

EXECUTIVE
1ST APRIL 2009

Minutes of the meeting of the Executive of Flintshire County Council held at County Hall, Mold on Wednesday, 1st April 2009.

PRESENT: Councillor A. Woolley (Chairman)

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

ALSO PRESENT: Councillors: J.B. Attridge, K. Armstrong-Braun, Mrs C.M Jones, R. Jones, D. Mackie, Mrs D Mackie and D. Wisinger.

IN ATTENDANCE:

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

APOLOGIES: Councillors M. Higham and N. Matthews.

290. MINUTES

The minutes of the meeting held on 10th March 2009 were confirmed as a correct record.

291. DECLARATIONS OF INTEREST

No declarations of interest from Members were made.

292. INFORMATION AND COMMUNICATIONS TECHNOLOGY STRATEGY UPDATE

The Executive Member for Corporate Governance and Strategy introduced the report, which provided an update on progress with the implementation and review of the Corporate Information and Communications Technology Strategy. He referred to the ICT Panel which comprised officers and Members. The Panel had not met and he proposed that it be reconvened. He referred to one of the recommendations that the Executive be requested to appoint a Member Champion for ICT, and in moving the recommendations proposed that Councillor Robin Baker be nominated.

The priorities for the ICT Division were set out in paragraph 3.03 of the report and these were highlighted by the Assistant Director of ICT and Customer Services. As part of Phase I of the Organisational Re-design Programme and the creation of new directorates, the opportunity had been taken to merge the Environment Directorate ICT Support Unit into the Corporate ICT Division. This merger offered organisational benefits which were set out in paragraph 3.04 of the report. The transfer was due to be completed by the end of April 2009.

The Assistant Director referred to the GCSX network and the requirement for Councils to be accredited by the end of March. He was pleased to report that the Council had now received this accreditation. The ICT Training Unit had also received a gold accreditation for its ICT Training which had recognised the high standard of training being provided.

RESOLVED:

- (a) That the progress made in implementing the Corporate ICT Strategy and the review timetable be noted and endorsed;
- (b) That the transfer of the Environment Directorate ICT Support Unit to the Corporate ICT service, be noted and endorsed; and
- (c) That the reforming of the ICT Panel to support the review and implementation of the ICT Strategy, be supported and that Councillor Robin Baker be appointed as the Member Champion for ICT.

293. PROCUREMENT STRATEGY PROGRESS REPORT

The Assistant Director (Financial Management) presented the report on progress made on the delivery of the Procurement Strategy 2008/09 to 2010/11.

The Executive, at its meeting in November 2008, had approved a new Procurement Strategy. Section 3.00 of the report highlighted the Action Plan within the Strategy. To progress the strategy areas five projects had been identified as a priority:- Procurement Strategy, Efficiency Savings, Increased Procurement Awareness/Compliance, Sourcing Strategy and Technology Development. Appendix 1 to the report provided full details of the projects, actions and timescales. Paragraph 3.03 outlined the progress which had been made in a number of areas and the Assistant Director highlighted these.

RESOLVED:

- (a) That the progress made be noted; and
- (b) That further update reports on progress be made to the Executive

294. DEESIDE LEISURE CENTRE

The Executive Member for Leisure and Public Protection introduced the report on the design and technical work undertaken on the renewal of Deeside Leisure Centre. In moving the recommendations of the report, the Executive Member referred to the response to the Leisure Strategy by the Sports Council for Wales which had identified the potential for the site making a significant contribution to sport in North Wales as both a major venue for regional and national training and competitions and also as a key support facility for the North Wales Institute of Sport.

The Director of Lifelong Learning referred to the recognition by the Executive of the Deeside Leisure Centre as a major centre for regional and local

sporting facilities. The report provided an update on progress made and it recognised the positive responses received from the Sports Council for Wales and other organisations. A significant amount of development work was to be undertaken to provide a robust business case for the development of the Leisure Centre.

RESOLVED:

That the Project Board be authorised to pursue further development of detailed proposals incorporating a partnering approach to project management.

