

TO: ALL MEMBERS OF THE COUNCIL

Your Ref /
Eich Cyf

Our Ref / Ein Cyf MT

Date / Dyddiad 24/09/2009

Ask for / Gofynner am Mike Thomas

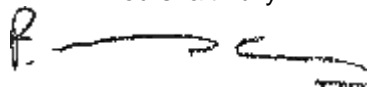
Direct Dial / Rhif Union 01352 702324

Fax / Ffacs

Dear Sir / Madam,

A **SPECIAL MEETING OF THE FLINTSHIRE COUNTY COUNCIL** will be held in the **COUNCIL CHAMBER, COUNTY HALL, MOLD** on **WEDNESDAY, 30 SEPTEMBER 2009** at **14:00** to consider the following items.

Yours faithfully



Assistant Director (Democratic Services)

A G E N D A

1. **PRAYERS**
2. **APOLOGIES FOR ABSENCE**
3. **PUBLIC QUESTION TIME**
4. **MINUTES**
To confirm as a correct record the minutes of the meetings held on 9th June, 29th June, 14th July, 23rd July and 24th August, 2009 (copies enclosed).
5. **DECLARATIONS OF INTEREST**
6. **THE LATE COUNCILLOR M. HIGHAM**

County Hall, Mold. CH7 6NA
Tel. 01352 702400 DX 708591 Mold 4
www.flintshire.gov.uk
Neuadd y Sir, Yr Wyddgrug. CH7 6NR
Ffôn 01352 702400 DX 708591 Mold 4
www.siryfflint.gov.uk

7. **PRESENTATION - YOUTH OFFENDING TEAM**

A presentation will be made to the Youth Offending Team for their Five Star Rating Award by the Justice Board for England and Wales.

8. **NOTICES OF MOTION**

The following Notice of Motion has been received from Councillor L.A. Sharps:

COASTAL BY PASS

"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 & 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."

The following Notices of Motion have been received from Councillor Q.R.H. Dodd:

(1) GRASS CUTTING

"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."

(2) 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."

(3) 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 will 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."

9. **CHAIRMAN'S COMMUNICATIONS**

10. **PETITIONS**

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

The Minute Books, Editions 1 & 2 have been circulated to Members. Members are now entitled to ask questions on these minutes, subject to certain limitations and answers will be provided at the meeting. Members are requested to bring to the meeting their copy of the Minute Books. Any questions must have been received by the Assistant Director (Democratic Services) by 5.00 p.m. on Thursday 24th September, 2009.

12. **QUESTIONS**

To note the answers to any questions submitted in accordance with County Council Standing Order No. 9.4(A).

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

Report of Head of Finance enclosed.

Members are requested to asked to bring with them to the Meeting the report circulated with the papers for Audit Committee scheduled for 28th September, 2009.

14. **DELEGATION SCHEME - PLANNING & DEVELOPMENT CONTROL**

Report of Monitoring Officer enclosed

16. **SEALING OF DOCUMENTS**

(A) To authorise the Chairman and Vice-Chairman, the Head of Legal and Democratic Services Officer and Principal Solicitors to affix the Common Seal of the County Council between meetings of the County Council.

(B) To note the Action of the Chairman and Vice-Chairman, the Head of Legal and Democratic Services Officer and Principal Solicitors in affixing the Common Seal of the County Council as set out in the Seal Register No. 11027 - 11846.

FLINTSHIRE COUNTY COUNCIL

9th JUNE 2009

Minutes of the Meeting of Flintshire County Council held in County Hall, Mold on Tuesday 9th June 2009.

PRESENT: Councillor C. Legg (Chairman)

Councillors: L.A. Aldridge, Eng. K. Armstrong-Braun, J.B. Attridge, D. Barratt, G.H. Bateman, C. S. Carver, Mrs J.C. Cattermoul, D.L. Cox, P.J. Curtis, R. Davies, Mrs A.J. Davies-Cooke, A.G. Diskin, Mrs G.D. Diskin, C.J. Dolphin, Mrs R. Dolphin, B. Dunn, Mrs C.A. Ellis, E.F. Evans, J.E. Falshaw, Ms V. Gay, F. Gillmore, R.J.T. Guest, Miss A.M. Halford, R.G. Hampson, G. Hardcastle, P.G. Heesom, M. Higham, Mrs C. Hinds, R. Hughes, Mrs N. Humphreys, H.D. Hutchinson, H.T. Isherwood, G. James, Mrs C.M. Jones, Mrs N. 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, W. Mullin, T. Newhouse, E.W. Owen, M.J. Peers, P.R. Pemberton, N. Phillips, H.G. Roberts, I.B. Roberts, L.A. Sharps, A.P. Shotton, N.R. Steele-Mortimer, Mrs C.A. Thomas, W.O. Thomas, D.T. Williams, D.E. Wisinger, A. Woolley, and Ms H. Yale

APOLOGIES:

Councillors: S.R. Baker, R.C. Bithell, E.G. Cooke, H.T. Howorth, R. Johnson, Mrs A. Minshull and M.G. Wright

IN ATTENDANCE:

Chief Executive, Head of Legal and Democratic Services, Head of Finance, Director of Lifelong Learning, Director of Environment, Director of Community Services, Head of ICT and Customer Services, Head of Human Resources, Corporate Finance Manager, Head of Corporate and Capital Accounting, Head of Overview and Scrutiny, Democratic Services Manager and Principal Administration Officer

11. PRAYERS

The meeting was opened by prayers said by the Chairman's Chaplain.

12. PUBLIC QUESTION TIME

In accordance with the adopted procedure, Jennifer Smith of Preswylfa, Ffordd Y Rhos, Treuddyn had given notice of a question to be addressed during Public Question Time. Ms Smith attended the meeting and asked the following question:-

"My question relates to the setting of appropriate speed limits in Flintshire. I am a community councillor in Treuddyn where the council has been trying to get a reduced speed limit on the A5104 through the parish for 10 years. We have the support of Carolyn Thomas FCC, Carl Sargeant AM, Mark Tami MP and then Police. Residents have recently mounted their own poster campaign which seems to be having the desired effect but is not a long term solution.

I am aware that legislation on "Setting Local Speed Limits" is currently pending at WAG. I made a submission to the consultation for this legislation nearly a

year ago. Over the 10 years that we have been waiting for a reduced speed limit to be applied, residents have been given one excuse after another. The current excuse is that nothing will be done until after the legislation has been passed even though I have been assured by Carl Sargeant that there is no reason why action cannot be taken before this. I would like to ask:

What action has FCC taken during the period while we are waiting for the “setting local speed limits” legislation, to safeguard the health and safety of Flintshire residents by reviewing and applying appropriate speed limits in the county?

I would then like to ask a supplementary question”

The Executive Member for the Environment responded as follows:-

“The ‘Setting of Local Speed Limits’ document was first published for the English Counties in January 06 (01/06) and became operational at that time.

The WAG proposed to amend the 01/06 document to cater for the more local issues relevant to Wales.

A draft document was circulated by WAG in Summer 08, for consultation with Authorities, Local Members and Community Councils. Comments were returned by 29th August 2008. These documents were then to be considered, and if appropriate, changes made to the document. Latest indications are that the document has been finalised, but yet to gain ministerial approval at WAG. This is now expected late Summer/early Autumn.

Since January 2006, Flintshire has introduced three new speed limits as follows:-

1. A548 Llanerch y Mor (40 mph)

This was a safety scheme, to provide a puffin pedestrian crossing by the Abakhan retail outlet, and provide consistency of speed limits on this section of road.

2. A5104 Saltney/Sandy Lane (30 mph)

This was the conversion of an existing 40 mph to 30 mph, in an urban situation, and where the road passes the High School.

3. A541 Hendre (40 mph)

This was a safety scheme to reduce vehicle speeds just to the west of Hendre, where accidents had occurred at the junction of Dolfechlas Road, a ‘stop’ sign controlled junction onto the A541. No other solution to the junction problem was possible, without demolition of property.

There is also currently a proposal to reduce the speed limit through Rhydymwyn (40 mph) following a spate of accidents, including three involving fatalities.

Whilst the current guidelines (Circular 1/93) would class the section of the A5104 at Treuddyn as rural, and hence unrestricted, the new guidelines, if broadly following the 'English' version, may recommend a reduction based on such factors as number of junctions and horizontal alignment, together with the current accident rate.

We have been consistent in applying the current policy in all requests for speed limit revisions.

In accordance with the agreed procedure Ms Smith asked a supplementary question in doing so thanked the Executive Member for his answer and was pleased that some action had been taken. Her concern was for Treuddyn and she quoted examples of recent road accidents in the area. She sought an assurance that when the Legislation was in place if there was funds available to meet this work. The Executive Member indicated that when the bill did become law consultation would be undertaken with Highways representatives and representations from the Police would be considered. Every effort would be made to undertake the work as soon as possible.

13. COUNCIL MINUTES

(a) 17th February 2009

1. Accuracy

RESOLVED:

The minutes of the meeting held on 17th February 2009 be approved as a correct record and signed by the Chairman.

2. Request for Information

Councillor J.B. Attridge referred to the reference for his request for information in relation to post office closures and advised that it had still not been received. The Chief Executive confirmed that information would be supplied by the end of the week.

(b) 3rd March 2009

RESOLVED:

That the minutes of the meeting held on 3rd March 2009 be approved as a correct record and signed by the Chairman.

(c) 31st March 2009

1. Accuracy

Declarations of Interest

Councillor I.B. Roberts and N.M. Humphreys advised that they had each declared an interest in respect of the Clwyd Pension Fund and Councillor C. Thomas in respect of Single Status.

RESOLVED:

That subject to these amendments, the minutes of the meeting be confirmed as a correct record and signed by the Chairman.

(d) 7th April 2009

RESOLVED:

That the minutes of the meeting held on 7th April 2009 be approved as a correct record and signed by the Chairman.

(e) 24th April 2009

RESOLVED:

The minutes of the meeting be held on 24th April 2009 be approved as a correct record and signed by the Chairman.

(f) 12th May 2009

RESOLVED:

That subject to

- (a) the name “Yale” being included instead of “Gambino”;
- (b) the addition of the words “special responsibility allowances” after the words “Panel for” in the second paragraph on page 69;
- (c) the addition of the words “basic and special responsibility” in substitution for the word “all” in paragraph (a) of the resolution on page 69;
- (d) that the minutes of the meeting held on 12th May 2009 be approved as a correct record and signed by the Chairman.

14. DECLARATIONS OF INTEREST

Councillors: J.B. Attridge, E.F. Evans, M. Higham, E. Owen and C. Jones declared an interest in the items in relation to “Welsh College of Horticulture”. The Monitoring Officer advised that they were personal but not prejudicial interests. Councillor G. James declared a personal and prejudicial interest in respect of the Capital Programme 2009/10 to 2012/13 as he was a contractor for the Council.

15. NOTICES OF MOTION

No notice of motion had been submitted.

16. CHAIRMAN’S COMMUNICATIONS

Details of the Chairman’s communications had been circulated.

17. PETITIONS

Councillor R.J. Guest submitted a petition on behalf of Councillor S. R. Baker who had given his apologies for this meeting. The issue related to a request for the speed bumps on Pen y Maes Road, Holywell not to be replaced following resurfacing work. The petition would be passed to the Director of Environment.

18. QUESTIONS FROM MEMBERS ON COMMITTEE MINUTES

There were no questions.

19. QUESTIONS

- (a) The following Question had been received from Councillor I.B. Roberts in accordance with County Council Standing Order No. 9.4(A):-

“Could the Chief Executive please show the number of Flintshire schools who are making cuts in teaching posts at the end of this school year, and the number of posts to be lost. The information to be given as a figure for the county by phase not by individual school.

The Director of Lifelong Learning had provided the following response:

- 11 teachers offered early retirement on grounds of redundancy.
- 12 schools (3 secondary) nominating teachers for compulsory redundancy.
- 3 primary schools have also stated that they are not replacing vacancies

Schools have been required to undertake steps to reduce staffing for the following reasons:

- Reduction in Post 16 grant funding and loss of RAISE grant from the Wales Assembly Government;
- Falling pupil numbers resulting in a budget reductions in some schools
- Some schools spending remaining balances and therefore having no reserves to deploy to retain staffing at previous levels”.

- (b) The following question has been received from Councillor I.B. Roberts:-

“A considerable amount of patronage is exercised by the County Council in its use of hotels and conference venues within the County. Will the Chief Executive please supply the following information:-

1. The names and number of times each Flintshire and external venue, including out of County, has been used from 1st October 2008 to 31st March 2009. (This information to be supplied for each Directorate and for the Council as a whole). This should include expenditure by Communities First.
2. The money expended using each venue from all sources, including external funding where booked by Flintshire County Council employees, for the same dates.

