

**CABINET**  
**21 MAY 2013**

Minutes of the meeting of the Cabinet of Flintshire County Council held at County Hall, Mold on Tuesday, 21 May 2013

**PRESENT: Councillor Aaron Shotton (Chairman)**

Councillors: Bernie Attridge (Deputy Leader), Chris Bithell, Helen Brown, Christine Jones, Kevin Jones and Billy Mullin

**APOLOGY:**

Councillor Peter Macfarlane.

**ALSO PRESENT:**

Councillors: Patrick Heesom, Dave Mackie and Nigel Steele-Mortimer

**IN ATTENDANCE:**

Chief Executive, Director of Community Services, Director of Environment, Director of Lifelong Learning, Head of Legal and Democratic Services and Head of Finance

The Chief Executive updated Cabinet on the safe recovery of two girls who had gone missing, and in respect of whom a public appeal for information had been issued.

**1. DECLARATIONS OF INTEREST**

Councillors R. C. Bithell and C. M. Jones declared personal interests in agenda item number 8, Home to School Transport Policy Changes – Denominational Transport.

**2. MINUTES**

The minutes of the meeting held on 23 April 2013 had been circulated with the agenda.

**RESOLVED:**

That the minutes be approved as a correct record.

**3. UPDATE ON ACHIEVING THE WELSH HOUSING QUALITY STANDARD**

The Leader and Cabinet Member for Finance explained the background to the Welsh Housing Quality Standard (WHQS) and the ballot held in 2012. At that ballot, 88% of the 71% of tenants who took part in the ballot voted no to the transfer of housing stock, wishing to remain under the ownership of Flintshire County Council.

The result of the ballot presented a challenge to the Council as the initial year that the Council had given for all properties to meet the WHQS was 2036. However, considerable work had been carried out by the Cabinet Member,

Councillor Helen Brown, the Director of Community Services, the Head of Housing and colleagues which had resulted in many creative solutions, the result of which was a considerable reduced timetable of reaching the WHQS by 2022, a reduction of 14 years. If the WHQS was to be met by 2022, this could be done without any borrowing. However, if the WHQS was to be met by 2020, as was the aim of Welsh Government (WG), the Council may need to borrow capital.

The Chief Executive provided information on how the Council could potentially reduce the timetable to 2020 and said recent meetings had taken place with the Housing Task Group who were specifically undertaking work with those authorities with the longest timetables; Flintshire, Wrexham and Swansea. He explained that if some national allowances remained at a buoyant level then 2020 could possibly be met. However, if that was not the case then the reserve option was for the Council to borrow up to £20m but he emphasised that borrowing was not the Council's preferred option.

The Cabinet Member for Housing said it was excellent news for the Council which had done considerable work on the business plan and made significant investment in the housing stock.

It was agreed that further reports would be submitted to Cabinet and Housing Overview and Scrutiny Committee as negotiations with WG developed.

**RESOLVED:**

- (a) That the update be noted; and
- (b) That further reports be submitted to Cabinet and Housing Overview & Scrutiny Committee as negotiations with WG develop

**4. PUBLIC SERVICES COMMISSION**

The Chief Executive advised Cabinet of the terms of reference and membership of the Public Services Commission and the timetable for the Commission to produce an initial report, details of which were in the report.

Details were awaited on the Commission's approach to engagement but the Council should be ready and prepared to make a full contribution to the review as a corporate body, through political representation and through professional advice. It was his belief that the Commission should focus on all areas of public service delivery. The Leader and Cabinet Member for Finance agreed saying he felt it would be a retrograde step if Health Boards were not part of the review and if it was seen as a review of local government alone, it was a missed opportunity.

The Leader said contact should be made with the Chair of the Commission on the extent of the public services to be included so as to be able to address issues in the totality which was agreed by Cabinet members.

**RESOLVED:**

- (a) That Cabinet make contact with the Commission to offer to make a full contribution to the review as a corporate body, through political representation and through professional advice; and
- (b) That a letter be sent to the Chair of the Commission seeking further clarity about the extent of public services to be included and expressing the wish that Flintshire would want all public services included so as to be able to address issues in their totality.

**5. REGIONAL COLLABORATION REVIEW**

The Chief Executive provided an overview of regional collaboration in North Wales which demonstrated that commitments under the National Compact were being met and that the Council was acting as a positive regional partner. It also enabled the Council to make suitable arrangements to govern, review and evaluate collaborative working.

Collaboration projects ranged in type and scale; some were restricted to collaboration within local government, some were cross public service and some operated at a national scale.

