This year as well as retaining this, the unit was successful in achieving Microsoft Office Specialist accreditation. As well as highlighting the high standard of Microsoft Office training provided by the unit the accreditation also allows Flintshire staff to take exams following the completion of in-house training courses which provides them with a Microsoft Office Specialist qualification.

Street Lighting

The Street Lighting Team has achieved success in improving the service. The days taken to repair streetlights continued to improve and 2009/10 was at a record low at just over 2 days. In the last few years this service has moved up the All Wales performance table to stand at fifth in the top Quartile in 2009/10.

In terms of carbon reduction, dimming has been introduced in some low risk area which together with other energy reduction initiatives has saved 45 tonnes of CO2 emissions. The service was a finalist in the 2009 Association of Public Service Excellence Awards for 2009 in two categories – Best Performer and Most Improved Service.

North Wales Building Excellence Awards

The North Wales Building Excellence Awards were held in March 2010. Flintshire and Iceland Plc were winners in the best partnership category.

Flintshire Excellence Awards 2009

Flintshire County Council has celebrated its first ever Excellence Awards.

The aims of the awards are to recognise outstanding achievement and contribution to service improvements; acknowledge and reward those who 'go the extra mile' exceeding customer expectations and provide practical examples of 'Best Practice' that could prove inspirational to others in the provision of their service. A total of eighteen submissions were received, eleven of which received commendation:

- The Pride of Flintshire Awards Initiative
- HR / Payroll Management Information System
- The Involvement of Service Users in the Recruitment Process
- Safer Satellite and Aerial Installations

- Speaking out for Children in Care and the Care Leavers Support Network
- The Involvement and Participation of Children and Young People
- The Mold Library @nswers Centre
- Flintshire Business Week
- Changing the Lives of Children in our Schools
- Finding Solutions Together
- Managed Agency Staff Solution

The Chief Executive and Strategic Directors paid tribute to the teams representing all eighteen submissions, highlighting good work and best practice across the whole organisation.

1.5 Consultation

To inform the delivery of the administration priorities and the areas highlighted above where success has been achieved the Council undertakes ongoing consultation with its workforce, citizens, service users and the public. Consultation is also undertaken with many of our strategic partnerships in relation to assessment of need and planning future services.

Some examples of these consultations include:

- Residents Survey
- Municipal Waste Strategy
- Managing Unauthorised Encampments
- Shoreline Management Plan SMP2
- Three Area Renewal consultation events – Connah’s Quay, Shotton and Queensferry
- Town Action Plan workshops in Buckley, Connah’s Quay, Holywell, Shotton, Flint, Queensferry and Mold
- Consultation on the Introduction of a Dog Control Order
- Employees survey

In addition the Council holds quarterly meetings with all Town and Community Councils at a jointly shared County Forum. These consultative forums have been involved in the formulation of various policy areas including alcohol control zones, third party planning representation and school modernisation. The forum has also jointly drafted a Members’ Charter which sets out how the organisations aim to work together for the benefit of local communities whilst recognising respective responsibilities as autonomous, democratically elected statutory bodies.

2. Strategic Assessment of Risks and Challenges

The Strategic Assessment of Risks and Challenges (SARC) was first developed in early/mid 2008. Three categories of risks and challenges are identified within the assessment: -

- Community Leadership - critical issues which cannot be solely managed by the Council
- Council Delivery - public service issues which are largely within the control and responsibility of the Council
- Council Governance - issues of organisational governance and management.

The assessment of strategic risks and challenges is a long term statement capturing the organisational challenges where change and improvement is required. The assessment contains work-streams which are a fundamental part of an organisational change programme (for example, school asset planning) and more immediate improvement challenges (such as housing repairs and maintenance).

The approach to the SARC was revised during 2009 and provides clarity in accountability with project leads for each risk issue and clear milestones for mitigation of the risk. During the first half of 2010/11 a full refresh of the SARC is being undertaken and includes:

- the currency of the risk – its validity at the current time
- identification of new risks
- a review of the risk description – its accuracy and reflection of the ‘cause’ of the risk
- a review of the RAG status, taking into account the changing character of the risk description and reviewing the status against the new likelihood and impact matrix
- a review of the risk actions – their appropriateness

The updated SARC ([follow link](#)) was reviewed at the end of 2009/10. There were a small number of risks which were still in the process of being updated, it should be noted that the assessment below does not include these risks. A full summary table of the RAG status of each risk can be seen below; which includes the updated position for those risks that did not have a RAG status at the end of 2009/10; however key points to note are as follows: -

Risks which have been mitigated and have achieved their predictive green date: -

CL02 – Flintshire in Partnership	CD27b – Waste Management (Operations)
CL03 – Voluntary Sector Compact	CD27c – Waste Management (Participation)
CL09 – Economic Regeneration Strategy	CD27d – Waste Management (AD Waste)
CL10 – County Town Network Regeneration & Protection	CG01 – Corporate Project Management
CD01 – Energy	CG02 – Performance Management/Business Planning
CD11 – Community Facilities Stock	CG05 – Asset Management

Mitigating actions have been successfully completed within timescales and this has enabled the predictive green date to be achieved. These risks are now considered to be at a level which the organisation is prepared to tolerate.

A new risk was identified in year (Greenfield Valley Reservoir). The risk is proposed to be incorporated within our Flood Risk / Climate Change risk as part of our SARC refresh.

Improved Risks

Risks are deemed to have improved where the level of risk (the RAG status) has reduced i.e. red to amber or amber to green. Of the 56 risks which have been updated 19 (34%) have improved since the 2008/09 year end position, 6 have improved from red to amber, 12 have improved from amber to green and 1 has improved from red to green.

Strategic Assessment of Risks & Challenges' RAG Summary

Risk Reference	Risk Title	Period								Predictive Green/Amber eg. Mar 2010	
		2007/08	2008/09				2009/10				
		Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3		Q4
Risk Reference	Community Leadership	Mar 08	June 08	Sep 08	Dec 08	Mar 09	June 09	Sep 09	Dec 09	Mar 10	Predictive Green/Amber eg. Mar 2010
CL02	Flintshire In Partnerships										Mar 2010
CL03	Voluntary Sector Compact and Grants Review										Mar 2009
CL04	Affordable Housing										Mar 2011
CL05	Social Care For Older People										TBC
CL06	Older People Independent Sector Care Market										Mar 2011
CL07	Public Health & Primary Health Care										TBC
CL08	Climate Change & Flood Risk Management										Dec 2009
CL09	Economic Regeneration Strategy										Sep 2009
CL10	County Town Network Regeneration & Protection										Dec 2009
CL11	Integrated and Public Transport Infrastructure (External)										Oct 2010
CL12	Skills Needs of Employers										Apr 2012
CL13	NHS Restructuring										Mar 2011
Risk Reference	Council Delivery	Mar 08	June 08	Sep 08	Dec 08	Mar 09	June 09	Sep 09	Dec 09	Mar 10	Predictive Green/Amber
CD01	Energy										Dec 2009
CD02	Streetscene										Dec 2010
CD03	Transition from UDP to LDP										TBC
CD04	Planning Protocol										May 2010
CD05	Highways Infrastructure										TBC
CD06	Transport Arrangement For Service Users										TBC
CD07	Depot Provision										Dec 2010
CD08	Shotton & Deeside Renewal Area										Dec 2010
CD09	Cemetery Provision										Jun 2010
CD10	Leisure - Future Provision										Apr 2010
CD11	Community Facilities Stock										Feb 2010
CD12a	Housing Strategy										Dec 2010
CD12b	Housing Management										Dec 2011
CD12c	Housing Repairs and Maintenance Services										Apr 2011
CD12d	Homelessness										Mar 2011
CD12e	Sheltered Housing										Mar 2011
CD14	Housing Stock Options										TBC
CD18	Supporting People										Mar 2011
CD19	Gypsies and Travellers										TBC
CD20	School Buildings										Apr 2018
CD21	School Modernisation										Apr 2018
CD22	Learning & Development										2010
CD23	Children Out Of County Care & Education										TBC
CD24	Social Care Recruitment and Retention of Staff										Mar 2011
CD25	Direct Payments										Mar 2011
CD26	Disabled Facilities Grants										Mar 2011
CD27a	Waste Management (Strategy)										2016/2017
CD27b	Waste Management (Operations)										Sep 2009
CD27c	Waste Management (Participation)										Dec 2009
CD27d	Waste Management (AD Waste)										Jan 2010
CD30	Contractor Functions										TBC
CD32	Business Continuity										Apr 2011
CD33	Greenfield Valley Reservoir										TBC
Risk Reference	Council Governance	Mar 08	June 08	Sep 08	Dec 08	Mar 09	June 09	Sep 09	Dec 09	Mar 10	Predictive Green/Amber
CG01	Corporate Project Management										Dec 2009
CG02	Performance Management/Business Planning										Apr 2010
CG03	Strategic Policy										July 2010
CG04	Risk Management										Apr 2010
CG05	Asset Management										Nov 2009
CG06	Medium Term Financial Strategy (Previously CG06a, b, c, d, f)										TBC
CG07	Financial Management and Control										TBC
CG08	Information and Communications Technology (ICT Strategy)										TBC
CG09a	Information Management Strategy										Mar 2011
CG09b	Information Security, Governance and Sharing										Sep 2010
CG10	Human Resources and Management										TBC
CG11	Terms & Conditions of Employment										TBC
CG12	County Hall Campus Management										Sep 2010
CG13	Customer Focus										Jun 2011
CG14	Code of Corporate Governance										TBC
CG16	Management Change, Organisational Instability & Succession Planning										Mar 2010
CG17	Health & Safety Strategy Management										Jan 2011
CG18	Procurement (Previously CG06e)										TBC

3. Regulation, Audit & Inspection

The Wales Audit Office (WAO) and relevant regulators work to benefit members of the public as they report on services to provide assurance and to enhance accountability, promote improvement, and inform government policy to help develop better services. Their work also helps to ensure the transparency that leads to better decisions and better outcomes.

The main piece of work for the WAO and relevant regulators (see note ¹ below for definition) is an annual Improvement Assessment. The WAO will also undertake an Improvement Information and Planning Audit. In order to fulfil these requirements the WAO undertake the following: -

Corporate Assessment – a forward looking assessment of an authority's likelihood to comply with its duty to make arrangements to secure continuous improvement.

Performance Assessment – a retrospective assessment of whether an authority has achieved its planned improvements in order to inform a view as to the authority's track record of improvement.

Together these two assessments form the basis of an annual report to citizens, known as the Annual Improvement Report which is issued in November. This is a new approach as required by the Local Government (Wales) Measure (2009).

The Care and Social Services Inspectorate for Wales has statutory functions to encourage improvement in social care, social services and early years through regulation, inspection and review. In relation to local authority social services its functions are set out in the Health and Social Care (Community Health and Standards) Act 2003.

Estyn have a statutory duty to undertake Local Authority inspections under section 38 of the Education Act 1997 and Section 51 of the Children Act 2004. Under this legislation Estyn agreed with each local authority a programme of inspections that cover all or most of the authority's education functions over a period of six years. School Improvement Services were inspected in 2007.

3.1 Key Audit Activity

Corporate Assessment

As this is the first year of a new approach, the **assessment (insert link)** is a preliminary one and the report is to be viewed as a progress report. The Annual Improvement Report will also serve as an update for the Corporate Assessment.

The conclusion arising is that "Flintshire County Council is actively promoting improvement whilst some arrangements are not yet fully developed". This conclusion has been based on the WAO's assessment of our progress over time and is broken down into two key messages:

- the Council has taken initiatives to improve after a period of inconsistent progress but whilst there has been some progress, some corporate arrangements are not yet fully developed; and

¹ Her Majesty's Chief Inspector of Education and Training in Wales (Estyn)
The Care and Social Services Inspectorate Wales (CSSIW)
The Welsh Language Board
Auditors appointed by the Audit General

- Council leadership has positively promoted change and there have been many improvements in arrangements whilst some risk areas have not yet been fully addressed.

The four areas for improvement which have been identified by the assessment are: -

- Review arrangements to ensure that appropriate behaviour standards of councillors are maintained.
- Complete the work on the Council (Governance) Plan Framework.
- Develop the process to enable the allocation of resources to priorities.
- Complete the People Strategy 2009-2012 and action plan.

Social Services Annual Performance Report

The Annual Performance Report (Annual Council Reporting Framework) is part of the new WAG performance framework for Social Services. The report is the Director's statement on current performance and highlights good performance and areas for improvement. The report was prepared following an in-depth review of current performance by service managers and performance officers.

Prior to completing the final draft a challenge phase was undertaken where key stakeholders were asked to review the draft report and comment on its accuracy as an assessment of the current Social Services performance and the robustness of the improvement plans. As part of this a number of external stakeholders were consulted as well as internal stakeholders.

In addition, a Member Workshop was held to consider the first draft of the report and members' comments were included in the final draft. The final draft was considered by the Social & Health Overview and Scrutiny Committee on 26th May 2010.

Executive approved the report in July, and it has been sent to CSSIW who will visit the authority and examine the background evidence and the action plans that have been prepared. A joint letter from the Council and CSSIW will then be prepared and issued to the public.

Estyn Inspection Report

Estyn undertook an inspection focusing on the following areas which was reported at the end of April 2009: -

- Access
- Promoting Social Inclusion and well-being of learners
- Strategic Management
- Support Services for schools and other services

The inspection report provides a full analysis of the Authority's performance in key service areas and prospects for improvement. Many positive and encouraging comments have been made relating to the Authority's service delivery and strategic leadership and there is appropriate recognition for the enthusiasm, experience and dedication of staff across the Council's services.

The report recognises: -

- the positive progress being made by the Council in developing a corporate approach, capacity and commitment to service improvement;
- the Council's work on Social Inclusion and Wellbeing as having good features and no important shortcomings;

- the authority provides good quality advice and support for children and young people with additional learning needs;
- substantial progress towards the modernisation of special school provision;
- the authority has appropriately identified the condition and suitability of school buildings as a high priority;
- the Council has a clear plan for delivering a good quality nursery provision; and
- schools are very positive about the support services they receive from the Council.

Specific recommendations for further improvement include that the local authority: -

- should reach agreement on the detailed changes to the school modernisation programme so that these can be set out and consulted upon;
- must consistently evaluate outcomes for pupils with Additional Learning Needs;
- ensure value for money by identifying and sharing with schools the full cost of each service provided to or bought by schools;
- ensure senior elected members receive suitably detailed and evaluated data that gives a clear picture of the performance of the directorate and of schools; and
- needs to develop better referral and monitoring systems for training in safeguarding children and young people.

Links to the inspection report have been posted on the County Council's intranet and internet sites and is available on the Estyn website. In response to the inspection an action plan has been produced which has been endorsed by the Executive.

Care and Social Services Inspectorate for Wales (CSSIW)

In 2009 the Safeguarding Children Review by Care and Social Services Inspectorate Wales (CSSIW) identified numerous strengths. These included:

- The innovative attempts to include children's views in child protection conferences
- Significant improvements in the referral and allocation system
- Good management oversight and support, including 'line of sight' from Head of Service and frontline practice
- Case recording and chronologies
- Good relationships between teams
- Robust administrative system for conferences and core groups.

The small number of recommendations made by the Review had already been identified by the service itself and action plans were in place to address these issues. The Service's own assessment had drawn generally positive conclusions and the Review '*largely confirms the accuracy of the conclusions drawn*'.

Links to the inspection report have been posted on the County Council's internet site.

Inspections were conducted by the CSSIW for the fostering and adoption services.

Both inspections highlighted the continual improvement in assessments, support and the effectiveness of the staff group. The Adoption inspection identified four recommendations which have all been successfully completed.

Both inspections further confirmed that children were being well served and care for either into adoption settings or within a very well regarded foster care community.

Links to CSSIW inspection reports have been posted on the County Council's internet site.

Her Majesty's Inspectorate of Prisons Report - Youth Justice

The Core Case Inspection May 2010 found that in Flintshire:

- *Safeguarding* aspects of the work were done well enough 82% of the time - minimum improvement required
- *Public Protection and management of Risk of Harm* to others was done well enough 77% of the time - minimum improvement required
- *Likelihood of Reoffending* was done well enough 87% of the time - work to keep to a minimum each individual's and the work to make each individual less likely to reoffend - minimum improvement required

These scores were excellent when compared with the rest of Wales, and well above the All Wales averages.

The Chief Inspector of Probation commented that: *"Overall, HMIP consider this a very creditable set of findings. Management oversight of Risk of Harm being the main area to need some attention to detail, otherwise this inspection identified much good work being delivered."*

Links to the inspection report have been posted on the County Council's internet site.

Welsh Language Scheme

The Council has made a public commitment to monitor and review the implementation of its Welsh Language Scheme and to report annually to the Council's Executive and to the Welsh Language Board (WLB) on its performance. A report has been made to the Welsh Language Board which covers the period 1 April 2009 to 31 March 2010.

Most of the Council's progress has been made under the Welsh Language Scheme headings 'Communicating with the Public' and 'The Council's Public Face'. However, there are also examples of good progress made in relation to 'Implementing the Scheme'. For example:

- In terms of staff training and development, 144 employees enrolled to learn Welsh with the Council's support in the 2009-10 academic year. This represents an increase of almost 125% on last year's figure of 64 employees, and;
- The Council completed a programme of converting monolingual databases and computerised or electronic systems that feed the Council's website(s) into bilingual systems.

Following last year's Monitoring Report (2008/09), the Welsh Language Board met with the Council to discuss and agree a range of Scheme commitments that require prioritised attention. As a result, Task and Finish Groups are being established to develop detailed improvement plans for the following areas:

- Undertake Welsh Language Impact Assessments on Council policies, plans and initiatives;
- Review and implement the Welsh Language Skills Strategy;
- Fully embed the Welsh Language Scheme into the Council's Business Planning / Performance Management approach;
- Develop a formal Monitoring Plan for monitoring / verifying the implementation of the Welsh Language Scheme;
- Develop and implement a programme of Language Awareness Training
- Improve integration of Welsh Language Scheme requirements within the Council's procurement arrangements;
- Improve integration of Welsh Language Scheme requirements within the Council's grants / funding arrangements;

- ICT systems audit - look at compatibility of national systems to inform longer term plans.

Links to the Welsh Language Scheme report have been posted on the County Council's internet site.

Equality

All public authorities are required to produce a Race Equality Scheme and a Disability Equality Scheme every three years and report annually on progress to comply with the Race Relations Amendment Act (RR(A)A) (2000) and the Disability Equality Act (2005). The annual reports for the Disability Equality Scheme 2008/09 and the Race Equality Scheme 2009/10 set out the progress that has been made during the year and identify areas of further action. The Gender Equality Scheme also provides a summary of the achievements that have been made in the previous two years, as this is the final annual report for this particular scheme. The gender equality priorities will be included in the Council's Single Equality Scheme due to be published later this year.

The Annual Reports detail the progress the Council has made in relation to the Race, Disability and Gender Equality duties. There have been several areas of progress across the equality strands including:-

Race

- Established "Beyond the school gate" project to reach out to black and minority ethnic (BME) families to provide an opportunity for families to meet together, socialise and link with service providers.
- Established a learning centre for teenage Gypsies and Travellers who have dropped out of mainstream education.

Disability

- working closely and involving with disabled people to identify and address areas of discrimination in service delivery;
- reviewing the website to ensure it is accessible for disabled people;
- making physical alterations to buildings to ensure they are accessible to disabled people; and
- providing information in British Sign Language DVD on the website

Gender

- Leisure services are now providing women only swimming sessions staffed by female attendants.
- "Building Safe Relationships" workshops were delivered to Year 10 pupils across five secondary schools. These workshops aim to help young people develop "healthy" relationships.
- The Council's Neighbourhood Wardens provided a target hardening service to all victims of domestic violence to keep survivors safe and to reduce the need to relocate. Between April 2009 and December 2009 153 Flintshire properties were fitted with security.
- Established a Lesbian, Gay, Bisexual and Transgender (LGBT) Employee Network.

Links to the Equalities reports have been posted on the County Council's internet site.

Future Priorities

Significant progress has been made over the last year and a number of areas continue to be priorities:-

- implementing the revised equality impact toolkit to ensure all equality strands are assessed, and that equality impact assessments are undertaken and published more systematically across the Council and lead to improvements in employment and services;
- ensuring equality monitoring is undertaken more systematically to identify areas of potential and actual inequality and to use the results to inform priorities, set targets and measure outcomes; and
- incorporating equality within the business planning processes will ensure equality issues become mainstreamed throughout the Council.

3.2 Overview & Scrutiny

What is Overview & Scrutiny?

Flintshire County Council exists to serve its community and the Overview & Scrutiny process exists to ensure it does this effectively.

The Scrutiny function was created as a result of the Local Government Act 2000 which introduced a Cabinet or Executive and Scrutiny model of decision making in Councils. These, together with a range of other non-scrutiny committees and panels manage the Council's Business.

Overview & Scrutiny involves Councillors working with local people, community organisations, agencies that work in partnership with the Council and customers to provide effective and responsive services. This is to ensure local people have a say in how decisions are made and how services are delivered.

What are the aims of Overview and Scrutiny?

- To hold the executive to account by providing 'critical friend challenge'
- To reflect the voice and concerns of Flintshire residents
- To ensure it is carried out by independent minded councillors who lead and own the scrutiny process on behalf of the public
- To drive improvement in services

In Flintshire the Executive consists of the Council Leader, Deputy Leader and 7 Executive Members who are directly accountable for the services provided by Flintshire County Council. We have an overarching Overview & Scrutiny Coordinating Committee and 6 Overview & Scrutiny Committees.

An annual report ([please follow link to full report](#)) has been produced which discusses some of the key pieces of work undertaken by Overview & Scrutiny during 2009/10: -

Review of Flintshire Bus Services

Outcome - On 17 November 2009, a report supported by the whole committee was presented by the Chair of the Committee to the Executive. The report was welcomed by the Executive and the Director of Environment, and all 14 recommendations were accepted and agreed.

Playgroups in Flintshire

Outcome – The review was concluded in October 2009 and the recommendations were submitted to the Executive who welcomed the report and accepted the recommendations with a caveat in relation to recommendation II to the effect that accommodation charges should not be subsidised through the Youth Service. Overview & Scrutiny will be monitoring the progress made in implementing the recommendations over the coming months.

How Overview and Scrutiny can contribute to and support policy development

Outcome - This involved the categorisation of targets and involving the relevant Members in target setting which reduced duplication and promoted understanding. We also have a new approach to quarterly reporting. There is more context: the Heads of Service attend committee to cover all aspects of performance within their service area and not just to talk about the PIs. Performance Management is now seen as an important opportunity for dialogue with Heads of Service; part of a 'bigger picture'. The quarterly performance reports now assist Members in our Community Leadership role giving us confidence in being able to communicate current issues and progress within our wards. This approach has been commended to colleagues from the North Wales Authorities at the North Wales Scrutiny Champions Network.

Social & Health Overview & Scrutiny Committee - Approach to the new Social Services Annual Performance Report in Flintshire

Outcome - In developing our approach to social services performance reporting, we are keen to explore ways in which we can add greater meaning and also to have greater interaction with service users and hands on carers. During a recent item on the Transition from Children's to Adult Services, we benefited from the contribution made by a young lady who was currently undergoing that process. Similarly, during the cradle to grave approach to services as part of the Performance review, we used the experience of another actual service user, suitably anonymised to illustrate how our services are perceived by recipients. We have found that, often, people can convey a message far more evocatively than print can, which is something which we will bear in mind for our future reviews.

4. Improvement Agreement

All Councils were required to agree an Improvement Agreement with the Welsh Assembly Government during 2008/09 to access the National Improvement Agreement Grant. Our Strategic Management Team, the Wales Audit Office, Estyn and CSSIW were involved in the formulation of the contents of the Agreement. The detailed contents of this agreement were endorsed by the Executive at its 2 June 2009 meeting.

The Improvement Agreement Grant replaced the former Performance Incentive Grant and attracts a special grant of approximately £1.4 million per year over a three year period.

Each Improvement Agreement contains the following:

- the four over-arching strategic themes of the One Wales policy document
- each strategic objective being aligned with a number of broad outcomes
- each broad outcome drawing on a number of sources of evidence which describe progress towards that outcome.

The Improvement Agreement was developed on the basis of the outcomes determined by the Executive at its meeting on 6 January 2009 following consultation with the respective Overview and Scrutiny Committees in November.

A full grant payment was paid to the Authority for years one and two of the agreement.

Progress is indicated on Improvement Agreement document [\(Hyperlink to be attached\)](#).

It was determined that overall good progress had been made and the following analysis is provided for the 2009/10 targets and actions:

- Green: Target/action met and improved trend - 73.2% (52)
- Amber: Target/action not met and improved trend - 15.5% (11)
- Red: Target/action not met and downward trend - 11.3% (8)

Targets within the Improvement Agreement are included within the Council's improvement targets and incorporated within service and directorate plans. Progress is reported on a quarterly basis as part of the regular performance reporting arrangements.

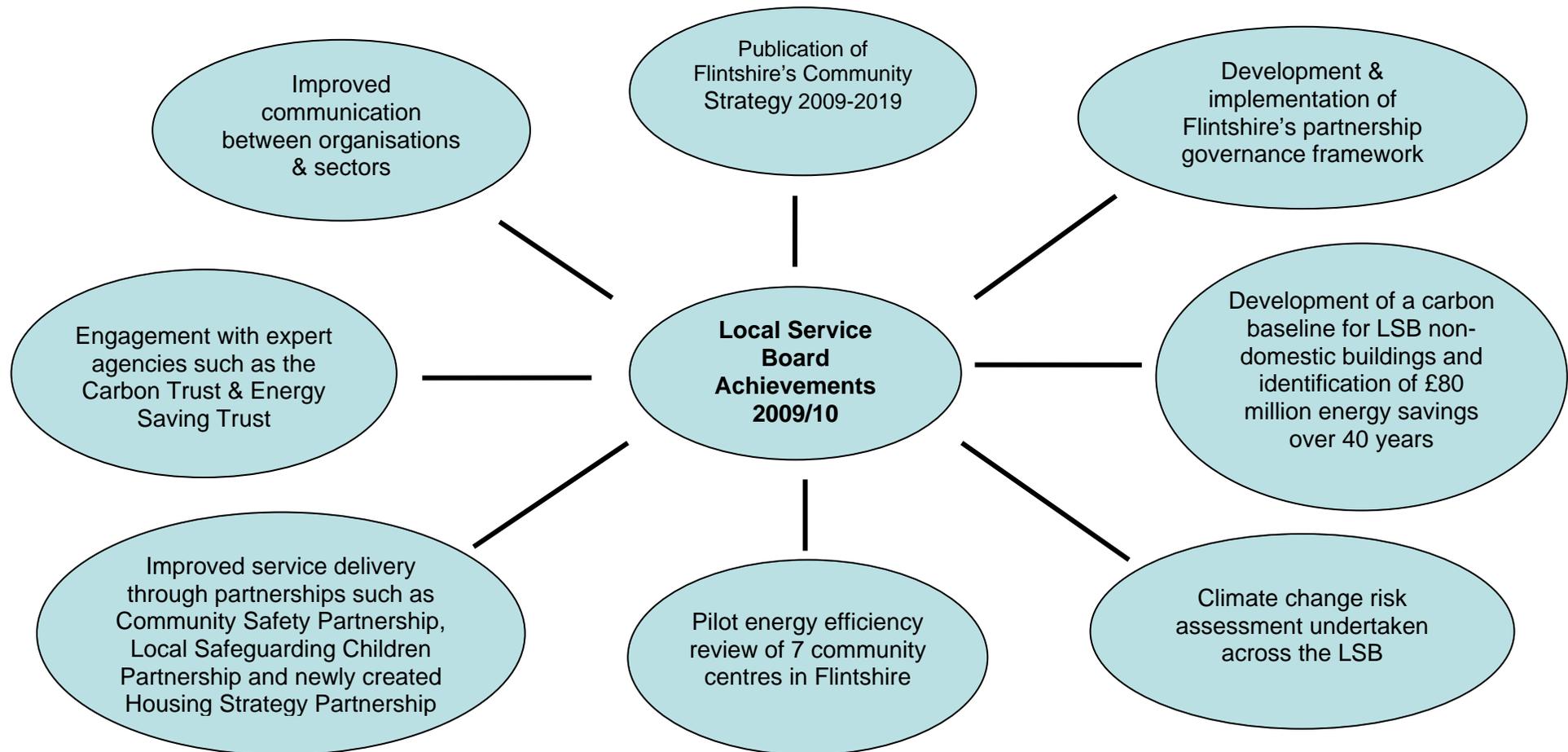
Good performance has been achieved in most outcome areas and it is expected that a full grant payment will be received given the scoring system employed by WAG.

Wales Audit Office has recently audited the agreement and have stated "*Based on the information and evidence I have reviewed, I am satisfied that Flintshire Council has achieved the majority of its targets as set out in each of the outcomes included in the Improvement Agreements*".