295. LEISURE STRATEGY

The Executive Member for Leisure and Public Protection the revised Leisure Strategy for approval following the consultation period.

The Director of Lifelong Learning thanked those that had contributed to the development of the Strategy. The Strategy, which was attached to the report, had changed significantly from the original consultation document and he outlined some of the changes that had been made. Once approved by the Executive further work would commence to implement the five year work programme.

The Executive Member thanked the Overview and Scrutiny Committee for their work and contributions. He also referred to representations he had received on indiscriminate parking at leisure centres and this would need to be addressed.

The Chief Executive welcomed the report and referred to the significant amount of work that had been undertaken which would dovetail with the School Modernisation Programme due to shared sites. The leisure strategy was included in the Regulatory Plan and he referred to the advice received from the Wales Audit Office.

RESOLVED:

- a) That the Leisure Strategy document be provisionally approved; and
- b) That the commencement of further works necessary to implement the five year work programme, be authorised.

296. PILOT EMPLOYEE VOLUNTEERING SCHEME

The Executive Member for Corporate Governance and Strategy introduced a report which sought the approval to introduce a Pilot Employee Volunteering Scheme (Phase 1) during 2009/10.

The Chief Executive welcomed the report and referred to good practice on similar schemes elsewhere. The Council needed to be mindful of the impact of volunteering on services and to introduce fairness across all services. Therefore, it was proposed to introduce the pilot scheme which would allow it to be assessed and evaluated prior to reporting back to a future meeting of the Executive on a final scheme.

RESOLVED:

- a) That the implementation of a Pilot Employee Volunteering Scheme during 2009/10, be approved; and
- b) That the Executive receives an Evaluation Report in due course.

297. BUDGET 2009/10 – EFFICIENCY PROGRAMME

The Assistant Director (Financial Management) presented a briefing note on the Efficiency Programme. He referred to the 2009/10 budget which had been agreed by the County Council on 3rd March 2009 which included efficiencies of £3.809m in the base budget. Of this total, £2.809m had been detailed with a further £1.0m to be identified in-year as part of an Efficiency Programme. In considering the 2009/10 budget, it was reported that an action plan to achieve the efficiencies was being developed and that this would be published in April.

The Assistant Director referred to the budget debate when proposals for the Council Ward Grant Scheme had been withdrawn which reduced the target to £0.909m. However, the 2009/10 effects of the pay settlement for 2008/09 had increased this amount of £1.169m.

At the meeting of the Executive to be held on 21st April 2009, a detailed report would be received which would list the specific areas of the budget where efficiency savings had been identified. The briefing note outlined these identified savings which were:-

- a. Procurement savings via the North Wales Procurement Partnership collaboration, and via Directorates working with the Procurement Unit on local procurement efficiencies.
- b. Efficiencies over and above those already included in the Budget as a result of the Managed Agency Staff Solution (MASS) and employee advertising contracts.
- c. Organisational Re-Design Phase II Reviews, noting that full year effects will not accrue until 2010/11 or later.
- d. Workforce Planning and Non-Essential Vacancy Management.
- e. A review of budgets to minimise spending on non-essential supplies.
- f. The review of budgets for Out-County provision (social services and educational support for young people) and for Waste haulage.
- g. Review Non-Standard Inflation provision within the 2008/09 Budget.
- h. Other areas of budget scrutiny.

It needed to be noted that the full year effects of the Phase 2 reviews may not accrue until 2010/11 or later.

RESOLVED:

- a) That the briefing note on Efficiency Programme be received; and
- b) That a further report be submitted to the Executive at its next meeting.

298. REVENUE BUDGET MONITORING 2008/09 (MONTH 10)

The Assistant Director (Financial Management) presented the report which provided an update on the Council's financial position for 2008/09 for the General Fund and the Housing Revenue Account. The figures contained in the report were used in projections as at the end of January 2009. For the General Fund, the table at paragraph 2.02 showed an in-year overspend of £0.933m which was an increase of £0.267m on the figure reported at month 9. The significant variances were outlined in paragraph 2.06 – 2.13 of the report. Particular reference was made to the effect of the 2008/09 pay award which had made an additional award of 0.30% to be implemented with effect from 1st April 2008. Paragraphs 2.14 and 2.15 provided requests for carry forward and at 2.16 there was a statement on risk.