There were four stages that progress of the status of collaborations could be tracked by which were detailed in the report.

The Deputy Leader and Cabinet Member for Environment suggested that a report on the summary of collaboration projects be submitted to the Community Profile and Partnerships Overview & Scrutiny Committee as many issues ran parallel with topics for Corporate Resources Overview & Scrutiny Committee which was agreed.

**RESOLVED:**

- (a) That the progress made by North Wales as a progressive region and by Flintshire as a progressive Council be noted;
- (b) That the summary of collaboration be received to be assured that the Council is meeting its commitments under the National Compact;
- (c) That the Corporate Resources Overview & Scrutiny Committee and Audit Committee be invited to review governance and reporting arrangements for collaborations, both adopted and in transition, to meet the needs of the Council;
- (d) That Flintshire be positioned as an active contributor in the review of the National Compact and in debating options for future collaboration; and
- (e) That a report be submitted to Community Profile and Partnerships Overview & Scrutiny Committee to see where it can participate in governance of collaboration.

## 6. WALES AUDIT OFFICE ANNUAL IMPROVEMENT REPORT

The Leader and Cabinet Member for Finance welcomed Huw Lloyd-Jones and Amanda Hughes from the Wales Audit Office (WAO) who were in attendance to present the WAO Annual Improvement Report 2012 for Flintshire County Council.

The Chief Executive said the Wales Audit Office Annual Improvement Report 2012 had not been available for despatch with the agenda but Members had since been provided with a copy as well as the Executive Response. The report was a further positive endorsement of another year of achieving continuous improvement in Flintshire with no new statutory recommendations or proposals for improvement.

Huw Lloyd-Jones said the final version of the Report would be published later that week but the wording contained within would not change. The Report was in three sections which were:

1. Flintshire County Council's performance in 2011/12
2. The way Flintshire County Council evaluated their performance in 2011/12
3. How Flintshire County Council planned for 2012/13.

Huw Lloyd-Jones made the following comments, full details of which were in the report:

- Service performance remained good in many areas. The Council's Improvement Plans and performance reports were not as clear and outcome-focused as they could be
- The Council was making good progress in delivering improvements in several of its service-based improvement priority areas such as services to support vulnerable residents continued to improve and progress had been made towards achieving a modern and high performing education service across the county
- The Council had made reasonable progress in acting on several of the recommendations in the 2012 Annual Improvement Report but some key projects supporting the corporate improvement priorities were taking longer than anticipated
- Work on the medium-term financial plan had continued, but the Council did not succeed in completing the plan by the end of September 2012, as intended
- Good progress had been made on recommendations for improvement

In appendix 5 to the report were a full list of the previous recommendations for improvements made to the Council and where progress had been made or the work had been completed, this was shown.

In conclusion, Huw Lloyd-Jones said Flintshire County Council was well placed to take any changes forward and he added that there were no new recommendations within the Report for improvement.

The Chief Executive thanked Huw Lloyd-Jones and Amanda Hughes for their attendance and said when the final version had been received it would be placed on the Council's website with the Executive Response.

**RESOLVED:**

That the Wales Audit Office Annual Improvement Report be received and noted and the Council's response be agreed.

Annual Improvement Report information

**7. HOME TO SCHOOL TRANSPORT POLICY CHANGES - DENOMINATIONAL TRANSPORT**

The Cabinet Member for Education introduced the report which was to consider the outcome of the consultation on proposed changes to the discretionary denominational home to school transport policy.

In November 2012 Cabinet agreed to commission consultation regarding two discretionary aspects of the school transport policy, namely post 16 and transport to denominational schools. The policy review identified changes intended to produce a fair, equitable and sustainable transport policy. Consultation was carried out from 1 March to 12 April 2013 and the outcome of the consultation on proposed changes to the post 16 transport policy was considered by Cabinet on 23 April 2013 when it was agreed that the policy be amended to reduce the number of sites to which free school transport was to be provided from September 2013.

Free school transport was currently provided under the existing policy for pupils to attend their nearest denominational school, subject to meeting the distance criteria. The proposed change would result in free transport being stopped for pupils who were not of the same denomination as the school, starting with new admissions in September 2014. Suitable evidence of adherence to the faith of the school might be required to support an application for free transport. Since denominational schools were "aided" schools and therefore had responsibility for their own admissions, consultation with individual schools would take place to confirm the admission criteria under which pupils were admitted. Similar proof such as a baptismal certificate or a letter from a priest may be required to prove eligibility for free transport.

