

FLINTSHIRE COUNTY COUNCIL

CABINET RECORD OF DECISION

DATE OF MEETING: **19 JULY 2016** **AGENDA ITEM NO. 4**

REPORT OF: **Chief Executive**

SUBJECT: **ANNUAL PERFORMANCE REPORT 2015/16 PART 2**

RECOMMENDATIONS OF REPORT: (1) Cabinet Members are invited to consider the sufficiency of actions taken to manage delivery of last year's Improvement Priority impacts; and

(2) To note the following:-

- the levels of progress and confidence in the achievement of key activities which seek to deliver the impacts of last year's Improvement Plan;
- the levels of performance against last year's Improvement Plan measures; and
- the current (net) risk levels identified in last year's Improvement Plan and the arrangements to control them

DECISION: As detailed in the recommendations.

REASON FOR DECISION: As in the report.

**CONSULTATIONS
REQUIRED/CARRIED OUT:** All Overview and Scrutiny Committees have the opportunity to review the performance of the Improvement Plan priorities for 2015/16 and have been involved throughout the year with the quarterly monitoring reports.

RESOURCE IMPLICATIONS: Resource implications have been considered during preparation of the Medium Term Financial Strategy and will

continue to be monitored during the regular budget monitoring and financial planning arrangements.

DECLARATIONS OF INTEREST:

None.

DISPENSATIONS

None.

DATE PUBLISHED:

20 July 2016

SIGNED

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(Proper Officer)

FLINTSHIRE COUNTY COUNCIL

CABINET RECORD OF DECISION

DATE OF MEETING: **19 JULY 2016** **AGENDA ITEM NO. 5**

REPORT OF: **Chief Executive**

SUBJECT: **ANNUAL IMPROVEMENT REPORT OF THE**
AUDITOR GENERAL FOR WALES

RECOMMENDATIONS OF REPORT: To accept the Annual Improvement Plan and note the updated response to the Proposals for Improvement from the 2015 report.

DECISION: As detailed in the recommendation.

REASON FOR DECISION: As in the report.


CONSULTATIONS
REQUIRED/CARRIED OUT: All Overview and Scrutiny Committees have the opportunity to review the performance of the Improvement Plan priorities for 2015/16 and have been involved throughout the year with the quarterly monitoring reports.

RESOURCE IMPLICATIONS: Resource implications have been considered during preparation of the Medium Term Financial Strategy and will continue to be monitored during the regular budget monitoring and financial planning arrangements.

DECLARATIONS OF INTEREST: None.

DISPENSATIONS None.

DATE PUBLISHED: 20 July 2016

SIGNED  **(Proper Officer)**

DATE PUBLISHED:

20 July 2016

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the report. It shows the total scheme cost of £6,376,931 and how the schemes perform against Development Scheme Assumptions. Collectively, the schemes achieve pay back in year 49 and exclude any Welsh Government grants or Section 106 contributions.

The scheme has been assessed as providing best value for the Council by the Council's Design and Consultancy and Finance Teams.

DECLARATIONS OF INTEREST:

None.

DISPENSATIONS

None.

DATE PUBLISHED:

20 July 2016

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(Proper Officer)

FLINTSHIRE COUNTY COUNCIL

CABINET RECORD OF DECISION

DATE OF MEETING: **19 JULY 2016** **AGENDA ITEM NO. 8**

REPORT OF: **Chief Officer (Community and Enterprise)**

SUBJECT: **DISCRETIONARY RATE RELIEF POLICY**

RECOMMENDATIONS OF REPORT: Adopt the new framework as set out, ceasing Discretionary ‘top-ups’ to those organisations that already benefit from 80% Mandatory Rate Relief and reducing all other Discretionary awards to Voluntary and Not for Profits organisations to a maximum Discretionary award of 80% from 2017-18.

DECISION: As detailed in the recommendation.

REASON FOR DECISION: As detailed in the report.

