

EXECUTIVE
10TH MARCH 2009

Minutes of the meeting of the Executive of Flintshire County Council held at County Hall, Mold on Tuesday, 10th March 2009.

PRESENT: Councillor L.A Sharps (Vice-Chairman in the Chair)

Councillors: P.G. Heesom, M. Higham, H.D. Hutchinson, N. Matthews, N. Phillips, N.R. Steele-Mortimer and H. Yale.

ALSO PRESENT: Councillors: R.C. Bithell, A Davies-Cooke, B. Dunn, V. Gay, R.G. Hampson, C. Hinds, H.G. Howorth, Mrs C.M Jones, R. Jones, D. Mackie, and Mrs D Mackie.

IN ATTENDANCE:

Chief Executive, Director of Community Services, Director of Environment, Director of Lifelong Learning, Head of Legal and Democratic Services, Head of Finance, Assistant Director (ICT & Customer Services), Head of Development and Resources and Head of Committee, Member and Electoral Services.

Mr Robert Gifford of the Care and Social Services Inspectorate for Wales (CSSIW) was in attendance for agenda item no. 4.

APOLOGY: Councillors: C. A. Ellis and A. Woolley

269. MINUTES

- (a) The Minutes of the meeting held on 3rd February 2009 were confirmed as a correct record.
- (b) The Minutes if the meeting held on 17th February 2009 were confirmed as a correct record.

MATTERS ARISING

Minute No. 252 – Draft Community Strategy and Local Service Board Mid-Year Review

The Executive Member for Housing Strategy and Planning referred to the reference in the Minute that he had commented on Section 4(1) of the Local Government Act 2000 which required the County Council to prepare a Community Strategy and had expressed reservations of the intentions of the legislation and the lack of member involvement. It was his view that this should have been reflected in the resolution and asked for this to be recorded.

The Head of Legal and Democratic Services reminded members that if there was an alteration to the recommendation of a report he would ask for Members to confirm the addition and this was incorporated in the Record of Decision which had not taken place on this occasion.

The Chief Executive also referred to the minute which reflected the comments made by the Councillor and his response, and that the matter had also been considered at Overview and Scrutiny Committee the previous day.

It was agreed that an additional resolution be added to the minute that the concerns of the Executive Member for Housing and Strategy and Planning be noted and this was agreed.

Minute 262 – Environmental Services – Community (Peripatetic) Skip Service

The Executive Member for Waste Strategy and Management referred to the Minute which she considered did not reflect the discussion in relation to the introduction of bring site facilities for the area where the skip service had been provided. The Executive Member for Housing Strategy and Planning confirmed this view and that he and the Executive Member for Education and Youth supported the new arrangements.

270. DECLARATIONS OF INTEREST

Councillor P.G. Heesom declared an interest in agenda item No. 9 Voluntary Sector Mid-Year Review as a Board Member of the FVLC.

271. ADMISSION OF AN ADDITIONAL URGENT AGENDA ITEM

The Head of Legal and Democratic Services asked the Executive to consider an additional urgent item on the 2008/09 pay award. The Chief Executive had referred to the budget considerations at the County Council the previous week and to the result of the ACAS arbitration on the 2008/09 pay awards which had become available a matter of hours before the commencement of the Council Meeting. This urgent report would provide the information on the result of the arbitration exercise.

RESOLVED

That the report be admitted as an urgent agenda item.

272. PERFORMANCE OF FLINTSHIRE'S SOCIAL SERVICES FOR ADULTS AND CHILDREN

The Director of Community Services presented a report the purpose of which was for the Executive to receive the Annual Performance Evaluation of Flintshire's Social Services for Children and Adults provided by the Care and Social Services Executive for Wales (CSSIW) for the year ended 31st March 2008. The Director welcomed Mr Robert Gifford of the CSSIW who would be making a presentation. She had also extended an invitation for Overview and Scrutiny Committee Members to attend and observe the Executive as this report would be submitted to Overview and Scrutiny.

The report was made on performance for the year ended 31st March 2008 and was therefore historical particularly as updated information on the quarter three performance of 2008/09 had been reported. She was pleased to report that the CSSIW Report showed that performance in many areas had improved during 2007/08 and this had continued to be maintained during 2008/09 and in many cases improved and she congratulated the workforce for the support given. The

outdated context of the evaluation report had been acknowledged by CSSIW at a national level and this would be addressed in the modernisation of Local Authority Inspection and Review which was under way.