Transport policies of several Welsh Local Authorities and many in England either restricted free transport to denominational schools or did not provide it at all and examples were provided.

During the consultation period, a total of 638 responses were received. The Cabinet Member for Education provided details of many of the issues raised and gave full responses, details of which were contained within the report.

In summary, the Cabinet Member said that Flintshire County Council was seeking to act reasonably in proposing to maintain transport for pupils currently eligible and in future for those pupils who could provide suitable evidence of adherence to the faith of the school and meet the distance criteria. In addition,

he advised that a Frequently Asked Questions (FAQ) document had been produced alongside the consultation and was appended to the report and available on the website.

The Director of Lifelong Learning said the proposal was emotive and he gave assurance that the Council was committed to working closely with the Dioceses and faith schools to achieve the best for the children of Flintshire.

He added that a Task and Finish Group had been set up by the Lifelong Learning Overview & Scrutiny Committee and the proposals had received cross party support for the recommendations. Nothing within the proposals affected the responsibilities for admissions or respect for families' faith within education. The focus was entitlement for discretionary transport.

The Cabinet Member for Housing supported the recommendations and said parents could make an informed choice for admissions as the proposed change would not take effect until September 2014.

**RESOLVED:**

That the proposed changes to the Home to School Transport Policy as detailed in paragraph 3.01 of the report be approved.

**8. ANTI-SOCIAL BEHAVIOUR POLICY**

The Cabinet Member for Housing introduced the report which sought agreement for the Housing Service's proposed Anti-Social Behaviour (ASB) Policy.

The policy aimed to describe the strategic context in which it sat both within the Council, but also within the wider national context. The paper highlighted key policy issues and changes and any potential challenges faced by the Council. The policy was predominantly aimed at Council tenants and the Council's role as a landlord.

The approach to anti-social behaviour by the Neighbourhood Management Team was closely linked to the work of the Council's Community Safety Team and the policy had been developed alongside the draft 'Community Safety Strategy' for the Council in order that they should complement each other.

The Cabinet Member for Housing said that anti-social behaviour meant different things to different people and it could range from serious criminal activity, such as drug dealing, to less serious types of nuisance such as litter or pet related nuisance. The Cabinet Member highlighted the proposed key changes to the policy and added that the policy attempted to recognise the frustrations felt by many residents who witnessed some tenants repeatedly breaching the terms of their tenancy agreement and causing nuisance and annoyance to others. She said when such tenants were witnessed to have new bathrooms or kitchens, sometimes ahead of those tenants who had an impeccable tenancy record, it caused frustration. The Council had a duty however to meet its repairing obligations and to invest in its stock which were assets of the Council. However, the draft policy contained a proposal to increase

priority for planned improvement works for those tenants with clear tenancy records, whilst reducing priority for those tenants with a history of serious or persistent anti-social behaviour.

All Members welcomed the proposed changes to the draft Policy, in particular the increased priority for tenants with clear tenancy records for planned improvement works.

**RESOLVED:**

That the draft Policy be approved.

**9. CONTAMINATED LAND STRATEGY**

The Cabinet Member for Public Protection, Waste & Recycling introduced the report which sought adoption of Flintshire County Council's Contaminated Land Inspection Strategy, following updated Welsh Government (WG) guidelines which placed a statutory duty on Councils to update their approach for Contaminated Land accordingly.

**RESOLVED:**

That the Contaminated Land Strategy be approved.

Enc. 1 for Contaminated Land Strategy

**10. NORTH WALES PRISON**

The Chief Executive provided an update on the campaign for a prison in North Wales and on the proposals for a preferred site. He explained that Wrexham County Borough Council was the lead authority in the development of the full business case for a prison in North Wales as Wrexham was the proposed location for the prison.

**RESOLVED:**

- (a) That the campaign for a prison in North Wales be supported; and
- (b) That Wrexham County Borough Council be supported as the lead authority in the development of the full business case for a prison for North Wales.

**11. REVENUE BUDGET MONITORING 2012/13 (MONTH 11)**

The Head of Finance introduced the report which provided Members with the most up to date revenue budget monitoring information (Month 11) for the Council Fund and the Housing Revenue Account (HRA) in 2012/13.

The Head of Finance explained that the projected in-year underspend at Month 11 on the Council Fund was £1.737m. The projected net underspend on the HRA was £0.574m.

The projection for Month 11 did include the additional costs incurred in 2012/13 associated with the extreme weather conditions at the end of March 2013. The estimated costs were £0.598m, most of which (£0.523m) were within the projected total overspend for the Environment Directorate and related to dealing with the operational phase of the incident. Further significant estimated costs relating to the recovery phase were not reflected in the projection as they were expected to be incurred during 2013/14. The latest estimate of such costs was £0.467m.

