

CABINET
18th OCTOBER 2016

Minutes of the meeting of the Cabinet of Flintshire County Council held in the Clwyd Committee Room, County Hall, Mold on Tuesday, 18th October 2016

PRESENT: Councillor Aaron Shotton (Chair)

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

IN ATTENDANCE:

Chief Officer (Education and Youth), Chief Officer (Governance), Chief Officers (Organisational Change), Chief Officer (Streetscene and Transportation), Corporate Business and Communications Executive Officer, Corporate Finance Manager, Policy Advisor and Team Manager - Committee Services

OTHER MEMBERS IN ATTENDANCE:

Councillor Nancy Matthews

71. DECLARATIONS OF INTEREST

Councillor Bernie Attridge declared a personal interest in agenda item number 9 – School Modernisation – 21st Century Schools Programme – Band A Capital Projects – Connah’s Quay High School.

Councillors Chris Bithell and Derek Butler declared personal and prejudicial interests in agenda item number 13 – Theatr Clwyd Complimentary Ticket Policy.

Councillor Bithell declared a personal interest in agenda item number 5 - Strategic Equality Plan 2016/2020.

Councillor Christine Jones declared a personal and prejudicial interest in agenda item number 9 – School Modernisation – 21st Century Schools Programme – Band A Capital Projects – Connah’s Quay High School.

72. MINUTES

The minutes of the meeting held on 20th September 2016 had been circulated with the agenda.

RESOLVED:

That the minutes be approved as a correct record.

73. ANNUAL PERFORMANCE REPORT 2015/16

Councillor Mullin introduced the Annual Performance Report (APR) for 2015/16. The APR reviewed progress against the Improvement Priorities as detailed in the Improvement Plan 2015/16. He congratulated the Corporate Business and Communications Executive Officer and her team on the production of the document.

The Corporate Business and Communications Executive Officer explained that the report met the statutory requirement to publish an Improvement Plan as required by the Local Government (Wales) Measure (2009) (the Measure). The report was required to be published by 31st October each year. The report would be considered at the meeting of County Council the following day to achieve that publication date.

A presentation was delivered which covered the following areas:

- Format and Content
- Performance Overview 2015/16
- Highlights
- Areas for Improvement
- Performance Overview
- Overview
- Next Steps

Councillor Shotton commented on the performance of Flintshire County Council which was ranked 8th of the 22 Authorities across Wales, despite being 19th in the league table for funding. This demonstrated that Flintshire was performing at a higher level than other Authorities despite receiving less funding.

Councillor Bithell welcomed the report which he said was encouraging despite the current financial pressures. He commented on the pleasing decrease in the delivery of Disabled Facilities Grants for Children which was reduced from the previous year from 619 days to 455 days. However, he said this was still a long time period. A number of responses were provided which explained that the number of days often related to one child who had a number of complex changing needs. The total number of days could appear to be high due to how the data was recorded in that Flintshire managed adaptations for the entire duration of a child's needs which may extend over a long period of time whereas other Authorities signed off individual elements of work regardless of it being for the same child. It was suggested that a footnote be included in the report to County Council to explain that, which was agreed.

Councillor Christine Jones explained that 6 Dementia Cafes had been opened, not 16 as detailed in the presentation.

Members welcomed the report and the format of the APR.

RESOLVED:

That the adoption of the 2015/16 Annual Performance by County Council be recommended.

74. STRATEGIC EQUALITY PLAN 2016/2020

Councillor Mullin introduced the report on the Strategic Equality Plan (SEP), the purpose of which was to address specific areas of inequalities.

The Corporate Business and Communications Executive Officer explained that the SEP was for a 4 year period (2016-2020) as reducing deeply entrenched

inequalities would not happen in the short term but would be achieved over a longer period of time.

The Policy Advisor explained that in 2012 the Council agreed its first SEP and six high level objectives which were as follows:

- Reduce health inequalities
- Reduce unequal outcomes in education to maximise individual potential
- Reduce inequalities in employment
- Reduce inequalities in personal safety
- Reduce inequalities in representation and voice
- Reduce inequalities in access to information and services, buildings and the environment

Those high level objectives would continue for 2016-2020.

