

CABINET
14 JULY 2015

Minutes of the meeting of the Cabinet of Flintshire County Council held County Hall, Mold on Tuesday, 14 July 2015

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

Councillors: Bernie Attridge, Chris Bithell, Helen Brown, Derek Butler,
Christine Jones and Kevin Jones

APOLOGY:

Councillor Billy Mullin.

IN ATTENDANCE:

Chief Executive, Chief Officer (Community and Enterprise), Chief Officer (Social Services) Chief Officer (Streetscene and Transportation), Corporate Finance Manager, Member Engagement Manager and Team Manager – Committee Services

The Leader and Cabinet Member for Finance advised that following recent consideration of the item on the Hope Household Recycling Centre at a call-in meeting of the Environment Overview and Scrutiny Committee, he had accepted a response report as an urgent item which would be considered after agenda item number 4.

43. DECLARATIONS OF INTEREST

None were received.

44. MINUTES

The minutes of the meeting held on 16 June 2015 had been circulated with the agenda. The Deputy Leader and Cabinet Member for Environment said he did not declare an interest in agenda item 9.

RESOLVED:

That subject the above amendment, the minutes be approved as a correct record.

45. RESIDENTIAL CARE HOME PROVISION

The Cabinet Member for Social Services introduced the report which sought approval to begin a review of Residential Care Home provision in Flintshire as both a commissioner and a provider.

There was a statutory duty on local authorities to ensure a sufficient supply of Care Home provision within its area. Based on reductions in local supply within the independent sector and budget pressures on the Council, a review was timely and the issues being faced were outlined in the report.

An assessment of the local market in Flintshire was summarised in the report which included local authority residential care and independent sector residential care.

On new approaches to supporting people, Flintshire had already developed two Extra Care Schemes which offered 111 high quality apartments, 96 of which were for general needs and 15 being dementia units. There was a plan to open a further 74 apartments in a new Scheme in Flint which would include 15 additional apartments for people with dementia. The Council was also committed to develop a fourth scheme of approximately 50 to 60 units of extra care in Holywell. Extra care provided better housing, ensured greater independence and choice for older people and would be seen as a model of support as a real alternative to long term care provision.

A list of initial potential scenarios that could warrant consideration were outlined in the report, noting that the list was not exhaustive.

The Chief Officer (Social Services) commented on the Council action plan which was in response to the Older People's Commissioner for Wales Review (A Plan to Call Home – A Review into the Quality of Life and Care of Older People Living in Care Homes in Wales).

Consultation would be undertaken with all stakeholders including residents, families, staff, trade unions, local communities, partners, the Care and Social Services Inspectorate Wales (CSSIW) and the Older People's Commissioner. Initial consultation would be undertaken with the Social and Health Care Overview and Scrutiny Committee on the form of the consultation exercise.

In response to a comment by the Cabinet Member for Waste Strategy, Public Protection and Leisure, the Chief Officer (Social Services) said the Chancellor's recent announcement on the rise in the minimum wage would be fully considered during the review.

The Chief Executive emphasised that there was no pre-determined outcome on the provision of residential care and that a balance needed to be found based on supply and demand and cost and quality. The review would not be rushed as a result of the budget pressures facing the Council and the Older People's Commissioner for Wales would be involved as part of the process. Contact would also be made with Betsi Cadwaladr University Health Board (BCUHB) on how the market could be developed.

The Leader and Cabinet Member for Finance added that the review would balance the needs of the community and the overall health agenda.

RESOLVED:

That it be approved that the Council enters into an initial engagement exercise with stakeholders about the future market provision of Residential Care Home provision in Flintshire.

46. HOPE HOUSEHOLD RECYCLING CENTRE - RESPONSE TO CALL IN

The Member Engagement Manager reported the result of the call in of decision 3204 – Hope Household Recycling Centre, where the Environment Overview and Scrutiny Committee resolved that the Committee was satisfied with the explanation which it had received. The decision was therefore able to be implemented with immediate effect.

