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Chief Officer (Governance)
Prif Swyddog (Llywodraethu)



To: Cllr Robin Guest (Chair)

CS/NG

Councillors: Alex Aldridge, Bernie Attridge,
Glyn Banks, Haydn Bateman, Chris Bithell,
Clive Carver, David Cox, Paul Cunningham,
Glenys Diskin, Veronica Gay, George Hardcastle,
Christine Jones, Dave Mackie, Neville Phillips,
David Roney, Aaron Shotton, Nigel Steele-
Mortimer, David Williams, David Wisinger and
Arnold Woolley

1 October 2015

Maureen Potter 01352 702322
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Dear Sir / Madam

A meeting of the **CONSTITUTION COMMITTEE** will be held in the **DELYN COMMITTEE ROOM, COUNTY HALL, MOLD CH7 6NA** on **WEDNESDAY, 7TH OCTOBER, 2015** at **2.00 PM** to consider the following items.

Yours faithfully

Peter Evans
Democracy & Governance Manager

AGENDA

- 1 **APOLOGIES**
- 2 **DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)**
- 3 **MINUTES** (Pages 3 - 6)
To confirm as a correct record the minutes of the last meeting.

- 4 **NEW MODEL CONSTITUTION** (Pages 7 - 22)
Report of Chief Officer (Governance).

- 5 **PROPOSED CHANGES TO CHIEF OFFICER (PLANNING & ENVIRONMENT) DELEGATED POWERS** (Pages 23 - 42)
Report of Chief Officer (Governance).

- 6 **OVERVIEW & SCRUTINY ANNUAL REPORT** (Pages 43 - 76)
Report of Member Engagement Manager.

- 7 **NEW REPORT FORMAT FOR CABINET AND COMMITTEES** (Pages 77 - 80)
Report of Member Engagement Manager.

CONSTITUTION COMMITTEE **1 JULY 2015**

Minutes of the meeting of the Constitution Committee of Flintshire County Council held in County Hall, Mold, on Wednesday, 1 July 2015.

PRESENT: Councillor Robin Guest (Chairman)

Councillors: Bernie Attridge, Haydn Bateman, Chris Bithell, Clive Carver, David Cox, Paul Cunningham, Veronica Gay, Dave Mackie, Tim Newhouse, Nigel Steele-Mortimer, David Williams, and Arnold Woolley

SUBSTITUTIONS: Councillor Mike Lowe (for Alex Aldridge), Andy Dunbobbin (for Christine Jones), Ian Dunbar (for Glyn Banks), and Ian Smith (for David Wisinger)

APOLOGIES: Councillors Glenys Diskin, George Hardcastle, Neville Phillips, and Aaron Shotton

IN ATTENDANCE:

Chief Officer (Governance), Corporate Finance Manager, Member Engagement Manager, and Committee Officer

1. APPOINTMENT OF VICE-CHAIR

The Chair sought nominations for the appointment of Vice-Chair for the municipal year. Councillor Bernie Attridge nominated Councillor Veronica Gay and the proposal was duly seconded.

RESOLVED:

That Councillor Veronica Gay be appointed Vice-Chair for the Municipal year 2015/16.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. MINUTES

The minutes of the meeting of the Committee held on 15 April 2015, were submitted.

Accuracy

Minute 31 - Councillor Attridge asked that the minutes be amended to accurately reflect the comments he had made regarding the webcasting of Member meetings and his view that the proposed protocol should be approved.

RESOLVED:

That the minutes be received, approved and signed by the Chairman as a

correct record subject to an amendment to accurately reflect the comments which Councillor Attridge had made on the webcasting of member meetings.

4. FINANCIAL PROCEDURE RULES

The Corporate Finance Manager introduced a report on the proposed updated Financial Procedure Rules (FPRs) for comment and endorsement prior to approval at County Council on 23 July 2015. He provided background information and referred to the key considerations in the report. He advised that once approved the FPRs would be published on the Infonet and a programme of awareness raising would be implemented with all staff needing to complete a training session to ensure they are aware of the responsibilities they have in the adherence of the FPRs.

The Chair invited Members to raise questions.

Councillor Chris Bithell referred to the issue of a delay in invoices being sent to Town and Community Councils for payment for services which had been provided by the Authority. He said such a delay was embarrassing in view of the Authority's current financial position and it was unacceptable that funds were waiting to be collected. Councillor Bithell also asked what happened to those resources which were surplus to requirements by the Authority and cited computers, telephones, and furniture as an example.

The Corporate Finance Manager responded that the FPRs confirmed the principle that invoices were to be raised as soon as possible for services supplied by the Authority. Regarding the further question asked by Councillor Bithell concerning disposal of surplus resources he explained that all equipment and furniture was held centrally and recycled. If not required elsewhere such items would eventually be sent to general auction. He said he could provide further information to Members on this process if required. In response to a query from the Chair the Chief Officer (Governance) advised that if a request was made for new furniture or equipment within the Authority there was a procedure and a "fail-safe" system in place to ensure that consideration was given to meeting the need "in-house" in the first instance.

Councillor Dave Mackie referred to Appendix 1, Section 1.4, and said there was no reference to the responsibilities of Members.

RESOLVED:

That the Committee endorses the updated financial procedure rules and recommend that they are submitted to Council with the Constitution being duly amended in due course

5. SCHEDULE OF MEMBER REMUNERATION

The Chief Officer (Governance) introduced a report to consider amending the format of the Council's Schedule of Member Remuneration to reflect recent guidance issued by the Independent Remuneration Panel for Wales ("The

Panel”). He provided background information and referred to the main considerations as detailed in the report. He explained that appended to the report was a recommended revised Schedule of Member remuneration seeking to combine the best parts of the Panel’s proforma and the Council’s existing schedule.