The SEP described how priorities were developed, why each objective was a priority, what the Council intended to do by 2020 and how achievement would be measured. The measures and actions had been developed to ensure consistency with the Council's Improvement Plan 2016/17.

In response to a question from Councillor Attridge on the number of reports of hate crime, the Policy Advisor explained that such data was collected by North Wales Police, adding that recent work had been undertaken to encourage reporting of such crimes.

Councillor Bithell commented on the validity of the statistics on people's ethnic and religious backgrounds as it was not mandatory that such data was included in the responses of individuals. He also commented that he felt further accommodation provision should be made available for men who suffered domestic abuse.

Councillor Kevin Jones asked how hate crime figures could be compared year on year. The Policy Advisor explained that the Policy would look at peaks in reporting of such crimes.

RESOLVED:

That the Council's equality objectives and Strategic Equality Plan (SEP) 2016/2020 be agreed, prior to publication.

75. NORTH WALES REGIONAL SOCIAL CARE/HEALTH PARTNERSHIP BOARD

Councillor Christine Jones introduced the report on the North Wales Regional Social Care / Health Partnership Board. The Board would be a statutory body with functions defined by the Act and in subsequent regulations with the force of law.

Part 9 of the Social Services and Well-Being (Wales) Act 2014 required local authorities to make arrangements to promote co-operation with their relevant partners and others in relation to adults with needs for care and support carers and children. It placed a duty on relevant partners to co-operate with, and provide information to, the

local authorities for the purpose of planning and delivering their social services functions.

The Chief Officer (Social Services) explained that the objectives of the Regional Partnership Boards were to ensure the partnership boards worked effectively together to:

- Respond to the population needs assessment carried out in accordance with Section 14 of the Social Services and Well-Being (Wales) Act;
- Implement the plans for each of the local authority areas covered by the board which local authorities and local health boards were required to prepare and publish under section 14A of the Act;
- Ensure the partnership bodies provide sufficient resources for the partnership arrangements, in accordance with their powers under section 167 of the Act; and
- Promote the establishment of pooled funds where appropriate

Councillor Shotton said he was pleased to read that the new Board would have a reporting arrangement to the North Wales Regional Leadership Board.

RESOLVED:

That the establishment of the Regional Partnership Board as described in the report be endorsed and the Cabinet Member for Social Services and Chief Officer (Social Services) sit on the Board.

76. REVENUE BUDGET MONITORING 2016/17 (MONTH 5)

The Corporate Finance Manager introduced the report on Revenue Budget Monitoring 2016/17 (Month 5) which provided the latest revenue budget monitoring position for 2016/17 for the Council Fund and the Housing Revenue Account.

The report had been considered at Corporate Resources Overview and Scrutiny Committee the previous week where no specific issues had been raised.

The Corporate Finance Manager explained that the final year end position was:

Council Fund

- Net in year expenditure forecast to be £1.421m higher than budget
- Projected contingency reserve balance of £1.884m

The underlying forecast overspend would be reduced to £0.981m with the successful negotiation of an additional Welsh Government transport grant of £0.440m. The position in Month 5 was an additional deficit from Month 4.

Housing Revenue Account

- Net in year expenditure forecast to be £0.003m lower than budget
- Projected closing balance as at 31st March 2017 of £1.1098m.

The report covered significant budget movements; programme of efficiencies; inflation; reserves and balances; and an overview of the Housing Revenue Account.

There was an increased need for specialist social work capacity for child protection support working in partnership with statutory agencies at a current projected cost of £0.100m which was recommended to be met from the contingency reserve.

On the achievement of planned in-year efficiencies, 91% should be achieved which equated to approximately £9.6m.

RESOLVED:

- (a) That the overall report and projected Council Fund contingency sum as at 31st March 2017 be noted;
- (b) That the projected final level of balances on the Housing Revenue Account be noted; and
- (c) That a contribution from the contingency reserve of £0.100m to meet the resource requirements for specialist social work for child protection be agreed.