5. Partnerships & Collaborative Working

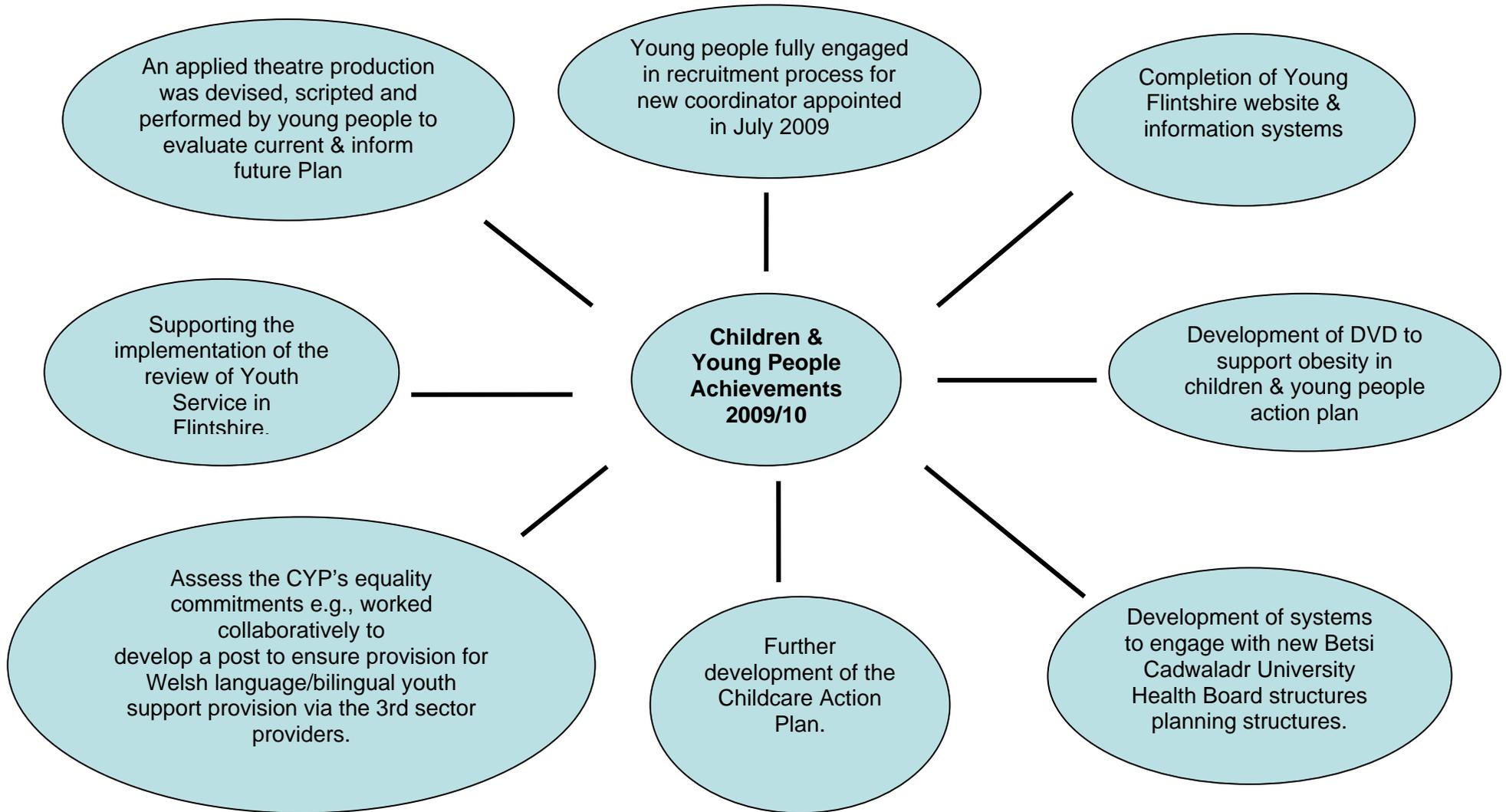
5.1 Flintshire Local Service Board (LSB)

The role of the Local Service Board is to build on effective and trusting partnership relationships as a set of local leaders, discharging the responsibilities of the LSB, consistent and effective governance and performance of strategic partnerships, identifying common issues as public bodies/employers, promote collaboration in the design and provision of local public services. Below are the key achievements: -

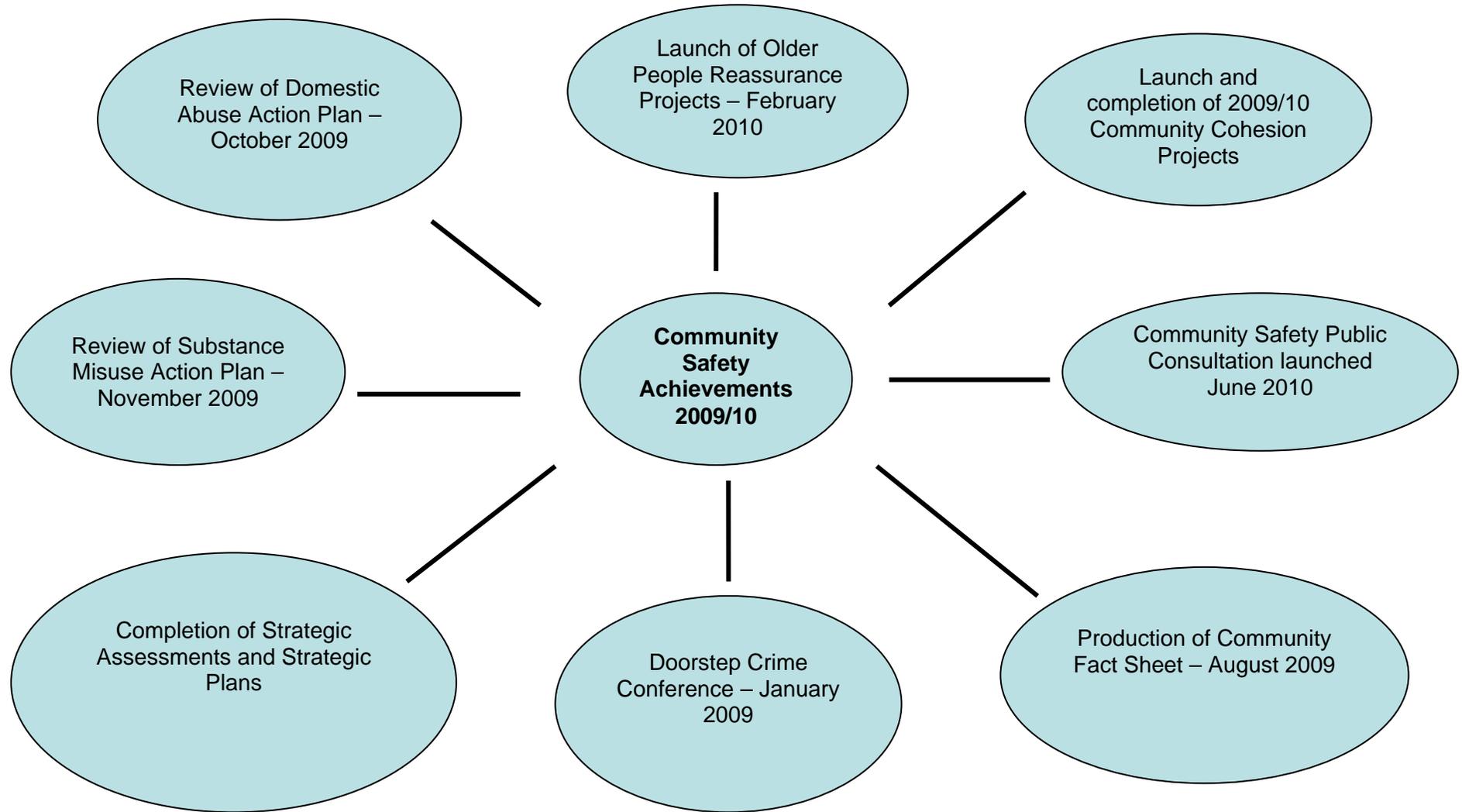


5.2 Strategic Partnerships

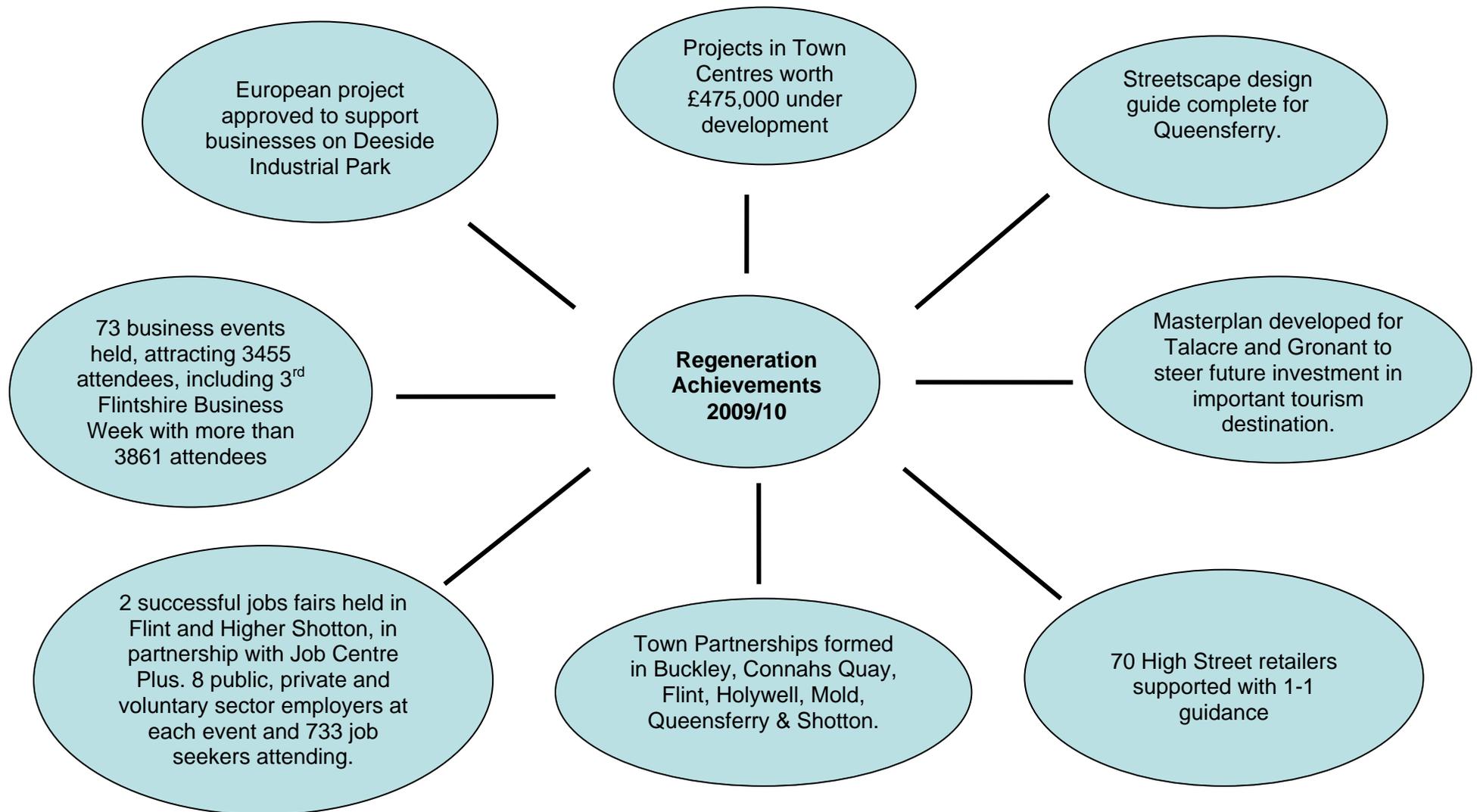
The **Children and Young People's Partnership Board** was formed to meet the statutory requirements of the Children Act 2004 and the related statutory guidance Duty To Cooperate. Below are the CYPP Boards key achievements for 2009/10:



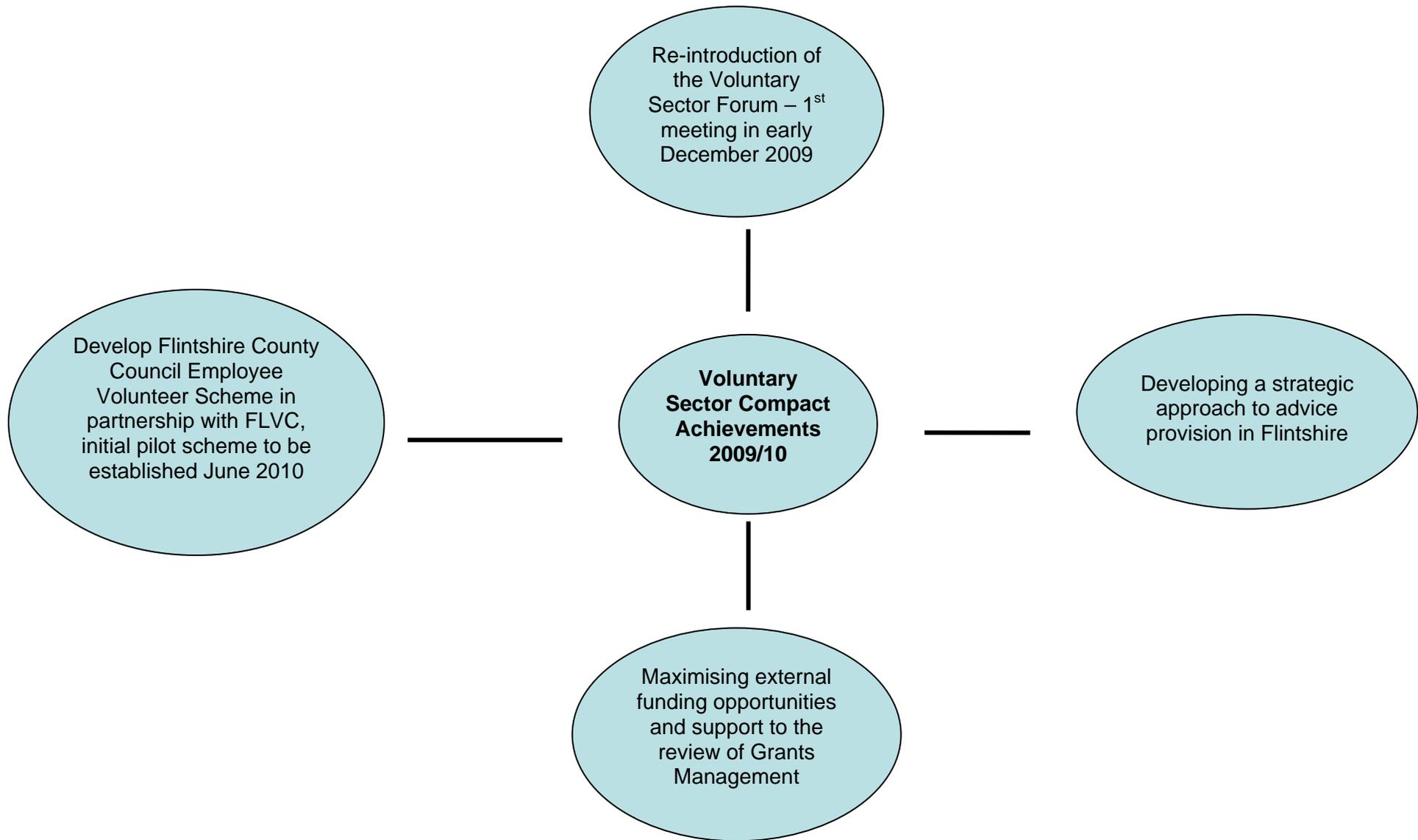
The **Community Safety Executive** was formed to carry out the business of the Partnership at the highest level. This includes the preparation, co-ordination, management and development of the Flintshire Community Safety Strategic Plan. Below are the Community Safety Partnership's key achievements for 2009/10:



The **Regeneration Partnership** was formed to lead regeneration activity in Flintshire and to co-ordinate and add value to the work of individual partners. Below are the Partnerships achievements for 2009/10:

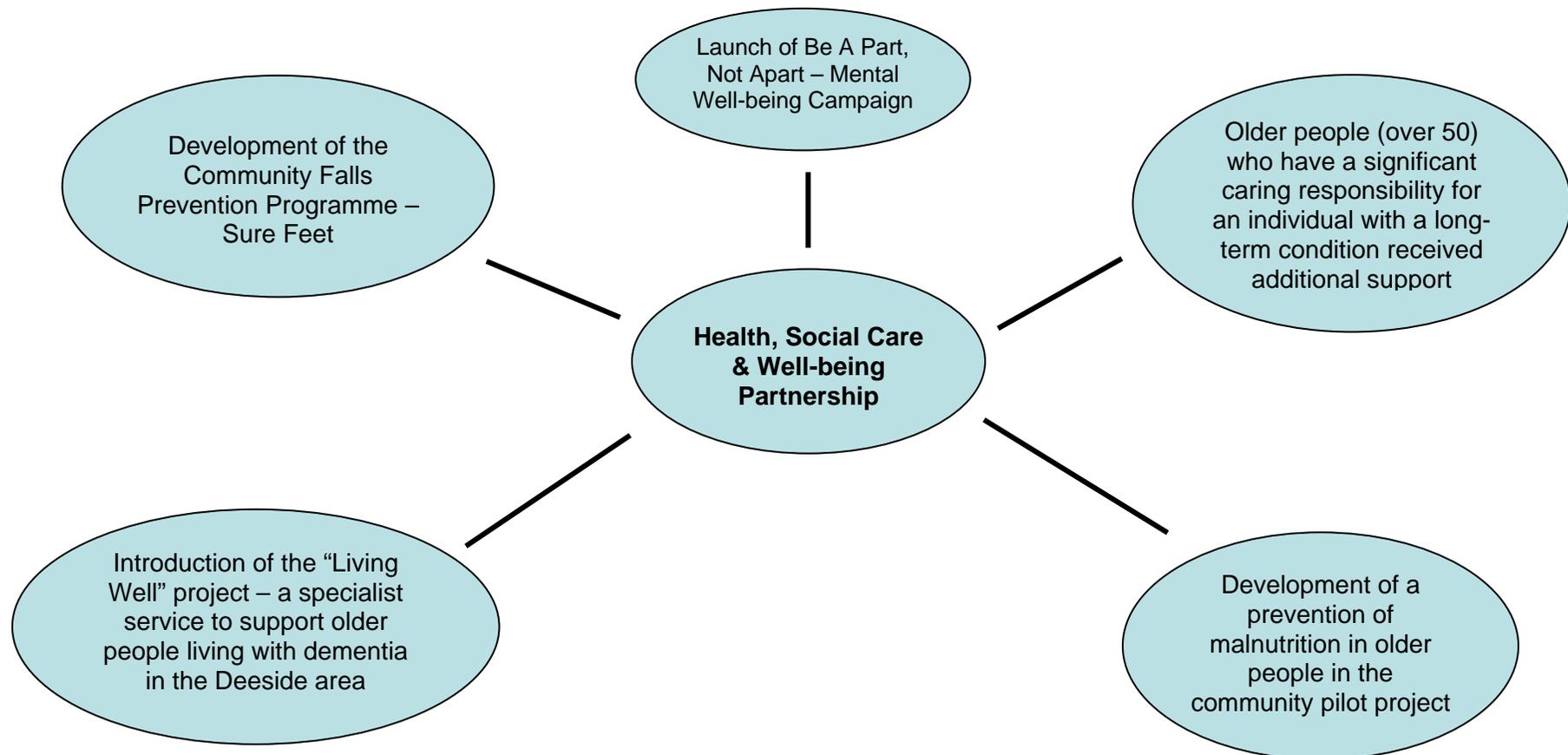


The **Voluntary Sector Compact** is a way to supporting collaboration between statutory bodies and the voluntary (or third) sector. Below are the Compacts achievements in 2009/10:



Health, Social Care & Well-being Partnership

Over the last 6 months, progress has continued against actions defined within a number of the priority areas and these have been reported to the Partnership Board as part of the performance management process. During this time organisational changes and demands placed upon lead officers from a number of partner organisations have been significant. Therefore, it has been necessary to focus on maintaining and sustaining existing activity in many areas rather than seeking further developments.



Housing Partnership

The Flintshire Housing Partnership held its first meeting on 11th June 2010. Initial priorities proposed for further consideration by the Partnership comprise of:

- Securing Flintshire Housing Partnership (FHP) input into the Local Development Plan process.
- Improving liaison with RSLs on SHG programme management.
- Give consideration to developing a common housing register.
- Developing intermediate rent models.
- Supporting People – improving matching of properties and services to client needs.
- Consideration to establishing a database of adapted housing.
- Meeting the housing needs of care leavers and homeless prevention services.
- Reflecting national housing strategy emphasis on job creation and training around new build and renewal.
- Consider implications of welfare reform on housing.
- Joint commissioning of services with partners.

5.3 Regional Collaboration

Collaboration for Flintshire's Improvement Plan

The North Wales Regional Partnership Board has set up 4 improvement boards. These are:
Environment and Regulatory Services
Social Care and Health
Education and Related Services
Support Services

The boards have a core membership of Cabinet Members and Chief Officers established plus membership from Welsh Assembly Government, Bestsi Cadwaladr University Health Board, North Wales Police and Chief Fire Officers.

The Chief Executive is the sponsoring chief executive of the Environment and Regulatory Services board and other Directors are making significant contributions.

There are various projects within each of these as follows: –

Environment and Regulatory Services:

TAITH - Highways Policy
Highways Design and Consultancy
Property Design and Consultancy
Fleet Management
Public Protection
Economic Development
Planning

Waste:

- Residual Waste Project
- Food Waste Consortia
- Joint Waste Authority

Social Care and Health:

High Cost Children's Placements
Workforce Development
Remodeling of Domiciliary Care
High Cost Placements
Learning Disability
Mental Health
Physical Disability and Sensory Impairment
Voluntary/ 3rd Sector Commissioning
Social Services IT Support Collaboration

Education and Related Services:

Transforming Education
Arts Collaboration

Support Services:

Legal
Information Communications Technology
Property Management
Human Resources
Policy and Performance
Finance
Procurement

All four boards have met and set up a programme of meetings. They have set a target of £33 million over three years (£11 million per annum) over the 4 boards.

The Wales Audit Office in their 2010 Preliminary Corporate Assessment stated: *“The Council has played a significant role in establishing the North Wales Regional Partnership Board (NWRPB) ‘vision’ and programme for change that are intended to simultaneously deliver service improvement and efficiencies, and cashable savings.”*

6. Performance during 2009/10

6.1 National Performance Summary (All Wales Position)

Of those performance indicators which are comparable with 2008/09, 52% showed an improvement. Some of the key facts for 2009/10 are highlighted below.

Areas where performance indicators showed a positive change:

- ▲ The number of Local Government days lost to sickness absence was the lowest since 2005-06, with an average of 10.9 days lost per employee (Whole Time Equivalent).
- ▲ Around 1.67 million tonnes of municipal waste was collected by local authorities in Wales in 2009-10; a further decrease on the 1.72 million tonnes reported in 2008-09.
- ▲ Only 0.9% of children leaving compulsory education aged 15 or 16 (who did not continue in full time education, training or work based learning) did so without a recognised qualification compared to 1.5% in 2008-09; a further fall from the 1.7% reported in 2007-08.
- ▲ Pupils aged 15 or 16 scored 378.6 points in 2009-10 compared to 355.1 points in 2008-09; the third successive increase since 2006-07.
- ▲ Local authorities in Wales took an average of 349 days to deliver a Disabled Facilities Grant in 2009-10; a further improvement on the 375 days reported in 2008-09.
- ▲ Local authorities took an average of 6.7 days to provide and install necessary aids and equipment; an improvement on the 7.0 days reported in 2008-09.
- ▲ Of those people supported by social services, 94% of people aged 18-64 and 84% of people aged 65+ were supported in the community.
- ▲ 13.1% of children in the care of their local authorities experienced one or more changes of school during the year, which were not due to transitional arrangements; compared to 13.5% in 2008-09.
- ▲ Local authorities in Wales took 3.7 days on average to repair street lamp failures; the lowest reported since 2005-06.
- ▲ Local authority sport and leisure centres attracted 25.8 million visits from people taking part in physical activities during 2009-10; an increase of around 800 thousand visits.

Areas where performance indicators showed a negative change:

- ▼ In 2009-10, 5.0% of principal (A) roads were considered to be in “poor” condition compared to 4.4% in 2008-09; a continued trend since 2007-08.
- ▼ Attendance at both primary and secondary schools fell in 2009-10; from 93.3% to 90.9% for primary schools, and from 93.2% to 91.0% for secondary schools.
- ▼ The average total number of days taken between initial enquiry and completion of the care plan (Adults) increased from 34 days in 2008-09 to 38 days in 2009-10.
- ▼ 82.2% of the statutory visits due to children in care took place in 2009-10 compared to 84.4% in 2008-09.
- ▼ In 2009-10, 94.9% of highways and relevant land inspected was of a high or acceptable level of cleanliness compared to 95.2% in 2008-09 and 96.0% in 2007-08.
- ▼ For Food Hygiene, 96.3% of high risk” businesses were inspected compared to 99.3% in 2008-09.

6.2 So have we improved in 2009/10? Flintshire's Performance Summary

Improving Our Performance

Flintshire demonstrated improvement or significant improvement in 52% (98) of indicators for 2009/10. This is a decline on 2008/09 in which 62% of indicators demonstrated improvement or significant improvement. In total 42% (79) of indicators' performance declined in 2009/10 compared with 29% (50) in 2008/09.

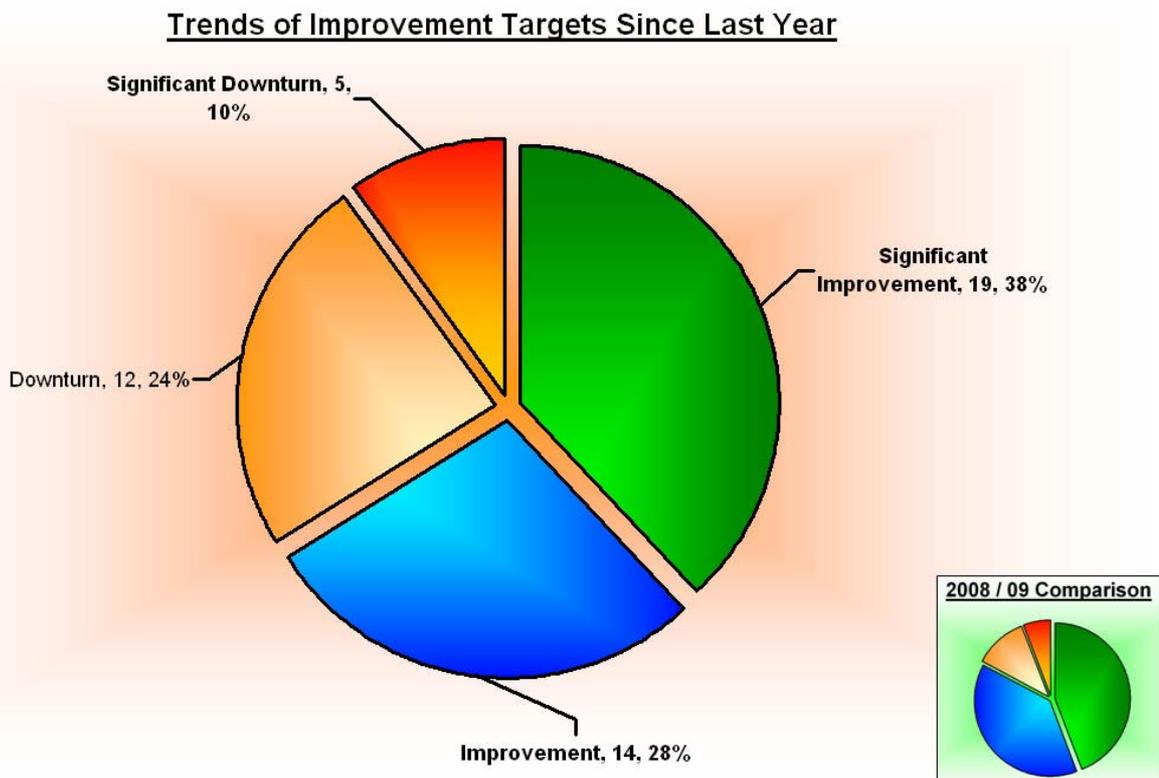
It should be noted that in order to measure performance data from 2008/09 against 2009/10 only those indicators where data was held for both years could be incorporated. This reduced the amount of indicators available for this analysis to 187 indicators out of a possible 214.

As previously mentioned the new approach to target setting included the categorisation of targets. In total 61 targets were classified as improvement targets for 2009/10. However, a small number of these indicators could not be reported on, therefore we are only able to analyse the trends for 50 of them. For those where trend analysis could be undertaken, 66% (33) of indicators showed improvement on the previous year, 38% significantly. This is depicted in Figure 4.

Analysis was also undertaken in relation to those improvement targets which form part of the Improvement Agreement. 76% improved whilst 4 (24%) indicator showed a downturn.

The Outturn Performance Indicator 2009/10 Table is a supporting document of this report and makes reference to the trend and target of all our indicators.

Figure 4



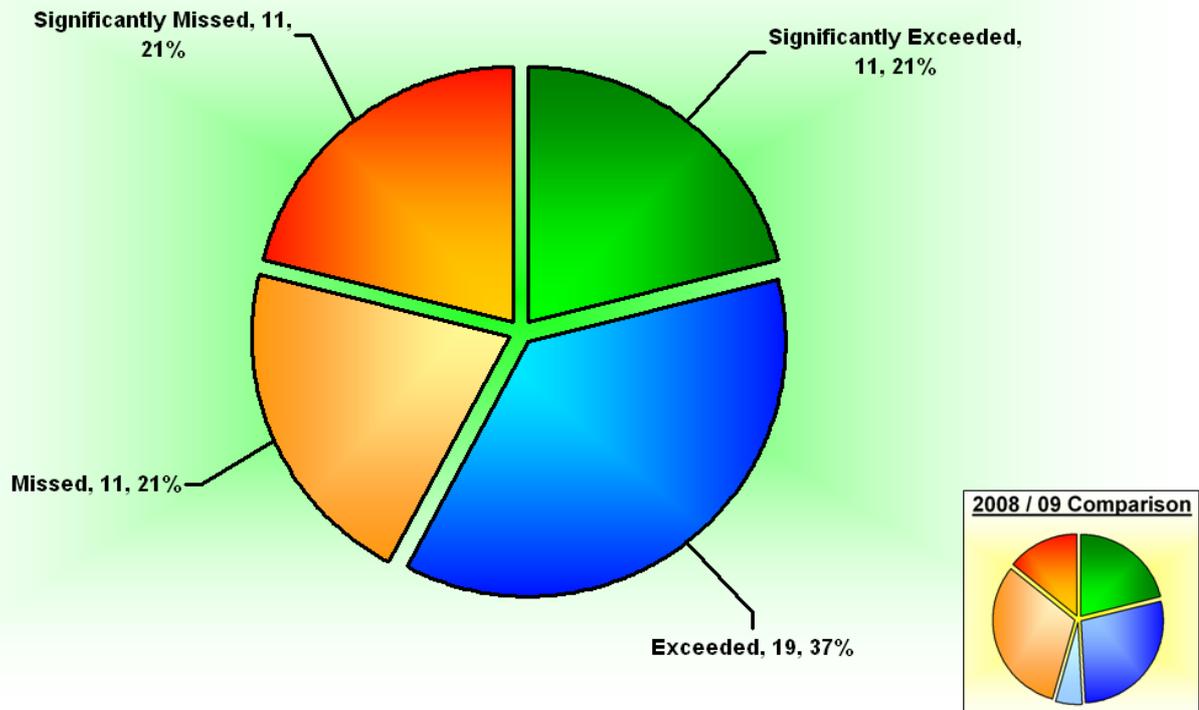
Achieving Our Targets

Analysis of performance against targets shows we have exceeded targets in 44% (80) of measured indicators, achieved target in 7% (13) and missed target in 49%. A significant outlier from target was measured as 20% or more outside of the target. We have significantly exceeded targets in 14% (25) of indicators but significantly missed targets for 16% (29). This performance is a small decline than that achieved in 2008/09 where we exceeded our targets in 48% of indicators and significantly missed target in 14% of indicators.

For those indicators which have been categorised as improvement targets, 58% (30) met or exceeded target. For those improvement targets which form part of the Improvement Agreement 55% (11) met or exceeded target, 20% (4) significantly so and 4 (20%) significantly missed target.