Mr Robert Gifford then made a presentation; this would be the final performance evaluation in its current format. The presentation outlined the key role of Social Services and the role of CSSIW and the purpose of the performance evaluation with reference to the Flintshire context. There had been a number of performance challenges and there had been improved performance management as a result of the recent structural changes. He then proceeded to outline the key strengths and achievements identified in the evaluation and these were set out in Paragraph 3.03 of the Director's Report. The Performance Evaluation recommended a number of priority areas for improvement and these were also outlined in Paragraph 3.04 of the Director's Report.

Mr Gifford concluded by saying overall the evaluation of Flintshire's Social Services provided an encouraging picture of continuous improvement in challenging areas of service for the County's vulnerable children and adults. Work on the areas for improvement identified in the report had been undertaken during 2008/09 and would continue to be addressed within the directorate and service improvement plans for 2009/10. He referred to the announcement by the Chief Inspector on 22nd November, 2008 over the new arrangements that were to be put in place for inspection, evaluation and review of Local Authority Social Services. The new framework would place responsibility for reporting on performance with the Director of Social Services. He outlined the new arrangements which would include a regular fieldwork presence by CSSIW within the Directorate. Two Local Authorities were piloting the transition arrangements prior to its introduction.

Members referred to the new arrangements and asked if this would speed up the process for the submission of the Annual Report and this was confirmed by Mr Gifford. Members were also pleased that the report had acknowledged the impact of the management restructure. Mr Gifford also responded to a question over the links with other regulatory functions and confirmed that the new arrangements would involve working closely with other inspectorates.

RESOLVED

- a) that the Annual Performance Evaluation of Flintshire Social Services by CSSIW be received and that continuing progress in planning and delivering the County's Social Services be noted; and
- b) that the Annual Performance Evaluation be reported to the Social and Health Overview and Scrutiny Committee.

274. SCHOOL ADMISSION ARRANGEMENTS 2010

The Director of Lifelong Learning presented a report to provide Members with background information on the admission in 2008/09, to advise on the outcome of the Statutory Consultation Exercise on the admission arrangement for September 2010 and to recommend submission to the County Council on 31st March for approval.

The Director, in submitting the report referred to Appendix B and made some technical adjustments for Broughton Infants School and the planned admission at Column 15 of 50 needed to be replaced with 60 and the capacity including nursery at Column 18 of 231 needed to be amended to 210.

Members were reminded that the Authority was required each year to undertake a statutory consultation exercise on its admission arrangements for the following year. For September 2010 the Authority had to determine its arrangements by 15th April 2009 and the statutory consultation to be concluded by 1st March 2009. In Flintshire the consultation exercise began in January and closed on 27th February. The Director reported that Flintshire was successful in meeting parental preferences in both primary and secondary schools but it was still important to monitor and review the secondary admissions. For September 2010 it was not proposed to change the primary and secondary schools admissions but it was proposed to introduce parental preference for nursery admissions.

The Director referred to the Lifelong Learning Overview and Scrutiny Committee on 3rd February 2009 when concerns had been expressed over the nursery admissions policy proposed amendments; there was no evidence from elsewhere of an impact as suggested by the Panel. However, he emphasised that policy changes needed to be monitored.

The Executive Member for Education and Youth referred to the previous report to the Executive prior to the consultation being commenced and whilst there had been some issues raised at Overview and Scrutiny the responses from the consultation with schools had been positive. He moved the recommendations of the report and for it to be recommended for approval to the County Council on 31st March 2009.

The Executive Member for Leisure and Public Protection referred to Appendix C to the report and the consultation responses from Drury Primary School. He asked the Director to consider redefining the catchment areas as some parents wished to use Drury School but were in the catchment area for other schools. In response, the Director explained that for September 2010 the procedures could not be changed but this could be reviewed for future years from 2011 onwards and that future reviews should be linked to the wider school modernisation programme.

Other Members support the recommendations of the report and noted the Director's comments on monitoring the arrangements.