**CONSULTATIONS
REQUIRED/CARRIED OUT:** To establish constructive feedback, the introduction of a revised policy framework for Discretionary Rate Relief awards will be referred to the Community and Enterprise Overview and Scrutiny Committee.

RESOURCE IMPLICATIONS: As a result of the removal of Discretionary ‘top-up’ relief and the scaling back of all other Discretionary Rate Relief, the projected future cost of Discretionary Rate Relief will be £14,175 against an existing budget provision of approximately £116,000, as earmarked in the Business Plans for the Community and Enterprise portfolio budget gaps in future years as part of the Medium Term Financial Strategy (MTFS).

To provide additional mitigation against financial hardship for those organisations that currently benefit from 100% rate relief, setting aside an annual contingency fund of £15,000 from the efficiency

savings to support potential Hardship applications, will still allow the Council to provide emergency rate relief of up to £60,000 per annum, on the basis that the Council funds 25% towards the cost of Hardship Rate Relief.

After taking into account the Hardship contingency, net savings of £87,000 per annum will be achieved.

DECLARATIONS OF INTEREST:

Councillors Bithell and Brown.

DISPENSATIONS

None.

DATE PUBLISHED:

20 July 2016

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(Proper Officer)

FLINTSHIRE COUNTY COUNCIL

CABINET RECORD OF DECISION

DATE OF MEETING: **19 JULY 2016** **AGENDA ITEM NO. 9**

REPORT OF: **Chief Officer (Community and Enterprise)**

SUBJECT: **HARDSHIP RATE RELIEF POLICY FRAMEWORK**

RECOMMENDATIONS OF REPORT: Approve the policy framework for Hardship Rate Relief as set out in the appendix to the report.

DECISION: As detailed in the recommendation.

REASON FOR DECISION: As detailed in the report.

**CONSULTATIONS
REQUIRED/CARRIED OUT:** The introduction of this policy framework has been considered by Community and Enterprise Overview and Scrutiny Committee.

RESOURCE IMPLICATIONS: The funding mechanism for Hardship Rate Relief is jointly funded by Welsh Government (WG) and the Council, with WG contributing 75% of the cost and the Council contributing 25%.

Given that the Council makes a 25% contribution towards Hardship awards, there is a cost to the Council's General Fund, and therefore to the local Council Taxpayers, in awarding Hardship Rate Relief and the Council must give due consideration to the interests of local residents when making awards.

Hardship relief will usually only be granted if there is sufficient budget available for the financial year in which an application is determined.

If there are extreme circumstances where hardship relief may need to be awarded beyond the Council's budget provision for discretionary rate awards, this will be

considered as a one-off budget pressure and determined by delegated powers by the Cabinet Member for Corporate Management and Chief Officer (Community and Enterprise).

The award of Hardship Relief must also comply with the European Union law on State Aid. Under the De Minimis Regulations (EC 1407/2013) the ratepayer should not receive more than 200,000 Euros (approximately £165,000) in total of De Minimis aid over a three year period.

DECLARATIONS OF INTEREST:

Councillors Bithell and Brown.

DISPENSATIONS

None.

DATE PUBLISHED:

20 July 2016

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DATE PUBLISHED:

20 July 2016

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FLINTSHIRE COUNTY COUNCIL

CABINET RECORD OF DECISION

DATE OF MEETING: **19 JULY 2016** **AGENDA ITEM NO. 13**

REPORT OF: **Corporate Finance Manager**

SUBJECT: **REVENUE BUDGET MONITORING 2016/17 (MONTH 2)**

- RECOMMENDATIONS OF REPORT:**
- (1) Cabinet is recommended to review the report;
 - (2) To agree a budget virement within Social Services to realign the budget to meet service needs;
 - (3) To agree a contribution from the Contingency Reserve of £0.111m to meet the settlement costs from historic child abuse claims; and
 - (4) To approve a contribution from the Contingency Reserve of £0.076m to meet one off costs for the Summer Play Schemes.