77. PROVISIONAL LEARNER OUTCOMES

Councillor Bithell introduced the report on Provisional Learner Outcomes which summarised all key stages outcomes from the summer 2016 assessments. It was noted that the data at Key Stage 4 was provision as it was based on external examinations with the information being verified on 18th December 2016.

Foundation Phase

Pupils were assessed at the age of seven with an expected outcome level of 5. In 2016 the overall performance at the Foundation Phase Indicator in Flintshire was 86.9% which was a drop of 0.1% compared to the 2015 results. Flintshire's performance was above the GwE average of 86.2% but just below the Wales average of 87%. Based on its Free School Meals profile, Flintshire was expected to be ranked 6th or better compared with the other local authorities in Wales.

Key Stage 2

Pupils were assessed at the age of eleven with an expected outcome level of 4. In 2016 the overall performance at the Core Subject Indicator was 90.1% which was an improvement of 2.2% compared to the 2015 results. Flintshire's performance was above the GwE average of 88.8% and also above the Wales average of 88.6%. Based on its Free School Meals profile, Flintshire was expected to be ranked 6th or better compared with the other local authorities in Wales.

Key Stage 3

Pupils were assessed at the age of fourteen with an expected outcome level of 5. In 2016 the overall performance at the Core Subject Indicator was 88.4% which was an improvement of 1.3% compared to the 2015 results. Flintshire's performance was above the GwE average of 87.8% and also above the Wales average of 85.9%. Based on its Free School Meals profile, Flintshire was expected to be ranked 6th or better compared with the other local authorities in Wales.

Key Stage 4

Pupils were assessed at the age of sixteen by external examinations at GCSE (or BTEC equivalents). The main indicator used to judge performance at all levels was the Level 2+ Indicator which meant that a pupil had achieved 5 GCSE grades A*-C, including English and Maths. In 2016, Flintshire's performance improved by 0.7% on 2015 to 61.3% which was above the GwE average of 60.1.

Of the 12 mainstream secondary schools, 5 schools were within 1% of their final predictions but 7 were below. A continued focus of the local authority and GwE would be continued to support schools to refine their target setting processes and pupil tracking systems to close the gap between projected and final performance.

The Chief Officer (Education and Youth) said it was pleasing to see the progress made in the areas identified which had seen some of the schools in a red or amber category. A pattern of maintaining good performance was evident in secondary schools however there was a clear challenge faced on Key Stage 4 pupils needing to obtain higher grades. There was a School Performance Monitoring Group that worked with identified vulnerable schools in the Authority.

Councillor Shotton said he was pleased to receive information on the positive pass rates detailed in the report. However, he commented on the vast difference of percentages of achievements between different schools and asked where that comparable information could be found. The Chief Officer explained that any schools who were projected to not meet the required targets were provided with intensive support. On individual school data, that was available on the website www.mylocalschool.wales.gov.uk/

Councillor Attridge concurred with the comments of Councillor Shotton, in particular the low results achieved in some of the Flintshire schools which he said was not acceptable and sought clarification that such schools were supported. The Chief Officer provided assurance that schools were supported and once the Authority was confident that the school could operate without external support, that support was withdrawn. The aim of the Authority was to achieve the best outcome for every learner in its care. In response to a question from Councillor Kevin Jones, the Chief Officer explained that it was the aim to complete any intensive support provided to any school within a year.

Councillor Shotton added that a vast majority of schools and students were attaining positive results however that could not be accurately reflected when based on an average.

RESOLVED:

- (a) That the outcomes of pupil assessments across all key stages be noted;
- (b) That the improvements in learner outcomes where they have been achieved be acknowledged; and
- (c) That Cabinet Member be aware of the aspects of learner outcomes that still require a clear focus from the Local Authority and GwE to secure further

improvements and are aware of how schools will be targeted, challenged and supported to secure higher outcomes in 2017 and bring Flintshire closer in line with its expected position in comparison to the other 22 Local Authorities based on its Free School Meals profile.