3. The cost of a days conference at each location.
4. The procedure for staff to ensure best value when organising events at outside locations.
5. Any tendering procedures that are in operation.
6. The Council policy on using external locations.
7. The in-house locations that are available and their relative costs.

The following information has been prepared:-

(a) **Community Services**

Venue	Room Hire	Delegate cost	No of Events	Total Spend
St Deniol's Library		£23.00	4	£825.00
Beaufort Park		£27.00	*14	£8,626.40
Gateway to Wales Hotel		£24.00	7	£3,019.68
Plas Hafod Hotel		£19.00	**43	£9,294.32
Holiday Inn		£23.50	2	£742.08
Mountain Park	£30.00		1	£30.00
			Total	£22,537.48

* includes 2 large tenant conferences

** includes 25 training courses

Date	Conference	Exc Vat	Information
24/02/2009	Tenants Conference	4404.52	140 delegates over 1 day/ four rooms hired inclusive of Equipment hire
28/09/2008	Tenants Conference	1034.51	26 delegates over 2 days.
<u>Total</u>		<u>5439.03</u>	

(b) **Environment Directorate**

Service	Venue	Function	Cost
<i>Planning</i>	Beaufort Park Hotel	Public Inquiry - Parry's Quarry	£2700.00
	Edith Memorial Hall	Public Inquiry - Llinegar Ffynnongroyw	£125.00
	Buckley Town Hall	Hearing - West Pennine Alltami	£50.00
	Beaufort Park Hotel	Public Inquiry - Milford Street	£1350.00
	St Matthews Church Hall	Pre-Inquiry Planning Meeting	£40.00
	Beaufort Park Hotel	Planning Public Inquiry Parrys Quarry Landfill (2 separate events)	£4000.00
	St Matthews Church Hall (cancellation)	Cancellation fee	£120.00
	Rhydymwyn Football Club	Public Liaison Meeting	£50.00
<i>Technical Services</i>	NIL		
<i>Highways & Transportation</i>	NIL		
<i>Public Protection</i>	NIL		
<i>Regeneration</i>	Welsh College of Horticulture	Rural Development Plan Promotional Event	£244.00
	Talacre Beach Caravan Park	Rural Development Plan Roadshow	£70.00
	The Old Mill Guest Accommodation	Rural Development Plan Roadshow	£150.00
	Beaufort Park Hotel	Rural Development Plan Roadshow	£136.80
	The Royal Oak Inn, Higher Kinnerton	Rural Development Plan Roadshow	£29.00
	Beaufort Park Hotel	North Wales Borderlands Partnership	£382.61
	Theatre Clwyd	Country wide feedback event	£469.40
	Connahs Quay Civic Hall	Town Action Plan Workshop	£40.50
	Gateway to Wales Hotel	Shop Doctor project (two evenings)	£624.00
	Springfield Hotel	Shop Doctor (two evenings)	£600.00

(c) **Corporate Services**

Venue	Function	Events	Cost
Beaufort Park Hotel	WLGA Fast Track Training	1	£352.17
Beaufort Park Hotel	Corporate Training	1	£119.83
Caerwys Memorial Hall	Member Training	1	£12.00
Mold Town Council	Member Training	1	No charge
Connah's Quay TC	Member Training	1	No charge
Mostyn Community Centre	Member Training	1	£35.00
Connah's Quay Community Centre	County Forum – meeting the Town & Comm Councils	1	£41.00
Edith Banks Memorial Hall, Northop Hall	County Forum – meeting the Town & Comm Councils	1	£25.00

(d) Lifelong Learning

	Full Year	October to March			
	Including Children's Original Figure £	Children's Service (ASC) # of invoices	Cost £	Lifelong Learning # of invoices	Cost £
Beaufort Park Hotel, New Brighton	74,717.74	16	1,887.33	63	29,725.74
Mountain Park, Flint	3,177.53	1	64.35	8	1,422.04
Holiday Inn, A55	16,904.00	13	5,355.02	19	7,138.54
Northop Country Park Hotel	6,658.95	6	1,442.52	0	0.00
Plas Hafod Hotel, Gwernymynydd	5,536.89	10	2,917.91	0	0.00
St David's Park, Hawarden	218.78	0	0.00	1	218.78
St Deniol's Library, Hawarden	4,459.59	5	1,098.80	8	995.63
Cornist Hall, Flint	251.00	2	146.75	0	0.00
Total	111,924.48	53	12,912.68	99	39,500.73

* Please note these costs could include speaker accommodation and other training expenditure at the hotel.

4. Corporate Management Team has considered recommendations supporting the production of a protocol for booking training and conference facilities. A list of potential internal and external venues is to be collated by the Procurement Section and made available to all Directorates.
5. The Communities Directorate have undertaken a tendering exercise in relation to conference/meeting facilities and the prices tendered are shown in the above table.
6. The choice of venue is dependent upon the type of function involved. Large planning inquiries or tenants conferences require appropriate accessible facilities including the availability of refreshments. These are not always available internally and sometimes it is more conducive to arrange functions at external venues. The Council does not have suitable accommodation for some types of function.

However, CMT wish to rationalise the use of available venues so that if an internal venue is either unavailable or inappropriate for the type of function intended consideration should be given to venues operated by other public bodies or organisations. Where they are not appropriate or unavailable then consideration should be given to private sector venues. A database of venues needs to be compiled with details of facilities available at each venue and their costs eg. Welsh College of Horticulture and Deeside College. It should be recognised that the use of external private facilities does help to support the local economy.

7. There has been an ever increasing demand for internal venues over the years and rooms are often booked up for many months ahead. The Council Chamber is not ideal for informal meetings, conferences or training days and rooms at Clwyd Theatre Cymru are not always available.

The rooms available at County Hall are:

Council Chamber, Delyn Room, Clwyd Room, Alyn & Deeside Room, Conference Rooms 1 & 8, Meeting Rooms 6 & 7 – for public meetings only, Meeting Room 5 – available in school holidays only, Video Conference Room – all these rooms can be booked via Members' Services and are free of charge for internal directorates but can only accommodate a small number of people.

Other informal rooms free of charge within County Hall include – Legal & Democratic Services Conference Rooms on 3rd and 4th floors, Audit Meeting Room, Finance Meeting Room, ICT Meeting Room, Phase 4 – Wheeler Conference Room, Dee Room, Alyn Room, Conference room A, Phase 3 – Conference Room B. Again these rooms are small and not appropriate for meetings where a number of visitors are expected to attend.

County Offices, Flint – Committee Room 2, Management Meeting Room and the Technical Services Meeting Room.

Clwyd Theatre Cymru – Clwyd Room at £150 for 4 hours including VAT, Haydn Rees Room £80 for 4 hours including VAT and Subscribers Room at £75 for 4 hours including VAT”.

20. WELSH COLLEGE OF HORTICULTURE (WCOH) – REPORT 1 – CONSULTATION ON THE AMALGAMATION OF THE WCOH AND DEESIDE COLLEGE

The joint report of the Chief Executive and the Director of Lifelong Learning was submitted, the purpose of which was to report upon the response made by the Council on the proposed amalgamation of the Welsh College of Horticulture and Deeside College.

The Chief Executive explained that this was one of two reports and the other set out a programme for partnership working with the Welsh College of Horticulture. The Council was informed that the Governing Bodies of Further Education Corporations of Deeside College and the Welsh College of Horticulture had agreed to propose to the Welsh Assembly Government that the two colleges should merge. The governing bodies had issued a consultative document which set out the context rationale and anticipated benefits of the proposed merger. The document was intended to draw informed comment from key partners, learners, staff, employers and the local community. The colleges were committed to being sensitive to matters raised during the process and would seek to reflect them in the merger proposal to be submitted to the Welsh Assembly Government. All elected members had received a copy of the consultation document. Both governing bodies had strong views on the positive aspects of the merger and these were detailed in the report. The governing bodies agreed that a merger may best be achieved by dissolving the Corporation of the Welsh College of Horticulture and transferring its further education operations, property, rights and liabilities to the Corporation of Deeside College. There would also be a simultaneous land transfer as part of the Northop Estates to Glyndwr University to enable the development of the university campus. The Council was informed that this was a commitment within both colleges and the university and that the merger would be carried out in a collaborative spirit and take advantage of the strength of all partners with the operative date being 1st August 2009. The report expanded upon the operational aspects of this merger and set out the wide consultation involved.

Attached to the report were letters to the Chairs of the Governing Bodies of Deeside College and the Welsh College of Horticulture setting out the corporate response of the Council to the proposed merger indicating support based upon specified grounds and the need for assuming that certain principles were to be observed during the development and implementation of plans. The Chief Executive advised that there had been no objections to the Council's response.

Councillor A.P. Shotton welcomed the report and noted that through the efforts of the Council this issue had become the subject of a public debate. He felt the proposed merger would be of great benefit and provide an excellent educational service. Councillor Shotton enquired if there was any landholdings owned by the Council. Councillor K. Armstrong-Braun acknowledged the excellent work of the Horticultural College in relation to work with the environment.

Councillor L.A. Sharps associated himself with the comments of Councillor A.P. Shotton and was pleased that the colleges had agreed to work together. In pursuing the point raised by Councillor Shotton on landholdings, he expressed his disappointment that previous authorities had disposed of valuable assets. The Head of Legal and Democratic Services advised when the college had been created the land had been automatically transferred to it through Primary Legislation. However, he agreed to check to ascertain whether any parcels of land remained in Council ownership. Councillor Q.R.H. Dodd also commented on the possibility of unallocated land and the adequacy of the Celyn Bridge for future additional uses. He felt that early attention to access arrangement for the land was important.

Members acknowledged the role of the Chief Executive in reaching this stage.

RESOLVED:

- (a) That the Council continue its support for the amalgamation of the two colleges over a period of time to ensure the future of the Welsh College of Horticulture and to protect its continuation at Northop as set out in the letters attached to the report providing the Council's corporate response to the consultation.
- (b) That the Council supports continuing involvement in developing further education and Higher Education developments at the Welsh College of Horticulture; and
- (c) That the Council supports further consideration of land use and development of the campus.

21. WELSH COLLEGE OF HORTICULTURE (WCOH) – REPORT 2 – PROGRESS ON PARTNERSHIP WORKING WITH THE WELSH COLLEGE OF HORTICULTURE, DEESIDE COLLEGE AND GLYNDWR UNIVERSITY

The joint report of the Chief Executive and Director of Lifelong Learning was submitted, the purpose of which was to inform Members of partnership and governance arrangements for the future of the Welsh College of Horticulture in Northop and the future provision of further and higher education courses from the campus. The Director of Lifelong Learning introduced the report. The report highlighted who the key partners were in the project, the governance arrangements for the college and campus, future land use and campus

development considerations, the broad timeline and the role of the Council in contributing to the process.

In considering the best way to ensure the long term future of horticulture and land based courses at Northop, the Welsh College of Horticulture, Deeside College and Glyndwr University under the guidance of the Welsh Assembly Government had issued a joint statement of intent in June 2008. This stated that all partners would work towards a continued provision of land based programmes at Northop by:-

- Transferring all existing further education and related operations at the Welsh College of Horticulture to Deeside College.
- Transferring all Higher Education provision to Glyndwr University which would also develop a university campus at Northop which would include research and development.
- Working jointly with other partners to extend land based provision at Northop and secure major addition economic development within the site.

It was noted that since that time, Deeside College and Glyndwr University had produced respective vision statements setting out the short term plans and long term aspirations for the Northop campus site. A common theme put forward by these was to develop Northop as a combined further education and higher education innovation campus based around land based programmes utilising the strategic location. The vision also sought a widening and an expansion of facilities to support education economic development, details of which were set out in the report. It was noted that the statement and vision had been consolidated and formalised into heads of agreement which operationalised the previous statement and set out the shared operating principles which formed the basis for joint action and further work and those overriding principles were set out in Appendix 1 of the report for Members information.

At the meeting a colour copy of the land allocation plan identified in the report was circulated for ease of reference. However it was explained that the proposals were provisional at present and were subject to the development of an Estates Master Plan for the site which would inform the potential for and location of future use of the campus as well as respective landholdings.

