

EXECUTIVE
13TH MAY 2009

Minutes of the meeting of the Executive of Flintshire County Council held at County Hall, Mold on Wednesday, 13th May 2009.

PRESENT: Councillor A. Woolley (Chairman)

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

ALSO PRESENT: Councillors: K. Armstrong-Braun, B. Attridge, R.G. Hampson, R. Jones, D. Mackie, and Mrs C. Thomas.

IN ATTENDANCE:

Chief Executive, Director of Community Services, Director of Environment, Director of Lifelong Learning, Head of Legal and Democratic Services, Head of ICT & Customer Services, Head of Human Resources and Organisational Development, Corporate Finance Manager and Head of Committee, Member and Electoral Services.

APOLOGY: Councillor N. Matthews

1. MINUTES

The Minutes of the meeting held on 21st April 2009 were confirmed as a correct record.

MATTERS ARISING

Minute No. 316 – Procurement of Anaerobic Digestion Capacity

In response to the Executive Member for Leisure and Public Protection, the Head of Legal and Democratic Services referred to the call in of the Executive decision and that the Overview and Scrutiny Committee was no longer concerned with the decision. It had been agreed that in due course a meeting of the County Council would be convened to consider this project prior to submission to the Welsh Assembly Government.

The Chief Executive informed Members that a Regional Waste Director (Mr Stephen Penney) had been appointed and would be working for the consortium of five North Wales Authorities.

The Director of Environment also referred to the Overview and Scrutiny Committee the previous week when consideration had been given to holding a seminar/workshop on waste to raise Members' awareness; a seminar would be arranged to be held in June and all Members would be invited.

Minute No. 319 – Organisation Redesign – Human Resources Operations

The Chairman asked for confirmation of the resolution (b) that a further report be presented to the Executive on completion of the review work and this was confirmed.

Minute No. 320 – Managed Agency Staff Solution (MASS)

The Chairman referred to the resolution that the Executive would be provided with a quarterly update report and asked for clarification as to when this report would be made. The Head of Human Resources and Organisational Development explained that this would be included in the Executive Forward Work programme and would check this.

Minute No. 322 – Review of CCTV Services

The Head of Legal and Democratic Services referred to the call in of this Executive decision which had been considered at the Lifelong Learning Overview and Scrutiny Committee on 11th May, 2009. The Overview and Scrutiny Committee had not been satisfied with the decision of the Executive and this would need to be reconsidered at a future meeting. The Chief Executive reported that discussion had centred on the equity and comprehensiveness of arrangements across the County and he referred to a number of historical arrangements which needed to be consolidated. However, the Overview and Scrutiny Committee had not expressed any concerns on the proposal to strengthen the supervision capacity of the operation in the central control room.

2. DECLARATIONS OF INTEREST

No Declarations of Interest were received from Members.

3. BUDGET 2010/11 – CHANCELLOR'S BUDGET STATEMENT

The Corporate Finance Manager presented the report which provided high level information on the potential implications arising from the UK Budget announced by the Chancellor of the Exchequer on 22nd April 2009. Members attention was drawn to Appendix 1 to the report which was a statement made by Andrew Davies, Minister for Finance and Public Services to the Assembly on 28th April on the implications of the UK Budget announced by the Chancellor.

The Corporate Finance Manager reported that there were not yet specific details of the impact for the Local Government settlement in 2010/11 or future years. The indications were that the revenue settlement was unlikely to be at the average 2.9% increase indicated some 18 months ago. The statement by the Minister for Finance and Public Services indicated that efficiencies to be made in Wales of £216m revenue in 2010/11 would present a significant challenge. The statement also made reference to capital and to the annual block capital budget in 2010/11 reducing by approximately £200m. The UK Government was also seeking to find an additional £9bn of efficiency savings over the period 2011/12 to 2013/14.

The Chief Executive referred to the national reaction to the statement and to the position being undertaken by the Welsh Local Government Association to ensure that the implications of the Chancellor's statement were properly shared across the Welsh public services. The revenue effect of the efficiencies of £216m revenue in 2010/11, if applied equally, had been calculated at reducing the expected 2.9% increase in RSG support for Flintshire by up to 50%. He reported that informal discussions with the Minister for Finance and Public Services and senior civil servants had emphasised the need for the Welsh Assembly Government and Local Authorities to work together to find solutions. There was a need to maximise grant generation and to submit schemes for consideration under the SCIF and Invest to Save Fund, as examples, to supplement local resources. The impact on capital could have a severe effect as it was already in a difficult position as a result of the downturn in the economic climate (eg. loss of capital receipt income from land sales).