The Cabinet Member for Waste Strategy, Public Protection and Leisure added that the timescale had been extended to 1 September 2015 to allow for any Expressions of Interest (EOI) from the community. None had been received to date but if any appropriate EOIs were received then the current position would be extended until January 2016 for exploration.

The Cabinet Member for Economic Development acknowledged and welcomed the work of the Overview and Scrutiny process on this item and other recent call-ins.

RESOLVED:

That the decision of the Environment Overview and Scrutiny Committee be welcomed.

47. CAPITAL PROGRAMME 2014/15 (OUTTURN)

The Corporate Finance Manager presented the outturn capital programme information for 2014/15 which was being reported to Audit Committee the following day.

The table in the report detailed how the programme had changed during 2014/15 with detailed cumulative information relating to each programme area provided in Appendix A.

The report provided details on rollover into 2015/16, changes during the period, capital expenditure compared to budget, savings and financing.

The Chief Executive re-confirmed that, following a question at Corporate Resources Overview and Scrutiny Committee on 13 July, capital receipts could not be to support ongoing revenue budgets in a sustainable way.

RESOLVED:

- (a) That the report be approved; and
- (b) That the 'rollover' adjustments be approved.

48. REVENUE BUDGET MONITORING 2014/15 (OUTTURN)

The Corporate Finance Manager provided information on the revenue outturn budget monitoring information for 2014/15 for the Council Fund and the Housing Revenue Account (HRA) based on actual income and expenditure (subject to audit).

The year-end position on the Council Fund was a net in year expenditure of £1.804m lower than budget with a contingency reserve balance at 31 March 2015 of £4.745m.

On the HRA the net in year expenditure was £0.345m less than budget with a closing balance as at 31 March 2015 of £1.510m.

The significant budget movement between month 12 to outturn was detailed in the report which mainly related to adjustments to the single status rebasing exercise, property maintenance reallocations and workforce efficiency accounting adjustments.

On the Council Fund, the report provided details on an overview of the year, the programme of efficiencies, carry forward requests, inflation and un-earmarked reserves.

On the HRA, the outturn position reported an overall underspend of £0.345m and a closing balance of £1.510m which at 5% of total expenditure satisfied the prudent approach of ensuring a minimum level of 3%.

RESOLVED:

- (a) That the report be noted;
- (b) That the Council Fund contingency sum as at 31 March 2015, subject to audit, be noted;
- (c) That the final level of balances on the Housing Revenue Account, subject to audit, be noted; and
- (d) That the carry forward requests detailed in section 4 of the report be approved.

49. PRUDENTIAL INDICATORS - ACTUAL 2014/15

The Corporate Finance Manager provided Members with 2014/15 (actual) Prudential Indicator (PI) figures as required under the Prudential Code for Capital Finance in Local Authorities (the Prudential Code).

RESOLVED:

That the report be noted and approved.

50. REVENUE BUDGET MONITORING 2015/16

The Corporate Finance Manager provided Members with the first available revenue budget monitoring information for the Council Fund and Housing Revenue Account (HRA) for 2015/16.

As in previous years, during the early part of the 2015/16 financial year Corporate Finance resources had been dedicated to the closure of the accounts

for 2014/15 to ensure that the statutory deadline of the end of June was met. However, significant work had been undertaken to review the progress and risks associated with the efficiencies included in the 2015/16 budget which were detailed in the report.

The Deputy Leader and Cabinet Member for Environment said there was an error in paragraph 3.14 of the report as a separate report on the Reduction of Cleansing Standards was not included on the agenda.

The Chief Executive commented that the significant level of efficiencies needed to deliver the budget had led to the establishment of Programme Boards with the remit of tracking efficiencies and mitigating risks to the 2015/16 budget.

The Leader and Cabinet Member for Finance commented on the underspend of £0.300m against a new pressure of £0.338m in respect of the transfer of the responsibility for the former Independent Living Fund (ILF) from UK Government to devolved administrations which he welcomed. The Corporate Finance Manager explained that following the Council's budget being set, it was determined that the funding would be distributed as a specific grant amount based on the amount actually required to pay service users. There was no allocation to cover the administration of the scheme so it was the intention to keep an element of the allocation to fund the additional administration burden and to cover for obligations to meet employer liability insurance for carers employed by service users.

