

CABINET
13 OCTOBER 2015

Minutes of the meeting of the Cabinet of Flintshire County Council held at County Hall, Mold on Tuesday, 13 October 2015

PRESENT: Councillor Aaron Shotton (Chair)

Councillors: Bernie Attridge, Chris Bithell, Helen Brown, Christine Jones, Kevin Jones and Billy Mullin

APOLOGY:

Councillor Derek Butler

IN ATTENDANCE:

Chief Executive, Chief Officer (Community and Enterprise), Chief Officer (Governance), Chief Officer (Organisational Change), Chief Officer (Social Services) Corporate Finance Manager, Policy and Performance Manager, Operational Manager – North and Trunk Roads and Team Manager – Committee Services

77. DECLARATIONS OF INTEREST

Councillor Attridge declared a personal and prejudicial interest in agenda item number 7 – North East Wales (NEW) Homes Business Plan 2015/20, as he was the Chairman of NEW Homes. He had applied for a dispensation at the Standards Committee the previous evening to speak and answer questions at Cabinet and Overview and Scrutiny Committee meetings on matters relating to NEW Homes Ltd but to leave the room before the debate and vote. The dispensation had been granted.

78. MINUTES

The minutes of the meeting held on 15 September 2015 had been circulated with the agenda.

Councillor Attridge said that on minute number 65 – School Modernisation – School Standards and Organisation At 2013 – John Summers High School, Councillor Shotton spoke of the comments made by the Local Assembly Member and the ex-Head teacher of Connah's Quay High School, not the ex-Head teacher of John Summers High School.

RESOLVED:

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

79. CLWYD THEATR CYMRU

Councillor Shotton welcomed the recently appointed Artistic Director of Clwyd Theatr Cymru (CTC), Tamara Harvey, to the meeting.

The Chief Executive said progress reports on CTC had previously been reported to Cabinet alongside the Business Plan and this was a timely opportunity to provide a progress update. The Organisational Change Overview and Scrutiny Committee on 28 September 2015 had a positive discussion about CTC and the Chief Executive provided information on its governance arrangements explaining that it was wholly owned by Flintshire County Council. However, CTC had a vast amount of freedom to operate artistically. It had a Board of members, consisting of a number of Councillors, which was a Sub-Committee of the Council. CTC had seen, along with all other services, a budget reduction which resulted in a decrease of £0.200m funding in 2015/16. However, CTC remained in the top group of theatres to receive funding from the Arts Council for Wales (ACW). The level of future funding levels from the ACW was awaited.

The Chief Officer (Organisational Change) provided details of the short / medium term (2015/16 – 2016/17) aims of CTC which were outlined in the Business Plan, which were:

- Appointment of a new Artistic Director with a new artistic vision;
- Deliver on reduced funding by £200k in 2015/16 through a robust and financially sustainable business framework;
- Examination of the corporate structure of CTC;
- To find creative solutions through new ways of working and initiating new partnerships and collaborations in all area of work, pursuing the Welsh Producing Consortium initiative;
- To develop the Celtic Festival of new writing in collaboration with theatres and companies from the other Celtic nations;
- To develop an Annual Report to reflect and promote everything CTC did;
- To extend community links to a bigger and broader range of people; and
- To progress the building refurbishment project on to its development stage.

Tamara Harvey thanked Cabinet Members for inviting her to the meeting. She said CTC was a unique theatre as, along with only one other, it was owned by a County Council. It was her vision to broaden the repertoire of CTC and build on the varied range of visiting work, film and visual art. It was hoped the Youth Theatre would be re-launched in 2016, working with a wide range of community organisations to provide opportunities for artistic engagement.

A new marketing plan was being developed to enable CTC to reach out to different and more diverse audiences with a more varied programme of work with a greater number of collaborations. She emphasised her desire for CTC to have a holistic approach with the building being transformed into a crucible of creativity with longer term plan to revitalise the foyer spaces in terms of both the entertainment on offer and the food and drink available.

The Chief Officer (Organisational Change) explained that consideration needed to be given on future governance arrangements at CTC and whether they should remain as they were or whether alternative governance options should be considered. A different legal model needed to be examined which could be a more

flexible and cost effective approach for operating the productions. In particular this should address the best method for accounting for tax issues.

Councillor Kevin Jones asked if match funding was required from the Authority on any funding that may be received by CTC for renovation works. The Chief Executive said match funding was not an option due to the budget pressures faced by the Authority. A case had been made to the ACW and Welsh Government (WG) saying that costs for any sizable renovations would need to be met from national funding.

