

**FLINTSHIRE COUNTY COUNCIL**  
**WEDNESDAY, 30<sup>TH</sup> SEPTEMBER 2009**

Minutes of the Meeting of a Special meeting Flintshire County Council held in County Hall, Mold on Wednesday, 30<sup>th</sup> September 2009.

**PRESENT: Councillor C. Legg (Chairman)**

Councillors: L.A. Aldridge, Eng. K. Armstrong-Braun, J.B. Attridge, S.R. Baker, D. Barratt, G.H. Bateman, E.G. Cooke, D.L. Cox, P.J. Curtis, R. Davies, Mrs A.J. Davies-Cooke, Q.R.H. Dodd, C.J. Dolphin, B. Dunn, Mrs C.A. Ellis, E.F. Evans, J.E. Falshaw, Ms V. Gay, F. Gilmore, R.J.T. Guest, Miss A.M. Halford, R.G. Hampson, G. Hardcastle, P.G. Heesom, Mrs C. Hinds, H.T. Howorth, R. Hughes, H.D. Hutchinson, H.T. Isherwood, G. James, Mrs. C.M. Jones, R.B. Jones, Mrs S. Jones, R.P. Macfarlane, D.I. Mackie, Mrs D.L. Mackie, Mrs N.M. Matthews, D. McFarlane, Mrs H.J. McGuill, M.J. Peers, P.R. Pemberton, N. Phillips, H.G. Roberts, I.B. Roberts, L.A. Sharps, A.P. Shotton, N.R. Steele-Mortimer, A. Woolley, M.G. Wright and Ms H. Yale

**APOLOGIES:**

Councillors: W.O. Thomas, R.C. Bithell, C.S. Carver, J.C. Cattermoul, A.G. Diskin, G.D. Diskin, R. Dolphin, N. Humphreys, R. Johnson, N.M. Jones, A. Minshull, W. Mullin, T. Newhouse, E.W. Owen, M.A. Reece, Mrs.. C.A. Thomas, D.T. Williams, D.I. Wisinger.

**IN ATTENDANCE:**

Chief Executive, Director of Lifelong Learning, Director of Environment, Director of Community Services, Head of Legal and Democratic Services, Head of Finance, Head of ICT and Customer Services and Democratic Services Manager.

**63. PRAYERS**

The meeting was opened by prayers said by the Councillor N. Phillips.

**64. PUBLIC QUESTION TIME**

The Head of Legal and Democratic Services confirmed that there were no public questions.

**65. MINUTES**

**9<sup>TH</sup> JUNE 2009**

**RESOLVED:**

That subject to the inclusion of Councillor Q.R.H. Dodd on the list of those Members present, the minutes of the meeting held on 9<sup>th</sup> June 2009, be confirmed as a correct record.

## **29<sup>TH</sup> JUNE 2009**

### **RESOLVED:**

The minutes of the meeting held on the 29<sup>th</sup> June 2009, be confirmed as a correct record.

## **14<sup>TH</sup> JULY 2009**

The Head of Legal and Democratic Services reported that he had been approached by Councillor C.S. Carver, who was unable to be present today, for an amendment to the Minutes. He referred to the particular section which was on page 36 of the Minutes and contained in paragraph 6.

The Head of Legal and Democratic Services read out the amendments requested by Councillor C.S. Carver. Following a question by Councillor A.P. Shotton, the Head of Legal and Democratic Services advised that the purpose of the minutes was to accurately record the decision but that they were not a verbatim account but reflected the balance of the discussion.

The Head of Legal and Democratic Services also referred to the arrangements agreed prior to the meeting on the 14<sup>th</sup> July which enabled Members to indicate that they had concerns about specific sites to enable them to comment upon the consultation document setting out the amendments to the Unitary Development Plan.

Councillor C. Dolphin concurred with the view of Councillor Shotton and also expressed a view that he did not think the content of that Councillor Carver's suggested amendment was factually correct.

Councillor A.P. Shotton proposed, and was seconded by Councillor E.F. Evans, that the Minutes be approved as they stood.

Councillor M. Peers requested an amendment to the resolution as follows:

"Subject to any matters arising during the consultation period".

The Head of Legal and Democratic Services advised that the resolution was consistent with the recommendation and therefore was factually a correct record of the meeting. However, if Members so desired they could add that as a note to the Minutes.

Councillor K. Armstrong-Braun also supported the views relating to the Minutes and indicated that they were a correct record of the proceedings at that time.

