

EXECUTIVE
26TH JANUARY 2010

Minutes of the meeting of the Executive of Flintshire County Council held at County Hall, Mold on Tuesday, 26th January, 2010.

PRESENT: Councillor A. Woolley (Chairman)

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

ALSO PRESENT: Councillors: J.B. Attridge, R. Baker, A. Davies-Cooke, R.G. Hampson, P.G. Heesom, G. James, D.I. Mackie and C.A. Thomas.

IN ATTENDANCE:

Chief Executive, Director of Environment, Director of Lifelong Learning, Head of Legal and Democratic Services, Head of Finance, Head of ICT and Customer Services and Head of Committee, Member and Electoral Services.

APOLOGY: Councillor H. Yale.

237. MINUTES

The minutes of the meeting held on 5th January 2010 were confirmed as a correct record.

238. DECLARATIONS OF INTEREST

No declarations of interest were made by Members.

239. SCHOOL MODERNISATION – CONSIDERATION OF CONSULTATION

The Executive Member for Education and Youth Services introduced the Director of Lifelong Learning's report which informed Members of the response to the consultation on the draft School Modernisation Strategy and for the Executive to approve the Strategy for Flintshire.

The Executive Member referred to the draft Strategy being approved for consultation at the meeting of the Executive held on 27th October, 2009. A series of consultation meetings had been held for stakeholders including elected Members, schools, governors, trade unions, diocesan authorities and Council staff. Town and Community Councils had also been asked for their comments and the Strategy had been widely available and published on the Flintshire website as a consultation document. The Lifelong Learning Overview and Scrutiny Committee in November had reviewed the draft Strategy and had made specific recommendations; further consideration had been given to the issues raised during the consultation meetings at the December meeting. The draft School Modernisation Strategy had been updated to include recommendations from

Overview and Scrutiny and consultation with service partners and the revised Strategy was circulated as an Appendix to the report.

The Director of Lifelong Learning referred to a number of challenges that the Council was facing to ensure that its schools continued to provide an appropriate “fit for purpose” school environments at a time when there was limited money to deliver increasing expectations. The Estyn inspection in 2009 had identified tackling school modernisation as a key recommendation and the purpose of this report was to provide a policy framework in which schools and communities could engage in discussions to help identify solutions and options for change. He thanked all partners and key stakeholders and the Overview and Scrutiny Committee for their contributions to the Strategy.

The Director referred to the particular challenges in planning post 16 education arising from the national funding pressures and statutory requirements for a broader curriculum. The Overview and Scrutiny Committee had suggested that in place of the two distinct phases for proposed reviews a rolling programme of review should be implemented. There was therefore a need for flexibility in the implementation timetable. The next steps would be to pursue a programme of infant/junior schools amalgamation and further reports to the Executive to commission post 16 and local area reviews.

RESOLVED

- (a) That the comments made in response to the draft School Modernisation Strategy document and the recommendations from the Lifelong Learning Overview and Scrutiny Committee be received;
- (b) That the amended Strategy be approved; and
- (c) That further local area review or school change reports in line with the School Modernisation Strategy, be commissioned.

240. OVERVIEW OF REPORTS REGARDING THE NORTH WALES RESIDUAL WASTE TREATMENT PROJECT (NWRWTP)

The Executive Member for Waste Management and Strategy and Function introduced the joint report of the Chief Executive and Director of Environment which advised and updated Members on the progress made on the project to date. The report provided an overview and outline of the content of a series of reports relating to the North Wales Residual Waste Treatment Partnership (NWRWTP) and supporting Outline Business Case (OBC). The report represented an overview of four detailed reports which were to be considered by the Environment Overview and Scrutiny Committee which were an options appraisal; an inter authority agreement; an overview of the Outline Business Case; a separate Outline Business Case which would be a Part II exempt agenda item. The special Overview and Scrutiny Committee would be held on 5th February, 2010 and the Part II report would provide a summary of commercially sensitive financial background information in relation to the OBC for the project and would also append a copy of the OBC and the associated technical reports and background papers would be made available for Members to read.