Members were then informed that there was reference to the Council being invited to become a partner in the process and since January 2009 the Council had been represented at officer level on a joint Planning Group. The task of that Group was to ensure that all relevant processes and planning required to achieve the change over at Northop was completed to schedule. The dissolution date set for the project was 1st August 2009 after which Deeside College and Glyndwr University had respective ownership and control of the campus. There were a number of considerations and these were fully detailed in the report. In recommending acceptance of the recommendation

Councillor N.R. Steele-Mortimer, as Executive Member for Lifelong Learning, felt that the proposal ensured that facilities would remain at the Northop site and which would also allow development of education to meet the training needs of local people particularly as training services were assured. Councillor Q.R.H. Dodd envisaged substantial development and reiterated his point regarding highway issues. The Chief Executive indicated that all comments would be fed into the next meeting at which the matter would be discussed.

RESOLVED:

That the overall progress of developments in partnership working to secure the future of education provision at the Welsh College of Horticulture site be noted.

22. CAPITAL PROGRAMME 2009/10 – 2012/13

- (a) General Fund Capital Programme.
- (b) Housing Revenue Account Capital Programme.

The two joint reports were submitted, the purpose of which were to present to the Council the recommendations of the Executive in relation to the General Fund Capital Programme for 2009/10 to 2012/13 and the Housing Revenue Account Capital Programme 2009/10 to 2012/13. It was reported that at its meeting held on 8th June 2009, the Corporate Management Overview and Scrutiny Committee had raised a number of issues on the Capital Programme reports as a result of which it had been decided to make a presentation to the County Council meeting. The Head of Finance introduced the report in respect of the General Fund Capital Programme. The Director of Environment and Corporate Finance Manager continued the presentation referring in particular to the scoring process for prioritisation of schemes for inclusion in the Capital Programme.

As the presentation progressed it was apparent that certain slides were not contained within the printed version which had also been provided for Members.

Councillor C. Cattermoul supported by other Members enquired what facilities were for Members in their own right to make bids for a Capital Scheme. The Chief Executive advised that there were many routes for such schemes via the Overview and Scrutiny process and the Executive. He explained that there was a need for a rationale behind the determination of such schemes. Councillor C. Dolphin by way of example expressed his concern that there was a reduction in expenditure on play areas which he felt was unfortunate. He commented upon the efforts of the previous administration in undertaking this work which he felt was well received within the community.

Councillor A.P. Shotton also referred to the previous administration and commented upon his satisfaction as being party to the introduction of a four year capital rolling programme. However, he accepted there was currently a very difficult economic climate. He also referred to the role of the Executive but

felt there should be a Member led Capital Programme. Councillor Shotton expressed his disappointment that the Overview and Scrutiny consultation was only the day before the meeting which he felt was unsatisfactory and suggested that this type of consultation should have taken place much earlier when there could have been a more reasoned response. He also referred to the proposed expenditure on the Mostyn Docks Bridge and whilst accepting the relevance of the scheme felt that further investigation was necessary for this type of scheme particularly those relating to the road network as their inclusion denied other schemes a place in the Programme.

Councillor J.B. Attridge supporting this view referred to the meeting of the Executive and the points raised by the Executive Member for the Environment at the meeting which he felt should have been included within the report and not left for the Member to raise.

Councillor C. Thomas referred to schemes within the Capital Programme and made reference to procedures to deal with asbestos within any of the schemes as she he had concerns. The Chief Executive confirmed that this issue of asbestos was taken most seriously and addressed properly. Councillor P. Curtis supported this view.

Councillor A. Woolley as Leader of the Council expressed his surprise as it appeared that Members did not appreciate the importance of the Mostyn Bridge. Councillor L.A. Aldridge acknowledged its key position in the area and that the work was necessary referring also to Trelawny and Swan bridges in Flint which he felt would also require attention. His view was that the bridges were the responsibility of Rail Track and that this issue should be pursued with the Welsh Assembly Government. Prior to the commencement of the meeting, the Leader of the Council read an amended recommendation in relation to the Capital Programme upon which he spoke and duly proposed. The proposition was put to the meeting and carried.

RESOLVED:

- | | | |
|--------|---|--|
| Part A | - | <u>General Fund – Capital Programme</u>
That the recommendations as detailed in Paragraphs 4.01 the joint report be agreed. |
| Part B | - | <u>HRA Account</u>
That the Council notes the Structure and Resources represented within the report that comprised Agenda Item 13 Part B without giving approval for any action except in terms of the commitments brought forward from 2008/09 to the value of £1.988 million as shown in Table 2 on Page 111 of the report until such time as further consultation with all Members had been engaged and in a special meeting of the Council to be held no later than the second week in July 2009. |

23. CONSUMPTION OF ALCOHOL IN PUBLIC PLACES (ALCOHOL CONTROL ZONES)

The report of the Head of Legal and Democratic Services was submitted. The purpose of the report was to consider the making of an Order under Section 13(2) of the Criminal Justice and Police Act 2001 designating the whole of Flintshire County Council as a designated public place (Alcohol Control Zone) for the purposes of Section 13(1) of the Act.

At its meeting held on 31st March 2009 the Council agreed that the Head of Legal and Democratic Services carry out the necessary formal consultation in relation to the designation of such a zone. It was also agreed that a further report be submitted to a meeting of the Council to consider the responses received. Prior to formal consultation there had been significant contact with Community Councils in relation to the designation of individual Alcohol Control Zones in specific public places within their areas. The report identified those zones which had already been designated. The Council was informed that a request had also been received to designate a further 18 public places throughout the County. Discussions on the designation of Alcohol Control Zones had taken place at the last two meetings of the County Forum. Whilst representatives of Town and Community Councils at the meeting were generally supportive of a countywide Alcohol Control Zone contrary reviews were expressed on both occasions suggesting that an Alcohol Control Zone for the whole of the County was disproportionate to the problem in question. Following the meeting of the County Forum on the 20th October 2008, the Head of Legal and Democratic Services wrote to the Clerks of all Town and Community Councils setting out the affect of an Alcohol Control Zone Order and requested lists of public places within their areas where there was evidence of a nuisance or annoyance to the public as a result of disorder associated with the consumption of intoxicating liquor. The report detailed the responses from Town and Community Councils. The Head of Legal and Democratic Services had indicated that once he had received the responses a report would be presented to the Council to determine those places that would be identified in the proposed Order.

Prior to formal consultation the Home Office published a new guidance in relation to Alcohol Control Zones entitled "Guidance on Designated Public Places Orders (DPPOs)" an extract of which was attached as Appendix C to the report. As a result of a letter sent to the Chief Constable a meeting took place with a representative of North Wales Police to review the evidence that had been collated and the responses received from Town and Community Councils. Consideration was also given to an analysis of alcohol related crime throughout the County for the period 1st April 2007 – 31st March 2008 set out in Appendix D of the Report. From this analysis it could be seen that every Town and Community Council area throughout Flintshire had been affected by alcohol related crimes to some extent.

As a result of the Council's decision on 31st March 2009 formal consultation had been undertaken as identified in the report and the Council's intention to make an Order was advertised in the local press. Responses to the

consultation were detailed in the report although no further response had been received from North Wales Police it was reported that they continued to support the Council's proposals.

It was noted that only one licence holder had responded indicating that he fully supported the Council's proposals as a retailer and resident within the County. No other responses had been received to either letters of consultation or the public notice in the local press objecting to the making of an Order.

The Head of Legal and Democratic Services reported that as there was no budget allocation for advertising or the erection of signs the costs involved would need to be found from unearmarked reserves. The report detailed the approximate costs of advertising and the erection of signs in areas listed in Appendices A and B to the report.

Members very much welcomed this report and fully supported the recommendations. A number of Members supported the suggestion that a notice advising that Flintshire had such a zone in operation be displayed on all entrances to the County. However, an alternative view was expressed that this could have a negative effect and discourage people from stopping in Flintshire. Councillor I.B. Roberts asked if an individual Town or Community Council was prepared to assist with the erection of signs within its area whether additional signs could be made available and the Head of Legal and Democratic Services agreed to investigate this. It was also suggested that if the signs made reference to the support of the North Wales Police it would give added credence to the policy.

The Executive Member for Leisure and Public Protection welcomed this scheme and was pleased to propose its acceptance.

RESOLVED:

- (a) That an Order be made under Section 13(2) of the Criminal Justice and Police Act 2001 identifying the whole of Flintshire County Council as a designated public place (Alcohol Control Zone) for the purpose of Section 13(1) of the Act;
- (b) That the Head of Legal and Democratic Services be authorised to carry out all necessary statutory procedures in respect of the making and publication of the Order;
- (c) That authority be given to the Head of Leisure Services to arrange for the erection of appropriate signage to permit enforcement of the Order; and
- (d) That the estimated cost of advertising and erection of signs be met from the contingency fund as detailed in the report.

24. NHS REORGANISATION AND REFORM – PROGRESS REPORT

The report of the Chief Executive was submitted, the purpose of which was to advise the Council of the response of the Minister to the resolution passed at the special meeting held on 7th April 2009.

The Chief Executive reported that the special meeting of the Council on 7th April 2009, had been arranged to discuss the outcome of the primary consultation paper on the reorganisation and reform of the “NHS in Wales; Delivering the New NHS for Wales” It was noted that the following resolution had been passed by the Council.

- That the Welsh Local Government Association Briefing Paper on NHS reform dated 1st April 2009 be endorsed.
- That the Director of Social Services or other Officers be not nominated for selection to the Local Health Board.
- That no nomination be made at Member level for selection onto Local Health Board but leave Members free to offer themselves individually as nominees if they wish to do so.; and
- That the Welsh Local Government Association and Welsh Assembly Government be requested to meet a cross-party deputation to allow representations to be made for Flintshire to be treated as a special case.

The Council was informed that the Leader and Chief Executive wrote a joint letter to the Minister for Health and Social Services to set out the views of the Council and to invite the Minister to meet a cross-party delegation of elected members. A copy of the correspondence exchange was attached as Appendix 1A and 1B to the report. The Minister had declined the invitation.

In his report the Chief Executive made it clear that given the decisions made by the Welsh Assembly Government on the number and configuration of future Local Health Boards in Wales and the rate of progress in informing the Board and making senior appointments that Betsi Cadwallader University Health Board for North Wales, there was no prospect of any reversal of this decision or of an alternative plan being proposed.

The Chief Executive reported that the Minister in her letter had not addressed the four important points raised by the Council in the initial letter which were detailed in the report. The report also included the latest national and public statements on the Board (29th May 2009).

The Chief Executive reported that arrangements for detailed consultation and planning during the transition stage from the current arrangements to a fully functioning new board were complex. He explained that an NHS North Wales Reform Board chaired by the newly appointed Board Chief Executive governed the transition. He explained that there were a number of specific Task and

Finish Groups planning service integration and continuity in, for example, primary and community health care, partnerships, mental health and learning disability. It was noted that the shadow organisation existed from 1st June 2009 and was planned to become operational on 1st October 2009. The Directors of Social Services across North Wales were represented on each of the Task and Finish Groups.

The Chief Executive reported that it was essential that the Council had the Legacy Statement of the outgoing Flintshire Local Health Board for consultation and oversight as soon as possible. The Legacy Statement was a commitment to existing services and projects to be continued by the new board.

It was noted that the latest report of the Welsh Local Government Association on the NHS Reforms was attached as Appendix 2 to the report. The Chief Executive explained that the Association was maintaining its position supported by the Member Councils, of not co-operating with the nomination of elected members or senior officers for consideration for appointments to the Boards across Wales through the public appointments process. Following the consultation and the weight of the consultee opinion, the Community Health Councils have been invited to develop alternative proposals to those proposed by the Minister for their future role and governance.

Councillor C. Ellis as the Executive Member for Social Services expressed disappointment that the Minister had not responded to the questions and had declined the opportunity to meet a cross-party delegation. She felt that it was necessary for the questions to be answered and suggested that Mary Burrows be asked to meet a cross-party delegation. Councillors H. Isherwood and P. Pemberton expressed similar views.

Councillor A.P. Shotton had sympathy with the views expressed. He did suggest that the letter when sent to the Minister should have been perhaps signed by Group Leaders as there was a request to meet a cross-party representation. He also suggested that a future letter perhaps be more diplomatically composed. Councillor A. Halford expressed her concern at the lack of response from the Minister and expressed strong views on her attitude. Councillor I.B. Roberts whilst sharing the concerns about the response to the letter indicated that he had met the Minister on issues relating to the retention of Flint Community Hospital that there had been no difficulty in arranging for her to attend meetings in that area.

In another capacity, as a representative of the Body established to campaign for the retention of Flint Community Hospital, he had attended a number of meetings with representatives of the Betsi Cadwallader Trust and had been pleased with their positive attitude on many issues.

He noted that there had been no representative from Flintshire County Council at the meetings that he had attended and he felt it may have been beneficial if there had been. The Executive Member for Social Services reported that she had attended all meetings to which she had been invited. The

Director of Community Services advised on the range of meetings held and those to which the Council had been represented.