Councillor N.R. Steele-Mortimer proposed, and was seconded by Councillor H. Isherwood, an amendment that the comments of Councillor Carver, as read out by the Head of Legal and Democratic Services, be substituted for the paragraph currently in the Minutes.

On being put to the vote the amendment was LOST.

Therefore the minutes were confirmed as a correct record.

**RESOLVED:**

That the Minutes of the proceedings of the meeting held on 14<sup>th</sup> July 2009, be confirmed as a correct record with the following note.

“Subject to any matters arising during the consultation period”

**23<sup>RD</sup> JULY 2009 - ACCURACY**

**RESOLVED:**

That the Minutes of the meeting held on 23<sup>rd</sup> July 2009, be confirmed as a correct record.

**MATTERS ARISING**

Councillor P.G. Heesom referred to the third paragraph on page 43 of the Minutes and if the Chief Executive could offer any further advice in relation to the subsidy issue. He confirmed that he had been in discussions with the WLGA on this issue.

**24<sup>TH</sup> AUGUST 2009 – ACCURACY**

It was noted that due to typographical error a number of Members had been excluded from being present when in fact they were in attendance. It was agreed that this would be amended on the master copy of the Minutes in the formal record.

**RESOLVED:**

That subject to the list of Members being amended to include those Members present, the Minutes of the meeting held on 24<sup>th</sup> August 2009, be confirmed as a correct record.

**66. DECLARATIONS OF INTEREST**

There were no declarations of interest at this stage.

**67. THE LATE COUNCILLOR M. HIGHAM**

The Chairman reported that this was the first meeting of the Council since the sad loss of Councillor M. Higham and Members stood as a mark of respect. The Chairman led the tributes to Councillor Higham referring to the great loss of a Councillor and a great friend. He felt it was important to remember all the good work that Councillor Higham had undertaken and that it should not be lost and projects which he had started should continue to move forward. He referred, in particular, to the Flintshire Business Week and that there were now many gaps in the timetables following Councillor Higham's sad loss and Members should do all they could to ensure the success of this event. On behalf of the various Groups, Members spoke in glowing terms of the late Councillor Higham.

Councillor L.A. Sharps who had known Councillor Higham for many years and was a close family friend, paid his own personal tribute. He was supported by Councillors A. Woolley, A.P. Shotton, N.R. Steele-Mortimer, P.G. Heesom, S.R. Baker, H.G. Roberts, K. Armstrong-Braun, L.A. Aldridge, M. Peers and C.A. Ellis.

The Chief Executive also paid his tribute on behalf of the whole staff of the County Council.

**68. PRESENTATION – YOUTH OFFENDING TEAM**

Ray Dixon, the Head of the Youth Offending Team and colleagues, had been invited to the meeting of receive the congratulations of the County Council. The Youth Offending Team had received a five star performance rating awarded by the Youth Justice Board of England and Wales and they were the only team to do so.

The Chief Executive gave some background information on the award and what an excellent achievement it was. Members of the Council also expressed their gratitude for such a fine achievement and conveyed their personal thanks. The Executive Member for Social Services paid her own personal tribute to the effort and acknowledged the national standing of the Youth Offending Team.

Mr Ray Dixon responded by thanking the Council for the invitation to attend and paid tribute to the whole team who had achieved this award.

**RESOLVED:**

That the Council's acknowledgement of the excellent work undertaken by the team, be formally recorded.

**69. NOTICES OF MOTION**

**(a) COASTAL BY-PASS**

The following Notice of Motion had been submitted by Councillor L.A. Sharps.

“That this Council calls upon all North Wales Assembly Members, both directly and regionally elected to support the case for a Coastal by Pass which, in essence would start from the new Flintshire Gateway (RAF Sealand) and would link into the carriageway in the proximity of Kimberly Clark in Flint. Such a Scheme would significantly improve the flow of traffic through all Coastal towns, including Queensferry, Shotton, Connah’s Quay, Oakenholt and Flint Town Centre.

There is approximately £60 million pounds of investment set aside by the Welsh Assembly Government and its allocation to Flintshire would provide the following benefits:

- Job creation and employment opportunities which will benefit amongst others, local quarries, builders merchants, local labour, hauliers and bed and breakfast/guest house establishments,
- Environmental benefits i.e. recovery of land for recreational use
- Flood risk alleviation to low lying properties
- Tourism right through to Pensarn/Abergele
- Access into the former Castle Works land which is a major redevelopment prospect

These are but a few of the benefits that could be achieved. Furthermore this allocated sum of money that was designated for the A494 should be re-allocated to the County for this very necessary scheme”.

