

FLINTSHIRE COUNTY COUNCIL

25 OCTOBER 2012

Minutes of the meeting of the Flintshire County Council of Flintshire County Council held at Council Chamber, County Hall, Mold CH7 6NA on Thursday, 25 October 2012

PRESENT: Councillor Ann Minshull (Chairman)

Councillors Bernie Attridge, Glyn Banks, Haydn Bateman, Marion Bateman, Chris Bithell, Amanda Bragg, Derek Butler, Clive Carver, David Cox, Peter Curtis, Adele Davies-Cooke, Chris Dolphin, Ian Dunbar, Brian Dunn, Carol Ellis, David Evans, Ted Evans, Jim Falshaw, Veronica Gay, Alison Halford, Ron Hampson, George Hardcastle, Patrick Heesom, Cindy Hinds, Ray Hughes, Dennis Hutchinson, Hilary Isherwood, Joe Johnson, Rita Johnson, Christine Jones, Richard Jones, Stella Jones, Colin Legg, Brian Lloyd, Richard Lloyd, Mike Lowe, Peter Macfarlane, Dave Mackie, Hilary McGill, Billy Mullin, Mike Peers, Neville Phillips, Mike Reece, Gareth Roberts, Ian Roberts, Aaron Shotton, Paul Shotton, Ian Smith, Nigel Steele-Mortimer, Carolyn Thomas, Owen Thomas, David Williams, Sharon Williams, David Wisinger, Arnold Woolley and Matt Wright

APOLOGIES: Councillors Alex Aldridge, Helen Brown, Ron Davies, Rosetta Dolphin, Robin Guest, Trefor Howorth, Kevin Jones, Phil Lightfoot, Nancy Matthews and Tony Sharps.

IN ATTENDANCE:

Chief Executive, Director of Community Services, Head of Legal and Democratic Services, Partnership Manager for Health, Social Care and Wellbeing, Policy Performance and Partnerships Manager and Committee Officers

76. DECLARATIONS OF INTEREST

Councillor D. Butler declared a person interest in agenda item number 6 – Flintshire County Council's response to the Betsi Cadwaladr University Health Board (BCUHB) Review as his wife was employed by Betsi Cadwaladr.

Councillors C.M. Jones and H.J. McGill also declared personal interests in agenda item number 6 - Flintshire County Council's response to the Betsi Cadwaladr University Health Board (BCUHB) Review as they were both members of the CHC.

77. COUNCIL MINUTES

11 September, 2012

Councillor M.J. Peers commented on his proposed amendments outlined at minute number 55 and asked that the third bullet point be amended to reflect that all Town and Community Councils would be notified of the name of the proposed candidate and that comments on the proposed candidate would be sought. Any comments received should be presented to County Council together with the name of the proposed candidate.

RESOLVED:

That subject to the amendment listed above, the minutes be approved as a correct record and signed by the Chair.

25 September, 2012

Councillor R.C. Bithell said that his initial shown on page 13 of the minutes should be corrected.

Councillor H.T. Isherwood commented on minute number 71 and asked that her request that future Statement of Accounts be in plain English to enable members of the public to easily understand the information be included in the minutes.

Councillor C.S. Carver also commented on minute number 71 and reported that he had received additional information on the breakdown of transactions with Anglesey County Council. He said that he had also received further details on the officer who had been placed in the remuneration band £160,000 - £164,000 and commented that the information differed from the response given by the Head of Finance at the meeting.

The Chair suggested that Councillor Carver take up this matter with the Head of Finance following the meeting.

RESOLVED:

That subject to the amendments listed above, the minutes be approved as a correct record and signed by the Chair.

78. NOTICE OF MOTION

The following Notice of motion had been received from Councillor R.C. Bithell:-

“Given the continuing problem being experienced by Flintshire residents with dog fouling and litter, this Council calls upon Officers to consider the employment of an enforcement company to enforce our regulations regarding these issues”.

In speaking to his motion, Councillor Bithell said that all Members received frequent complaints of dog fouling and litter across Flintshire and said that despite the improvements made to reduce dog fouling and littering further improvements were needed. He acknowledged that tackling dog fouling and littering was a difficult task and said that his notice of motion would enable officers to make enquiries on employing an enforcement company to enforce the Council’s regulations and present a report on their findings to the Environment Overview and Scrutiny Committee in due course.

