

CORPORATE RESOURCES OVERVIEW & SCRUTINY COMMITTEE
14 MARCH 2013

Minutes of the meeting of the Corporate Resources Overview & Scrutiny Committee of Flintshire County Council held at Delyn Committee Room, County Hall, Mold CH7 6NA on Thursday, 14 March 2013

PRESENT: Councillor Richard Jones (Chairman)

Councillors Haydn Bateman, Marion Bateman, Clive Carver, Ian Dunbar, Patrick Heesom, Richard Lloyd, Mike Lowe, Paul Shotton, Ian Smith, Nigel Steele-Mortimer and Arnold Woolley

SUBSTITUTES:

Councillors: Joe Johnson for Trefor Howorth and Mike Reece for Peter Curtis

APOLOGY:

Councillor Ron Hampson.

ALSO PRESENT:

Councillor Billy Mullin (Cabinet Member for Corporate Management) and Councillor Robin Guest

CONTRIBUTORS:

Leader of the Council, Chief Executive, Karen Lees from Wales Audit Office for Minute number 83, Head of Finance, Accountant, ICT Operational Services Manager, Customer Services Team Leader and Head of Legal and Democratic Services

IN ATTENDANCE:

Member Engagement Manager, Housing and Learning Overview & Scrutiny Facilitator and Committee Officer

81. DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)

No declarations of interest were made.

82. MINUTES

The minutes of the meetings of the Committee held on 28 and 31 January 2013 and 14 February 2013 had been circulated to Members with the agenda.

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Councillor M. Bateman thanked officers for the response that she had received to her question on the overspend of £0.044m in relation to additional superannuation costs but explained that she required further information. It was agreed that she would speak with the Head of Finance following the meeting.

Councillor H. Bateman asked whether the gas engines at the landfill sites had been inherited or purchased by Flintshire County Council. The Member Engagement Manager explained that they were inherited when Flintshire County Council took over Alyn & Deeside District Council in 1996.

Councillor P. Shotton thanked officers for the response he had received on the Flintshire County Council Bond Scheme and welcomed the help that it provided to young people.

Councillor P.G. Heesom referred to the comments of the Leader of the Council at the previous meeting on the need to approach the redesign of the management structure in a methodical manner. He felt that this was a high priority in the future of the Council and requested that it be taken forward as early as possible and that it be as inclusive as it could be. The Leader of the Council reminded Members that the Chairman of this Committee was a representative on the Flintshire Futures Board and that updates would be reported back to Members.

Councillor A.I. Dunbar said that it was important that meetings were not arranged to clash with meetings already in the diary and referred to a recent meeting of Planning Strategy Group which had to be cancelled due to a clash of meetings. The Member Engagement Manager advised that he would speak to Councillor Dunbar following the meeting.

RESOLVED:

That the minutes be approved as a correct record and signed by the Chairman.

83. IMPROVEMENT ASSESSMENT LETTER (WAO)

The Chief Executive introduced Karen Lees from the Wales Audit Office (WAO) to the meeting. He explained that the report had been approved by Cabinet and noted by the Audit Committee at its recent meeting.

Ms. Lees introduced the report to advise the Committee of the Council's Improvement Assessment Letter 2013 from the Auditor General for Wales. She explained that the assessment had been undertaken to establish whether the Council was working effectively and efficiently.

Ms. Lees provided a detailed presentation on the report and highlighted the following areas:-

- the Council had discharged its improvement planning duties under the Local Government Measure but it should ensure that it acted more in accordance with Welsh Government Guidance.
- the 10 priorities which represented the Council's Improvement Objectives complied with at least one of the seven 'aspects of improvement' described in the measure.
- the presentation of the plan could be improved to achieve the delivery of two functions to provide an internal management tool and an external facing document for the public
- the Council acknowledged that, in any particular year some of its Improvement Objectives would receive greater attention and priority than others so that its focus in a single year was more sharply defined to encourage citizens to engage more fully with the Council's planning and performance.

