

CABINET
15 JULY 2014

Minutes of the meeting of the Cabinet of Flintshire County Council held at County Hall, Mold on Tuesday, 15 July 2014

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, Head of Legal and Democratic Services, Chief Officer, Community and Enterprise, Chief Officer, People and Resources, Chief Officer, Planning and Environment, Chief Officer Social Services, Corporate Finance Manager and Team Manager, Committee Services.

24. DECLARATIONS OF INTEREST

None.

25. MINUTES

The minutes of the meeting held on 17 June 2014 had been circulated with the agenda.

RESOLVED:

That the minutes be approved as a correct record.

26. “IN DEFENCE OF LOCALISM” – ELECTED GOVERNMENT IN WALES AND THE IMPACT OF AUSTERITY

The Leader and Cabinet Member for Finance introduced the Welsh Local Government Association (WLGA) consultation document “In Defence of Localism” – Elected Government in Wales.

The document covered key issues including financial futures, the Public Services Commission’s recommendations, central local relations in Wales and devolution. The documents predominate theme was to restate the case for localism in Wales.

The WLGA was utilising the “In Defence of Localism” badge on all future publications until the Assembly elections in 2016. It was also their intention to undertake a national customer survey on local government services and the value which the public placed on those services.

The Leader stressed the importance of improving the relationship between Welsh Government and local government, including it being more defined. In conclusion he said it was the unanimous view of the leaders of all 22 local authorities in Wales that the localist approach offered the best way forward in terms of protecting communities and enhancing democracy across Wales.

Cabinet Members concurred with the views of the Leader in that devolution should be at a local level and added their concerns on specific grants.

The Chief Executive re-iterated the need for a more balanced relationship between Welsh Government and local government and referred to number 63 in the consultation document which stated that 'As part of this shared commitment, Welsh local government will:

- Engage in constructive debate around structural reform of local government and will continue to lead and deliver the wider public service reform agenda
- Promote and support the local contributions to the long-term national strategic vision for Wales which will be articulated through the forthcoming Future Generations Bill
- Deliver specific local contributions to the Wales Programme for Government, through successful delivery of Outcome Agreements
- Continue to lead on self improvement and a collective sector-led approach to identifying and responding to improvement challenges faced by individual authorities
- Build on progress around improving engagement, challenge and scrutiny within the local democratic process, with a particular focus on improving the diversity of democracy ahead of the next local elections
- Honour all existing specific service based commitments

He said that 'Continued commitment to excellence in customer services' was not included in the list and that it should be first. Also, he suggested that the report be submitted to County Council which was agreed.

RESOLVED:

- (a) That the consultation document be noted and the approach outlined in paragraphs 3.01 – 3.04 of the report be supported; and
- (b) That the report be submitted to County Council.

27. ANNUAL COUNCIL REPORTING FRAMEWORK (ACRF)

The Cabinet Member for Social Services presented the final version of the Social Services Annual Performance Report which had been prepared by the Social Enterprise, "Double Click Design".

Every Chief Officer for Social Services was required to produce an annual report summarising their view of the authority's social care services and priorities for improvement. It would also form an integral part of the Care and Social Services Inspectorate Wales (CSSIW) performance evaluation of Flintshire Social Services.

The Chief Officer, Social Services added that the overall assessment was that Social Services in Flintshire continued to drive forward service improvement, ensuring that there was an effective range of good quality services that supported and protected vulnerable people. A range of examples to demonstrate that was provided within the report.

The achievements had been delivered within the context of strategic and operational challenges, including an increasing number of vulnerable children, young people and adults with complex care needs requiring support. Never the less, good progress with the programme had been made to modernise social care. However, it was recognised that there was a need to continue to adapt and modernise and the report detailed the priorities for service development and improvement in 2014/15.

RESOLVED:

That the Annual Report be agreed to inform the organisation, workforce, clients, partners, public and CSSIW of the assessment of performance and priorities for 2014/15.

28. FLINTSHIRE CHILDCARE SUFFICIENCY ASSESSMENT 2014-2017

The Cabinet Member for Social Services presented the findings of the Flintshire Childcare Sufficiency Assessment for the period 2014-2017.

