

ORGANISATIONAL CHANGE OVERVIEW & SCRUTINY COMMITTEE
21 JULY 2015

Minutes of the meeting of the Organisational Change Overview & Scrutiny Committee of Flintshire County Council held in the Delyn Committee Room, County Hall, Mold on Tuesday, 21 July 2015

PRESENT: Councillor David Roney (Chairman)

Councillors: Clive Carver, Chris Dolphin, Ian Dunbar, Andy Dunbobbin, Ron Hampson, Dave Mackie, Mike Reece, Paul Shotton and Nigel Steele-Mortimer

APOLOGIES: Councillors: Glenys Diskin, Brian Dunn and Robin Guest.

ALSO PRESENT: Deputy Leader & Cabinet Member for Environment, Chief Executive and Chief Officer (Organisational Change)

IN ATTENDANCE: Member Engagement Manager and Committee Officer

13. DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)

No declarations of interest were received.

14. MINUTES

The minutes of the meetings held on 8 June and 15 June 2015 were submitted.

Councillor Ian Dunbar asked that his apologies submitted for the latter meeting be recorded.

RESOLVED:

That subject to the amendment, both sets of minutes be approved as a correct record and signed by the Chairman.

15. COMMUNITY ASSET TRANSFER

The Chief Officer (Organisational Change) introduced an update on progress with Community Asset Transfers (CATs). In recognising public assets as one of the major strengths of the Council, he spoke of the need to balance the disposal of surplus assets to generate funding for the capital programme with the regeneration of local communities and encouraging social enterprise to explore alternative uses. Reference was made to the benefits of CATs in helping to promote public value which was linked to the Council's Improvement Priorities and the role of the Flintshire Local Voluntary Council (FLVC) was highlighted in providing a valuable interface between the Council and applicants to support the delivery of CATs.

Following the refresh of the CAT process, information on the types of assets and the new three staged approach had been shared with Town and Community Councils. To date, 255 enquiries had been received including 72

expressions of interest. Whilst two were moving to Stage 2 to seek more information on the business model, five had been cleared by the panel to progress to completion of the legal documentation at Stage 3. In acknowledging the challenges of participating in this new initiative, the report detailed the levels of one-off capital funding to support groups in undertaking work on assets, which could be used to access match-funded grants not available to the Council.

Details were shared on the creation of a working group to discuss business planning for the Connah's Quay Swimming Baths with involvement from local clubs, prior to submission of a detailed business model in September. On the Holywell Leisure Centre, initial meetings with Holywell Town Council had been undertaken and a meeting with interested stakeholders would follow to discuss the wider assets in Buckley. Various options were being explored in Buckley, including opportunities for a Community Asset Trust which would focus on a group of assets. These were very early explorations of a concept which needed to be built upon.

Councillor Nigel Steele-Mortimer felt that the report did not include any new information and that details were needed on those which had cleared the second stage of the process. Further information on the position of all expressions of interest was then tabled as a reference document. Councillor Steele-Mortimer commended the work of the FLVC in supporting groups and sought progress on the proforma for the transfer of legal aspects as mentioned at the previous meeting. The Chief Officer explained that some of the expressions of interest cleared at Stage 2 had been panelled on the basis of further information required of the Town/Community Councils. He explained that work on the legal proforma had involved looking at best practice examples in England and Wales to create a template for use in all transfers that would be easier to understand and process by the Legal team. The finalised template was due to be finalised by the end of August.

The Deputy Leader and Cabinet Member for Environment said that the approach for a longer lead-in time had been made clear in business planning for this financial year to allow space to the groups involved to develop their ideas and to achieve the right outcomes. He spoke about his role and that of the FLVC on the stage 2 panel who were all learning from the process and stated that once the legal proforma was in place, there was likely to be more movement on transfers towards the end of 2015.

The tabled spreadsheet showed the current status of all expressions of interest, noting the sensitivities as some organisations may not be ready at this stage to complete the process. Whilst commenting on the good level of interest, the Chief Executive said that the lead-in period was important to allow groups to develop their own opportunities and that once set up, the initiative would sell itself to community groups with the financial support as a further incentive. He spoke about the Council's positive partnership with FLVC, adding that the approach to the programme had been well received by other bodies, such as One Voice Wales which represented Town and Community Councils across Wales.

In thanking officers for personally meeting with Town and Community Councils, Councillor Ian Dunbar commented on the favourable pace at which progress was being made and the importance of groups coming together to retain

key local assets. In response to a query on the Scout premises in Connah's Quay, he was told that positive discussions had taken place and that there were still opportunities to engage in the CAT process on the basis of a 27 year lease.

Councillor Clive Carver welcomed the additional information on the spreadsheet and felt that this should be provided for future updates to the Committee to show progress, during closed session if necessary. The Chairman explained that the information had not been available at the time of finalising the agenda and that due consideration had been required on the content of the spreadsheet. The Chief Executive confirmed that the information would be shared as part of future updates. Councillor Carver queried progress on some of the data on the spreadsheet and was advised that additional time was required to seek clarity on deeds and legal documentation such as covenants which may restrict certain types of use of such assets.