The Director of Environment emphasised the scale of the procurement exercise that would be undertaken and the pending Executive decision for the tendering process. Detailed reports would be circulated in advance of the Overview and Scrutiny Committee and a further report would be submitted to the Executive on 16th February, 2010 and to County Council on 23rd March, 2010.

The Chief Executive also referred to the detailed reports that would be circulated to the Overview and Scrutiny Committee and County Council. Whilst this was an Executive function it was appropriate for consideration by the County Council on the scale and importance of the project.

RESOLVED

That the report be noted.

241. LOCAL GOVERNMENT (WALES) MEASURE – GUIDANCE CONSULTATION AND RESPONSE

The Chief Executive presented a report which advised Members of the Local Government (Wales) Measure 2009 legislated by the Welsh Assembly Government and proposed the Council's response to the consultation on the draft Guidance.

The Chief Executive referred to the Local Government (Wales) Measure 2009 which had reformed the statutory basis for service improvement and strategic planning by "improvement" authorities. The Measure had made significant changes to the Wales programme for improvement and had introduced new duties for the Auditor General for Wales. With effect from April 2010, local performance and inspection work would be replaced by annual improvement assessment which would be reported in an Annual Improvement Report. The improvement assessment which would be made by the Wales Audit Office would comprise a "forward looking" assessment of the likelihood of each authority to comply with its duties to secure improvements and would be produced in May of each year as an internal report for the Authority and a "backward looking" assessment of how/whether an authorities performance had improved. These would be produced as the combined Annual Improvement Report. The Council's draft response to the Guidance was circulated as an appendix to the report.

RESOLVED

- (a) That the changes to the improvement and community planning arrangements as provided by the Measure, be noted; and
- (b) That the consultation response to the draft Guidance be endorsed.

242. RESPONSE TO THE WELSH ASSEMBLY GOVERNMENT'S "A ROAD LESS TRAVELLED – A DRAFT GYPSY TRAVELLER STRATEGY"

The Executive Member for Corporate Management and Strategy introduced the report of the Chief Executive which provided an overview of the consultation document of the Welsh Assembly Government and presented a draft Flintshire

County Council response to the consultation for agreement. In moving the recommendations of the report he thanked the Officers for the work undertaken.

The Chief Executive referred to the very ambitious strategy of the Welsh Assembly Government and referred to Member involvement in a number of workshops that had been held previously on unauthorised encampments and the local protocol for their management.

The response to the Strategy had highlighted the need for a legislative or regulatory requirement from the Welsh Assembly Government to report to the whole Public Sector. Support was needed for regional solutions and the potential use of WAG funding and specific references and links to the roles of strategic partnerships, associated strategies and action plans needed to be identified so that responsibilities were clearly defined.

RESOLVED

That the draft response from the County Council be approved and be submitted to the Welsh Assembly Government.

243. SUPPORTING PEOPLE STRATEGY 2010 – 13

The Chief Executive presented the Director of Community Services' report on the Supporting People Strategy which sought approval for the proposals detailed within the Strategy which were summarised in an Appendix to the report.

The Executive at its meeting on 17th February, 2009 had received a report on the Supporting People Operational Plan for 2009 – 10 which was approved. This was updated and approved on an annual basis and overseen by the Supporting People Planning Group. The Strategy aimed to set a direction for the Supporting People Programme for the next three years and it was split into three sections to reflect the three policy areas covered by housing related support services. Section 3.02 of the report provided an overview of the action plan and proposed developments in respect of community care, community safety and homeless prevention. The financial implications of the report provided a summary of the impact on Social Services for Adults budget in 2009/10 and 2010/11.

The Executive Member for Environment, Regeneration and Tourism expressed his appreciation of the report which provided Members with a clear understanding of the action plan and proposed developments.

RESOLVED

- (a) That the achievements to date within the Strategy be noted;
- (b) That the proposals in the Strategy be approved; and
- (c) That the Supporting People Strategy be approved for implementation.

244. HOUSING REVENUE ACCOUNT 2010/11

The Head of Finance presented a report which was written jointly with the Director of Community Services, the purpose of which was to consider the Housing Revenue Account (HRA) budget proposals for the 2010/11 financial year, including proposed rent and service charge increases, key areas of income and expenditure, and the level of closing balance of the year end.

