

CABINET
16 DECEMBER 2014

Minutes of the meeting of the Cabinet of Flintshire County Council held at County Hall, Mold on Tuesday, 16 December 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, Chief Officer (Community and Enterprise), Chief Officer (Governance), Chief Officer (People and Resources), Chief Officer (Organisational Change), Chief Officer (Organisational Change), Chief Officer (Planning and Environment), Chief Officer (Social Services), Corporate Finance Manager and Team Manager – Committee Services

ALSO PRESENT:

Councillor Dave Mackie

86. DECLARATIONS OF INTEREST

None were received.

87. MINUTES

The minutes of the meeting held on 18 November 2014 had been circulated with the agenda.

RESOLVED:

That the minutes be approved as a correct record.

88. DRAFT COUNCIL FUND REVENUE BUDGET 2015/16

The Chief Executive delivered a presentation on the draft 2015/16 Council Fund Revenue Budget which covered the following areas:

- National Overview
- Local Overview
- The Budget 'gap' explained
- Our Budget Strategy
- The Building Blocks
- Big Budget Conversation
- Make-up of the Council Budget
- Breakdown of Current Budget
- Tough Choices

- Moving to a Final Budget
- What Happens Next

He explained that following the announcement of the Final Settlement on 10 December there had been a nominal change from the Draft Settlement with the outcome being as expected. There had been a National discussion over the consequential of the Chancellor's recent budget statement however he advised that the Council's budget should be based on the Final Settlement.

The Corporate Finance Manager detailed the draft revenue budget proposals for the Council Fund for 2015/16 for approval as the basis for formal consultation with the Overview and Scrutiny Committees, and for public information and consultation where specified. The report highlighted the level of budget deficit 'gap' which remained, over and above the sum of the proposals and provided details of the ongoing work to offer further proposals.

The Chief Officer (People and Resources) highlighted the table in paragraph 4.02 of the report which provided details of the remaining budget gap on the recurring base budget of £1.760m. Ongoing work on options to close the working gap which remained included further workforce efficiency options, other corporate financing options and further options in cost reduction in services. Further details and assumptions made were highlighted in paragraphs 4.03 – 4.17 of the report.

The Corporate Finance Manager provided details on the 'Big Budget Conversation' which had taken place earlier in the year as a way of raising awareness of the budget situation and the significant financial challenges facing the Council and to gauge the level of public acceptance of some of the difficult decisions ahead. A summary report on the outcome of the first stage of the Big Budget Conversation was attached as Appendix A to the report.

The specific grants figure of £35,141m was provisional, with Welsh Government (WG) yet to advise of the 2015/16 level for a number of grants.

A critical element of the Medium Term Financial Plan (MTFP) was inevitably the forecasting of future year settlements from WG. However, the Provisional Local Government Settlement received in October 2014 provided no indication of funding for future years which highlighted the difficulties of local financial planning in such an uncertain environment. Based on that, the annual reductions in resources needed to be assumed for the foreseeable future. To address the financial challenges work was already underway through Portfolio Business Plans on sustainable savings options in each portfolio budget up to 2017/18.

The Leader and Cabinet Member for Finance said that in order to meet the objectives of the Cabinet, services would be defended wherever possible. This was in addition to the meeting the Improvement Objectives outlined in the Council's Improvement Plan. He stressed the importance of all political groups working together during this time of austerity and welcomed notions from the forthcoming Overview and Scrutiny Committee budget meetings that could assist in protecting services. He added that a strong as case as possible should be made for receiving

consequential funding, with the emphasis being on the preventative services provided by the authority for the health and wellbeing of local residents.

The Deputy Leader and Cabinet Member for Environment said Flintshire had not adopted a 'slash and burn' approach and closed care homes and libraries as had other local authorities. He encouraged Cabinet Members to lobby Ministers, AM's and MP's for them to listen to the plight of local authorities and he thanked Cabinet Members and officers for their work on this.

Cabinet Members concurred with the views of the Leader and Deputy Leader.

RESOLVED:

That the initial budget proposals and ongoing work to close the budget gap be endorsed, and that the proposals be referred to Overview and Scrutiny Committees for consideration.

89. COUNCIL FUND CAPITAL PROGRAMME 2015/16 AND INDICATIVE FUNDING TO 2018/19

The Chief Officer (Organisational Change) introduced the report which set out initial proposals for the Council Fund Capital Programme for 2015/16, with indicative funding estimates for future years.

The Housing Revenue Account (HRA) capital programme proposals would be considered in January 2015.