Members supported the need to be more proactive and investigating other sources of finance. The availability of funding from Europe was also highlighted and particular reference was made to the relatively small amount that was coming through to North East Wales. The Chief Executive also referred to the SCIF schemes and to County schemes such as the Deeside Leisure Centre, Welsh College of Horticulture and Warren Hall being identified. Good progress was being made in respect of Warren Hall and as the Deeside Leisure Centre was being considered as a wider scheme to provide more than just leisure facilities it was appropriate to be considered for SCIF funding. With regard to European funding North East Wales was not eligible for conventional funding but consideration could be given for support on a North Wales basis and a more creative use of conventional and competitiveness funding.

RESOLVED

That the report be noted.

4. THE COUNCIL'S RESPONSE TO THE PENNINGTON REVIEW (ON E-COLI)

The Executive Member for Leisure and Public Protection introduced a report which outlined the key findings and recommendations of the Public Inquiry report. The report addressed those functions undertaken by the Local Authority and outlined actions to meet the relevant recommendations of the Public Inquiry Report. The Executive Member also tabled a briefing note for Members' information and he intended to circulate this to all other Members on the Council. The Executive Member referred to the e-coli outbreak in 2005 and that there had been no further outbreaks since. He was satisfied with the work being undertaken by Flintshire County Council.

The Director of Environment referred to the Pennington Report and that its recommendations were wide ranging and would have a significant impact on Local Authority Public Protection and procurement services. In order to assess this impact, a comprehensive action plan and audit checklist had been produced and were attached as Appendices A and B to the report. The action plan described the processes and timetable for implementing the key recommendations contained in the Public Inquiry Report. It was recommended

that a further report be submitted to the Executive once the implications of the Inquiry Report for the Council had been fully evaluated. This would be brought back to the Executive in September/October and the views of Overview and Scrutiny would be invited for inclusion in the report back to the Executive.

RESOLVED

That the implementation of the action plan be supported and that a further report be received once the implications of the Inquiry Report for the Council had been fully evaluated.

5. CAPITAL PROGRAMME 2009/10 TO 2012/13

The Director of Environment presented a joint report of the Chief Executive, Director of Community Services, Director of Lifelong Learning, Head of Finance and himself which proposed a General Fund Capital Programme for the four year period 2009 to 2012/13. He referred to the previous remarks made on the Chancellor's statement and the impact this might have on the Capital Programme. He also explained that land and property functions came within the remit of the Environment Directorate and land disposals assisted the funding of the Capital Programme.

The Director referred to the 2008/09 General Fund Capital Programme which had been approved by the County Council on 4th March 2008 which had included indicative priorities for 2009/10 to 2011/12 to be funded (in part) by capital receipts from asset disposals. Since the budget approval, the impact of the economic downturn had significantly reduced levels of anticipated capital receipts. This had been aggravated by the carry forward impact of a 2008/09 capital receipts shortfall and new capital funding requests. The 2008/09 uncommitted projects had totalled £4.560m and if these had not been suspended in February 2009 the available funding total of £2.375m would have been a shortfall of £2.185m.

The Director then referred to the Appendices to the report which included Appendix A which was the Capital Programme 2009/10 – 2012/13: Schemes as per the 2008/09 Budget book updated by the Corporate Asset Management Group and excluding specific grants. Appendix B: Suspended 2008/09 Schemes which were schemes currently on hold pending reconsideration alongside those new scheme submissions included in Appendix C. Appendix C was Capital Bids (scored) which included some of the 2008/09 schemes and totalled £7.824m in 2009/10 and Appendix D which was available funding of £14.911m for 2009/10.

The report at Table 1 showed the eight schemes proposed for recommendation which were the eight highest scoring schemes and totalled £1.990m. This left a sum of £0.385m available as "headroom" to cover any contingencies that could arise during the course of the financial year. The 2008/09 revised Budget Book schemes as set out in Appendix A totalled £12.536m and the eight schemes referred to above as proposals for 2009/10 totalled £1.990m which gave a total programme of £14.526m. In conclusion, the Director explained that subject to approval by the Executive, the proposed General Fund Capital Programme would be submitted to the Corporate

Management Overview and Scrutiny Committee on 8th June 2009 prior to being submitted to the County Council on 9th June.

The Executive Member for Environment referred to the scheme for the access bridge to Mostyn Docks which in the sum of £0.750m was included as one of the eight highest scoring schemes for inclusion in the 2009/10 programme. Whilst he supported the need for this scheme this represented a considerable sum of money in a small overall programme. He therefore suggested that as this scheme was of more than local significance the Council should seek the support of Members of Parliament and Assembly Members to investigate alternative funding for the project. The bridge provided an essential service to Warwick International and to Mostyn Docks and provided an important link. He asked the Chief Executive to make representations to the Welsh Assembly Government with a view to seeking alternative funding and that in the meantime none of the £0.750m provision should be spent until the Chief Executive received a response. This proposal was duly seconded.