Councillor Paul Shotton welcomed the level of interest generated and the Council's commitment on funding support. He suggested that FLVC colleagues could be invited to a future meeting to discuss their involvement and sought more information on options for Buckley and Connah's Quay. The Chief Officer provided an explanation on Community Asset Trusts which was a different model currently being explored in Buckley to bring together a group of assets in that area. He confirmed that an expression of interest had also been received for the Connah's Quay Youth Centre linked to other assets on the same site.

Following agreement by the Chairman that the invitation to FLVC could be included on the Forward Work Programme, the Chief Officer suggested that this could also incorporate feedback from organisations going through the process.

Councillor Dave Mackie queried the inclusion of street-lighting in the list of relevant categories and said that some people had expressed their frustration at being unable to move forward due to a lack of information shared. The Chief Officer stated that a number of Town and Community Councils had already taken on responsibility for street-lighting outside the CAT process. He explained that the schedule of available assets with cost data had been shared and that requests for further data had been dealt with. He went on to refer to the range of available assets and the level of work involved in responding to genuine requests for further information. When asked about access to grant funding, he said that discussions were taking place on opportunities for match-funding, lottery funding and support from large local businesses.

Councillor Mackie raised a number of concerns expressed by individuals about the potential of returning assets at the end of the 27 year lease period and suggested that these could be resolved by freehold transfer. The Chief Executive explained that the assets were likely to be owned by a public body (through the 27 year lease), and would be protected by leases that would be renewed at the end of their lease term, and that this would be a legacy arrangement for any new Local Authority with the expectation for re-negotiation with the leaseholder as a first option. On the return of play areas after the 27 year period, he felt that the Authority would be sympathetic to changing circumstances and could consider options to retain as open spaces if and when play equipment was withdrawn. On funding, Town/Community Councils were being asked to consider the most

appropriate model where a range of opportunities such as Welsh Government or European funding, not available to the County Council, could be accessed.

Following further remarks by Councillor Mackie on sharing intelligence about the process, the Deputy Leader said that the Council was leading on CAT in Wales, as demonstrated by the level of interest by other Welsh Authorities at the conference hosted by the Council. He referred to the comments around lack of information sharing and encouraged Members to liaise with officers on specific examples. The Chief Executive spoke about the potential to extend the role of FLVC to provide networking support and for the programme to share legal costs.

Councillor Chris Dolphin welcomed the efforts of senior officers in meeting with Town/Community Councils and agreed that the Council's position on CAT was more advanced than others across Wales. He referred to the complex paperwork, the need for feedback from those who had completed the process and asked if the sourcing of external legal support could help to speed up progress. He agreed to speak to the Chief Officer outside the meeting on the possible relocation of a sports log cabin to Bagillt. On the creation of the template, the Chief Officer said that only limited Legal involvement was envisaged to be needed in the future but that any capacity issues identified would require alternative resources to be sought elsewhere to avoid any delay in the process.

The Chief Executive explained that local groups were able to make their own enquiries with the Council, however due to the sensitivities involved, the preferred approach was for the Council to first engage with Town and Community Councils to enable them to consider the range of assets in those areas and encourage them to liaise with local groups.

Councillor Ron Hampson commented on the need to provide data on running costs to help decision-making on the potential Community Asset Trust in Buckley. The Chief Officer was aware of a similar Trust created in England and that if progressed here, this could present an opportunity to lever in grant support. With regard to running costs, these would be provided however the amount of data depended on the type/size of asset involved.

Councillor Andy Dunbobbin referred to positive examples of CAT such as the library in Bagillt and Arnos Vale Cemetery Trust in Bristol as a social enterprise project. In response to earlier concerns raised on the transfer of play areas, he said that other options and sources of support were available.

Following questions from Councillor Steele-Mortimer, the Chief Officer provided clarification on the title headings in the spreadsheet. On the community centre in Trelogan, he advised that this had been considered by the panel with further information being sought from the applicant.

The Chief Executive welcomed suggestions from local Members to explore different options for assets in their wards, such as that put forward by Councillor Mike Reece for the school, youth club and community hall in Bagillt.

In response to a question from Councillor Dolphin, the Chief Officer advised that since the start of the programme, around seven CATs had been

completed on 25 year leases: this lease period was linked to lottery funding and their requirement to be able to demonstrate a long period and commitment. The lease period had since been extended to 27 years to allow the respective organisation a two year settling-in period.

RESOLVED:

That the approach to Community Asset Transfers be endorsed.

16. FORWARD WORK PROGRAMME

The Member Engagement Manager introduced the current Forward Work Programme. The following were agreed:

- The venue for the next meeting on 28 September to be confirmed by the Member Engagement Manager.
- Following discussion on the previous agenda item, the meeting scheduled for 2 November to be changed to an all-Member workshop on Community Asset Transfers with an invitation to be extended to the Flintshire Local Voluntary Council and groups which had completed the process.
- Further updates on Community Asset Transfers to include the additional information discussed under the previous agenda item.

The Member Engagement Manager took the opportunity to remind Members of the workshop arranged for the following day to develop forward work planning for all the Overview & Scrutiny committees.

RESOLVED:

That the Forward Work Programme be updated accordingly.

17. MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE

There was one member of the press in attendance.

(The meeting started at 2.00 pm and ended at 3.28 pm)

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Chairman