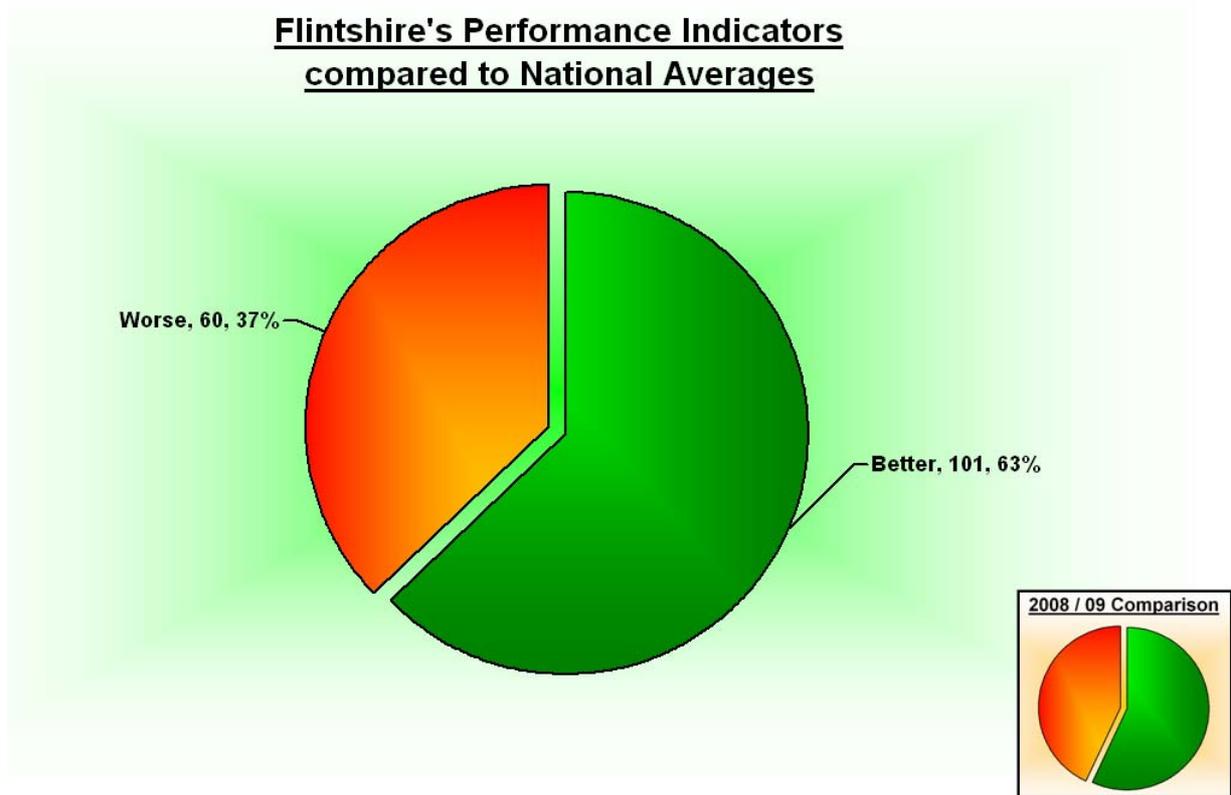
Figure 5

How Improvement Targets Compared to their Targets



Performance against Welsh Average

Figure 6



It is possible to draw a comparison with other Local Authorities performance in order to see how well or poorly we are doing on a national basis. Although we have not met local targets in 48% indicators (as seen in Figure 2, page 10) nationally we achieved higher performance than the Welsh average in 101 (63%) indicators out of 161. However, 60 indicators (37%) performed at a level below the national average. This performance is significantly better than that achieved in 2008/09 where we performed above the national average for 57% and below for 43%.

Where performance can be compared with the other Welsh authorities **Flintshire was top in 9% of indicators and bottom in only 1% of indicators.**

All Wales Ranking Analysis of Performance

The Local Government Data Unit released all Authorities 2009/10 performance data on 30th September 2010. This was accompanied by an overview of national trends etc, as in previous years. Follow link to the [National Performance Bulletin](#).

Areas where Flintshire is performing well include:

Within Wales **we are in the top 3 authorities** for the following ...

Education

- Percentage of pupil attendance in secondary schools (1st, same as 2008/09)
- Percentage of pupils in local authority care who leave compulsory education, training or work based learning without an approved qualification (1st)
- Number of permanent exclusions during the academic year per 1,000 pupils from primary schools (1st)
- Percentage of final statements of special educational need issued within 26 weeks including exceptions (3rd)
- Percentage of looked after children eligible for assessment at the end of Key Stage 2 achieving the Core Subject Indicator, as determined by Teacher Assessment (2nd)

Planning

- The percentage of all other planning applications determined during the year within 8 weeks (1st, was 3rd for 2008/09)

Public Protection

- The percentage of high risk businesses that were liable to a programmed inspection that were inspected for Food Hygiene and Animal Health (1st for both, as in 2008/09)

Transport, Highways & Environment

- Condition of non-principal/ classified roads (2nd, ranked 1st for 2008/09)
- Condition of principal (A) roads (2nd, ranked 1st for 2008/09)

Social Services for Adults

- Average number of working days taken from completion of the care plan to provision and / or installation of aids / equipment (1st, as in 2008/09)
- For those services not started in less than 29 days, the average number of calendar days from completion of the care plan or review, to starting to provide home care or day services for clients aged 65+ (3rd, ranked 1st for 2008/09)

Social Services for Children

- The percentage of open cases of children on the Child Protection Register who have an allocated social worker (1st, as in 2008/09)
- Percentage of open cases of children on the Child Protection Register who are allocated to someone other than a social worker where the child is receiving a service in accordance with her/his assessment or plan (1st, as in 2008/09)
- Percentage of children looked after who were permanently excluded from school in the year 1 April – 31 March (1st)
- The percentage of children looked after who had a fully completed and updated Assessment and Progress Record at their third review (1st, was 2nd in 2008/09)
- The percentage of eligible, relevant and former relevant children that have been allocated a personal advisor (1st, as in 2008/09)
- Percentage of young people formerly looked after with whom the authority is in contact, who are known to be engaged in education, training or employment at the age of 19 (2nd)

- Percentage of referrals that are re-referrals within 12 months (2nd)
- Percentage of initial assessments completed within 7 working days
- Percentage of initial assessments that took place during the year where there is evidence that the child has been seen alone by the Social Worker (3rd)
- Percentage of required core assessments completed within 35 working days (3rd, was ranked 1st in 2008/09)
- Percentage of children and young people with an identified need for treatment or other intervention who receive that within 10 working days of assessment (3rd) (Youth Justice Services)

Housing, Homelessness & Supporting People

- Percentage of homeless presentations decided within 33 working days (2nd)

Areas where Flintshire needs to improve:

Within Wales **we are in the bottom 3 authorities** for the following

Corporate

- Time taken to process Housing Benefit and Council Tax Benefit new claims and change events (ranked 21st out of 22)

Housing, Homelessness & Supporting People

- Average number of working days between homeless presentation and discharge of duty for households found to be statutorily homeless (ranked 21st out of 22)
- Average number of days that all homeless households spend in other forms of temporary accommodation (ranked 21st out of 22).
- Average number of units of housing related support, per 1,000 head of population, for community alarm services (ranked 21st out of 22)

Social Services for Children

- Percentage of young carers known to Social Services who were assessed (ranked 20th out of 22)
- Percentage of young carers known to Social Services who were provided with a service (ranked 20th out of 21) – *Caution needs to be exercised for this indicator as there is a lack of agreement amongst many authorities about the definition of this indicator.*

Social Services for Adults

- Average number of working days between initial enquiry and completion of the care plan, excluding specialist (ranked 17th out of 18)

Planning

- Percentage of appeals determined that upheld the authority's decision in relation to planning application decisions and enforcement notices (ranked 21st out of 22)
- Percentage of enforcement cases resolved during the year within 12 weeks of receipt (ranked 21st out of 22)

Public Protection

- Percentage of high risk businesses that were liable to a programmed inspection that were inspected for Trading Standards (ranked 20th out of 22) and for Health & Safety (ranked 22nd out of 22)

6.3 Flintshire's Services Performance

Performance of services can be assessed through a number of means:

- Performance indicator trend analysis
- Performance indicator target analysis
- Surveys
- Regulatory, audit & inspection activity
- Progress against identified risk and challenges

This section of the Annual Performance Report examines our 2009/10 performance when compared with set targets and against the performance achieved in 2008/09. Analysis has not been undertaken for those measures where we were unable to measure performance for 2009/10 or where we had not measured our performance in 2008/09. The most common reason for this is that the indicator was new for 2009/10 and therefore performance had not been measured in 2008/09 and a target had not been set as this was the baseline year. A full summary of our performance detailing all the performance indicators is available in the [2009/10 Performance Outturn Tables \(follow link\)](#).

This section also examines progress against key actions taken to mitigate the risks identified by the organisation in its Strategic Assessment of Risks and Challenges. Please see Section 2 of this report to find out more about the Strategic Assessment of Risks and Challenges and the link to the current assessment which provides a progress statement against each of the risks and the mitigating actions. The current risk level displayed in the tables within each service area's section reflects the risk level in considering the action undertaken to the end of 2009/10. Some risks still remain high (i.e. red). Significant work has been undertaken in many of these areas, however until all actions are complete we will not achieve the post action risk level.

As previously stated there is a clear relationship between the strategic risk assessment, the Joint Risk Assessment and the Council's Regulatory Plan (see Section 2) to ensure that any external regulatory work flowing from the assessments is both proportionate and relative to the risk, taking into account the level of (gross) risk of the issue itself, the degree of 'comfort' provided by the mitigating actions and the level of remaining (net) risk. As a result the reports provided to the Council by the regulation, audit and inspection bodies provide a good basis for determining where good and poor performance is occurring.

Analysis has been undertaken for the following key service areas which are listed alphabetically:

- 6.3.1 Corporate
- 6.3.2 Education
- 6.3.3 Housing, Homelessness & Supporting People
- 6.3.4 Libraries & Leisure
- 6.3.5 Planning
- 6.3.6 Public Protection
- 6.3.7 Regeneration
- 6.3.8 Social Care
- 6.3.9 Transport, Highways & Environment
- 6.3.10 Waste & Energy Management
- 6.3.11 Directorates of Community Services, Environment and Lifelong Learning

The analysis is largely based on national performance indicators and progress made against projects in relation to the strategic risk areas.

Understanding the Charts

The background of each chart in this report includes a faded red, amber or green (RAG) status colour. This allows the reader to see roughly how well the indicator(s) in each chart are performing at a quick glance.

In addition, some charts have a ↓ symbol on them. If there is a larger version of this symbol above the graph, it means that all the indicators in that chart have a downward direction of positive performance. If there is a smaller version against a particular indicator along the horizontal (bottom) axis, then only that indicator has a downward direction of positive performance. If there is no such symbol then the indicator(s) has an upward direction of positive performance by default.

Finally, most charts are marked with something similar to “5/21” or “3/22” etc. – the first number represents the position Flintshire came when ranked against the other authorities, and the second shows how many authorities reported against that particular indicator. For example, Flintshire came 5th out of 21 authorities that reported.

6.3.1 Corporate

The Corporate Section of the report covers the following Service areas:

- Finance
- Human Resources and Organisational Development
- Corporate Asset Management
- ICT, Customer Services and Design & Print
- Legal & Democratic Services

Administration Priorities (Corporate Governance and Performance)

- To promote and maintain a positive and confident reputation for the Council and the County locally, regionally and nationally
- To continue to make progressive change in the culture, efficiency, effectiveness, adaptability and performance of the organisation both corporately and in service planning and delivery
- To develop and follow a resilient medium and longer term financial strategy whilst maintaining an affordable level of Council Tax for local taxpayers
- To cope and prosper in the coming years of reductions in revenue and capital for public services and continue to improve and perform as a public services organisation
- To attain high and consistent levels of customer service, and to develop more flexible personal and remote customer contact services through an ambitious Customer Services Strategy
- To achieve the aims and objectives of *The People Strategy* with an emphasis on people management practice, management performance, attendance management and agile working
- To achieve a legal, acceptable and affordable Single Status Agreement
- To implement effective business continuity plans to protect key services
- To modernise and improve Council procedures and performance in procurement practice, to meet the aims of the *Opening Doors Policy* of the Welsh Assembly Government for small and medium sized businesses and to achieve cashable and non-cashable efficiency targets
- To maximise the use of the Council's land and asset base for the achievement of Council priorities and to maximise capital receipts or income
- To reduce extreme poverty, and make the best use of local resources to provided advice and extend benefits take-up, in partnership with others
- To agree a scheme to remodel Theatre Clwyd and campaign for national capital funding support

Our Strategic Assessment of Risks and Challenges

The Council Governance Section of our assessment contains 18 risks and challenges. Of these all were assessed as medium risks at the end of 2009/10, with the exception of three; "Corporate Project Management", "Performance Management/Business Planning" and "Asset Management" which were assessed as Green. These 18 include risks in relation to:

- Finance
- Human Resources
- Information, Communications & Technology
- Health & Safety
- Strategic Policy

- Change Management and Organisational Stability
- Risk Management
- Asset Management
- Corporate Project Management

The progress against each of the risk areas is summarised below in the relevant Council Governance Section.

Area	Description	2009/10 Year End Level of Risk	Green Predictive Date
Performance Management / Business Planning	Effective business and performance management disciplines as part of service planning management and improvement	G	Apr 2010
Strategic Policy	Improved use of corporate policy resource to support Executive and Corporate Management Team in their work programme	A	July 2010
Risk Management	Effective corporate systems for risk management and business continuity	A	Apr 2010
Asset Management	A comprehensive, robust and deliverable asset management plan to achieve maximum efficiency of our property and land assets taking into account location, age, running cost, efficiency and purpose/community value.	G	Nov 2009
Health & Safety Strategy and Management	Effective corporate health and safety management strategy and practice across the Council	A	Jan 2011
County Hall Campus Management	Management and maintenance of County Hall and complex - liability of structure; energy costs; carbon footprint; infrastructure arrangements e.g. parking	A	Sept 2010

In addition there are a number of risks and challenges which fall within the Community Leadership section. These include:

- Community Strategy Review and Flintshire in Partnership
- Voluntary Sector Compact and Grants Review

Progress against these risks is as follows:

Area	Description	2009/10 Year End Level of Risk	Green Predictive Date
Flintshire in Partnership i) transition to Local Service Board ii) strategic partnerships	i) Transition of the Community Strategy Partnership Board to a Local Service Board ii) Support strategic partnerships to work collectively addressing national and local challenges to improve service delivery and deliver efficiencies.	G	Mar 2010
Voluntary Sector Compact and Grants Review	Re-energise Voluntary Sector Compact (VSC) as a strategic partnership body between the County Council, Local Health Board and Flintshire Local Voluntary Council. Review of the arrangements to ensure effective and strategic resource provision to the voluntary sector supported by stronger corporate planning, financial and business disciplines.	G	Not Applicable

There is one risk which falls in the Council Delivery Section.

Area	Description	2009/10 Year End Level of Risk	Green Predictive Date
Business Continuity	Business continuity plans needed within critical service areas to support the continuation of service delivery in the event of a disruptive emergency affecting the internal and external infrastructure within which the authority operates.	A	Apr 2011

Performance can be examined for corporate indicators relating to the management of Finance and Corporate Assets.

Area	Trend Analysis		Target Analysis	
	No. Indicators Same/ Improved	No. Indicators Downturned	No. Indicators Met or Exceeded Target	No. Missed Target
Finance (including Housing Benefit)	2	3	2	2
Human Resources	1	3	1	3
Corporate Assets	5	2	2	5
ICT	0	2	0	2
Customer Services	1	0	0	1
TOTAL	9	10	5	13

FINANCE

During the financial year 2009/10 all of the finance risks have reduced from red to amber.

Area	Description	2009/10 Year End Level of Risk	Green Predictive Date
Medium Term Financial Strategy (Strategy)	Overall financial strategy (revenue and capital resources) to deliver Council Services in accordance with agreed plans and priorities (3-4 year cycles)	A	TBC
Financial Management & Control	Maintaining effective control over the Council's financial affairs	A	TBC
Procurement	Effective and cost efficient local, regional and national procurement	A	TBC

The Finance Division has four distinct roles in providing services to and on behalf of the Council:

Support Services:	Financial Management to the Council
Direct Service Provider:	Revenues and Benefits Services
Lead Authority:	Clwyd Pension Fund
Control and Assurance:	Internal Audit

Whilst we have experienced a period of uncertainty and change during the last 12 months as we have progressed with the Finance Function Review (FFR) there have been a number of key achievements including:

- Completion of Phase I of the FFR which established the senior management structure.
- Establishment of the Employee Focus and Trade Union Liaison Groups.
- Further alignment of service and financial planning achieved by starting the 2010/11 budget process earlier than in previous years. This enabled initial budget proposals to be presented to Executive prior to the Christmas break, providing additional time for scrutiny and challenge of the proposals in the New Year. The continued corporate approach to the budget setting process has enabled the Authority to build on the successes of previous years and implement additional improvements.
- Technological advancements including 'Self Service' for Revenues and Benefits, Chip and PIN and Voice Risk Analysis.
- A new look website for the Clwyd Pension Fund.
- Development of a new Audit Reporting and Tracking System.

In respect of the performance achieved during 2009/10, Finance has a small number of national performance indicators which are discussed below.

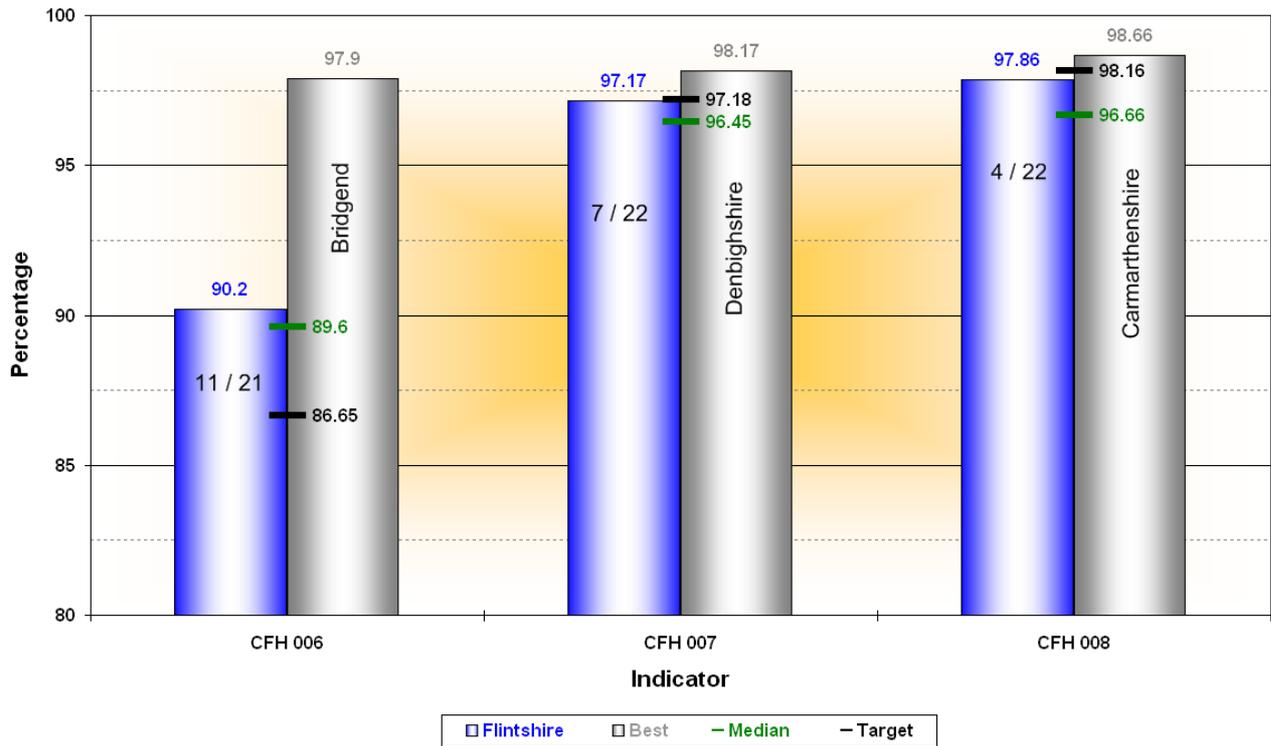
The percentage of non-domestic rates due for the financial year which were received by the authority (97.86%) Flintshire ranked 4th when compared to the other authorities across Wales. In respect of the percentage of council tax received (97.17%), Flintshire ranked 7th, reducing it's position by 3 places.

Whilst we narrowly missed both of our targets for the aforementioned 2 indicators, we exceeded the target in respect of the percentage of undisputed invoices which were paid in 30 days and improved on the performance we achieved in 2008/09. This is an improvement target.

Figure 7



Financial Indicators



Key

CFH 006	The percentage of undisputed invoices which were paid in 30 days
CFH 007	The percentage of council tax due for the financial year which was received by the authority
CFH 008	The percentage of non-domestic rates due for the financial year which were received by the authority

In relation to the two housing benefit indicators we improved and exceeded target for the time taken to process Housing Benefit and Council Tax Benefit new claims and change events, but ranked 21st out of 22 in Wales. We significantly downturned for the number of changes of circumstances which affect customers' entitlement to Housing Benefit or Council Tax Benefit within the year, (there was no requirement to report this indicator nationally for 2009/10). Neither of these indicators is an improvement target.

HUMAN RESOURCES

Of the three Council Governance risks relating to Human Resources, sufficient actions have been taken to reduce the level of risk to the organisation from high to medium and in one case low (green).

Area	Description	2009/10 Year End Level of Risk	Green Predictive Date
Human Resources & Management	Effective corporate human resources strategy and practice across the Council	A	TBC
Terms & Conditions of Employment	Implementation of Single Status/Job Evaluation	A	TBC
Management Change, Organisational Instability and Succession Planning	Ensuring business continuity through a period of structural and organisational change	A	Mar 2010

The following progress has been made in relation to the delivery of the Council's People Strategy.

Workforce Information and Attendance Management:

'Drill down' reports which provide data on Headcount, Employee Turnover, Attendance (Sickness Absence) and Diversity by service area have been designed and have started to be provided to directorate management teams. Priority is being placed on generating reliable and accurate information on attendance (sickness absence) to coincide with the implementation of the new Attendance Management Policy which is to be effective from 1 April 2010 (see Human Resources Operations and Support / Policy section below).

Employee Opinion Survey:

Survey reports (for the whole organisation and by directorate) have been received from BMG. An initial response has been provided to the workforce by the Corporate Management Team and some of the specific management actions listed in the response have already been actioned. Further actions will be incorporated in the People Strategy action planning and referred to as appropriate in the service and directorate plans.

Management Development Programme:

Further significant progress has been made in finalising the design of the Management Development Programme, which has been developed in partnership with Deeside College and is tailored to meet Flintshire's organisational requirements. The programme is to start in September 2010 and will be marketed throughout the organisation during May and June.

Corporate Training / Organisational Development, HR Service and Occupational Health Reviews

The initial phase of the Corporate Training and Organisational Development review, which focused on gathering baseline data in relation to the current training and development provisions and arrangements in the Council, has now been completed. A report outlining the findings will be considered by the Corporate Management Team in April. The purpose of this first phase is to gain a greater awareness and control on the Council's current training and development activities in order to plan the next phase of the review.

The scope of the HR Service Review has been extended to include all HR & OD. The revised scope and Project Initiation Document (PID) will be considered by the Corporate

Management in April. The scope is extended to incorporate the second phase of the Corporate Training and Organisational Development Review into the HR Service Review, given the strong co-dependencies of the two reviews.

The Occupational Health team joined us on 1 November 2009 and already, much work has been done to integrate the team and the services provided in with the broader HR service. The review for Occupational Health is continuing, with proposals to undertake a range of actions to improve service delivery. The review will now be incorporated into the HR Service Review which will further support improved integration into the department.

Council wide HR and Organisation Development Projects / Programmes

Single Status

During quarter 4, the Single Status Project Board, comprising elected members, trades union colleagues and officers have met regularly and are being kept fully up to date with progress made. John Cooke has been appointed as the Single Status Project Manager since 18 January 2010 and has developed a new Project Plan which focuses on re-energising the Single Status project and delivering a Single Status agreement.

Many of the service reviews which are being undertaken as part of the next stage of organisation redesign are being delivered in parallel with the Single Status project. The project team, in conjunction with senior management and HR Managers, are carefully working through the inter-dependencies of the service reviews and the Single Status project to ensure that important processes, such as the job evaluation of newly designed jobs, feed into the Single Status costing model and are considered in the development of any new / revised pay and grading model.

Performance Indicators

In relation staff sickness absence we improved our performance on that achieved for 2008/09 and exceeded our target; nationally we ranked 10th out of the 20 authorities who reported against this indicator. However, we ranked 18th in respect of the percentage of employees including teachers and school based staff who leave the employment of the local authority, whether on a voluntary or involuntary basis. For this indicator we missed target. Both indicators are improvement targets.

Similarly we downturned and significantly missed target in relation to employees from minority ethnic communities and those declaring themselves as disabled.

CORPORATE ASSET MANAGEMENT

In respect of the corporate asset management performance indicators our performance was 'middling' for all 7 indicators. As can be seen in the previous table (page 46) whilst we did not achieve our targets in 5 of the 7 indicators we did improve on our 2008/09 performance in 5 indicators.

The Corporate Asset Management Plan has been completed and was submitted to Corporate Management Overview and Scrutiny Committee on the 24 May 2010.

The current economic climate still continues to have a negative effect on our ability to generate capital receipts through land disposals and this position is not anticipated to improve significantly in the near future, a position which will continue to create pressure on the Councils' available capital resources. In terms of our capital receipt generation for the current financial year the service achieved 95% of its targeted receipts.

A WAO review of building management identified several key areas of good practice and recognised that a well defined Corporate Asset Management Plan and the Corporate Asset Management Group (CAMG) are focused on helping the Council to meet the needs of service delivery and effectively manage the Capital programme. The significant organisational change taking place at Flintshire County Council is recognised and this informs the guidance and desire to ensure property work remains relevant. Changing physical assets and adapting an estate is a longer term process.

The conclusion has recognised and is supportive of the work and progress achieved. Ongoing development work within the service itself has identified many of the issues raised and is seeking to address them as part of wider progress and activity, much of this will be considered for inclusion within the Service Plan, and in addition the substantially revised Corporate Asset Management Plan will address many of these aspects.

In relation to Asset Management a key piece of work continues to be undertaken in developing the delivery aspects of the Corporate Asset Management plan. This will become increasingly important as there will be a significant need to utilise our assets to lever in efficiencies, develop modern ways of working through Agile working and ultimately rationalise our asset base.

ICT AND CUSTOMER SERVICES

ICT and Customer Services cover the following functions:

- Information and Communications Technology
- Design and Print
- Customer Services

Five of the Council Governance risks are managed by ICT and Customer Services. One has reduced from medium (amber) risk to low (green) risk during 2009/10.

Area	Description	2009/10 Year End Level of Risk	Green Predictive Date
Corporate Project Management	Effective management and delivery of corporate projects of strategic significance	G	Dec 2009
Information & Communications Technology (ICT Strategy)	The Council's ICT Strategy that defines the use of ICT to support the Council and services in delivering their priorities for change and improvement.	A	TBC
Information Management Strategy	The Council's Information Management Strategy defines a consistent approach to the management of information across the Council with supporting actions.	A	Mar 2011
Information Security, Governance & Sharing	Information security involves protecting information and information systems from unauthorized access, use, disclosure, disruption, modification, or destruction. Effective Information Security is vital to any information sharing arrangements.	A	Sept 2010
Customer Focus	Customer access to information and services and high standards at point of service customer experience	A	June 2011

Performance in the final quarter of 2009/10 was mixed with a dip in terms of help desk calls being resolved at first point of contact down 32% against a target of 35%. The planned introduction of a self service password facility during 2010 should lead to improved performance for this indicator. The performance in terms of incidents resolved within agreed timescales saw significant improvement up from 90% to 93% rising to 95% in March. This is the area where we will be focussing our efforts during 2010 with the aim of maintaining performance above 92%.

In relation to satisfaction with the helpdesk and second level support immediately following incident resolution, we have maintained high levels of performance with the overall service provided by the helpdesk scoring an average of 4.6 out of a maximum of 5 and for second level support 4.5. Unfortunately there has been a dip in satisfaction with the speed of answering the telephone calls to the helpdesk, scoring on average 3.8 over the three months. Again self service password reset should improve these satisfaction levels as it will reduce calls to the helpdesk which we saw rose dramatically in March.

Design and Print

Fourth quarter trading results improved but still showed a deficit of £117,000 at year end. The economic downturn and budget cuts is making the market extremely difficult for trading but there are some encouraging factors namely increased activities from the marketing campaign and additional design work from Environment which had previously been undertaken within the Directorate.

Customer Services

Complaints handling continues to be an area where we need to remain focussed and identify actions for improvement. In the fourth quarter we have seen a dip to just over 65% of complaints being dealt with within 10 days down from 69% in the last quarter. In terms of telephone responses both switchboard and direct dial response rates showed improvement in the last quarter of 2009/10.

LEGAL & DEMOCRATIC SERVICES

Area	Description	2009/10 Year End Level of Risk	Green Predictive Date
Code of Corporate Governance	Effective corporate governance according to the standards of the revised CIPFA/SOLACE code of corporate governance	A	TBC

This risk was originally assessed as high (red).

CORPORATE GOVERNANCE

Consultation has taken place on the final draft of the Council's Corporate Governance Annual Self-Assessment Review prior to its consideration by the Council's Constitution Committee. This can now form part of the Corporate Governance Statement.

STANDARDS AND ETHICAL FRAMEWORK

Following a consultation exercise, new draft Guidance was received from the Public Services Ombudsman on the interpretation of the Code of Conduct and this has been discussed by the Standards Committee. The Standards Committee has continued to seek to be more pro-active in its future approach and consultations with Town and Community Councils will commence at the next meeting of the County Forum.

COMMITTEE SERVICES

Following the review of Committee Services and the successful appointment to the vacant Committee Officer post, the new structure for the team has been in place since 1 March 2010.

OVERVIEW & SCRUTINY AND CIVIC & MEMBER SERVICES

The Coordinating Committee responded to the WAG consultation on Scrutiny and Democratic Structures. Some aspects were welcomed, but others, which appear to impair the effectiveness of Overview & Scrutiny were not. The same document subsequently went to the Constitution Committee and a corporate response was made.

ELECTORAL REGISTRATION AND ELECTIONS

During quarter 4 of 2009/10 preparation for the Parliamentary General Election was successfully managed for the Alyn & Deeside and Delyn Constituencies by the Elections Team. 99 polling stations across the County were prepared for the elections and 228 polling station staff selected and informed of their election duties. There were over 700 new applications to register for the election.

ADMINISTRATION AND BUSINESS DEVELOPMENT

- ICT worked with members of the Admin and Legal Services' teams towards implementation of a scanning system for Legal Services' Child Care court bundles. The system is being trialled with an anticipated 'go live' date of 11th May.
- Training was arranged in early March for staff working on the review of clients, reports and file management in Timebase, the system used by Solicitors to record time against casework. This is a significant piece of work which will streamline and enhance the reporting and the day-to-day functionality of the system.
- Staff Appraisal interviews have been arranged to take place during April.
- Work continues on the Phase II organisational review of Corporate Services Administration.

6.3.2 Education

Administration Priorities

In addition to contributing to the Corporate Governance and Performance priorities Education also contribute to the following Local Public Service priorities: -

- To develop the School Modernisation Strategy and to achieve, in phases, its aims and objectives whilst securing the highest possible level of 'spend per pupil'
- To achieve the aims and objectives of the School Effectiveness Framework
- To achieve the aims and objectives of the 14-19 Transformation Strategy and to be effective educational and economic partners with the higher and further education sectors and notably Deeside College and Glyndwr University
- To further develop the Foundation Phase for pre-school age
- To achieve the objectives of the action plan adopted by the Council in response to the Estyn Inspection of Local Education Services

Our Strategic Assessment of Risks and Challenges

Within the Council Delivery section of the Strategic Assessment of Risks and Challenges there are 4 issues which have been identified in relation to education:

Area	Description	2009/10 Year End Level of Risk	Predictive Green Date
School Buildings	Condition and suitability of ageing buildings.	R	Apr 2018
School Modernisation	Falling demographics and suitability of assets under review as the basis for choices/strategy on future provision.	A	Apr 2018
Looked After Children, Out of County Care & Education	Pressure on current budget for Out of County placements where appropriate care or educational facilities are often available only outside the County.	R	TBC
Learning and Development	Pupils' attainments in National Curriculum Assessments at KS3 and in gaining five or more A* to C GCSE's are below levels expected for schools and authorities in similar social and economic circumstances.	G	2010

In relation to the first three points, progress has been made toward the completion of the actions to be undertaken to mitigate these risks/challenges; however the year end assessment reveals that these remain high (red) risk issues for the Council. In relation to the fourth point good progress has been made and the risk level is now assessed as medium (amber).

