

CABINET
20 NOVEMBER 2012

Minutes of the meeting of the Cabinet of Flintshire County Council held at Clwyd Committee Room, County Hall, Mold CH7 6NA on Tuesday, 20 November 2012

PRESENT: Councillor Aaron Shotton (Chairman)

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

APOLOGY: Councillor Helen Brown

ALSO PRESENT: Councillors: Ron Hampson, Patrick Heesom, David Mackie and Nancy Matthews

IN ATTENDANCE: Chief Executive, Director of Environment, Director of Community Services, Director of Lifelong Learning, Head of Finance, Head of Legal & Democratic Services, Head of Human Resources & Organisational Development, Head of ICT & Customer Services and Committee Officer

Ms. Karen Lees of Wales Audit Office for Item 99
Policy, Performance & Partnerships Manager for Item 100

97. DECLARATIONS OF INTEREST

The Cabinet Member for Education declared a personal and prejudicial interest in Agenda Item 19: Voluntary Sector Core Funding Review as he was a Trustee and Board Member of an organisation related to the item. The Head of Legal & Democratic Services advised that in line with Ombudsman guidance, an exemption permitted the Cabinet Member to participate during discussion on the item whilst declaring his personal and prejudicial position.

The Cabinet Member for Regeneration, Enterprise & Leisure declared a personal and prejudicial interest in Agenda Item 21: Possible sale of 50 acres approximately, Site EM1:11 Deeside Industrial Park, due to previous involvement in the history of the site.

98. MINUTES

The minutes of the meeting held on 16 October 2012 had been circulated with the agenda.

On the Community Asset Transfer Scheme, the Cabinet Member for Education asked that the minutes be amended to reflect that the Notice of Motion had been submitted to County Council by Councillor A. Woolley.

RESOLVED:

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

99. IMPROVEMENT ASSESSMENT LETTER FROM THE AUDITOR GENERAL FOR WALES

The Chief Executive introduced the report on the Council's Improvement Assessment Letter dated October 2012 from the Auditor General for Wales together with the Council's response. It was noted that no new recommendations or issues had arisen from consideration of the item at the Corporate Resources Overview & Scrutiny Committee meeting held on the previous day, although there had been agreement that future efficiency projects required more consistent projections of targets which was critical to future success.

Ms. Karen Lees of Wales Audit Office (WAO) was then invited to provide an overview of the key points detailed within the WAO letter, which was to be updated at the end of November 2012.

The Chief Executive responded to the comments made in the WAO letter with the written recommended response of officers. On equal pay claims, he said that this was a complex issue with the potential for liability and that work had been carried out by the internal team with some reliance on external legal advice led by a specialist advisor and by the legal advisor retained by the Welsh Local Government Association (WLGA) for member authorities. He broadly agreed with the comments made on the Medium Term Financial Plan (MTFP) and spoke of ongoing work to develop the contribution of Flintshire Futures programme to future financial forecasts, noting that MTFP risks could not be precise due to national variations in funding and issues outside of the Council's control, which should be reflected. In summarising, he felt that the letter was a fair and balanced representation.

RESOLVED:

That the Council's Improvement Assessment letter received from the Auditor General for Wales and the Council's response be noted.

100. FLINTSHIRE COMMUNITY ENDOWMENT FUND

The Chief Executive presented a report to approve the closedown and transfer of existing moribund and ineffective education trust funds to a newly established Flintshire Community Endowment Fund.

The Leader of the Council said that the proposal would provide support for community groups in Flintshire and that progress reports would be submitted to Cabinet.

The Cabinet Member for Education asked about flexibility to change the themes for funding. The Policy, Performance & Partnerships Manager confirmed that the funds would initially be used to support educational purposes but that the opportunity to extend the range of beneficiaries would depend on those donating to different causes. In response to a further question, she explained that funds would be transferred via the guidelines and strict criteria of the Charity Commission for England and Wales.

RESOLVED:

- (a) That the closedown and transfer of existing moribund and ineffective education trust funds to a newly established 'Flintshire Community Endowment Fund' to be managed and administered by the trustees of the Community Foundation in Wales, subject to the absolute agreement of the Charity Commission for England and Wales and subject to the Head of Finance in her Section 151 statutory officer role being satisfied that the investment strategy of the new Fund does not pose a significant risk to achieving a satisfactory return on funds and value for money, be noted;
- (b) That the Chief Executive, in consultation with the Leader, determine the final working arrangements of the Panel and its supporting structure to discuss in partnership with the Community Foundation in Wales; and
- (c) That a further report outlining the final arrangements of the 'Flintshire Community Endowment Fund' be received prior to any agreed launch.