The Assessment of Childcare Sufficiency executed Flintshire County Council's obligations under Section 26 of the Childcare Act (2006). It identified gaps and made recommendations that would meet the needs of parents so that the Authority could fulfil its childcare sufficiency duty.

The Assessment of Childcare Sufficiency suggested that the childcare market was functioning adequately across much of the County in meeting the needs of most working parents. However, there were areas where there were shortfalls in the volume or type of childcare. Through partnership working with Communities First, Jobcentre Plus and Families First Projects, the Childcare Development Group aimed to target groups of parents who needed intensive support, or specific localities where the market was not functioning. This could make a difference to families and their ability to participate and contribute to the local economy, and to raise children out of poverty.

In response to a question from the Leader and Cabinet Member for Finance, the Chief Officer, Social Services said that the areas identified within the Assessment where development of more childcare was needed should show an improvement the following year.

The Cabinet Member for Lifelong Learning asked if negotiations were taking place with Cylch Meithrin and whether employers on industrial estates in the County were encouraged to provide childcare in the area. The Chief Officer, Social Services explained that in some areas parents would like to see more choice of Welsh medium childcare but additional childcare places were not always needed. There

was a danger of unsustainable competition for a limited number of children if parallel Welsh and English medium settings were created in areas where there was no significant demand for additional childcare which would lead to sustainability problems for both. In response to the question of employers in the County providing childcare, this had been a major part of the consultation to date which would continue. An example of an employer providing childcare was cited as Coleg Cambria.

RESOLVED:

- (a) That the Council's Childcare Sufficiency Audit be noted; and
- (b) That the contents of the report be noted and the on-going work being undertaken by the Childcare Development Group in working towards addressing the recommendations in the audit of sufficiency be supported.

29. REGIONAL COMMISSIONING OF CHILDREN AND YOUNG PEOPLE ADVOCACY SERVICE

The Cabinet Member for Social Services introduced the report which sought approval to proceed to tender for a regional independent professional advocacy service for children and young people known to Social Services in North Wales. The collaboration included the six North Wales local authorities.

In accordance with Welsh Government guidance and recommendations by the Children's Commissioner for Wales, the six North Wales local authorities were seeking to commission independent professional advocacy on a regional basis.

The main aim of the project was to address the gaps which existed in statutory provision for vulnerable children and young people. Other aims included improved consistency, parity of access, accessibility and efficiency.

As Chair of the Children's Services Forum, the Cabinet Member for Lifelong Learning welcomed the report on what was an important and valuable service.

The Leader and Cabinet Member for Finance asked for an assurance that the service provided would not be disadvantaged by the collaboration to which the Chief Officer, Social Services said it would not be. The quality of the regional independent advocacy service would be an improvement on what was currently a high quality service.

RESOLVED:

- (a) That entering a regional collaboration, on the basis of efficiencies that can be achieved including reduced management costs and shared personnel and resources be supported. In addition, collaboration between 6 counties and BCUHB would create a consistent regional service; and

- (b) That on the basis of the business case Flintshire County Council will be assured that high quality advocacy services will continue to be delivered and entered to a broader population of children and young people in North Wales.

30. HOUSING REVENUE ACCOUNT SUBSIDY

The Cabinet Member for Housing introduced the report which described the content of the Welsh Government (WG) consultation document on identifying options to end the Housing Revenue Account Subsidy (HRAS), and the implications of the various options for Flintshire.

WG had been in discussion with HM Treasury since 2010 with a view to agreeing a financial settlement that would enable the 11 stock retaining local authorities to exit from the HRAS system. In June 2013, Welsh Ministers announced that they had reached agreement with HM Treasury, the key elements of which were outlined in the report.

In order to be able to exit the system by 1 April 2015, a timetable had been established which required a response to the consultation document by 10 July. The Minister's decision on the outcome of the consultation was expected by 31 July. Approval would then be sought for the introduction of self financing on the terms outlined by the Minister to enable officers to complete the work streams necessary for the introduction of self financing for the Council to be able to sign the voluntary agreement.