RESOLVED:

- a) that the proposed admission arrangements for September 2010, as set out in the report, be agreed and recommended for approval by the County Council on 31st March 2009; and
- b) that Appendix B be amended with regard to Broughton C P Infants School so that the following figures replace those set out in Column 15 – 60 (planned admission numbers) and Column 18 -210 (capacity)

274. DISCRETIONARY DISABLED FACILITIES GRANTS

The Director of Community Services presented a report the purpose of which was to seek approval for a pilot project trialling Discretionary Disabled Facilities Grants at a ceiling of £5,000 per grant rather than the current £3,000 limit.

The Director referred to joint work undertaken with the Social and Health and Community and Housing Overview and Scrutiny Committees which had examined the policy for dealing with Disabled Facilities Grants. The Council currently provided smaller discretionary Disabled Facilities Grants which were referred to as Minor Grants to help with the adaptation schemes costing less than £3,000. The client experience was better with these types of grant because they were not means tested and there was no requirement to provide the detailed information needed to process a mandatory grant. However, officers were finding that as costs rose fewer applicants were becoming eligible for the scheme and discretionary grants were much quicker to process. Bearing this in mind, officers had explored the options on how to use the discretionary powers available to the Council to improve the overall customer experience for the applicant. It was therefore recommended to uplift the discretionary threshold from £3,000 to £5,000 and that a risk assessment would be undertaken to monitor the rising demand. It was also recommended that approval be given to a pilot scheme in 2009/10 and to “ringfence” £0.3m for private sector occupants and £0.3m for Council tenants within the existing budget to fund the pilot.

The Report at paragraph 3.06 gave an indication of the type of adaptations and their average costs.

RESOLVED:

That the undertaking of a pilot scheme to extend the use of Discretionary Disabled Facilities Grants as detailed in the Report be approved.

275. GENERAL FUND CAPITAL PROGRAMME 2009/10 – 2012/13

The Chief Executive presented a joint report with the Head of Finance with an update on resources available to fund a capital programme for the four year period 2009/10 – 2012/13 against a backdrop of declining capital receipts. The report also outlined the proposed process for consideration of the re-profiling of schemes already included within the indicative programme and new schemes identified in the last 12 months.

The Chief Executive explained that this was an initial review on the pressures of capital receipts and referred to the impact of the economic downturn which had significantly reduced levels of anticipated capital receipts for the four year period in addition to a shortfall in 2008/09. In the light of this dramatically changing funding position, the Corporate Asset Management Group, which was a multi-disciplinary group of officers and chaired by the Director of Environment, had undertaken a critical review of the Capital Programme. It was proposed that the outcome of the work of the group, once received and endorsed

by the Corporate Management Team, would be submitted to the Executive on 21st April 2009 prior to detailed consideration by Overview and Scrutiny.

RESOLVED:

- a) that the update on resources available to fund the Capital Programme be noted; and
- b) that the proposed process for consideration of re-profiling of schemes already included within the indicative programme and new schemes identified in the last 12 months be noted.

276. PRUDENTIAL INDICATORS 2009/10 – 2011/12

The Head of Finance presented a report on proposals for setting a range of prudential indicators to be used to establish the level of future capital investment was affordable, prudent and sustainable. The Prudential Code specified that prudential indicators were required to be calculated for the forthcoming financial year and to subsequent financial years. This calculation was relevant to the development of the medium-term financial strategy. This report would normally have been considered as part of the budget process by the County Council on 3 March but, because of the work being undertaken on the capital programme as referred to in the previous agenda item, it was now proposed that this be considered by the County Council at its meeting on 31st March, 2009.

RESOLVED:

That it be recommended to County Council on 31st March 2009 –

- a) that the prudential indicators as detailed in section 3 of the report be approved:-
 - Capital Expenditure (Section 3.05)
 - Ratio of financing costs to net revenue stream (section 3.06)
 - Capital financing requirement (Section 3.07)
 - Net borrowing and the capital financing requirement (Section 3.09)
 - Authorised limit for external debt (Section 3.10 and 3.12)
 - Operational boundary for external debt (Section 3.11)
 - Incremental impact of capital investment decisions on the Council Tax (Section 3.13)
 - Incremental impact of capital investment decisions on housing rents (Section 3.13)
 - Adoption of CIPFA code of practice for treasury management in public services (Section 3.14)
 - The upper limit on interest rate exposures – fixed and variable rate interest (Section 3.14)
 - Maturity structure of borrowing (Section 3.14)
 - Prudential limits for sums invested for period longer than 364 days (Section 3.14) and
- (b) that delegated authority be given for the Head of Finance to effect movements to the separately agreed limits within the authorised limit for

external debt of the operational boundary for external debt (Section 3.10 and 3.11)