Since the despatch of the Agenda, Councillor L.A. Sharps had suggested an amendment to the original Notice of Motion. It was necessary for the Council to agree to accept the amended Notice of Motion because the original had been identified on the Agenda. Councillor L.A. Sharps read out his proposed amendment as follows:

“That this Council calls upon ALL North Wales Assembly Members to support the case for a coastal by-pass and an inland Deeside strip traffic alleviation scheme to include Queensferry, Shotton, Connah’s Quay, Oakenholt and Flint. Also, Greenfield and Mostyn.

In this way, all traffic improvement schemes will be co-ordinated under partnership working between the Assembly and with neighbouring Counties.”

The Council accepted this amendment for discussion. Councillor L.A. Sharps expanded upon the points in his Notice of Motion and particularly the positive effects he felt that it would have on the tourism and the economy generally, not only in Flintshire but throughout North Wales.

Councillor A.P. Shotton welcomed the debate and acknowledged there could be benefits with the suggestion. However, he gave Notice of an amendment. He was concerned in relation to the proposal of an inland route and in this respect, referred to the recent Inquiry of the highway at Aston Hill and the significance to the A55 and A548. He felt it was necessary for a more detailed study to be undertaken in the wider sense with the effect on all the highways.

Councillor A.P. Shotton therefore proposed that the first paragraph in the Motion be amended to read as follows:-

*“That this Council, in conjunction with the Welsh Assembly Government and Taith combines in a study of strategic road issues affecting Flintshire including the A55, the A548 link and including the significant traffic control problems”.*

Councillor L.A. Aldridge referred to the history of the proposal in relation to the various routes and the action undertaken by the former Clwyd County Council. He also reminded the Council on the outcome of the Flint By-Pass Inquiry. He expanded upon the points relating to the complexity and volume of traffic which affected not only the roads within Flintshire but the wider routes including the M56, A55, A550 and the M6. The benefit of an improvement of the coastal route would not just be for Flint but would be the feeder route for the whole coastal strip as far as Pensarn. He concurred with the view that if there was funding available for infrastructure work then it would be beneficial for all the Assembly Members to be on board to achieve the best solution for Flintshire and beyond.

Councillor P.G. Heesom confirmed that there was a need for a united statement on this issue and commented upon the wider planning issues. He referred to the issues of climate change and the economic and environmental issues. Councillor Heesom also commented upon the need for trunking the A548 and the positive affect this would have on the coastal strip.

Councillor I.B. Roberts indicated that he would support proposals to assist with the flood defence for the Flint area, however, he could not support the Motion as submitted by Councillor L.A. Sharps. In expanding upon the points raised earlier, he supported the need for a strategic review of all the routes and that all options, for all roads, in the area should be considered and he felt that it could not be done in isolation. By way of example, he commented upon the difficulty in seeking an extension to the cycle link in Flint.

Councillor M. Wright supported the principle of Councillor L.A. Sharps' Motion and he acknowledged the congestion of the Deeside strip and the necessity for the A55 in bringing trade through North Wales. He also acknowledged the points raised in relation to coastal protection.

Councillor H.T. Howorth in supporting the views of Councillor I.B. Roberts referred to the gas terminal at Talacre and Connah's Quay power station and the strength of the environmental lobby. He referred to the RAMSA and SSSI sites in this area and the significance of these when the Flint By-Pass was proposed.

Councillor K. Armstrong-Braun supported the principles of Councillor A.P. Shotton's amendment and the need for a comprehensive study. Councillor. J.B. Attridge sought clarification on the Motion whether the reference was to the Aston Link Road.

Councillor H.G. Roberts referred to the importance of road links to the Mostyn Docks. Councillor P.J. Curtis reported upon the strength of the environmental lobby and felt that the issue needs to be looked at in its entirety.

In summing up, Councillor L.A. Sharps stressed that the thrust of his argument was for all AM's to have the same aim and to be working together for the benefit of Flintshire. He was not specific about any roads and certainly not the Aston By-Pass.

The Chairman then put the amendment to the Council and on being put to the vote it was LOST.

Members then continued the debate the original Motion. Councillor A.P. Shotton, indicated that for him to support the Motion, he required to know more about specific routes and the related implications. He suggested that a submission of the Motion at this stage was ill timed.