The Cabinet Member explained that options 1-3 for distribution of the borrowing cap were outlined in the report. She thanked the Leader for his work with colleagues in other authorities, and with the Welsh Local Government Association (WLGA), where a consensus had been reached to recommend option 3. Consensus was vital as all 11 Councils needed to sign the voluntary agreement for self financing to take effect from 1 April 2015. The consultation document was attached as Appendix B to the report which had also been submitted to the Housing Overview and Scrutiny Committee who were happy with option 3.

The third option was for those Councils who had submitted plans for new build to receive 50% of the amount they had planned to borrow, with the remainder being split across all 11 Councils on the basis of the SHG formulae. This would provide Flintshire with £14,326,108 for new build, and £25m for Welsh Housing Quality Standard (WHQS).

The Chief Officer, Community and Enterprise explained that in the response to the consultation document on the section 'Any Further Comments', the following was suggested:

"Flintshire is delighted that self financing can now be introduced in Wales and thanks the Welsh Government for leading this work. There are two further areas of strategic discussion and commitment/actions needed to safeguard business plans over the medium to long term. These are, the need for a clear understanding about the long term funding of MRA and an urgent need for a review of the Right to Buy.

Councils all want to build but are concerned that the current suspension system does not provide sufficient safeguard to ensure that newly developed assets can be used in perpetuity to meet social housing need”.

The Chief Executive commented on the involvement of Flintshire County Council in the process which had been because of the authority’s robust business plan and high level of performance. He paid tribute to everybody who had been involved in the process.

RESOLVED:

That Flintshire’s response to the Housing Revenue Account Subsidy consultation document be noted and supported.

31. 3 COUNTY REGIONAL PROCUREMENT PROJECT

The Chief Executive introduced the report and the business case for the 3 County Procurement Project between Flintshire, Denbighshire and Gwynedd County Councils.

The business case had been agreed by the project board and by Cabinets at Denbighshire and Gwynedd and demonstrated how a category management approach to procurement implemented across 3 Councils could realise major procurement improvements and savings for each Council. This was supported by a procurement support service which was already in place for Flintshire and Denbighshire.

The remaining Councils in the region had the option to enter the consortium at a later date.

RESOLVED:

- (a) That the final business case for the 3 County Procurement Project be endorsed and the project to move to implementation stage; and
- (b) That regular progress reports be submitted to Cabinet, the next being in the autumn.

32. CAPITAL PROGRAMME 2013/14 (OUTTURN)

The Corporate Finance Manager provided Members with the Capital Programme 2013/14 outturn information which was subject to audit.

Changes during the period had resulted in a net decrease in the programme from that reported at Month 9 of £1.914m (a Council Fund (CF) decrease of £2.662m, partially offset by a Housing Revenue Account (HRA) increase of £0.748m). A summary of the changes, showing any major individual items, was listed in the table in the report.

Outturn expenditure across the whole of the programme was £37.975m, with the breakdown of expenditure analysed in the table contained in the report.

To date, rollover of £6.011m had been approved by Cabinet into 2014/15 as part of previous monitoring reports, which had been partially offset by £0.181m being returned to 2013/14, leaving a net rollover total of £5.830m. Of the £0.181m, the majority (£0.128m) related to expenditure on Town Centre Regeneration which was incurred in 2013/14 rather than 2014/15 as previously anticipated.

Further rollover at outturn of £1.904m had been identified and was included in Appendix B to the report. This reflected reviewed spending plans across all programme areas with committed amounts identified as required to meet costs of programme works in 2014/15.

The final outturn position for capital receipts was £2.470m which represented a decrease from the original budget of £3.700m of £1.230m, partially offset by the £0.038m of unallocated funding when the 2013/14 budget was set.

RESOLVED:

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

33. REVENUE BUDGET MONITORING 2013/14 (OUTTURN)

The Corporate Finance Manager introduced the Council Fund and the Housing Revenue Account Outturn for 2013/14, which was subject to audit and the impact on the respective level of reserves at 31 March 2014. The details would also be included in the draft Statement of Accounts which were scheduled to be reported to Audit Committee on 16 July 2014.