The Chief Executive explained that the bridge was Flintshire County Council's responsibility but also emphasised the potential for developing the area including Mostyn Docks. Therefore, it was not unreasonable to approach the Welsh Assembly Government to seek funding for a project of regional significance. If Members were agreeable he asked that he be given time to approach Welsh Assembly Government Civil Servants first before approaching Members of Parliament or Assembly Members and this was agreed. If a positive response had not been received from the Welsh Assembly Government within two months, the Mostyn Docks access bridge scheme should be commenced to allow the essential works to be undertaken.

The Chief Executive referred to the Capital Programme and to the Housing Revenue Account which was to be reported separately to the 2nd June Executive. He explained that it was not intended to include the capitalisation of the transfer out of the pension fund costs until further discussions had been completed with the Welsh Assembly Government.

RESOLVED

That the recommendations be agreed but no expenditure be incurred in relation to the access bridge to Mostyn Docks at this stage and that the Chief Executive make further enquiries to the Welsh Assembly Government to identify alternative means of financing this scheme and that the Members of Parliament and Assembly Members representing Flintshire be approached for their support.

6. DRAFT FLINTSHIRE COMMUNITY STRATEGY 2009 TO 2019 – UPDATE

The Chief Executive presented a report which sought the Executive's approval and endorsement to the drafted Flintshire Community Strategy 2009 to 2019 and the proposed consultation arrangements including the full involvement of Overview and Scrutiny Committees.

The Local Service Board (LSB) had drafted the Community Strategy which would be used not only to shape the Local Authority's financial and business

planning processes but also those of all its community planning partners. Using the Community Strategy, the LSB would agree a Local Delivery Agreement which would reflect an important set of public service improvements for the partnership to deliver.

He explained that the report represented work in progress and was an advanced draft. A decision would have to be made when the strategy was at a stage to be released for consultation. The strategy would be subject to consultation with all elected Members, the public and the wider partner area. The respective Overview and Scrutiny Committees would be specifically involved in examining the draft strategy and handling the outcomes of the consultation. A detailed plan for consultation on the draft strategy was being developed in conjunction with the Local Service Board partners.

RESOLVED

- a) That the drafted Flintshire Community Strategy 2009 to 2019 be supported and endorsed; and
- b) that the proposed consultation arrangements, including the full involvement of Overview and Scrutiny Committees, be supported and endorsed.

7. REVENUE BUDGET MONITORING 2008/09 (MONTH ELEVEN)

The Corporate Finance Manager presented a report which provided an update on the Council's financial position for 2008/09 in respect of the General Fund and the Housing Revenue Account for month eleven. The Corporate Finance Manager referred to the report and referred to the table at section 2.02 which showed an in-year overspend of £0.280m which was a decrease of £0.653m on the figure reported at month ten. The significant new variances were outlined in paragraphs 2.06-2.16 and requests for carry forwards were outlined in paragraphs 2.17-2.20.

RESOLVED

- a) That the overall report be noted;
- b) that the request for carry forward identified in paragraphs 2.17-2.20 be approved;
- c) that the General Fund contingency sum available as at 31st March, 2009 (section 4), be noted; and
- d) that the projected final level of balances on the Housing Revenue Account (paragraph 5.05) be noted.

8. BUSINESS RATES/COUNCIL TAX LIABILITY ON COMMERCIALY LET PROPERTIES

The Corporate Finance Manager presented a report which provided background information on the Welsh Assembly Government proposals to close a potential loophole whereby owners of properties could reduce their local taxation liability by having properties listed for business rates instead of Council

Tax without letting on a commercial basis. Secondly, it was recommended that Members support the proposals as set out by the Welsh Assembly Government.

RESOLVED

That the proposals as set out by the Welsh Assembly Government be supported and that this be communicated as the Council's response to the consultation.

9. BUSINESS RATES – EMPTY PROPERTY RELIEF

The Corporate Finance Manager presented a report which provided Members with an update on changes to the Business Rate Empty Property Relief Scheme that were implemented on 1st April 2009.

RESOLVED

That the temporary changes be noted.

10. INVESTMENT IN LANDSBANKI

The Corporate Finance Manager presented a report which provided an update on the Council's investment in Landsbanki. It was explained that there had been recent press coverage on expected recovery rates from Icelandic banks and the report was presented to provide clarification on the current position.