101. PEOPLE STRATEGY

The Cabinet Member for Corporate Management introduced a progress report on the delivery of the People Strategy Action Plan for 2009-2012 as at 30 September 2012.

The Head of Human Resources & Organisational Design explained that officers were currently progressing the development of the next phase of the Strategy for the next 3-4 years and were working with ICT colleagues to ensure that the delivery of key tasks, eg agile working, could be co-ordinated. The next phase was to be launched in April 2013 in line with the implementation of the new ICT Strategy. The report included updates on actions on a more exceptional basis. The Chief Executive said that this supported recommendations made in the Wales Audit Office letter and the Council's response, to report more frequently on progress in delivering the Strategy and to be clearer on challenges in resources and delayed actions.

RESOLVED:

That the progress report on delivery of the current People Strategy Action Plan for 2009-12 be noted.

102. SINGLE STATUS PROGRESS UPDATE

The Cabinet Member for Corporate Management introduced an update report on the Single Status project and the revised project plan for closure of the project with a local Single Status Agreement.

The Chief Executive spoke of a high level of confidence in completing the key work-streams detailed in the report, that pay and grading modelling was advanced and that negotiations with Trade Unions on Part 3 terms and conditions of employment were progressing. He said that there had been agreement by the Single Status Project Board (SSPB) that communication with the workforce could only be made with confidence at a stage when a definite timetable could be

agreed. The factors which could prevent achievement of the revised timetable were set out in the report, with a proposed effective date for the Agreement set for between 1 April - 30 June 2013.

In acknowledging the need to keep the workforce informed of progress, the Head of Human Resources & Organisational Development advised that a detailed workforce communication would be issued later in the day.

The Leader of the Council agreed that it was difficult to identify an exact implementation date at this stage but said that a clear effective date had been set which it was hoped would provide some reassurance. He went on to thank the Single Status Project Board which had received support from across the Council in its cross-party membership.

RESOLVED:

That the project update and new target timetable for the closing stages of the Single Status project be noted.

103. NATIONAL PROCUREMENT SERVICE

The Cabinet Member for Corporate Management presented a report to seek approval for the Council to join the proposed Public Sector National Procurement Service (NPS), within an initial five year commitment.

The Head of ICT & Customer Services detailed the background and said that the business case would need to be revisited to reflect the level of commitment and spend by Councils and to ensure risks were addressed. The Chief Executive said that the proposal to support the NPS would be on the basis of conditions detailed in the report to ensure this was in the best interests for Flintshire. He drew attention to the categories to be considered within the NPS and said that the Council would need to consider which of these would be beneficial.

Following concerns about the impact of the arrangements on local small businesses and suppliers, the Head of ICT & Customer Services said that analysis of the categories had indicated that less than 1% of Flintshire's total spend was in Wales, with the vast majority spent with national companies. On protecting the interests of regional suppliers, he said that the Council would have a role in encouraging local businesses to become part of the framework.

The Cabinet Member for Regeneration, Enterprise & Leisure asked if the arrangement would impact on the recently introduced P2P procurement system. The Head of ICT & Customer Services said that it would complement the system. The Chief Executive remarked that the P2P system provided a control mechanism and was being expanded across the Council.

RESOLVED:

That the Cabinet support the National Procurement Service and Flintshire's membership for a five year period, subject to the conditions set out in 3.08 of the report.

104. PROVISIONAL SETTLEMENT 2013/14

The Head of Finance presented details of the Provisional Welsh Local Government Settlement for 2013/14 which had been recently announced and circulated a copy of the Council's response. The final settlement date had been delayed until 11 December 2012 to follow the Chancellor's Autumn Statement on 5 December.

The Head of Finance said that the Settlement figure had been in line with expectations, affected slightly by the all Wales 'top slice' of £10m for collaboration opportunities. There was ongoing debate on whether the Council Tax Support Scheme amount would be dealt with as part of the Settlement or via a specific grant, with the preferred solution from local government to receive this at least for the first year via a grant. The Leader of the Council said that clarity would be sought on specific grants to enable planning.

The Chief Executive commented on the protection for education and social services funding as Welsh Government policy and its implications for the sustainability of Council budgets.

RESOLVED:

That the details of the Welsh Local Government Provisional Settlement 2013/14 and the Council's response be noted.

105. FLINTSHIRE LOCAL HOUSING STRATEGY 2012-2017

The Deputy Leader and Cabinet Member for Environment presented the report on proposals within the Local Housing Strategy, seeking recommendation to Council.

The Director of Community Services provided detail on the objectives to:

- Provide more housing, more choice
- Improve homes and communities
- Improve housing-related services and support

The Leader of the Council spoke of the opportunity for the Council to work with the Deputy Minister in calling for changes to the national housing subsidy system in Wales.

