

**CABINET**  
**18 SEPTEMBER, 2012**

Minutes of the meeting of the Cabinet of Flintshire County Council held at County Hall, Mold on Tuesday, 18 September 2012

**PRESENT: Councillor A.P. Shotton (Chairman)**

Councillors: J.B. Attridge R.C. Bithell, H. Brown, C.M. Jones, R.K. Jones, R.P. Macfarlane and W. Mullin

**ALSO PRESENT:**

Councillors: D.I. Mackie, R.G. Hampson, C.A. Thomas and A. Woolley

**IN ATTENDANCE:**

Chief Executive, Director of Community Services, Director of Environment, Director of Lifelong Learning, Head of Finance, Head of Legal and Democratic Services, Head of Human Resources and Organisational Development, Head of ICT and Customer Services and Committee Officer

**52. DECLARATIONS OF INTEREST**

None were declared.

**53. MINUTES**

The minutes of the meetings held on 10 and 17 July, 2012 were confirmed as a correct record.

**54. IMPROVEMENT PRIORITIES REVIEW**

The Cabinet Member for Corporate Management introduced a report to seek approval to a review and resetting of the Improvement Priorities for the new Council in 2012-2017, and to seek agreement for the Improvement Plan 2012-2017 at the next Cabinet meeting prior to presentation for adoption at the County Council in October 2012.

He provided background information and advised that the assessment showed that the Council had a good record of achievement against the priorities as detailed in the report submitted to the meeting of Cabinet in July. The Improvement Priorities were being built on and added to by the new Council with local political priorities including:

- Social enterprise
- Apprenticeships and Youth Unemployment
- Community Development and Events

The Chief Executive commented on the statutory requirement to publish an Improvement Plan and advised that the priorities would be subject to on-going change and considerations and would be constantly risk assessed.

**RESOLVED:**

- (a) That a review and reset of the Council's Improvement Priorities for 2012-2017 be approved; and
- (b) That the Improvement Plan 2012-2017 be received at the next Cabinet meeting for adoption by the County Council in October 2012.

**55. COUNCIL (PLAN) GOVERNANCE FRAMEWORK REVIEW**

The Cabinet Member for Corporate Management presented the reviewed Council (Plan) Governance Framework for re-adoption as part of the full Council Planning Framework following annual review. He reported on changes to the governance and business plan and advised that some of the key contributing strategies such as the ICT Strategy and People Strategy had been reviewed and contributed to the framework.

The Cabinet Member also referred to the reporting of annual statements and on the production and availability of Directorate Plans which summarised the critical priorities, performance risk and improvement activity for the three service Directorates and commitments from the strategic partnerships. He reported that all Council service areas had reviewed and completed their service plans at Head of Service level. Plans were reviewed and refreshed periodically throughout the year and reported quarterly.

The Chief Executive commented that the framework was a voluntary arrangement and referred to the positive feedback received.

The Leader of the Council requested that page 33 of the revised Council (Plan) Governance Framework be amended to reflect the revised portfolio titles.

**RESOLVED:**

- (a) That the revised Council (Plan) Governance Framework be received; and
- (b) That the production and availability of the directorate and service plans be noted.

**56. REGIONAL STRATEGY FOR ECONOMIC AMBITION**

The Cabinet Member for Regeneration, Enterprise and Leisure introduced a report to seek adoption of the regional Economic Ambition Strategy for North Wales.

The Chief Executive advised that a copy of the strategy document entitled Economic Ambition – A Strategy for Change could be provided to Members on request. He reported that the Authority was working closely with the Minister for Business, Enterprise, Technology and Science, and that Welsh

Government support was needed so that there was no conflict of objectives or economic promotion and investment.

The Leader of the Council commented on the importance of the new Economic Ambition Project Board in addressing key critical issues and said a recommendation was to be made to the Board that all Council Leaders had an open invitation to attend and participate as non voting members.

**RESOLVED:**

- (a) That the Cabinet join its five neighbouring Councils in committing to the partnership and supporting the strategy; and
- (b) That the Council be represented by the Cabinet Member for Regeneration, Enterprise and Leisure with the recommendation to the Project Board that all Council leaders have a standing invitation to attend and participate as non-voting members.

**57. COMMUNITY STRATEGY AND LOCAL SERVICE BOARD – MID YEAR REVIEW**

The Cabinet Member for Corporate Management introduced a report to seek endorsement of the ongoing work of the Flintshire Local Service Board (LSB). He advised that working alongside the LSB were eight key Strategic Partnerships. He gave an overview of the key considerations detailed in the report and commented specifically on the Effective Services for Vulnerable People (ESVP) programme and the Carbon Reduction and Adaptation Planning project.