- The Annual Performance Report complied with the measure but it was reported the Council should ensure that it acted more in accordance with Welsh Government Guidance.
- The report was published on time and included an explanation of how its content contributed to the Council's statutory duty to 'make arrangements to secure continuous improvement and account for it'.
- Flintshire's performance in 2011-12 was better than the national average in over two-thirds of the statutory and non-statutory national indicators.
- The report included a clear overall assessment, using a 'Red, Amber, Green' (RAG) colour coding, of how well the Council considered that it performed during 2011-12 against each of its 10 Improvement Objectives.
- it was a long and detailed document and although it was clearly written on the whole, it did not enable the reader to grasp readily a succinct evaluation of what the Council intended to achieve during the year, the resulting benefits to the public and what needed to be improved in the future.
- Social Services and Education had produced mature service-specific analyses of their performance, but this maturity was not fully replicated in the Council's Annual Performance Report.
- the Council's on-going review of its governance arrangements was wide-ranging and well-evidenced and the accuracy of the Council's performance data had improved but there remained scope to improve the use of data in the Council's self-evaluation.

In conclusion, Ms. Lees said that there were no formal recommendations in the letter but four proposals for improvement had been suggested.

Councillor A.P. Shotton, the Leader of the Council, reiterated the comments made at the Cabinet meeting and welcomed the comments made by the WAO in the Assessment Letter. He emphasised the importance of taking the comments on board and addressing the issues raised when publishing an updated Improvement Plan.

The Chief Executive welcomed the report and reflected that the letter overall represented a 'clean bill of health'. There were no statutory recommendations and a response had been made on the four proposals as good and established local practice. The first proposal on priorities and resources was significant; the remaining three proposals were more technical. He commented that the Improvement Plan would be better published for the municipal year not the financial year. A selection of priorities for the year would be made by the Cabinet within the Plan with an extract summary published on the Council's website for public interest and engagement.

Councillor P.G. Heesom referred to the governance arrangements and said that in his opinion, the corporate management structure was no longer fit for purpose. In referring to the Annual Performance Report he felt that the Council had a duty to be fairly critical. He said that the Medium Term Financial Plan (MTFP) was an essential part of the framework but he believed it was not an adequate tool kit to deal with the economic future and that a Base Budget Review was required. In referring to the Estyn self-evaluation process, he said that there were issues which needed addressing and he felt that the assessment was worse than the adequate score which had been reported. The Leader of the Council

welcomed some of Councillor Heesom's comments and concurred that the MTFP was important but said that the objectives for the year could not be done in isolation and that work which was being undertaken would be reported on in due course. The Chief Executive said that the work on the MTFP would be far-reaching. On the self evaluation process on education he said that it had been done well as a process and added that the Council was no longer in the 'adequate' banding following the Estyn monitoring visit.

In response to the comments made, Ms. Lees said that the Council could be more outcome focused and that the term 'adequate' for education was not a negative phrase but was used because the strengths had been outweighed by the need for improvement.

Councillor A. Woolley welcomed the report but raised concern that 'plain language' was not always used in the report.

RESOLVED:

That the report be noted.

84. PROPOSED REGIONAL EMERGENCY PLANNING SERVICE

The Chief Executive introduced a report to allow the Committee to comment on the report which had been submitted to Cabinet on 19 February 2013.

He reminded Members that it was a small service which had a low financial value and risk. It was reported that in North Wales, the configuration was five separate service units with a shared service in Flintshire and Denbighshire. He spoke of the recent issues which the Emergency Planning Service had been involved with which included the recent floodings at St. Asaph. The proposal was to provide a regional service with a sub-regional service structure, a regional manager leading one hub and the other being led by a Deputy regional manager and an Emergency Planning Officer in each local authority. The Chief Executive felt that the proposal for a regional service would give Flintshire a more resilient service, would lead to improved partnership working and would meet Ministerial expectations. He suggested that an annual monitoring report could be considered by the Committee and that a report following any major incidents be submitted to Members.

The Chairman spoke of his experience of emergency planning and explained that local input was still needed in the development of a regional plan. He concurred with the suggestion for Committee to receive an annual update and a debrief report when necessary. Councillor A.I. Dunbar raised concern that a regional manager would not be based at both hubs. The Chief Executive responded that he was confident that this would work well and reiterated the comments about the need for local knowledge when developing the plan. Councillor A. Woolley referred to one of the recommendations that Flintshire would host the new service and lead the transition to the new service. He commented on the need to ensure that there were adequate resources in place to carry out the work required. He raised concern that the reduction of regional costs to £75,000 per annum would be consumed by inflation but welcomed the

overall intent. The Chief Executive confirmed that updates would be provided to a future meeting in the transition and post-implementation stages.

In response, the Chief Executive said that saving money was not the objective of the plan but said that there would be a minor cost benefit. He explained that resilience and best use of resources were challenges for the future but commented on examples of cross border working, 'gold' incidents which involved many of the emergency services and on occasions mutual aid agreements.

