

EXECUTIVE
23 June 2009

Minutes of the meeting of the Executive of Flintshire County Council held at County Hall, Mold on Tuesday, 23 June, 2009.

PRESENT: Councillor A. Woolley (Chairman)

Councillors: H. D. Hutchinson, N. M. Matthews, N. Phillips, N. Steele-Mortimer and H. Yale

ALSO PRESENT: Councillors: K. Armstrong-Braun, J. B. Attridge, R. C. Bithell, C. M. Jones, R. B. Jones, D. I. Mackie and A. P. Shotton.

IN ATTENDANCE:

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

APOLOGIES:

Councillors C. A. Ellis, M. Higham and L. A. Sharps.

39. MINUTES

The minutes of the meeting of the Executive held on 2 June 2009 were confirmed as a correct record.

40. DECLARATIONS OF INTEREST

Following advice from the Monitoring Officer, Councillors H. D. Hutchinson, N. Phillips and A. Woolley declared a personal and prejudicial interest in agenda item number 18 in respect of the report of the Director of Lifelong Learning on the Artificial Turf Pitch at Elfed High School, Buckley. Councillors H. D. Hutchinson and N. Phillips were governors of the school. Councillor A. Woolley was a ward Member and there could be a perceived conflict with his role as a decision maker.

41. INFORMATION AND COMMUNICATIONS TECHNOLOGY (ICT) STRATEGY AND INFORMATION MANAGEMENT STRATEGY

The Head of ICT and Customer Services presented a report on the progress with the review of the corporate Information and Communications Technology (ICT) Strategy.

In undertaking the review, service priorities and ICT requirements had been identified by meeting with Directors, Corporate Heads of Service and management teams. A workshop was scheduled to take place with People & Performance Overview & Scrutiny Committee on 7 July 2009. The final strategy would be reported back to Executive for final approval on 4 August 2009. Work had taken place with Human Resources to ensure synergy with

the new People Plan and the “5 C model” had been adopted. Attached at appendix 1 was the section of the ICT Strategy which set out the priority work packages under each of the 5 C’s which would be further expanded to more detailed tasks in the strategy action plans. Appendix 2 to the report was the draft Information Management Strategy which covered several of the key work packages within the main ICT Strategy under the Change theme.

The Chief Executive congratulated the team for making IT accessible and said appendix 2 covered the protection and security of information which was critically important to the Council. The Leader also congratulated the team for the recent award they had received. The Head of ICT and Customer Services explained it was a European Innovation Award for the work undertaken to improve energy efficiency and reduce the carbon footprint within the data centres and had been voted on by peers and major providers. The award would be presented to the ICT team on 29 June at the meeting of Flintshire Council Council.

RESOLVED

- (a) That the priorities for the Corporate ICT Strategy be endorsed;
- (b) That the draft Information Management Strategy be endorsed; and
- (c) That the Executive receive the final ICT Strategy in August.

42. NEW PEOPLE STRATEGY 2009-2012

The Head of Human Resources and Organisational Development presented a report which outlined the proposed strategic aims and objectives and content for the new People Strategy 2009-2012. Endorsement of the proposals would enable the completion of the final strategy document and preparation of the detailed action plan for the delivery of the strategy.

The strategic objectives and guiding principles for the new People Strategy 2009-2012 had been built on the foundations already established during the life cycle of the previous strategy with a view to moving the organisation on to more ambitious organisational development and change and to achieve people management excellence.

The five key themes together with corresponding strategic objectives for inclusion in the strategy were detailed in the report and formed the core content of the strategy.

Wide consultation had taken place with the Corporate Management Team, directorate management teams, People & Performance Overview & Scrutiny Committee, Trades Unions, the Equality Team and a survey was made available on the Council’s Infonet. Further consultation work would take place with the People & Performance Overview & Scrutiny Committee which the draft strategy and action plan had been designed.

RESOLVED

That the proposals be endorsed to enable the completion of the final strategy document and preparation of the detailed action plan for the delivery of the strategy.

43. 2008/09 PERFORMANCE REPORTING

The Chief Executive presented a report which detailed Flintshire County Council's out-turn performance for the period April 2008 to March 2009 against the sets of performance indicators and measures.

An addendum to the report had been handed out to Members. The Chief Executive explained that the format of the figures in the addendum was an analysis calculated on a similar methodology to that used in reporting 2007/08 performance, for consistency. Under this format, new or adjusted indicators were excluded from the year on year overall performance comparison which was expressed in percentages.

Under the requirements of the Wales Programme for Improvement the Council was required to produce an Improvement Plan annually. The Council fulfilled this requirement through the Council Planning Framework and the production of the Annual Performance Report. The Annual Performance Report considered all of the indicators which would be included as a statutory requirement within the Improvement Plan.