277. VOLUNTARY SECTOR MID-YEAR REVIEW

The Chief Executive presented a report to update Members on the progress made in the development of the one and three year core funding arrangements with voluntary organisations as approved by the Executive on 29th October 2008.

The Chief Executive outlined the benefits of three year funding agreements for both the voluntary sector and the County Council.

RESOLVED:

That the progress made in the one and three year core funding arrangements with voluntary organisations be noted and approved.

278. PERFORMANCE REPORTING – A NEW APPROACH

The Chief Executive presented a report on the proposed new style of quarterly performance report to improve performance reporting.

The Chief Executive referred to work undertaken for streamlining the business of the Council which had been considered by the Overview and Scrutiny Committee the previous day. He referred to the work undertaken on the Regulatory Plan and how the Council dealt with risk. It was proposed to have three directorate high-level service plans to reflect the new structure, supported by individual service plans. Progress against the service plans would be reported on a quarterly basis. The progress reports would include actions/milestones against the strategic assessment of risk and challenges, resource management, internal/external audit regulation – key findings, awards/accreditations, customer feedback and managerial assessment. This would provide a simple process with greater transparency and provide quarterly performance with a context of key areas of overall performance. Specific reporting on improvement agreement and improvement performance indicators, both progress against underlying action plans and performance plans, would be included.

RESOLVED

- a) that the decision to develop an improved and more meaningful style of performance reporting be approved; and
- b) that the principles of the new approach to performance reporting be endorsed and that it be noted that the model examples would be presented to the Executive in April.

280. REVENUE BUDGET MONITORING 2008/09 (MONTH 9)

The Head of Finance presented the Month 9 budget monitoring report on the Council's financial position for 2008/09 on the General Fund and the Housing Revenue Account.

Members were referred to the projected net overspend of £0.666m which compared to £0.763m at Month 8 on the General Fund and the projected overspend of £0.418m which compared to £0.903m at Month 8 on the Housing Revenue Account. The estimated contingency sum available at 31st March was £0.962m and this was after assuming that the projected overspend of £0.666m was taken from un-earmarked reserves.

The significant new variances were outlined in paragraphs 2.06 - 2.11 and the requests for carry forwards were outlined in paragraphs 2.12 - 2.15.

The Head of Finance then referred to the Housing Revenue Accounts and to the projected overspend of £0.418m which she had referred to earlier. The significant new variances were outlined in paragraphs 5.05 – 5.09.

The Executive Member for Housing Strategy and Planning referred to the Building Maintenance Trading Account and the improved position from Month 8 which had been as a result of improved management arrangements and greater control.

RESOLVED:

- a) that the overall report be noted;
- b) that the requests for carry forward identified in paragraphs 2.12 – 2.16 be approved;
- c) that the General Fund contingency sum available as at 31st March 2009 as set out in Section 4, be noted; and
- (d) That the projected final level of balances on their Housing Revenue Account, as set out in paragraph 5.06, be noted.

280. CAPITAL PROGRAMME 2008/09 (MONTH 9)

The Head of Finance presented a report on the latest Capital Programme information for 2008/09.

The Head of Finance referred to the programme movements and that it could be seen from the previously reported programme total of £53.741m had decreased £50.143m which was a net reduction of £3.598m. This had arisen through the net additional General Fund Schemes of £0.289m; the General Fund Re-phasing/Rollover to 2009/10 £2.345m and identified General Fund savings of £1.542m. The Head of Finance explained that since the approval of the current Capital Programme in March 2008, the impact of the economic downturn had significantly reduced levels of anticipated capital receipts for the period 2008/09 through to 2012/13.