The Chief Executive commented on the remit of the LSB and some of the specific work being undertaken with partnerships to make the best use of resources. Given the anticipated implications of Welfare Reform the Chief Executive made reference to the work being undertaken on maximising opportunity and preventing and reducing poverty and disadvantage in Flintshire.

The Chief Executive drew Members' attention to the first LSB Conference which was scheduled to be held on 21 November 2012. He explained that the purpose of the conference was to show Flintshire's commitment and celebrate the successes of partnership working.

**RESOLVED:**

That Cabinet support the ongoing work of the Local Service Board as outlined in this report.

**58. CUSTOMER SERVICES STRATEGY UPDATE**

The Cabinet Member for Corporate Management presented an update on progress made with implementation of the Customer Services Strategy.

He reported on initiatives to provide more cost effective and efficient ways of accessing the Council's information and services and on improved customer access via the use of social media tools and Council "Apps", the website, face to face contact and telephone contact centres.

The Cabinet Member for Environment commented on the Streetscene Contact Centre which was introduced in March 2012. He advised that the volume of calls received since March were greater than expected, however, measures had been put in place and improvements achieved in call answering times and reducing abandoned calls. The situation would be closely monitored and further work undertaken to improve back office procedures and communication between the Streetscene operations staff and the Contact Centre advisors.

The Cabinet Member for Public Protection, Waste and Recycling and the Head of ICT and Customer Services provided further detail on the successful launch of a Flintshire App to report dog fouling. The Head of ICT also reported on the development of the website and on-line services, the Flintshire Connects project, and the Streetscene Contact Centre.

**RESOLVED:**

That the progress made in implementing the Customer Services Strategy be noted.

**59. REGIONAL SCHOOL EFFECTIVENESS AND IMPROVEMENT SERVICE JOINT COMMITTEE**

The Cabinet Member for Education introduced a report to seek approval for the Terms of Reference and Membership of the Joint Committee to be established following the earlier decision to accept the Full Business Case and establish a new Regional School Effectiveness and Improvement Service.

He provided background information and outlined the proposed membership of the Joint Committee and terms of reference and delegated functions as detailed in the report.

The Chief Executive defined the role and responsibilities of the host authority and emphasised the importance of reporting on progress during the transition phase so that all involved had assurance that the project was developing to timescale.

**RESOLVED:**

- (a) That the establishment of the Joint Committee in accordance with the report be confirmed;
- (b) That the Cabinet Member for Education represents the Authority on the Joint Committee; and

- (c) That the Terms of Reference and Delegated functions of the Joint Committee as set out in paragraphs 3.03 and 3.04 of the report be approved.

**60. DEVELOPING THE APPROACH TO FLINTSHIRE'S LOCAL DEVELOPMENT PLAN**

The Cabinet Member for Environment presented a report to set out the approach to be taken to prepare the Flintshire Local Development Plan (LDP), including the context for the new plan, the main themes and requirements of the LDP system, the likely timescales involved in preparation, the resources required, governance of the plan process, and next steps.

He provided background information and commented that the way the LDP was prepared in Flintshire would also be guided by the experiences of other Authorities which had produced their LDPs or were further advanced in the process. Whilst there was clearly a need to make progress, there must also be a commitment to develop a process and programme for the LDP that was robust, realistic, relevant and deliverable. The Cabinet Member made reference to the new LDP objectives, timescales for preparation, governance and immediate work programme for making progress with the plan.

The Leader of the Council and Chief Executive commented on the opportunity the LDP provided to demonstrate what could be achieved by the Authority in consultation with local residents and communities beyond the planning outcome for community development.

**RESOLVED:**

- (a) That the report be noted; and
- (b) That the actions to carry out the next steps set out in appendix 2 of the report be endorsed.

**61. QUARTER 1 - PERFORMANCE REVIEW 2012/13**

The Cabinet Member for Corporate Management introduced the report to consider the 2012/13 Quarter 1 service performance reports produced at Divisional level for the period April to June 2012, and to note the updates, progress and assessments included within the performance reports. He referred to the areas of high risk identified in the Strategic Assessment of Risks and Challenges (SARC) and the work undertaken to address those areas.

The Chief Executive highlighted the improvement priorities, progress and outcomes against the secondary priorities, and analysis against the improvement targets. He also referred to the SARC report and explained that risk CL07 needed to be re-categorised from Amber to Red status and that risk

CG23, whilst discussed, had already been considered by Overview and Scrutiny.

The Leader of the Council commented on the challenge and implications of Welfare Reform and advised that a Welfare Reform Board had been set up and that there was an open invitation for all Cabinet Members to sit on the Board.