The Assistant Director referred to the non-standard inflation/central contingencies and to the inclusion in the budget of £2.606m which was being held centrally until the actual need was known. Allocations had been made to the relevant Directorates with the exception of energy inflation in the sum of £1m and school transport £0.490m.

On the Housing Revenue Account, there had been little change from the month 9 report and the net effects of the revised balance brought forward and the projected outturn was that there would be balances in hand at the end of the year of £0.837m. This was at 3.7% of budgeted expenditure which was greater than the minimum level of 3% recommended by the Head of Finance.

RESOLVED:

- a) That the overall report be noted;
- b) That the request for carry forward as identified in paragraphs 2.14 and 2.15 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 the Housing Revenue Account as set out at paragraph 5.05, be noted.

299. WALES ILLEGAL MONEY LENDING UNIT AND WALES SCAMBUSTER TEAM

The Executive Member for Leisure and Public Protection introduced a report, to request delegated authority be given to the Head of Public Protection for the ability to authorise another Local Authority to investigate and institute proceedings in relation to matters of Trading Standards legislation.

The Director of Environment referred to the establishment of the Wales Illegal Money Lending Unit being led by Cardiff County Borough Council and to the Wales Scambuster Team which was being operated by Newport City Council.

In order to extend the illegal money unit operations into Flintshire, the existing Cardiff team require proper authorisation of their officers to carry out the investigations and for all the associated legal processes and costs thereof to be delegated to Cardiff City Council. In the case of the Scambusters Team it would also be necessary to ensure that the officers concerned were duly authorised and had the necessary powers to ensure that they were able to undertake the required duties.

These two Units would enhance the work already undertaken by the Trading Standards Service within Flintshire. The costs of these Units were being met by Central Government and the Authorities undertaking those services on behalf of the Wales Heads of Trading Standards had given the necessary indemnifications.

The Head of Legal and Democratic Services explained that, subject to approval of the recommendations by the Executive, he would add these delegations to the delegation scheme agreed by the County Council the previous day.

RESOLVED:

- a) That authority be delegated to the Head of Public Protection to enter into an Agreement with Cardiff City Council pursuant to Section 101 of the Local Government Act 1972, Regulation 7 of the Local Authority (Arrangements for Discharge of Functions) (Wales) Regulations 2002 as amended and the Local Government Act 2000 to authorise Cardiff City Council and officers of the Wales Illegal Money Lending Unit, to investigate and institute proceedings against illegal money lenders operating in the Flintshire County Council area in accordance with Part III of the Consumer Credit Act 1974; and
- b) To delegate authority to the Head of Public Protection to enter into an agreement with any other local authority pursuant to Section 101 of the Local Government Act 1972, Regulation 7 of the Local Authority (Arrangements for Discharge of Functions) (Wales) Regulations 2002 as amended and the Local Government Act 2000, to authorise another Local Authority and its officers, either, to investigate and institute proceedings against offenders; or assist with an investigation in Flintshire under the direct control of the Trading Standards Section of Flintshire County Council.

300. COMMUNITY CHEST GRANT

The Executive Member for Corporate Governance and Strategy introduced a report to seek endorsements to amend the criteria for Community Chest funding for 2009/10 as recommended by the Member Grants Panel.

RESOLVED:

That Members endorse the recommendations of the Member Grants Panel in amending the following criteria of the Community Chest Grants Fund for 2009/10:

- Priority be given to Community Groups Voluntary Organisations with an annual income of £10k or less;
- Funding to support the management of local seminars/conferences be included within the eligibility criteria; and
- The Fund guarantees at least 75% project costs with an option to increase to 100% if no other sources of funding are available.