Members welcomed the report and the work being done by the Artistic Director commenting that the vision for CTC would inspire and encourage attendance at CTC.

The Chief Executive concluded that any issues which were considered to have an element of risk would be reported to Cabinet, such as the staff restructure.

RESOLVED:

- (a) That the Business Plan be endorsed and Members assured by progress; and
- (b) That the Chief Officer (Organisational Change) and the Chief Officer (Governance), in consultation with the Leader, be authorised to prepare and report back on a corporate structure. This to include consideration of a new legal company for effectively managing the delivery of productions at the CTC including the best way to account for tax issues.

80. ANNUAL PERFORMANCE REPORT 2014/15

Councillor Mullin provided details on the progress against the Improvement Priorities as detailed in the Improvement Plan 2014/15.

The report reflected the overall good progress that had been made against the priorities and the high level of confidence there was in achieving the desired outcomes. It also showed that risks were managed well with only one remaining at a high level at year end.

The Chief Executive reported on the progress against key activities as follows:

Progress:

- Good progress was being made in 63% (50)
- Satisfactory progress being made in 34% (27)
- Limited progress being made in 2% (2)

Outcome:

- High level of confidence in the achievement of 79% (62)
- Medium level of confidence in the achievement of 20% (16)
- Low level of confidence in the achievement of 1% (1)

Also outlined in the report was a summary of performance against the Improvement Plan measures, also using the National Strategic Indicators (NSIs) and

Public Accountability Measures (PAMs). The assessment of actual performance compared with the previous year's performance was as follows:

- 59% (58) improved
- 11% (11) maintained the same level of performance
- 30% (30) downturned

Following a question from Councillor Attridge, the Policy and Performance Manager explained that there had been a downturn in sickness absence in 2014/15 with improvement in both Streetscene and Social Services. On appraisals, the number that had taken place was higher than what was recorded on the electronic system with the target for the current year being higher.

Councillor Bithell asked for details on the downturned status of the achievement measure PSR009a – The average number of calendar days taken to deliver a Disabled Facilities Grant (DFG) for children. The Chief Officer (Social Services) explained that this measure covered a range of services in Social Services and Housing. The outturn figure was related to one person; the case was extremely complex with changing needs throughout the process. He reported positively that there had been an improvement in the time taken by Occupational Therapists (OT's) to carry out assessments. The performance would continue to be monitored by the Social and Health Care Overview and Scrutiny Committee. Following the question and response given on the exceptional case, Councillor Shotton requested that such information be included in the commentary of future reports.

Councillor Shotton asked for details on the downturn in performance on IPME6M4 – Scale and take-up of the new digital services (no. of visitors) per annum. The Chief Officer (Governance) explained that the process of making all forms available electronically had been time consuming. Moving forward, the new website was being designed in such a way that users would more easily be able to navigate around the site and find what they were looking for which would raise performance figures. The Chief Officer (Community and Enterprise) added that feedback on the completion of online forms had not be wholly positive. She provided an example of nursery application forms being online however the back office process had not yet changed; this was something that was now being looked into and an update would be provided to Cabinet Members in the near future.

Members welcomed the report and the ease of readability. It would be submitted to County Council on 20 October.

RESOLVED:

That the 2014/15 Annual Performance Report be endorsed for publication.

81. OUTCOME AGREEMENT 2014/15

Councillor Mullin provided information on the Outcome Agreement which was a three year agreement (2013/14 to 2015/16) between the Council and Welsh Government (WG). It was based on five strategic themes drawn from WG's 'Programme for Government'. The assessment was based on two components; (1) outcomes and (2) corporate governance.

The self-assessment revealed full compliance with both parts and subject to WG concurring with the self-assessment, it was expected that Flintshire would receive 100% of the grant which was approximately £1.458m.

The Chief Executive explained that WG had written to all Local Authorities to advise that as part of simplifying funding arrangements, the grant which currently supported Outcome Agreements would be rolled into the Revenue Support Grant (RSG) for 2016/17 onward, formally bringing the initiative to an end in March 2016.

RESOLVED:

That the progress made against the Outcome Agreement for 2014/15 be noted.

82. NEW HOMES BUSINESS PLAN 2015/20

Councillor Brown introduced the report which sought approval of the NEW Homes Business Plan 2015/20. The plan set out the key elements of the company's proposed growth plan to increase the number of properties managed and owned as affordable housing over the next five years.