The Head of Finance referred to General Fund capital receipts and that the latest monitoring information indicated a net shortfall of £6.255m in 2008/09 against the approved budget total of £8.745m which had more than accounted for the available headroom total of £3.361m. The balance of the shortfall £2.894m would be covered at this stage within the aggregate value of the contractually uncommitted total of £1.956m as referred to in section 3.03.1 of the report and the General Fund Re-phasing total of £2.345m as identified in section 3.01.3.

The deterioration in the HRA capital receipts position continued and the 2008/09 requirement of £2.275m was looking increasingly un-achievable. This figure would continue to be closely monitored during the remaining part of the year.

RESOLVED:

That the report be noted and approved.

281. COUNCIL PLANNING FRAMEWORK

The Chief Executive presented a report to inform Members of timing and processes for developing the Council's Planning Framework which linked to the earlier agenda item on performance reporting.

RESOLVED:

That the new approach for the Council's Planning Framework be supported and endorsed.

282. TIDY TOWNS

The Director of Environment presented a report to update Members on the progress made in delivering the Welsh Assembly Government's Tidy Towns Programme to date and to set out a suggested approach for 2009/10.

The Director referred to the programme being launched by the Welsh Assembly Government on 15th May 2008 and the Council had submitted a bid in June 2008 providing proposed actions with outcomes for 2008/2009, outline activities proposed for 2009/2010 and for 2010/2011. The bid had been successful and £138,309 had been allocated by the Welsh Assembly Government for the 2008/09 financial year with similar sums indicated for the two subsequent financial years.

The programme had been split into three strands for 2008/09 and this was set out in paragraph 2.04 of the report. The Director referred to the relatively small amounts that were available in each of the strands but this had a significant positive effect within the communities. Appendix 1 to the report provided a list of the 2008/09 approved project list.

The Executive Member for Housing Strategy and Planning thanked the Director for the report and referred to strand 2 which had been allocated to support community actions to maintain and improve the rivers in Flintshire and

asked for consideration to be given to funding being directed to the coastal area in Flint.

The Executive Member for Regeneration and Tourism welcomed the report and the proposal that the allocation of funding under the three strands would focus in the main on those towns that did not share in the 2008/09 allocation which were Buckley, Queensferry and Holywell.

The Director responded to a question from the Chair and confirmed that it was intended to spend the entire allocations under each strand in the next financial year.

The Chief Executive suggested Members should all have details of the criteria for the Tidy Towns Initiative and that there was a need to speak to the Welsh Assembly Government on the future years phasing and to seek confirmation that indications for future years would be given.

RESOLVED:

- (a) That progress to date in implementing the Tidy Towns Programme, be noted; and
- (b) That the Tidy Towns funding for 2009/2010 be allocated in line with the definitions advised within paragraph 2.04 of the report.

283. HEATHER AND HILLFORTS LANDSCAPE PARTNERSHIP SCHEME

The Director of Environment presented a report providing an update on the progress of the Heather and Hillforts Landscape Partnership Scheme which had secured an investment of over £2m for conserving and improving the upland heritage of Flintshire and Denbighshire, increasing peoples' enjoyment and understanding of the area and improving tourism opportunities. The report also asked Members to note and approve the second year's work programme and to designate a Member representative to the Heather and Hillforts Landscape Partnership Board.

The Director reported that the partnership scheme would generate £2.028m for a three year period and the key elements of the second year work programme specifically related to Flintshire were set out in paragraph 3.01 of the report.

The Director referred to the recommendation of the report which was to seek support for the project, approve the second year work programme and also to nominate a Member to sit on the Heather and Hillforts Landscape Partnership Board.

The Chairman referred to the recommendation to nominate a Member to sit on the Partnership Board and whilst it came within his portfolio referred to the bio-diversity links and proposed that the bio-diversity champion, Councillor Carolyn Thomas, be nominated to sit on the Partnership Board and this was agreed.

RESOLVED:

- (a) That the Heather and Hillforts project be supported and the second year work programme be approved; and
- (b) That Councillor Carolyn Thomas, as the Bio-Diversity Champion, be nominated to sit on the Heather and Hillforts Landscape Partnership Board.

284. VOID PROPERTY MANAGEMENT

The Executive Member for Estate Management introduced a report of the Director of Community Services which highlighted current performance and trends in empty (void) property management. The report also sought approval to adopt a revised County Council Property Lettable Standard and to support the Empty Property Action Plan.