The year end position on the Council Fund was:

- Net in year expenditure of £3.387m less than budget
- Contingency Reserve balance as at 31 March 2014 of £5.328m

On the Housing Revenue Account (HRA), the net in year expenditure was £0.299m less than budget with a closing balance as at 31 March 2014 of £1.662m.

The significant in year variances at final outturn were detailed in the relevant appendices to the report and details of the movement over month 12 were included in Appendix 1.

On the Council Fund, the report provided details on an overview of the year, achievement of efficiencies, non standard inflation and unearmarked reserves. On unearmarked reserves, the Corporate Finance Manager explained that as a result of movements, the final level of Contingency Reserve as at the end of March 2014 was £5.328m. This would increase to £6.073m in 2014/15 when the exit costs provision in relation to phase 1 of the senior management review were repaid to the reserve after the need to account for those costs in 2013/14 as reported at Month 12. However, this would be offset by projected costs associated with the Organisational

Change and Redesign Programme totalling £0.696m which would be incurred in 2014/15.

The report also provided an overview of the year on the HRA, noting that the final outturn was an underspend of £0.229m which resulted in a final closing balance at 31 March 2014 of £1.662M which at 5.81% of the total expenditure exceeded the recommended minimum level of 3%.

RESOLVED:

- (a) That the report be noted;
- (b) That the Council Fund Contingency Sum available as at 31 March 2014 be noted;
- (c) That the final level of balances on the Housing Revenue Account be noted; and
- (d) That the additional contingency sum of £1.677m be approved to be held and its use considered for in-year and future use in relation to investment in organisational change in the context of the MTFP.

34. REVENUE BUDGET MONITORING 2014/15

The Corporate Finance Manager provided Members with the first available revenue budget monitoring information for the Council Fund and Housing Revenue Account (HRA) for 2014/15.

Due to the completion of the Statement of Accounts to meet the statutory deadline of June, the first budget monitoring report of the year did not provide the level of detail which followed from month three onwards but did highlight any significant budget risks at this very early stage of the year.

Emerging risks were highlighted as: out of county placements, deprivation of liberty assessments, professional support, single status and the former Euticals Site.

Details of the monitoring of corporate and functional and workforce efficiencies were detailed in the report.

On unearmarked reserves, the final level of Council Fund Contingency Reserve brought forward into 2014/15 was £5.328m as detailed in the 2013/14 outturn report.

Cabinet Members commented on the emerging risk of the former Euticals Site and the lack of financial assistance from Welsh Government (WG). The Chief Executive explained that the County Council had to intervene in the interests of public health and safety. In the absence of financial assistance being made available to the Council, it was agreed with Crown Estates to transfer the abandoned site to the Council at a nominal value. Tenders were shortly to be invited for the full decommissioning, decontamination and clearance of the site and the position would

be reported upon in future monitoring reports. Depending on the final cost the Council may need to re-approach WG for assistance.

On workforce efficiencies, the Chief Executive explained that this was a new experience for the Council and that a second phase of requests for voluntary redundancies and early voluntary retirements would take place over the coming months in a bid to achieve the full efficiency target.

RESOLVED:

That the report be noted.

35. PRUDENTIAL INDICATORS – ACTUAL 2013/14

The Corporate Finance Manager provided Members with 2013/14 (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.

36. ENFORCEMENT ACTION FOR THE RECOVERY OF COUNCIL TAX AND NATIONAL NON DOMESTIC RATES

The Chief Officer, Community and Enterprise, presented the options for future Enforcement Agent (EA) action, following the approval of the taking control of goods regulations.

On 9 January 2014 a new fee structure was approved by Parliament and set significant increases on the current fees structure. As the new fee structure was statutory, all EA's would be required to comply with the charges which would become payable on the commencement of Bailiff action.

The increase in the potential recovery from people on low incomes required the provision of EA services to be considered within a context of a recovery process to ensure that collection levels were maximised whilst supporting people to pay and a review of the available options was detailed in the report.

A costing exercise demonstrated that developing an in-house service at Flintshire would result in a significantly higher return, with added re-assurance of maintaining a sound collection rate plus the benefits of added value services for vulnerable customers, whilst maintaining full control of the recovery process.

