

**FLINTSHIRE COUNTY COUNCIL**  
**TUESDAY, 19<sup>TH</sup> OCTOBER, 2010**

Minutes of the special meeting of Flintshire County Council held at County Hall, Mold on Tuesday 19<sup>th</sup> October, 2010.

**PRESENT: Councillor W.O. Thomas (Chairman)**

Councillors: L.A. Aldridge, Eng. K. Armstrong-Braun, J.B. Attridge, S.R. Baker, D. Barratt, G.H. Bateman, M. Bateman, R.C. Bithell, H. Brown, J.C. Cattermoul, E.G. Cooke, D.L. Cox, P.J. Curtis, R. Davies, A.J. Davies-Cooke, Q.R.H. Dodd, R. Dolphin, B. Dunn, C.A. Ellis, E.F. Evans, J.E. Falshaw, F. Gillmore, R.J.T. Guest, A.M. Halford, R.G. Hampson, G. Hardcastle, P.G. Heesom, 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. Matthews, D. McFarlane, A. Minshull, W. Mullin, T. Newhouse, P.R. Pemberton, N. Phillips, M.A. Reece, I.B. Roberts, L.A. Sharps, A.P. Shotton, N.R. Steele-Mortimer, C.A. Thomas, D.E. Wisinger, A. Woolley and M.G. Wright.

**APOLOGIES:**

Councillors: C.S. Carver, C.J. Dolphin, N. Humphreys, R. Johnson, C. Legg, H.J. McGuill, E.W. Owen, M.J. Peers and H.G. Roberts.

**IN ATTENDANCE:**

Chief Executive, Director of Environment, Director of Lifelong Learning, Head of Legal and Democratic Services and Democracy and Governance Manager.

**69. PRAYERS**

The meeting was opened with Prayers said by Councillor R.C. Bithell.

**70. DECLARATIONS OF INTEREST**

The Monitoring Officer advised that on "Buckley Common Bye-Laws" Local Members for Buckley and who were also Members of the Buckley Town Council would have to declare a personal non-prejudicial interest and were entitled to remain in the meeting to speak and vote.

The following Members declared an interest on his advice:-

Councillors: C.A. Ellis, R.G. Hampson, H.D. Hutchinson, N. Phillips and A. Woolley.

**71. PRESENTATIONS**

**Ysgol Pen Coch and Ysgol Maes Hyfryd**

The Head Teachers of Ysgol Pen Coch and Ysgol Maes Hyfryd had been invited to the meeting to receive the congratulations of the County

Council. Ysgol Pen Coch and Ysgol Maes Hyfryd had recently achieved finalist status in the Our Service – delivering high quality, citizen-centred services category of the 2010 Excellence Wales Award.

The Chief Executive welcomed Mrs. Jane Kelly, Headteacher at Ysgol Maes Hyfryd, Mr. James Yale, student and Chair of Ysgol Maes Hyfryd School Council, Ms. Andrea Edwards, Deputy Headteacher at Ysgol Pen Coch and Ms. Debra Shaw, Assistant Head at Ysgol Pen Coch to the meeting. He said that he had recently visited Ysgol Pen Coch and Ysgol Maes Hyfryd with the Excellence Wales judges who had been impressed with the excellent services and facilities. The Chairman also commented that he had recently visited Ysgol Pen Coch and Ysgol Maes Hyfryd and on behalf of the Council and the children attending the schools he thanked Mrs. Jane Kelly, Headteacher at Ysgol Maes Hyfryd and Ms. Andrea Edwards, Deputy Headteacher at Ysgol Pen Coch for the excellent services they provide.

Councillor L.A. Aldridge spoke on the background of Ysgol Pen Coch and Ysgol Maes Hyfryd which had been built following the Council's successful bid for a grant from the Welsh Assembly Government which had been used to invest in the most vulnerable pupils in Flintshire. He said that he had attended the opening event of both schools and provided details of the excellent displays given by the pupils. He said that the achievements of the schools was a testament to the dedicated staff and congratulated the representatives for their hard work.