The Executive Member referred to the considerations of the report and to management issues and the need for further work to be undertaken around the work of Housing Officers and Allocation Officers as part of wider work on the structure of the Housing Division to reduce duplication of effort and provide a more streamlined approach to manage property. In respect of investment issues, stock which was considered “hard to let” had a detrimental affect on the Council’s overall void performance and needed to be considered as part of a long term comprehensive asset management strategy.

In conclusion, the Executive Member referred to the recommendations of the report and proposed an additional recommendation that a Working Group of Officers and Members be established to consider changes including any relating to recommendations 4.05 – 4.07.

The Executive Member for Housing Strategy and Planning, however, referred to recommendations 4.05-4.07 and that it was inappropriate for these to be included at the present time and should be withdrawn.

The Chief Executive referred to recommendation 4.06, that the Executive endorsed the Housing Department’s Empty Property Action Plan and emphasised the importance of this proceeding to avoid any further delay. The Director of Community Services confirmed that the Action Plan was an operational plan for estate management and property repairs.

In conclusion, and after due consideration, it was agreed that the recommendations needed to proceed.

RESOLVED:

That recommendations 4.01 to 4.04 and 4.06 and 4.07 be agreed and that a Working Group of Members and Officers be established to consider changes including any relating to recommendations 4.05 and 4.06 and to monitor re-let times.

285. PAY AWARD 2008/09 FOR NJC GREEN BOOK EMPLOYEES

The Chief Executive presented the additional report referred to at the commencement of the meeting, the purpose of which was to update Members on the final outcome of the pay claim for 2008/09 for NJC Green Book employees and to identify the implications for Flintshire County Council.

The Chief Executive referred to the County Council Budget meeting on 3rd March 2008 and prior to the meeting there had been an announcement on the outcome of the arbitration hearing held on 10th February 2009 that there would be a further 0.30% pay uplift on the 2008/09 pay claim. The estimated additional cost of the pay award was £0.250m in 2008/09 and this would add to the base budget and was therefore an ongoing pressure. The estimated additional cost for 2009/10 was £0.256m. The Chief Executive emphasised to the representatives of the press who were present at the meeting, particular in respect of the media coverage on public sector pay, that this was as a result of arbitration and was not a local Flintshire decision.

RESOLVED:

That the contents of the report and the financial implications for the Council be noted.

286. LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 – TO CONSIDER THE EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED:

That the press and public be excluded from the meeting for the following agenda item to allow the consideration of exempt information by virtue of paragraphs 12 and 15 of Part 1 of Schedule 12A of the Local Government Act 1972 (As Amended)

287. FINANCE FUNCTION REVIEW

The Head of Finance presented a report to provide an overview of the Finance Function Review and progress to date and to seek agreement to the deletion of two posts from the current established structure.

The Head of Finance reported that the review of the Council's finance function was one of a list of services to be reviewed as part of Phase II of the Organisational Change and Re-design, agreed by the Executive on 29th October 2008. The Head of Finance referred to the considerations of the report in relation to the management of Internal Audit, timescales, deletion of posts and the interim arrangements.

RESOLVED:

(a) That the scope of the Finance Function Review be noted;

- (b) That the feedback from the Workforce, Trade Unions, Corporate Management Overview & Scrutiny Committee and the Audit Committee, be noted;
- (c) That the extension of the Contract with RSM Bentley Jennison and the work to achieve a transfer of the management of the Internal Audit function back in-house by no later than 1st April 2010, be supported;
- (d) That the following posts be deleted from the establishment with effect from 1st April 2009 –
 - Assistant Director of Finance (Financial Management and Audit); and
 - Assistant Director of Finance (Funds and Customer Accounts)
- (e) That the proposed interim arrangements pending the publication of a proposed new structure and formal consultation be noted.

288. DURATION OF MEETING

The meeting commenced at 9.30 am and ended at 11.14 am.

289. MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE

There were two members of the press present.

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Chairman

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

EXECUTIVE	DATE: 10th March 2009
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MEMBER	ITEM	MIN. NO. REFERS
P. G. Heesom	Voluntary Sector Mid-Year Review	277