DECISION: As detailed in the recommendations.

REASON FOR DECISION: As detailed in the report.

CONSULTATIONS None required.

REQUIRED/CARRIED OUT:
RESOURCE IMPLICATIONS: The Budget Monitoring Report reflects the planned use of the financial resources of the Council for the current financial year and details the variations occurring to date.

DECLARATIONS OF INTEREST: None.

DISPENSATIONS None.

DATE PUBLISHED: 20 July 2016

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(Proper Officer)

FLINTSHIRE COUNTY COUNCIL

CABINET RECORD OF DECISION

DATE OF MEETING: 19 JULY 2016 AGENDA ITEM NO. 14

REPORT OF: Chief Executive

SUBJECT: PRUDENTIAL INDICATORS - ACTUALS 2015/16

RECOMMENDATIONS OF REPORT: That Members note and approve the report.

DECISION: As detailed in the recommendation.

REASON FOR DECISION: As detailed in the report.

CONSULTATIONS No consultation is required of carried out.

REQUIRED/CARRIED OUT:

RESOURCE IMPLICATIONS: There are no resource implications as a result of this report

DECLARATIONS OF INTEREST: None.

DISPENSATIONS None.

DATE PUBLISHED: 20 July 2016

SIGNED



(Proper Officer)

FLINTSHIRE COUNTY COUNCIL

CABINET RECORD OF DECISION

DATE OF MEETING: **19 JULY 2016** **AGENDA ITEM NO. 15**

REPORT OF: **Chief Officer (Streetscene and Transportation)**

SUBJECT: **REVIEW OF HOUSEHOLD RECYCLING CENTRE
PROVISION**

RECOMMENDATIONS OF REPORT: That Cabinet notes the progress made to review the HRC provision and request a full report on the preferred location and individual site layouts to be provided to Cabinet for approval in October 2016.

DECISION: As detailed in the recommendation.

REASON FOR DECISION: As detailed in the report.

**CONSULTATIONS
REQUIRED/CARRIED OUT:** The final proposals will be shared with Environment Overview and Scrutiny Committee in July.

A full EIA has been completed and the impact on the statutory protect groups was tested at stakeholders workshops. The assessment will be updated once the new configuration has been confirmed.

RESOURCE IMPLICATIONS: Reduction in HRC provision and improved recycling levels will partially achieve the savings identified in the Portfolio Business Plans. Full details will be provided in the October report.

The existing operational staff employed at the sites will be deployed into other areas of the service.

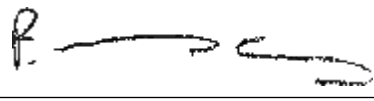
Overall Recycling Performance at the Council's HRC sites was approximately 70% in 2015-16 against the proposed target of 90%. Failure to achieve the 90% target, resulted in approximately 6,000 tonnes of material being sent to landfill,

rather than being recycled at a cost of £0.5m.

DECLARATIONS OF INTEREST: None.

DISPENSATIONS None.

DATE PUBLISHED: 20 July 2016

SIGNED  **(Proper Officer)**

FLINTSHIRE COUNTY COUNCIL

CABINET RECORD OF DECISION

DATE OF MEETING: 19 JULY 2016 AGENDA ITEM NO. 16

REPORT OF: Chief Officer (Community and Enterprise)

SUBJECT: COMMUNAL HEATING RECHARGES 2016/17

RECOMMENDATIONS OF REPORT: Cabinet is asked to approve a decrease to the weekly heating charges for communal properties as outlined in the report.

DECISION: As detailed in the recommendation.

REASON FOR DECISION: As detailed in the report.

CONSULTATIONS REQUIRED/CARRIED OUT: No formal consultation required, however, the Cabinet Member for Housing supports the proposals.

RESOURCE IMPLICATIONS: As identified in the report.

DECLARATIONS OF INTEREST: None.

DISPENSATIONS None.

