

FLINTSHIRE COUNTY COUNCIL
19 FEBRUARY 2013

Minutes of the Meeting of Flintshire County Council held in the Council Chamber, County Hall, Mold on Tuesday 19 February, 2013

PRESENT: Councillor A. Minshull (Chair)

Councillors: J.B. Attridge, G. Banks, G.H. Bateman, M. Bateman, R.C. Bithell, A. Bragg, H. Brown, D. Butler, C.S. Carver, D.L. Cox, P.J. Curtis, R. Davies, A. Davies-Cooke, C.J. Dolphin, R. Dolphin, I. Dunbar, C.A. Ellis, E.F. Evans, J.E. Falshaw, V. Gay, R.J.T. Guest, A.M. Halford, G. Hardcastle, P.G. Heesom, R. Hughes, H.D. Hutchinson, H.T. Isherwood, J. Johnson, C.M. Jones, R.B. Jones, R.K. Jones, S. Jones, C. Legg, B. Lloyd, R. Lloyd, M. Lowe, R.P. Macfarlane, D.I. Mackie, N.M. Matthews, W. Mullin, T. Newhouse, M.J. Peers, N. Phillips, M.A. Reece, H.G. Roberts, L.A. Sharps, A.P. Shotton, P. Shotton, N.R. Steele-Mortimer, C.A. Thomas, W.O. Thomas, S. Williams, D.E. Wisinger, A. Woolley and M.G. Wright

APOLOGIES:

Councillors: G.D. Diskin, A. Diskin, B. Dunn, D. Evans, C. Hinds, H.T. Howorth, P. Lightfoot, H.J. McGuill, I.B. Roberts, I. Smith and D.T. Williams

IN ATTENDANCE:

Chief Executive, Head of Finance, Head of Legal and Democratic Services, Head of Housing, Democracy and Governance Manager, Corporate Finance Manager and Committee Officers

118. PRESENTATIONS

Equalities Team

The Chair welcomed representatives of the Equalities Team to the meeting. The Team had recently received an award on behalf of the Authority for 'Most Improved Welsh Council'; the Chief Executive explained that the award had been accredited by Stonewall, a member of the Equality and Diversity Forum, which recognised the Council's journey and commitment to developing an inclusive workplace and a culture that valued diversity.

Children's Services Team

The Chair welcomed representatives of the Children's Services Team to the meeting. The Team had received accreditation by the Family Rights Groups for Flintshire County Council's Family Group Conference.

Councillor C.M. Jones, Cabinet Member for Social Services, explained that the accreditation status had been received following a review of Flintshire County Council's policies, practices and procedures against a set of National Standards as validated by the Family Rights Group. Out of 14 submissions Flintshire were second in order of ranking. Councillor Jones congratulated the team on their hard work.

Councillor A.P. Shotton, Leader of the Council thanked the Equality Team and Children's Service Team on their hard work and success.

119. PUBLIC QUESTION TIME

The Chair confirmed that no questions had been received.

120. DECLARATIONS OF INTEREST

No declarations of interest were made.

121. CHAIR'S COMMUNICATIONS

A copy of the Chair's communication had been circulated to all Members before the meeting.

122. PETITIONS

No petitions were submitted.

123. NOTICES OF MOTION

The Chair confirmed that no Notices of Motion had been received.

124. QUESTIONS

The following questions had been submitted by Councillor A. Woolley:-

- (i) At the TCC AGM in Wrexham on 20th June, 2012, the Deputy Leader made a formal public pledge that this local authority would work to deliver the "Living Wage" instead of the Statutory Minimum Wage for its lowest paid employees.

In view of that pledge, made some 8 months ago, what steps have been taken so far to deliver it and when will that delivery occur?

- (ii) The Budget Projection figures set out in the 16th January, 2013 document entitled 'Re: Budget 2013/14' indicate, at Appendix 9 on page 63, a foreseen £35.088Million budget funding shortfall in 2017/18. That foreseen shortfall equates to 10.42% of indicated total expenditure. Given the need to defend and probably expand both educational and social services expenditure between now and then, which other budget headings does the present administration see the saving coming from and what overall level of staffing is projected for that stated year?

A copy of the responses to the questions, provided by the Leader of the Council, was circulated to all Members before the start of the meeting. A copy of the response is attached at Appendix 1 of the minutes.

125. QUESTIONS FROM MEMBERS ON COMMITTEE MINUTES

The Chair confirmed that no Questions had been received.