78. SCHOOL MODERNISATION – 21ST CENTURY SCHOOLS PROGRAMME – BAND A CAPITAL PROJECTS – CONNAH’S QUAY HIGH SCHOOL

Councillor Bithell introduced the report on School Modernisation – 21st Century Schools Programme – Band A Capital Projects – Connah’s Quay High School.

The Council had an agreed funding package with Welsh Government (WG) for its 21st Century Schools Band A programme of £64.2m. This was funded on a 50/50 contribution rate between WG and the Council.

The Strategic Outline Programme (SOP) submitted by the Council to WG in 2010 included proposed projects at Holywell Learning Campus, the Post 16 Deeside 6th Hub project at Coleg Cambria, the Queensferry / John Summers Campus and also subject to available finance a proposed refurbishment project at Connah’s Quay High School.

The construction projects at both Holywell Learning Campus and Deeside 6th had been delivered on time and within budget which left a balance of £18.564m to progress other projects agreed through the WG business case process. The revised SOP presented to WG included the reaffirmation of a capital scheme at Connah’s Quay High School which was included in the Council’s 2010 submission. The revised SOP had been approved in principle by WG.

The proposed scheme at Connah’s Quay High School, Phase 1, would replace the existing Design and Technology (D&T) block and the Art and Food Technology block. The new 21st Century School project would see the demolition of the existing three storey block and the provision of a temporary entrance and administration area, together with the construction of a new two storey block, comprising of Administration, D&T, Food Technology, Art and Design, additional teaching provision, office space, toilets, accessible provision, lift, stairs and plant room.

The balance of the funding envelope would be used on two projects:

1. Amalgamation of Penyffordd Primary School split-site provision onto a single site with the village (subject to a separate report on the Cabinet agenda)
2. Queensferry Campus – namely potential demolition or making secure / safe John Summers High School and improvement works to support the modernisation of inclusion provision in the area.

Proposals to make further improvement to Queensferry CP School would be considered in the following band of the 21st Century Schools programme.

The Chief Officer (Education and Youth) said the Overview and Scrutiny Committee the previous week had been held at the new Holywell Learning Campus

and it was clear that the learners and staff were overwhelmed with the learning environment which they were benefitting from. It made a difference to all involved, including the wider community who would benefit from the facilities on offer. This was a similar exciting opportunity for Connah's Quay High School and the generation ahead. This would see the single largest investment in any school for refurbishment.

In response to a question from Councillor Shotton, the Chief Officer explained that subject to approval by Cabinet, design and building work would commence in summer 2017.

Councillor Attridge welcomed the report and said he hoped the refurbishment works would include all of the identified areas for improvement over recent years.

RESOLVED:

- (a) That the operational changes to the 21st Century Schools programme be considered; and
- (b) That the continuation of the school capital project at Connah's Quay High School be approved to design development, tender and Full Business Case submission to the Welsh Government, in line with programme criteria.

Councillor Christine Jones left the room during the discussion.

79. SCHOOL MODERNISATION – 21ST CENTURY SCHOOLS PROGRAMME BAND A CAPITAL PROJECT - PENYFFORDD

Councillor Bithell introduced the report on School Modernisation – 21st Century Schools Programme - Band A Capital Projects – Penyffordd. The report informed of the changes to the operational construction programme for Band A – 21st Century Schools Programme and sought approval of a capital project to consolidate the current split site primary school buildings in Penyffordd onto one site within the village.

Councillor Bithell repeated the elements of the report which were the same as those reported in agenda item number 9 – School Modernisation – 21st Century Schools Programme – Band A Capital Projects – Connah's Quay High School.

The proposed scheme at Penyffordd would amalgamate the current split-site arrangement, bringing all primary provision on one site. Education and Youth had commissioned Design Consultancy to complete an options appraisal of the possibilities for new school provision in the area and had delivered a recommendation in liaison with Planners and Officers from Highways. Construction on the preferred site could take place, without unduly negatively affecting current school operation.