All national indicator out-turns had been reported to the Local Government Data Unit for validation prior to selective auditing by PricewaterhouseCoopers in July 2009.

Following a comment from Councillor R. B. Jones as invited by the Leader, it was agreed that the words "and endorse" be removed from part two of the recommendation.

The Leader and Councillor N. M. Matthews thanked People & Performance Overview and Scrutiny for their work which was welcomed by the Executive.

RESOLVED

- (a) That Flintshire County Council's out-turn performance for the period April 2008 to March 2009 against the various sets of performance indicators and measures be noted; and
- (b) That the analysis of performance undertaken be noted in the addendum circulated at the meeting.

44. REGULATORY PLAN: MID YEAR REVIEW

The Chief Executive presented a report which provided a periodic mid year review on the management of the Regulatory Plan. The Regulatory Plan

for 2008/09 was prepared as a result of the Joint Risk Assessment for 2008/09 for work to be carried out during 2009/10.

The plan comprised external audit, performance audit and inspection work by the Wales Audit Office, PricewaterhouseCoopers, Estyn, Care and Social Services Inspectorate for Wales. The plan also included national reports commissioned by the Auditor General for Wales.

The work programme of the Regulatory Plan was monitored on a regular basis by the Wales Audit Office's Relationship Manager and the Chief Executive. The Executive would receive a monitoring report twice a year, with details of full reports and actions planned within three months of receipt of a final report.

RESOLVED

That the continuing improvement to the management of the Regulatory Plan be endorsed and the progress report against the 2009/10 Regulatory Plan be noted.

45. MID YEAR STRATEGIC PARTNERSHIP PERFORMANCE - SUMMARY

The Chief Executive presented a report which provided a mid year overview of the progress of the five Strategic Partnerships and the key priorities for each of the Strategic Partnerships and the key milestones for the year ahead.

Flintshire's Strategic Partnerships were critically important in contributing towards the quality of life for the County of Flintshire. The five key Strategic Partnerships were detailed in the report.

RESOLVED

That the mid year review of the Strategic Partnerships be noted and the key priorities and the work programmes be supported.

46. REVENUE BUDGET MONITORING 2008/09 (MONTH 12)

The Head of Finance 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 12.

The Head of Finance reported an in-year underspend in the General Fund of £0.043m compared to a projected overspend of £0.280m reported at month 11. The projected overspend on the Housing Revenue Account was £0.265m compared to £0.376m reported at month 11.

The estimated General Fund contingency sum available at 31 March 2009 (above the base level of £5.112m) was £1.646m which was £0.763 more than when the 2009/10 budget was set.

RESOLVED

- (a) That the report be noted;
- (b) That the carry forward requests be approved;
- (c) That the General Fund Contingency Sum available as at 31 March 2009 be noted; and
- (d) That the projected final level of balances on the Housing Revenue Account be noted.

47. ANNUAL WORKFORCE INFORMATION 2008/09

The Head Human Resources and Organisational Development presented a report which provided the full year 2008/2009 people data obtained from the new Midland Trent HRMIS/Payroll system, including the two national people performance indicators for labour turnover and sickness absence.

The sickness absence rates based on the calculation required for the Welsh Local Authority KPI were detailed with the number of days lost. There were several reasons why the sickness absence figure might have increased which required further detailed research in order to validate assumptions. A report on the research, together with the first quarter workforce report for 1 April 2009 to 30 June 2009, would be reported to Executive.

The Chief Executive said he was reassured with the labour turnover figures. Sickness absence was close to the Welsh average and work would continue to be carried out with the Trades Unions on how absence could be minimised. Further training would be offered to managers on the completion of the necessary paperwork to ensure accurate figures were available and absence was correctly managed.

RESOLVED

That the annual workforce statistics for 2008/09 and the intention to provide the detailed breakdowns to senior managers and the Executive be noted.

48. ENFORCEMENT AGAINST LITTER

The Director of Environment presented a report which sought approval for the authorisation of Police Community Support Officers to carry out enforcement against the disposing of litter throughout the Flintshire area.

It was proposed that the enforcement of any such Order would include the authorisation of Police and Community Support Officers to enforce the Order with the use of Fixed Penalty Notices. It was accepted practice that where the Police and Community Support Officers had been authorised by Local Authorities for such an operation, they had also been authorised to issue Fixed Penalty Notices for litter offences.

The Leader asked if there was a range of fines which could be imposed. The Executive Member for Leisure and Public Protection responded that it could be fixed at £75 but treated as paid if £25 was paid within 7 days or £40 within 7 – 14 days of issue.