Within the Community Leadership section of the Strategic Assessment of Risks and Challenges is an issue relating to the skills needs of employers. This issue is being addressed by the Council and its partners within Further and Higher Education. Following the year end review this issue was assessed as remaining a medium (amber) risk.

Area	Description	2009/10 Year End Level of Risk	Predictive Green Date
Skills Needs of Employers	Webb Review "Promise and Performance" - independent review of Further Education in Wales - implications for providers and stakeholders of 14-19 year old learners. Collaboration of Further and Higher Education providers to meet the changing training needs of employers.	A	Apr 2012

Performance Indicators

This section examines the performance of the Council in relation to education services within Flintshire. It should be noted that for many of the education performance indicators there is only a small cohort and the difference one pupil can make to the performance indicator value can therefore be significant.

Figure 8

Trends Within Education Indicators

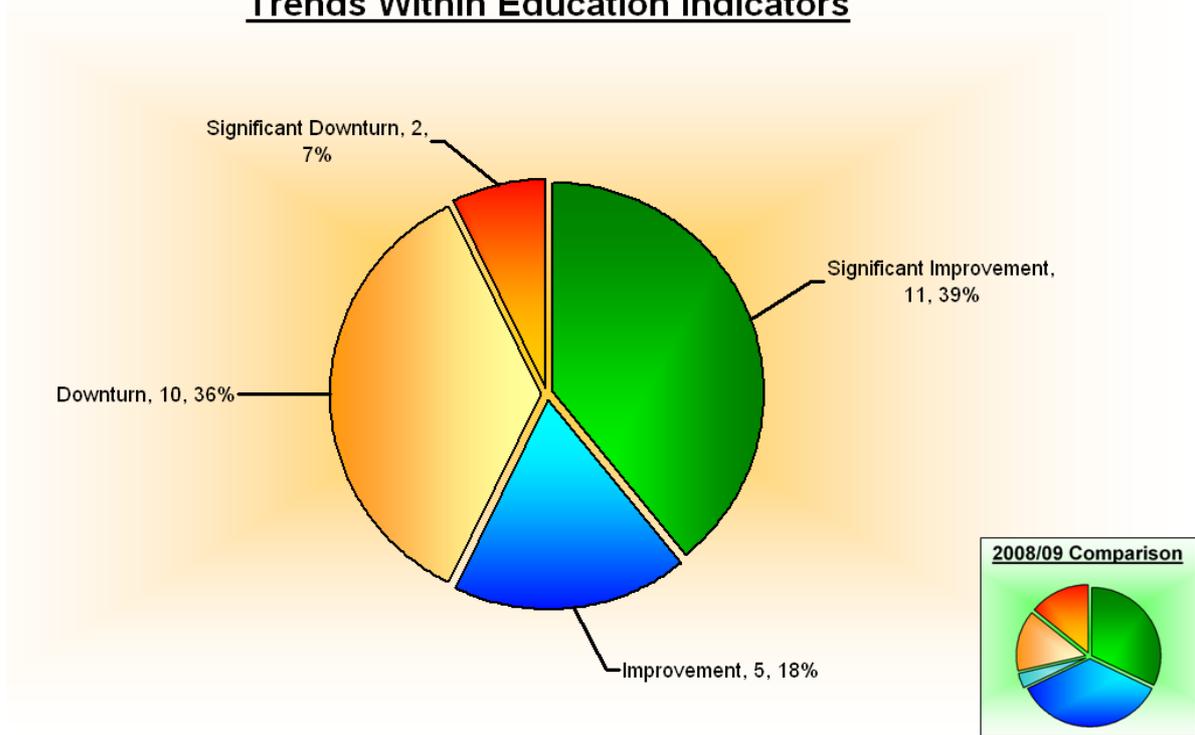
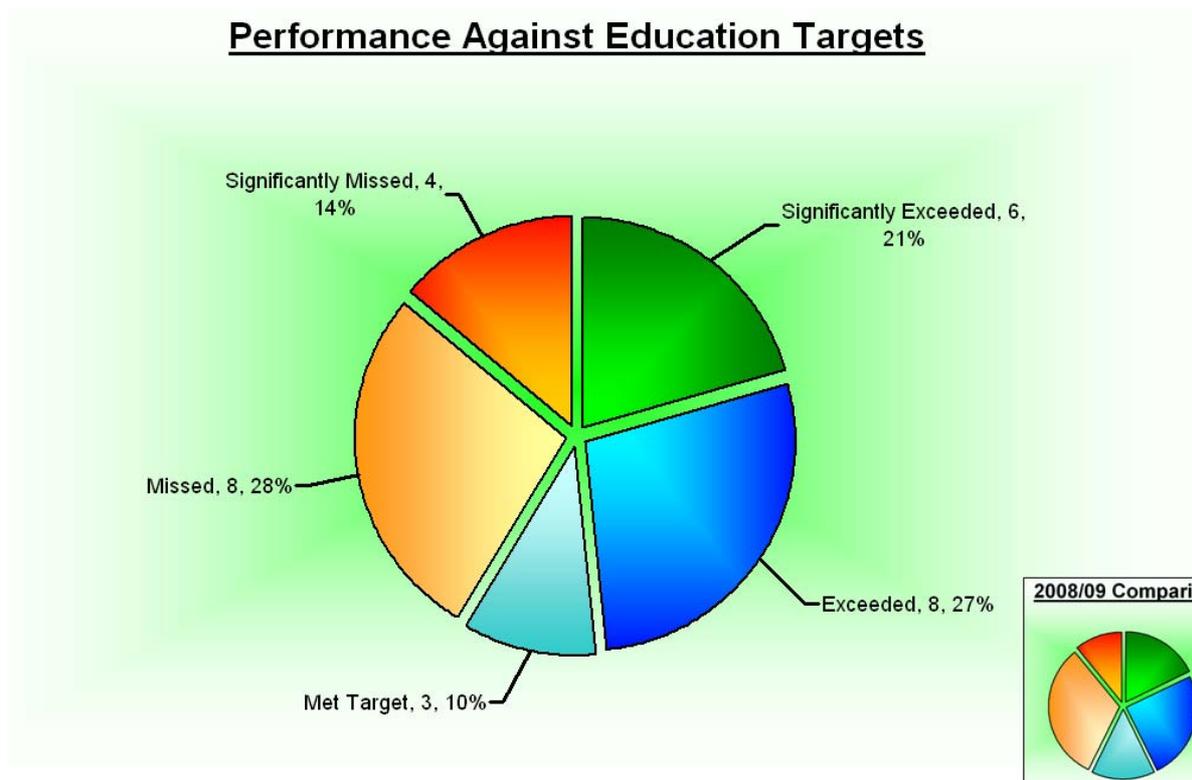


Figure 8 shows that we improved on our 2008/09 performance in 16 (57%) indicators, significantly so in 11 (39%) indicators, but performed worse in 12 (43%).

Figure 9



Flintshire has classified ten indicators as improvement targets for education, three of which are also in our Improvement Agreement with the Welsh Assembly Government. Of these, nine showed improvement on the 2008/09 performance, eight significantly so and eight exceeded target, six significantly so. Six could be compared with the other authorities in Wales, and of these four performed better than the Welsh average.

Performance indicators (all improvement targets) which have shown significant improvement include:

- Percentage of all pupils (inc. those in local authority care), in any local authority maintained school, aged 15 as at the preceding 31 August who leave compulsory education, training or work based learning without an approved external qualification (0.39%, ranked 6th in Wales)
- Percentage of pupils in local authority care in any local authority maintained school, aged 15 as at the preceding 31 August who leave compulsory education, training or work based learning without an approved external qualification (0%, ranked 1st in Wales, but was ranked 17th in Wales for 2008/09)
- Average number of school days that permanently excluded pupils did not receive an offer of full time appropriate education provision during the academic year (3.33 days, ranked 8th in Wales, but was ranked 15th in Wales for 2008/09)
- Percentage of final statements of special education need issued within 26 weeks including exceptions (96.92%, ranked 3rd in Wales)
- The percentage of looked after children eligible for assessment at the end of Key Stage 2 achieving the Core Subject Indicator, as determined by Teacher Assessment (81.82%, ranking 2nd in Wales)

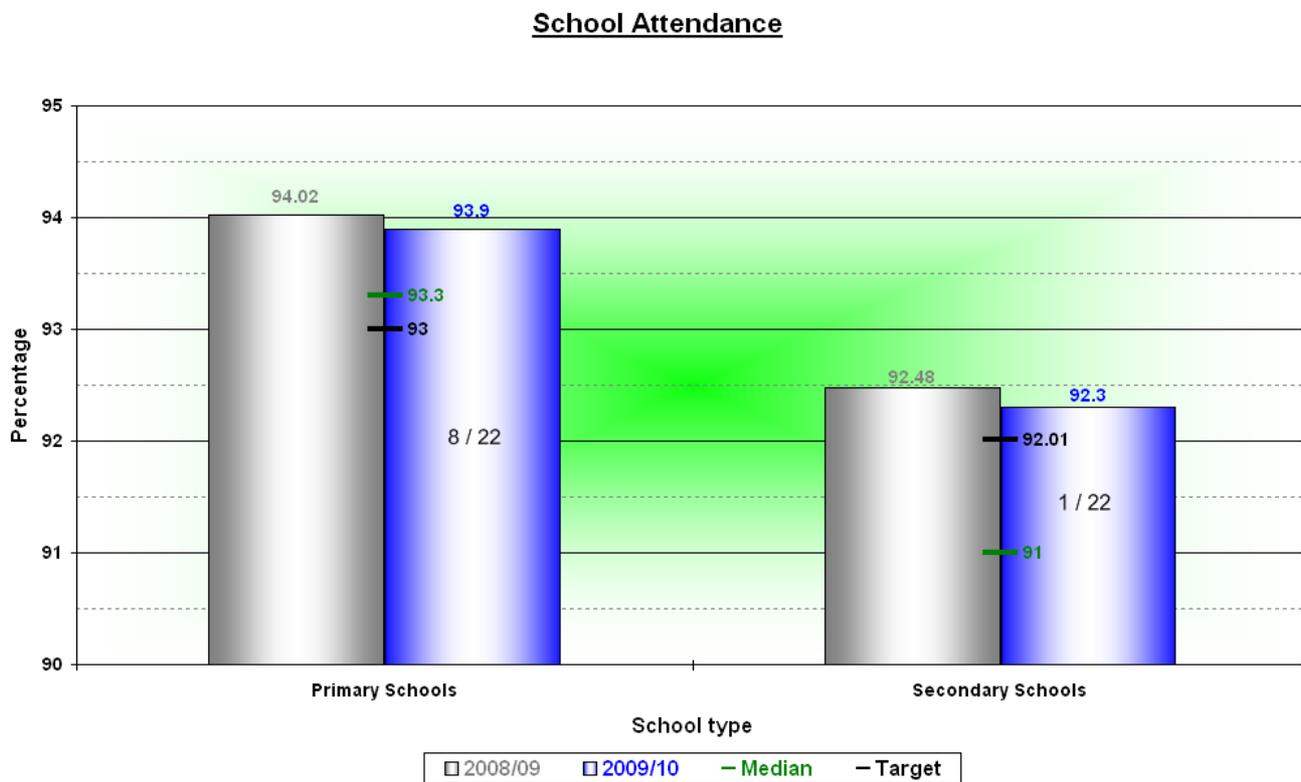
One indicators classified as an improvement target showed a downturn and missed target during 2009/10:

- Percentage of final statements of special education need issued within 26 weeks excluding exceptions (81.54, ranked 18th in Wales)

Performance indicators which significantly downturned and significantly missed target include:

- The average number of school days that permanently excluded pupils did not receive an offer of part time appropriate education provision during the academic year (15 days, ranking 14th in Wales)
- The percentage of school days lost due to fixed term exclusions during the academic year in primary schools (0.02%, ranking 18th in Wales)

Figure 10



As can be seen from the above chart Flintshire's performance in respect of attendance at secondary schools remains very good when compared with other Welsh authorities. We ranked first for 2009/10 for the second year running.

Figure 11



The percentage of assessed pupils achieving the Core Subject Indicator, as determined by Teacher Assessment

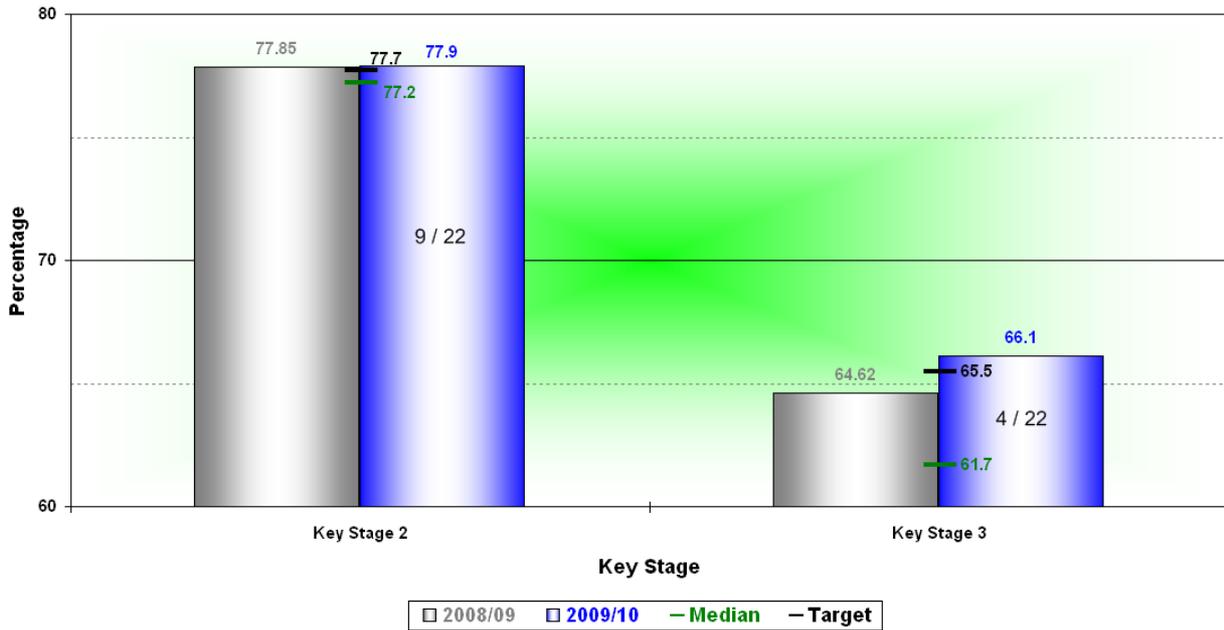
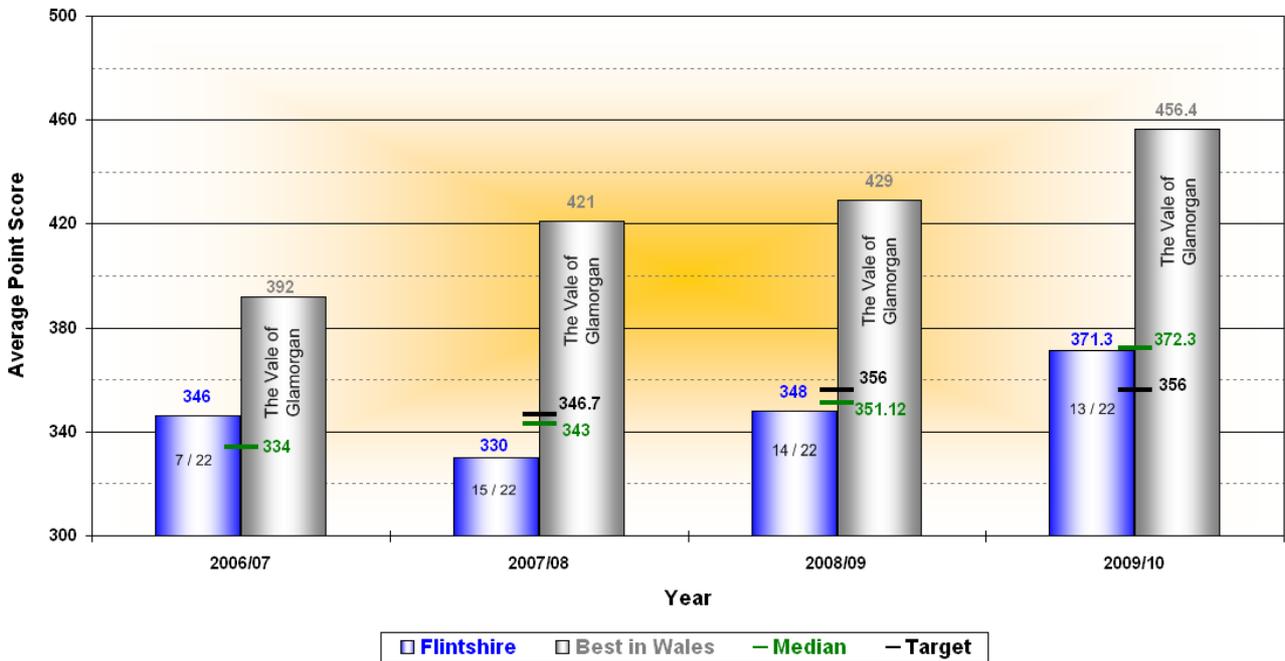


Figure 12

EDU 011 - The average point score for pupils aged 15 at the preceding 31 August, in schools maintained by the local authority



6.3.3 Housing, Homelessness & Supporting People

Administration Priorities

In addition to contributing to the Corporate Governance and Performance priorities Housing, Homeless and Supporting People services also contribute to the following Local Public Service priorities: -

- To deliver an affordable housing supply through the Affordable Housing Strategy
- To make a marked and rapid improvement in the quality, flexibility and performance of housing management and repairs and maintenance services and to improve the financial performance of the Housing Revenue Account
- To determine the future of the Council Housing Stock through a tenant ballot and a strategy to achieve the Welsh Housing Quality Standard

Strategic Assessment of Risks and Challenges

Within the Strategic Assessment of Risks and Challenges there are 10 issues which relate specifically to this section. A great deal of work has been undertaken to address these issues and following the 2008/09 year end review it was determined that only two of the issues would remain high (red) risk:

Due to the complexities of the issue relating to housing stock options it has not been possible to assign a risk rating at this time.

Area	Description	2009/10 Year End Level of Risk	Green Predictive Date
Affordable Housing	Limited affordable housing of all tenures and types in all locations across the county impacts on inward and outward County migration, rising domestic debt and economic growth and development.	A	Mar 2011
Housing Strategy	The Housing Strategy and general housing service demand change and improvement to be delivered at a time of strategic change / uncertainty.	A	Dec 2010
Housing Management	The Housing Strategy and general housing service demand change and improvement to be delivered at a time of strategic change / uncertainty.	A	Dec 2011
Housing Repairs and Maintenance Service	Service delivery improvements need to continue around increased productivity, new technologies and performance.	A	Apr 2011
Housing Stock Options	Council to make its final decision following the proposed local strategic housing review throughout 2008.	A	TBC
Homelessness	Changes in legislation and reductions in supply of suitable accommodation continue to exert pressure.	A	Mar 2011
Sheltered Housing	The Sheltered Housing Improvement Project continues to address a range of issues to develop and improve the service.	A	Mar 2011
Shotton & Deeside Renewal Area	Delivery of the first Renewal Area for the County drawing down up to £10m Specific Capital Grant from WAG.	A	Dec 2010

Gypsies and Travellers	Management of demand/casework and provision of sites/facilities.	R	TBC
Supporting People	Review of Supporting People to ensure the strategic and effective delivery of the Supporting People programme	A	Mar 2011

Performance Indicators

Under the heading of Housing, Homelessness and Supporting People performance indicators can be examined for Homelessness, Housing, Adaptations and Supporting People.

The following charts show that overall whilst we missed a number of our targets we did improve on our previous years performance.

Figure 13

Trends Within Housing, Homelessness & Supporting People Indicators

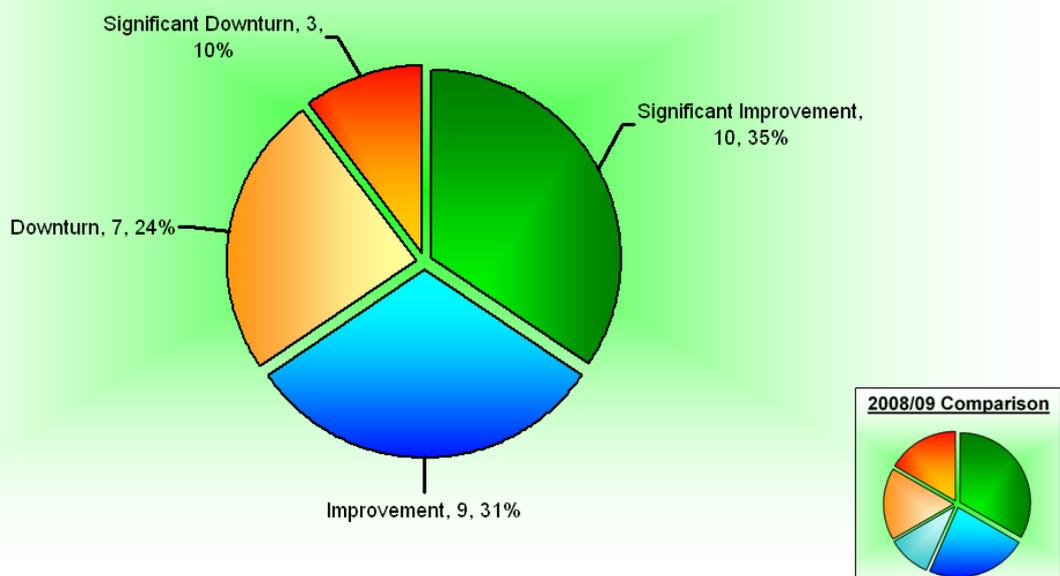


Figure 13 shows improvement for 19 (66%) indicators, 10 (35%) significantly so, and worse performance for 10 (34%) indicators, 3 (10%) significantly. This performance is better than 2008/09 where 57% of indicators showed improvement.

Figure 14

**Performance Against Housing, Homelessness
& Supporting People Targets**

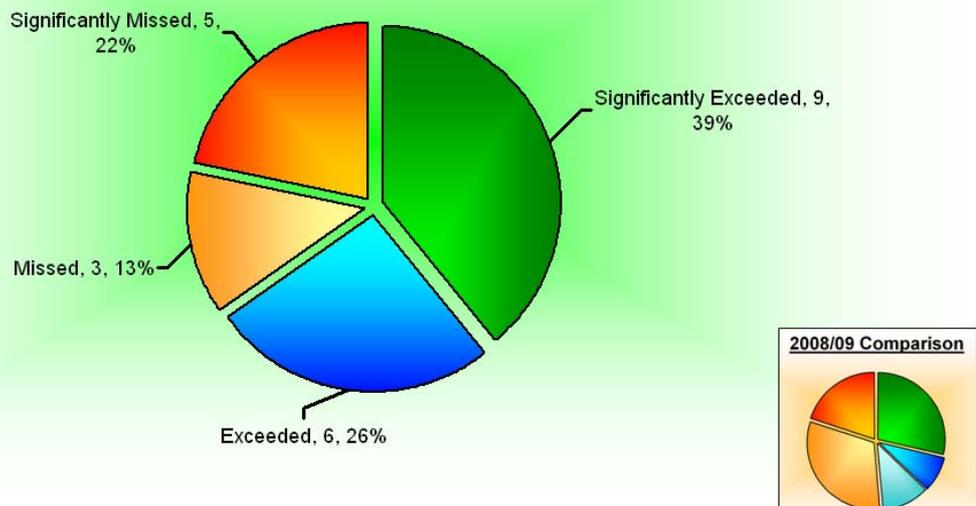


Figure 14 shows that we exceeded targets for 15 (65%) indicators, 9 (39%) significantly, however we missed target for 8 (35%) indicators. Targets were significantly missed for 5 (22%) indicators. This also shows improved performance as only 38% of targets were exceeded in 2008/09. In respect of those indicators which missed target this figure has reduced from 51% to 35% for 2009/10.

Of the Housing, Homelessness and Supporting People indicators, 11 are classified as improvement targets, 8 of which are included within the Improvement Agreement. Where analysis could be undertaken a total of 4 showed improvement, 3 significantly so and 5 downturned on the 2008/09 performance. With regard to the target analysis of the improvement targets, 4 met or exceeded target and 5 missed target.

Given the areas covered under the heading of Housing & Homelessness the following table has been produced to give a breakdown of the analysis above.

Area	Trend Analysis		Target Analysis	
	No. Indicators Same/ Improved	No. Indicators Downturned	No. Indicators Met or Exceeded Target	No. Missed Target
Homelessness	6	3	8	1
Housing	5	5	4	5
Adaptations	3	0	2	2
Supporting People	4	2	Not Applicable	Not Applicable
TOTAL	18	10	14	8

There were six performance indicators which showed a significant improvement and significantly exceeded target, some of which were:

- Percentage of private sector dwellings that had been vacant for more than 6 months at 1 April that were returned to occupation during the year through direct action by the local authority (1.37%, ranked 9th in Wales)
- The average number of days that all homeless households spent in: B&B accommodation (6.24 days, this is not comparable nationally)
- Current & former tenant rent arrears - the total amount of rent arrears owed by former tenants in the following types of accommodation as a percentage of the total rent collectable for the financial year (1%, this is not comparable nationally)

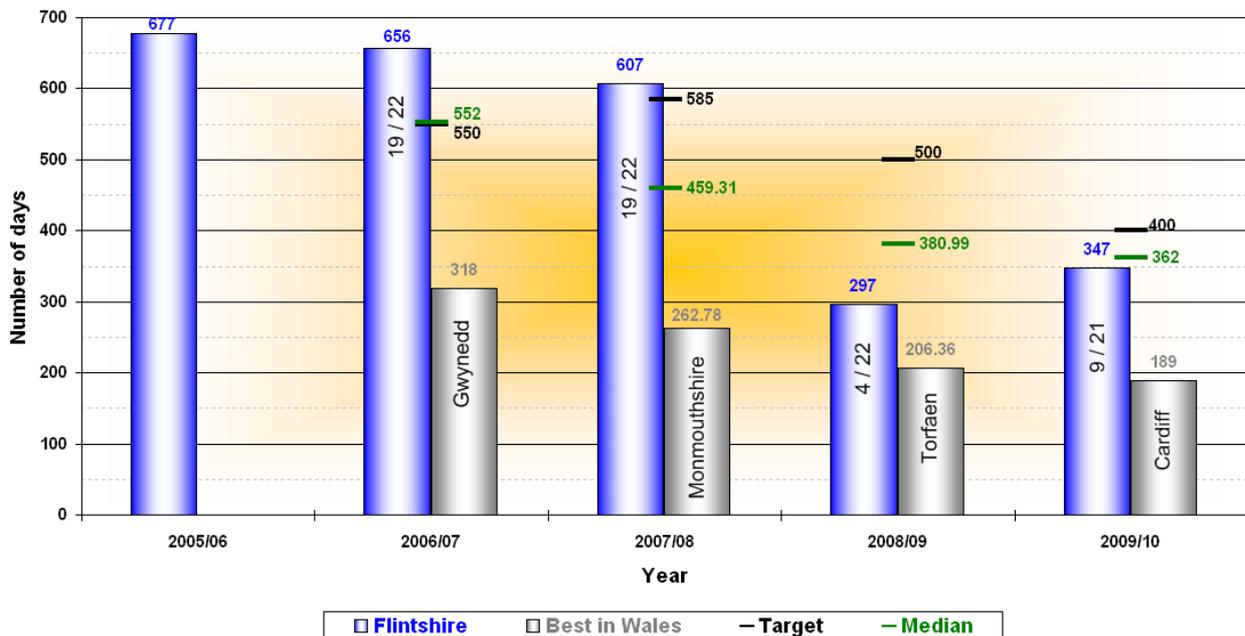
There were two performance indicators which showed a significant downturn and which significantly missed target:

- Average number of calendar days taken to complete non-urgent repairs (59.52 days, this is a local indicator and not comparable nationally). Please see commentary below.
- Average number of calendar days taken to let lettable units of permanent accommodation during the financial year (130.72 days, this is a local indicator and not comparable nationally). This indicator includes all accommodation including those that the Council has decided not re-let and are in current need of investment.

Figure 15



PSR 002 - The average number of calendar days taken to deliver a Disabled Facilities Grant (DFG)



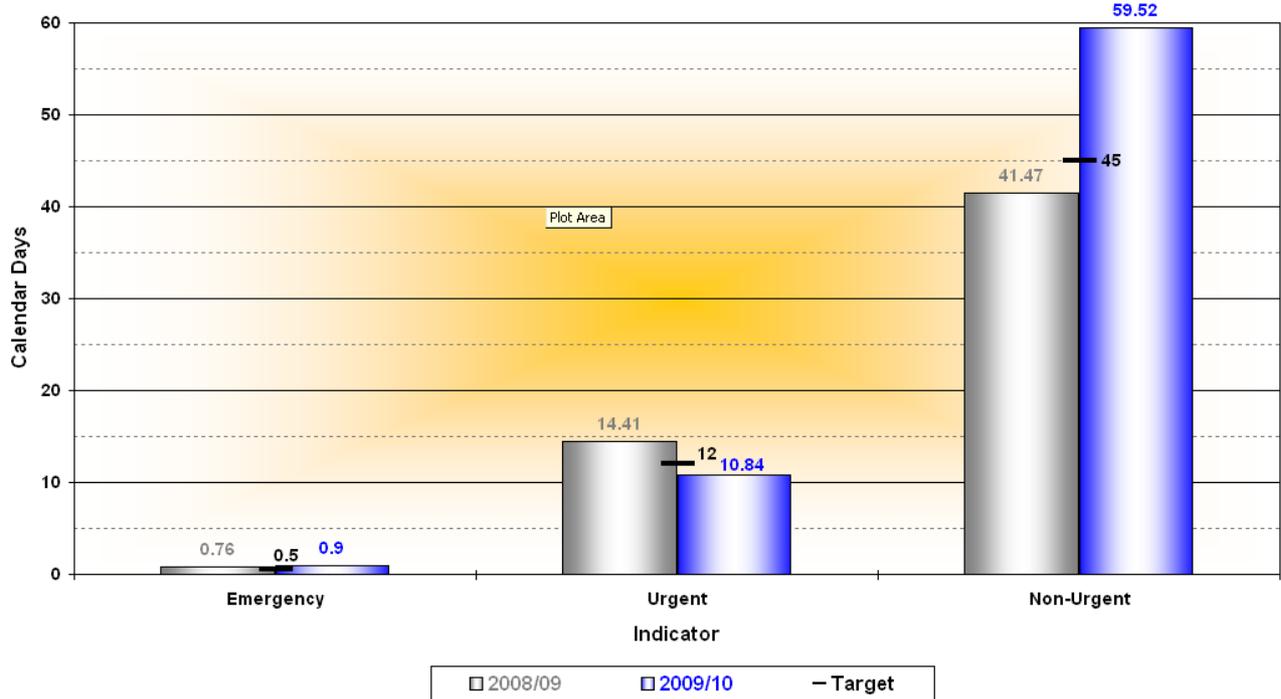
Measures to reduce occupational therapy waiting lists in 2008/2009 and reduce time taken by the grants process have been implemented and have resulted in a marked improvement in performance over the last two years; however an increase in occupational therapy waiting lists over the last six months will start to be reflected in this PI. An action plan is in place to address this issue.