The balance of the funding package would be used on two projects:

- Phase 1 project to modernise Connah's Quay High School (minute number 78 refers)
- Queensferry Campus, namely potential demolition or making secure John Summers High School and improvement works to support the modernisation of inclusion provision in the area

Proposals to improve Queensferry CP School would be considered in the following band of the 21st Century Schools programme.

The anticipated timeline was for construction to commence in January 2018 with completion in December 2019.

In response to a question from Councillor Attridge, the Chief Officer (Education and Youth) explained that a site options appraisal had been undertaken, the details of which were appended to the report. A number of potential sites had been considered however in order to secure funding from Welsh Government (WG), it was important that any significant risks were removed from the programme. The identified site had the least risk associated with it and was already used as an educational facility.

Councillor Shotton said he had spoken to the local Member, Councillor Cindy Hinds, who was fully supportive of the proposals.

RESOLVED:

- (a) That the operational changes to the 21st Century Schools programme be considered; and
- (b) That the continuation of the capital project at Penyffordd be approved to design development, tender and Full Business Case submission to the Welsh Government, in line with programme criteria.

80. SCHOOL MODERNISATION – NERCWYS VA SCHOOL REVIEW

Councillor Bithell introduced the report on School Modernisation – Nercwys VA School Review which provided information on the progress of the review to date. It also invited Cabinet to pause the review to allow time to consider the strategic options for collaboration and sustainable school estate.

In June 2015 Cabinet determined that officers could undertake a soft consultation of Nercwys Voluntary Aided (VA) School. The school met a number of triggers for review which were: small school trigger; diminishing resource criteria; and building condition trigger.

The Education Standards at the school were good and this was positively acknowledged by Welsh Government's WGs) categorisation.

The Governing Body had acted as appropriate and passionate advocates on behalf of their school community. They had a clear understanding of the budgetary pressures on both the Council and small schools, with the Governors indicating that they were willing to consider and pursue formal federation arrangements.

The Chief Officer (Education and Youth) explained that the Council had an excellent working relationship with the St Asaph Diocesan Authority. All parties felt it would be prudent to pause the review to allow additional time to pursue further strategic options for collaboration to support a sustainable school network.

The Federation of Maintained Schools (Wales) Regulations 2014, which came into force in May 2014, gave effect to Local Authority powers to federate schools. Under those Regulations, a Voluntary Aided (VA) school was unable to federate with a community or foundation school. However, VA schools were able to federate with other VA and Voluntary Controlled (VC) schools. Alternatively foundation could be an option if they were able to persuade a community or foundation school to convert to a VA or VC status.

In response to a question from Councillor Shotton, the Chief Officer explained that the Authority would expect a proposal from the school within one year.

RESOLVED:

- (a) That the progress of discussions undertaken to date between the Council, Diocesan Authorities and the school's Governing Body be noted; and
- (b) That the request to pause the review and allow more time to follow through strategic options for collaboration and sustainability of its school estate be approved.

81. CHANGES TO WASTE COLLECTIONS VEHICLES AND NEW RECYCLING OPERATIONS

Councillor Kevin Jones introduced the report on Changes to Waste Collection Vehicles and New Recycling Operations.

A report by Welsh Government (WG) had made recommendations on the waste collection service which had been widely reported. Recommendations in particular had been made on the vehicles needed to collect the kerbside recycling. It was proposed that the Council move to a bespoke Recycling Recovery Vehicle (RRV) which would improve the Council's recycling performance and increase the number and types of recycling materials collected. Full details of the new vehicles and the changes required to the rounds to accommodate both the new vehicles and the increased number of properties in the County since the last review of the waste collection rounds in 2011 were provided in the report.

On Household Recycling Centre (HRC) provision, Councillor Kevin Jones explained that the decision and procurement work was ongoing with proposed redeveloped layouts for both Mold and Buckley detailed in Appendix 2. Work would commence directly after the Christmas break with construction taking approximately 12 weeks. Both sites would reopen in time for the Easter Holiday. Consideration to open Queensferry HRC for the period of the closure would be undertaken.

An extensive search by the Council's Assets Team was ongoing to identify a suitable site to replace the Flint and Connah's Quay facilities. A further report on the final proposal would be submitted once a site had been identified and negotiations were complete.