In response to a question from the Deputy Leader and Cabinet Member for Environment, the Chief Officer, Community and Enterprise re-emphasised that the fees were set by statute and not by the Council. It was a very small number of cases that would require the use of bailiffs, which, if carried out by the Council could be done on a more individual basis in line with the anti poverty policy.

RESOLVED:

That the establishment of an internal Enforcement Agent Team be approved.

37. GARDEN SERVICE FOR COUNCIL TENANTS

The Cabinet Member for Housing introduced the report which recommended suspension of the implementation of the service charge for the grass cutting and hedge maintenance service in council housing for sheltered housing tenants and those who previously received the service due to a disability/vulnerability. The postponement would be until the 2015/16 financial year and until full consultation had been completed.

The implementation of the new service had been problematic and had caused a significant level of complaints. It had resulted in a loss of confidence in the service which needed to be rectified.

In response to a question from the Cabinet Member for Lifelong Learning, the Chief Officer, Community and Enterprise explained that the service would still be available as a chargeable service on the terms previously agreed for any new customers who did not receive the service pre April 2014.

The Leader and Cabinet Member for Finance and Deputy Leader and Cabinet Member for Environment paid tribute to the Housing team for their reaction to the situation and welcomed a future report to Cabinet detailing new proposals.

RESOLVED:

That a temporary suspension in service charging for the garden service for sheltered tenants and those with protected characteristics who received the service prior to 1 April 2014 be approved.

38. IMPLEMENTATION OF A RISK BASED VERIFICATION POLICY

The Chief Officer, Community and Enterprise, advised Members of a proposal to introduce a Risk Based Verification (RBV) process for the administration of Housing Benefit and sought approval of the proposed policy.

RESOLVED:

- (a) That the proposal to implement a Risk Based Verification process to administer Housing Benefit be approved; and
- (b) That the implementation of the proposed Risk Based Verification policy as prepared by Community and Enterprise Senior Officers be approved.

39. PUBLIC RIGHTS OF WAY ANNUAL REPORT

The Deputy Leader and Cabinet Member for Environment introduced the Annual Report on the work of the Public Rights of Way Service which included

articles on specific projects demonstrating progress in the implementation of the Rights of Way Improvement Plan (ROWIP).

The report provided details of some high-profile initiatives that the Rights of Way section had been involved in.

The Chief Officer, Planning and Environment added that the Burton Point cycleway had proved to be a huge success story with over 10,000 bicyclists using the way in September 2013 alone. The route provided a safe and environmentally sustainable alternative to the A494/A550 trunk road for people living and working on either side of the border, as well as for the many visitors to the area.

RESOLVED:

That the contents of the Annual Report be noted.

40. RECOMMENDATIONS FROM THE LEISURE FINANCE TASK & FINISH GROUP

The Leader and Cabinet Member for Finance welcomed Councillor David Mackie to the meeting to present the report as Chair of the Lifelong Learning Overview and Scrutiny Committee Leisure Finance Task and Finish Group.

Councillor Mackie thanked Cabinet for inviting him to the meeting and presented the recommendations of the Committee in relation to dual use leisure facilities in Flintshire and sale of land at Ysgol Perth y Terfyn Infants and Ysgol y Fron Junior School.

Details of the comments from the last meeting of the Task and Finish Group on 19 May were contained within the report.

Following a discussion on the first recommendation of the Task and Finish Group on the ring-fencing of capital receipts received from the sale of land at Ysgol Perth y Terfyn Infants and Ysgol y Fron Junior School for maintenance works for Leisure Centres, the Chief Executive advised that this was not in line with Council policy as the capital programme was one entity with individual receipts not being separated out.

It was agreed by Cabinet Members that 4.01 of the report should not be supported as it was not in line with Council policy and the maintenance of leisure centres would be considered as part of the ongoing asset management strategy.

RESOLVED:

That officers be asked to initiate discussions with schools where dual use leisure facilities were provided to assess whether they would consider assuming responsibility for community access of the facilities in the future.

41. EXERCISE OF DELEGATED POWERS

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

- Restructure of Library and Arts Service

42. MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE

There were 3 members of the press in attendance.

(The meeting commenced at 9.30am and ended at 11.30am)

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Chairman