126. HOUSING REVENUE ACCOUNT 2013/14 AND CAPITAL PROGRAMME 2013/14

The Head of Housing presented the revenue budget proposals for the Housing Revenue Account (HRA) for the 2013/14 financial year, including proposed rent changes, key areas of income and expenditure, and the level of closing balance at the year end. She also presented the budget proposals for the HRA Capital Programme 2013/14, which was year two of a six year improvement programme. The Council was informed that the Cabinet had met on the 19 February, 2013 and had approved the recommendations outlined within the report. The detailed report presented to Cabinet was attached at Appendix A of the County Council report.

The Head of Housing gave a detailed presentation which covered the following areas:-

- 2013/14 Budget Strategy and context
- Housing Revenue Account (HRA)
- Welsh Government (WG) – Financial Determinations
- Other charges
- Budget Proposals
- HRA – 2012 outcomes
- HRA 2013 – What Next?
- HRA 2013 – Efficiencies total of £1.326m (8.7% operating costs)
- HRA 2013 – service improvements/costs increases - 765k
- HRA Capital Programme 2012/13 outcomes
- Funding for HRA Capital Programme 2013/14
- HRA Capital Programme overall outcomes against promises after 2 years
- Summary

Councillor H. Brown, Cabinet Member for Housing proposed that the County Council support the recommendations as outlined within the report and thanked the Head of Housing and the workforce for the many improvements within the Housing Service. In seconding the proposal, Councillor R.G. Hampson also thanked the Head of Housing for the improvements that had been made particularly in reducing the number of void properties and the reduction in time taken to complete non-urgent repairs.

A number of Members spoke in support of the report and thanked the Head of Housing, her team and the workforce for the improvements made within the Housing Service which were appreciated by tenants. Councillor S. Jones asked that the comments from Members be passed to the workforce following the meeting.

Councillor P.G. Heesom thanked the Head of Housing for the report and presentation. He raised concern on the shortage of affordable housing in Flintshire and the increasing burden welfare reform would have on the tenants of Flintshire. He asked that the Head of Housing be given an increasing leading role in the Authority to ensure that it was meeting the needs of affordable housing.

Councillor M.J. Peers thanked the Head of Housing for the positive report. He commented on the final guideline weekly rent increase and asked how many tenants would be affected by the rent increase together with additional financial burdens as a result of the welfare reform. He also commented on the financial pressure of £32,740 from void garages and asked why these garages were not being used.

The Head of Housing responded that approximately 66.7% of the Councils tenants would face no additional hardship as a consequence of the proposed rent increase but this was subject to claimants of housing benefits personal circumstances remaining the same and their household being unaffected by welfare reform. The Housing Team had visited all tenants who would be affected by welfare reform to explain to them the level of support that they could access. During 2013/14 a garage review would be undertaken and further proposals, including long term rent levels, investment and redevelopment options would be brought to the Council in order to tackle the number of empty garages.

Councillor A.P. Shotton, Leader of the Council commented on the significant response to the housing ballot in the previous year and the expectation this had put on the Council to deliver the Choices document. He commented on the number of improvements being made to tenant's homes which provided the Council with sound evidence to demonstrate to the WG during future discussions that the Council could meet the Welsh Housing Quality Standard (WHQS). He raised concern around the current HRA Subsidy which meant that an estimated £6.1m of rent income was paid to the Treasury and said that he would continue to lobby the WG and WLGA to end the current HRA Subsidy system. He thanked the Cabinet Member for Housing, the Head of Housing, her team and the workforce for their hard work and said that he looked forward to continued improvements within the housing service in the future.

The Chief Executive thanked Members for their comments and spoke of the creative and ambitious way in which improvements had been made to the Housing Service. He reported that changes to the HRA Subsidy system were currently being considered by Welsh Government through an exit from the UK level system and further discussions between WG and the Council were planned. The Choices document had made it clear that the Council could only meet the WHQS through continued efficiencies within the service and there was sound evidence to present to the WG to show that this was being achieved.

In response to a question from Councillor R.B. Jones, the Head of Housing confirmed that the figure showing the increase in capital funding, as shown in the presentation, should have read '£1.355m' and not '£1.855m' (against fiscal outturns for 2012/13). She also confirmed that £500,000 of the additional capital funding available had been as a result of the 31 March, 2014 falling on a Monday so the HRA would benefit from the full rental income for that additional week within the 2013/14 budget year.