Councillor J.B. Attridge, Cabinet Member for Environment in responding to the notice of motion reported that the Council had looked at the operation of the company recently highlighted on a TV programme and in the process had contacted a number of authorities who had used them and had had informal

discussions with the company itself. The majority of their work was focused around the issue of Fixed Penalty Notices for littering which they had been doing very successfully in a number of urban areas. They had recently had enquiries on the enforcement of dog fouling, but recognised the difficulty of issuing tickets in this respect.

In Blaenau Gwent they had two contracts – one for litter which was based on a percentage of the income derived from issuing a Fixed Penalty Notice and one on an hourly rate for enforcing against dog fouling. They would not consider entering into a contract for dog fouling based on a percentage of the Fixed Penalty Notice income, due to the difficulty involved in issuing Fixed Penalty Notices. The company would consider a contract for dog fouling enforcement but only on an hourly rate basis.

The company were shortly starting work on a 12 month pilot contract with Denbighshire and Conwy which would cover both dog fouling and litter. The Councils intended to review all the comments before proceeding further with our Enforcement Team and would closely monitor how this pilot progressed before making recommendations to Members on whether it was right for the Council to adopt such an approach in the future.

Councillor N.R. Steele-Mortimer spoke in support of the motion and said that the matter had been a concern for Members for a number of years. He questioned why this matter had been brought to the County Council by a Cabinet Member as this could have been considered by the Cabinet. He gave notice that he would be requesting a recorded vote. In responding to his comments, Councillor A.P. Shotton, Leader of the Council supported the notice of motion being submitted to County Council as the matter affected all residents of Flintshire.

Councillor H.D. Hutchinson spoke in support of the motion and reported that during his time as Executive Member for Public Protection and Leisure he had been pro-active in addressing the matter of dog fouling and littering and that many improvements had been made. Councillor P.G. Heesom paid tribute to the work undertaken by Councillor Hutchinson and asked that Councillor Steele-Mortimer to withdraw his notice of a recorded vote as the motion was in the best interests of all residents of Flintshire.

Councillor W.O. Thomas raised concern around the difficulty of enforcing the Council's regulations on dog fouling and littering as 80% of Flintshire was rural and suggested that members of the public should be allowed to report instances of dog fouling and littering. Councillor C.A. Ellis spoke in support of the motion but raised concern with the suggestion of members of the public taking matters into their own hands when tackling dog fouling.

Councillor M.J. Peers spoke in support of the motion. He reported that the monitoring of the performance of the Enforcement Team sat within the remit of the Environment Overview and Scrutiny Committee and questioned whether they were achieving what was expected of them. He said that the motion would give the Environment Overview and Scrutiny Committee the opportunity to evaluate the Council's own Enforcement Team and report back to County Council in due

course. Councillor H.J. McGuill also spoke in support of the motion and the Council's Enforcement Team who she had found to be very helpful.

In summing up, Councillor Bithell said that he had submitted a question to County Council 12 months ago asking for details on how many fines had been imposed and the answer given had been very few. He explained that he had submitted the notice of motion to County Council as the matter concerned all Members. He commented on the good work of the Enforcement Team but said that there was not enough staff to tackle the issue across Flintshire and asked all Members to support the motion.

Councillor Steele-Mortimer requested a record vote but not enough Members stood in support of this.

RESOLVED:

Given the continuing problem being experienced by Flintshire residents with dog fouling and litter, this Council calls upon Officers to consider the employment of an enforcement company to enforce our regulations regarding these issues.

79. QUESTIONS

The following question had been submitted by Councillor N.M. Steele-Mortimer:-

"I understand that a Flintshire Special Needs child is being fostered in Conwy but is being brought by taxi to school in Flint daily and singly.

How much does this cost and which Council is paying for it".

Councillor R.C. Bithell responded that the child concerned had severe learning disabilities and the carers, although residing in Conwy, were Flintshire Carers. An alternative school was considered but in fact the most appropriate alternative school was further away in terms of travel time than the school in Flint. Had they accessed a placement in the Conwy area, Flintshire would be charged for the placement plus any transport costs and this would, no doubt, have been higher than the current arrangements.