Twice yearly monitoring of NEW Homes progress against its business plan was undertaken by the Community and Enterprise Overview and Scrutiny Committee.

Councillor Attridge said in its first year of operation the company had generated a surplus of £18k with the next two years expecting similar surpluses rising to £0.180m in year three following the growth of the Strategic Housing and Regeneration Programme (SHARP) development.

The Chief Officer (Governance) clarified that, following information to be presented by the Chief Officer (Community and Enterprise), Members could ask questions of Councillor Attridge in his capacity as Chairman of NEW Homes prior to him leaving the meeting during the debate and vote which was in line with the dispensation that had been granted to him by the Standards Committee.

The Chief Officer (Community and Enterprise) provided details of the progress reviewed by the Board on the three main portfolio areas against the projections made in the original Business Plan which were:

- New build units transferred to NEW Homes under Section 106 Planning Agreement
- Management Offer
- Over 55 Lease Scheme

NEW Homes would seek independent financial and legal advice prior to approval of new developments to be delivered as part of the SHARP programme and prior to undertaking any borrowing against existing assets. In addition the Council's legal and financial teams would consider each development individually prior to recommendation to Cabinet for approval. The Chief Officer (Governance) explained the reason for this approach which could change in the future as the project matured.

Councillor Shotton welcomed the report which linked to the Improvement Priority on Housing. He said Flintshire should shine as a beacon to the rest of Wales on the innovative and pioneering scheme. He asked if, following the departure of two Members of the Board due to their conflict of interest with the Planning and Development Control Committee, had the vacancies been filled? Councillor Attridge explained that a skills matrix had been sent to Members of the NEW Homes Board to identify if there were any gaps in specific areas. Following the analysis of that exercise Members would be contacted to ask for expressions of interest from those with the required skill set. Following that the vacancies would be filled.

Responding to a question from Councillor Bithell, the Chief Officer (Community and Enterprise) explained that, in line with the marketing strategy, display stands would be erected in the entrance of County Hall and within the Connects centres. Posters would also be placed on the side of Council owned vehicles.

Councillor Attridge left the meeting at this point.

Councillor Kevin Jones welcome the report and Business Plan and commented that other authorities were looking at the model used by Flintshire.

RESOLVED:

That the NEW Homes Business Plan 2015/20 be approved, including the intention to borrow; noting that any proposed developments requiring capital funding will be brought to Cabinet for specific scheme by scheme approval following approval by NEW Homes Board.

83. CHILDREN'S SERVICES INSPECTION REPORT

The Cabinet Member for Social Services presented the findings of the Care and Social Services Inspectorate Wales (CSSIW) concerning their Inspection of Children's Services in Flintshire and set out the action plan of the Council in response to the report. It was a detailed inspection of services concerning four main themes:

- Theme 1- Access Arrangements
- Theme 2- Assessment
- Theme 3 – Safeguarding and Care Management
- Theme 4 – Leadership and Governance

The report reflected on the many strengths in the service, areas that the Council needed to secure improvements in the day and assessment model for children and acknowledged that children's services had undergone a period of transition in the last year, understanding the approach of the new senior team.

The Inspection Report would be submitted to the Social and Health Care Overview and Scrutiny Committee on 5 November 2015 where the CSSIW would be in attendance.

The Chief Officer (Social Services) reiterated the comments made by the Cabinet Member adding that the findings included that senior Members and officers saw safeguarding as a priority for the Council and were committed to developing and improving the service.

The Council's response and action plan was appended to the report.

The Chief Executive added that the Inspection Report would also be submitted to Audit Committee on 27 January 2016. Regular progress updates would be submitted to the Social Services Programme Board and Informal Cabinet.

RESOLVED:

- (a) That the conclusions of the inspection report be responded to;
- (b) That the action plan be endorsed; and
- (c) That the process for monitoring the action plan as laid out in 1.12 of the report be approved.

84. REVIEW OF WINTER MAINTENANCE POLICY

Councillor Attridge presented the report which provided an updated Winter Maintenance Policy, outlining the legislative requirements of providing such a service, the budget allocation and actual expenditure in complying with the existing policy.

The changes in levels of service in the updated Winter Maintenance Policy were outlined in the report. The report had been considered and endorsed by the Environment Overview and Scrutiny Committee on 16 September 2015.