RESOLVED:

- (a) That the proposed HRA budget for 2013/14, as set out in Appendix 1 of the Cabinet report, which incorporated the proposals for Service Improvements and Efficiencies, as shown in Appendix 2 of the Cabinet report, be approved;
- (b) That the level of rent charges for 2013/14, as set out in paragraphs 3.02 and 3.05 of the report be approved;
- (c) That the level of projected balances at 31st March, 2014 at 3.20% of total expenditure be approved; and
- (d) That the proposed HRA Capital Programme, as set out in Appendix 3 of the Cabinet report, be approved.

127. UPDATING THE CONSTITUTION

The Democracy and Governance Manager presented a number of proposed changes to the Council's Constitution pursuant to recommendations from the Constitution Committee, its Chairman and officers.

A review of the Council, Cabinet and Overview and Scrutiny Procedure Rules had been undertaken by the Democracy and Governance Manager in consultation with the relevant members, the Chief Executive and the Head of Legal and Democratic Services prior to consideration by the Constitution Committee at its meeting on the 30 January, 2013. Following the Constitution Committee meeting, Councillor C.S. Carver and officers identified four further amendments. These had been discussed with the Chairman of the Committee who recommended that the four amendments be made in addition to those agreed by the Committee. Details of all the proposed amendments were outlined within the report.

Councillor R.J.T. Guest proposed that the County Council support the recommendation outlined within the report. He commented on the proposed changes which included the amendments to cater for remote attendance and said that there was a need for further discussion around remote attendance prior to its introduction. The proposal was seconded by Councillor I. Dunbar.

RESOLVED:

That the changes recommended by the Constitution Committee and those recommended by its Chairman and officers to the Council, Cabinet and Overview & Scrutiny procedure rules be approved.

128. COMMUNITY REVIEW

The Chief Executive introduced a report to inform Council of the planning arrangements for the community review.

It had been a number of years since the County Council last carried out a community review. The Council had committed to undertake a review with the intention of commencing such a review at the beginning of 2013.

The Democracy and Governance Manager reported that on the 29 November, 2012 the Welsh Government (WG) published the Local Government (Democracy) (Wales) Bill. That Bill replicated the existing provisions for community reviews in the 1972 Act but also adds provisions detailing the process that should be followed in conducting a community review. The Democracy and Governance Manager explained that the detailed provisions in the Bill about how a review must be conducted may be amended as part of the Parliamentary process leading to enactment. This could create a potential difficulty in that if the Council conducted a community review in accordance with the provisions in the Bill that work could prove abortive if those provisions were amended. The Chief Executive suggested that the Council request the WG to give an assurance that the Local Government (Democracy) (Wales) Bill would only apply to reviews commenced after the Bill had been passed. He also suggested that this matter could be raised during a coming meeting of the Welsh Local Government Association Council (WLGA) (NB avoid acronyms).

Councillor J.B. Attridge proposed that the County Council support the recommendation outlined within the report and request the Welsh Government to give an assurance that the Local Government (Democracy) (Wales) Bill would only apply to reviews commenced after the Bill had been passed. The proposal was seconded by Councillor R.J.T. Guest.

RESOLVED:

- (a) That the County Council noted the current position of the community review; and
- (b) That the County Council request the Welsh Government to give an assurance that the Local Government (Democracy) (Wales) Bill would only apply to reviews commenced after the Bill had been passed.

129. REVIEW OF INTERNAL MEMBER FORA

The Democracy and Governance Manager presented the recommendations from the Constitution Committee as part of the ongoing review of internal Member fora.

At the Annual Council meeting on the 15 May, 2012 the Council agreed to the recommendation that a review of internal Member fora be undertaken by the Head of Legal and Democratic Services in consultation with Group Leaders and reports submitted to the Constitution Committee and Council. The report detailed Member fora considered by Group Leaders on the 29 January, 2013 and Constitution Committee on the 30 January, 2013.

Councillor J.B. Attridge proposed that the County Council support the recommendations as outlined within the report. This proposal was seconded by Councillor R.J.T. Guest.

Councillor N. Phillips thanked the Democracy and Governance Manager for the report and commented on the proposal for the ICT Panel to be reconstituted. He raised his concern that few Members had attended previous meetings of the Panel and urged Members to attend future meetings.

Councillor P.G. Heesom asked that the Cabinet Member for Environment consider and bring forward methods to enable the Council to have greater control on major planning applications. Councillor Attridge, Cabinet Member for Environment said that this matter could be considered by the Planning Strategy Group.