Councillor H. McGuill, the Councils representative on the Community Health Council, also expressed her disappointment and felt that it would be useful if Mike Williams, the Chair of the Trust, be invited to attend any meeting with the Council. The Chief Executive commented that this was consistent with his recommendation.

RESOLVED:

- (a) That the Council formally recorded disappointment at the decision of the Minister to decline a meeting and to review the outcome of the consultation for North Wales and that she be asked to respond to the points made in the letter signed jointly by the Chief Executive and the Leader of the Council.
- (b) That the Chair and the Chief Executive of the newly formed Betsi Cadwallader University Local Health Board be asked to provide guidance on how the Council could address the concerns communicated in its letter on governance, co-terminosity of joint working, liaison and the plans for overview and scrutiny of health services, planning and performance.

25. LOCAL GOVERNMENT BOUNDARY COMMISSION FOR WALES REVIEW OF ACTUAL ARRANGEMENTS PROGRESS REPORT.

The report of the Chief Executive was submitted, the purpose of which was to advise the Council on the progress of the review and Electoral Arrangements in the County being conducted by the Local Government Boundary Commission for Wales and the timetable and process for consultation on draft proposals to be made by the Commission. The report detailed the background to its preparation and identified the key considerations. The Chief Executive also recommended that upon receipt of the draft proposals from the Commission, the proposals be circulated, without delay, to all elected members and that a Special Meeting of the Council be convened towards the end of the consultation period to agree a full and formal response.

RESOLVED:

That the progress report be noted and that a special meeting of the Council be convened on receipt of the draft proposals from the Boundary Commission to make a formal response.

26. SEALING OF DOCUMENTS

RESOLVED:

- (a) That the Chairman and Vice-Chairman, the Head of Legal and Democratic Services and Principal Solicitors 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, the Head of Legal and Democratic Services and Principal Solicitors in affixing the Common Seal of the County Council as set out in the seal register number 11027 – 11680 be noted.

27. ATTENDANCE BY THE PRESS AND PUBLIC

Two members of the public and three members of the press were present.

28. DURATION OF THE MEETING

The meeting commenced at 2.00 p.m. and ended at 5.20 p.m.

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Chairman

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

FLINTSHIRE COUNTY COUNCIL	DATE:	9th June 2009
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MEMBER	ITEM	MIN. NO. REFERS
Councillors: J.B. Attridge, E.F. Evans, M. Higham. E. Owen and C. Jones	Welsh College of Horticulture	

FLINTSHIRE COUNTY COUNCIL
29 JUNE 2009

Minutes of the Meeting of Flintshire County Council held in the Council Chamber, County Hall, Mold on Monday 29 June 2009.

PRESENT:

Councillor C. Legg (Chairman)

Councillors: Eng. K. Armstrong-Braun, J. B. Attridge, S. R. Baker, D. Barratt, G. H. Bateman, R. C. Bithell, C. S. Carver, J. C. Cattermoul, E. G. Cooke, D. L. Cox, B. Dunn, C. A. Ellis, E. F. Evans, J. E. Falshaw, V. Gay, F. Gillmore, A. M. Halford, R. G. Hampson, G. Hardcastle, P. G. Heesom, M. Higham, C. Hinds, H. T. Howorth, R. Hughes, H. D. Hutchinson, H. T. Isherwood, G. James, C. M. Jones, N. M. Jones, R. B. Jones, S. Jones, R. P. Macfarlane, D. I. Mackie, D. L. Mackie, N. M. Matthews, H. J. McGuill, A. Minshull, W. Mullin, T. Newhouse, E. W. Owen, M. J. Peers, P. R. Pemberton, N. Phillips, M. A. Reece, H. G. Roberts, L. A. Sharps, A. P. Shotton, N. R. Steele-Mortimer, C. A. Thomas, W. O. Thomas, D. E. Wisinger, A. Woolley and H. Yale.

APOLOGIES:

Councillors: L. A. Aldridge, R. Davies, A. Davies-Cooke, Q. R. H. Dodd, C. J. Dolphin, R. Dolphin, R. J. T. Guest, N. Humphreys, R. Johnson, D. McFarlane, I. B. Roberts, D. T. M. Williams and M. Wright.

IN ATTENDANCE:

Chief Executive, Director of Community Services, Director of Environment, Director of Lifelong Learning, Head of Human Resources and Organisational Development, Head of ICT and Customer Services, Head of Legal and Democratic Services, Head of Finance, Single Status Project Manager and Principal Committee Services Officer.

29. PRAYERS

At the commencement of the meeting Councillor N. Phillips conducted prayers.

30. DECLARATIONS OF INTEREST

Councillors J. B. Attridge, R. P. Macfarlane, N. Phillips, A. P. Shotton and C. Thomas declared personal and non prejudicial interests in agenda item number 8, Single Status–Project Update.

31. AWARDS

- (a) Energy Efficiency Category of the COMMON European Innovation Awards ICT Division

The Chairman was pleased to invite colleagues from the ICT Division who had won an International Energy Efficiency award in the COMMON European Innovation Awards. The Award was conferred for the work undertaken to improve energy efficiency and reduce the carbon footprint within the data centres, and had been voted on by peers and major providers. He explained that the award was a prestigious one and Flintshire County Council was the only UK winner.

The Head of ICT and Customer Services and colleagues explained the criteria upon which the award was based. Members across the Chamber congratulated the team for the great achievement which was a culmination of many years hard work in improving ICT in the authority.

(b) Waste Management Members Day Quiz

Councillor N. M. Matthews said an interactive Members Seminar had been held recently on waste management which was a very successful event. During the course of the day, a quiz was held on waste management. The winners of the quiz were Councillors S. R. Baker and C. A. Thomas who would both receive a compost bin delivered to their house as a prize. She thanked Members for their attendance.

Councillor N. Phillips thanked the Chief Executive and the Elections Team for the way in which the work on the Elections had been carried out, during the campaign and on the day of the poll.

32. STATEMENT OF ACCOUNTS 2008/09

A report of the Head of Finance was submitted which was to receive a recommendation from the Audit Committee to approve the Statement of Accounts 2008/09 (subject to audit). She thanked Members for their attendance as it was an important milestone in the financial year. The last three months had been an intense time for everybody involved and she expressed her appreciation to all of the staff involved for their hard work.

An explanatory presentation was delivered by the Corporate Finance Manager on the Statement of Accounts which covered the following areas:

- An explanation to the Statement of Accounts
- Who it belonged to
- The work undertaken
- Process following the County Council meeting
- Extracts from the Statement of Accounts
- Annual Governance Statement

The Council's external auditors, PricewaterhouseCoopers (PwC), would commence the audit of the 2008/09 accounts on 1 July 2009. The accounts had been available for public inspection during the four week period from 1 June 2009 to 30 June 2009.

The audit must be completed, and the Statement of Accounts published by no later than 30 September 2009. At the completion of the audit, PwC would provide a report and opinion on the accounts. The main audit findings would be presented by PwC to the Audit Committee on 28 September 2009, and the opinion included within the published Statement of Accounts. During the period of the audit, the Corporate Finance Manager explained that questions on the Statement of Accounts were welcomed and would be dealt with either by way of a special Audit Committee or at individual diarised meetings on request.

The Head of Finance made reference to the purpose of the Governance Framework and the review of the effectiveness of the Framework. Significant governance issues were identified by Internal Audit during 2008/09 which were listed on page 14 of the Statement of Accounts. In the Annual Governance Statement for 2007/08 the areas of significant weaknesses identified had all made progress to address the weaknesses.

The Vice-Chairman of the Audit Committee, Councillor B. Mullin, moved the recommendations of the report and thanked all staff for the tremendous work in putting the document together. He also thanked the staff on behalf of the Chairman of Audit Committee, Councillor I. B. Roberts.

Councillor C. Carver asked if future Statements of Accounts could include a table on the remuneration of agency and consultancy workers who fell within the bandings listed on page 31. The Chief Executive said that information could be included as a result of the new workforce reporting system. Members could also receive the information throughout the year.

Councillor H. J. McGuill referred to the significant governance issues outlined on page 14 of the Statement of Accounts and asked what caused the inclusion of the 5th bullet point on Corporate Property Maintenance. The Head of Finance said she would find out why it had been included and provide a written response to all Members.

A number of comments were made by Members which were responded to and gratitude was paid to all officers involved in the process of the preparation of the Statement of Accounts.

In response to a comment, the Corporate Finance Manager provided an explanation of the figures on the replacement page 54.

RESOLVED:

That the Statement of Accounts 2008/09 be approved, subject to audit.

33. NOTICE OF MOTION

Councillor A. P. Shotton explained that Councillor L. A. Aldridge was unable to be present at the meeting due to his wife having a hospital

appointment. Therefore, he requested that the notice of motion be deferred to a future meeting.

RESOLVED:

That the notice of motion from Councillor L. A. Aldridge be deferred to a future meeting.

34. ADJOURNMENT

Prior to consideration of the next item, Councillor A. P. Shotton expressed his disappointment that the report was only made available to Members one hour prior to the meeting. He requested that a 20 minute adjournment take place to provide Members with the opportunity of reading the report which was on such an important issue which was supported.

The Chief Executive explained that the report had been made available for all Members to collect from their pigeon holes before 1.00p.m. He said that given the complexity of the project and the negotiations, the latest information needed to be incorporated in a fully up to date report, as of the date of the meeting. The explanation was accepted by Members and it was stated that a report being made so late, with extenuating circumstances, was the exception not the rule. The report did not require a formal or binding decision and the intention was to update Council and save a reaffirmation of the negotiating position within delegated powers

35. LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 – TO CONSIDER THE EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED:

That the press and public be excluded from the meeting as the following item was considered to be exempt by virtue of paragraph 15 of Schedule 12a of the Local Government Act 1972 (as amended).

36. SINGLE STATUS – PROJECT REPORT

The Chief Executive presented the report, the purpose of which was to provide an update on the position of negotiations with the Trade Unions on a Single Status Agreement. Also, to authorise the Chief Executive to conclude negotiations, with the objective of securing a mutual Agreement, within the delegated powers granted.

RESOLVED:

- (a) That the report be noted;
- (b) That the Chief Executive be authorised to conclude negotiations with the Trade Unions with the objective of securing a mutual agreement on the basis of (i) the negotiating principles adopted by Council previously

(ii) the adoption of Pay and Grading Model 33 and (iii) the deployment of the Equal Pay/Single Status Reserve as set out in the report; and

- (c) The a further report be submitted for the ratification of the outcome of negotiations in due course.

37. DURATION OF MEETING

The meeting commenced at 2.00p.m. and ended at 4.20p.m.

38. MEMBERS OF THE PUBLIC

There were no members of the public and 1 member of the press present.

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Chairman

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

FLINTSHIRE COUNTY COUNCIL	DATE:	29 JUNE 2009
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MEMBER	ITEM	MIN. NO. REFERS
J. B. Attridge, R. P. Macfarlane, N. Phillips, A. P. Shotton and C. Thomas	Single Status	17

FLINTSHIRE COUNTY COUNCIL
TUESDAY, 14TH JULY 2009

Minutes of the Meeting of Flintshire County Council held in County Hall, Mold on Tuesday, 14th July 2009.

PRESENT: Councillor C. Legg (Chairman)

Councillor O. Thomas (Vice-Chairman)

Councillors: Eng. K. Armstrong-Braun, J.B. Attridge, S.R. Baker, D. Barratt, G.H. Bateman, R.C. Bithell, C.S. Carver, Mrs J.C. Cattermoul, E.G. Cooke, D.L. Cox, Mrs A.J. Davies-Cooke, C.J. Dolphin, B. Dunn, Mrs C.A. Ellis, E.F. Evans, J.E. Falshaw, Ms V. Gay, Miss A.M. Halford, R.G. Hampson, G. Hardcastle, P.G. Heesom, Mrs C. Hinds, R. Hughes, R. Johnson, Mrs. C.M. Jones, Mrs. N.M. Jones, Mrs S. Jones, D.I. Mackie, Mrs D.L. Mackie, Mrs N.M. Matthews, Mrs H.J. McGuill, Mrs. A. Minshull, W. Mullin, T. Newhouse, E.W. Owen, M.J. Peers, P.R. Pemberton, M.A. Reece, H.G. Roberts, L.A. Sharps, A.P. Shotton, N.R. Steele-Mortimer, Mrs C.A. Thomas, D.E. Wisinger, A. Woolley, and Ms H. Yale

APOLOGIES:

Councillors: L.A. Aldridge, P.J. Curtis, R. Davies, A.G. Diskin, Mrs. G.D. Diskin, Q.R.H. Dodd, R. Dolphin, F. Gilmore, R.J.T. Guest, M. Higham, H.T. Howorth, Mrs N. Humphreys, H.D. Hutchinson, H.T. Isherwood. G. James, R.B. Jones, D. McFarlane, N. Phillips, I B. Roberts, D.T. Williams and M.G. Wright.