Councillor Steele-Mortimer was given the opportunity to ask a supplementary question. He said that he had not been given an answer on how much the transport costs were and asked how many Flintshire carers were residing in other Counties across North Wales.

The Head of Legal and Democratic Services said that a written response would be provided to Councillor Steele-Mortimer following the meeting.

80. FLINTSHIRE COUNTY COUNCIL'S RESPONSE TO THE BETSI CADWALADR UNIVERSITY HEALTH BOARD (BCUHB) REVIEW

The Director of Community Services introduced a suggested formal response to the consultation on proposed health service changes in North Wales with a clear focus on how it would affect Flintshire residents. The suggested formal response was shown at Appendix 1 of the report which had been

circulated to all Members before the meeting. The deadline for responses on the consultation document was the 28 October, 2012 and it had been suggested in the report that delegated authority be given to the Chief Executive, Leader of the Council, himself, Cabinet Member for Social Services and the Chair of the Social and Health Care Overview and Scrutiny Committee to make any necessary amendment following the meeting.

He commented on the formal response to specific proposals for change in different service areas as detailed in Appendix 1, explaining that Members comments made during the special Social and Health Overview and Scrutiny Committee held on 19 September, 2012 had been taken on board when formulating the response. He said that these were welcome aspects of the proposals, but that significant concerns about the proposals remained and the draft response detailed these concerns.

Councillor A.P. Shotton, Leader of the Council thanked all Members for their contribution which formed part of the formal response. He said that there had not been sufficient detailed planning on the provision of robust service modelling for the Council to be reassured that the proposals were sustainable and in the best interest of Flintshire residents. He proposed that Appendix 1 be adopted as the formal response from Flintshire County Council to the BCUHB consultation and in moving the response proposed that the Council clearly state its position on the proposals for Community Hospitals and Local Health Services as follows:-

- That the Council was unconvinced by the case for change for Flint Community Hospital. In the absence of any specific proposals for the retention of accessible local services within the town of Flint the Council rejects the proposal to close Flintshire Community Hospital and its minor injuries unit;
- That the minor injuries and x-ray services at Mold Community Hospital be retained on the grounds that Mold services a large and expanding population with established public transport;
- That the Minor Injuries Clinic at Deeside Hospital facility be commissioned and opened as proposed, to provide an accessible service to the communities of Deeside; and
- That the retention of local minor injuries services across the county, and the opening of the facility at Deeside, would prevent minor injuries self-referrals to District General Hospitals which would make further demands on already stretched Accident and Emergency services.

It was for these reasons that Flintshire County Council would urge the BCUHB to withdraw the current proposals with immediate effect.

In seconding the proposals, Councillor C.M. Jones, Cabinet Member for Social Services spoke in support of the formal response which reflected the concerns of Members, officers and residents of Flintshire.

Members raised a number of concerns around the proposals for the Neonatal Intensive Care Service, the proposals for Mold Community Hospital and Flint Community Hospital, the current shortage of beds at Glan Clwyd Hospital, cross-border issues and dementia care.

Councillor C.A. Ellis commented that residents in Buckley were unaware of the proposed changes to the local health services and proposed an amendment to the proposals that concern on the lack of consultation for residents in Buckley be included in the response. She also commented on Appendix 2 of the report detailing the summary of issues raised during the consultation events, and said that the concerns around current waiting times at A&E had not been adequately reflected.

The Chief Executive said that the formal response would be amended accordingly to provide examples where the consultation process had not been inclusive.

Councillor M.J. Peers welcomed the formal response and proposals put forward by the Leader of the Council. He asked that reference be made to the affect the changes to Mold Community Hospital would have on residents of Buckley. He also asked that the words 'referrals/self-referrals be removed from section 4.4.6 of the formal response and that more emphasis was needed on cross-border issues to ensure that all North West England hospitals were included in the report. He also asked that the word 'Flintshire' shown in section 7.2 of the formal response be amended to read 'Wales'.

The Chief Executive explained that the health services commissioned from England health providers within the NHS would not be affected by the consultation but said that reference could be made to ensuing that cross-border relationships and contractual arrangements continue.

Councillor R.B. Jones asked that the section of the formal response dealing with transport be expanded to reflect the Transport Strategy which had not been taken into account when proposing changes to the local health service. He said that BCUHB should have consulted with transport providers prior to formally submitting their proposals.