RESOLVED:

- (a) That the Planning Delegations Body be discontinued;
- (b) That Planning and Development Control Committee papers be made available to Members a week in advance of committee meetings;
- (c) That the Teachers Consultative Committee and Flintshire County Council Teachers' Consultative Committee be combined to cover all education staff not just teachers;
- (d) That the County Council recommend to Cabinet that the ICT Panel be reconstituted;
- (e) That the County Council recommend to Cabinet that the Waste Strategy Review Board and the Procurement Board be discontinued; and
- (f) That the County Council recommend to Cabinet that the following fora continued:-
 - The Joint Consultative Committee

- The School Performance Monitoring Group
- The Member/Officer Tenant Working
- The Voluntary Sector Grants Panel
- The Inclusion Service Steering Group
- The Welsh in Education Strategic Forum
- The Foster Care Panel
- The Children's Forum
- The Adoption Panel
- The Health & Safety Board

130. DURATION OF MEETING

The meeting commenced at 2.00 p.m. and ended at 3.15 p.m.

131. ATTENDANCE BY MEMBERS OF THE PRESS AND PUBLIC

There was one member of the press present.

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Chair

QUESTIONS RECEIVED FROM COUNCILLOR ARNOLD WOLLEY

- (i) **At the TCC AGM in Wrexham on 20th June, 2012, the Deputy Leader made a formal public pledge that this local authority would work to deliver the “Living Wage” instead of the Statutory Minimum Wage for its lowest paid employees.**

In view of that pledge, made some 8 months ago, what steps have been taken so far to deliver it and when will that delivery occur?

RESPONSE

We are in the late stages of developing a new pay and grading model under the Single Status Agreement to be recommended to full Council for adoption.

The Council, as the employing body shares an objective with the Trade Unions to protect employees from low pay.

The Living Wage is one national benchmark for guaranteeing a minimum annual salary to employees to avoid low pay. The Living Wage is a much higher benchmark than the national minimum wage. A small number of Councils in Wales have adopted the Living Wage. Councils have to consider the costs and the benefits of introducing Living Wage in their longer-term workforce cost planning. Flintshire is no exception.

Within the options for our final recommended pay and grading model we have developed positive proposals to address low pay. The Council will be encouraged to meet the objective of protecting employees from low pay when presented with a Single Status Agreement.

- (ii) **The Budget Projection figures set out in the 16th January, 2013 document entitled ‘Re: Budget 2013/14’ indicate, at Appendix 9 on page 63, a foreseen £35.088Million budget funding shortfall in 2017/18. That foreseen shortfall equates to 10.42% of indicated total expenditure. Given the need to defend and probably expand both educational and social services expenditure between now and then, which other budget headings does the present administration see the saving coming from and what overall level of staffing is projected for that stated year?**

RESPONSE

The figure of £35M quoted in the Medium Term Financial Plan is the estimate of the 'gap' or 'deficit' between estimated resources available to the Council, and projected expenditure by the Council, for the 5 financial years 2013/14 - 2017/18. The 'gap' is caused by a number of factors including reductions in Revenue Support Grant, reductions in national specific grants, the costs of

pay and price inflation, the impacts of the economic position, and the pressures within demand-led service such as social services.

The five year financial 'gap' can only be an estimate at a point in time and cannot be static. The Medium Term Financial Strategy and Plan are being reviewed and are to be republished in mid-2013. Within the Plan we will be reassessing the 'gap' taking fully into account the following factors:-

- a re-evaluation of the impacts of the on-going economic position prior to economic recovery
- a re-evaluation of the impacts of pay and price inflation including non-standard inflation such as high energy and fuel costs
- a longer-term assessment of demand-led service pressures including changes in health

Alongside this, the Council will need to re-evaluate its priorities for investment and set out even more ambitious plans for making efficiencies within the Council. This will lead to a greater certainty of cost planning against which fluctuations in predicted income and resources can be set.

The resources available to the Council will largely be determined by a combination of the fiscal policies of the UK Government and the decisions the Welsh Government makes in allocating the funds devolved to it. Until the next Comprehensive Spending Review has taken place and the Welsh Government has set out its strategy for Revenue Support Grant to local government for 2014/15 onwards then the available resources for the Council cannot be estimated with greater certainty than this. In the meantime we can only model on scenarios. It is, however, reasonable to predict that the 'gap' will be enlarged by national decisions.

Returning to the current predictive figure of a 'gap' of £35M, this figure will be reduced by £5.6M should the draft budget including this level of combined efficiencies be approved, leaving a target of £29.4M for the remaining four financial years of this period.

The Cabinet has used the term 'stepping stone' budget for 2013/14 due to these uncertainties, and due to the need for renewed medium and longer-term planning of priorities and budgets.