RESOLVED

- (a) That the introduction of joint working arrangements whereby the Police Authority's Community Support Officers can undertake litter enforcement on behalf of Flintshire County Council be supported;
- (b) That the authorisation be instigated at the earliest opportunity and if applicable, in conjunction with a similar agreement for the enforcement against dog fouling;
- (c) That the Fixed Penalty be fixed at £75 but treated as paid if £25 is paid within 7 days or £40 within 7 – 14 day of issue; and
- (d) That the Director of Environment be given delegated power to appoint authorised officers to issue Fixed Penalty Notices.

49. ENFORCEMENT AGAINST DOG FOULING – CONSULTATION RESPONSE

The Director of Environment presented a report which sought approval for the introduction of a Dog Control Order for the Council's area, following the completion of the public consultation.

The consultation was undertaken in accordance with the statutory requirements. The consultation responses indicated overwhelming support for the introduction of the Dog Control Order.

RESOLVED

- (a) That the Director of Environment be authorised to proceed with the introduction of a Dog Control Order for the Council's area;
- (b) That the Dog Control Order introduced would make people who allow their dog or dogs to foul on open land and fail to remove the waste forthwith to be subject to prosecution or a fixed penalty fine;
- (c) That the Fixed Penalty be fixed at £75 but treated as paid if £25 was paid within 7 days or £40 within 7 – 14 days of issue;
- (d) That the Director of Environment be given delegated power to appoint authorised officers to issue Fixed Penalty Notices;
- (e) That the introduction of joint working arrangements whereby the Policy Authority's Community Support Officers can assist in undertaking dog fouling enforcement on behalf of Flintshire County Council be supported; and

- (f) That this authorisation be instigated at the earliest opportunity and if applicable, in conjunction with a similar agreement for enforcement against littering.

50. FOOD SERVICE PLAN

The Director of Environment presented a report which sought recommendation of approval of the Food Safety Plan to Flintshire County Council which detailed the service delivery programme for the period 1 April 2009 to 31 March 2010. The Plan included a review of the Service Plan 2008 and therefore could not be finalised until all of the statistical data and all other information was compiled and reviewed for the previous year.

Local Authorities throughout the U.K. had been directed by the Food Standards Agency to take the necessary action to implement the new Framework Agreement on Local Authority Food Law Enforcement, operational from 1 April 2001. The Framework had been developed to ensure there was a consistent food law enforcement service throughout the country.

RESOLVED:

That the Food Service Plan be recommended to County Council.

51. IMPLEMENTATION OF COMMUNITY EQUIPMENT SERVICE INTEGRATION ACROSS FLINTSHIRE COUNTY COUNCIL, WREXHAM COUNTY BOROUGH COUNCIL, FLINTSHIRE LOCAL HEALTH BOARD, WREXHAM LOCAL HEALTH BOARD AND NORTH WALES NHS TRUST (EAST)

The Director of Community Services presented a report which sought approval to implement a Partnership Agreement and Pooled Budget Arrangement under Section 33 of the National Health Services (Wales) Act 2006 for a Community Equipment Service Integration across Flintshire and Wrexham Local Authorities and Local Health Boards and North Wales NHS Trust (East) with Flintshire Local Authority as Host Partner. The building would be acquired alongside the approval of the Partnership Agreement.

A primary objective in the integrated service plan was to create a shared staffing structure part of which had already been achieved by introducing single line management of the two stores. Appendix 1 showed the personnel employed by Flintshire County Council once the transfer of Wrexham County Borough Council staff to the North East Wales Community Equipment Service had occurred.

RESOLVED

- (a) That the implementation of a Partnership Agreement and Pooled Budget Arrangement under Section 33 of the National Health Service (Wales) Act 2006 be approved; and

- (b) That the formal acquisition of the building at Unit 3, Hawarden, alongside the signing of the Partnership Agreement, to accommodate and facilitate the North East Wales Community Equipment Service be approved.

52. PUBLIC PROTECTION ENFORCEMENT POLICY

The Director of Environment presented a report which sought approval for a generic Enforcement Policy for Public Protection Services which took account of the latest guidance and best practice.

The Enforcement Policy was based upon the key elements of the Regulators' Compliance Code and outlined the Public Protection Service's proposed approach to effective and consistent regulation and enforcement.

RESOLVED

- (a) That the draft Enforcement Policy be adopted; and
- (b) That the Head of Public Protection be authorised to update the Policy, as necessary in consultation with the Executive Member for Leisure and Public Protection, in order to take account of changes in national guidance, legal process or best practice.

53. APPROVAL OF THE SEVENTH ANNUAL REPORT OF THE FLINTSHIRE LOCAL ACCESS FORUM

The Head of Legal and Democratic Services presented a report which sought approval for the seventh annual report of the Flintshire Local Access Forum, which had been prepared in accordance with Regulation 16 of the Countryside Access (Local Access Forums) (Wales) Regulations 2001, which was a function of the Executive.

RESOLVED

That the seventh annual report of the Flintshire Local Access Forum for the period 1 April 2008 to 31 March 2009 be noted and approved.