**RESOLVED:**

- (a) That any specific issues outlined within the report which may require management action and/or referral be referred to the appropriate Overview and Scrutiny Committees for consideration; and
- (b) That the performance reports be noted.

**62. WELSH LANGUAGE ANNUAL MONITORING REPORT 2011-12**

The Cabinet Member for Corporate Management presented the Council's Welsh Language Scheme Annual Monitoring Report 2011-12 for endorsement prior to formal submission of the report to the Welsh Language Commissioner (WLC).

He advised that in May 2012 the Welsh Language Commissioner published a consultation on 'Standards and the Welsh Language' to provide an opportunity for anyone to state their opinion on the standards in relation to service delivery, policy making, operational activities, promotion and record keeping. A report providing a summary of all responses received to the consultation would be published in the Autumn and the recommendations presented to Cabinet upon publication with an overview of potential resource implications and associated actions to mitigate risk. The Welsh Language Scheme targets and timetable was set out in the appendix to the report.

The Chief Executive provided further background information and context and advised that although the Council was successfully implementing many of the Scheme's commitments some of the targets had not been met. There was, however, a genuine commitment to monitor and review the implementation of its Welsh Language Scheme.

The Leader of the Council referred to the development of staff skills and expressed the view that encouragement was better than coercion in engaging employees to improve their Welsh language skills. The Cabinet Member for Education said that it was important that Members were also made aware of the opportunities available to them to develop their Welsh language/bilingual provision.

**RESOLVED:**

That the Council's Welsh Language Scheme Annual Monitoring Report 2011-12 be endorsed prior to formal submission to the Welsh Language Commissioner.

**63. REVENUE BUDGET MONITORING 2012/13 (MONTH 3)**

The Head of Finance presented the latest revenue budget monitoring information (Month 3) for the Council Fund and the Housing Revenue Account (HRA) 2012/13.

Members were informed that the projected year end position as estimated at Month 3 was a net overspend of £1.053m on the Council Fund and a net overspend of £0.030m on the Housing Revenue Account. The Head of Finance advised that the main reason for the overall projected Council Fund overspend was a current forecast overspend of £1.303m within Lifelong Learning. Details of the reasons for the variances were outlined in appendix 3 to the report where in addition to the historic pressures there were a small number of emerging new pressures. Also detailed in appendix 3 were the specific management actions in place to reduce the overspends, including the consideration of some of the pressures for ongoing funding within the budget process for 2013/14. She indicated that it was management's intention to contain expenditure in year to within the overall budget as far as this was possible to do.

The Head of Finance advised that the in-year over/(under) spends as detailed in the report reflected a number of risks and assumptions. She also reported on the unearmarked reserves and the HRA and advised that it was recommended that delegated authority be granted to the Head of Housing to allocate additional CERA contributions from HRA balances over and above the required level of 3% of total expenditure. Further monitoring reports would be presented to Cabinet during the year. It was suggested that the delegation to the Head of Housing be in conjunction with the Cabinet Member and this was agreed.

The Leader of the Council said that detailed discussion had been held on the revenue budget monitoring report at the meeting of the Corporate Resources Overview & Scrutiny Committee on 13 September 2012. He stated that it was critical that the background to the overspend was understood at this stage in view of the financial challenges ahead and the need to protect services.

The improvements in Housing performance and efficiencies were noted as were the positive improvements in facilities at Deeside Leisure Centre.

**RESOLVED:**

- a) That the overall report and the management actions being taken to address the projected overspend be noted;

- b) That the Council Fund contingency sum (overdrawn balance) as at 31 March 2013 (paragraph 5.02) be noted;
- c) That the allocation of £0.361M from contingency as a one-off investment to support the new Leisure facilities in their first year of operation (paragraph 3.04) be approved;
- d) That the projected final level of balances on the Housing Revenue Account (paragraph 6.03) be noted; and
- e) That delegated authority be granted to the Head of Housing in consultation with the Cabinet Member for Housing, to allocate additional CERA contributions from HRA balances over and above the required level of 3% of total expenditure (paragraph 6.06).

**64. WORKFORCE INFORMATION QUARTER 1**

The Cabinet Member for Corporate Management presented an update for the first quarter of 2012/13. He highlighted the decline in the number of agency workers, the number of early retirements, and the downward trend in absenteeism.

The Head of Human Resources and Organisational Development provided an overview of the report and commented on the work undertaken to ensure that agency workers were employed only where appropriate. She commented on the Agency net savings for the first quarter of the financial year 2012/13 in comparison to the same period for 2011/12 which was due to a 34% reduction in the use of agency workers. There had also been an overall reduction in the number of temporary placements across the Council which exceeded 12 weeks.