A letter from the Chairman and Chief Executive of the Local Government Association to the Leaders and Chief Executives of all Councils with exposure to Icelandic banks had been circulated as an appendix to the report. The press report had referred to two banks which were the subject of UK insolvency law and no announcement had been made in relation to Landsbanki in which Flintshire had an investment.

The Council continued to be advised and represented by the Local Government Association which was working on behalf of local authority creditors along with the Welsh Local Government Association (WLGA) who also provided advice and guidance. No details were available about recovery rates for investment in Landsbanki but the LGA remained confident in its legal advice that local authorities were preferential creditors under Icelandic law. However, it was likely to be early next year before issues were resolved. In conclusion, the Corporate Finance Manager referred to the 2009/10 budget where no provision had been made for potential losses on the investment and budget monitoring for 2008/09 and the budget for 2009/10 had assumed that no interest would be received on the investment from 7th October 2008.

RESOLVED

That the report be noted.

11. FINANCE FUNCTION REVIEW – MANAGEMENT OF INTERNAL AUDIT

The Chief Executive presented a report which advised on the outcome of the meeting of the Audit Committee on 15th April, 2009 which had discussed the future management of Internal Audit. The Audit Committee's deliberations had been reported verbally to the previous meeting of the Executive on 21st April 2009 (as included in the minutes considered earlier in the meeting).

The report provided further background and an update and that it was proposed to hold a workshop on 16th June, 2009 to explore the risks and benefits of the different options for the future management of the service. The workshop would be attended by members of the Audit Committee and substitutes, past Chairs of Audit, Executive Members for Finance and Asset Management and Corporate Governance Strategy and the Chair/Vice Chairs of Corporate Management Overview and Scrutiny, and the Chief Executive, Head of Finance, Head of Legal and Democratic Services, Head of Internal Audit and Bentley Jennison.

RESOLVED

- a) That the report be noted;
- b) that the resolution of the Audit Committee on 15th April 2009 be noted; and
- c) that the outline arrangements for the workshop to be held on 16th June, 2009, be supported.

12. ORGANISATIONAL CHANGE AND RE-DESIGN PHASE TWO

The Chief Executive presented a report which provided an interim report on the progress of the set of reviews commissioned as Phase Two of the Council's Organisational Change and Re-design programme.

The Executive had commissioned a set of 36 service reviews which had been subsequently expanded to 39 to include Occupational Health and Health and Safety, a review of Corporate Services and Administration and a review of the North East Wales School Library Service and the reasons for adding these additional reviews was outlined. The report provided a summary of the stage each review had reached. In response to a specific question on contracting functions and StreetScene the Chief Executive explained that StreetScene contained a number of environmental contracts which linked with the Contractor Function review.

RESOLVED

That the progress on Phase Two of Organisational Change and Re-design, be noted.

13. WELFARE RIGHTS UNIT – PERFORMANCE UPDATE

The Director of Community Services presented a report which provided an update on the performance of the Welfare Rights Unit during the period April

2008 to March 2009 and advised on the positive benefits that were derived from successful welfare rights interventions.

The services provided by the unit were set out in paragraph 2.03 of the report. It was reported that additional income generated by successful social security benefits and tax credits awards had exceeded £1.3m for the period 2008/09. The positive outcomes that were derived from successful welfare rights intervention were outlined in paragraphs 3.05 to 3.10 of the report.

Members welcomed and supported the role of the Welfare Rights Unit and made particular reference to its role in preventing homelessness. The Director was asked to congratulate the staff involved.

RESOLVED

- a) That the performance of the Welfare Rights Unit during the last twelve months and the positive outcomes that were derived from the successful welfare rights interventions, be noted; and
- b) that the efforts being made by the Welfare Rights Unit to increase the specialist welfare rights casework resources to enable this service to be delivered to more Flintshire residents, particularly important in the current economic climate, be supported.

14. 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 were set out as below:-

Community Services – Accountancy support for three months for the former Community and Housing Accounts Team
Environment – Sale of the former public conveniences Holywell Bus Station and Coleshill Street, Holywell

15. 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 as the following item was considered to be exempt by virtue of paragraphs 14 and 16 of Schedule 12A of the Local Government Act 1972 (as amended)

16. A. D. WASTE

The Director of Environment and Head of Legal and Democratic Services provided an update on the progress being made to bring A.D. Waste back in-house. The proposed timetable for reporting to Overview and Scrutiny Committee and to the Executive was outlined.

RESOLVED

That the report be noted and a further report submitted to the Executive on 14th July.

17. DURATION OF MEETING

The meeting commenced at 9.30am and ended at 11am.

18. MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE

There was one member 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: 13th May 2009
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MEMBER	ITEM	MIN. NO. REFERS
	NO DECLARATIONS WERE MADE	