This PI also includes disabled facilities grants for children, for which a monitoring database was implemented this year, and this has resulted in better scrutiny of ongoing cases, and has enabled the collection of reasons for those grants which are out of timescales.

Figure 16



Response Times for Housing Repairs



Key

HLS/010a	Average number of calendar days taken to complete emergency repairs
HLS/010b	Average number of calendar days taken to complete urgent repairs
HLS/010c	Average number of calendar days taken to complete non-urgent repairs

HLS/010a - Performance in this category has dipped due to the increased demand for emergency repairs during the severe weather conditions experienced during the third and fourth quarter. This decrease in performance is still well below the repair standard of 1 day. Despite this, performance against the same periods the previous year; average days for quarter stood at a far healthier 0.57 days this year than 0.95 days last years.

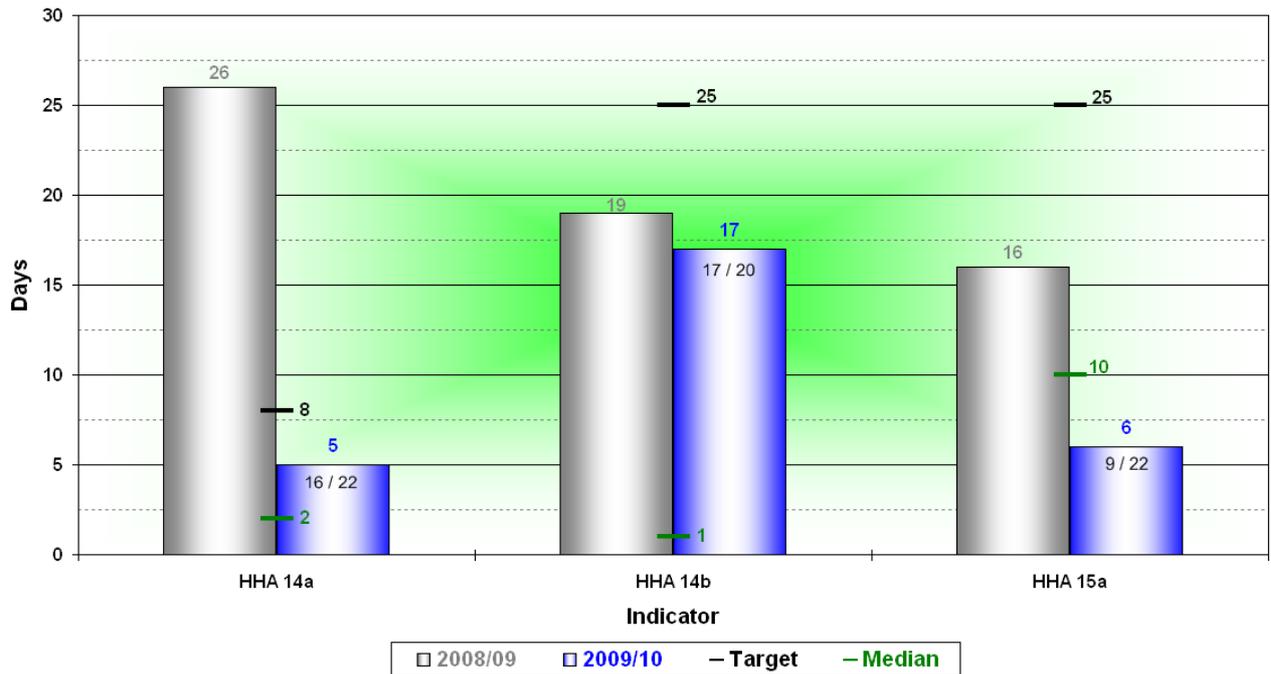
HLS/010b - Despite the decrease in performance during quarter 4 (again due to adverse weather) the outturn has exceeded the improvement target of 12 days and the year end figure of 10.84 represents a significant improvement against the outturn for the previous two years.

HLS/010c - The downturn of the performance in this category is due to targeting the oldest tickets in the repairs backlog. Members have approved a pressure bid for additional funding of £100k to be targeted at the oldest tickets of repairs, which will help to reduce the overall backlog, productivity, allied with the further improvements in monitoring workflow and the completion of job tickets. In conjunction with this mobile working incorporating repairs by appointment is to be introduced, which will streamline processes further.

Figure 17



B&B / Temp Accom



Key

HHA/014a	The number of homeless families with children who have used Bed and Breakfast accommodation during the year, except in emergencies
HHA/014b	The average number of days all homeless families with children spent in Bed and Breakfast accommodation
HHA/015a	The average number of days that all homeless households spent in Bed and Breakfast accommodation

Homelessness performance has improved significantly in relation to the use of bed and breakfast accommodation for families with children on the performance achieved in 2008/09. In addition, we significantly exceeded the 2009/10 targets in all three of the indicators identified in figure 17. When comparing ourselves with the rest of Wales it appears that there is still some room for improvement. However, with regards to HHA/014a further investigation will be needed to ensure all Local Authorities are using the same interpretation of an emergency as outlined in the guidance notes. In Flintshire an emergency is defined only as fire, flood or other disaster.

6.3.4 Libraries & Leisure

Administration Priorities

In addition to contributing to the Corporate Governance and Performance priorities, Libraries and Leisure services also contribute to the following Local Public Service priorities:

- To achieve the aims and objectives of the *Actif Leisure Strategy*
- To agree and fund a scheme to remodel Deeside Leisure Centre

Our Strategic Assessment of Risks and Challenges

Within the Strategic Assessment of Risks and Challenges there is one key issue identified:

- Development of a Leisure Strategy to inform current and future provision of leisure facilities and services & condition of leisure building stock and plant

A Leisure Strategy which will address both these issues has been drafted and projects are now underway to address the condition of buildings and plant. These issues were assessed as medium (amber) risk for the Council following the year end review.

Area	Description	2009/10 Year End Level of Risk	Green Predictive date
Leisure - future provision & condition of building stock	Development of a Leisure Strategy to inform current and future provision of leisure facilities and services. Condition of ageing stock and plant.	A	Apr 2010

The Strategic Assessment of Risks and Challenges also identifies an issue with regard to the condition of ageing libraries within Flintshire. Work has been underway to address this issue and as a result the risk has improved from a medium (amber) risk to a low (green) risk during 2009/10.

Area	Description	2009/10 Year End Level of Risk	Green Predictive date
Community facilities stock	Condition of ageing libraries and community centres.	G	Feb 2010

A further new risk was identified during 2009/10 relating to Greenfield Valley Reservoir: -

Area	Description	2009/10 Year End Level of Risk	Green Predictive date
Greenfield Valley Reservoir	Statutory ten year inspection of reservoir at Greenfield Valley may result in requirement for remedial or improvement works which cannot be met from within resources.	R	TBC

Performance Indicators

This section examines the performance of the Council in relation to leisure and library services within Flintshire.

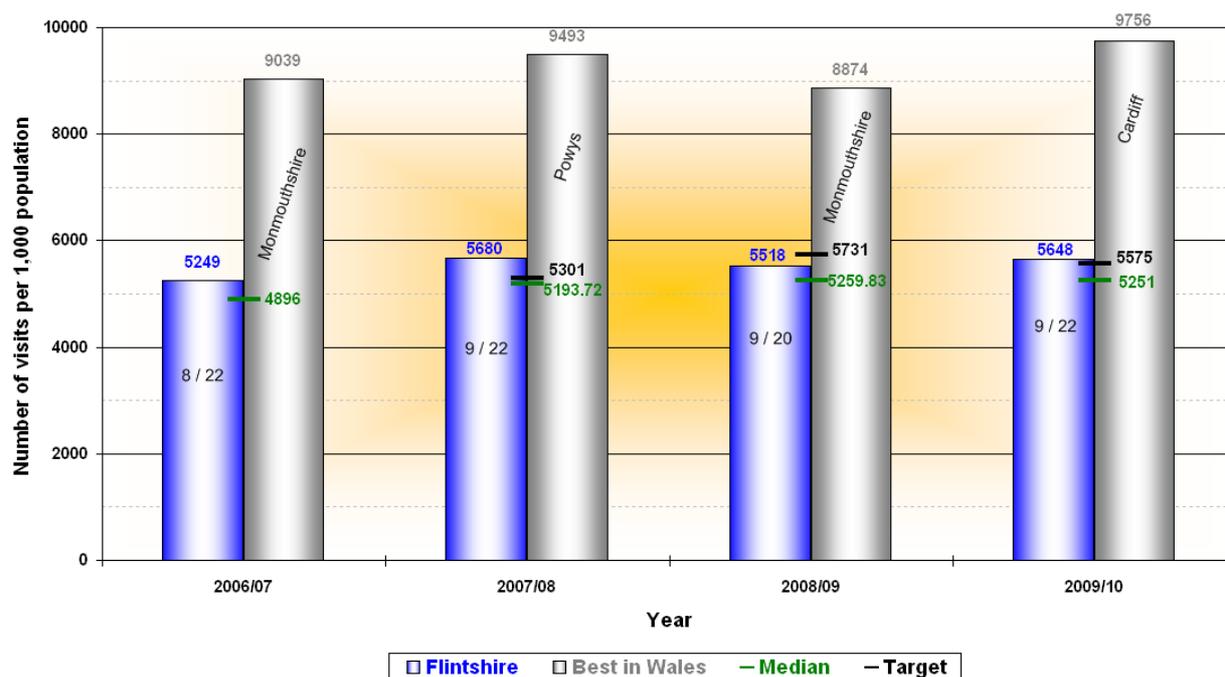
Area	Trend Analysis		Target Analysis	
	No. Indicators Same/ Improved	No. Indicators Downturned	No. Indicators Met or Exceeded Target	No. Missed Target
Libraries	3	2	2	3
Leisure	0	1	0	1
TOTAL	3	3	2	4

Analysis shows mixed performance in respect of the libraries indicators and achievement of targets. None of the indicators analysed in this section are improvement targets.

The analysis below shows an increase in the number of visits to public libraries and that performance has remained steady in comparison with the rest of Wales. Whilst a downturn in performance was seen in respect of the percentage of available computer hours in use (12.25%) Flintshire ranked 4th in Wales, improving 11 places on the ranking achieved in 2008/09.

Figure 18

LCL 001 - The number of visits to Public Libraries during the year, per 1,000 population



Both physical and virtual visits were higher than in 2008-09. The Library Service produces an annual Marketing Plan and promotes its services in the local media to retain existing, and attract new users. The Service Plan for 2010-11 includes 'improving remote and virtual access to library services' as one of its areas for improvement, by enhancing web content and the online catalogue, and through marketing.

Revision of the national indicator set for leisure in 2008/09 reduced the number of indicators from 2 to 1, in which we did not achieve target and did not improve our performance for 2008/09. However we did rank 5th in Wales for this indicator (The number of visits to local authority sport and leisure centres during the year where the visitor participated in physical activity).

6.3.5 Planning

Administration Priorities

In addition to contributing to the Corporate Governance and Performance priorities Planning also contribute to the following Local Public Service priorities: -

- To improve Council enforcement particularly in environmental services, the cleanliness of the 'public realm' and in planning development control
- To adopt the Unitary Development Plan (UDP) and progress the replacement Local Development Plan (LDP) with urgency
- To further improve the quality, flexibility and performance of planning development control services
- To deliver an affordable housing supply through the Affordable Housing Strategy

Our Strategic Assessment of Risks and Challenges

Two issues have been identified within the Council Delivery Section of the Strategic Assessment of Risks and Challenges. The first area relates to planning development control arrangements requiring further development to increase confidence in planning decisions and the processes leading to them. Work is ongoing to address this issue therefore following the year end review the risk level has been assessed as medium (amber). The second issue relates to the transition from a Unitary Development Plan to a Local Development Plan; this risk has also been assessed as medium (amber).

Area	Description	2009/10 Year End Level of Risk	Green Predictive Date
Planning Protocol	Planning development control arrangements require further development to increase confidence in planning decisions and processes.	A	May 2010
Transition from UDP to LDP	Council's arrangements for the transition from adoption of the Unitary Development Plan to the development and adoption of the Local Development Plan (one of the 4 statutory plans within plan rationalisation).	A	TBC

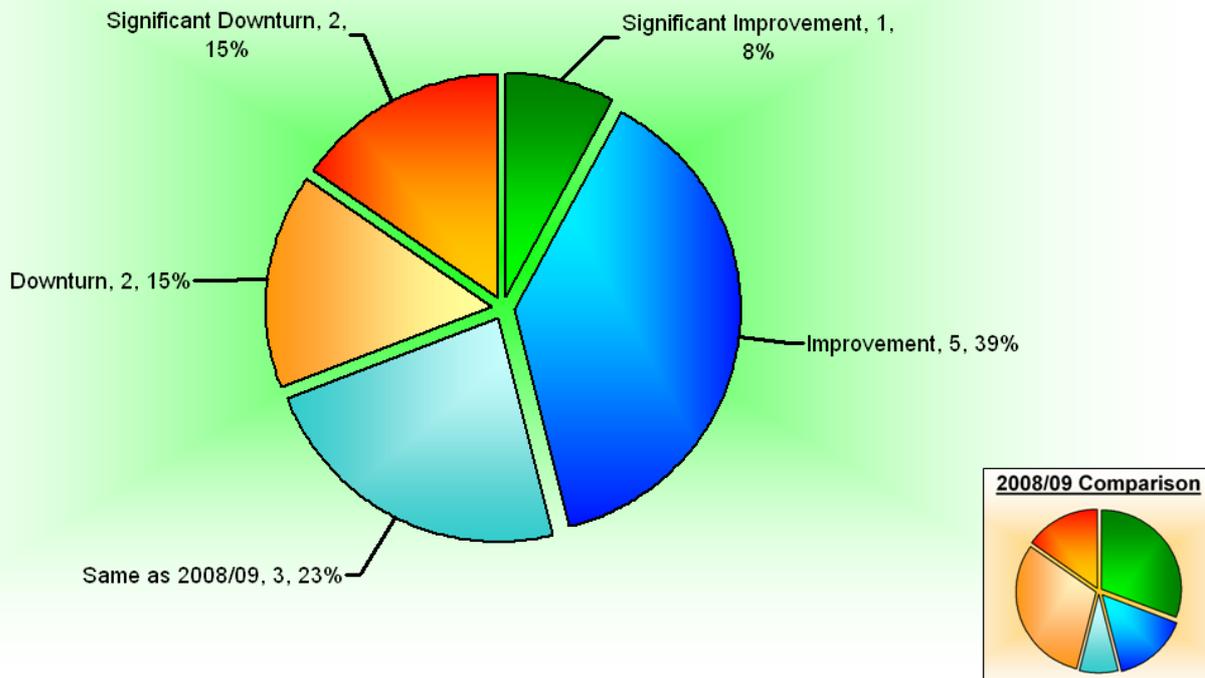
Performance Indicators

This section examines the performance of the Council in relation to planning services within Flintshire. Figure 19 overleaf shows that we achieved the same performance or improved in 9 indicators (70%), significantly improving in 1 (8%).

3 performance indicators within Planning have been categorised as improvement targets. 1 performed significantly better than in 2008/09 and exceeded target. No planning indicators are included within the Improvement Agreement.

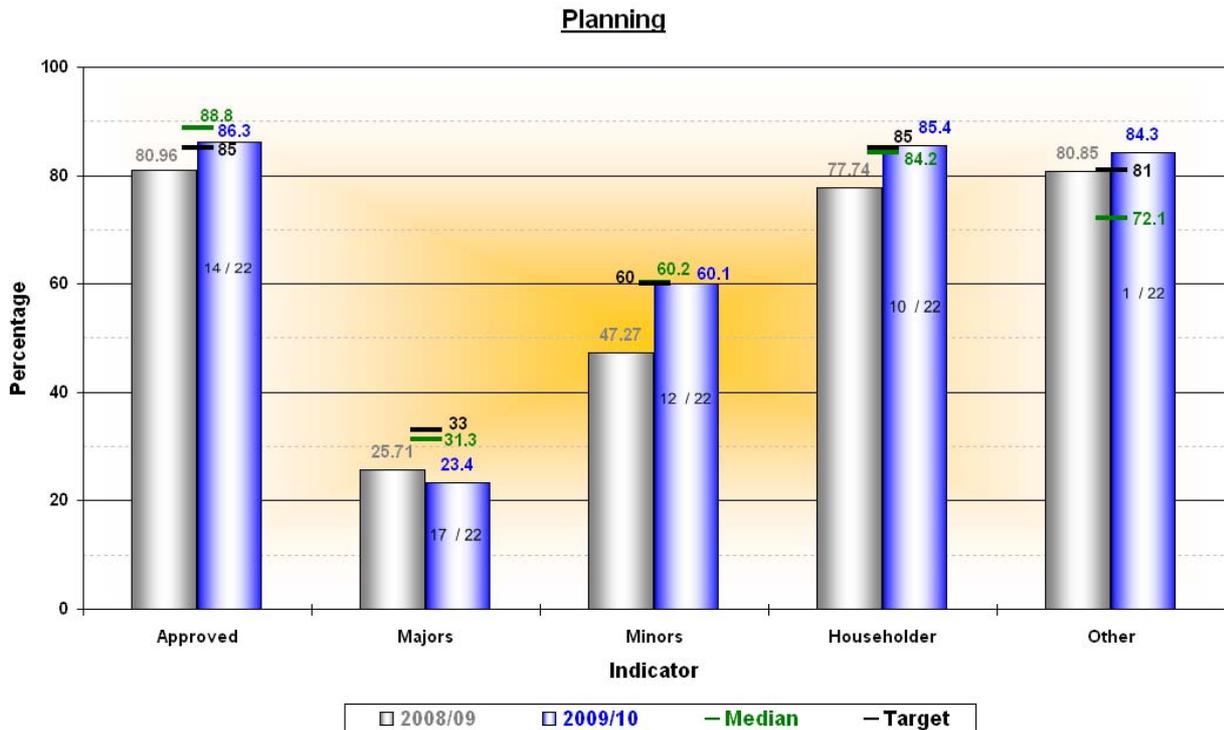
Figure 19

Trends Within Planning Indicators



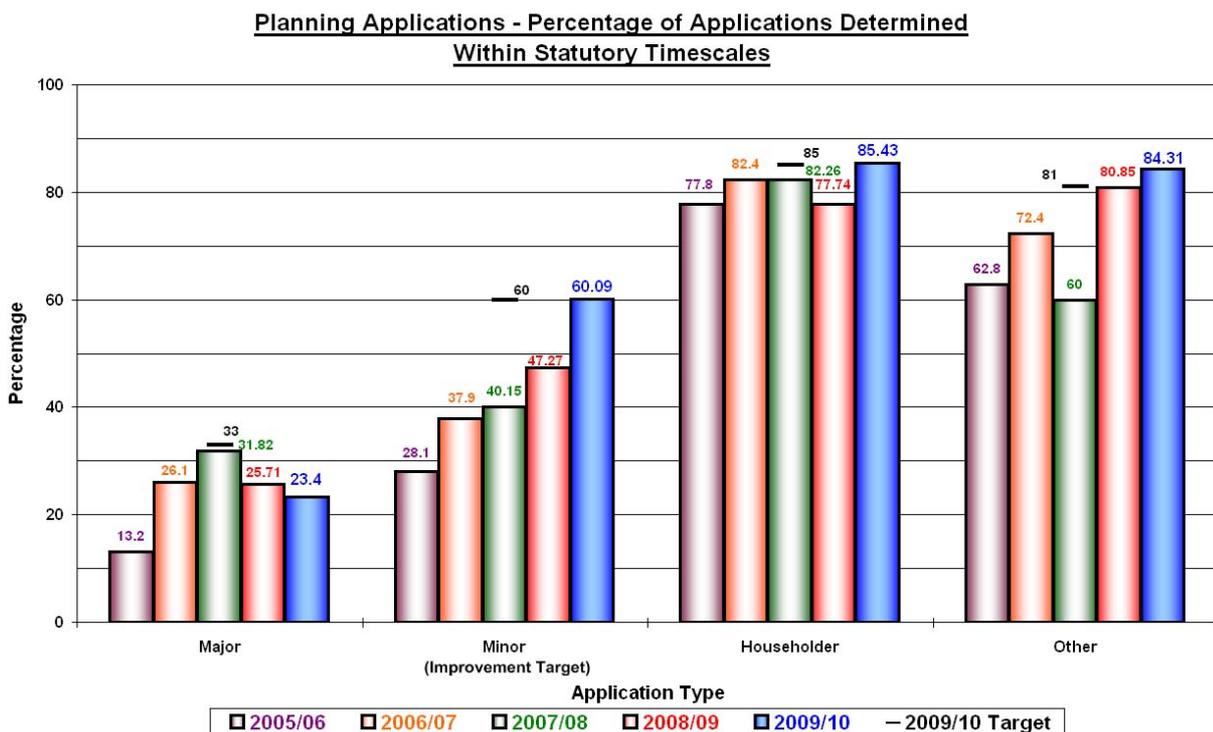
Target analysis shows that we met or exceeded target in 8 (62%) indicators, but significantly missed target in 5 (38%) indicators.

Figure 20



PLA/002	The percentage of applications for development determined during the year that were approved
PLA/004a	The percentage of major planning applications determined during the year within 13 weeks
PLA/004b	The percentage of minor planning applications determined during the year within 8 weeks
PLA/004c	The percentage of householder planning applications determined during the year within 8 weeks
PLA/004d	The percentage of all other planning applications determined during the year within 8 weeks

Figure 21



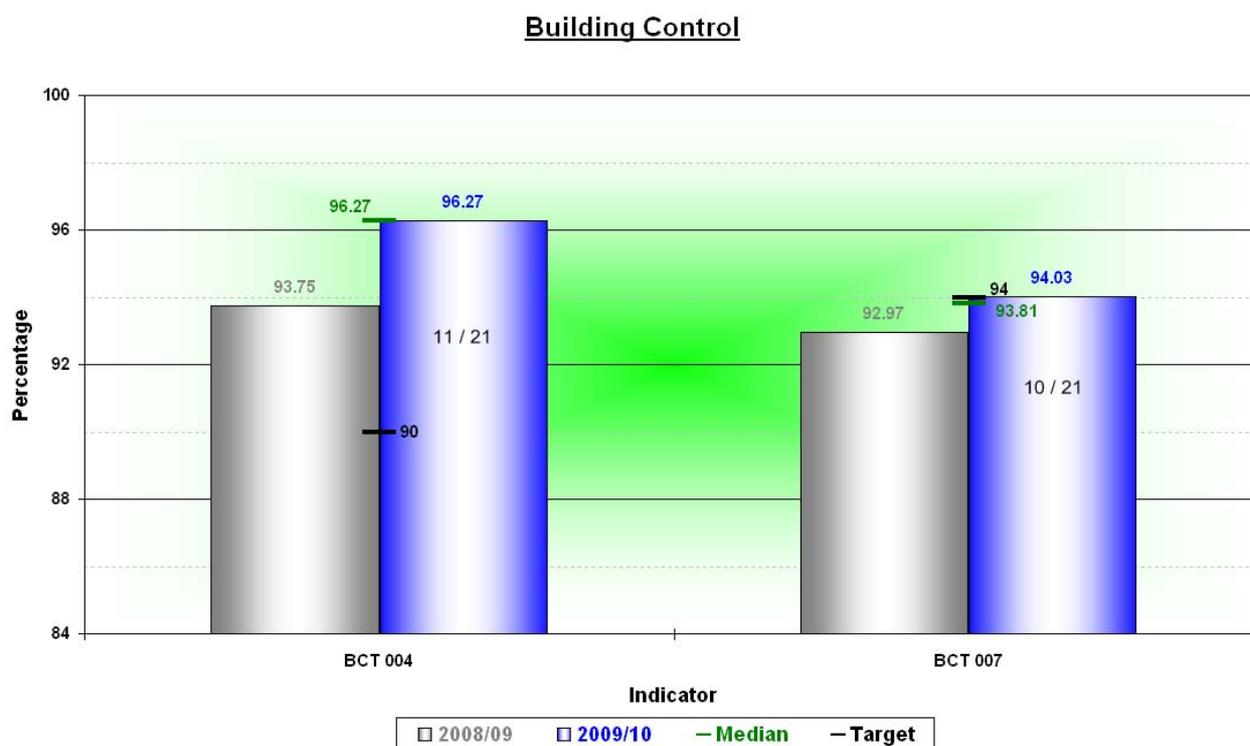
The majors team determined 53% of their applications within 13 weeks in quarter 4 of 2009/10, set against a target of 35% for the year. However, over the whole year 2009/10 the target was not achieved. This is partly due to a series of long-standing applications being brought forward for determination and that many major applications require the preparation of Section 106 Legal Agreement which takes time to finalise.

The fourth quarter of 2009/10 saw performance in the determination of minor applications drop below the Flintshire target. Overall performance for the year just exceeded the target of 60%, a significant improvement on the previous year.

Householder application performance in the fourth quarter of 2009/10 has exceeded the target of 85%, with 88.9% of applications being dealt with within 8 weeks. Overall, the performance for the year has exceeded the target 85%.

For quarter 4 the target for the determination of all other applications was achieved, which reflects the position for the whole year 2009/10. During the year 84% of these applications were determined within 8 weeks compared to a target of 81%.

Figure 22



Key

BCT/004	Percentage of building control 'full plan' applications checked within 15 working days during the year
BCT/007	The percentage of 'full plan' applications approved first time

Quarter 4 of 2009/10 saw the continuation of a trend seen in Quarter 3 of a slight increase of applications received, perhaps reflecting the initial signs of economic recovery following a 25% dip in 2008/09. Overall, in 2009/10, 1126 applications were received compared with 1299, 1652 and 1774 in years 2008/09, 2007/08 and 2006/07 respectively.

6.3.6 Public Protection

This section examines the performance of the Council in relation to public protection services within Flintshire. This relates to the following:

- Health & Safety
- Animal Health
- Food Hygiene
- Trading Standards

Administration Priorities

In addition to contributing to the Corporate Governance and Performance priorities, Public Protection also contribute to the following Local Public Service priorities: -

- To improve Council enforcement particularly in environmental services, the cleanliness of the 'public realm' and in planning development control
- To extend the impact of Public Protection Services to safeguard communities and public health
- To achieve a higher level of public confidence in the safety of communities in partnership with North Wales Police and others partners
- To promote citizen responsibility to support the work of the public services e.g. crime prevention, enforcement, community participation and community action

Strategic Assessment of Risks and Challenges

Area	Description	2009/10 Year End Level of Risk	Predictive Green Date
Public Health & Primary Health Care	(i) Relationship and responsibilities of and between Council and Local Health Board (LHB) service provision in relation to health pandemics. (ii) Community expectation of improved Health Centre provision.	A	TBC
Cemetery provision	The current cemetery (Connahs Quay) has approximately 12 months capacity left. Need for a replacement facility.	A	June 2010

Performance Indicators

Figure 23

Trends Within Public Protection Indicators

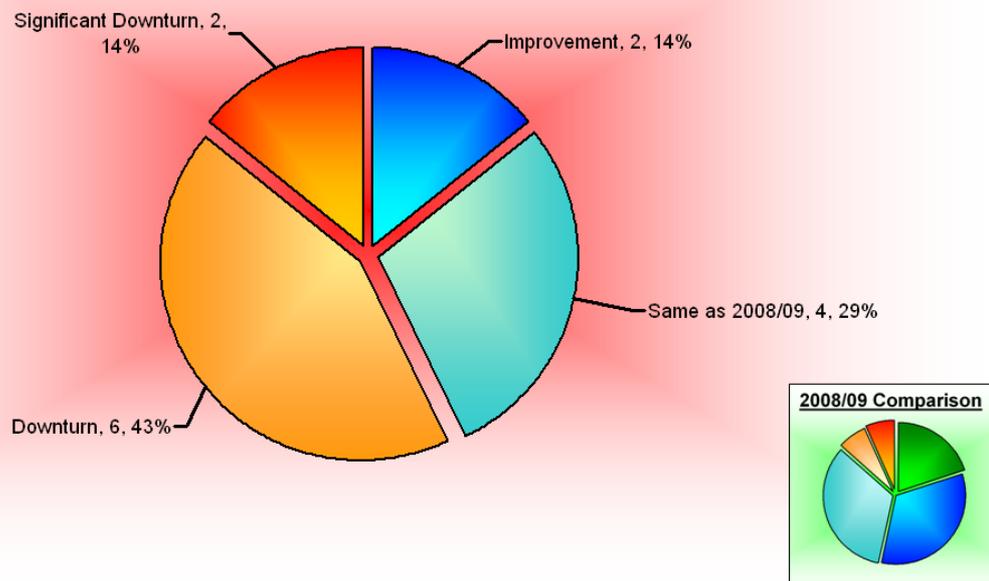


Figure 23 shows that we stayed the same or improved on the previous years performance for 6 (43%) indicators. Our performance downturned for 8 (57%) indicators.

Target analysis shows that we met or exceeded our targets in 6 (43%) indicators but missed our target for 8 (57%) of the indicators.

None of the Public Protection indicators are classified as improvement targets.