RESOLVED:

That the Draft Local Housing Strategy be recommended to Council for adoption.

106. REVENUE BUDGET MONITORING 2012/13 (MONTH 5)

The Head of Finance presented the latest revenue budget monitoring information (Month 5) for the Council Fund and the Housing Revenue Account (HRA) 2012/13.

It was reported that the projected year end position, as estimated at Month 5, was a net overspend of £0.983m on the Council Fund and a net underspend of £0.258m on the HRA. The in year over/(under) spends as detailed in the report reflected a number of risks and assumptions. The Head of Finance provided explanation on the projected overspend in Corporate Services due to the impact of Welfare Reforms and Council Tax support scheme. She also spoke of her intention to work with the Chair and Vice-Chair of the Corporate Resources Overview & Scrutiny Committee to help improve clarity of information formats contained in the appendix to the report, as agreed at the Corporate Resources Overview & Scrutiny Committee meeting the previous day.

RESOLVED:

- (a) That the overall report and management actions being taken to address the projected overspend be noted;
- (b) That the Council Fund contingency sum (overdrawn balance) as at 31 March 2013 (paragraph 5.02) be noted; and
- (c) That the projected final level of balances on the Housing Revenue Account (paragraph 6.03) be noted.

107. COUNCIL TAX BASE FOR 2013-14

The Head of Finance presented the Council Tax Base for the financial year 2013/14 for Members' approval.

She detailed the background to the setting of the Council Tax Base within the deadline, which was important to North Wales Police and Town and Community Councils in setting their own budgets, and that the Council Tax Base figure fed into the Welsh Government (WG) calculations for the final settlement figure received by the Council. It was reported that the assumed Council Tax collection rate for 2013/14 was 97.5%.

RESOLVED:

- (a) That a 'nil' level of discount for properties falling within any of the Prescribed Classes (A, B, or C) continue to be set and for this to apply to the whole of the County area; and
- (b) That the Tax Base of 60,254 chargeable Band 'D' equivalent properties (as shown in Appendix A to the report) be approved for the financial year 2013/14.

108. MODERN TRAINEE SCHEME

The Cabinet Member for Corporate Management presented an overview on the development of the Flintshire Modern Trainee Scheme.

The Head of Human Resources & Organisational Development spoke of changes to the scheme over recent years which had led to an improved retention

record, and proposals to enhance this further through central funding and partnership arrangements.

The Cabinet Member for Public Protection, Waste & Recycling welcomed the report including the proposal to expand the variety of apprenticeships available, and spoke of the need for the Council to support the professional development of individuals.

RESOLVED:

- (a) That the report be noted;
- (b) That Members continue to support the central funding of Flintshire Trainees;
- (c) That Members support the expansion of the variety of Apprenticeships on offer for 2012/13 for the Council; and
- (d) That Members support the exploration of the 'shared apprenticeship' model.

109. WORKFORCE INFORMATION QUARTER 2 - JULY - SEPTEMBER 2012

The Cabinet Member for Corporate Management presented the Workforce Information report for the second quarter 2012/13. The Head of Human Resources & Organisational Design gave an update on the key areas of the report:

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

Following a query on the number of agency workers, it was explained that the statistics in the report had been split to show spend and number of agency workers for the period. Delays in service receipt processing in some areas of the Council had resulted in retrospective work and therefore the figure for September 2012 did not reflect the actual spend.

RESOLVED:

That the Workforce Information Report for the second quarter of 2012/13 be noted.

110. REVIEW OF INTERNAL MEMBER FORA

The Cabinet Member for Corporate Management introduced the report to consider a recommendation from the Constitution Committee as part of the ongoing review of internal Member fora. Although views had been sought by

representatives of the Panels, some of these remained outstanding and would be pursued further.

The Head of Legal & Democratic Services drew attention to the supplementary report on consideration of the item at the recent County Council meeting where agreement had been reached on clarifying responsibility for authorising land disposals up to £500K. On the Constitution Committee's decision for consultation to exclude adjoining ward Members, he suggested that this could be kept under review and revisited should an issue arise.

RESOLVED:

That the recommendations of the Constitution Committee for the Member fora referred to in paragraphs 3.04 to 3.07 of the report, be agreed.

111. SARTH

The Director of Community Services presented the update on the development of a Single Access Route to Housing (SARTH) across the North East Wales sub region.

Issues raised through consultation via an Overview & Scrutiny workshop were appended to the report and approval was sought to progress to the next stages of the project, with delegated authority to be given to the Head of Housing to proceed with a full public consultation exercise leading to the business case being considered at Cabinet and Overview & Scrutiny. It was noted that the estimated development costs would be met from within existing budgets.