Councillor N. Steele-Mortimer, Executive Member for Education said that it had been a great pleasure to represent Ysgol Pen Coch and Ysgol Maes Hyfryd at the 2010 Excellence Wales Awards and reiterated a number of positive comments made about both schools during the day. He congratulated the representatives on their achievements and the service they were delivering to children in Flintshire.

Councillor R.C. Bithell concurred with the previous comments and said that the Lifelong Learning Overview and Scrutiny Committee had recently considered a progress report of Ysgol Pen Coch and Ysgol Maes Hyfryd and that both reports had been extremely positive. He congratulated the representatives from both schools for their achievements.

### Street Lighting Team

Mr. Steve Jones, Head of Streetscene, Mr. Darell Jones, Streetlighting Manager and Mr. Jamie Benett, Streetlighting Co-ordinator had been invited to the meeting to receive the congratulations of the County Council. The Street Lighting Team had recently been finalists in the Best Service Team: Highways, winter maintenance and street lighting category of the 2010 APSE Service Awards.

The Chief Executive introduced the Officers and reported that the Street Lighting Team had also been considered for the 2010 Excellence Wales Awards for their regional collaboration work.

The Chairman reported that there had been approximately 300 entries across the UK for the Best Service Team: Highways, winter maintenance and street lighting category of the 2010 APSE Service Awards and said that to be finalists had been a great achievement to the Street Lighting Team. He congratulated the team and thanked them for their efforts.

## **72. NOTICE OF CONSTITUTION OF A NEW POLITICAL GROUP**

The Head of Democratic Services reported that a he had received a notice of constitution of a Political Group, a copy of which had been circulated to Members for information.

### **RESOLVED**

That the County Council note the constitution of a new Political Group named the New Independents Group.

## **73. POLITICAL BALANCE REVIEW**

The Head of Legal and Democratic Services introduced a report to facilitate a review of political balance on committees following the formation of the New Independents Group.

The Head of Legal and Democratic Services reported that following receipt of formal notice of the creation of any new group the Council needs to decide the allocation of seats to political groups in accordance with Political Balance Rules contained in the Local Government and Housing Act 1989 and the Local Government (Committee and Political Groups) Regulations 1990 as amended.

Councillor E.F. Evans referred to the report and asked why the Labour Group only had 4 Members instead of 5 on the Overview and Scrutiny Co-ordinating Committee and only 6 and not 7 on the Planning Committee, as the number of Labour Members was now a third of the overall Council Membership. The Head of Legal and Democratic Services explained that the total number of seats held by the Labour Group had to add up to 53 and in order to achieve this each Political Group was slightly over represented on some Committees and slightly under represented on others.

Councillor P.G. Heesom thanked the Head of Legal and Democratic Services for his advice and proposed that the political balance be referred to Group Leaders for more detailed work to be carried out on the matters arising. Councillor A.P. Shotton referred to Councillor Heesom's proposed resolution and sought clarification on the detailed work to be carried out by Group Leaders. Councillor Heesom clarified that the Coalition Group would need to consider the allocation of seats as outlined within the report.

The Head of Legal and Democratic Services advised that the determination of the political balance was a County Council decision. Group Leaders would be asked to determine how these seats were allocated within their Groups.

### **RESOLVED**

That the allocation of seats as set out in Appendix B of the report be confirmed.

## **74. REVIEW OF APPOINTMENTS TO EXTERNAL BODIES**

The Head of Legal and Democratic Services reported that the appointment to external bodies had been agreed at the Annual meeting of the County Council held on 11<sup>th</sup> May, 2010. He said that he had received a notice of motion requesting that external bodies be reviewed and suggested that this matter be considered at a future meeting of Group Leaders.

Councillor Aldridge said that he would withdraw the notice of motion he had submitted to the Head of Legal and Democratic Services at this stage in order for this matter to be considered by Group Leaders.

### **RESOLVED**

That the appointment to External Bodies be reviewed by Group Leaders.