Councillor R.J.T. Guest expressed sympathy with the views expressed by Councillor A.P. Shotton and felt that there were wider issues to be discussed and suggested that it may be appropriate for the Motion to be withdraw.

Councillor D. Barratt, as the Local Member for Connah's Quay South, commented upon the effect in his area for any inland route.

Councillor L.A. Aldridge felt that the suggestion by Councillor Guest offered a solution whereby a feasibility study could be requested from the Minister and then the necessary advice could be obtained.

Councillor L.A. Sharps went on to comment that it was unfortunate that the debate had gone in a certain way when he stressed again that he was not being specific about any road and certainly not being specific about any site such as Plough Lane or anything similar.

In the circumstances, the amended Motion was put to the Council and was CARRIED.

**RESOLVED:**

That this Council calls upon all North Wales Assembly Members to support the case for a coastal by-pass and an inland Deeside strip traffic alleviation scheme to include Queensferry, Shotton, Connah's Quay, Oakenholt, Flint, Greenfield and Mostyn. In this way all traffic improvement schemes would be co-ordinated in a partnership working between the Assembly and with neighbouring Counties.

Councillor K. Armstrong-Braun wished it to be recorded that he voted Against this decision.

**(b) GRASS CUTTING**

The following Notices of Motion have been submitted by Councillor Q.R.H. Dodd.

“In view of the problems of meeting the costs of grass cutting faced by this Council, the Executive is urged to adopt a scheme as in use in other authorities to promote the sponsoring of Flintshire roundabouts by local commercial interests”.

Councillor Q.R.H. Dodd requested the withdrawal of this Motion and this was accepted by the Council.

**RESOLVED:**

That the Notice of Motion be withdrawn

**(c) POROUS SURFACES**

“In view of the effect of a change in the pattern of rainfall causing more and more flash flooding this Council asks the Planning Committee to consider incorporating a condition on all future planning permissions for housing and industrial developments that the areas immediately adjoining the front and rear of the property require a porous surface”.

Councillor Q.R.H. Dodd indicated that he had included this item as a Notice of Motion with a view to stimulating the debate to try and alleviate flooding issues. Councillors M. Wright and K. Armstrong-Braun supported Councillor Dodd and Councillor A.P. Shotton also confirmed his support of the principle. There was a general agreement in the points raised by Councillor Dodd and it was therefore agreed that it would be referred to the Planning Committee for consideration.

**RESOLVED:**

That the Planning & Development Control Committee be requested to consider the following “in view of a change in the pattern of rainfall causing more and more flash flooding, this Council asked the Planning Committee to consider



incorporating a condition in all future planning permissions for housing and industrial development that the areas immediately adjoining the front and rear of the property require a porous surface.

**(d) TRAFFIC CALMING**

“This Council calls on the Executive to introduce a new policy on traffic calming. The requirements of such policy will include:

- (a) A presumption that subject to financial ability,
- (b) Full consultation with all the local residents affected.
- (c) A scheme suitable to the needs of that location can be devised.
- (d) The support of the Local Member

traffic calming will be provided”.

Councillor L.A. Sharp, as the Executive Member for the Environment, indicated that this was a time for the issue to be addressed and that a report would be submitted to the Executive in due course.

**RESOLVED:**

That it be noted that a report on this issue will be submitted to the Executive.

**70. CHAIRMAN'S COMMUNICATIONS**

The Chairman indicated that he had left the detailed list of all the events he had attended in the Members Library. However, he felt it was appropriate for him to identify three specific visits. He indicated that he was honoured to be present at the opening of the Special Schools in Flint by the First Minister for the Welsh Assembly Government, he felt this was a wonderful achievement for the Council and provided a very worthwhile facility. He paid tribute to the Members directly involved in the current and previous administrations. This view was very much supported by Members.

He also referred to the Flintshire Achievers Award and what an emotional event this was. Councillor Carol Ellis as the Executive Member for Social Services very much concurred with this view and suggested that if any Members wished to attend the presentation evening they would be more than welcome to do so.

The Chairman also referred to his visit to Llys Eleanor and again what a wonderful achievement it was for the Council. Again, Members very much supported this view and thanked the Chairman for giving such a thorough resume of these events.

**71. PETITIONS**

Councillor E.F. Evans submitted a Petition on behalf of the residents of Fifth Avenue, Flint in relation to the appearance of Flint High School.