RESOLVED:

That the report be noted.

51. FOOD SERVICE PLAN 2015/16 FOR FLINTSHIRE COUNTY COUNCIL

The Cabinet Member for Waste Strategy, Public Protection and Leisure introduced the report which sought approval for the Food Service Plan 2015/16.

Key achievements for 2014/15 were:

- Sustained progress with achieving actions contained within the Food Standards Agency (FSA) action plan following receipt of the final FSA audit report in July 2014
- Achieving 100% of all Food Hygiene, Food Standards and Feedstuffs High Risk inspections
- Notable improvement in the number of food businesses broadly compliant with Food Hygiene legislation with a very pleasing total of 95.6% of Flintshire businesses achieving this standard
- Collaborative work with other North Wales Local Authorities and FSA to produce and introduce the North Wales Feed Enforcement Delivery Plan (NWFEDP) for implementation from 1 April 2015
- Training of Trading Standards Enforcement Officers to ensure compliance with the competence requirements of the revised Feed Law Enforcement Code of Practice (FLECP) Wales 2014, in order to provide resilience in the participation in regional feed service delivery

- Provision of comprehensive advice to businesses on the major change in Food Standards legislation which came into force in December 2014 by running numerous workshops relating to allergen labelling requirements
- Delivery of Food Hygiene and Food Safety Management System training in the medium of Turkish to 30 food handlers within Flintshire and Wrexham, funded by FSA Wales as part of the regional Environmental Health collaboration projects
- Successful prosecution of a takeaway business for offences under The Food Safety Act 1990 for the misdescription of food containing peanut allergen

A list of key targets for 2015/16 were detailed in the report.

Members praised the work of the department, particularly in the number of premises who had progressed to achieve a 5* Food Hygiene Rating.

RESOLVED:

That the Food Service Plan 2015/16 be approved.

52. EXERCISE OF DELEGATED POWERS

An information report on the action taken under delegated powers was submitted. The action was as set out below:-

Community and Enterprise

- **Housing (Wales) Act 2014 – Homelessness and the Test of Intentionality**

Upon the date at which this delegated powers decision is signed, the decision, made by Flintshire County Council's Cabinet on 17 March 2015, is reaffirmed. In accordance with its powers Section 78 of the Housing (Wales) Act 2014, "the Authority should still have regard to the homelessness intentionality test and that this will be reviewed regularly". The Welsh Government's Minister for Housing, Regeneration, and Tackling Poverty will be notified of the reaffirmation of the Flintshire County Council Cabinet decision.

RESOLVED:

That the action taken under delegated powers be noted.

53. 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 for the following items by virtue of exempt information under paragraph 17 and 15 respectively of Part 4 of Schedule 12A of the Local Government Act 1972 (as amended).

54. COMPULSORY PURCHASE OF A PROPERTY

The Cabinet Member for Housing introduced the report which sought authority to compulsory purchase a property on High Street, Connah's Quay, as an integral part of the regeneration of Deeside.

RESOLVED:

That Cabinet give authority to the Chief Officer (Community and Enterprise) to take all necessary steps to compulsory purchase a property on High Street, Connah's Quay, as an integral part of the regeneration of Deeside.

55. COMMUNITY AND ENTERPRISE SENIOR MANAGEMENT RESTRUCTURE

The Cabinet Member for Housing introduced the report which sought approval of Cabinet for a new management structure in Community and Enterprise to deliver savings in management costs, provide opportunities for career development and talent management and to meet the Organisational Design objectives around layers and spans of control.

RESOLVED:

That the proposed changes set out in the report be approved for consultation, and delegated authority be granted to the Chief Officer (Community and Enterprise), in consultation with the Portfolio Cabinet Members, and with the advice of the Chief Executive and Chief Officer (People and Resources), to consider representations made, finalise proposals and implement them.

56. MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE

There were two members of the press in attendance.

(The meeting started at 9.30 am and ended at 10.50 am)

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Chair