Councillor M. Bateman sought assurance that the Health Service would be able to cope in an emergency. In response, the Chief Executive said that testing had shown that all of the emergency services worked well together but that it was likely that non-critical health services would be suspended during an emergency. The Leader of the Council referred to paragraph 3.06 where it was reported that once the service was established, consideration would be given to the potential of joint services with Police, Fire and Health.

Councillor R. Lloyd asked if there were any plans for the Emergency Planning Officers to meet with Town and Community Councils. The Chief Executive suggested that the Emergency Planning Officers could be invited to attend Town and Community Council meetings if it was felt that there was a need.

In response to a query from Councillor C.S. Carver on savings for Flintshire County Council, the Chief Executive said that the proposals were broadly cost neutral and added that it was not assumed that every collaboration would save money for all parties involved. He added that Category one responders included ambulances and that Category two responders would include Welfare Services.

Councillor P. Shotton felt that the Committee should record its admiration to the North Wales Fire & Rescue Service, Police and Royal Society for the Prevention of Cruelty to Animals (RSPCA) for their work in the rescue following the recent flooding in St. Asaph.

RESOLVED:

- (a) That the report be received;
- (b) That an annual report be submitted to the Committee on the new service and a further information report being made at the point of transition; and
- (c) That feedback following any major incidents be reported to Committee.

85. REVENUE BUDGET MONITORING 2012/13(MONTH 9) AND CAPITAL PROGRAMME 2012/13 (QUARTER 3)

Revenue Budget Monitoring 2012/13 (Month 9)

The Head of Finance introduced a report to provide Members with the most up to date Revenue Budget Monitoring information (Month 9) for the Council

Fund and Housing Revenue Account (HRA) in 2012/13 which was being submitted to Cabinet on 19 March 2013.

The projected year end underspend of £0.856m on the Council Fund was an increase in the underspend reported at Month 8. Appendix 1 showed a summary of movement from Month 8 and reported that the majority of changes were in Community Services. Two requests for carry forward were being recommended to Cabinet for Legal & Democratic Services and ICT & Customer Services. Appendix 7 provided details on the movements of unearmarked reserves to leave a projected level of Contingency Reserve at 31 March 2013 as £0.445m. The Head of Finance explained that this amount was in addition to the Base Level of reserves of £5.564m and the amount of £0.770m approved by Cabinet on 19 February 2013 for the impact of the provision for Mutual Municipal Insurance scheme of arrangement. An underspend of £0.471m on the HRA was also reported but there were delegated powers arrangements in place for it to be spent on investment in the housing stock.

Councillor P.G. Heesom referred to the two entries in appendix 7 for approvals made in 2011/12 and asked whether these had now been dispensed with. In response the Head of Finance said that the £1.500m referred to in appendix 7 had been ringfenced at the end of the last financial year and had been the subject of a report to Cabinet in January 2013 which identified allocations to a number of Invest to Save projects. Councillor Heesom highlighted the risk of planning decisions which were the subject of appeal which were reported as being costs for the appeal in relation to the Croes Atti site. He said that he had been advised that the costs were £0.040m and not £0.020m as reported and were due to the Council's failure to determine the application. He also paid tribute to the work of the Head of Housing and the commitment that had been given following the result of the housing transfer ballot.

Councillor A. Woolley queried whether any of the underspend on the Council Fund could be used to reinstate the swimming subsidy of £0.023m in 2013/14. The Leader of the Council explained that an element of the budget underspend had already been included in the figures to achieve a balanced budget for 2013/14. The Head of Finance advised that of the unearmarked reserves, £0.297m had been approved by Council on 1 March 2013 for funding of one-off costs in the 2013/14 budget proposals and said that it was important to reiterate the difference between one-off costs and recurring costs such as the swimming subsidy. In response to a question from Councillor M. Bateman on whether the amount set aside for Single Status was adequate, the Chief Executive felt that the reserve was sufficient to pay the one-off costs currently costed.

Councillor P. Shotton welcomed the recent review of the changes on the 'bedroom tax' to exclude foster carers and those serving in the Armed Forces and asked whether the 'bedroom tax' was having an effect on homelessness. The Head of Finance explained that it was not yet in place but coming into effect from 1 April but would be monitored in the HRA. In response to a question from Councillor G.H. Bateman on the problems with the performance of the gas engines at the landfill sites, the Chief Executive explained that the amount of £0.145m would remain static and that an amount was included in the budget to meet it year on year.