Concerning absence management and sickness levels the Head of Service advised that when compared to previous years there was still a downward trend, however, this continued to be a focus point and she outlined the specific actions and initiatives which were being undertaken and planned for service areas where absence was high.

**RESOLVED:**

That the Workforce Information Report for the first quarter 2012/13 be noted.

**65. CONSTITUTIONAL UPDATES TO REFLECT NEW PORTFOLIOS**

The Head of Legal and Democratic Services introduced a report advising Members of an update to the Constitution to reflect new Cabinet portfolios.

**RESOLVED:**



That the Council's Constitution be updated to reflect the political responsibilities of each Cabinet member as indicated in appendix 1.

**66. SCHOOL PERFORMANCE MONITORING GROUP**

The Cabinet Member for Education introduced a report to seek views on the creation of a renewed group to monitor and support the improvement of school standards in Flintshire. He provided background information and reported that appended to the report were the draft 'terms of reference' for a working group of the Lifelong Learning Overview & Scrutiny Committee to monitor school improvement work with individual schools. The monitoring of overall school improvement performance and strategies would remain with the full Lifelong Learning Overview & Scrutiny Committee.

**RESOLVED:**

- (a) That the terms of reference be approved; and
- (b) That a renewed School Performance Monitoring Group be established as a 'working group' of the Lifelong Learning Overview & Scrutiny Committee.

**67. QUARTERLY MONITORING REPORT ON PROGRESS WITH IMPLEMENTATION OF THE ESTYN ACTION PLAN**

The Cabinet Member for Education presented a progress report on the implementation of the Action Plan following 2011 Estyn Inspection of Local Authority Education Services for Children and Young People (LAESCYP). He outlined the Estyn Inspection recommendations and reported that development with the implementation of the Action Plan would be monitored by an Estyn team early 2013.

The Director of Lifelong Learning explained that good progress had been made on the actions the Authority had set out to achieve through the post Inspection Action Plan. As well as monitoring implementation of the Action Plan the impact of those actions in terms of children's learning opportunities and outcomes was also being monitored.

**RESOLVED:**

That progress with implementation of the Estyn Action Plan be noted.

**68. GREENFIELD VALLEY TRUST ACCOUNTS**

The Cabinet Member for Education presented the Report of the Trustees and Financial Statements for the Year ended 31 December 2011 for Greenfield Valley Trust Limited, as required by the Management Agreement between the Trust and the Council. He provided background information and outlined the significant points in the report. The long term risks and the actions taken to address them were detailed in the report

**RESOLVED:**

That the Report and Financial Statements be noted.

**69. YSGOL RHES Y CAE - FEEDBACK FROM CONSULTATION**

The Cabinet Member for Education introduced a report advising Members of the outcome from the consultations held at Ysgol Rhes Y Cae relating to the option to close the school due to the low numbers of pupils.

He provided background information and context and advised that following the consultation held in June, consultees were asked to send comments to the Director of Lifelong Learning within a specified period. One written response to the consultations had been received from the Diocesan Director acknowledging that the decline in numbers had led to an inevitable conclusion that the closure of the school was an appropriate action. The final stage in the consultation process on closure would be the publication of the statutory notice in a local newspaper. It had been proposed in the consultation meetings that the school remained open in the next academic year pending the closure process

The Director of Lifelong Learning stated that the Authority would continue to work sensitively with staff, governors and individual families until the closure procedure for the school was completed.

**RESOLVED:**

That the publication of the statutory notice for the period of one month, which will propose the closure of Ysgol Rhes y Cae from 31 August 2013 be approved.

**70. PANEL FOR THE APPOINTMENT OF LEA GOVERNORS**

The Cabinet Member for Education presented a report to seek revisions to the procedure for the appointment of Local Authority Governors to School Governing bodies.

At a meeting of the Constitution Committee held on 19 October 2011, Members had considered and endorsed the recommendations of the Panel concerning criteria to be considered in making nominations. Subsequent to that meeting the then Executive Member and current Cabinet Member had made further recommendations that the Panel ceased to exist, however, advice from the Constitution Committee could continue to be applied within the operational framework for appointments.

The Cabinet Member reported that there were 44 nominations to Local Authority Governor vacancies currently awaiting ratification.

**RESOLVED:**

- (a) That the Panel be disbanded with nominations to be approved by the Director of Lifelong Learning (in consultation with the Cabinet Member for Education) under delegated powers, and
- (b) That the nominations process be revised as recommended by the Constitution Committee.