The Head of Finance made a presentation which outlined the legal requirement for setting a Budget to avoid to an end of year deficit and stated that the HRA was a ring fenced account with no transfers allowable between the HRA and General Fund and vice versa except in prescribed circumstances. It was recommended good practice to budget for a minimum closing balance of 3% of total expenditure.

The Welsh Assembly Government had issued a consultation draft of financial determinations for 2010/11 which was received on 10th December, 2009. The response letter was sent on 23rd December 2009, with the final version expected by the end of January 2010. The Head of Finance referred to the main elements of the consultation including guideline rent increase, management and maintenance allowances. The guideline rent increase provided for an all Wales average increase of 2% with Flintshire's proposed increase of £1.12 per week (52 week collection basis) which equated to an increase of 1.77% on all current dwelling weekly rents. The Management and Maintenance Allowance element of the HRA subsidy is proposed to be increased to £2,083 per dwelling which was an increase of £77 per dwelling which was 3.8% on the 2009/10 allowance and which was a lower percentage increase than the previous years.

The Head of Finance referred to the budget proposals and the key areas of expenditure. The revenue contribution to Capital Expenditure (CERA) for 2010/11 was proposed to be £2.150m. In the Building Services Trading Account there was a current year projected deficit of £0.528m and as a result of tighter financial controls and improved operational practices as referred to by the Director of Community Services and the Head of Housing at the Overview and Scrutiny Committee, the proposed deficit budgeted for 2010/11 was £0.450m. The longer term objective was to generate a surplus. Later in the year the Council would commence tenants' consultation on possible stock transfer with considerable expenditure in 2010/11 and 2011/12 with most costs reimbursable by the Welsh Assembly Government if there was a "no vote" or from valuation receipt if a "yes vote". Some of the costs of statutory consultation had to be charged to the HRA. The latest guidance on the treatment of such costs (received in late 2009) refined previous guidance which allowed £0.500m which had previously been budgeted within the HRA to be released back into the HRA as it was no longer required.

On Finance and Support an independent review of the process of calculation of recharges had recently been carried out, the outcome of which was still being assessed and was expected to be completed within six months. The 2010/11 Budget assumed no additional costs to the HRA. Any implications for the HRA arising from the completion of the review would need to be considered during the year.

The Chief Executive referred to the significant improvement in the process for the development of the HRA budget proposals which had been achieved through detailed planning and management process for 2010/11 by the Head of Finance, the Director of Community Services and their teams and with input from the Corporate Management Team which was reflected in the report being considered. The WAG outcome on the review of Rent Guidelines was still awaited but was not expected to change. He also referred to the provision made for the potential costs of stock options project and to the latest version of the Transfer Guidance which made it clear that, with the exception of specific costs which were not reimbursable by the Welsh Assembly Government. The majority of the remainder must be charged to the General Fund with very little being charged to the HRA. The bulk of the costs would be met by WAG. This had resulted in a significant saving in 2009/10 and there was only a small HRA Budget requirement in 2010/11 and this had enabled an increased provision to be made to CERA.

The Executive Member for Environment, Regeneration and Tourism referred to Appendix 3 of the report and the HRA Budget pressures and efficiencies options and sought clarification as to whether additional provision was being made in relation to the backlog of repairs and void properties. The Chief Executive confirmed that this was an additional provision and an additional investment was being made into the service through workforce training and development to support improvements in performance.

RESOLVED:

That approval be given to the proposals contained within the report to be submitted to the Community and Housing Overview and Scrutiny Committee for their consideration at the meeting to be held on 1st February 2010. Comments would be reported back to the Executive on 16th February 2010, and subject to consideration of these comments, approval of the Executive would be sought for submission of the following recommendations to the Council meeting on 17th February 2010:-

- a) that the rent and service charge increase proposals and apportionment of resources within the HRA outlined in the report and detailed within the attached appendices be approved and implemented; and
- b) that the proposed changes to the Budget as set out in Appendix 3 be approved and implemented.

245. HOUSING REVENUE ACCOUNT (HRA) CAPITAL PROGRAMME 2010/11

The Head of Finance presented a report whom was written jointly with the Director of Community Services which proposed a final Housing Revenue Account (HRA) Capital Programme for 2010/11 subject to consultation with the Community and Housing Overview and Scrutiny Committee.