When comparing Flintshire's performance with that achieved nationally we were ranked 1st for two indicators for the second year running:

- Percentage of high risk businesses that were liable to a programmed inspection that were inspected for Food Hygiene (100%)
- Percentage of high risk businesses that were liable to a programmed inspection that were inspected for Animal Health (100%)

Flintshire's performance significantly downturned and significantly missed target in two indicators:

- Percentage of significant breaches that were rectified by intervention by trading standards (70.59%, ranked 17th in Wales)
- Percentage of new businesses identified which were subject to a risk assessment visit or returned a self-assessment questionnaire during the year for Animal Health (70%, ranked 14th in Wales)

Figure 24

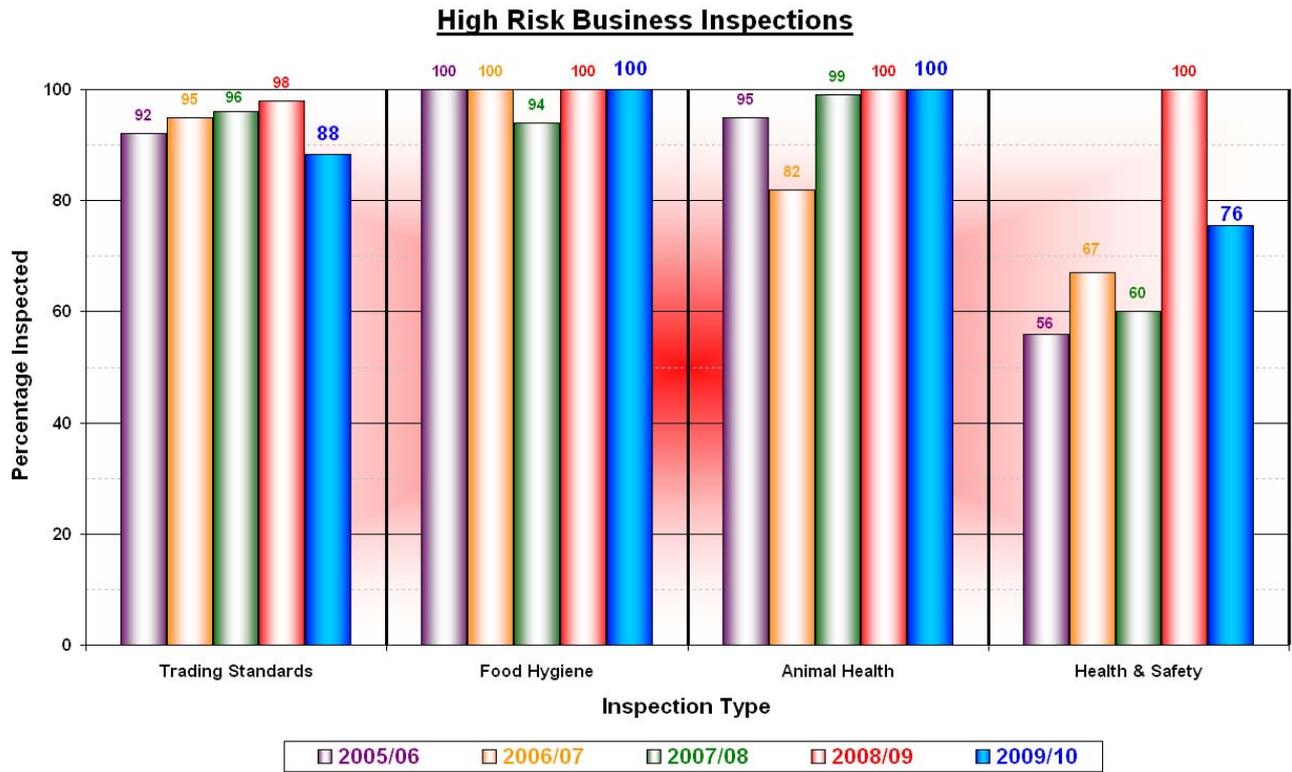
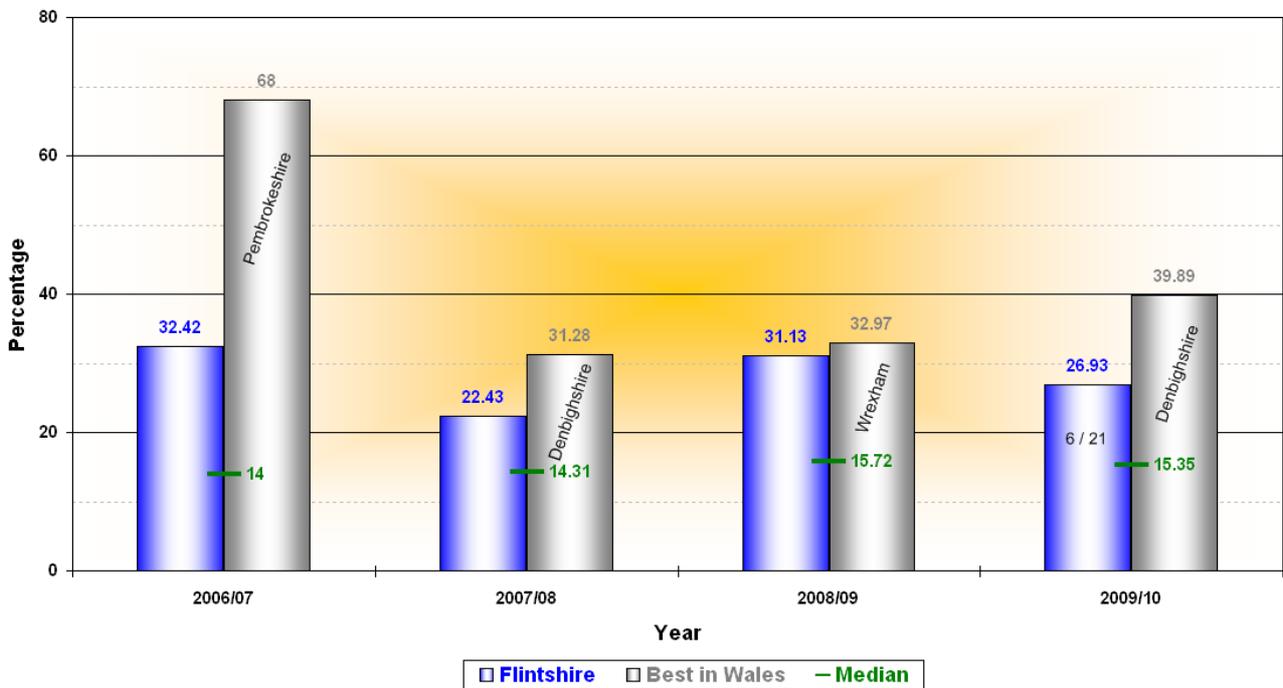


Figure 25

PPN 004 - The percentage of all eligible food businesses with a valid food hygiene award



6.3.7 Regeneration

Administration Priorities

In addition to contributing to the Corporate Governance and Performance priorities Regeneration also contribute to the following Local Public Service priorities: -

- To protect, promote and develop the local economy through the transport and communications infrastructure, land and asset use, and the educational system
- To declare the Council's first Neighbourhood Renewal Area (NRA)

Strategic Assessment of Risks and Challenges

Within the Community Leadership section of the Strategic Assessment of Risks and Challenges there are 2 issues which relate to Regeneration:

- Economic Regeneration Strategy
- County Town Network Regeneration & Protection

Both have reduced from medium risks (amber) at the beginning of 2009/10.

Area	Description	2009/10 Year End Level of Risk	Green Predictive Date
Economic Regeneration Strategy	Revitalisation of the strategy to provide clarity on priorities; protection of our economic competitiveness as a sub region and stronger profile of the supporting skills market including the economically inactive.	G	Sept 2009
County Town Network Regeneration & Protection	Flintshire's main commercial centres decline faced with competition for investment from out of town development.	G	Dec 2009

Performance Indicators

Regeneration has three local performance indicators which are classified as an improvement targets and which are also included within the Improvement Agreement with the Welsh Assembly Government: one of these indicators is Increased attendance at Flintshire Business Week. The objective of Flintshire Business Week is to engage better with the business community in Flintshire to develop supportive relationships across the range of businesses in Flintshire, both large and small employers, and further and higher education.

The performance for this indicator improved significantly for 2009/10 and the target was achieved.

Preparations for Flintshire Business Week 2010 are progressing.

6.3.8 Social Care

Administration Priorities

In addition to contributing to the Corporate Governance and Performance priorities Social Care also contribute to the following Local Public Service priorities: -

- To safeguard vulnerable adults, older people and children in partnership with statutory agencies and other partners
- To promote independent and supported living in the community through sustainable and affordable domiciliary care, flexible care support packages, integration of services with other partners
- To provide flexible supported living choices including extended extra care housing provision
- To plan to meet the diverse and complex care needs of society including extended provision of dementia services
- To develop a sustainable and affordable policy for Out of County Places
- To work in partnership with the new Betsi Cadwaladr University Health Board to extend and improve access to primary health care, to invest in preventative services and to improve further the integration of health and social care

Our Strategic Assessment of Risks and Challenges

Within the Community Leadership section of the Strategic Assessment of Risks and Challenges there are 4 issues which directly relate to social care and supporting people.

These areas are:

- Social Care of Older People
- Older People – Independent Sector Care Market
- Public Health and Primary Health Care
- NHS Restructuring

Whilst work is ongoing to address these issues, they are highly complex and due to their nature can only be resolved by successful partnership working within the Community. Following the 2009/10 year end review all areas were assessed as medium (amber) risk.

Area	Description	2009/10 Year End Level of Risk	Green Predictive Date
Social Care of older people	Demographic factors showing increased numbers of older people and an increased proportion of older people with dementia; increased pressures on the range of public and voluntary services which provide for them.	A	TBC
Older people - independent sector care market	The stability of independent sector care market is vital to ensure capacity for affordable long term care of older people (care homes & domiciliary care).	A	Mar 2011
Public Health & Primary Health Care	(i) Relationship and responsibilities of and between Council and Local Health Board (LHB) service provision in relation to health pandemics. (ii) Community expectation of improved Health Centre provision.	A	TBC
NHS Restructuring	The NHS reforms in Wales will adversely impact on local partnerships and service delivery.	A	Mar 2011

The Council Delivery section of the Strategic Assessment of Risks and Challenges also includes four issues which specifically relate to social care. These include:

- Looked After Children
- Recruitment and Retention of Social Care Staff
- Direct Payments
- Disabled Facilities Grants

It is the responsibility of the Council primarily to mitigate these risks. Following the 2009/10 year end review all but one (Looked After Children, Out of County Care & Education) of the issues remain medium (amber) risk:

Area	Description	2009/10 Year End Level of Risk	Green Predictive Date
Looked After Children, Out of County Care & Education	Pressure on current budget for Out of County placements where appropriate care or educational facilities are often available only outside the County.	R	TBC
Social care recruitment and retention of staff	Shortage of Social Workers and Direct Care staff across the whole sector has a direct impact on service delivery to vulnerable people.	A	Mar 2011
Direct Payments	Opportunities for social care service users to manage their own care provisions is reflected in different pressures and management arrangements.	A	Mar 2011
Disabled Facilities Grants	Disabled Facilities Grants require improved process time to meet customer needs.	A	Mar 2011

Performance Indicators

Social Care & Supporting People includes analysis for indicators as follows:

- Social Care for Adults
- Social Care for Children (including Youth Justice)

Figure 26 below shows that of the 55 indicators where we were able to compare performance for 2009/10 with 2008/09, we improved in 30 (55%) indicators, significantly so for 10 (18%). However, we performed worse during 2009/10 in 22 (40%) indicators.

Figure 26

Trends Within Social Care Indicators

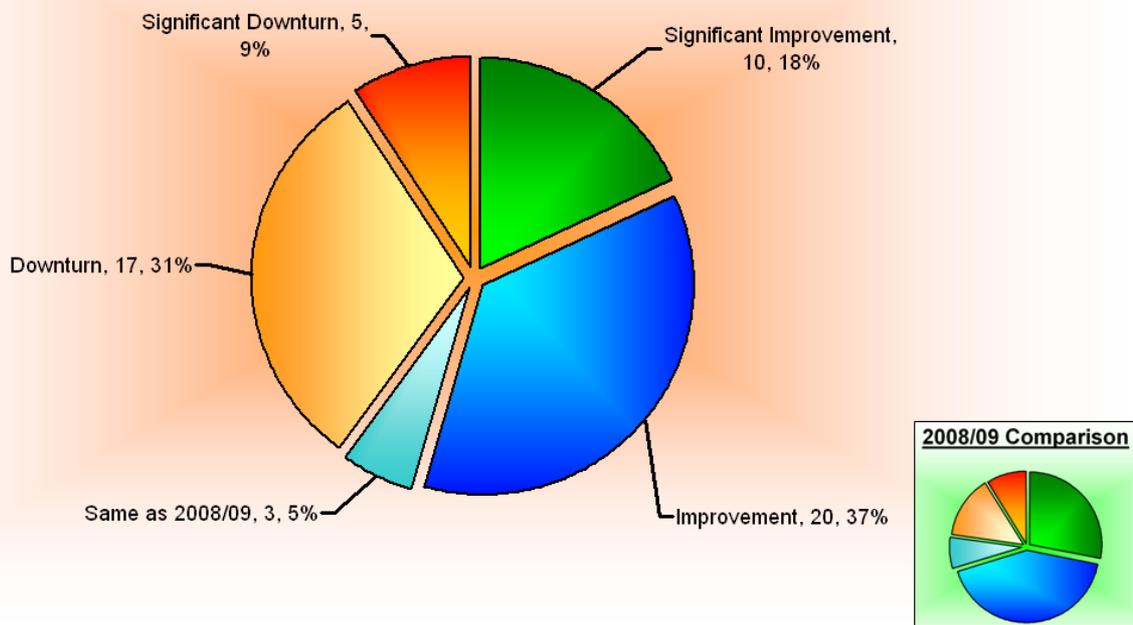
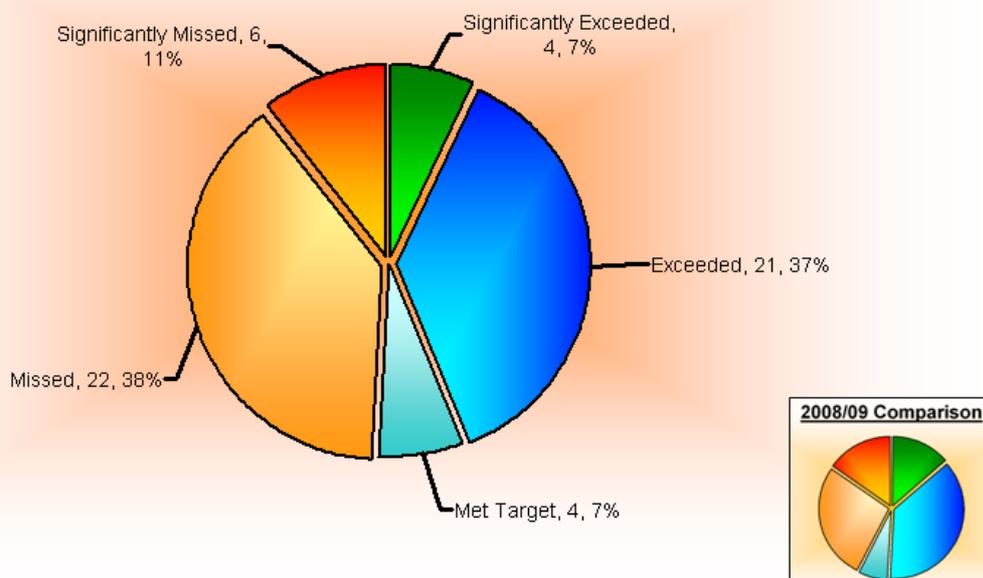


Figure 27 shows that of the 57 indicators analysed against target we met or exceeded our targets for 29 (51%) indicators and significantly missed target for only 6 (11%) indicators.

Figure 27

Performance Against Social Care Targets



Area	Trend Analysis		Target Analysis	
	No. Indicators Same / Improved	No. Indicators Downturned	No. Indicators Met or Exceeded Target	No. Missed Target
Social Care for Adults	11	8	9	10
Social Care for Children	22	14	20	18
TOTAL	33	22	29	28

In all there are 22 improvement targets for this section, 9 of which are Improvement Agreement targets. For those where analysis could be undertaken, 13 improved on the 2008/09 performance, 6 significantly. In total 4 downturned, only 1 significantly so.

Target analysis of the improvement targets shows 12 exceeded target, 2 significantly so. In total 6 missed target, 2 significantly.

Of the Improvement Agreement targets, where analysis could be undertaken, all except 1 showed improvement on the previous years performance, 2 significantly. 5 exceeded target, 1 significantly and 3 missed target.

Social Services for Adults

Of the social services for adults indicators, 4 showed significant improvement on the previous year: -

- The rate per 10,000 adult clients (aged 18+) supported in the community who receive a direct payment (429.95, ranking 19th in Wales)
- Increase the number of people using direct payments from 100 - 120 (March 2009) and to 144 by March 2010 (20% per year). Local indicator and therefore not comparable nationally.
- The rate per 1,000 adult clients assessed during the year who are provided with electronic assistive technology as part of a package of care (117.72, ranking 11th in Wales)
- The rate of people with mental health illness aged 18-64 who are supported in the community during the year per 1000 population. Local indicator and therefore not comparable nationally.

Only 1 indicator (the number of adult protection referrals received during the year per 1,000 population aged 18+) showed a significant downturn, 1.55, ranking 19th in Wales.

Social Services for Children

Of the social services for children indicators, 2 showed significant improvement on the previous year and significantly exceeded target.

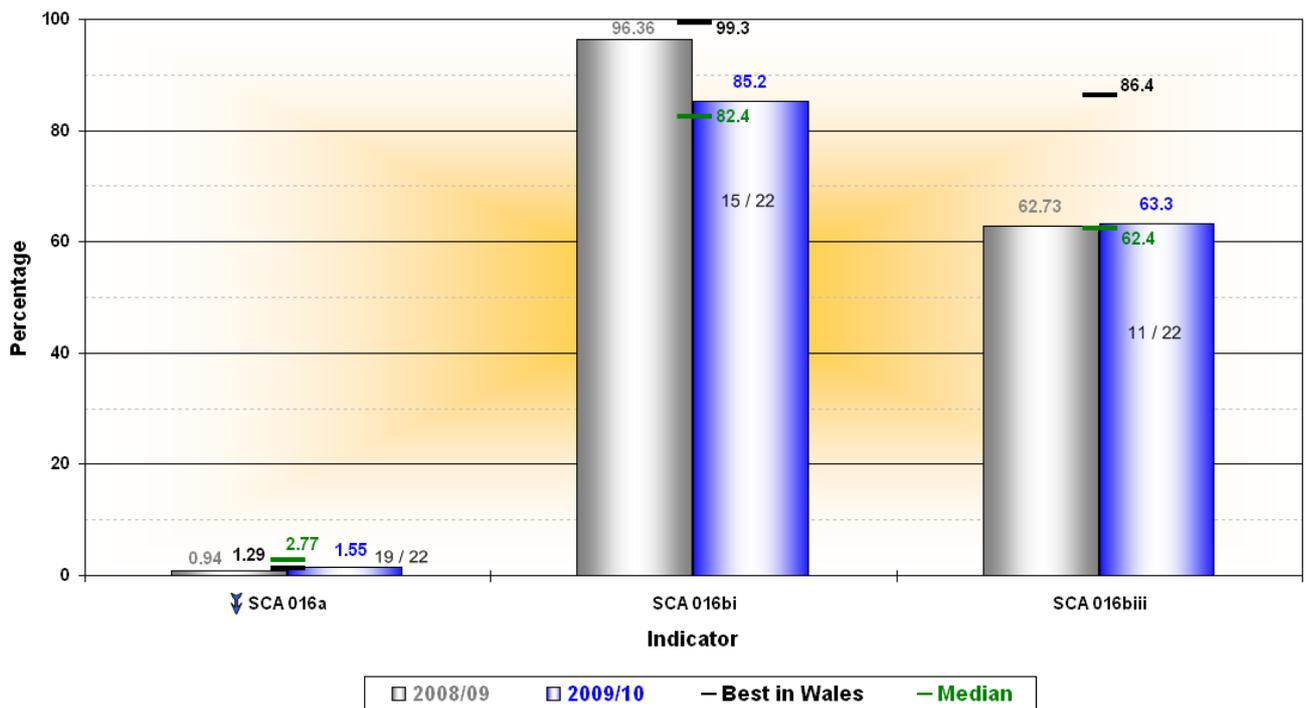
- The percentage of young people formerly looked after with whom the authority is in contact, who are known to be engaged in education, training or employment at the age of 19 (66.67%, ranking 2nd in Wales)
- The percentage of referrals that are re-referrals within 12 months (9.45%, ranking 2nd in Wales)

In total 2 of the social care for children indicators showed a significant downturn for the year and significantly missed target: -

- The percentage of children looked after on 31 March who have had 3 or more placements during the year (6.96%, ranking 5th in Wales)
- The percentage of children looked after during the year with a Personal Education Plan within 20 school days of entering care or joining a new school in the year ending 31 March (64.71%, ranking 15th in Wales)

Figure 28

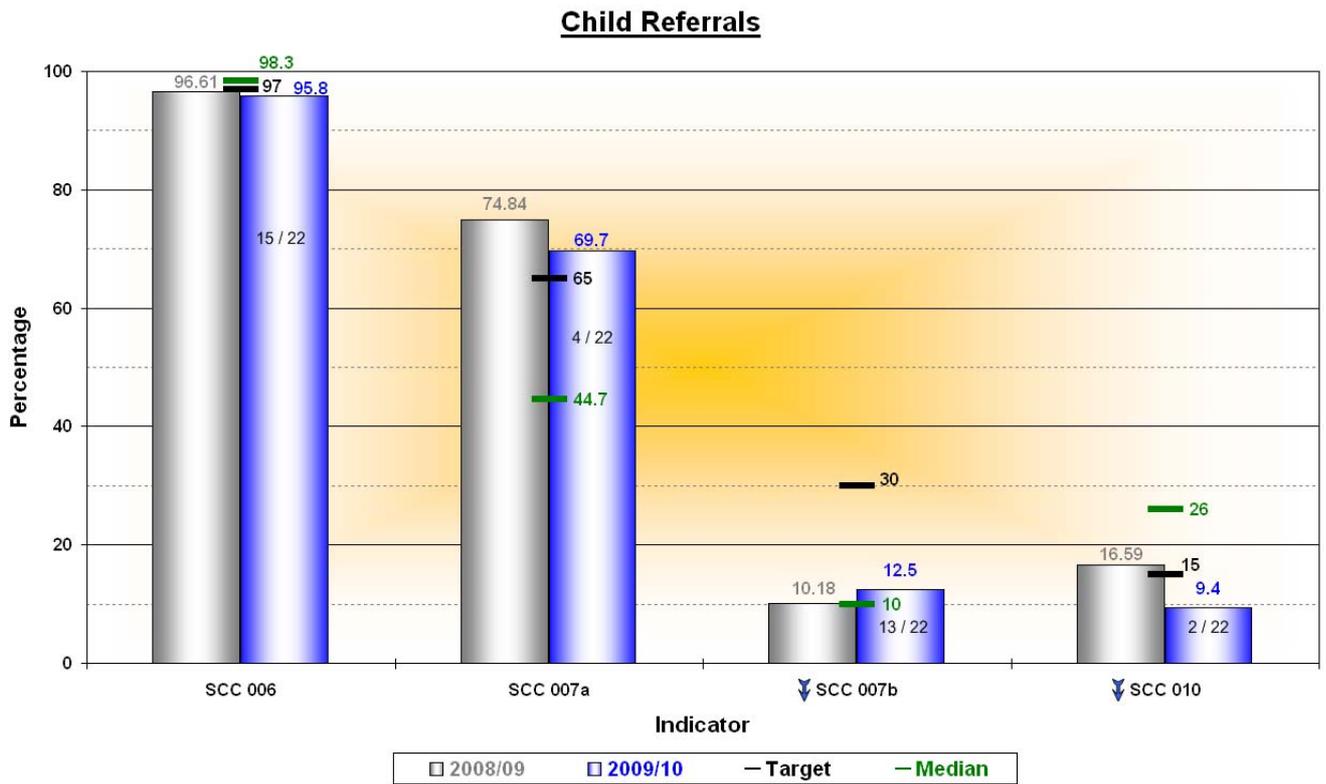
SCA 016 - Adult Protection Referrals



Key

SCA/016a	The number of adult protection referrals received during the year, per 1,000 population aged 18+
SCA/016bi	Of the adult protection referrals completed during the year, the percentage that lead to an adult protection investigation
SCA/016biii	Of the adult protection referrals completed during the year, the percentage where the risk has been removed or reduced

Figure 29

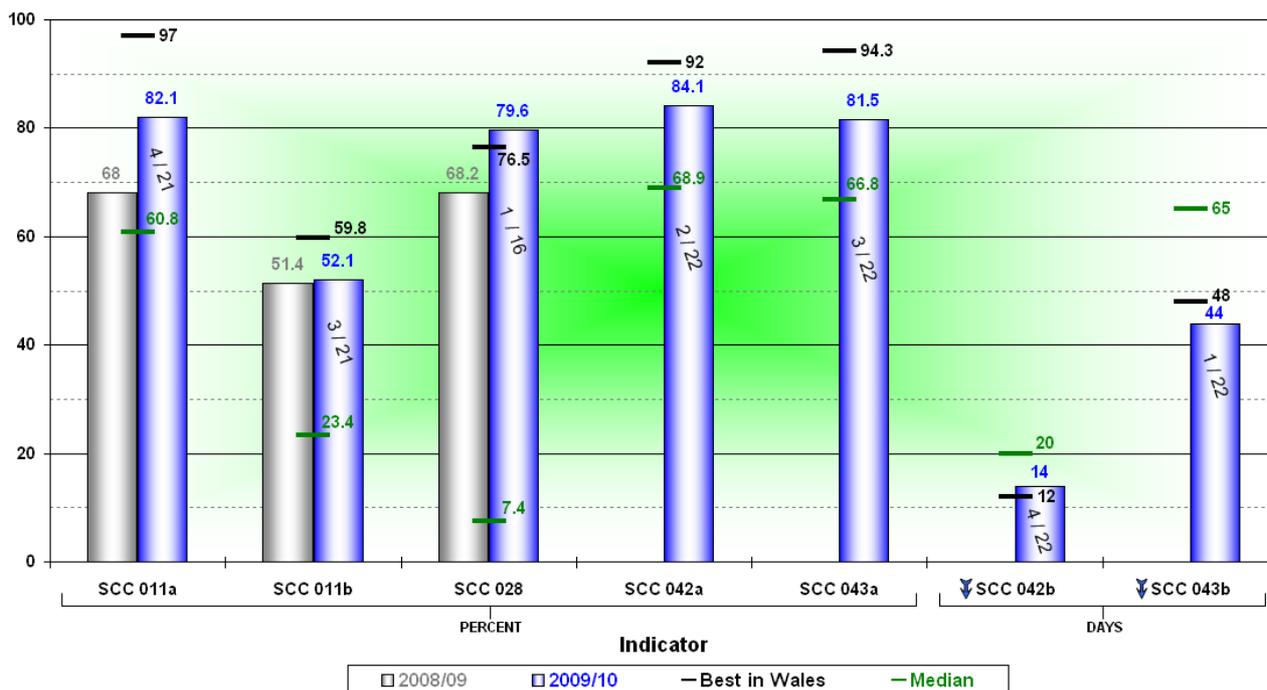


Key

SCC/006	The percentage of referrals during the year on which a decision was made within 1 working day
SCC/007a	The percentage of referrals during the year that were allocated to a social worker for initial assessment
SCC/007b	The percentage of referrals during the year that were allocated to someone other than a social worker for initial assessment
SCC/010	The percentage of referrals that are re-referrals within 12 months

Figure 30

Children's Assessment



Key

SCC/011a	The percentage of initial assessments that took place during the year where there is evidence that the child has been seen by the Social Worker
SCC/011b	The percentage of initial assessments that took place during the year where there is evidence that the child has been seen alone by the Social Worker
SCC/028	The percentage of children looked after who had a fully completed and updated Assessment and Progress Record at their third review
SCC/042a	The percentage of initial assessments completed within 7 working days
SCC/043a	The percentage of required core assessments completed within 35 working days
SCC/042b	The average time taken to complete initial assessments that took longer than 7 working days to complete
SCC/043b	The average time taken to complete those required core assessments that took longer than 35 days

6.3.9 Transport, Highways & Environment

Administration Priorities

In addition to contributing to the Corporate Governance and Performance priorities, the Transport, Highways & Environment services also contribute to the following Local Public Service priorities: -

- To reshape and improve the Street Scene Services
- To agree a strategy with the Welsh Assembly Government to reduce traffic congestion on the A494/A55 interchange and the connecting County road network as a key part of the national and regional transport plans

Our Strategic Assessment of Risks and Challenges

Within the Community Leadership section of the Strategic Assessment of Risks and Challenges there are two issues which relate to transport, highways and the environment.

- Climate change and flood risk management
- Integrated and Public Transport

The risks relating to climate change and integrated and public transport were assessed as medium (amber) following the 2008/09 year end review.

Area	Description	2009/10 Year End Level of Risk	Green Predictive Data
Climate Change and Flood Risk Management	Both climate change and flood risk is a national issue and priority. Flintshire has large tracts of low lying areas which are subject to potential flooding. Adaptation of service provision and longer term planning required to respond to the impact of climate change.	A	Dec 2009
Integrated and Public Transport Infrastructure (External)	Compliance with legislative requirement to ensure free flow of traffic in town centres; supported by appropriate investments from WAG in the regional infrastructure.	A	Oct 2010

All of the four issues directly relating to highways, transport and environment within the Council Delivery section are assessed as medium (amber) risk following the year end review.

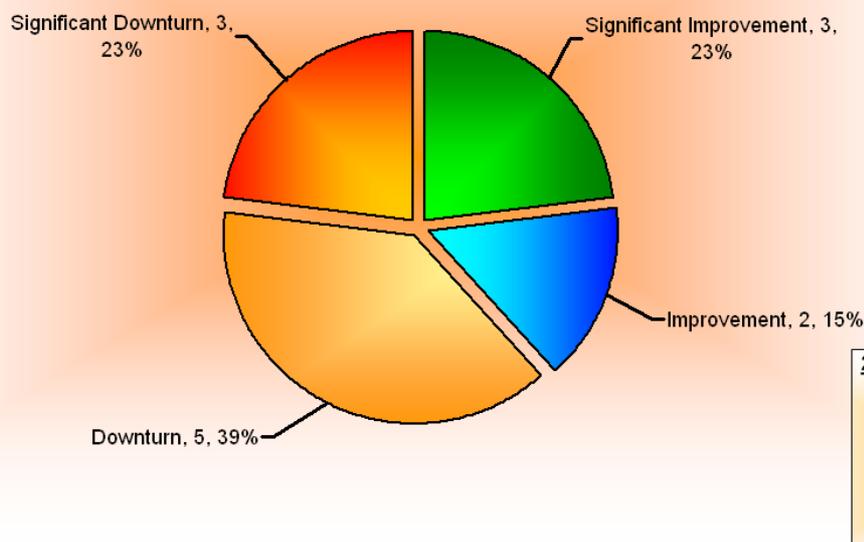
Area	Description	2009/10 Year End Level of Risk	Green Predictive Data
Street Scene	Joined-up approach to 'street' services - delivering from a customer's perspective in an effective single service clustered arrangement.	A	Dec 2010
Highways Infrastructure	Current funding arrangements for highway maintenance will not keep pace with natural deterioration over time.	A	TBC
Transport arrangements for service users	Maximise efficiencies of internal transport arrangements for service users.	A	TBC
Depot provision	Relocation of Queensferry waste management depot provision to accommodate the A494 road widening scheme (linked to outcome of Public Enquiry.)	A	Dec 2010

Performance Indicators

This section examines the performance of the Council in relation to Transport, Highways and Environmental Services within Flintshire. Analysis of our performance against that which we achieved last year shows that we have improved our performance in 5 (38%) indicators and downturned for 8 (62%) indicators. Analysis of the data against target shows we have exceeded 5 of our targets (38%) but missed 8 (62%), 2 significantly.

Figure 31

Trends Within Transport, Highways & Environment Indicators



Performance by the individual areas within this service area can be seen in the following table.