## **75. NOTICE OF MOTION**

### **(i) Local History Museum to promote the heritage of Connah's Quay and surrounding areas**

The following notice of motion had been submitted by Councillor A.P. Shotton:-

“Connah's Quay and surrounding areas are rich in industrial heritage and history. The local area holds many proud traditions, from Steel making to Ship Building. There is a need to safeguard local history, heritage and memories for future generations.”

Resolution

“This Council agrees to undertake a feasibility study that will examine and explore all available options for the creation of a local history museum that both celebrates and promotes the heritage of Connah's Quay and surrounding areas.

Councillor A.P. Shotton formally proposed the motion and this was duly seconded.

In speaking to his motion, Councillor A.P. Shotton said that there was a growing demand within the local Community of Deeside for the creation of a local history museum to celebrate and promote the heritage of the area. He said that he recognised the current financial climate but sought a will from the Council to work with him, other Local Members and local residents to explore available options in order for relevant records to be collated somewhere in Deeside before they are lost forever. He reported that many local residents had contacted him giving their support for a creation of a local history museum and outlining records they hold which could be showcased in a museum. He asked that the Council contact Corus to ask if historical records could be preserved in the Flintshire records office whilst available options were being explored.

Councillor M.G. Wright, Executive Member for Regeneration and Tourism thanked Councillor Shotton for bringing forward an interesting and aspirational notice of motion. He said that the notice of motion had a regeneration and tourism element and agreed that the industrial heritage of Deeside should be showcased. He also recognised the possible funding difficulties but did not feel that this should prevent the Council from planning ahead and undertaking a feasibility study. He proposed an amendment to the resolution of the notice of motion to read:-

“This Council agrees to advise on a feasibility study to be held at local partnership level that will examine and explore all available options for the creation of a local history museum that both celebrates and promotes the heritage of Connah’s Quay and surrounding areas.”

Councillor B. Dunn supported the notice of motion and suggested that Councillors Shotton and Wright contact the Connah’s Quay Partnership Board to gain their advice and support.

Councillor P.G. Heesom spoke in support of the notice of motion and referred to previous discussions to create a local museum at Greenfield Business Park in 1996. He said that there was a great deal of industrial heritage across Flintshire which tourism would gain vastly from. He asked that local Members be consulted for their input on local history. Councillor K. Armstrong-Braun also spoke in support of the notice of motion but felt that a feasibility study should be carried out to explore options for a museum which would showcase all historic events in Flintshire.

Councillor A. Woolley, Leader of the Council said that he supported the notice of motion. He outlined the industrial history of Buckley with some records being made available at Buckley Library. He felt that the motion could be altered to cover the whole of Flintshire. Councillor A. Minshull commented on Shotton Steel Works who had once employed 13,000 people across Deeside and supported the notice of motion which she felt would commemorate the industrial heritage of the area.

Councillor R.C. Bithell welcomed the suggestion and said that he had pursued the possibility of creating a local museum with the Chief Executive.

He referred to the museum based at Greenfield Valley which held a number of industrial artefacts. He said that it was important to preserve the history of Flintshire for future generations and wished Councillor Shotton well in his venture.

Councillor Shotton welcomed the amendment from Councillor Wright. He said that there was a clear demand for a local museum which had arisen following discussions on the use of the Council Chamber building in Connah's Quay now that it had been relocated to the new Health Centre. He said that he looked forward to working with Councillor Wright to explore available options.

Following the discussion, the amendment was put to the vote.

### **RESOLVED**

That the Council agrees to advise on a feasibility study to be held at local partnership level that will examine and explore all available options for the creation of a local history museum that both celebrates and promotes the heritage of Connah's Quay and surrounding areas.

#### **(ii) Appointment of LEA Governors**

The following notice of motion had been submitted by Councillors: Q.R. Dodd, P.G. Heesom, J.B. Attridge and M.J. Peers:-

"This Council requests the Constitution Committee to review the arrangements, powers and responsibilities for the appointment of LEA Governors."