Councillor H.T. Isherwood asked the Leader of the Council for an assurance that if the BCUHB did not take on board the concerns of Flintshire County Council that he would meet with the Minister for Health and Social Services. Councillor I.B. Roberts raised concerns around the proposals to close Flint Community Hospital and commented on the campaign of Flint residents to maintain this service. He thanked all Members of the Council for listening to the concerns of the residents of Flint.

Councillor M. Bateman asked that section 4.4.5 of the formal response be amended to reflect the current x-ray service provided at Mold Community Hospital and also that the Mold League of Friends had also offered to fund any upgrade of necessary equipment at the hospital. She also asked if details on the number of x-rays carried out at Mold Community Hospital could be provided.

Councillor M.G. Wright raised concerns on General Practitioners (GPs) reluctance to transfer patients across the border to England as they were unsure whether payment for treatment provided would be received and asked whether GPs were being pressured not to refer patient across the border. The Chief

Executive said that it was expected that GPs would make appropriate referrals with the emphasis on individual choice.

Councillor V. Gay raised concerns on cross border issues and said that clarification was needed on how residents in Wales accessing their prescriptions in England would be reimbursed. The Chief Executive said that the formal response could be amended to reflect the day to day issues in cross-border patient movement.

In response to comments on care for dementia patients, the Director of Community Services said that this was a potential pressure and that the formal response would be strengthened to seek clarification on the term informal carers for dementia patients.

In response to a question on discussions over land at Flint for a future health centre, the Chief Executive confirmed that there had been general discussions between the BCUHB and Flintshire County Council on possible land for a new primary health facility but no specific request or offer for land dedication.

Councillor G. Banks suggested that section 3.2 of the formal response be amended to remove reference to the proposals for neonatal intensive care services being understood. The Chief Executive said that the formal response would be amended.

In summing up, Councillor Shotton thanked Members for the comments and suggestions and confirmed that the necessary amendments would be made to the formal response following the meeting. He raised concerns that the proposed changes were a cost saving exercise and gave an assurance that if the BCHUB did not withdraw their proposals he would seek a meeting with the Minister for Health and Social Services to outline Flintshire County Council's concerns.

Councillor I.B. Roberts asked that a copy of the revised formal response be circulated to all Members.

RESOLVED:

- (a) That Appendix 1 be adopted as the formal response from Flintshire County Council to the BCUHB consultation and that the Council clearly state its position on the proposals for Community Hospitals and Local Health Services as follows:-
- That the Council was unconvinced by the case for change for Flint Community Hospital. In the absence of any specific proposals for the retention of accessible local services within the town of Flint the Council rejects the proposal to close Flintshire Community Hospital and its minor injuries unit;
 - That the minor injuries and x-ray services at Mold Community Hospital be retained on the grounds that Mold services a large and expanding population with established public transport;

- That the Minor Injuries Clinic at Deeside Hospital facility be commissioned and opened as proposed, to provide an accessible service to the communities of Deeside; and
 - That the retention of local minor injuries services across the county, and the opening of the facility at Deeside, would prevent minor injuries self-referrals to District General Hospitals which would make further demands on already stretched Accident and Emergency services.
- (b) That Flintshire County Council urge the BCUHB to withdraw the current proposals with immediate effect;
- (c) That delegated authority be given to the Chief Executive and Director of Community Services following consultation with the Leader of the Council, Cabinet Member for Social Services and Chair of the Social and Health Care Overview and Scrutiny Committee to make amendments to the formal response taking into account Members views and suggestions;
- (d) That subject to the response from the BCUHB, the Leader of the Council meet with the Minister of Health and Social Services to outline the concerns of Flintshire County Council;
- (e) That copies of the formal response be circulated to all Members.

81. IMPROVEMENT PLAN 2012 -2017 AND ANNUAL PERFORMANCE REPORT

The Chief Executive introduced the Improvement Plan 2012 – 2017 and draft Annual Performance Report 2011/12.

The Improvement Plan built upon the ten Council Priorities and the supporting Directorate priorities presenting them in a single document. The current set of ten Council Improvement Priorities were extensive and were supported by a more detailed set of secondary Improvement priorities as detailed within the Improvement Plan 2012 – 2017. The length of timeframe for the Plan had been adjusted to a longer period of five years to reflect the period of office of the new Council.