On the RRV, the Chief Officer (Streetscene and Transportation) explained that the introduction of the vehicles was planned for September 2017. A further report would be submitted to Cabinet in July 2017 providing more details of the round review which would come into operation in September 2017 and coincide with the introduction of the new vehicles. The report would outline the essential changes to the current collection policy that would ensure the Council could achieve the statutory targets for recycling in future years.

Councillor Shotton thanked Councillor Kevin Jones and the Chief Officer (Streetscene and Transportation) for their hard work on this project, including approval by WG of a capital bid of £1.7m for the scheme.

RESOLVED:

- (a) That the commencement of preparations to review the current waste and recycling rounds and procure the new waste collection vehicles as detailed in the report be approved; and
- (b) That the progress made on the proposed changes to the HRC provision across the Authority be noted.

82. THEATR CLWYD COMPLIMENTARY TICKET POLICY

The Chief Officer (Organisational Change) introduced the report on Theatr Clwyd Complimentary Ticket Policy.

A Notice of Motion had been submitted to County Council on 14th June 2016 stating that:

“This Council accepts that Theatr Clwyd operates an industry-standard complimentary ticket policy to develop audiences and encourage sponsor and media patronage. The policy should not extend to giving complimentary tickets and drinks to Theatr Board Members, Councillors, Senior Officers and other officials who should be expected to meet the costs of their tickets and drinks at the Theatr. The Theatr Clwyd Board should remove these privileges from its policy”.

The report outlined an approach to respond to the Notice of Motion that balanced Council considerations and the wishes of Full Council, whilst recognising that the Council had given delegated authority for the Theatr Board to manage the Theatres operation within the objectives and financial parameters of its agreed business plan.

RESOLVED:

That the Theatr Board be asked to consider the Notice of Motion at its next Board meeting and to provide a full response to the Council on the matter and how it will address the issue.

Councillors Bithell and Butler left the room during the discussion.

83. EXERCISE OF DELEGATED POWERS

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

Organisational Change

- **Ysgol Y Fron Annexe, Halkyn Street, Holywell**
The sale of this section of Ysgol Y Fron to ICR Group for conversion to offices for their own use.
- **A550 Road Bridge at Weighbridge Road, Deeside Industrial Park**
Grant of Deed of Easement for the installation within land and attachment to an existing A550 Road Bridge at Weighbridge Road, Deeside Industrial Park, of electricity supply cables.
- **Disposal of Land at the 'Walks' in Flint**
The disposal of an area of the former 'Walks' housing site in Flint Town Centre.
- **School Meal Price Increase**
Increases the price of meals within schools to bring them more into line with other school meal providers across Wales.

Community and Enterprise

- **Transfer of 3 No. Properties (Plots 4-6) Inclusion, 7, 9 and 11 Llys Clark, Amermorddu, Flintshire from Alwyl Construction Company Ltd**
It is considered that the above affordable housing units should be transferred direct to NEW Homes since this best meets housing needs. NEW Homes will enter into a covenant with Edward Homes that the properties will be used for the purpose of affordable housing.

Streetscene and Transportation

- **Proposed Prohibition and Restriction of Waiting and Loading and Parking Places. Civil Enforcement and Consolidation Order Amendment No. 2**
To advise Members of the objections received following the advertisement of the proposed PROHIBITION and Restriction of Waiting and Loading and Parking Places Amendment No. 2 Order, which introduces No Waiting At Any Time, Limited Waiting and Limited Parking on Street, at Wrexham Street, Mold, Cymau Road, Abermorddu, Hawarden Road, Fagl Lane and St Cynfarch's Avenue, Hope and Allt Goch, Flint. The 3 objections received related to the Proposed No Waiting At Any Time at Fagl Lane and St Cynfarch's Avenue, Hope and the Proposed Limited Waiting at Wrexham Street, Mold. Summary of status no other objections received from others.

RESOLVED:

That the actions taken under delegated powers be noted.

84. 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 11.45am)

.....

Chair