Area	Trend Analysis		Target Analysis	
	No. Indicators Same/ Improved	No. Indicators Downturned	No. Indicators Met or Exceeded Target	No. Missed Target
Transport	1	1	1	1
Highways	1	4	2	3
Environment	3	3	2	4
TOTAL	5	8	5	8

We demonstrated significant improvement in: -

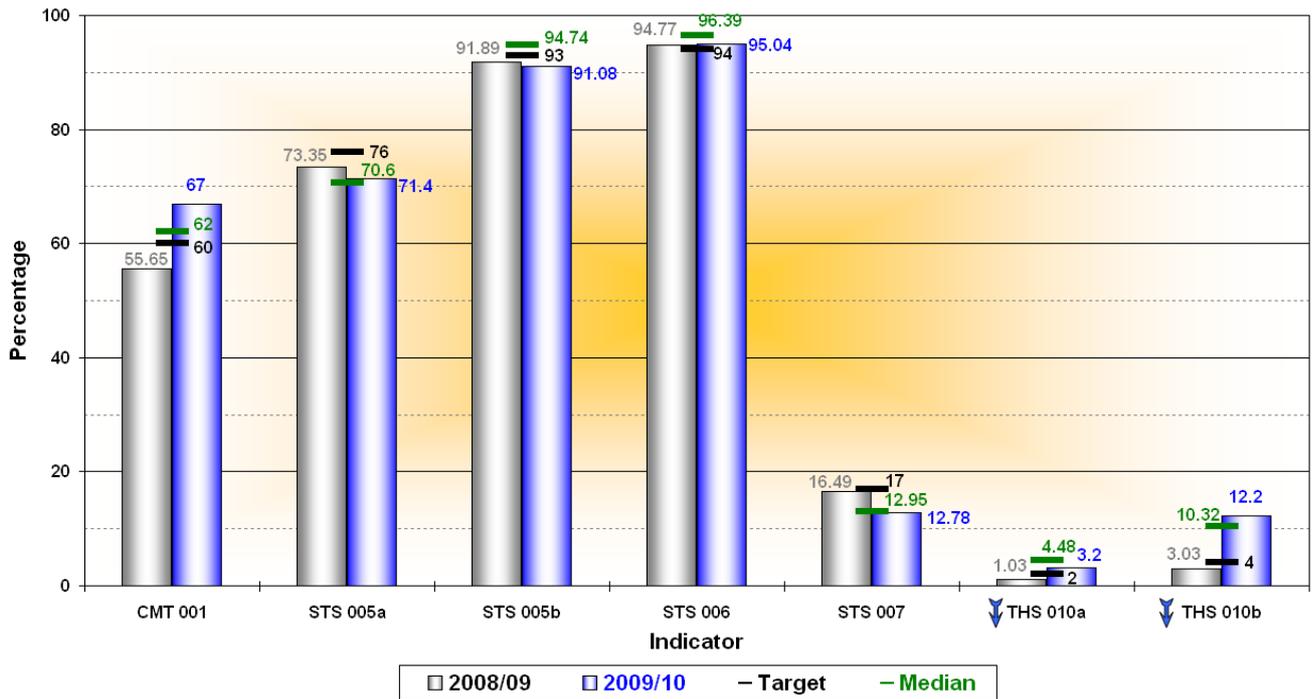
- The percentage of total length of rights of way which are easy to use by members of the public (66.68%, ranking 8th in Wales)
- The average number of calendar days taken to repair street lamp failures during the year (2.03 calendar days, ranking 5th in Wales)
- The percentage of reported fly tipping incidents which lead to enforcement activity (43.02%, ranking 6th in Wales)

Our performance significantly downturned and significantly missed target for 2 indicators: -

- Annual highway related claims expenditure as a percentage of the annual structural maintenance expenditure (9.93%, this indicator was deleted from the national set for 2009/10 and therefore is not comparable nationally)
- Condition of non-principal/classified roads (5.19%, ranking 2nd in Wales)

Figure 32

Streetscene Performance Analysis



Key

CMT/001	The percentage of total length of Rights of Way which are easy to use by members of the public
STS/005a	The Cleanliness Index
STS/005b	The percentage of highways and relevant land inspected of a high or acceptable standard of cleanliness
STS/006	The percentage of reported fly tipping incidents cleared within 5 working days
STS/007	The percentage of reported fly tipping incidents which lead to enforcement activity
THS/010a	Percentage of principal (A) roads that are in overall poor condition
THS/010b	Percentage of non-principal/classified roads that are in overall poor condition

6.3.10 Waste & Energy Management

Waste & Energy Management includes analysis for indicators as follows:

- Waste Management
- Energy

Administration Priorities

In addition to contributing to the Corporate Governance and Performance priorities, Waste and Energy services also contribute to the following Local Public Service priorities: -

- To achieve our waste minimisation and recycling targets through the local and regional strategies, thereby avoiding infraction penalties, with high levels of public support and participation
- To reduce the Council's energy use and carbon emissions

Our Strategic Assessment of Risks and Challenges

Within the Council Delivery section of the Strategic Assessment of Risks and Challenges there are five issues specifically relating to energy and waste management. Work is ongoing to increase the reuse and recycling of waste in addition to the minimisation of waste generated. One waste issue remains a medium (amber) risk following the 2009/10 year end review.

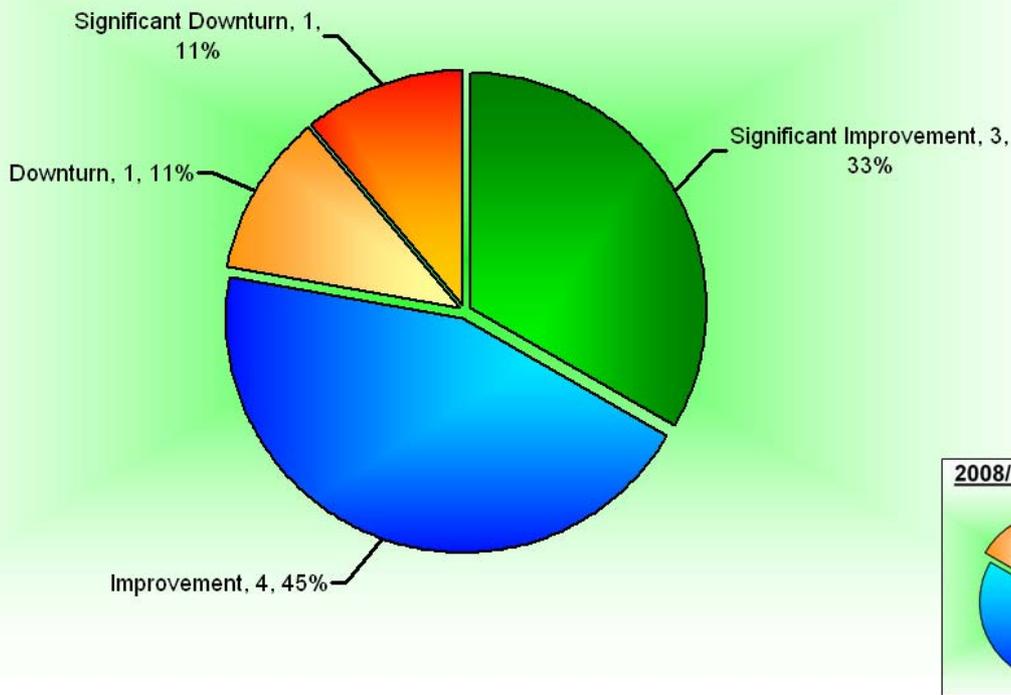
Area	Description	2009/10 Year End Level of Risk	Green Predictive Date
Energy	Energy consumption across a wide range of Council managed stock subject to volatile market conditions and needs to be managed for	G	Dec 2009
Waste Management (Operations)	Introduction of new recycling services (cardboard and food waste) and review of trade waste collection service.	G	Sept 2009
Waste Management (Strategy)	Increasing Government pressure to increase reused/recycling from 18.08% in 2007 to 25% in 2010 and composted/biologically treated from 12.43% in 2007 to 15% by 2010 requires new waste management methodologies and practices. Delivery of North Wales regional waste treatment project.	A	2016 / 2017
Waste Management (Participation)	Community awareness and participation should encourage waste minimisation and increase the volumes of domestic waste diverted from landfill.	G	Dec 2009
Waste Management (AD Waste)	Bringing AD Waste in house, ensuring effective integration, understanding business processes and identification of risks and measures to mitigate going forward.	G	Jan 2010

Performance Indicators

Trend analysis of the energy and waste management performance indicators shows that we have improved performance on last year for 7 (78%) indicators and performed worse for 2 (22%) indicators, where comparison was possible. Target analysis shows that we have met or exceeded 5 of the targets set, significantly so in 3 and significantly missed 2 of our targets.

Figure 33

Trends Within Waste & Energy Management Indicators



Area	Trend Analysis		Target Analysis	
	No. Indicators Same/ Improved	No. Indicators Downturned	No. Indicators Met or Exceeded Target	No. Missed Target
Waste Management	4	1	2	3
Energy	3	1	3	1
Total	7	2	5	4

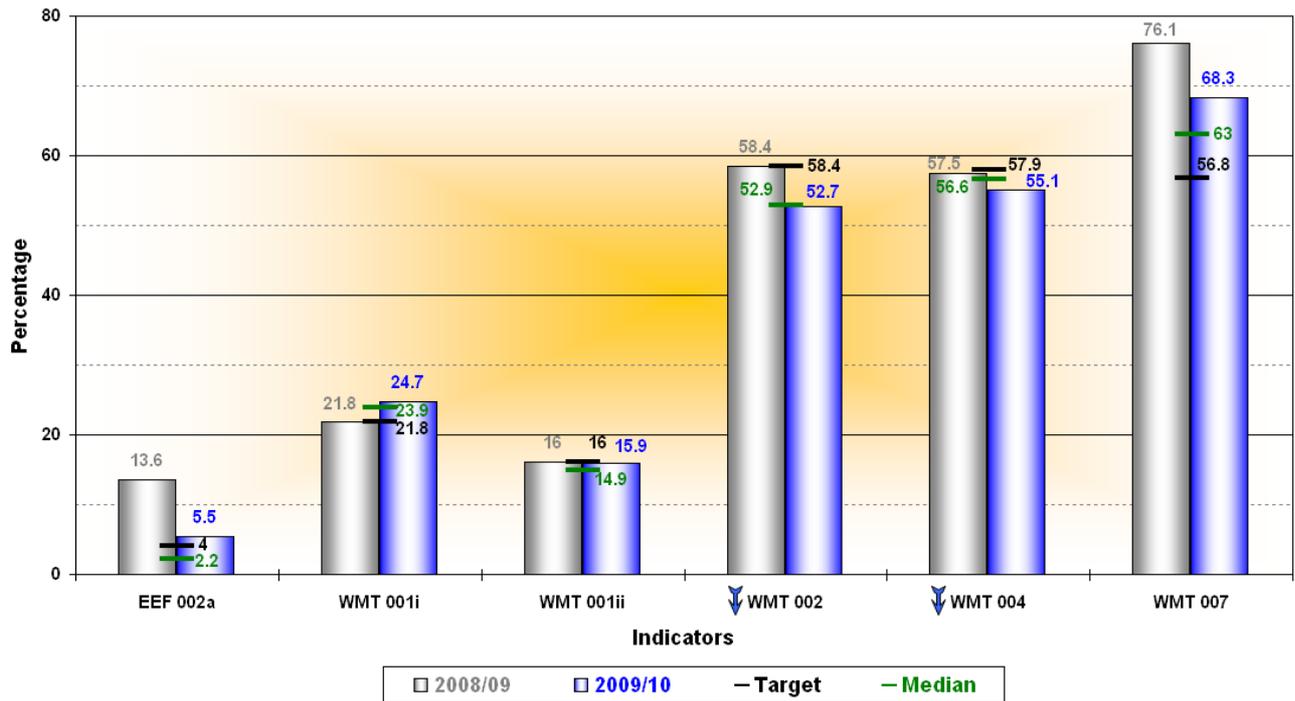
Those indicators which showed significant improvement are as follows: -

- The percentage of municipal waste received at a household amenity site that is re-used, recycled or composted (68.34%, ranking 7th in Wales)
- Percentage reduction in carbon dioxide emissions in the housing stock (4.47%, this indicator has not being reported nationally for 2009/10)
- Percentage reduction in energy use in the housing stock (6.29%, this indicator has not being reported nationally for 2009/10)

We significantly downturned in only one indicator (percentage reduction in carbon dioxide emissions in the non domestic public building stock), however we did significantly exceeded the target and ranked 5th in Wales achieving actual performance of 5.49%.

Figure 34

Waste Management & Energy



Key

EEF/002a	Percentage reduction in carbon dioxide emissions in the non domestic public building stock
WMT/001i	The percentage of municipal waste reused and/or recycled
WMT/001ii	The percentage of municipal waste composted or treated biologically in another way
WMT/002	The percentage of bio-degradable municipal waste sent to landfill
WMT/004	The percentage of municipal waste sent to landfill
WMT/007	The percentage of municipal waste received at all household waste amenity sites that is reused, recycled or composted

6.3.11 Directorates of Community Services, Environment and Lifelong Learning

One of the strategic risks, Contractor Functions, relates to activities and performance within all three Directorates. The 2009/10 year end review of this range of activities assessed the risk as still high (red).

Area	Description	2009/10 Year End Level of Risk	Predicted Green Date
Contractor Functions	Review of all DSO performance in relation to employee structures; rate of return and aspects of competitiveness.	R	TBC

7. Supporting Documents

There are a number of related documents which support this Annual Performance Report. These can be found on the Council's website or as links within this document.

- Strategic Assessment of Risks and Challenges 2009/10
- Flintshire County Council Administration Priorities
- Preliminary Corporate Assessment – Report by The Auditor General for Wales
- Outturn Performance Indicator 2009/10 Tables
- Progress against Regulatory Plan (external audit and inspection)
- Tables of the 2010/11 Targets
- National Performance Bulletin and Flintshire's Response
- Improvement Agreement
- Directorate Plans – Community Services, Environment and Lifelong Learning
- Estyn Inspection Report
- CSSIW Inspection Reports – Safeguarding Children Review and Fostering and Adoption Services
- HMIP Inspection Report – Youth Justice
- Overview and Scrutiny Report
- Flintshire Social Services Annual Performance Report – July 2010

Thank you for reading our Annual Performance Report 2009/10.

Views and suggestions for improvement are welcome.

Please contact us on:

Tel: 01352 702744

Email: performance.report@flintshire.gov.uk

FLINTSHIRE COUNTY COUNCIL

AGENDA ITEM NUMBER: 10

REPORT TO: **SPECIAL MEETING OF THE FLINTSHIRE COUNTY COUNCIL**
DATE : **19 OCTOBER 2010**
REPORT BY: **DEMOCRACY AND GOVERNANCE MANAGER**
SUBJECT : **MEMBER CHAMPIONS FOR OVERVIEW & SCRUTINY,
MEMBER SUPPORT AND DEVELOPMENT AND FOR
SUPPORTING PEOPLE**

1.00 PURPOSE OF REPORT

1.01 To consider a recommendation from the Constitution Committee that Flintshire cease to have Member Champions.

2.00 BACKGROUND

2.01 The Council has seven Members who act as Member Champions for various areas as detailed in Appendix 1. The Member Champions have been appointed in different ways and at different times. Member Champions are separate to Executive Members acting as lead Members for matters within their portfolios.

2.02 At the Constitution Committee meeting on the 17 December 2009 consideration was given to a report from the Head of Legal & Democratic Services on Member Champions. The report identified a number of issues and recommended the setting up of a Task & Finish Group of Members to review the role and make appropriate recommendations to rationalise the present situation.

2.03 The Task & Finish Group met on the 28 May 2010 and its recommendations were reported to the Constitution Committee meeting of the 14 July 2010. The Constitution Committee resolved to recommend that the Council cease to have Member Champions. For those Member Champions appointed by the Leader or by the Executive it is for the Leader or Executive to consider the Committee's recommendation.

2.04 A report was presented to the County Council meeting on the 29 July to consider the Constitution Committee's recommendation in relation to those Member Champions who had not been appointed by either the Executive or the Leader. At that meeting it was decided that no decision should be taken and that the item be referred back to the next meeting of the Constitution Committee.

2.05 At the Constitution Committee meeting meeting on the 23 September further consideration was given to the different types of Member Champion and a copy of the report to that meeting is attached as Appendix 2. At that meeting

Date: 13/10/2010

the Constitution Committee decided to reaffirm its previous recommendation that Flintshire cease to have Member Champions. This report is to consider that recommendation in relation to the Member Champions for Overview & Scrutiny, Member Support and Development and for Supporting People.

3.00 CONSIDERATIONS

- 3.01 During the discussions at the Constitution Committee meetings of the 14 July and the 23 September 2010 some Members expressed the view that the Member Champion role should be undertaken by the appropriate Executive Member. In relation to the Overview & Scrutiny Champion this role could not be undertaken by an Executive Member. In relation to the Member Champion for Member Support and Development, the current Member Champion is the appropriate Executive Member.
- 3.02 When the Overview & Scrutiny Champion was decided by the Coordinating Committee in 2004 it followed the North Wales Scrutiny conference where a presentation had been given by the Director of the Centre for Public Scrutiny, which had made particular reference to the Scrutiny Champions Network. The idea was that each authority should nominate a Member and an officer to act as Scrutiny Champions so that the Centre for Public Scrutiny could e-mail appropriate material. The Coordinating Committee decided that the Member Champion for Overview & Scrutiny should be the Chair of the Overview & Scrutiny Coordinating Committee from time to time.
- 3.03 In relation to the Member Champion for Member Support and Development it is a requirement of the WLGA Charter for member support and development that there is a Member Champion and a Member Development Working Group made up of members and officers. It was decided that the Chair of this Working Group from time to time would be the Member Champion. When the existing Member Charter falls for renewal next Autumn, the absence of a Member Champion could adversely affect any renewal application.
- 3.04 The Supporting People Champion was appointed at the Social & Health Overview & Scrutiny Committee meeting on the 24 March 2009. The Chairman informed Members that nominations were sought for the appointment of Supporting People Champion and that Councillor E W Owen had been nominated. Councillor McGuill asked Members if there were further nominations and none was submitted. Councillor Owen was then unanimously appointed as the Supporting People Champion.

4.00 RECOMMENDATIONS

- 4.01 For Council to determine whether any of the Overview & Scrutiny, Member Support & Development or Supporting People Champions should continue in view of the recommendation made by the Constitution Committee.

5.00 FINANCIAL IMPLICATIONS

- 5.01 One of the issues the Task & Finish Group considered was amending the Council's scheme of allowances to include work as a Member Champion as an approved duty so that Member Champions could obtain reimbursement for travel expenses and subsistence for meetings outside of Flintshire. Such costs could be met from the existing Member allowance budget.

6.00 ANTI POVERTY IMPACT

- 6.01 None as a result of this report.

7.00 ENVIRONMENTAL IMPACT

- 7.01 None as a result of this report.

8.00 EQUALITIES IMPACT

- 8.01 None as a result of this report.

9.00 PERSONNEL IMPLICATIONS

- 9.01 None as a result of this report.

10.00 CONSULTATION REQUIRED

- 10.01 None as a result of this report.

11.00 CONSULTATION UNDERTAKEN

- 11.01 With the existing Member Champions individually.

12.00 APPENDICES

- 12.01 Appendix 1 - Table of Member Champions
Appendix 2 - Report to Constitution Committee meeting 23.09.10

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 BACKGROUND DOCUMENTS

Report to the Executive of the 1 April 2009
Minutes of the Coordinating Committee meeting of the 29 January 2004
Minutes of the Constitution Committee meeting of the 14 July 2010

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APPENDIX 1

Member Champion	Area	Appointed
Councillor Robin Baker	ICT	Decision of the Executive
Councillor Hilary McGuill	Overview & Scrutiny	Decision of the Coordinating Committee
Councillor Neville Phillips	Member Support & Development	Decision of the Member Development Working Group
Councillor Veronica Gay	Older People	Appointed by the Leader
Councillor Emlyn Cooke	Energy	Appointed by the Leader
Councillor Carolyn Thomas	Biodiversity	Appointed by the Leader
Councillor Eric Owen	Supporting People	Appointed by Social & Health Overview & Scrutiny Committee

FLINTSHIRE COUNTY COUNCIL

Appendix 2

REPORT TO: **CONSTITUTION COMMITTEE**

DATE : **23 SEPTEMBER 2010**

REPORT BY: **DEMOCRACY AND GOVERNANCE MANAGER**

SUBJECT : **MEMBER CHAMPIONS**

1.00 PURPOSE OF REPORT

1.01 To give further consideration to the different types of Member Champions.

2.00 BACKGROUND

2.01 The Council has seven Members who act as Member Champions for various areas as detailed in Appendix 1. The Member Champions have been appointed in different ways and at different times. Member Champions are separate to Executive Members acting as lead Members for matters within their portfolios.

2.02 At the Constitution Committee meeting on the 17 December 2009 consideration was given to a report from the Head of Legal & Democratic Services on Member Champions. The report identified a number of issues and recommended the setting up of a Task & Finish Group of Members to review the role and make appropriate recommendations to rationalise the present situation.

2.03 The Task & Finish Group met on the 28 May 2010 and its recommendations were reported to the Constitution Committee meeting of the 14 July 2010. A copy of that report is attached as Appendix 2. The Constitution Committee resolved to recommend that the Council cease to have Member Champions. For those Member Champions appointed by the Leader or by the Executive it is for the Leader or Executive to consider the Committee's recommendation.

2.04 A report was presented to the County Council meeting on the 29 July to consider the Constitution Committee's recommendation in relation to those Member Champions who had not been appointed by either the Executive or the Leader. At that meeting it was decided that no decision should be taken until the matter had been considered by the Constitution Committee and a further report on the different types of Member Champions made to that Committee.

3.00 CONSIDERATIONS

- 3.01 There are two different types of Member Champion. Firstly, those appointed by either the Executive or the Leader and secondly, those appointed by other parts of the Council as detailed in Appendix 1.
- 3.02 When the Overview & Scrutiny Champion was decided by the Coordinating Committee in 2004 it followed the North Wales Scrutiny conference where a presentation had been given by the Director of the Centre for Public Scrutiny, which had made particular reference to the Scrutiny Champions Network. The idea was that each authority should nominate a Member and an officer to act as Scrutiny Champions so that the Centre for Public Scrutiny could e-mail appropriate material. The Coordinating Committee decided that the Member Champion for Overview & Scrutiny should be the Chair of the Overview & Scrutiny Coordinating Committee from time to time.
- 3.03 In relation to the Member Champion for Member Support and Development, this is a requirement of the WLGA Charter for member support and development. It is a requirement of the Charter that there is a Member Champion and a Member Development Working Group made up of members and officers. It was decided the Chair of this Working Group from time to time would be the Member Champion.
- 3.04 The Supporting People Champion was appointed at the Social & Health Overview & Scrutiny Committee meeting on the 24 March 2009. The Chairman informed Members that nominations were sought for the appointment of Supporting People Champion and that Councillor E W Owen had been nominated. Councillor McGuill asked Members if there were further nominations and none was submitted. Councillor Owen was then unanimously appointed as the Supporting People Champion.
- 3.05 Councillor Baker was appointed Member Champion for ICT following a report to the Executive of the 1 April 2009. The report provided an update on progress with implementation of the corporate information and communications technology strategy and recommended the appointment of a Member Champion to reflect the key role, the strategy's place in the Council's business planning and governance frameworks. The other Member Champions in Appendix 1 have been appointed by the Leader.

4.00 RECOMMENDATIONS

- 4.01 Pursuant to the decision of the Council meeting of the 29 July 2010 for the Committee to give further consideration to the matter of Member Champions.

5.00 FINANCIAL IMPLICATIONS

- 5.01 Amending the Members Allowance Scheme to include work as a Member Champion as an approved duty could be met from within the existing Member allowance budget.

6.00 ANTI POVERTY IMPACT

6.01 None as a result of this report.

7.00 ENVIRONMENTAL IMPACT

7.01 None as a result of this report.

8.00 EQUALITIES IMPACT

8.01 None as a result of this report.

9.00 PERSONNEL IMPLICATIONS

9.01 None as a result of this report.

10.00 CONSULTATION REQUIRED

10.01 None as a result of this report.

11.00 CONSULTATION UNDERTAKEN

11.01 With existing Member Champions individually.

12.00 APPENDICES

12.01 Appendix 1 - Table of Member Champions
Appendix 2 - Report to Constitution Committee meeting of 14 July 2010.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985
BACKGROUND DOCUMENTS

Report to Executive of 1 April 2009
Minutes of the Coordinating Committee meeting of 29 January 2004
Minutes of the Social & Health Overview & Scrutiny Committee meeting of 24 March 2009
Report to the Executive meeting of 1 April 2009
Minutes of the Constitution Committee meeting 17 December 2009

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FLINTSHIRE COUNTY COUNCIL

AGENDA ITEM NUMBER: 11

REPORT TO: **SPECIAL MEETING OF THE FLINTSHIRE COUNTY COUNCIL**
DATE : **19 OCTOBER 2010**
REPORT BY: **HEAD OF LEGAL AND DEMOCRATIC SERVICES**
SUBJECT : **BUCKLEY COMMON BYE-LAWS**

1.00 PURPOSE OF REPORT

1.01 To recommend that the County Council approve the making of new byelaws in respect of Buckley Common as attached to this report.

2.00 BACKGROUND

2.01 The current byelaws for Buckley common were made in 1933.

2.02 The proposed byelaws seek 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 require control.

3.00 CONSIDERATIONS

3.01 New model byelaws were issued by the Home Office and consultation with the Commons Consultative Group was completed in respect of the attached draft byelaws. WAG have provisionally approved the draft byelaws as attached to this report which, as members will see, seek to comprehensively control leisure activities in respect of Buckley Common, such as horse riding, angling climbing etc.

3.02 Once the byelaws have been made there will be a period of notification in local papers before submission to the Welsh Assembly Government for confirmation.

4.00 RECOMMENDATIONS

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

5.00 FINANCIAL IMPLICATIONS

5.01 No provision has been made for any additional costs associated with the publication and subsequent administration of the byelaws. Those costs will be met within existing resources.

Date: 13/10/2010

6.00 ANTI POVERTY IMPACT

6.01 None

7.00 ENVIRONMENTAL IMPACT

7.01 None

8.00 EQUALITIES IMPACT

8.01 None

9.00 PERSONNEL IMPLICATIONS

9.01 None

10.00 CONSULTATION REQUIRED

10.01 No further consultation required

11.00 CONSULTATION UNDERTAKEN

11.01 Buckley Town Council have been consulted and the proposed byelaws approved.

11.02 Welsh Assembly Government have been consulted and the proposed byelaws approved.

12.00 APPENDICES

12.01 Proposed Buckley Common byelaws.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985
BACKGROUND DOCUMENTS

None

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CYNGOR SIR Y FFLINT

IS-DDEDDFAU

Is-ddeddfau a wnaed gan Gyngor Sir y Fflint o dan y Cynllun Rheoliadau a wnaed yn unol ag adran 1 o Ddeddf Tiroedd Comin 1889 gan Gyngor Dosbarth Trefol Bwcle ar 13 Mehefin 1933 ac a gafodd gymeradwyaeth y Bwrdd Amaeth a Physgodfeydd ar 4 Gorffennaf 1933 ac yn unol â holl bwerau galluogi eraill, mewn perthynas â Chomin Isaf, Canol ac Uchaf Bwcle.

1. DEHONGLIAD

Yn yr Is-ddeddfau hyn:

“y Cyngor” yw Cyngor Sir y Fflint

“y Comin” yw Comin Bwcle, a dynodir yr ardal yn fanylach ar y map sydd ynghlwm wrth y cynllun.

“y Cynllun” yw'r Cynllun Rheoliadau y cyfeirir ato uchod.

2. AWYRENNAU

Ni chaiff unrhyw un, ac eithrio mewn argyfwng neu gyda chaniatâd y Cyngor, hedfan o'r Comin, na glanio arno, mewn awyren, barcut crog na balwn aer cynnes.

3. PYSGOTA

Ni chaiff unrhyw un daflu rhwyd na lein i'w defnyddio, neu gyda'r bwriad o'u defnyddio i bysgota ar y Comin ac eithrio mewn dwr lle rhoddwyd caniatâd i bysgota gan y Cyngor.

4. SAETHYDDIAETH

Ni chaiff unrhyw un gymryd rhan mewn saethyddiaeth ar y Comin, ac eithrio mewn cysylltiad â digwyddiad a drefnir gan, neu gyda chaniatâd, y Cyngor.

5. YMDROCHI

Ni chaiff unrhyw un, heb esgus rhesymol, ymdrochi na nofio mewn dyfrffordd ar y Comin, ac eithrio mewn ardal lle mae hysbysiad yn dangos bod y Cyngor yn caniatáu hynny.

6. CYCHOD

Ni chaiff unrhyw un lansio na hwylio cwch, cwch modur, dingi, canw, bwrdd hwylio, cwch aer nac unrhyw gwch tebyg ar unrhyw ddyfrffordd ar y Comin, heb ganiatâd y Cyngor.

7. CAMPIO

Ni chaiff unrhyw un godi pabell na defnyddio unrhyw gerbyd, gan gynnwys carafan, neu unrhyw adeiledd arall at ddibenion campio ar y Comin, heb ganiatâd y Cyngor, ac eithrio mewn ardal sydd wedi'i neilltuo neu lle mae hysbysiad yn dangos y caniateir campio.

8. SAFLEOEDD CHWARAE I BLANT

(1) Ni chaiff unrhyw un sydd wedi troi 14 oed ddefnyddio offer ar y Comin sydd, yn ôl hysbysiad a roddwyd ar neu ger y safle, wedi ei neilltuo gan y Cyngor ar gyfer plant dan 14 oed.

(2) Ni chaiff unrhyw un sydd wedi troi 14 oed fynd i'r safle chwarae i blant a elwir Safle Chwarae'r Comin Uchaf

(3) Nid yw'r is-ddeddf hon yn berthnasol i unrhyw un sy'n gofalu am blentyn dan 14 oed.

9. DRINGO

Ni chaiff unrhyw un, heb esgus rhesymol, ddringo unrhyw wal na ffens ar neu'n amgylchynu'r Comin, nac unrhyw goeden, rhwystr, rheiliau, pyst nac unrhyw adeiledd arall.

10. PELI CRICED

Ni chaiff unrhyw un ddefnyddio pêl griced, ac eithrio ar ran o'r Comin lle rhoddwyd hysbysiad mewn lle amlwg sy'n dweud bod y rhan honno wedi'i neilltuo gan y Cyngor ar gyfer defnyddio pêl griced.

11. BEICIO

(1) Ni chaiff unrhyw un fynd ar gefn beic ar y Comin, ac eithrio'r rhannau hynny lle mae hawl tramwy ar gyfer beiciau, neu ar hyd y llwybrau hynny a bennir gan y Cyngor, ac a ddynodir ag arwyddion a osodwyd mewn llefydd amlwg ar y Comin.

- (2) Yn yr Is-ddeddf hon, mae "beic" yn golygu beic dwy olwyn, tair olwyn neu bedair olwyn neu ragor, ac nid beic modur neu fath arall o fodur ar unrhyw gyfrif,.

12. TAFLU DISGEN

Ni chaiff unrhyw un daflu disgen ar y Comin, ac eithrio mewn cysylltiad â digwyddiad a drefnir gan neu gyda chaniatâd y Cyngor.

13. CODI ADEILEDDAU

Ni chaiff unrhyw un godi postyn, rheilen, ffens, polyn, pabell, bwth, stonidin, adeilad nac unrhyw adeiledd arall ar y Comin, heb ganiatâd y Cyngor.