Flintshire County Council had experienced significant pressure on its capital programme in recent years and with likely having to make revenue efficiencies of circa £50m over the next three years, the pressure on capital resources would come at the same time as revenue pressures and would continue until at least the end of the decade. This resulted in the Council's revenue and capital service delivery and financial planning being fully integrated more important than ever.

In addition to the work and position as detailed in the report, the Council was developing its Capital Strategy which would be significantly influenced by its Asset Management Plans.

On allocation of available funding, the total amount available to fund the core capital programme in 2015/16 was £6.872m. A review of the core schemes had been carried out and recommended allocations for 2015/16 were summarised in the report with full details being provided in Appendix 1. The allocations total was £6.535m.

The capital programme proposals as detailed in the report would be considered at Corporate Resources Overview and Scrutiny Committee on 30 January 2015 to which all Members of the Council would be invited.

RESOLVED:

- (a) That the report be noted; and
- (b) That the allocation of funding to the core capital programme in 2015/16, as shown in Appendix 1 be approved, noting the indicative funding available for future years, subject to input by Overview and Scrutiny.

90. QUARTER 2 IMPROVEMENT PLAN MONITORING REPORT

The Chief Executive introduced the Quarter 2 Improvement Plan monitoring reports for the period July to September 2014. The report highlighted the following:

- The levels of progress and confidence in the achievement of high level activities which sought to deliver the impacts of the Improvement Plan
- The performance against improvement plan measures and the predicted level of performance for year end; and
- The current (net) risk levels and targeted risk levels for the risks identified in the Improvement Plan and the arrangements to control them.

RESOLVED:

- (a) That the action taken to manage delivery of the Improvement Priority impacts be noted; and
- (b) That the following be noted:
 - The levels of progress and confidence in the achievement of key activities which seek to deliver the impacts of the Improvement Plan;
 - The performance against improvement plan measures and the predicted level of performance for year end; and
 - The current (net) risk levels and targeted risk levels for the risks identified in the Improvement Plan and the arrangements to control them.

91. STRATEGIC PARTNERSHIP PERFORMANCE MID YEAR REVIEW

The Chief Executive provided details of the status of each of the strategic partnerships, and highlighted the mid-year assessments for the progress of the Local Service Board Priorities.

The work of the Local Service Board was supported by key related strategic partnerships and the table in the report outlined those partnerships and the changes that had occurred in the last 12 months.

In addition to being reported to Cabinet, the mid year reports had also been submitted to the Community and Profile and Partnerships Overview and Scrutiny Committee in December 2014 and to the Local Service Board meeting in November 2014.

RESOLVED:

That the progress made in the mid year reports be noted and the commitments for the current year be endorsed.

92. ANNUAL PERFORMANCE REPORT 2013-14 AUDIT – CERTIFICATE OF COMPLIANCE

The Chief Executive advised Members of the positive Certificate of Compliance from the Auditor General for Wales in respect of the audit of the 2013-14 Annual Performance Report.

The certificate stated the Auditor General's opinion on whether the Council had discharged its statutory duties in respect of its duty to publish an assessment of performance. The conclusion of the audit was:

“As a result of my audit, I believe that the Council has discharged its duties under section 15(2), (3), (8) and (9) of the Measure and has acted in accordance with Welsh Government guidance sufficiently to discharge its duties”.

The Auditor General had made no new statutory recommendations or proposals for improvement. The certificate was also received by Corporate Resources Overview and Scrutiny Committee and the Audit Committee in December 2014.

RESOLVED:

That the positive Certificate of Compliance from the Auditor General for Wales in respect of the audit of the 2013-14 Annual Performance Report.

93. 2014/15 MID YEAR CHIEF OFFICER REPORTS

The Chief Executive introduced the 2014/15 mid year Chief Officer performance reports for the period April to September 2014 which covered the following areas:

- Areas of positive performance
- Areas of concern
- The progress updates for the Council Improvement Priorities that were not set as an in-year priority
- Progress updates for key projects and collaborative areas of work
- The risks highlighted (including operational, project and collaborative risks)
- The assessment of any regulatory reports; and
- Performance against National Strategic Indicators (NSIs) and Public Accountability Measures (PAMs)

Such reports would be presented twice a year with a focus on performance exceptions, both good and poor. This would ensure that the 'business as usual' was still being monitored and reported against.

Overview and Scrutiny Committees would receive the reports relevant to their areas of work as part of their forward work programme alongside the appropriate Improvement Plan monitoring reports.