IN ATTENDANCE:

Chief Executive, Director of Environment, Head of Legal and Democratic Services, Head of Planning, Head of Planning Policy and Democratic Services Manager.

39. PRAYERS

The meeting was opened by prayers said by the Councillor R.C. Bithell.

40. DECLARATIONS OF INTEREST

The Head of Legal and Democratic Services (Monitoring Officer) reported that at the meeting of the Standards Committee held the previous evening, dispensations had been granted to Councillor C.S. Carver and M. Peers to speak and vote on sites within their area and included in the Unitary Development Plan. The sites concerned were the subject of recommended amendments by the Inspector.

Councillors Carver and Peers had applied for such dispensation because they felt that they had a personal and prejudicial interest in certain sites within the Plan.

In granting the dispensations, the Standards Committee confirmed that they related to discussions of principle concerning the Plan rather than for specific Planning Applications in relation to which a further request would have to be submitted, if felt appropriate.

41. UDP INSPECTOR'S REPORT – STATEMENT OF DECISIONS AND PROPOSED MODIFICATIONS

The Council considered the report of the Head of Planning which was presented by the Head of Planning Policy. The purpose of the report was to present the outcome of the Public Inquiry held into objections to the Emerging Flintshire Unitary Development Plan (EFUDP). The report set out to:

- Advise Members of the conclusions and recommendations of the Inspector who conducted the Inquiry and the implications and drivers for moving the Plan forward to adoption
- Seek Members' approval on the Statement of Decisions and reasons in respect of the recommendations contained within the Inspector's report (Appendix 1 to the report)
- Seek Members' agreement to advertise the Proposed Modifications to the UDP for consultation (Appendices 2 and 3 of the report)
- Seek Members' approval for the use of the Proposed Modifications alongside the deposit UDP, for development control purposes
- Update Members regarding the timetable relating to the remaining key stages involved in adopting the UDP

By way of background, the Head of Planning Policy explained that whilst it was a requirement to produce the Local Development Plan (LDP) as was set out in the Planning and Compulsory Purchase Act 2004, in introducing the requirements, the 2004 Act included Transitional Arrangements to cater for any authority who was working on a UDP and (depending on the stage reached with the UDP), that authority could either cease work on the UDP and commence an LDP or continue with the UDP to adoption prior to the LDP commencement.

It was noted that the Council was one of several local authorities who chose, with the agreement of the Welsh Assembly Government, to proceed with their UDPs given the advanced stage of preparation of the Plan and the fact that it would be the quickest way to replace time-expired Local Plans.

The report detailed how the Public Inquiry had operated.

The Head of Planning Policy explained that the Inspector's final report was received in May 2009 and was publicly available from 26th May 2009. The Authority was now required to consider the report and decide what action it was to take on the recommendations of the Inspector. It was noted that these would have to be published as a "Statement of Decisions" and whilst the report was

not binding, the Authority was required to provide full and material reasons for not accepting recommendations made by the Inspector.

The report detailed the next part of the consultation process.

If the Council decided that no further modifications or Inquiry was necessary following this stage, then the Council would give notice of its intention to adopt the Plan.

It was noted that the proposals made by the Inspector must be advertised and available for a six week consultation period.

The Head of Planning Policy explained the significance of this stage of the adoption process and explained that once the Council had adopted the UDP they could formally seek a Commencement Order from the Welsh Assembly Government which it must have in order to progress work on an LDP.

The report detailed the key facts from the Inspector's report and specified the number of representations that had been received .

In general the Inspector had stated that the majority of objections related to site specific proposals; to the detailed wording of policies; to the general sustainability of the Plan and its policies; to the allocation of sites for housing/employment development and suggested changes to green barriers and built up area boundaries.

The recommendations were, in the main, aimed at making the Plan more sustainable and robust, due to the time that had elapsed since the deposit Plan had been published (2003) and changes to National and International policy with an increased emphasis on conserving resources and environmental protection. It was noted that the majority of modifications recommended related to the wording of policies to improve clarity and interpretation, particularly in relation to minerals, energy, waste pollution and retail and commercial development.

Significantly, the Inspector considered that the revised housing requirement put forward by the Council was appropriate and there was sufficient land available, taking account of the Inspector's recommended modifications with sufficient flexibility built in to meet the requirement and maintain a five year supply of housing land. The Inspector had recommended a relatively small number of additional housing sites for specific changes and these were fully detailed in the report.

The report identified the Inspector's comments relating to development within Category A settlement and her concerns in that area. The report also detailed her comments in relation to employment land together with that of mixed use sites. The Head of Planning Policy reported that given the significant number and range of objections received, the absence of significant changes, in number or scale, to the Plan by the Inspector was testament to the soundness of the Plan and its policies and proposals. The Inspector had fully considered all the issues and the Head of Planning Policy referred to the open, transparent and inclusive process in the development of the Plan.

It was also noted that the Inspector had commented where changes had been made, they were in the main, to the wording of policies to ensure compliance and compatibility with changes that had occurred to National and International policies since the deposit Plan was produced.

The Head of Planning Policy was of the opinion that given the robustness of the Inspector's recommendations and the fact that the changes proposed improved the Plan both in terms of its up datedness and sustainability, saw no reason to challenge the conclusions and recommendations or the Inspector. He felt there was a need to be pragmatic about moving the Plan forward to adoption which derived, in part, from the length of time the process had taken and the significant degree of scrutiny of the Plan at every stage but also from several additional and key drivers.

The Head of Planning Policy further reported that Welsh Assembly Government had indicated that they wished to see a set of adopted Development Plans in place in Wales by 2010 whether these were UDPs or LDPs and the report expanded in detail upon this point and the significance to the Council. He referred to his previous comments relating to the adoption of the UDP to allow the Council to seek a Commencement Order from the Welsh Assembly Government to carry out a Local Development Plan. In this respect, the timing of the transition to allow work to commence on the LDP was therefore very much dependent upon a completion of the UDP in a timely and effective manner.

The Head of Planning Policy then referred to the Council's Statement of Decisions and Proposed Modifications. He advised of the significance of Appendices 1, 2 and 3 and their content.

The Council was informed that, when they had approved the proposed modifications set out in the report and the reasons for them, they would be published in readiness for advertisement and formal consultation following the August recess which was commonly regarded as the main public holiday period. In this respect it was intended to start the consultation process during September. The report fully detailed the procedure in relation to consultation.

The Executive Member for Environment had earlier moved acceptance of the recommendation in the report. In doing so he referred to the need for the process to be completed as soon as possible to allow work to commence on the LDP. At the same time, to assist Members and Officers of the Council, it was necessary to have a more up to date Plan for Development Control purposes because the Council was still relying on the out dated Delyn Local Plan, the Alyn & Deeside Local Plan and the Clwyd Structure Plan.

In seconding the proposal, the Leader of the Council supported the need for progress of the Plan and referred to the importance of the six week consultation period which would commence in September and allow Members who had concerns on issues relevant to their own area, due to the modifications suggested by the Inspector, would have an opportunity to raise those concerns.

Councillor A.P. Shotton gave Notice of an amendment to the proposition. He indicated he would speak to it later in the meeting.

The Chairman indicated that in the first instance he would allow Members to ask questions on the report, upon which they wished to seek clarification prior to them making their formal representations.

In this respect, Councillor R.C. Bithell sought clarification on the interpretation of the development of brownfield sites and an apparent inconsistency with the proposals in the Plan relating to the Ysgol Talfryn site and Dobshill Depot site compared with the former Meadowslea and Dobshill Hospitals. The Head of Planning Policy explained how the Inspector considered that such a level of development on the edge of small category C settlements, despite them being brownfield sites, was contrary to the sustainability principles of the Plan Strategy which sought to direct most new development to the larger settlements.

Councillor B. Mullin commented that it was the first opportunity for Members to see the proposed modifications to the Plan when the report had been issued. However, the Head of Planning Policy indicated that from an officer's point of view the first time they had seen the modifications was when the report was issued to the Council. However, Members had been invited to discuss the Inspector's Report individually with officers for a period of a week before the Inspector's Report had been published in the public domain and the Member accepted this.

Councillor H. McGuill expressed her concern at the inclusion of the Rose Lane site in Mynydd Isa and queried if the Inspector had visited the site. The Head of Planning Policy confirmed that the Inspector had visited all the sites. Councillor H. McGuill therefore gave Notice that she would be commenting upon this during the course of the public consultation.

Councillor A.P. Shotton referred to the high level of public consultation that had been undertaken as part of the process and the fact that there had been so many comments upon the Plan illustrated this point. He paid tribute to the officers for their diligence over a considerable period to reach the current stage. Councillor Shotton had concerns regarding certain recommendations of the Inspector whereby she appeared to be encouraging the replacement of brownfield sites by greenfield sites for housing development.

Councillor Shotton stated that he had taken exception to the comments of the Inspector as reported in 3.06 of the report which related to the spatial distribution of growth whereby she suggested it should be even more focused on the towns and larger villages with growth/new development in the smaller villages being severely restricted. He felt that this was an assumption which was contrary to the Council's own views whereby there had been widespread feeling from Members that there should be discouragement of bolting-on developments of towns and villages in its current form. He felt many such areas were at saturation point and the infrastructure could not cope with any further development.

He also referred to discussions about the possibility of new towns or settlements being developed and this should be undertaken as part of the Local Development Plan and not be guided by the Inspector's comments.

He proposed an amendment to include the words "in consultation with the Leader and Executive Member for Environment" in paragraph 4.04 of the recommendation after the word "**officers**". The Proposer and Secunder of the original Motion were pleased to accept this amendment which then became the substantive Motion.

Councillor R.C. Bithell confirmed that he was in favour of the recommendation and felt that it was necessary to make progress. However, he also took exception to the Inspector's comments in paragraph 3.06 of the report which he felt was totally contrary to the current thinking of Members throughout the Council Chamber.

The Head of Planning Policy commented that the comments referred to were in the covering letter of the Inspector and did not form part of her report.

Councillor L.A. Sharps, in pursuing this point, felt that it should not be made an issue at this stage as there may be other more significant matters in the future and could be vigorously pursued at a later date. He was of the view that Members of the Council, during the course of the LDP process, would make decisions in line with their thinking and in the best interests of residents.

Councillor C.S. Carver referred to a discussion related to a site described as Overlea Drive, Hawarden and the Inspector's decision to recommend its inclusion within the Plan. He gave Notice that he would be objecting to this proposal during the course of public consultation.

Councillor N. Matthews supported the views previously expressed by Councillor L.A. Sharps and the need for progress. She gave an update on the current situation regarding the Waste Management Strategy.

Councillor Jones wished to record her personal thanks to the Head of Planning Policy and all his team for their patience during the course of the preparation of the Plan. She indicated that she had not always agreed with their recommendations but thanked the officers for the way they had conducted themselves during this period.

Councillor P.G. Heesom indicated that he did not necessarily agree with Councillor A.P. Shotton and the way he had interpreted the Inspector's views. He referred to the historic framework of development in the area and felt that the comments about the future of the housing stock were useful. With regard to waste management, he commented that any future proposals would have to be in line with the Welsh Assembly Policy. Councillor Heesom also made the point that the development of the Plan had straddled over three Councils.

In conclusion, he wished to also record his thanks to the Head of Planning Policy and his team for their excellent and diligent work throughout the course of the development of the Plan.

Councillor H.G. Roberts paid a similar tribute to the officers. He also expressed his concern about comments relating to further development of existing towns which he felt was not feasible.

Councillors H. Yale and G. Hardcastle supported the recommendation but wished to record that they would be objecting to certain recommendations of the Inspector during the consultation period.

Councillor C. Ellis indicated along the same lines, and wished to record that she would be objecting to issues in relation to policy EWP6. Councillor P.G. Heesom indicated he would also be making recommendations on this policy.

Councillor M. Peers gave a resume of his concerns about a site within his electoral division and the representations he had made from an early stage. He expanded upon his concerns and the reasons why he had objected to the proposals and put it on record that he would be objecting to the recommendations as part of the public consultation process.

Councillor Eng K. Armstrong-Braun also commented upon the dedicated work of the officers in preparing the Plan. He expressed his support for a number of the environmental policies which he felt would encourage sustainability.