Councillor Q.R.H. Dodd sought an amendment to the notice of motion that the words "of the panel" following the word "responsibilities". In speaking to the motion, he explained that during the last meeting of the panel issues have been raised which had since not been resolved. He said that there was a need for the panel to have a draft document outlining the responsibilities of the panel and he felt that this should be explored further by the Constitution Committee. This amendment was seconded by Councillor P.G. Heesom.

### **RESOLVED**

That the Council request the Constitution Committee to review the arrangements, powers and responsibilities of the panel for the appointment of LEA Governors.

## **76. ANNUAL PERFORMANCE REPORT 2009/10**

The Chief Executive introduced a report seeking the County Council's approval of the 2009/10 Annual Performance Report.

The Chief Executive explained that the Annual Performance Report was the Council's interpretation of the statutory requirement to publish an Improvement Plan as required by the Local Government (Wales) Measure (2009) which must be published by 31 October each year. The role and purpose of the report was to account for the previous years performance and the key risks and challenges it faced.

The final report would be available as a web-based document which would be accessed via the Council's website. Paper copies could be generated as required and the supporting documents which provide more detailed information would be available as 'signposted' documents. The summary would be included within the household publication 'Your Community, Your Council.'

The Policy, Performance and Partnerships Manager gave a presentation on the 2009/10 Annual Performance Report which covered the following areas:-

- Annual Performance Report – contents
- Progress against Strategic Risks and Challenges
- Performance overview
- Next steps

Councillor A. Woolley, Leader of the Council said that the Annual Performance Report showed an improving picture which he said was as a result of the efforts of the Council's workforce. He proposed that the County Council approve the 2009/10 Annual Performance Report.

Councillor K. Armstrong-Braun referred to the Strategic Assessment of Risks & Challenges RAG summary for Greenfield Valley Reservoir and asked if an update on this could be provided. The Policy, Performance and Partnerships Manager reported that Greenfield Valley Reservoir had become a risk in December, 2009. Following discussions at a number of Member workshops it was felt that this was an environmental issue and would be considered as part of the Climate Change & Flood Risk Management reports in the future.

Councillor P.G. Heesom said that the Annual Performance Report outlined a number of pressures on Council Services and raised concern around the performance indicators for the provision of affordable housing in Flintshire. He said that the Council was recorded as the worst performing out of all 22 Local Authorities in Wales on this indicator and said that a further explanation on the future housing needs in Flintshire was needed. He said that tremendous improvements had been made in other areas of the Council.

The Chief Executive advised that the Affordable Housing Strategy was in its infancy and that update reports would continue to be provided to Members.

Councillor A.P. Shotton reported that in 2008 Flintshire County Council had been ranked 1<sup>st</sup> performing in Wales and therefore did not agree that the 2009/10 Annual Performance Report had showed an improving picture. He welcomed the information contained within the report around on-going work with regional partnership boards which he felt was the only way Members were being updated on these matters. He referred to the 4 regional collaboration boards outlined within the report and raised concern that information on their work had not been shared with Members. He also referred to the presentation given by the Policy, Performance and Partnerships Manager and asked if a list of the 20 indicators which had significantly worsened and what they were 2 years ago as a comparison could be provided.

The Chief Executive reported that the North Wales Regional Partnership Board had set up 4 collaboration boards which were specialist and ensured greater Member involvement. He said that the new Community Profile and Partnerships Overview and Scrutiny Committee would be the Forum to scrutinize the boards and that Members could contact him in the meantime if they required further information on boards. He said that information on the indicators that had significantly worsened would be provided to Councillor Shotton.

Councillor R.C. Bithell welcomed the report and said that improvements had been made in a number of areas. He referred to the percentage of appeals determined that upheld the authority's decision in relation to planning application decision and raised concern that the Council was ranked 21<sup>st</sup> out of 22 Councils in Wales. He referred to the average point score for pupils aged 15 in schools maintained by the Local Authority and asked why no comments had been provided and why Flintshire was being compared to the Vale of Glamorgan. He also referred to the average number of calendar days taken to deliver a Disabled Facilities Grant and raised concern that there had been an increase to 347 days. He commended Councillor C.A. Ellis, Executive Member for Social Services for her achievements and her hard work but asked what measures were being put in place to reduce the number of days.