In response to a question from Councillor Bithell, Councillor Attridge explained that the aim was to have a North Wales approach to winter maintenance which would ensure consistency.

RESOLVED:

- (a) That the Winter Maintenance Policy and its procedures for delivering the winter maintenance service be approved;
- (b) That the removal of two rural gritting routes (Cilcain and Hope Mountain Areas) carried out by contractors that do not meet the criteria required within the Priority 1 be noted; and
- (c) That it be noted that two unclassified roads that have historically been treated by Denbighshire County Council (DCC) and have been removed from their Priority 1 gritting routes as part of their savings will not be precautionary gritted in future and therefore will not be included on Flintshire's Priority 1 route list. Removed from DCC as part of savings:

- Gwaenysgor Crossroads to the Bryniau (Gwaenysgor)
- Bedlwyn Crossroads – Rhyd y Ceirw (Rhydtalog)

85. REVENUE BUDGET MONITORING 2015/16 (MONTH 4)

The Corporate Finance Manager provided the latest revenue budget monitoring position for 2015/16 for the Council Fund and Housing Revenue Account. The position was based on actual income and expenditure as at Month 4 and projected forward to year end. The projected year end position, as estimated at Month 4 was:

Council Fund

- Net in year expenditure forecast to be £0.425m higher than budget
- Projected contingency reserve balance at 31 March 2016 of £4.111m

Housing Revenue Account

- Net in year expenditure forecast to be £0.002m higher than budget
- Projected closing balance as at 31 March 2016 of £1.235m

Changes in the revised budget were mainly due to the transfer of budget from Social Services to Central and Corporate as a result of the one off efficiency reported in Month 3 in relation to the Independent Living Fund (ILF).

The report provided details on the programme of efficiencies, inflation, unearmarked reserves and earmarked reserves.

Councillor Kevin Jones said recycling was going through a volatile period with fluctuating re-cycle sale values which was likely to impact on 2015/16 recycling income levels for the Council. This would be monitored throughout the year and he had also raised it with the Minister.

RESOLVED:

- (a) That the overall report and the projected Council Fund contingency sum as at 31 March 2016 be noted; and
- (b) That the projected final level of balances on the Housing Revenue Account be noted.

86. CAPITAL PROGRAMME 2015/16 (MONTH 4)

Corporate Finance Manager provided details on the Capital Programme (Month 4) which had increased by £75.438m in the period, largely due to the impact of the following:

- Housing Revenue Account (HRA) Subsidy Buyout (£79.248m);
- Rollover from 2014/15 (£5.767m);
- Additional Welsh Government (WG) grant funding (£4.223m); and
- Community Asset Transfers (CAT's) (£0.500m).

These were offset by:

- A decrease in funding required for 21st Century Schools (£13.850m); and
- Savings in the allocation to Flintshire Connects projects (£0.521m)

Current expenditure stood at 15.42% of budget (excluding HRA Subsidy Buyout) with the resources available for funding future capital expenditure currently c£2.476m.

RESOLVED:

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

87. EXERCISE OF DELEGATED POWERS

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

Community and Enterprise - Housing

- **Transfer of 4 No. Properties (Plots 42-45) Inclusive Overlea Drive, Hawarden from Redrow Homes Limited**
To advise on the proposal that the above affordable housing units be transferred direct to NEW Homes since this best meets housing need. NEW Homes will enter into a covenant with Redrow that the properties will be used for the purpose of Affordable Housing.

Streetscene and Transportation

- **Proposed Off Street Paring Place Order - Buckley**
To advise on an unresolved objection received following the advertisement of the proposed introduction of car parking charges in Buckley off street car parks.
- **Proposed Off Street Paring Place Order - Mold**
To advise on an unresolved objection received following the advertisement of the proposed introduction of car parking charges in Mold off street car parks.

People and Resources - Finance

- **Business Rates Write Offs**
Financial Procedure Rules (section 9.6 – Income and Expenditure) stipulate that any individual debt between the values of £5,000 and £25,000 shall be reported to the Chief Finance Officer (Corporate Finance Manager / Section 151 Officer) for consideration to write off, in conjunction with the Cabinet Member for Finance. There are two business accounts where the overall debt for each company is greater than £5,000 and the write off of these debts is recommended. The total of these debts is £14,370.87.

RESOLVED:

That the actions taken under delegated powers be noted.

88. MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE

There were 2 members of the press in attendance.

(The meeting commenced at 9.30am and ended at 11.25am)

.....
Chair