**71. FLINTSHIRE COUNTY COUNCIL REVISED CEMETERY REGULATIONS 2012**

The Cabinet Member for Public Protection, Waste and Recycling introduced a report to seek approval for the revised Flintshire County Council Cemetery Regulations. He outlined the sections of the regulations which had been subject to change and commented specifically on the new regulations relating to memorial benches and the siting of benches, and the new Woodland Burial area to be established at Kelsterton Cemetery.

The Cabinet Member for Education referred to regulation 7.33 concerning wooden crosses and suggested that the regulation be amended to permit wooden memorials which were appropriate to other religions to also be erected.

**RESOLVED:**

That the proposed revised Regulations be approved.

**72. DEMAND RESPONSIVE TRANSPORT SERVICES UPDATE**

The Cabinet Member for Environment presented an update on the proposal to re-tender the Demand Responsive Transport Services and to seek approval for the withdrawal of the Theatre Shuttle Bus Service to the Theatre Clwyd.

He reported that the Authority was working with other local authorities in North Wales and the Taith Regional Transport Consortium on the development of an Outline Business Case to submit to the Welsh Government on how transport services could be delivered more effectively across the region in future.

Referring to the Theatre Shuttle Service, Members were advised that the service was not cost effective and was significantly subsidised by the Council. Alternative ways to support the FUSE group, who also currently used the service, had been pursued and for continuity purposes it was agreed that the existing transport provider would continue to provide transport to Theatre Clwyd for the Group at the current subsidised fare per person.

The Cabinet Member stated that the Director of Environment had given a commitment to a fundamental review of the Council's subsidised bus services to ensure best value was being obtained.

**RESOLVED:**

- (a) That a further report on the development and delivery of transport services in Flintshire and North Wales be considered at a future Cabinet meeting;
- (b) That the Theatre Shuttle Service be terminated but funding continued to provide transport for the FUSE group; and
- (c) That alternative ways of providing transport services to Theatre Clwyd be considered as part of the review of transport services in Flintshire.

**73. RECOVERY OF COSTS FOR PUBLIC PATH ORDERS**

The Cabinet Member for Environment introduced a report to revise the County Council's policy on recovering costs for public path orders. He referred to the key considerations in the report and advised that it would be helpful if there was more discretion to decide whether the costs associated with the making of public path orders should be waived.

Any path that had become obstructed by housing or other residential development since 1996, and those identified in appendix A to the report, would be assessed on a case by case basis and Officers would, in consultation with the Cabinet Member for Environment, prepare a delegated report which would include recommendations and costs, if any, to be charged in every given case.

**RESOLVED:**

That the County Council's policy on recovering costs for public path orders be revised as recommended in paragraphs 3.04 to 3.07 of the report.

**74. COLLECTION OF TEXTILES FROM THE COUNCIL'S RECYCLING CENTRES**

The Cabinet Member for Public Protection, Waste and Recycling introduced a report to seek approval for the proposed new arrangements for the collection and disposal of textiles and shoes from Council Household Recycling Centres (HRC's) and 'Bring' sites.

He reported that the value of textiles as a raw material had significantly increased in the past few years, however, the Salvation Army received only 10% of the value collected and the Council currently received no income. The current contract for collection and disposal of textiles and shoes had expired which provided the opportunity for other contractors, including Social Enterprises, to sell or reuse the clothing collected and make available for public use. It was intended that a contribution to the Chair of the Council's nominated charity would be made, equal to 10% of the residual value returned to the Council, from the sale of textiles/shoes for each year that the contract

operated. The new contract would be advertised during November 2012 to commence in January 2013.

**RESOLVED:**

That the proposed new contractual arrangements for collecting textiles and shoes at the Council's HRC's and 'Bring' sites be approved.

**75. EXERCISE OF DELEGATED POWERS**

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

The actions taken were as set out below:-

Corporate Services	Business Rates – Write Offs Corporate Debt Invoice – Write Off
Community Services	Proposed granting of an Easement to provide a gas main supplying Sheltered Housing Scheme at Coppa View, Buckley, Flintshire.
Environment	Proposed speed limit B5129 Kelsterton Road and Kelsterton Lane, Kelsterton.  Clarification on Adoption Issues at: 1 Cwrt Rhyd Galed, Mold, 2 Cwrt Maes Coch and Stryd Tegeingl, High Street, Bagillt, 3 Ashleigh Close, Saltney.

**76. DURATION OF MEETING**

The meeting commenced at 9.30 a.m. and ended at 11.10 a.m.

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

There were two members of the press and two members of the public in attendance.

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**Chairman**