Councillor A. Halford responded to Councillor Bithell's comments on planning appeals and reported that improvements had been made within the Planning Department and Flintshire was now ranked higher than 21<sup>st</sup> across Wales.

Councillor C.A. Ellis thanked Councillor Bithell for his comments and reported that a joint Community and Housing and Social and Health Overview and Scrutiny Committee workshop was held on the 20<sup>th</sup> September, 2010 to discuss improvements to Disabled Facilities Grants. She reported that there had been a 32% increase in demand over the last 12 months but she assured Members that an action plan was in place to address this issue.

Councillor N. Steele-Mortimer responded to Councillor Bithell's question on the average point score for pupils aged 15 in schools maintained



by the Local Authority and explained that the Vale of Glamorgan was the top performing Council in Wales in this regard. He also outlined a number of areas within Education where Flintshire were in the top 3 performing authorities and thanked the workforce for all their efforts.

Councillor R.B. Jones said that he felt Members were gaining a better understanding of performance and Strategic Assessment of Risks and Challenges (SARC) documents and referred to the SARC workshops for Members which would be held on the 27<sup>th</sup> October and 22<sup>nd</sup> November, 2010. He reported that each Overview and Scrutiny Committee received quarterly updates and said that they were the Forum for Members to scrutinize and make changes to performance.

Councillor I.B. Roberts referred to the Strategic Assessment of Risks and Challenges' RAG Summary and raised concern that each risk showed green in the end column even though some of the targets were noted to be completed in April 2018. He asked if some of the columns should be changed to amber before the document was uploaded onto the Council's website and also if the term "TBC" as showed within the document was a decision that would be taken by the Council. The Chief Executive explained that the last column was predicative and the outcomes were the best estimates for officers when preparing the report. The full capital risks associated with the school buildings and school modernisation would not be clear until the announcement of the central Government on the Spending Review. On the comments around the term TBC, he explained that these were decisions yet to be taken. He also commented on the Council's annual high position in comparative performance indicator ratings for some years for which Members and officers, past and present, should feel gratified.

Councillor J.B. Attridge referred to the Administration Priorities to promote and maintain a positive and confident reputation for the Council and the County locally, regionally and nationally and asked if this was still a priority for the Leader of the Council. Councillor A. Woolley, Leader of the Council responded that this continued to be a priority of the Administration. He also reported that information on the North Wales Regional Partnership Board was considered at a meeting of the County Council and that more information than previously was being submitted to various Overview and Scrutiny Committees to ensure openness and transparency.

### **RESOLVED**

That the County Council approve the 2009/10 Annual Performance Report

### **77. MEMBER CHAMPIONS FOR OVERVIEW & SCRUTINY, MEMBER SUPPORT AND DEVELOPMENT AND FOR SUPPORTING PEOPLE**

The Democracy and Governance Manager introduced a report for Members to consider a recommendation from the Constitution Committee that Flintshire cease to have Member Champions.

The Democracy and Governance Manager reported that a report was presented to the County Council meeting on the 29<sup>th</sup> July, 2010 to consider the Constitution Committee's recommendation in relation to Member Champions who had not been appointed by either the Executive or the Leader. At the meeting it was decided that no decision should be taken and that this matter be referred back to the next meeting of the Constitution Committee. At the Constitution Committee meeting on the 23<sup>rd</sup> September, 2010 further consideration was given to the different types of Member Champions. The Constitution Committee decided to reaffirm its previous recommendation that Flintshire cease to have Member Champions.