301. REGULATORY PLAN: END OF YEAR REVIEW

The Executive Member for Corporate Governance and Strategy introduced a report on the end of year review of the management of the 2007/08 Regulatory Plan.

The Chief Executive reminded Members that this report on the Regulatory Plan was in respect of the year 2007/08. The 2008/09 Regulatory Plan had been received in December 2008 and reported to the Executive on 17th February 2009. This newer plan would be followed throughout 2009.

RESOLVED:

That the continuing improvement of the management of the Regulatory Plan be endorsed and the progress report against the 2007/08 Regulatory Plan be noted.

302. GYPSIES AND TRAVELLERS “MANAGING UNAUTHORISED ENCAMPMENTS” DRAFT PROTOCOL

The Executive Member for Corporate Governance and Strategy introduced a report on a draft Protocol for a multi-agency approach to managing unauthorised encampments. The report sought endorsement of a consultation process on the protocol.

An Elected Member Workshop was to be arranged for May 2009. As part of the consultation it was important for all Members to attend this Workshop and a report would be made back to County Council.

The Chief Executive welcomed the report and the protocol for dealing with unauthorised encampments and also referred to work ongoing with other North Wales Local Authorities on permanent gypsy and traveller site provision. The protocol represented a co-ordination of the internal arrangements and the proposed process for consultation was set out in paragraph 3.06 of the report.

RESOLVED:

- a) That the draft protocol be approved for wider consultation;
- b) That the methodology for consultation be approved; and
- c) That the Executive receives a further report following the consultation process to endorse the final multi-agency protocol.

303. SENIOR SOCIAL WORK PRACTITIONER: CHILDRENS INTEGRATED DISABILITY SERVICE

The Executive Member for Social Services introduced a report to seek approval for the permanent appointment of a Senior Practitioner (Social Work) for the Childrens' Integrated Disability Service.

The Executive Member explained that the Senior Practitioner role was critical to ensuring that the multi-agency team managed its child protection responsibilities as robustly as any other children social work service. The Team undertook child protection work, supervised looked after children and issued care proceedings on relevant cases in the same way as their colleagues within the mainstream social work teams.

In conclusion, the Executive Member reminded Members of their corporate parenting responsibility and the training events to be held on 20th April.

RESOLVED:

That the permanent appointment of a Senior Practitioner (Social Work) to the Childrens' Integrated Disability Service to undertake specific responsibility for social work practice on the team, be approved.

304. ENFORCEMENT AGAINST DOG FOULING

The Executive Member for Leisure and Public Protection introduced a report to seek approval for the effective use of enforcement powers to reduce dog fouling across the County.

The Executive Member, in highlighting the considerations of the report, referred to enforcement being based on intelligence and evidence gathered from a range of services including Members, Police Community Support Officers, Town and Community Councils, Council Officers and the general public. A senior level meeting had recently been held with the Police to explore ways of improving service provision across community safety and Street Scene services. An option being considered was to develop a protocol which enabled Police Community Support Officers to issue Local Authority Fixed Penalty Notices for relevant offences under environmental legislation such as littering and dog fouling. A partnership with the Police could be further developed by combining funding to engage additional Police Community Support Officers across the County.

The Director of Environment emphasised the importance of this issue and that enforcement was a key element of the Street Scene initiative. However, there was a process to go through before it could be introduced and subject to agreement by the Executive, a consultation exercise would commence with a view to reporting back to the Executive in May/June.

The Head of Legal and Democratic Services explained that this was a similar process to the one required for alcohol control zones which had been considered by the County Council the previous day. He suggested that the

consultation with Town and Community Councils could run in parallel and if the notices were published within the next few days for a 28 day period a further report could be submitted to the Executive towards the end of May and the legislation could come into effect during early Summer. Consideration would also need to be given to the location of the necessary signage.

RESOLVED:

- a) That the introduction of a Dog Control Order for the Council's area be agreed in principle and;
- b) That the Director of Environment be authorised to consult upon the proposal in accordance with Regulation 3 of the Dog Control Orders (Miscellaneous Provisions) Wales Regulations 2002; and
- c) That a further report be submitted to enable the Executive to consider any response to the consultation.