DATE PUBLISHED: 20 July 2016

SIGNED



(Proper Officer)

FLINTSHIRE COUNTY COUNCIL

CABINET RECORD OF DECISION

DATE OF MEETING: **19 JULY 2016** **AGENDA ITEM NO. 17**

REPORT OF: **Chief Officer (Streetscene and Transportation)**

SUBJECT: **12 MONTH REVIEW OF CAR PARKING STRATEGY**

RECOMMENDATIONS OF REPORT: To seek Cabinet approval of the revised car parking strategy including the proposed charging arrangements for County Hall car park.

DECISION: As detailed in the recommendation with the additional recommendation also being agreed:

- (2) That Councillor Bernie Attridge will meet with Mold Town Council and Buckley Chamber of Commerce as soon as practicable to discuss issues that they have raised.

REASON FOR DECISION: As detailed in the report.

**CONSULTATIONS
REQUIRED/CARRIED OUT:** Suggested changes have been received during staff visits to Town Council meetings and from various correspondences received during the period since implementation of parking charges.

Consultation took place with the Cabinet Member on all of the amendments contained within the report.

The proposed changes to the strategy were discussed at the Environment Overview and Scrutiny Committee meeting in June. The Committee recommended the proposed changes to Cabinet.

A full EIA was undertaken prior to implementation of the strategy and the

impact on the statutory protect groups was tested at stakeholder workshops. The assessment has recently been reviewed as part of the overall 12 month review process.

RESOURCE IMPLICATIONS:

Total full year budgeted income from car parking charges (2016-17) is £716,000 – (£616,000 + £100,000 County Hall).

Projected income based on current utilisation levels projected to full year is £420,000*.

Projected income from County Hall (September 2016 to March 2017) is £18,000.

Total projected income from all car parks - £438,000.

Total in year (2016-17) projected shortfall - £278,000.

Figures include approximately £100k loss of income from the delayed introduction in Flint.

DECLARATIONS OF INTEREST:

None.

DISPENSATIONS

None.

DATE PUBLISHED:

20 July 2016

SIGNED



(Proper Officer)

FLINTSHIRE COUNTY COUNCIL

CABINET RECORD OF DECISION

DATE OF MEETING: **19 JULY 2016** **AGENDA ITEM NO. 18**

REPORT OF: **Chief Officer (Social Services)**

SUBJECT: **HOLYWELL EXTRA CARE**

RECOMMENDATIONS OF REPORT: (1) Cabinet accept the demand for Extra Care in Holywell as detailed in the report; and

(2) Cabinet approve the development of Extra Care in Holywell.

DECISION: As detailed in the recommendations.

REASON FOR DECISION: As detailed in the report.

**CONSULTATIONS
REQUIRED/CARRIED OUT:** A consultation process is currently underway to include local Council Members, residents and key stakeholders.

RESOURCE IMPLICATIONS: Revenue funding will be required to ensure the care and support elements. As with Flint Extra Care the majority of the costs are staffing related and are currently estimated at £0.550m for a full year. The first full year for which funding will be required at this level is currently expected to be 2018/19 based on current timescales, however it is expected that budget provision of £0.300m will be required from 2017/18.

It is considered that most of the funding required for the revenue costs of the proposed facility can be met by a combination of utilisation of existing budgets through some realignment of savings elsewhere within Integrated Services, (£0.100m), and utilisation of anticipated additional income arising from charging policy income following recent

changes to the application of disregards in respect of financial assessments as provided for within the Social Services and Wellbeing Act 2015 (£0.300m).

This would leave an estimated funding gap of £0.150m, which would need to be a new pressure to be provided for within the Council's Medium Term Financial Plan (MTFP) – subject to Cabinet approval of this approach.

The estimated costs and funding strategy for the five years from 2017/18 are illustrated within the table in the report.

DECLARATIONS OF INTEREST:

None.

DISPENSATIONS

None.