Capital Programme 2012/13 (Quarter 3)

The Head of Finance introduced the report to provide Members with the latest Capital Programme information for 2012/13 which would be submitted to Cabinet on 19 March 2013.

The table set out how the programme had changed during 2012/13 for both the Council Fund and Housing Revenue Account (HRA). Detailed cumulative information relating to each programme area was provided in Appendix A and summarised in the table on page 108. Rollover requests from 2012/13 to 2013/14 of £3.657m were being recommended to Cabinet. Detailed discussions had taken place with Directorates to ensure that the projects were contractually committed as agreed by Cabinet, following input from Overview & Scrutiny on Capital Programme Management; Appendix C provided further detail. The financing resources were summarised in the report along with the Council Fund Capital Receipts (cumulative) actual against estimate. The Head of Finance reminded Members that all of the information in this report had been factored into the starting position for the Capital Programme agreed at County Council on 1 March 2013.

Councillor P.G. Heesom raised concern about the allocation of £0.025m for Clwyd Theatr Cymru and asked how this could be justified. The Head of Finance responded that it was an allocation within the capital programme for a building which had to be maintained by Flintshire County Council as it was in the ownership of the Council. It was a small allocation for essential works and was not for investment in major capital expenditure. She added that it was possible to capitalise revenue expenditure but the amount in question would not meet the test for prudential borrowing. The Chief Executive explained that 60% of the core revenue funding for the Theatr was provided by the Arts Council and 40% by Flintshire County Council.

RESOLVED:

That the report be noted.

86. QUARTER 3 SERVICE PERFORMANCE REPORTS

The Chairman introduced a report to request that the Committee consider the 2012/13 Quarter 3 service performance reports and note the progress made against the Improvement Targets contained within the performance reports.

Finance

The Head of Finance gave a short presentation on the performance within each of the service areas, outlining work which had been undertaken to improve performance and areas where improvement was needed, as outlined within the report.

Councillor P.G. Heesom commented on the Finance workstream of Flintshire Futures and the need to align this with work to be undertaken on the Medium Term Financial Plan. He also highlighted problems with being able to access Lotus Notes and asked for an update on whether new software was to be

purchased. The ICT Operational Services Manager responded that he was aware of issues with Lotus Notes version 8 and that the continued use of Microsoft software was being considered.

Councillor A. Woolley raised concern at the evidence from the recent Universal Benefit pilot schemes held throughout the country where Housing Benefit had been paid to the recipient instead of the landlord and the problems that this had raised due to increases in rent arrears. He asked if anything could be done to voice the concerns raised to endeavour to get the decision reversed. The Head of Finance responded that the Head of Housing had spoken recently on the risk which was a concern for the HRA and explained that payment of rent to the tenant rather than the landlord was already in place for private tenants. She gave assurance that the concerns had been, and would continue to be, registered through professional and stakeholder groups.

Councillor A.P. Shotton, the Leader of the Council, said that the issues around Welfare Reform had been raised at Group Leader's meetings and he spoke of national lobbying through the Welsh Local Government Association on exemptions to the 'bedroom tax' for Foster Carers and those serving in the Armed Forces, which he welcomed. He was due to meet with Iain Duncan-Smith, the Work and Pensions Secretary, and assured Members that he would raise the concerns of Members with him. He reiterated the concerns following the results of pilot schemes which had been undertaken, particularly on Universal Credit. He raised concern about social landlords who may experience difficulties if they did not receive the rental payments that they were owed because they were paid to the tenant. He commented on the work being undertaken with the Flintshire Credit Union and the Discretionary Housing Payments which could be available to tenants in the short term.

Legal and Democratic Services

The Head of Legal and Democratic Services gave a short presentation on the performance within each of the service areas, outlining work which had been undertaken to improve performance and areas where improvement was needed, as outlined within each report.

Councillor C.S. Carver commented on problems that he had experienced recently about receiving electoral registration updates. The Head of Legal and Democratic Services advised that he had spoken to the Electoral Services Manager who had advised him that the problem was due to issues with Citrix and the software package required to produce the report. He explained that he would highlight the issue again. Councillor Carver also referred to problems experienced by a Member who regularly travelled by taxi and asked whether checks were in place to ensure that the Council was not being overcharged. The Head of Legal and Democratic Services said that he would ask Member Services to look at the overall costs of taxi journeys undertaken by Members.