RESOLVED:

- (a) That the mid year Chief Officer performance reports be received; and
- (b) That the following be noted:
- Areas of positive performance
 - Areas of concern
 - The progress updates for the Council Improvement Priorities that are not set as an in-year priority
 - Progress updates for key projects and collaborative areas of work
 - The risks highlighted (including operational, project and collaborative risks);
 - The assessment of any regulatory reports; and
 - Performance against the NSIs and PAMs

82. CAPITAL PROGRAMME 2014/15 (MONTH 6)

The Corporate Finance Manager provided Members with the Month 6 (end of September) capital programme information for 2014/15 which detailed the cumulative information relating to each programme area as shown in Appendix A to the report.

Revised rollover sums of £5.830m were agreed in year as part of the quarterly reports to Cabinet and of £1.904m as part of the outturn report to Cabinet on 15 July 2014, giving a total rollover amount of £7.734m.

Changes during the period, details of which were provided in the report, had resulted in a net increase in the programme total of £1.017m (Council Fund £1.017m, Housing Revenue Account (HRA) £0.000m).

Actual expenditure at the end of September (Month 6) across the whole of the programme was £16.214m. The breakdown of expenditure was detailed in the report which showed that 36.39% of the budget had been spent across the programme (Council Fund 34.95% and HRA 40.03%).

The Early Identified Rollover of £1.373m had been identified which reflected reviewed spending plans across all programme areas. Those committed amounts had been identified as now required to meet the cost of programme works in 2015/16.

RESOLVED:

- (a) That the report be noted and approved; and

- (b) That the rollover adjustments outlined in paragraph 3.05.2 be approved.

83. REVENUE BUDGET MONITORING 2014/15 (MONTH 6)

The Corporate Finance Manager provided Members with the latest revenue budget monitoring information for 2014/15 for the Council Fund and the Housing Revenue Account (HRA) based on actual income and expenditure as at Month 6 and projected forward to year-end based on the most up to date information available.

The projected year-end position, as estimated at Month 6 was:

Council Fund

- Net in year non pay expenditure forecast to be £0.881m lower than budget. This did not include any potential effect of variances on pay
- Projected contingency reserve balance at 31 March 2015 of £3.822m

Housing Revenue Account

- Net in year expenditure forecast to be £0.027m less than budget
- Projected closing balance as at 31 March 2015 of £1.193m

The report provided details on corporate and functional efficiencies, workforce efficiencies, inflation and monitoring budget assumptions and risks.

On unearmarked reserved and the current projected outturn at Month 6, the projected balance on the contingency reserve at 31 March 2015 was £3.822m, full details of which were contained in Appendix 4 to the report.

The position at Month 6 on the HRA was an overall projected underspend of £0.027m and a projected closing balance at Month 6 of £1.193m, which at 3.97% of total expenditure satisfied the prudent approach of ensuring a minimum level of 3%.

RESOLVED:

- (a) That the overall report be noted;
- (b) That the projected Council Fund contingency sum as at 31 March 2015 be noted; and
- (c) That the projected level of balances on the Housing Revenue Account be noted.

84. SINGLE POINT OF ACCESS (SPOA)

The Cabinet Member for Social Services provided an update in relation to the Regional Single Point of Access (SPoA) Programme and the local developments to date in Flintshire.

The SPoA aimed to create an integrated and streamlined access route to community health and social care services for all individuals over 18 years of age. It

also provided professionals with a way of sharing information and providing better co-ordinated health and social care services. The goal was to have one SPoA per county, with all six operational by March 2016.

RESOLVED:

That the local development and implementation of the Single Point of Access which is aligned to the Regional vision be supported.

85. DEPRIVATION OF LIBERTY SAFEGUARDS IMPLICATIONS FOR FLINTSHIRE COUNTY COUNCIL

The Cabinet Member for Social Services provided an update on the Supreme Court ruling made in March 2014 that changed the way Deprivations of Liberty were assessed.

Also provided were details of the impact on services, actions taken to date and the financial implications for social services and legal services.

Flintshire County Council faced the task of assessing and authorising up to 300 Deprivation of Liberty Safeguards (DoLS) authorisations and considering applications to the Court of Protection for up to 670 service users in the community.

Significant efforts had been made to make the best use of existing resources however the service had not been able to keep pace with demand and the use of existing staff had resulted in a detrimental and unsustainable adverse effect on existing workloads and waiting lists.

Welsh Government (WG) had allocated one off funding of £5k to train DoLS assessors.