DATE PUBLISHED:

20 July 2016

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(Proper Officer)

FLINTSHIRE COUNTY COUNCIL

CABINET RECORD OF DECISION

DATE OF MEETING: **19 JULY 2016** **AGENDA ITEM NO. 20**

REPORT OF: **Chief Officer (Organisational Change.)**

SUBJECT: **HOLYWELL LEISURE CENTRE : COMMUNITY
ASSET TRANSFER PROPOSAL**

RECOMMENDATIONS OF REPORT: To consider and agree the Community Asset Transfer proposal from Holywell Leisure Centre Community Group for the transfer of Holywell Leisure Centre subject to the conditions noted within this report.

That this Community Asset Transfer be subject to a number of conditions which must be met prior to legal completion:

- Provision of an updated Strategic Business Plan;
- That this Business Plan covers satisfactorily the areas identified at 1.08 of this report;
- Sign off of the Business Plan by Chief Officers for Organisational Change in consultation with the two lead Cabinet portfolio holders.

That the Chief Officer (Governance) be given delegated authority to enter into the necessary legal agreements to complete the Community Asset Transfer including:

- Community Asset Transfer Lease with Holywell Leisure Centre Community Group for an initial 27 years based on a peppercorn rent, but that if external grant funding is approved that requires a longer lease that this be given for up to 99 years;
- Community Benefits Agreement with Holywell Leisure Centre Community Group detailing: the

requirements for the peppercorn lease; an initial revenue fund of £0.102m and the community benefits required for this funding; a capital grant allocation of between £0.200 - £0.400m (from the Community Asset Transfer Capital Grant Fund) and the conditions for use of this grant linked to the condition survey;

- Co-operative Agreement with Holywell Town Council and the Holywell Leisure Centre Community Group detailing the principles, values and ways of working between the three main partners.

That final approval be given to proceed with the re-location of Holywell Library to Holywell Leisure Centre and an additional £0.120m (from the Community Asset Transfer Capital Grant Fund) be allocated to enable completion of these works prior to the Community Asset Transfer. These works to include refurbishment of the existing snooker room to enable users who are re-located from the library space to utilise this space.

DECISION:

As detailed in the recommendations.

REASON FOR DECISION:

As detailed in the report.

**CONSULTATIONS
REQUIRED/CARRIED OUT:**

Consultations have and are currently taking place with staff as outlined in the report. Holywell Town Council have been engaged in considering proposals during 2015 and have a member of their staff on the working group. Public meetings were held in 2015 to ask for public involvement in developing the proposal.

RESOURCE IMPLICATIONS:

Financial Implications
The proposal means a future net revenue cost for the leisure centre of £0.086m in the first full year of operation. This saves the Council approximately £0.350m per annum.

To support the project the Council will work with the organisation to prepare staff restructuring proposals, and any changes to terms and conditions of staff, that are agreed prior to transfer. It is proposed this will include dealing with any associated redundancy costs at the point of transfer. As staff will be offered suitable alternative employment through posts in the new organisation and in the Council, and this is subject to ongoing consultation, it is not possible to estimate this cost yet although the costs would have been greater if the leisure centre had to close.

Details of all staff assigned to the leisure centre are available so that that potential redundancy costs can be estimated if required at some future point in time.

A one off capital grant of £0.200 - £0.400m will be allocated to the project at the point of transfer this will be taken from the £1m allocation that has already been set aside in the Councils Capital budget for Community Asset Transfers. While having to be specifically set aside for items associated with the condition survey, it will also help the group establish a sinking fund for replacement or improvement of its assets. In addition £0.120m will also be set aside from the Community Asset Transfer capital budget to support the re-location of the library and associated refurbishment works to the snooker room so as to re-locate existing users.