**72. QUESTIONS FROM MEMBERS ON COMMITTEE MINUTES**

The Head of Legal and Democratic Services reported that there were no questions on Committee Minutes.

**73. QUESTIONS**

There were no questions submitted in accordance with County Council Standing Order Number 9 (a).

**74. STATEMENT OF ACCOUNTS 2008/09**

The Council considered the report of the Head of Finance, the purpose of which was to seek Members approval on the Financial Statement of Accounts for 2008/09.

The Head of Finance reported, that at its meeting held on 29<sup>th</sup> June 2009 Members received a recommendation from the Audit Committee and approved and adopted the Statement of Accounts for 2009/09 (subject to audit). The Council was informed that the audit of the 2008/09 accounts had now been completed and a Statutory Closure Audit Notice would be reported in the press in due course.

It was noted that as part of the Final Accounts process, PriceWaterhouse Coopers presented to the Audit Committee on 28<sup>th</sup> September 2009 the report "ISA 260 – Communication Awarding Matters to those charged with Governance" the ISAA (International Standing Awards) 260 requires the auditor to communicate relevant matters relating to the audit of the Financial Statement of those charged with Governance of the entity.

The Head of Finance reported that during the audit a number of changes to the draft Statement of Accounts had been agreed with PriceWaterhouse Coopers and these had been incorporated into the final document. It was also explained that a number of audit items remained unadjusted on the basis of materiality.

The Head of Finance confirmed that the Audit Committee had not recommended any changes to the documents. Councillor I.B. Roberts, in his capacity as the Chairman of the Audit Committee, was pleased to move the acceptance of the Accounts and in doing so commented upon the thoroughness of the work undertaken by the Audit Committee in considering the Statement of Accounts. He also expressed his thanks to the Head of Finance and her staff together with the external auditor for their efforts in bringing the Statement of Accounts together. The proposal was duly seconded by Councillor E.F. Evans.

The Leader of the Council also commented that he was pleased to accept the recommendation of the Audit Committee and commented upon its important role in the process.

**RESOLVED:**

That the Statement of Accounts for 2008/09, be approved.

**75. DELEGATION SCHEME – PLANNING AND DEVELOPMENT CONTROL**

The Council considered the report of the Monitoring Officer, the purpose of which was to consider recommendations made by the Constitution Committee for the amendments to the existing Delegation Scheme to the Head of Planning. The Monitoring Officer reported that at its meeting held on 17<sup>th</sup> July 2009, the Planning Protocol Working Group considered the existing Delegation Schemes to the Head of Planning. The review of Delegated Powers was not yet complete and further consideration will be given to general Delegated Powers at the next meeting of the Working Group. However, the Council was informed that the Planning Protocol Working Group agreed to recommend specific amendments to the scheme to be adopted ahead of the completion of the review. These were fully detailed in the report.

**RESOLVED:**

- (a) That the amendment to the Scheme of Delegation set out in paragraph 2.03, be approved and
- (b) That the Monitoring Officer make the necessary amendments to the Constitution.

**76. SEALING OF DOCUMENTS**

**RESOLVED:**

- (a) That the Chairman and Vice-Chairman, the Head of Legal and Democratic Services and Principal Solicitor be authorised to affix the Common Seal of the County Council between meetings of the County Council.
- (b) That the action of the Chairman and Vice-Chairman, Head of Legal and Democratic Services Officer and Principal Solicitor in affixing the Common Seal of the County Council as set out in the Seal Register Number 11027 – 11846, be noted.

**77. SEMINAR – WLGA**

The Head of Finance reported that prior to the County Council meeting on 27<sup>th</sup> October 2008, representatives of the WLGA would be attending to make a presentation on Finance. This would be at 1.00 pm with the County Council meeting put back until 3.00 pm.

**78. ATTENDANCE BY THE PRESS AND PUBLIC**

There were two members of the press in attendance.

**79. DURATION OF THE MEETING**

The meeting commenced at 2.00 pm and finished at 4.30 pm.

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Chairman

**SUMMARY OF DECLARATIONS MADE BY MEMBERS**  
**IN ACCORDANCE WITH FLINTSHIRE COUNTY COUNCIL'S**  
**CODE OF CONDUCT**

<b>FLINTSHIRE COUNTY COUNCIL</b>	<b>DATE:</b>	<b>30<sup>th</sup> SEPTEMBER 2009</b>
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<b>MEMBER</b>	<b>ITEM</b>	<b>MIN. NO. REFERS</b>
NO DECLARATIONS WERE MADE		