Councillor Mrs. C. Hinds referred to a petition she had submitted during the course of the process which had a large number of signatures on and which she felt had not received the attention it merited. The Head of Planning Policy explained that it was not necessarily the number of objections that were taken into account but rather the quality and substance of those objections. Councillor Jones supporting the view of Councillor Hinds felt that it should have had a bearing as it reflected the weight of opinion on a particular issue.

Councillor R. Johnson referred to issues within her electoral division and recorded that she would be objecting to them during the course of the consultation period.

The Chief Executive responded to a number of points raised by Members and clarified a number of their concerns. He also supported the view whereby the comments of the Inspector referred to in paragraph 3.06 were not part of the report and did not have a bearing on any policy decision and would not be part of the consultation process. He indicated that the Council would actively pursue progress for the commencement of the LDP and that it would receive wide and full consideration.

In summing up, Councillor L.A. Sharp confirmed that the names of those Members who would be objecting to the Inspector's proposals during the course

of the consultation period had been noted. He reiterated the point that it was now the time to move forward with the Plan and allow the Council to actively pursue and have a major input into the development of the Local Development Plan.

Councillor L.A. Sharps also paid tribute to Mr Andy Roberts, the Head of Planning Policy and his team for all the work that they had undertaken and the manner in which they had done it during the course of the Plan. He also specifically referred to the work undertaken by Mr Mervyn Davies who had been diligent, conscientious and extremely hard-working throughout the whole process despite the most trying of personal circumstances. This sentiment was fully supported by Members.

In response, the Head of Planning Policy, thanked the Members for their contribution to the Plan and for their kind words. He paid tribute to his team who had undertaken a tremendous amount of hard work over a considerable period and wished to record his thanks to them for all their help and support.

RESOLVED:

- (1) That the Statement of Decisions, as set out in Appendix 1 of the report, be accepted as the Council's position in respect of the recommendation contained in the Inspector's report.
- (2) That the proposed modifications to the Unitary Development Plan as set out in Appendix 2 and the accompanying maps in Appendix 3 go out for formal consultation for a six week period as soon as practicable following the August recess, from September 2009, be approved
- (3) That the proposed modifications to be used in conjunction with the deposit UDP for development control purposes, be approved
- (4) That officers, in consultation with the Leader and Executive Member for Environment, be granted delegated powers in drawing up the final modification ready for publication to address any minor errors or issues of consistency that may come to light.

42. ATTENDANCE BY THE PRESS AND PUBLIC

There was one member of the press in attendance.

43. DURATION OF THE MEETING

The meeting commenced at 2.00 pm and finished at 3.22 pm.

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Chairman

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

FLINTSHIRE COUNTY COUNCIL	DATE:	14th July 2009
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MEMBER	ITEM	MIN. NO. REFERS
Councillors C. Carver and M. Peers	UDP Inspector's Report	41

FLINTSHIRE COUNTY COUNCIL
THURSDAY, 23RD JULY 2009

Minutes of the Meeting of Flintshire County Council held in County Hall, Mold on Thursday, 23rd July 2009.

PRESENT: Councillor C. Legg (Chairman)

Councillors: L.A. Aldridge, Eng. K. Armstrong-Braun, J.B. Attridge, S.R. Baker, G.H. Bateman, R.C. Bithell, C.S. Carver, Mrs J.C. Cattermoul, E.G. Cooke, D.L. Cox, R. Davies, Q.R.H. Dodd, Mrs R. Dolphin, Mrs C.A. Ellis, E.F. Evans, J.E. Falshaw, F. Gillmore, Miss A.M. Halford, P.G. Heesom, Mrs C. Hinds, R. Hughes, Mrs. N. Humphreys, H.D. Hutchinson, Mrs. C.M. Jones, Mrs S. Jones, R.P. Macfarlane, D.I. Mackie, Mrs D.L. Mackie, Mrs N.M. Matthews, D. Macfarlane, Mrs H.J. McGuill, Mrs. A. Minshull, W. Mullin, T. Newhouse, E.W. Owen, P.R. Pemberton, N. Phillips, M.A. Reece, H.G. Roberts, L.A. Sharps, A.P. Shotton, N.R. Steele-Mortimer, Mrs C.A. Thomas, D.T. Williams, A. Woolley and Ms H. Yale

APOLOGIES:

Councillors: D. Barratt, P.J. Curtis, Mrs. A.J. Davies-Cooke, C.J. Dolphin, B. Dunn, R.J.T. Guest, R.G. Hampson, G. Hardcastle, M. Higham, H.T. Howorth, H.T. Isherwood, G. James, R. Johnson, R.B. Jones, M.J. Peers, I.B. Roberts, O. Thomas, D.E. Wisinger and M.G. Wright.

IN ATTENDANCE:

Chief Executive, Head of Legal and Democratic Services, Director of Community Services, Head of Finance, Head of Housing Services, Head of Corporate and Capital Accounting, Democratic Services Manager and Principal Committee Services Officer.

44. ANNOUNCEMENT

The Chairman indicated that the Chief Executive would be making three announcements at the conclusion of the meeting.

45. PRAYERS

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

46. DECLARATIONS OF INTEREST

There were no declarations of interest.

47. HOUSING REVENUE ACCOUNT (HRA) CAPITAL PROGRAMME 2009/10 - UPDATE

The Council considered the joint report of the Chief Executive, the Director of Community Services and Head of Finance, the purpose of which

was to report the Housing Revenue Account (HRA) Capital Programme 2009/10 for approval following a period of consultation with Elected Members.

The Chief Executive referred to the report submitted to a Special meeting of the Council held on 9th June 2009, which included a programme of new schemes totalling £4.484m, together with confirmation of further spending of £1.988m to enable completion of schemes which were included in the 2008/09 Programme and deferred until 2009/10 because of a shortfall in 2008/09 Capital Programme due to a decrease of realised capital receipts.

The Council was informed that the previous report referred to the proposal to supplement the available 2009/10 programme funding by way of two routes which were explained further in the report and these related to:-

- Additional Capital Expenditure financed from Revenue Account (CERA)
- Use of capital receipts set aside.

Details of the proposed 2009/10 programme schemes were set out in Table 1 of the report.

Following the previous meeting of the Council, detailed information on the proposed programme had been sent to all Members for their comments and the responses were attached as Appendix A to the report.

Details of those schemes which were included in the 2008/09 programme but deferred until 2009/10 because of a shortfall in 2008/09 capital receipts were set out in Appendix B to the report.

A report to the County Council on 9th June 2009 informed Members of the potential for additional funds to be available to the Council for Housing Capital Investment through further Capital Expenditure from Revenue Account (CERA) or use of capital receipts currently set aside to pay debt.

With regard to CERA, it was reported that due to an improved 2008/09 HRA outturn position, additional CERA estimated funding of £0.430m (over and above the previously agreed CERA contribution of £1.252m) was now available to supplement the 2009/10 Capital Programme.

In respect of capital receipts currently set aside, the report to Council on 9th June 2009 detailed the position over the treatment of HRA land sale receipts when there had been an assumed set aside requirement of 50% (for debt repayment purposes). With the confirmation of the Council's external auditors, PricewaterhouseCoopers and notification to the Welsh Assembly Government (WAG), an amount of £0.873m previously set aside from Housing Revenue Account land sales in 2007/08 and 2008/09 could now be released to supplement the 2009/10 Capital Programme.

In the circumstances, a total of £1.303m additional funding was therefore available for 2009/10, Appendix C contained the proposed additions to the

programme. This incorporated the priorities listed in the previous report and additional schemes which had been identified by Members in the consultation exercise.

Earlier in the meeting the Executive Member for Estate Management moved acceptance of the recommendation detailed in the report and this was subsequently seconded by the Executive Member for the Environment. For clarity the Chief Executive advised that the CERA figure was the best estimate but that it was not expected to change. He also advised that he had been in discussions with the Welsh Assembly Government regarding issues surrounding MRA (Major Repairs Allowance) and he was continuing to pursue this with them. He advised that he had received confirmation from the Assembly Government that the Council were exempt from the need to provide a plan in this respect because of the ballot situation.

The Director of Community Services thanked Members for their input and the considerable assistance received from the Executive Member for Estate Management and the Executive Member for the Environment together with other officers of the Council.

Councillor J.B. Attridge thanked the Director of Community Services and the Head of Housing Services, for meeting with him earlier in the day prior to the meeting to clarify a number of issues which he said had been most helpful. Arising from this, he referred to those schemes identified in Appendix A to the report and which he understood were not absolutely finalised but were subject to inspections.

The Head of Housing Services confirmed that the works identified were subject to inspection and feasibility studies and were the subject of ongoing work of officers.

Councillor M.A. Reece thanked the officers for the inclusion of a scheme in the programme for bungalows in Highfield in Bagillt.

In response to Members questions regarding environmental work, the Head of Housing Services explained that work had been allocated on a priority basis. However, where there was any slippage in the funding, the schemes identified would be picked up as part of an on-going process.

Councillor C.S. Carver referred to the new programme of schemes and noted that in one area, water main renewal had been identified. He asked if this was the Council's responsibility or should it be for the appropriate utilities to meet the costs of this work. He felt that it was a dangerous precedent if the Council started funding this type of work.

The Head of Housing Services advised that the utilities have provided the basic requirement for water supply but the type of heating system in this dwelling required a system with greater water pressure. Whilst accepting the explanation a number of Members concurred with Councillor Carver's concern.

Councillor Eng K. Armstrong-Braun commented that there was nothing within the programme to improve the environment. However it was explained that although it may not be immediately apparent, a number of the schemes undertaken were environmentally friendly. In this respect the Director of Community Services expanded upon a number of the schemes which were energy saving and which were positive for the environment. She referred to the latest advice received in relation to the type of materials used in the creation of UPVc doors as these were now more environmentally acceptable.

Councillor Eng K. Armstrong-Braun also commented upon the type of replacement doors used which he felt were inadequate and expressed a view, which certain Members asked him to withdraw as they felt it was offensive, but he indicated that he would not.

Councillor P.G. Heesom welcomed the report and the enhanced capital programme. He expressed his thanks to the officers for the way in which they had undertaken research to allow more funds to be made available. He concurred with the views of the Chief Executive in relation to Major Repairs Allowance (MRA) and felt that the WLGA should continue to campaign for issues of subsidy to be re-examined. He also requested that if there were schemes to be included as a result of slippage or for other reasons that Members were kept informed.

The Chief Executive confirmed that there would inevitably be slippage and that the programme had been prepared in a way which would accommodate this and any available funding would be used in accordance with priorities in the programme. He also commented on the fact that the better the HRA was managed the more advantageous CERA funding would be. He again, concurred with the views expressed relating to MRA and that it would be necessary to keep a close watch on that situation with the Assembly.

Members were informed that Officers were currently preparing a Schedule of inspections. It was important for these to be undertaken because there were a number of issues of health and safety and risk management which had to be addressed.

Councillor Mrs. S. Jones referred to schemes in her area and thanked the Executive Member for Estate Management for her support. A specific point raised by the Member would be addressed by the Head of Housing Services following the meeting.

The Chief Executive also indicated that it was important for Members' requests in relation to Housing issues to be properly logged to ensure there were no gaps when programmes were being prioritised.

Councillor R.C. Bithell suggested that if the full addresses of the properties where works were to be undertaken were given in the Appendices, it would have been helpful. He was also keen that the Council should receive value for money. He also referred to a scheme which had been included to address defective cavity wall insulation.

The Head of Housing Services indicated that in such circumstances, the Council always investigated if there were any remedies but on this occasion it was outside the defects period.

The Member also referred to a scheme whereby it was necessary to replace UPVc doors because they were defective. In this case it was explained that it was a manufacturer of the doors who had gone into liquidation and had caused the problem rather than the contractor who fitted them.

Councillor C. Hinds enquired how priorities were determined in a certain area and on what basis the information had been prepared. The Head of Housing Services explained that the Housing Condition Stock Survey advised of the condition of a number of properties, and other information collated by officers over a period was taken into account.

Councillor A.P. Shotton whilst welcoming the additional funding available in the Capital Programme was concerned that the schemes were considered at a late stage. He felt that this should be undertaken much earlier in the year which would help to ensure the slippage would not become a major issue.

He referred to the previous administration of the Council and its various Leaders who had all made representations to the Welsh Assembly Government regarding the unfairness of the subsidy system whereby the Assembly retained such a large proportion of rental income which he, and others, always felt should have been returned to allow improvements to be undertaken to the tenants' homes. He hoped that the current administration would continue to make such strong representations.