14. TANAU

- (1) Ni chaiff unrhyw gynnu tân ar y Comin, na gosod, taflu neu adael i fatsen a daniwyd, neu unrhyw beth arall a all achosi tân, syrthio ar y ddaear.

- (2) Nid yw'r is-ddeddf hon yn rhwystro neb rhag tanio na defnyddio stôf neu gwcer gwerysyla priodol ar unrhyw ran o'r Comin a neilltuwyd at y diben hwn mewn ffordd a all greu tân neu ddifrod tân.

15. GEMAU

- (1) Os yw'r Cyngor wedi neilltuo rhan o'r Comin ar gyfer chwarae gemau a ddisgrifir mewn hysbysiadau a roddir mewn llyfnydd amlwg, ni chaiff unrhyw un: -

- (a) chwarae unrhyw gêm yno ac eithrio'r gêm a nodir
- (b) defnyddio'r rhannau hyn o'r Comin mewn ffordd a all fod yn rheswm digonol i gythruddo unrhyw un sydd eisoes yn defnyddio'r safle at y dibenion a nodir yn yr hysbysiad; na
- (c) chwarae unrhyw gêm y nodir y dylid ei chwarae mewn unrhyw ran arall o'r Comin mewn ffordd sy'n rhwystro unrhyw un nad yw'n chwarae'r gêm rhag defnyddio'r rhan honno o'r Comin.

- (2) Ni chaiff unrhyw un chwarae gemau ar y rhannau a neilltuwyd gan y Cyngor at y diben hwnnw, os yw cyflwr y Comin, neu unrhyw reswm arall, yn ei gwneud yn anaddas i'w ddefnyddio, ac os rhoddwyd hysbysiad mewn lle amlwg yn gwahardd unrhyw un rhag chwarae ar y rhan honno o'r Comin.

- (3) (a) Ni chaiff unrhyw un chwarae gêm ar y Comin:-

- (i) os yw hynny'n rheswm digonol i gythruddo unrhyw un arall ar y Comin; neu
 - (ii) os yw hynny'n debygol o greu difrod i unrhyw goeden, llwyn neu blanhigyn ar y Comin.
- (b) Nid yw'r is-ddeddf hon yn ymestyn i unrhyw ran a neilltuir gan y Cyngor ar gyfer chwarae unrhyw gêm.

16. GIATIAU

Os yw'r Cyngor yn nodi mewn hysbysiad a roddir mewn lle amlwg ar neu wrth ymyl unrhyw giât ar y Comin, y gwaherddir unrhyw un rhag gadael y giât ar agor, ni chaiff unrhyw un sy'n agor y giât honno, neu sy'n achosi iddi agor, ei gadael ar agor.

17. GOLFF

Ni chaiff unrhyw un gledro, tsipio neu daflu pêl golff galed ar y Comin ac eithrio ar dir a neilltuir gan y Cyngor i'w ddefnyddio fel cwrs golff, cwrs ymarfer golff neu gwrs pytio.

18. PORI

Ni chaiff unrhyw un droi unrhyw anifail i bori ar y Comin na chaniatáu iddo wneud hynny, heb ganiatâd y Cyngor.

19. TAFLU'R ORDD

Ni chaiff unrhyw daflu'r ordd ar y Comin, ac eithrio mewn cysylltiad â digwyddiad a drefnir gan neu gyda chaniatâd y Cyngor.

20. CEFFYLAU : (MARCHOGAETH MEWN Ffordd BERYGLUS)

Ni chaiff unrhyw un farchogaeth ceffyl ar y Comin mewn ffordd a all niweidio unrhyw arall sy'n defnyddio'r Comin, naill ai'n fwriadol neu oherwydd esgeulustra. .

21. CEFFYLAU : (DIM OND MEWN MANNAU DYNODEDIG)

Oes rhoddwyd hysbysiad mewn lle amlwg ar unrhyw ran o'r Comin i ddangos y'i neilltuwyd gan y Cyngor fel man lle caniateir marchogaeth ceffyl, ni chaiff unrhyw un farchogaeth ceffyl ar unrhyw ran arall o'r Comin heb ganiatâd y Cyngor.

22. YMYRRYD AG OFFER ACHUB BYWYD

Ni chaiff unrhyw un symud na disodli, nac ymyrryd ag unrhyw offer achub bywyd a roddwyd ar y Comin gan y Cyngor, ac eithrio mewn argyfwng.

23. TAFLU GWAYWFFON

Ni chaiff unrhyw un daflu gwaywffon ar y Comin ac eithrio mewn cysylltiad â digwyddiad a drefnir gan neu gyda chaniatâd y Cyngor.

24. HEDFAN BARCUD

Ni chaiff unrhyw un hedfan barcud ar y Comin nac achosi neu ganiatáu i hynny ddigwydd mewn ffordd sy'n peryglu neu'n cythruddo unrhyw un arall ar y Comin .

25. LLEOLWR METEL

Ni chaiff unrhyw un ddefnyddio unrhyw ddyfais ar y Comin a gynlluniwyd neu a addaswyd i ddarganfod neu leoli unrhyw fetelau neu fwynau yn y ddaear.

26. SAETHYNNAU

Ni chaiff unrhyw un daflu na rhyddhau unrhyw saethyn ar y Comin mewn ffordd a all beryglu neu gythruddo unrhyw un arall ar y Comin.

27. AWYRENNAU MODEL

(1) Yn yr is-ddeddf hon :-

mae "awyrennau model" yn golygu awyrennau sydd naill ai'n pwysu dim mwy na 7 cilogram heb danwydd neu fodel sydd, am y tro cyntaf, wedi'i eithrio (fel awyren fodel) rhag darpariaethau Gorchymyn Llywio Awyrennau 2000 (S.I. 2000/1562);

mae "pwer-yriant" yn golygu gyriant sy'n seiliedig ar hylosgi anwedd petrol neu unrhyw anwedd hylosg arall neu sylweddau hylosg eraill neu drwy ddefnyddio modur neu foduron trydan neu nwy cywasgedig.

(2) (a) ni chaiff unrhyw un ryddhau awyren fodel sy'n cael ei bwer-yrru ar y Comin i'w hedfan nac i reoli awyren o'r fath yn yr awyr;

(b) ni chaiff unrhyw un achosi i awyren fodel sy'n cael ei bwer-yrru gychwyn ei thaith na glanio ar y Comin.

28. CYCHOD MODEL : (DIM OND MEWN MANNAU DYNODEDIG)

Ni chaiff unrhyw un reoli na hwylio unrhyw gwch model ar unrhyw ddyfrffordd ar y Comin heb ganiatâd y Cyngor, ac eithrio mewn man lle rhoddodd y Cyngor hysbysiad i ganiatáu defnyddio cychod o'r fath.

29. CYCHOD MODEL(PWER-YRIANT): (DIM OND MEWN MANNAU DYNODEDIG)

(1) Ni chaiff unrhyw un reoli na hwylio unrhyw gwch model pwer-yriant ar unrhyw ddyfrffordd ar y Comin, ac eithrio mewn man lle rhoddodd y Cyngor hysbysiad i ganiatáu defnyddio cychod o'r fath.

(2) Yn yr Is-ddeddf hon, mae "pwer-yriant" yn golygu gyriant drwy hylosgi anwedd petrol neu unrhyw anwedd hylosg arall neu sylweddau hylosg eraill

30. SWN

(1) Os bydd unrhyw un ar y Comin yn achosi neu'n caniatáu unrhyw swm drwy:

- (a) weiddi neu ganu,
- (b) canu offeryn cerdd, neu
- (c) ddefnyddio, neu adael i rywun arall ddefnyddio, unrhyw radio, gramoffon, chwyddseinydd, recordydd tâp neu declyn tebyg

sydd mor uchel neu mor ddi-dor neu ailadroddus nes ei fod yn rheswm digonol i gythruddo pobl eraill ar y Comin, bydd yn rhaid iddo/iddi beidio os bydd swyddog o'r Cyngor, neu unrhyw un a gythruddwyd neu y tarfwyd arno, neu unrhyw un sy'n gweithredu ar ei ran/rhan, yn gofyn iddo/iddi wneud hynny.

(2) Ni fydd yr is-ddeddf hon yn berthnasol i unrhyw un sy'n cynnal neu'n cymryd rhan mewn adloniant a ganiateir gan y Cyngor.

31. PARCIO DROS NOS

Ni chaiff unrhyw un adael unrhyw gerbyd nac achosi na chaniatáu i unrhyw gerbyd gael ei adael ar y Comin rhwng 12 hanner nos a 6.00 a.m.

32. LLYGRU DYFRFFYRDD

Ni chaiff unrhyw un faeddu na llygru unrhyw ddyfrffordd ar y Comin yn fwriadol, drwy ddiolfalwch neu esgeulustra.

33. DIOGELU GWELYAU BLODAU COED, GLASWELLT ETC.

(1). Ni chaiff unrhyw un sy'n dod â cherbyd, neu sy'n gyfrifol am ddod â cherbyd ar y Comin, ei symud na'i barcio dros neu ar:

(a) unrhyw wely blodau, llwyn neu blanhigyn, nac unrhyw dir sy'n cael ei baratoi ar gyfer tyfu blodau, coed, llwyn neu blanhigyn; nac

(b) unrhyw ran o'r Comin lle rhoddodd y Cyngor hysbysiad mewn lle amlwg ar y tir sy'n gwahardd symud na pharcio cerbyd.

(2) Ni chaiff unrhyw un ar y Comin sefyll ar :

(a) unrhyw wely blodau, llwyn neu blanhigyn, nac ar unrhyw dir sy'n cael ei baratoi; nac

(b) unrhyw ran o'r comin a neilltuwyd ar gyfer glaswellt neu dyweirch, lle roddwyd hysbysiad digonol yn rhybuddio pobl i gadw draw oddi ar y glaswellt neu'r tyweirch.

34. DIOGELU BYWYD GWYLLT

(1) Ni chaiff unrhyw un ladd, niweidio, cymryd nac aflonyddu ar anifail na physgodyn ar y Comin, na hela, saethu na physgota, na gosod trapiau na rhwydi, na gosod maglau.

(2) Nid yw'r is-ddeddf hon yn gwahardd unrhyw un rhag pysgota mewn lle a ganiateir gan yr Awdurdod..

35. SIOEAU, ARDDANGOSFEYDD AC ADEILEDDAU CYHOEDDUS

Ni chaiff unrhyw un gymryd rhan mewn unrhyw sioe nac arddangosfa ar y Comin, na gosod siglen, llithren nac unrhyw beth tebyg, heb ganiatâd y Cyngor.

36. SYMUD ADEILEDDAU

Ni chaiff unrhyw un symud na disodli unrhyw rwystr, rheiliau, postyn na sedd, nac unrhyw ran o unrhyw adeiledd neu addurn ar y Comin, nac unrhyw offeryn a ddefnyddir i osod neu i gynnal a chadw'r Comin, heb esgus rhesymol.

37. SYMUD DEUNYDDIAU

Ni chaiff unrhyw un symud na disodli unrhyw garreg, pridd na thyweirch ar y comin, na phlanhigyn, llwyn na choeden gyfan, nac unrhyw ran ohonynt.

38. SYMUD CERBYDAU, ANIFEILIAID AC ADEILEDDAU

Caiff unrhyw swyddog o'r Cyngor, ar ôl rhoi rhybudd rhesymol, symud unrhyw gerbyd modur neu gerbyd a dynnir gan geffyl oddi ar y Comin, neu unrhyw wrthrych (gan gynnwys carafan) a osodir neu a adewir ar y Comin, yn groes i'r Cynllun neu i unrhyw un o'r is-ddeddfau hyn.

39. TRWSIO CERBYDAU

Ni chaiff unrhyw un lanhau, peintio na thrwsio unrhyw gerbyd sydd wedi'i barcio ar y Comin, oni bai fod damwain wedi digwydd, neu fod y cerbyd wedi torri i lawr neu fod argyfwng arall o ryw fath.

40. HYRDDIO PWYSAU

Ni chaiff unrhyw un hyrddio pwysau ar y Comin ac eithrio mewn digwyddiad a drefnir gan neu gyda chaniatâd y Cyngor.

41. SGLEFRFYRDDIO A SGLEFROLIO

Ni chaiff unrhyw un sglefrio ar esgidiau rholio, byrddau, olwynion nac unrhyw declyn mecanyddol arall ar y Comin mewn ffordd a all beri niwed neu ofid i bobl eraill ar y Comin neu fod yn rheswm digonol dros eu cythruddo.

42. MASNACHU

Ni chaiff unrhyw un werthu na dangos unrhyw nwyddau nac eitemau er mwyn eu gwerthu, na chynnig na dangos unrhyw nwyddau nac eitemau i'w rhentu neu eu hurio ar y Comin, heb ganiatâd y Cyngor.

43. CERBYDAU

(1) Ni chaiff unrhyw un deithio ar gefn beic modur na theithio mewn cerbyd modur neu unrhyw gerbyd arall sy'n cael ei yrru'n fecanyddol (ac eithrio beic) ar y Comin heb esgus rhesymol, na dod, neu achosi i unrhyw un ddod â beic modur, cerbyd modur, trelar neu unrhyw gerbyd arall sy'n cael ei yrru'n fecanyddol ar y Comin, ac eithrio ar ran o'r Comin lle mae hawl tramwy ar gyfer y math hwnnw o gerbyd.

(2) Os yw'r Cyngor wedi neilltuo safle ar y Comin i gerbydau o unrhyw ddosbarth yna nid yw'r is-ddeddf hon yn rhwystro neb rhag gyrru'r cerbydau hynny ar y safle hwnnw a neilltuwyd, neu ar lwybr a ddynodwyd gan arwyddion a osodwyd mewn llefydd amlwg, rhyngddo a'r fynedfa i'r Comin.

(3) Nid yw'r is-ddeddf hon yn berthnasol i gerbydau pobl ag anabledd

(4) Yn yr is-ddeddf hon :-

mae “cerbyd pobl ag anabledd” yn golygu cerbyd, p'un a yw'n cael ei yrru'n fecanyddol ai peidio, nad yw'n pwyso mwy na 150 cilogram pan fydd yn wag, ac nad yw'n mesur mwy na 0.85 metr o led ac a adeiladwyd neu a addaswyd i'w ddefnyddio i gario un unigolyn, a'r unigolyn hwnnw'n dioddef rhyw nam neu anabledd corfforol, ac a ddefnyddir gan yr unigolyn hwnnw'n unig.

mae “beic modur” yn golygu cerbyd a yrrir yn fecanyddol, nad yw'n gerbyd i bobl ag anabledd, a fwriedir neu a addaswyd i deithio ar y ffyrdd.

mae “trelar” yn golygu cerbyd sy'n cael ei dynnu gan gerbyd modur, gan gynnwys carafan.

44. DYFRFFYRDD

Ni chaiff unrhyw un rwystro na dargyfeirio llif unrhyw ddraen neu ddyfrffos, ac ni chaiff agor, cau na gweithredu unrhyw lifddor neu gyfarpar tebyg ar y tir.

45. RHWYSTRO

Ni chaiff unrhyw un ar y Comin:

- (a) rwystro'n fwriadol unrhyw swyddog o'r Cyngor rhag cyflawni ei (d)dyletswyddau;
- (b) rwystro'n fwriadol unrhyw un rhag ymgymryd â gwaith sy'n angenrheidiol er mwyn cwblhau unrhyw contract â'r Cyngor; neu
- (c) rwystro'n fwriadol unrhyw unigolyn arall rhag defnyddio'r Comin mewn ffordd briodol, neu ymddwyn mewn ffordd sy'n rheswm digonol i gythruddo unrhyw un arall ar y Comin.

46. EITHRIADAU

(1) Ni fydd gweithred sy'n angenrheidiol er mwy i swyddog o'r Cyngor gyflawni'i ddyletswydd yn briodol, neu unrhyw weithred sy'n angenrheidiol er mwyn cwblhau contract â'r Cyngor, yn cael eu hystyried yn drosedd o dan yr is-ddeddfau hyn.

(2) Ni fydd unrhyw beth a nodir yn yr is-ddeddfau hyn neu a wneir yn unol â'u darpariaethau yn amharu ar unrhyw hawl tramwy cyhoeddus drwy'r Comin mewn unrhyw ffordd, nac ar hawliau unrhyw un sy'n ymddwyn yn unol â'r gyfraith yn rhinwedd rhyw ystad, hawl neu ddiddordeb yn y Comin, neu ran ohono, neu sy'n effeithio arno neu ran ohono.

47. COSB

Bydd unrhyw un sy'n troseddu yn erbyn unrhyw un o'r is-ddeddfau hyn yn agored i gael ei ddirwyo ar lefel 2 ar y raddfa safonol os ceir collfarn ddiannod yn ei erbyn.

48. CANIATÂD

Os nodir yn yr is-ddeddfau hyn bod yn rhaid i bobl gael caniatâd y Cyngor, rhaid gofyn am y caniatâd hwnnw drwy anfon llythyr at y swyddog priodol yn y Cyngor yn Neuadd y Sir, yr Wyddgrug CH7 6NR.

49. DIDDYMU

Mae'r is-ddeddfau a wnaed gan Gyngor Dosbarth Trefol Bwcle ar 12 Rhagfyr 1933 ac a gadarnhawyd gan y Gweinidog Iechyd ar 9 Chwefror 1934 mewn perthynas â'r Comin, drwy hyn, wedi'u diddymu.

RHODDWDYD dan Sêl Gyffredin Cyngor Sir y Fflint

2010.

Gosodwyd **SÊL GYFFREDIN**
CYNGOR SIR Y FFLINT
yma ym mhresenoldeb :-

a awdurdodwyd gan y Cyngor

Drwy weithredu'r cyfrifoldebau a roddwyd i Gynulliad Cenedlaethol Cymru, cadarnheir yr Is-ddeddfau uchod drwy awdurdod Gweinidog yr Amgylchedd, Cynllunio a Chefn Gwlad, sy'n gweithredu ar ran Llywodraeth Cynulliad Cymru

Daw'r Is-ddeddfau i rym ar

2010.

LLOFNODWYD drwy awdurdod Gweinidog y Cynulliad ar gyfer yr Amgylchedd, Cynllunio a Chefn Gwlad .

K S POWELL
Pennaeth yr Adran Cynllunio

Dyddiad:

FLINTSHIRE COUNTY COUNCIL

BYELAWS

Byelaws made by Flintshire County Council under the Scheme of Regulation made pursuant to section 1 of the Commons Act 1889 by the Buckley Urban District Council on 13 June 1933 and approved by the Board of Agriculture and Fisheries on 4 July 1933 and under all other enabling powers, in respect of the Buckley Lower, Middle and Upper Commons.

1. INTERPRETATION

In these Byelaws:

“the Council” means Flintshire County Council

“the Common” means Buckley Commons, the area of which is more particularly delineated on the attached plan

“the Scheme” means the aforementioned Scheme of Regulation

2. AIRCRAFT

No person shall, except in cases of emergency or with the consent of the Council, take off from or land upon the Common in an aircraft, helicopter, hang-glider or hot-air balloon.

3. ANGLING

No person shall on the Common cast any net or line used or intended for use in angling except upon any waters comprised in the Common where fishing is permitted by the Council.

4. ARCHERY

No person shall on the Common, except in connection with an event organised by or with the consent of the Council, engage in the sport of archery.

5. BATHING

No person shall, without reasonable excuse, bathe or swim in any waterway comprised in the Common, except in an area where a notice exhibited by the Council permits bathing and swimming.

6. BOATS

No person shall, without the consent of the Council, launch, operate or sail on any waterway comprised in the Common any boat, power craft, dinghy, canoe, sailboard, inflatable or any like craft.

7. CAMPING

No person shall on the Common, without the consent of the Council, erect a tent or use any vehicle, including a caravan, or any other structure for the purpose of camping, except on any area which may be set apart and indicated by a notice as a place where camping is permitted.

8. CHILDREN'S PLAY AREAS

(1) No person who has attained the age of 14 years shall use any apparatus on the Common which, by a notice placed on or near thereto, has been set apart by the Council for the exclusive use of persons under the age of 14 years.

(2) No person who has attained the age of 14 years shall enter or remain in the children's play area known as Higher Common Play Area.

(3) This by-law shall not apply to any person who is in charge of a child under the age of 14 years.

9. CLIMBING

No person shall, without reasonable excuse, climb any wall or fence on or enclosing the Common, or any tree, barrier, railing, post or other structure.

10. CRICKET BALLS

No person shall use a cricket ball, except on any part of the Common which by a notice placed in a conspicuous position has been set aside by the Council as an area where a cricket ball may be used.

11. CYCLING

(1) No person shall, without reasonable excuse, ride a cycle on the Common, except in any part of the Common where there is a right of way for cycles, or along such routes as may be fixed by the Council and indicated by signs placed in conspicuous positions on the Common.

(2) In this Byelaw, “cycle” means a bicycle, tricycle or a cycle having four or more wheels, not being in any case a motor cycle or motor vehicle.

12. DISCUS THROWING

No person shall on the Common, except in connection with an event organised by or with the consent of the Council, engage in the sport of discus throwing.

13. ERECTION OF STRUCTURES

No person shall on the Common without the consent of the Council, erect any post, rail, fence, pole, tent, booth, stand, building or other structure.

14. FIRES

(1) No person shall on the Common intentionally light a fire, or place, throw or let fall a lighted match or any other thing so as to be likely to cause a fire.

(2) This byelaw shall not prevent the lighting or use of a properly constructed camping stove or cooker in any area set aside for the purpose in such a manner as not to cause danger of or damage by fire.

15. GAMES

(1) Where the Council has, by a notice placed in a conspicuous position on the Common, set apart an area on the Common for the playing of such games as may be specified in the notice, no person shall :-

(a) play in such an area any game other than the game for which it has been set apart.

(b) use any such area so as to give reasonable grounds for annoyance to any person already using that area for any purpose for which it has been set apart ; or

(c) play any game so specified in any other part of the Common in such a manner as to exclude any person not playing the game from the use of that part.

(2) No person shall, in any area of the Common which may have been set apart by the Council for any game, play any games when the state of the Common or other cause makes it unfit for use and a notice is placed in a conspicuous position prohibiting play in that area of the Common.

- (3) (a) No person shall on the Common play any game ;
- (i) so as to give reasonable grounds for annoyance to any other person on the Common ; or
 - (ii) which is likely to cause damage to any tree, shrub or plant on the Common.
- (b) This byelaw shall not extend to any area set apart by the Council for the playing of any game.

16. GATES

Where the Council indicates by a notice conspicuously exhibited on or alongside any gate on the Common that leaving that gate open is prohibited, no person, having opened that gate, or caused it to be opened, shall leave it open.

17. GOLF

No person shall on the Common drive, chip or pitch a hard golf ball except on land set aside by the Council for use as a golf course, golf driving range, golf practice area or putting course.

18. GRAZING

No person shall, without the consent of the Council, turn out or permit any animal to graze on the Common.

19. HAMMER THROWING

No person shall on the Common, except in connection with an event organised by or with the consent of the Council, engage in the sport of hammer throwing.

20. HORSES : (DANGEROUS RIDING)

No person shall on the Common intentionally or negligently ride a horse to the danger of any other person using the Common.

21. HORSES : (ONLY IN DESIGNATED AREAS)

Where any part of the Common has, by a notice placed in a conspicuous position on the Common, been set apart by the Council as an area where horse riding is permitted,

no person shall, without the consent of the Council, ride a horse on any other part of the Common.

22. INTERFERENCE WITH LIFE-SAVING EQUIPMENT

No person shall, except in case of emergency, remove from or displace on the Common or otherwise tamper with any life-saving appliance provided by the Council.

23. JAVELIN THROWING

No person shall on the Common, except in connection with an event organised by or with the consent of the Council, engage in the sport of javelin throwing.

24. KITES

No person shall on the Common fly or cause or permit to be flown any kite in such a manner as to cause a danger or annoyance to any other person on the Common.

25. METAL DETECTORS

No person shall on the Common use any device designed or adapted for detecting or locating any metal or mineral in the ground.

26. MISSILES

No person shall on the Common, to the danger or annoyance of any other person on the Common, throw or discharge any missile.

27. MODEL AIRCRAFT

(1) In this byelaw :-

“model aircraft” means an aircraft which either weighs not more than 7 kilograms without its fuel or is for the time being exempted (as a model aircraft) from the provisions of the Air Navigation Order 2000 (S.I. 2000/1562);

“power-driven” means driven by the combustion of petrol vapour or other combustible vapour or other combustible substances or by one or more electric motors or by compressed gas.

(2) (a) no person shall on the Common release any power-driven model aircraft for flight or control the flight of such an aircraft ;

(b) no person shall cause any power-driven model aircraft to take off or land on the Common.

28. MODEL BOATS : (ONLY IN DESIGNATED AREAS)

No person shall, without the consent of the Council, operate or sail on any waterways comprised in the Common any model boat, except in an area where a notice exhibited by the Council permits the use of such boats.

29. MODEL BOATS (POWER DRIVEN) : (ONLY IN DESIGNATED AREAS)

(1) No person shall operate or sail on any waterway comprised in the Common any power-driven model boat, except in any area where a notice exhibited by the Council permits the use of such boats.

(2) In this bye-law, “power-driven” means driven by the combustion of petrol vapour or other combustible vapour or other combustible substances.

30. NOISE

(1) No person on the Common shall, after being requested to desist by an officer of the Council, or by any person annoyed or disturbed, or by any person on his behalf

- (a) by shouting or singing,
- (b) by playing on a musical instrument, or
- (c) by operating or permitting to be operated any radio, gramophone, amplifier, tape recorder or similar instrument,

cause or permit to be made any noise which is so loud or so continuous or repeated as to give reasonable cause for annoyance to other persons on the Common.

(2) This byelaw shall not apply to any person holding or taking part in any entertainment held with the consent of the Council.

31. OVERNIGHT PARKING

No person shall, without the consent of the Council, leave any vehicle or cause or permit any vehicle to be left on the Common at any time.

32. POLLUTION OF WATERWAYS

No person shall intentionally, carelessly or negligently foul or pollute any waterway comprised in the Common.

33. PROTECTION OF FLOWER BEDS, TREES, GRASS ETC.

(1). No person who brings or causes to be brought on to the Common a vehicle shall wheel or park it over or upon :

(a) any flower bed, shrub or plant, or any ground in the course of preparation as a flower bed or for the growth of any tree, shrub or plant; or

(b) any part of the Common where the Council, by a notice placed in a conspicuous position in the ground, prohibits its being wheeled or parked.

(2) No person shall on the common tread upon :

(a) any flower bed, shrub or plant, or any ground in the course of preparation as a flower bed, or for the growth of any tree, shrub or plant ; or

(b) any part of the common set aside for the renovation of grass or turf, where an adequate notice to keep off such grass or turf is exhibited.

34. PROTECTION OF WILDLIFE

(1) No person shall on the Common intentionally kill, injure, take or disturb any animal or fish, or engage in hunting, shooting or fishing, or the setting of traps or nets, or the laying of snares.

(2) This byelaw shall not prohibit any fishing which may be authorised by the Council.

35. PUBLIC SHOWS, EXHIBITIONS AND STRUCTURES

No person shall on the Common, without the consent of the Council, place or take part in any show or exhibition, or set up any swing, roundabout or other like thing.

36. REMOVAL OF STRUCTURES

No person shall, without reasonable excuse, remove from or displace on the Common any barrier, railing, post or seat, or any part of any structure or ornament, or any implement provided for use in the laying out or maintenance of the Common.

37. REMOVAL OF SUBSTANCES

No person shall remove from or displace on the Common any stone, soil or turf, or the whole or any part of any plant, shrub or tree.

38. REMOVAL OF VEHICLES, ANIMALS AND STRUCTURES

Any officer of the Council may, after due warning, remove from the Common any vehicle or animal drawn, driven or placed on the Common, or any structure (including a caravan) erected or placed thereon, in contravention of the Scheme or of any of these byelaws.

39. REPAIRING OF VEHICLES

No person shall clean, paint or carry out repairs to any vehicle parked on the Common, except in the event of an accident, breakdown or other emergency.

40. SHOT-PUTTING

No person shall on the Common, except in connection with an event organised by or with the consent of the Council, engage in the sport of shot-putting.

41. SKATEBOARDING AND ROLLER SKATING

No person shall on the Common skate on rollers, skateboards, wheels or other mechanical contrivances in such a manner as to cause danger or nuisance or give reasonable grounds for annoyance to other persons on the Common.

42. TRADING

No person shall on the Common, without the consent of the Council, sell or expose for sale, or let to hire, or offer or expose for letting to hire, any commodity or article.

43. VEHICLES

(1) No person shall, without reasonable excuse, ride or drive a motor cycle, motor vehicle or any other mechanically propelled vehicle (other than a cycle) on the Common, or bring or cause to be brought on to the Common a motor cycle, motor vehicle, trailer or any other mechanically propelled vehicle (other than a cycle), except in any part of the Common where there is a right of way for that class of vehicle.

(2) If the Council has set apart a space on the Common for use by vehicles of any class this bye-law shall not prevent the riding or driving of those vehicles in the space so set apart, or on a route, indicated by signs placed in conspicuous positions, between it and the entrance to the Common.

(3) This byelaw shall not extend to invalid carriages.

(4) In this byelaw :-

“invalid carriage” means a vehicle, whether mechanically propelled or not, the unladen weight of which does not exceed 150 kilograms, the width of which does not exceed 0.85 metres and which has been constructed or adapted for use for the carriage of one person, being a person suffering from some physical defect or disability, and is used solely by such a person.

“motor cycle” means a mechanically propelled vehicle, not being an invalid carriage, intended or adapted for use on roads.

“trailer” means a vehicle drawn by a motor vehicle, and includes a caravan.

44. WATERCOURSES

No person, shall knowingly cause or permit the flow of any drain or watercourse on the Common to be obstructed or diverted, or open, shut or otherwise work or operate any sluice or similar apparatus on the land.

45. OBSTRUCTION

No person shall on the Common :

(a) intentionally obstruct any officer of the Council in the proper execution of his duties ;

(b) intentionally obstruct any person carrying out an act which is necessary to the proper execution of any contract with the Council ; or

(c) intentionally obstruct any other person in the proper use of the Common, or behave so as to give reasonable grounds for annoyance to other persons on the Common.

46. SAVINGS

(1) An act necessary to the proper execution of his duty on the Common by an officer of the Council, or any act which is necessary to the proper execution of any contract with the Council, shall not be an offence under these byelaws.

(2) Nothing in or done under any of the provisions of these byelaws shall in any respect prejudice or injuriously affect any public right of way through the Common, or the rights of any person acting legally by virtue of some estate, right or interest in, over or affecting the Common or any part thereof.

47. PENALTY

Any person offending against any of these byelaws shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale.

48. CONSENTS

Where in these Byelaws a person is required to obtain the consent of the Council, he/she should apply for such consent in writing to the Proper Officer of the Council at County Hall, Mold, CH7 6NR.

49. REVOCATION

The byelaws made by the Urban District Council of Buckley on 12th December 1933 and confirmed by the Minister of Health on 9th February 1934 relating to the Common are hereby revoked.

GIVEN under the Common Seal of Flintshire County Council this _____ day of 2010.

THE COMMON SEAL of
FLINTSHIRE COUNTY COUNCIL
was hereunto affixed in the
presence of :-

A person authorised by the Council