In response to a query from Councillor M. Reece on the changes from Electoral Registration for each household to the requirement of each individual to register for elections, the Head of Legal and Democratic Services said that individual forms would be issued for each elector in the household. The Chief

Executive said that this decision had been reached nationally but it was expected that it would produce a lower elector registration rate for elections.

Councillor Heesom felt that a review of Overview and Scrutiny Committees was required to ensure that their effectiveness. On the issue of the 'Learning Exchange Team' (LET) he felt that two political groups had been omitted and he hoped that this would be reviewed in due course as he felt that it was discriminatory. The Chief Executive concurred that a review may be required and questioned the future need for a Committee dedicated to housing. The Member Engagement Manager said that nominations had been sought for the LET following a recent meeting of the Democratic Services Committee.

ICT and Customer Services

The ICT Operational Services Manager gave a short presentation on the performance within each of the service areas, outlining work which had been undertaken to improve performance and areas where improvement was needed, as outlined within each report.

Councillor Shotton, the Leader of the Council, commented on the Flintshire Connects project and the funding of the scheme through the Invest to Save fund and the further development of the project into other areas including Flint and Connah's Quay.

Councillor Carver asked for an update on the provision of electronic devices to Members to view their agendas for meetings. The ICT Operational Services Manager said that there was a business case and that the technology provided for the Corporate Management Team could be replicated for Members. The Leader of the Council said that the issue was raised at a recent Group Leader's meeting and would be discussed again at a future meeting. The Chief Executive reminded Members that a decision would need to be made by all Members but said that even though it would reduce the amount of papers circulated it would not reduce the use of paper copies completely.

Councillor P. Shotton commented on the pilot scheme for a national e-invoice scanning solution sponsored by the Welsh Government with Remploy being the service provider. In response to a query from Councillor R. Lloyd the Customer Services Team Leader provided further information on the procurement and development of a Flintshire 'app' for customers to contact the Council via a mobile device. She advised that it was hoped to be able to test the 'app' in the next six to eight weeks.

Human Resources and Organisational Development

The Chief Executive gave a short presentation on the performance within each of the service areas, outlining work which had been undertaken to improve performance and areas where improvement was needed, as outlined within each report.

Councillor Carver raised concern about the costs of the Single Status Agreement and said that he had been advised that implementation of the project was expected between April and June 2013. The Chief Executive responded that

the costs were significant and that the Project Board would be discussing the timeline at its next meeting. He explained that the effective date could be earlier than the implementation date and added that Members would be updated when information was available to share with them. Councillor Heesom spoke of the importance of linking the Single Status Agreement with the Equal Pay Strategy and asked for an early update on the scale of equal pay claims.

The Chairman referred to the increase in sickness absence levels across all directorates which he felt was a concern. The Chief Executive said that there had been a slight improvement in Corporate Services but concurred that some other figures were disappointing in this quarter.

RESOLVED:

That the report be noted.

87. FORWARD WORK PROGRAMME

The Member Engagement Manager introduced the report to consider the Forward Work Programme of the Committee.

The Member Engagement Manager reminded Members of the Appraisals Workshop that had been scheduled for 10am on Thursday, 28 March 2013. He detailed the items for the next scheduled meeting of the Committee on 18 April 2013 and explained that during earlier discussions it had been agreed that the Regional CCTV report and an update on the financial risks to the Council as a result of Welfare Reform would also be submitted to that meeting. During a further discussion, it was agreed that the Welfare Reform Update would be submitted to the meeting scheduled for 13 June 2013.

Councillor A.I. Dunbar asked for an update for Members to allow them to respond to questions that were being asked by residents on the effects of the Welfare Reform changes; the Chief Executive confirmed that a written response could be provided.

Councillor P.G. Heesom raised concern about the effects of equal pay claims and Single Status. The Chief Executive explained that confidential workshops would need to be held with Members to ensure that they were fully aware of the outcomes prior to consideration at a future Full Council meeting.

The Chairman reminded Members that they could suggest items for future meetings of the Committee if there were any specific issues that they wanted to raise.

RESOLVED:

- (a) That the report be received;
- (b) That the Regional CCTV report be considered by the Committee at its meeting on the 18 April 2013;

- (c) That a report on the financial risks to the Council as a result of Welfare Reform be submitted to the Committee meeting scheduled for the 13 June 2013;
- (d) That a written update be provided to Members on Welfare Reform.

88. MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE

There was 1 member of the press and 1 member of the public in attendance.

(The meeting started at 10.00 am and ended at 12.59 pm)

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Chairman