Councillor A.P. Shotton also referred to other authorities of a similar ratio to the Council who seem to receive greater settlements for housing. He also referred to developments in England whereby it appeared that they were examining a more equitable way of dealing with this issue and he was hopeful that Wales would follow this lead.

In respect of the programme he felt more clarity was required in respect of environmental works. In relation to his earlier points relating to the funding, he requested that Members be kept informed of developments in this area.

The Chief Executive acknowledged the views of Councillor A.P. Shotton and referred to the campaign undertaken by the Welsh Local Government Association to seek a more equitable method of funding. In this respect, he suggested it may be useful for those papers to be circulated to Group Leaders for their information. He concurred with Councillor Shotton regarding the ratio of similar sized authorities and the funding they received and that he would be pursuing this issue. He also acknowledged the points regarding the comparative lateness of the information but this issue had already been addressed for future years. This view was supported and expanded upon by the Head of Housing Services who indicated that work was already being undertaken for next year's programme.

Councillor S.R. Baker agreed with the sentiments expressed by Councillor A.P. Shotton regarding the negative subsidy in relation to housing funding but he felt that this was an issue controlled by the Administration at Welsh Assembly Government.

Councillor A.P. Shotton reiterated his point about previous administrations and the representations they had already made in that area and that was why he wished it to be continued to seek a more equitable allocation of funds.

Councillor H.G. Roberts also welcomed the Capital Programme but felt that it appeared that properties were dealt with in isolation and suggested it would be more appropriate to have a more co-ordinated programme for specific areas to be addressed and completed.

The Head of Housing Services commented that in many areas it was not possible to undertake schemes in this way as properties had been inspected and defects discovered and there was a duty for the Council to undertake works in those areas as a matter of priority because in many cases there were health and safety issues.

Councillor R. Dolphin sought clarification when it was appropriate to submit requests for the following year and was advised that they could be submitted at any time.

Councillor P. Pemberton expressed concerns in relation to value for money and enquired upon the checks made on the Council's contractors. The Chief Executive indicated that the issue relating to supervision and inspection was currently being examined. He also referred to the strict procurement procedures in place in relating to contractors being retained by the Council. However, he also referred to the current economic situation which was having an adverse effect on many contractors and this had to be taken into account.

Councillor R.C. Bithell commented upon comparative works undertaken privately and a similar job undertaken by the Council where the cost of the latter was almost twice as much. The Head of Housing Services advised that this was always the situation with Councils, because of the procurement procedures and tight contract issues, there would inevitably be an increase in cost.

Councillor Q.R.H. Dodd also supported the views expressed earlier by Councillor C.S. Carver in relation to the Council meeting the cost of the provision of water mains and felt that it was a dangerous precedent because the public utilities would use this to their advantage. He was also concerned at the failure to bring former Warden's accommodation into general use and this view was widely supported by Members. The Head of Housing Services explained the current situation in relation to the Warden's accommodation and on certain issues relating to the removal of technical equipment from those properties.

The Director of Community Services responded to a point raised by Councillor J Falshaw in relation to when Members were asked to make their bids for the scheme.

Councillor L.A. Sharps referred to the excellent work undertaken by the Chief Executive in accessing additional funds for an enhanced Capital Programme. He expressed a view that such work always had to be the subject of a rolling programme and the way in which the current proposal had been structured, schemes could easily come on board. He also paid tribute to the work undertaken by the Executive Member for Estate Management and her efforts in achieving this programme.

In response the Executive Member for Estate Management thanked the Chief Executive and his team for their efforts in achieving a Capital Programme which met the aspirations of many Members.

RESOLVED:

That the Housing Capital Programme for 2009/10 as detailed in Section 3 of the report, be approved.

49. APPOINTMENT OF HEAD OF HOUSING SERVICES

The Chief Executive was pleased to report the appointment of Claire Budden as Head of Housing Services. He commented upon the high quality of candidates for the post and that Ms Budden lived locally and was subject to a three month's negotiated period of notice.

50. SWINE FLU

The Chief Executive gave an update on the current situation relating to swine flu and issued an update on the current guidelines. He asked Members not to respond to any press comments on this but to direct them to the Corporate Communications Manager.

51. SPECIAL MEETING OF THE COUNTY COUNCIL

The Chief Executive reported that a Special meeting of the County Council would be held on 24th August 2009 at 2.00 pm in the main to deal with Single Status.

52. ATTENDANCE BY THE PRESS AND PUBLIC

No members of the public and two members of the press were present.

53. DURATION OF THE MEETING

The meeting commenced at 10.00 am and finished at 11.30 am.

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Chairman

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

FLINTSHIRE COUNTY COUNCIL	DATE: 23rd July 2009
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MEMBER	ITEM	MIN. NO. REFERS
NO DECLARATIONS		

FLINTSHIRE COUNTY COUNCIL
MONDAY, 24TH AUGUST 2009

Minutes of a Special Meeting of Flintshire County Council held in County Hall, Mold on Monday, 24th August 2009.

PRESENT: **Councillor C. Legg (Chairman)**
Councillor W.O. Thomas (Vice-Chairman)

Councillors: Eng. K. Armstrong-Braun, S.R. Baker, D. Barratt, G.H. Bateman, R.C. Bithell, C.S. Carver, R. Davies, A.J. Davies-Cooke, Q.R.H. Dodd, C.J. Dolphin, C.A. Ellis, E.F. Evans, R.G. Hampson, G. Hardcastle, P.G. Heesom, Mrs C. Hinds, H.T. Howorth, R. Hughes, H.D. Hutchinson, G. James, Mrs. C.M. Jones, N.M. Jones, S. Jones, D.I. Mackie, Mrs D.L. Mackie, Mrs N.M. Matthews, D. Macfarlane, Mrs H.J. McGuill, Mrs. A. Minshull, W. Mullin, T. Newhouse, M.J. Peers, P.R. Pemberton, N. Phillips, M.A. Reece, H.G. Roberts, I.B. Roberts, L.A. Sharps, A.P. Shotton, N.R. Steele-Mortimer, D.T. Williams, D.E. Wisinger, A. Woolley, M.J. Wright and Ms H. Yale

APOLOGIES:

Councillors: L.A. Aldridge, J.B. Attridge, J.C. Cattermoul, E.G. Cooke, D.L. Cox, P.J. Curtis, A.J. Davies-Cooke, A.G. Diskin, Mrs. G. Diskin, M. Higham, N. Humphreys, H.T. Isherwood, R.B. Jones, E.W. Owen, C.A. Thomas and M. Wright.

IN ATTENDANCE:

Chief Executive, Director of Lifelong Learning, Head of Legal and Democratic Services, Head of Finance, Assistant Director (Democratic Services), Head of Human Resources, Head of Policy and Information Technology, Project Manager (Single Status), Head of Social Services for Adults and Democratic Services Manager.

ALSO IN ATTENDANCE:

Terence Leetch (GMB)
Sarah Taylor (Secretary of FJTUC)
Liz Lewis (UNITE)
Donna Hutton (Unison FT Official)

54. PRAYERS

The prayers were said by Councillor N. Phillips who asked for Members to remember Councillor M Higham who had lost his mother recently.

55. DECLARATIONS OF INTEREST

The Head of Legal and Democratic Services (Monitoring Officer) explained that as there was an item on the Agenda in relation to :

“Further Consultation by the Independent Remuneration Panel for Wales” and that all Members present would have an interest. All Members present confirmed their interests. He further explained that they were all entitled to speak and vote on the item.

Councillors A.P. Shotton, H. Yale and N. Phillips declared personal but not prejudicial interest in relation to the following item

“Single Status – Outcome and Negotiations”.

Councillor S.R. Baker sought clarification as there was an item on the Agenda for a Notice of Motion in relation to the work as a “Member Champion”. However, he understood that this Motion was to be withdrawn and in the circumstances he would not need to declare an interest.

Councillor A. Woolley confirmed that this was the case and the Notice had been withdrawn.

56. APPOINTMENT OF AN INDEPENDENT MEMBER TO THE STANDARDS COMMITTEE

The report of the Monitoring Officer was submitted, the purpose of which was to seek the approval of the County Council regarding the process for the selection of a nominee to be appointed to the Council’s Standard Committee.

In presenting the report the Monitoring Officer explained that the term of office of one of the independent Members of the Standards Committee had come to an end and it was necessary to advertise for a new Member to replace her as soon as possible.

The Council was informed that in the advertisement it would be necessary to set out the eligibility criteria and this was detailed in the report. It was suggested that the appointments process of persons expressing an interest and eligible for the appointment would be considered against the criteria detailed in his report. In relation to the qualities referred to, consideration should be given to diversity in the light of the balance of the Committee as a whole, for example, did it represent a reasonable reflection of the communities served by the Council and its geographical spread.

The Council was informed that it was necessary for an Appointments Panel to be set up to include a Lay Member and a Member of a Community or Town Council. As the Standards Committee was required to have a majority of independent Members over Elected Members, it was suggested that the Panel was also similarly constituted. It was also suggested that there be a Lay Member, Community Council Member and one Elected Member of Flintshire County Council. He explained that on previous occasions the Chairman of the County Council had been nominated as the Council’s representative. When the Panel had considered all applications received, it would make nominations for

approval by the Council at its next Ordinary meeting if the process had been completed by that time.

The Monitoring Officer clarified certain issues in relation to the process following questions raised by Councillor R.C. Bithell specified in relation to the formal involvement of the County Council.

RESOLVED:

- (1) That the Monitoring Officer be authorised to advertise for applicants for the place that has become vacant on the Standards Committee.
- (2) That the eligibility and evaluation criteria set out in the report be approved.
- (3) That an Appointments Panel be set up consisting of a Lay Member, a Community Council Member and an Elected Member.
- (4) That the Monitoring Officer be given delegated powers to appoint an appropriate Lay Member to Chair the Appointments Panel in consultation with the Chairman or Vice-Chairman of the County Council.
- (5) That the Community Council Member be a Community Council Member presently appointed to the Standards Committee, if this becomes inappropriate due to any conflict of interest, the Monitoring Officer be given delegated authority to appoint a Community Council Member in consultation with the Chairman or Vice-Chairman of the County Council.
- (6) That the County Council appoint the Chairman, or in his absence the Vice-Chairman, to sit on the Appointments Panel; and
- (7) That the recommendations of the Appointments Panel be reported to the next Ordinary meeting of the County Council if the process has been completed.

57. FURTHER CONSULTATION BY THE INDEPENDENT REMUNERATION PANEL FOR WALES

The report of the Head of Legal and Democratic Services was submitted, the purpose of which was to inform Members of further consultation being undertaken by the Independent Remuneration Panel for Wales and to consider a response on behalf of the Council. The report was presented by the Assistant Director (Democratic Services) and it explained how the Independent Remuneration Panel for Wales had been established.

The Panel's initial report had been issued in July 2008 and its supplementary report in December 2009, both of which had been considered by the Council. The Panel was currently undertaking a comprehensive review of the range and levels of allowances available to Councillors and Co-opted Members. It was noted that Members of the Independent Remuneration Panel

had visited all the authorities in Wales as part of the consultation exercise and following these visits the Panel had issued a Consultation Paper and response form, seeking observations by the 4th September 2009.

It indicated that the consultation formed the final part of the Panel's "root and branch" Review of the framework for allowances for Members of County and County Borough Councils.

The Panel sought views on its emerging thoughts which would determine the framework and maximum levels of allowances payable for the financial year 2010/11 and thereafter.

The Assistant Director (Democratic Services) explained that copies of the Consultation Paper and the Response Form had been sent to all Members to make individual responses by the requested date of the 4th September 2009. The report to this meeting was to enable a corporate response on behalf of the Council.

The Consultation Paper and response form had been considered at a meeting to which the Leader, Group Leaders and Senior Officers had been invited on 12th August 2009. There was a large degree of agreement at that meeting as to the responses to the 47 questions raised in the response form. The Assistant Director (Democratic Services) indicated that whilst each Member was free to make an individual response to the Panel, a corporate response on behalf of the Council would carry weight with that Panel.

The report then went on to comment on the key issues in the Consultation Paper. In each case the report contained an explanation and the reason for the recommended response. The Assistant Director (Democratic Services) explained that whilst the paragraphs in the report dealt with important issues that were raised by the Consultation document, a suggested complete corporate response to all the questions raised was attached as Appendix 1 to the report. He advised that if, during consideration, there was not a significant majority view on a point, it may be decided that there should be no corporate response on that particular point and that it be left to individual Members to respond.