Human Resource Implications

Transfer of Undertakings (Protection of Employment) Regulations, known as TUPE will apply in this Community Asset Transfer for staff. This means that staff transfer on their existing terms and conditions of employment and have their continuity of service preserved. The Council received specific legal advice at the beginning of the project and this confirmed that TUPE would be likely to apply. It also confirmed that it is legally

compliant for the community organisation to put forward Economic, Technical and Organisational (ETO) reasons detailing proposed changes in the workforce for example changes to staff numbers and mutually agreed terms and conditions if based on a valid and robust business case for change. The changes outlined in this report are due to the need to operate the leisure centre at a reduced subsidy and in a different way.

Initial meetings have taken place with staff and trade unions. Formal consultation is proposed to start in September 2016 when more detailed plans, including proposed staffing structures are in place. The result of this work will mean staff either transfer to the new organisation at the transfer date or consider any alternative employment available within the Council which will take effect prior to the transfer. If no suitable employment is available then potential redundancy would be considered.

While the Council will support Holywell Leisure Centre Community Group to be ready to manage the changes prior to transfer, any other changes still needed will actually be formally made by Holywell Leisure Centre Community Group immediately after transfer.

DECLARATIONS OF INTEREST:

None.

DISPENSATIONS

None.

DATE PUBLISHED:

20 July 2016

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(Proper Officer)

FLINTSHIRE COUNTY COUNCIL

CABINET RECORD OF DECISION

DATE OF MEETING: **19 JULY 2016** **AGENDA ITEM NO. 21**

REPORT OF: **Chief Officer (Organisational Change), Chief Officer (Social Services)**

SUBJECT: **ALTERNATIVE DELIVERY MODEL FOR CHILD CARE PROVISION IN DEESIDE**

RECOMMENDATIONS OF REPORT: To agree that the Flintshire Crèche Service establish a childcare social enterprise and that this is subject to the conditions that:

- final implementation plans are developed prior to full establishment of the organisation and are assessed as being able to deliver the objectives outlined in this proposal;
- that the capital funding for the development of the Pepperpot Inn is confirmed;
- the target date for establishment of the new organisation is 1st April 2018;
- the implementation plans demonstrate financial viability and robust risk management and a clear plan is produced to deal with any underperformance;
- the plans show the level of commercial and cultural change that is required for the new organisation and how this will be developed, implemented and embedded;
- the development is subject to the availability of external funding for the refurbishment of the building;
- the Council establishes a transitional board to manage the period up to full establishment and this includes as a minimum the Chief Officers for Social Services

and Organisational Change, Portfolio Holder, Independent Chief Officer, Finance and Human Resources Staff.

DECISION:

As detailed in the recommendation.

REASON FOR DECISION:

As detailed in the report.

**CONSULTATIONS
REQUIRED/CARRIED OUT:**

Development of the project to this point has involved the following partners:

- Flying Start programme team;
- Communities First;
- Coleg Cambria
- PACE programme team
- FCC Children's Services
- FCC Leisure Services and Deeside Leisure Centre

Further development of the project, if agreed, will include detailed consultation with staff and trade unions.

RESOURCE IMPLICATIONS:

Outline financial modelling for the project has established that, in the best case scenario, the project would break even financially in its first year of operation. In the worst case scenario it would take three years to reach a break even position with a maximum expected cumulative shortfall of £44,607 over those years. External grants and loans are being explored to provide this funding.

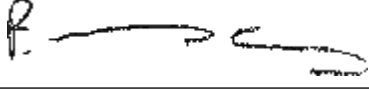
The refurbishment of the former Pepperpot Inn will require substantial capital funding to be secured for the childcare ADM. It is therefore proposed that the enterprise would be able to occupy the renovated building rent-free for a period to be negotiated to reflect this investment.

Transfer of Undertakings Protection of Employment Regulations (TUPE), Pensions and staff engagement are considered in detail. Final implementation plans when brought forward will detail impacts on staff in individual service areas.

DECLARATIONS OF INTEREST: None.

DISPENSATIONS None.

DATE PUBLISHED: 20 July 2016

SIGNED  **(Proper Officer)**