Councillor R.J.T. Guest reported that he had been unable to Chair the meeting of the Constitution Committee held on 23<sup>rd</sup> September, 2010 and said that he could not agree with the recommendation made at the meeting. He felt that each Member Champion should have been considered case by case on its own merit and proposed that this matter be referred back to the Constitution Committee for further consideration. Councillor A.M. Halford reported that she as the Vice Chair of the Constitution Committee she had chaired the meeting on the 23<sup>rd</sup> September, 2010. She said that the matter of Member Champions was complex and during the meeting she had taken the advice of the Head of Legal and Democratic Service and thought the correct decision had been made. Following this meeting she now felt that Members needed further information on which Member Champions had been statutory appointees and therefore agreed that this matter should be referred back to the Constitution Committee.

The Head of Legal and Democratic Services said that the appointment of Member Champions was a complex matter. Some Member Champions had been appointed by the Leader whilst some had been appointed by the Executive or Overview and Scrutiny Committees. He said that a further report could be submitted to the Constitution Committee outlining if any Member Champions were statutory appointees and what were the benefits of the roles of Member Champions.

Councillor R.C. Bithell raised his concern with the proposal to refer this matter back to the Constitution Committee as this matter had already been considered by the Constitution Committee three times, each time with the same decision being made. He said that there were other ways of dealing with matters raised in the report rather than through the role of Member Champions. Councillor L.A. Aldridge supported the comments made by Councillor Bithell and said that the roles and responsibilities of Members Champions was diluting the responsibilities of the Executive Members. He said that this matter had been considered in line with the democratic process and that the County Council should now make a decision on Member Champions. Councillor J.B. Attridge reported that the decision taken at the Constitution Committee had been made by a cross party selection of Members.

Councillor Armstrong-Braun also spoke in support of the comments made by Councillor Aldridge and Councillor Bithell. He said that he had

written to the Chief Executive asking for a survey to be undertaken on all Members to identify their knowledge and professional expertise. The Chief Executive advised that this request would be considered at a future meeting of the Group Leaders.

Councillor C.A. Thomas reported that she had been appointed Member Champion for Biodiversity due to her interest in that field. She explained that she had been provided with a job description and had assisted a number of Members with queries on biodiversity. She asked that, if the Council decided to discontinue the practice of Member Champion, that someone be appointed to ensure that the Council continue to adhere to the Natural Environment and Rural Communities (NERC) Act 2006.

Following a question on statutory Member Champions, the Democracy and Governance Manager advised that it was a requirement of the Welsh Local Government Association (WLGA) to have a Member Support and Development Champion and if at the end of the three year period the Authority no longer had such a Member Champion it may mean that the Charter would not be renewed.

Following discussion the amendment was put to the vote and this was lost. The original recommendation of the Constitution Committee was then put to the vote and this was carried.

### **RESOLVED**

That the Council accept the recommendation of the Constitution Committee that the practice of Member Champions be discontinued.

## **78. BUCKLEY COMMON BYE-LAWS**

The Head of Legal and Democratic Services introduced a report to recommend that the County Council approve the making of new bye-laws in respect of Buckley Common as attached to the report.

Councillor Armstrong-Braun asked if additional information could be added to the new bye-laws. The Head of Legal and Democratic Services advised that once the bye-laws had been advertised there would be a period for objections and representations to be made prior to submission to the Welsh Assembly Government for confirmation.

### **RESOLVED**

That the County Council approve the making of the proposed bye-laws in the form attached to the report, and that the bye-laws be submitted to the Welsh Assembly Government for confirmation following the appropriate notification process.

## **79. DURATION OF MEETING**

The meeting commenced at 2.00 p.m. and ended at 4.05 p.m.

80. **ATTENDANCE BY MEMBERS OF THE PRESS AND PUBLIC**

There were three 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**

<b>FLINTSHIRE COUNTY COUNCIL</b>	<b>19<sup>TH</sup> OCTOBER, 2010</b>
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<b>MEMBER</b>	<b>ITEM</b>	<b>MIN. NO. REFERS</b>
Councillors: C.A. Ellis, R.G. Hampson, H.D. Hutchinson, N. Philips and A. Woolley	Buckley Common Bye-Laws	78