54. OUTCOMES OF THE CARE AND SOCIAL SERVICES INSPECTORATE (CCSIW) OF THE FLINTSHIRE FOSTER CARE SERVICES FOR 2008/09

The Director of Community Services presented a report on the outcome of the annual inspection of Flintshire's Foster Care Service for 2008/09 conducted by the Care and Social Services Inspectorate Wales (CCSIW) which was conducted during January and February 2009.

The Foster Care Service had the responsibility for the organisation, management, recruitment, assessment and support of all Foster Carers and Kinship Foster Carers within Flintshire.

In general, the service sought to provide care settings for urgent/emergency placements as well as planned arrangements for long term care settings.

CCSIW operated under the auspices of the Care Standards Act (2000) and the Fostering Services (Wales) Regulation 2003 against which the Foster Care Services were inspected.

On behalf of the Executive Member for Social Services, the Executive Member for Estate Management highlighted the concern raised about the adequacy of the office space for staff. A Capital Programme allocation had been made in the current year to meet this need. She also thanked the staff for their hard work. The Leader asked that a report be brought back to the Executive in 6 months time on the issue of office space for staff.

RESOLVED

That the report be received and the achievements made in the areas for development identified in the action plan be noted.

55. ARTIFICIAL TURF PITCH (A.T.P): ELFED HIGH SCHOOL/BUCKLEY LEISURE CENTRE

Councillors A. Woolley, H. D. Hutchinson and N. Phillips having previously declared personal and prejudicial interests in this item withdrew from the meeting during its consideration.

The Director of Lifelong Learning presented a report on the current position concerning the A.T.P at the Buckley Leisure Centre site. A capital programme bid for funding to replace the pitch in 2009/10 was not successful, however, since that date, there had been some further developments following concerns about further deterioration of the pitch.

A site inspection involving Corporate Health and Safety colleagues was held on 21 May 2009 and the findings were attached to the report. The report confirmed that one third of the surface was no longer suitable for use. The remainder was deemed safe for use and a programme of daily inspections was commissioned.

On 4 June a further Health and Safety Inspection took place following a sudden further deterioration in the playing surface. The whole ATP had to be closed for use as the remaining surface had raised causing the seams to be exposed which carried a risk to users. Further specialist assessment confirmed that further corrective works were not feasible.

A budget estimate had been obtained and on the basis of that estimate with allowance for contingency and fees, the budget sum was estimated at £175,000. Members were asked whether the replacement of the ATP at Elfed High School/Buckley Leisure Centre should proceed with a capital allocation of £175,000 from 2009-10 Capital Programme contingency funding.

Members in supporting the replacement of the ATP commented on the importance of the ATP in delivering full curricular activities for school children as part of their statutory education as well as provision for the local community.

RESOLVED

That the replacement of the A.T.P at Elfed High School/Buckely Leisure Centre proceed with a capital allocation of £175,000 from 2009-10 Capital Programme contingency funding be approved.

56. EXERCISE OF DELEGATED POWERS

An information report of the Chief Executive, copies of which had been previously circulated to Members, was submitted. The purpose of the report was to inform Members of actions taken under delegated powers.

The actions taken were as set out below:-

Chief Executive's

- Llangollen International Musical Eisteddfod - £1,000 contribution towards the 2009 festival
- Denbigh and Flint Show 2009/10 – Increased sponsorship from £1,000 to £5,000

Environment

- Renewal of lease – Land off Barmouth Close, Connah's Quay
- Deed of rectification relating to 39 Alyn Road, Buckley, Flintshire
- Disposal of house and small area of adjacent land from part of the smallholding at Glan Isaf, Lixwm Road, Brynford

Community Services

- Homecare cluster leader posts – deletion of 5 homecare assistant posts and replace with 5 homecare cluster leader posts

57. 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 12 and 15 of Schedule 12a of the Local Government Act 1972 (as amended).

58. PROPOSED NEW STAFFING STRUCTURES FOR SUPPORT SERVICES IN ENVIRONMENT AND COMMUNITY SERVICES

The Director of Community Services and the Director of Environment presented the joint report which sought approval for new support staff structures within the Community Services Directorate and the Environment Directorate.

RESOLVED:

That the structures in Appendices 3 and 5 be approved, subject to completion of the consultation process.

59. DURATION OF MEETING

The meeting commenced at 9.30am and ended at 11.20am.

60. MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE

There were 2 members of the press in attendance and no members of the public.

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Chairman

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

EXECUTIVE	DATE: 23 June 2009
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MEMBER	ITEM	MIN. NO. REFERS
H. D. Hutchinson N. Phillips A. Woolley	Artificial Turf Pitch (A.T.P): Elfed High School/Buckley Leisure Centre	55