305. PROPOSED PHYSICAL TRAFFIC CALMING ON WEIGHBRIDGE ROAD, DEESIDE INDUSTRIAL PARK

The Director of Environment presented a report on a proposal to install physical traffic calming on Weighbridge Road, Deeside Industrial Park to deter car racing events.

The Director referred to the continuing problem of organised car racing events taking place on this road and the road safety issue for the large number of spectators that attended the events. Discussions had been held with the Police who had been successful in disrupting certain events but did not have sufficient manpower to attend in large numbers on every occasion. An effective way of preventing the racing would be to lay physical traffic calming at regular intervals which would prevent any vehicles from driving at high speeds. Traffic calming would be in the form of speed humps or speed cushions or a combination of both.

The Executive Member for Environment moved the recommendations of the report and asked that the work be undertaken as a matter of urgency but emphasised that the cost, which was estimated to be around £25,000, would impact on similar safety measures being installed in other areas of the County.

RESOLVED:

That the installation of physical traffic calming to prevent racing events and to maintain the safety of road users, be agreed.

306. DISPOSAL BY WAY OF LEASE – LAND FOR THE PROVISION OF A VILLAGE/COMMUNITY HALL, OFF VILLAGE ROAD, NERCWYS

The Executive Member for Environment introduced a report which sought approval for the disposal, by way of Lease, for land for the provision of a village Community Hall.

RESOLVED:

That the proposal on the details contained within the report, together with the Lease being granted on terms to be agreed by the Director of Environment in conjunction with the Head of Legal and Democratic Services, be approved.

307. AD WASTE TRANSFER – INDEMNITIES FOR DIRECTORS

The Head of Legal and Democratic Services presented a report, the purpose of which was to provide delegated authority to the Director of Environment to take all actions necessary to facilitate AD Waste being taken in-house including the granting of indemnities to the company's directors.

The Head of Legal and Democratic Services explained that it was proposed for the transfer to take place on 1st May 2009 and he sought delegated authority for the Director of Environment to act with urgency.

An options appraisal on the best method of transferring the company in-house had been undertaken and there were only two viable options which were firstly to transfer assets on inter-company accounts and waive in future and secondly to transfer assets on inter-company account and then liquidate AD Waste. Details of the two options were outlined in paragraph 3.01 of the report.

The Head of Legal and Democratic Services provided an update indicating that a letter had been sent to the Managing Director of AD Waste. Currently a report on the valuation of the company's assets had not yet been agreed and the company had not indicated a preference for one of the two options for transfer. However, whichever option was agreed to it was likely that the Directors of the company would require indemnities as they would need to protect their personal position against any unforeseen subsequent claims that may arise against the company. In addition the company needed a number of points on the process for transfer clarified and therefore a further meeting of the respective lawyers was required. He also reported that the Executive Member for Waste Strategy and Management had emphasised the potential advantage of retaining the shell of the company on transfer to enable it to be utilised in the future if required.

RESOLVED:

That the Director of Environment be given delegated authority to take all actions required to complete the transfer including the grant of indemnities in consultation with the Executive Member for Waste Management and the Leader.

308. EXERCISE OF DELEGATED POWERS

An information report of the Chief Executive, the purpose of which was to inform Members of actions taken under delegated powers, was submitted.

The actions taken were set out below:

- | | |
|--------------------|---|
| Lifelong learning | - Leisure Centre Tariffs for 2009/10
- Workplace Activity Project |
| Community Services | - Strategy for Older People Funding –
- Submission of Outline Spending Plan to Welsh Assembly Government |
| Environment | - Building Control Charges with effect from 1 st April 2009 |

309. DURATION OF MEETING

The meeting commenced at 9.30 am and ended at 10.50 am.

310. MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE

There were two members of the press present and three members of the public present.

.....
Chairman

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

EXECUTIVE	DATE: 1st April 2009
------------------	--

MEMBER	ITEM	MIN. NO. REFERS
NO DECLARATIONS WERE MADE		