The Head of Finance made a presentation and referred to the initial proposals presented to the Executive on 22nd December 2009. At that stage, the amount of capital expenditure to be met from the Revenue Account (CERA) had not been identified as this depended on the HRA revenue budget proposals. In addition, Capital Receipts of £0.466m from land sales were ring fenced to specific

programme schemes for when they were realised. Supplementary programme schemes totalling £1.009m had been identified and would be added to the programme if and when funding from CERA on capital receipts became available.

The Head of Finance referred to the available funding now identified and to the proposed Revenue Budget which provided for a CERA contribution of £2.150m which compared with the revised Budget of £1.682m for 2009/10. Initial proposals anticipated funding of £5.721m but this had now increased to give a final available total of £7.871m. This available funding would come from capital receipts – RTB (useable) of £0.055m; capital receipts from land sales (which would only be used when received) of £0.466m; major repairs allowance of £5.200m and CERA of £2.150m. The receipts from land sales would be ring fenced when realised for Kitchen Programme, Fire Risk Assessments, DDA Access Audits and Off Street Parking and totalled £0.466m.

The Head of Finance referred to competing demands and explained that programmes had been based on a mixture of stock condition information, an analysis of responsive repairs requests, customer complaints and Member priorities. A new approach had been adopted with the use of pro forma for prioritisation and included an assessment of risk, meeting legislative requirements, health and safety needs, value for money and spend to save initiatives.

The Capital Programme proposals were set out in the report at table 2 and showed the initial programme as submitted to the Executive on 22nd December 2009 of £5.721m to which a further sum of £1.009m additional programme as considered by the Executive on 22nd December and the further allocation following the CERA determination of £1.141m which gave a total of £7.871m.

In conclusion, the Head of Finance referred to the timetable for the HRA Capital Programme which provided for the initial Budget proposals to be considered by the Overview and Scrutiny Committee on 1st February, the final Budget proposals to be considered by the Executive on 16th February and the County Council at its meeting on 17th February to agree the final HRA Budget Proposals and Rents/Service Charges.

The Chief Executive referred to his comments made on the previous report and emphasised the reliability of information in the report as a result of a more disciplined approach.

RESOLVED

That the proposals contained within the report be approved for submission to the Community and Housing Overview and Scrutiny for their consideration at the meeting to be held on 1st February 2010. Comments would then be reported back to the Executive at the meeting on 16th February 2010 and subject to consideration of these comments, approval of the Executive would be sought for submission of the recommendations to the Council meeting on 17th February 2010.

246. EXERCISE OF DELEGATED POWERS

An information report of the Chief Executive was submitted, the purpose of which was to inform Members of the actions taken under Delegated Powers. The actions taken were as set out below:-

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| Chief Executive | - | approval of applications to the Welsh Church Acts Fund July-December, 2009 |
| Environment | - | disposal of land within rear garden area of 16 Tryfan Court, Pentre Lane, Buckley |
| | - | granting of Licence of first floor premises, Arosfa, Mold to Action for Children |
| Head of Human Resources and Organisational Development | - | amendments to the policy for the provision of Criminal Records Checks (Disclosures). |

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

RESOLVED

That the press and public be excluded for the remainder of the meeting to allow the consideration of exempt information by virtue of paragraph 15 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended).

248. CLOSED CIRCUIT TELEVISION (CCTV)

The Director of Lifelong Learning presented a report on the progress of discussions between the North Wales Authorities on the development of collaborative Closed Circuit Television (CCTV) provision and to seek a mandate to develop options for improvement of the CCTV service through a collaborative solution.

RESOLVED

- (a) That the progress to date be noted;
- (b) That the principle of developing options to improve CCTV across North Wales be supported; and
- (c) That the future works streams and agreed project governance arrangements be supported.

249. DURATION OF MEETING

The meeting commenced at 09:30 am and ended at 10:35 am.

250. MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE

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

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Chairman

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

EXECUTIVE	DATE: 26th JANUARY 2010
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MEMBER	ITEM	MIN. NO. REFERS
NO DECLARATIONS WERE MADE		