RESOLVED:

- (a) That the development of the project to date and the responses to the questions from the Member Workshop be noted;
- (b) That Flintshire County Council continues working with partners on the SARTH project and agrees to contribute to the development costs, subject to budget approval; and
- (c) That the Head of Housing, following consultation with the portfolio holder, be given delegated authority to conduct a full public consultation on the Joint Register and Common Allocations Policy.

112. HOME TO SCHOOL TRANSPORT POLICY CHANGES - DENOMINATIONAL AND POST 16 TRANSPORT

The Cabinet Member for Education presented a report to approve consultation on the renewal of Home to School Transport Policies for Denominational and Post 16 transport. He explained that the issue had arisen following consideration by an Overview & Scrutiny Task Group which had reported to the former Executive, and he outlined the options contained in the report.

The Director of Lifelong Learning explained that under statutory requirements, free transport had to be provided for pupils aged 5-16 living over two miles from their nearest appropriate school and for secondary school pupils living over three miles from their nearest appropriate school. However, the Council currently provided additional assistance beyond that required by law which meant a high level of spend on transport. The options to reconsider the policy would help to achieve savings and encourage more young people to access their local education. It was intended to commence a full consultation process in the Spring 2013 term and to report the outcomes to Cabinet in April 2013.

RESOLVED:

That consultation to renew the school transport policy for denominational and post 16 transport be commissioned.

113. EXERCISE OF DELEGATED POWERS

An information report on the actions taken under delegated powers was submitted.

The actions taken were as set out below:-

Environment	Proposed 30, 40, 50mph A550/A549 Dobshill, Buckley
-------------	---

Environment	Penyffordd - Proposed Traffic Calming
-------------	---------------------------------------

Corporate Services - Finance	Two posts Operational Response Team (Welfare Reform)
------------------------------	---

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

RESOLVED:

That the press and public be excluded from the remainder of the meeting for the following items by virtue of exempt information under paragraph 13, 14 and 15 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended).

115. VOLUNTARY SECTOR CORE FUNDING REVIEW

As indicated earlier in the meeting, the Cabinet Member for Education declared a personal and prejudicial interest in this item and was permitted to remain during discussion.

The Chief Executive presented the report and its recommendations for reviewing the commissioning of services from voluntary bodies funded corporately by the Council.

RESOLVED:

- (a) That the findings of this review be endorsed; and
- (b) That a future report outlining the outcomes of this process be received.

116. RESTRUCTURE OF COMMUNITY SERVICES DIRECTORATE MANAGEMENT TEAM

The Cabinet Member for Social Services presented the report seeking agreement on the proposed restructure of the Community Services Directorate Management Team, most notably the Development & Resource functions, including delivering a net efficiency of £100K. In doing so, she spoke of her support for the proposals which had undergone thorough consultation with the workforce and Trade Unions to modernise the structure.

The Chief Executive spoke of his support for a sustainable management arrangement.

RESOLVED:

That the proposed restructure of Community Services Directorate Management Team be agreed.

117. POSSIBLE SALE OF 50 ACRES APPROXIMATELY, SITE EM1:11 DEESIDE INDUSTRIAL PARK

The Cabinet Member for Regeneration, Enterprise & Leisure declared a personal and prejudicial interest and left the room during discussion of this item.

Following advice from the Head of Legal & Democratic Services, the Deputy Leader and Cabinet Member for Environment was informed that he would not be required to declare an interest as the Ombudsman advice did not apply to his circumstances.

In presenting the report, which had been revised to include minor amendments and plans attached, the Director of Environment sought approval to progress negotiations with National Grid/Scottish Power for the disposal of approximately 50 acres of land together with a cable easement.

RESOLVED:

That the Director of Environment, following consultation with the Leader and Cabinet Member for Environment, is granted delegated authority to proceed with all negotiations on both the potential disposal and easement, and to complete the sale of the site in accordance with the District Valuer's assessment of its value.

118. DISPOSAL OF PIGEON HOUSE FARM, PIGEON HOUSE LANE, HOPE, FLINTSHIRE

The Director of Environment presented the report to seek approval for the disposal of the property. He provided an overview of the background and key considerations of the report.

RESOLVED:

That the Cabinet approve the disposal based on the highest offer submitted for the whole farm and that the disposal continues on terms agreed by the Director of Environment in conjunction with the Head of Legal & Democratic Services. The capital receipt would be £810,000 which is over £240,000 more than the best offers for individual lots for breaking the farm up. The Council is legally obliged to get the best price it can for its assets where a disposal takes place.

119. MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE

There was one member of the press and no members of the public in attendance.

(The meeting started at 9.30 am and ended at 12.08 pm)

.....
Chairman