The Annual Performance Report for 2011/12 reviewed the Council's progress against the Improvement Priorities. The report would be available as a web-based document which would be accessed via the Council's website and the supporting documents which provided the more detailed information would be available as 'signposted' documents.

Councillor W. Mullin thanked the Chief Executive, the Policy Performance and Partnerships Manager and her team for their hard work in preparing the reports and proposed that the County Council adopt the Improvement Plan 2012 – 2017, noting the addition of the three additional Improvement Priorities in line with the Leadership's Programme for Change and also endorsed the 2011/12 draft Annual Performance Report for publication.

Councillor S. Jones raised concern on the reporting mechanism of regional partnerships and asked how this could be improved. Councillor R.C. Bithell also

shared similar concerns and commented that there was some confusion over some partnership arrangements.

The Chief Executive commented on the complexities of regional partnerships and reported that update reports on performance were submitted to relevant Overview and Scrutiny Committees and Cabinet. He said that information on regional partnerships was readily available if Members wished to receive an update. The Council had adopted a three stage reporting protocol for regional collaborative projects.

Councillor P.G. Heesom commented on the complete TAITH work programme and raised concerns that Flintshire had missed out on large investments which had been given to Conwy and asked that this matter be examined further. Councillor M.G. Wright commented on the development of the Deeside Growth Zone and outlined the opportunities available to Flintshire.

Councillor A.P. Shotton, Leader of the Council in response to the concerns on regional partnership said that there was a need for the Community Profile and Partnerships Overview and Scrutiny to play an important role in scrutinising regional partnerships. On the Deeside Growth Zone he shared Members concerns and said that the Council would lobby for effective representation. He thanked the Policy Performance and Partnerships Manager and he team for the report and provided further details on each of the additional Improvement Priorities and said that further details on these would be reported back to Cabinet before the end of the calendar year.

Councillor R.B. Jones commented on the Lifelong Learning Directorate priorities as shown in the report and said that the priority to safeguard vulnerable communities had been removed from the report. He also commented on the importance of the Directorate Plan and Service Plan and asked if these were readily available to Members in order for them to gain a better understanding of Service Plans. On regional partnerships he said that the County Council had previously agreed that any regional partnership should benefit Flintshire County Council and would be reviewed on an on-going basis. He asked the Leader of the Council to investigate how each of the regional partnerships could be reviewed by Overview and Scrutiny and how this should be approached.

The Chief Executive reported that the Directorate Plan and Service Plan were published on the Council's internet. The Policy Performance and Partnerships Manager said that some of the information from the Lifelong Learning Directorate priorities had been removed in error and this part of the report would be amended accordingly prior to publication of the document.

RESOLVED:

- (a) That the County Council adopt the Improvement Plan 2012 – 2017, noting the addition of the three additional Improvement Priorities in line with the Leadership's Programme for Change; and
- (b) Endorse the 2011/12 draft Annual Performance Report for publication.

82. PROTOCOL ON THE PRODUCTION OF COUNCILLOR NEWSLETTERS

The Head of Legal and Democratic Services introduced a protocol on Councillor Newsletters which had been approved by the Standards Committee.

Councillor W. Mullin welcomed the report and proposed that the County Council adopt the protocol as shown at Appendix 2 of the report.

Councillor M.J. Peers suggested that section 3 of the protocol, be amended to read as follows:-

- Members are free to use the computers and other electronic devices provided by the Council available in Members Services and in the group rooms for the purposes of designing and setting up newsletters to their constituents.

In response to concerns raised, the Head of Legal and Democratic Services explained that there had been no indication that current facilities in Members Services had been used for Councillor Newsletters.

Councillor R.B. Jones proposed that an amendment that the County Council agree that Members cannot use any Flintshire IT software to produce Councillor Newsletters. This was seconded by Councillor C.J. Dolphin.

RESOLVED:

That the County Council agree that Members cannot use any Flintshire IT software to produce Councillor Newsletters.

83. DURATION OF MEETING

The meeting commenced at 2.00 p.m. and ended at 4.33 p.m.

84. ATTENDANCE BY MEMBERS OF THE PRESS AND PUBLIC

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

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Chair