RESOLVED:

- (a) That the following resource be approved as a minimum to deal with the first year's work to manage this unexpected and unfunded significant new responsibility:
- 3 Social Workers with approved mental health qualifications or substantial knowledge and experience of mental health / mental capacity and safeguarding legislation
 - 1 Solicitor
 - Section 12 Doctor costs
 - Court of Protection costs
- Total cost: £290k
- (b) That the following be identified as an ongoing resource requirement for future years whilst the judgement remains in force:
- 2 Social Workers
 - 0.5 Solicitor
 - Section 12 Doctor costs
 - Court of Protection costs

Total cost: £216k

- (c) That the increased workload for Social and Legal Services in arranging and authorising significant numbers of legal deprivations of liberty be recognised; and
- (d) That it be acknowledged that, as for every authority, there has inevitably been a short term “waiting list” for DoLS referrals and associated work until resources can be found to meet new demand.

86. REVISED BLUE BADGE AND ENFORCEMENT OF THE SCHEME

The Deputy Leader and Cabinet Member for Environment advised Members of the new working arrangements for issuing Blue Badges and sought agreement for the enforcement of the scheme within Flintshire through the Civil Parking Enforcement Officers.

A toolkit had been issued by Welsh Government (WG) to help local authorities manage the application and verification process to achieve a consistent approach across Wales.

Civil Parking Enforcement across Flintshire had seen a significant improvement in reducing illegal parking with the introduction highlighting the lack of enforcement around the use of blue badges by Civil Parking Enforcement Officers. Officers regularly witnessed the miss-use of badges and were keen to include enforcement of blue badges alongside civil parking enforcement.

For the Blue Badge process, there were two sets of criteria that were applied:

- Automatic qualification – the applicant required no further assessment and qualified automatically generally owing to the level of disability benefits they were in receipt of from the Department of Works and Pensions. In these cases the process was straight forward and a blue badge was issued upon receipt of the qualifying evidence. A copy of the criteria for automatic qualification was attached as Appendix A to the report
- Assessment – an application was submitted and measured against the recently issued WG Toolkit. There was no longer a need for the Council to contact GP's for supporting medical evidence. It was recognised that the applicant's GP was not best placed to supply objective evidence due to their role as an advocate on behalf of their patient and there was also a cost of between £20 and £30 charged by the GP for this service. The customer was now able to use evidence that they would already have in support of their application, for example prescriptions for medication relating to their illness, Occupational Therapist Assessments etc.

WG did not allow local authorities to charge for issuing Blue Badges however there was a provision to charge a fee of up to £10 for a replacement where badges had been lost, stolen or damaged.

RESOLVED:

- (a) That the content of the report and the new arrangements for assessing / issuing Blue Badges be noted;
- (b) That the introduction of a fee of £10 for issuing replacement badges be approved; and
- (c) That the enforcement of Blue Badge parking within the remit of the Civil Parking Enforcement service be fully adopted.

87. WORKFORCE INFORMATION QUARTER 1 AND 2 2014/15

The Chief Officer (People and Resources) provided an update for the first and second quarters for 2014/15 which provided details of the following:

- Headcount and Full Time Equivalent
- Organisational Age Profile
- Employee Turnover and Stability (including redundancies and early retirement)
- Attendance (including 100% attendance)
- Performance Appraisals and Development
- Resource Management (including recruitment and agency workers)
- Equality and Diversity

The format of the report and the accompanying workforce information had been redeveloped to focus on the organisational performance and trends, with the information being presented in a dashboard format. The dashboards were designed to be a visual presentation of data, showing the current status and historical trends of the Council's performance against key performance indicators.

The dashboards created were an interim measure before the implementation of new Business Intelligence software. The software would further enhance the visualisation of data and also provide an opportunity to use interactive dashboards which would enable Members to focus on more detailed information.

RESOLVED:

That the Workforce Information Report for quarters 1 and 2 be noted.

88. EXERCISE OF DELEGATED POWERS

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

Organisational Change

- Essential Building Work to Roof and Areas of Brickwork at Clwyd Theatr Cymru
The Theatr has a number of immediate issues of repair and maintenance which needed to be addressed as a matter of urgency on the basis of Health

and Safety or from a business continuity perspective. They were the replacement of the existing roof and areas of brickwork with failed cavity trays

- Leisure Services Tariff 2015

The average price increase for 2015 across all Leisure Services activities was 3.5%. The new charges would be subject to a mid year review. Spa charges were not included as they were revised in line with industry norms.

RESOLVED:

That the actions taken under delegated powers be noted.

89. MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE

There were two members of the press in attendance.

(The meeting commenced at 9.30am and ended at 11.10am)

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Chairman