In opening the discussion, Councillor A.P. Shotton who advised that he was unable to attend the Group Leaders meeting to discuss the response, acknowledged the work undertaken by that Group. However, he felt it was important that Members should reply as individuals because there was considerable differing views amongst Members, including from within his own Group, on how the response should be formulated. Therefore he felt that it was important for individual Members to make their responses. For this reason he indicated that he would abstain from voting on this issue, as he did not feel it was possible for a corporate response upon which all Members were agreed to be submitted.

Pursuing this point, Councillor R.C. Bithell indicated that his comments related to his own personal view. He paid tribute to the excellent work

undertaken by the Group Leaders and the Officers in preparing the Corporate Response. However, he had a number of points upon which he disagreed and he expanded on each of those.

Councillor S.R. Baker, who sat on the Group Leaders meeting, advised on why certain of the responses had been formulated he did not agree with all the responses but as a corporate response felt it was reasonable.

Councillor P.G. Heesom also expressed his thanks to the Assistant Director (Democratic Services) and those involved in preparing the response which he felt was a balanced view.

The Leader of the Council, Councillor A. Woolley, moved that the response as attached to the report, be submitted. In doing so asked that all Members make their own individual representations. The proposal was duly seconded by Councillor L.A. Sharps.

Councillors Q.R.H. Dodd and R.J.T. Guest expressed a similar view to Members earlier that it should not be a Corporate Response but it was down to individual Members to submit their comments.

On being put to the vote, the recommendation was CARRIED by a comparatively narrow margin. It was therefore suggested that the covering letter, when the response was submitted, should include a reference to the level of voting.

In summarising, the Chief Executive stressed that it was important for Members to make individual responses.

RESOLVED:

- (1) That the Corporate Response, as detailed in Appendix 1 to the report, be submitted; and
- (2) That Members be encouraged to make individual representations.

58. NOTICE OF MOTION

Councillor A. Woolley confirmed that the following Notice of Motion had been withdrawn:-

“That work as a Member Champion be added in the list of approved duties in the Members Allowance Scheme with effect from 1st April 2009”

RESOLVED:

That the withdrawal of the Notice of Motion be noted.

59. LOCAL GOVERNMENT (ACCESS TO INFORMATION) 1985 TO CONSIDER THE EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED:

That the public and press be excluded as the following item was considered to be exempt by virtue of paragraphs 15 of Part 1 of Schedule 12A of the Local Government Act 1972 as amended.

60. SINGLE STATUS – OUTCOME OF NEGOTIATIONS

The Chairman formally introduced the Union representatives who had attended the meeting for this item:

Donna Hutton	(Unison Full-time Officer)
Sarah Taylor	(Secretary F.J.T.U.C.)
Liz Lewis	(UNITE)
Terence Leetch	(GMB)

The report of the Chief Executive was submitted and he advised the purpose of which was to report upon the outcome of the completed negotiations with the Trade Unions on a provisional Single Status Agreement, to seek approval of the provisional Agreement from the Council as the employer, to report on the timetable for clearance of the provisional Agreement with the national offices of the Trade Unions and the timetable for communication with the workforce, the ballot and implementation.

The report detailed the background to its preparation and contained significant information in the following areas:-

- Task One : Finalisation and Validation of Calculations
- Task Two : Conclusion of Negotiations with Trade Unions
- Use of the Equal Pay/Single Status Reserve
- Timetable for Clearance of the Provisional Agreement, Workforce Communications and the Ballot
- Managing the Risks of Implementation

In presenting the report the Chief Executive gave a resumé of the situation and paid tribute all those who had been involved in the negotiations and the excellent working relationship that had been established with the Trade Unions.

He then asked the Project Manager for Single Status to expand upon the report and the key areas contained therein together with details of the negotiations. The Project Manager then gave a full and detailed report.

The Head of Finance reported upon the financial implications and how these would be addressed.

Each of the Union Officers was then invited to express their views, which they did. They acknowledged the work undertaken and the excellent working relationship established with Annette Facer, the Project Manager for Single Status, and commented upon the difficulty of the task. It was also pointed out that although agreement had been reached locally, it was necessary for it to be filed with the National Offices of the Trades Union for approval by legal and equality advisors.

Councillor N. Phillips, as the Executive Member for Corporate Governance and Strategy, moved the recommendation, and was duly seconded, of acceptance of the proposals and commented upon the excellent and detailed work that had been undertaken by all parties to reach this stage. He commented that the recommendation was based on legality and affordability and that the Council had a duty to ensure that it had an equal Pay Policy. He indicated that there was still considerable work to be done and referred in particular to the workforce ballot which would be undertaken when the Agreement had been cleared by the national Offices of the Trades Union.

The Project Manager for Single Status reported upon the importance of communication with the workforce and in this respect expanded upon the procedure following acceptance of the recommendations.

Councillor A.P. Shotton had reservations upon the recommendation and expanded upon his concerns in that area. His views were supported by a number of other Members.

The Chief Executive indicated that he was satisfied that the deal reached in these negotiations was the best that could be achieved in all the circumstances.

On being put to the vote the recommendation was CARRIED.

RESOLVED:

- (1) That the conclusion of the local negotiations with the Trade Unions on the Provisional Single Status Agreement, be noted.
- (2) That the Council, as the employer, approve and adopt the Single Status Agreement as set out in the report.
- (3) That the timetable for the proposed clearance of the Provisional Single Status Agreement with the National Offices of the Trade Unions communications with the workforce, the ballot, and implementation of the Agreement, be noted.
- (4) That the Council agreed to the disclosure of an outline of the Provisional Local Agreement with the workforce, as set out in section 3.04 of the report.

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

There was one member of the press in attendance.

62. **DURATION OF THE MEETING**

The meeting commenced at 2.00 pm and finished at 3.45 pm.

.....
Chairman

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

FLINTSHIRE COUNTY COUNCIL	DATE: 24th AUGUST 2009
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MEMBER	ITEM	MIN. NO. REFERS
Councillors: A.P. Shotton H. Yale N. Phillips	Single Status – Outcome of Negotiations	60
All Members	Further Consultation by the Independent Remuneration Panel for Wales	57

FLINTSHIRE COUNTY COUNCIL

AGENDA ITEM NUMBER: 13

REPORT TO: **SPECIAL MEETING OF THE FLINTSHIRE COUNTY COUNCIL**
DATE : **30 SEPTEMBER 2009**
REPORT BY: **HEAD OF FINANCE**
SUBJECT : **STATEMENT OF ACCOUNTS 2008/09**

1.00 PURPOSE OF REPORT

- 1.01 To seek Members' approval of the final Statement of Accounts for 2008/09.

2.00 BACKGROUND

- 2.01 At Council on 29th June 2009, Members received a recommendation from the Audit Committee and approved and adopted the Statement of Accounts for 2008/09 (subject to audit).

3.00 CONSIDERATIONS

- 3.01 The audit of the 2008/09 accounts has now been completed. The statutory closure audit notice will be reported in the press in due course.
- 3.02 As part of the final accounts process, PricewaterhouseCoopers presented to the Audit Committee on 28th September 2009 the report "ISA 260 - Communication of audit matters to those charged with governance". The ISA (International Standards on Auditing) 260 requires the auditor to communicate relevant matters relating to the audit of the financial statements to those charged with governance of the entity.
- 3.03 During the audit, a number of changes to the draft Statement of Accounts were agreed with PricewaterhouseCoopers and these have been incorporated into the final document.
- 3.04 A number of audit items remain unadjusted on the basis of materiality.
- 3.05 A copy of the final Statement of Accounts for 2008/09 has been circulated with the agenda for the Audit Committee 28th September 2009, and Members are requested to bring this document to the meeting.
- 3.06 If Audit Committee recommend any changes to the document or wish to make any specific comments to Council, these will be tabled at the meeting.

4.00 RECOMMENDATIONS

- 4.01 Members are requested to approve the final Statement of Accounts for 2008/09.

Date: 22/09/2009

5.00 FINANCIAL IMPLICATIONS

5.01 None.

6.00 ANTI POVERTY IMPACT

6.01 None.

7.00 ENVIRONMENTAL IMPACT

7.01 None.

8.00 EQUALITIES IMPACT

8.01 None.

9.00 PERSONNEL IMPLICATIONS

9.01 None.

10.00 CONSULTATION REQUIRED

10.01 None required.

11.00 CONSULTATION UNDERTAKEN

11.01 None required

12.00 APPENDICES

12.01 None

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985
BACKGROUND DOCUMENTS

PricewaterhouseCoopers report to Audit Committee on 28th September 2009.

Contact Officer: Ian LI Jones
Telephone: 01352 702207
E-Mail: ian_li_jones@flintshire.gov.uk

FLINTSHIRE COUNTY COUNCIL

AGENDA ITEM NUMBER: 14

REPORT TO: **SPECIAL MEETING OF THE FLINTSHIRE COUNTY COUNCIL**
DATE : **30 SEPTEMBER 2009**
REPORT BY: **MONITORING OFFICER**
SUBJECT : **DELEGATION SCHEME - PLANNING & DEVELOPMENT CONTROL**

1.00 PURPOSE OF REPORT

- 1.01 To consider recommendations made by the Constitution Committee for the amendment of the existing Delegation Scheme to the Head of Planning.

2.00 BACKGROUND

- 2.01 At its meeting on 17 July, 2009 the Planning Protocol Working Group considered the existing Delegation Scheme to the Head of Planning. The review of delegated powers is not yet complete and further consideration will be given to general delegated powers at the next meeting of the Working Group.
- 2.02 However the Planning Protocol Working Group agreed to recommend specific amendments to the Scheme to be adopted ahead of the completion of the review.
- 2.03 The recommended amendments are set out below in ***italics*** with the existing delegated power set alongside and underlined in each case in ordinary type.
- b) alterations and/or extensions to non-residential buildings or structures where the additional net floor space or ground area does not exceed ***2000***1000 sq.m. or ***50%*** 25% of the existing whichever is the greater, where the resultant building or structure would not exceed 15 metres in height above ground level ~~and/or where the site does not exceed 1ha.~~ and alterations to and the provision of new entrances and means of escape;
- (c) new non-residential developments which do not create more than ***2000*** 1000sq.m. net floor space or exceed 15 metres in height above ground level and/or where the site does not exceed ***2*** 1 ha.;
- (c)(i) On established industrial estates/business parks, or land allocated for such purposes in the UDP (where, in each case, the total estate/business park/allocation area exceeds 20ha) limits in the case of both (b) and (c) be increased to 5,000 sqm and 5 ha.***

(There is no existing similar clause.)

- (i) changes of use to buildings and land where the floor area does not exceed ~~2000~~ 1000 sq.m. or the site area does not exceed ~~2~~ 1 ha.
- (m) tipping of inert, non-toxic waste on sites not exceeding ~~1~~ 0.5 ha. in area;
- (q) ~~minor~~ amendments to schemes with planning permission;
- (r) renewal of temporary permission ~~for periods not exceeding 5 years;~~

3. ~~To determine whether planning applications and deemed applications should be subject to an environmental assessment and to decide what data should be contained in environmental assessment.~~ ***To determine need for an Environmental Assessment and issues of screening and scoping opinions in respect of development proposals.***

4. To enter into Agreements and receive Unilateral Undertakings on behalf of the Council under Section 106 of the Town and Country Planning Act 1990 in respect of the payment of a commuted sum by developers in lieu of on site play/open space provision, where the residential development concerned provides a maximum of 10 no. dwelling units.

(There is no similar existing delegation.)

3.00 CONSIDERATIONS

- 3.01 The recommendations of the Planning Protocol Working Group were agreed by the Constitution Committee at its meeting on 28 July, 2009 and recommended for approval by the County Council.

4.00 RECOMMENDATIONS

- 4.01 That Members approve the amendments to the Scheme of Delegation set out in paragraph 2.03 and that the Monitoring Officer make the necessary amendments to the Constitution.

5.00 FINANCIAL IMPLICATIONS

- 5.01 None

6.00 ANTI POVERTY IMPACT

- 6.01 None

7.00 ENVIRONMENTAL IMPACT

- 7.01 None

8.00 EQUALITIES IMPACT

8.01 None

9.00 PERSONNEL IMPLICATIONS

9.01 None

10.00 CONSULTATION REQUIRED

10.01 Planning Protocol Working Group and Constitution Committee

11.00 CONSULTATION UNDERTAKEN

11.01 Planning Protocol Working Group and Constitution Committee

12.00 APPENDICES

12.01 None

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985
BACKGROUND DOCUMENTS

Reports to the Planning Protocol Working Group of the 17 July and the Constitution Committee of the 28 July.

Contact Officer: Barry Davies
Telephone: 01352 702344
E-Mail: barry_davies@flintshire.gov.uk