In response to a question from the Cabinet Member for Education, the Head of Finance explained that there were two aspects to the claim to Welsh Government (WG). The first was the Emergency Financial Assistance Scheme (EFAS) scheme which, if successful, the Council was expected to receive approximately £50k. The second was a claim for the recovery costs. A claim had been submitted and a response was awaited. A further potential opportunity to mitigate the impact on the projected outturn position in 2012/13 would be to use some or all of the Winter Maintenance reserve held by the Council to deal with impacts of severe winter weather. There was a balance of £0.245m within that reserve which could be used in full or part to offset some of the costs of the severe weather event. The current projection did not assume any use of that reserve.

The significant in-year projected variances to date were detailed in the appendices to the report, including reasons for the variances and the actions required to address each variance. The significant changes for the Council Fund from Month 10 were detailed in Appendix 1 to the report.

Appendix 7 detailed movements to date on unearmarked reserves and the level of contingency sum available. As a result of the movements the current projected level of the contingency reserve at the end of March 2013 was £1.301m.

On the Housing Revenue Account there was an overall projected underspend of £0.574m and the projected closing balance at Month 11 of £1.429m.

There were six requests for a carry forward of underspend, details of which were in the report.

**RESOLVED:**

- (a) That the report be noted;
- (b) That the Council Fund contingency sum as at 31 March 2013 be noted;
- (c) That the projected final level of balances on the Housing Revenue Account be noted; and
- (d) That the request for carry forwards of underspends to 2013/14 be approved.



## 12. **WORKFORCE INFORMATION QUARTER 4 - JANUARY - MARCH 2013**

The Cabinet Member for Corporate Management provided an update for the fourth quarter/whole year 2012/13. The report provided details on:

- Establishment
- Headcount
- Agency
- Early Retirements (First and third quarter reports only)
- Turnover
- Diversity
- Absence

On absence, the Cabinet Member for Corporate Management explained that the number of days lost in the 4<sup>th</sup> quarter had remained constant when comparing it to the same period last year. The increase overall in absence was seen in the 1<sup>st</sup> and 3<sup>rd</sup> quarters.

However, he was pleased to report that during the 4<sup>th</sup> quarter, 70% of all employees had 100% attendance. This represented an increase when compared with the same quarter for the previous year. Overall, for the year, 41% of the workforce had 100% attendance.

The Chief Executive added that there was a continued programme of attendance management reporting and action planning across each directorate and focus was made on frequent, short term absences, long term absences and return to work interviews, with employees, to understand any underlying issues affecting attendance at work.

### **RESOLVED:**

That the workforce Information Report for the fourth quarter/whole year 2012/13 be noted.

## 13. **PARTNERSHIP AGREEMENT WITH SCHOOLS**

The Cabinet Member for Education introduced the report which sought approval to consult and agree with maintained schools the content of the revised Partnership Agreement between the Council and each school.

The previous Partnership Agreement was for 3 years to September 2012. A revised edition was proposed to take into account changes arising from the Council's service level agreement with the regional school effectiveness and improvement service (GwE). The revision also focussed on changes in statutory requirements.

### **RESOLVED:**

That the revised edition of the Partnership Agreement be approved for consultation and agreement with individual school governing bodies.

**14. IN-HOUSE DISABLED ADAPTATIONS TEAM**

The Cabinet Member for Housing introduced the report which sought approval for the establishment of an in-house team to complete adaptations on Council stock.

An in-house adaptations team was established and a pilot scheme was undertaken for a 12 month period to determine the cost effectiveness of the work in-house as opposed to using external contractors. The report provided full details of the findings from the first 12 months of the new team. The pilot, for 12 months, had been supported at Housing Overview & Scrutiny Committee on 1 February 2012.

The Cabinet Member explained that during the 12 months, the timescale for level access showers, showers over the bath and mixed work combinations had reduced by approximately 50% and savings on an average major adaptation was £591.90.

In addition, the team had further promoted communication between Housing Asset Management, Housing Renewal and Neighbourhood Housing Management. This allowed the Housing Service to offer tenants a timely, cost effective and person centred service.

**RESOLVED:**

That the permanent establishment of the in-house disabled adaptations team be approved.

**15. MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE**

There were three members of the public and one member of the press in attendance.

(The meeting started at 9.30am and ended at 11.20am)

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**Chairman**