Referring to the Authority’s current Schedule of Member Remuneration which was appended to the report, Councillor Chris Bithell raised a concern relating to the guidance around the circumstances in which payment of the senior allowance could be paid to Members. He referred to the matter of absence through long term sickness and asked if a more sympathetic approach could be adopted to Member absence through illness. The Chief Officer (Governance) responded that the process was laid down in the Local Government Act 1972, and that the Welsh Government (WG) would need to change that legislation first. He agreed to raise the point with WG.

Councillor Bithell raised a further concern that the extent to which Members contributed to Council business on a daily basis by attendance at meetings and events throughout the County was not recorded. During discussion it was agreed that the inclusion of appropriate explanatory notes in the publication of information regarding Member salaries be investigated. Councillor Bithell also commented on the payment of co-opted member fees and the payments made to Members through outside bodies. He commented on the need for transparency and said it was important to review such arrangements to ensure that there was no duplication of payment under existing roles and responsibilities. It was agreed that the Chief Officer (Governance) would review how payments made to Members through outside bodies also be reflected in the published information and report back to a future meeting.

In response to a query raised by Councillor Carver concerning the recording of Member activity as stated in paragraph 5.01, the Chief Officer (Governance) explained that the Authority was not required to keep records of such activity but was required to stipulate whether it did so or not.

RESOLVED:

- (a) That the revised Schedule of remuneration be adopted;
- (b) That a less formal approach to Member absence through illness be raised with Welsh Government;
- (c) That the publication of information regarding Member salaries include appropriate explanatory notes added to the schedule; and
- (d) That the Chief Officer (Governance) review how payments made to Members through outside bodies be reflected in the published information.

6. OVERVIEW & SCRUTINY COMMITTEE TERMS OF REFERENCE

The Member Engagement Manager introduced a report on the representations which had been made by the Overview & Scrutiny Committees within the new structure for amendments to their terms of reference. He provided background information and referred to the main considerations as detailed in the report concerning amendments to the terms of reference of the Corporate Resources Overview & Scrutiny Committee, and that the Education & Youth Overview & Scrutiny Committee had requested that it be kept fully informed of any future issues arising around dual use leisure centres where there would be an impact on schools.

RESOLVED:

- (a) That the Committee approves the inclusion of references to Value for Money and the Medium Term Financial Strategy and Plan within the terms of reference of the Corporate Resources Overview & Scrutiny Committee; and
- (b) That the Chief Officer (Organisational Change 1) be requested to keep the Education and Youth Overview & Scrutiny Committee informed of any future issues around dual use leisure centres where there would be an impact on schools.

7. CHAIRMAN'S CLOSING REMARKS

Referring to the previous agreement that the last two meetings of the Democratic Services Committee would be held immediately prior to the meetings of the Constitution Committee, the Chairman advised that he would write to the Group Leaders to seek their views on returning to the previous position where the majority of Members were common to both Committees.

8. MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE

There were no members of the public or press in attendance.

(The meeting commenced at 3.17 pm and finished at 4.08 pm.)

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Chairman

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **CONSTITUTION COMMITTEE**
DATE: **WEDNESDAY, 7 OCTOBER 2015**
REPORT BY: **CHIEF OFFICER (GOVERNANCE)**
SUBJECT: **NEW MODEL CONSTITUTION**

1.00 PURPOSE OF REPORT

- 1.01 To consider differences between the Council's current Constitution and the Model Welsh Constitution (MWC) and whether to amend any provisions as a result.

2.00 BACKGROUND

- 2.01 At the AGM in May, the Council adopted the same layout as the MWC and transposed all of the content from its Constitution (in this report called the "old constitution") into that new layout. It did not change the substance of any rules and procedures.
- 2.02 As a result there are differences between the old constitution and the MWC. The Constitution Working Group (CWG) met on 9 July 2015 to consider those differences. It has made recommendations as to changes which it believes should be made.

3.00 CONSIDERATIONS

- 3.01 The following parts of the old constitution are not included within the MWC and it is recommended by the CWG that they be included as indicated:

- a) The old constitution contained Article 3.02 which stated:

'Citizens' responsibilities

Citizens must not be violent, abusing or threatening to councillors, or officers and must not wilfully harm things owned by the council, councillors or officers.'

The Constitution Working Group considered that this section should be inserted in the MWC to form a new paragraph (h) at the end of paragraph 3.2.1 with the addition of the following sentence:

"The Council will consider legal action to protect its councillors,

officers or property.”

- b) Article 17 of the old constitution included the principles of decision making. The Working Group considered that Articles 17.01, 17.02 and 17.06, 17.07 and 17.08 should all be added to the MWC after s.1.2.1 as shown at Appendix A.

3.02 In addition there were parts of the old constitution and MWC which the Working Group decided not to adopt.

- a) Article 1.04 of the old constitution refers to review of the Constitution. The Working Group considered that this was dealt with more comprehensively by paragraphs 2.4 and 2.5 of the MWC as shown at Appendix B.
- b) The Working Group decided that Articles 20.02 and 20.03 (see Appendix C) were dealt with in a better way by paragraphs 2.3 and 2.8 of the MWC. It therefore recommended that they are not included.
- c) The MWC provides for an annual state of the County debate (see Appendix D). The Working Group felt that the notice of motion procedure gave ample opportunity to debate issues affecting the county. It recommends not adopting that provision.

3.03 The MWC contains a provision at paragraph 6.3.4 (Appendix E) enabling the Council to appoint a new Leader in the event that the existing Leader becomes so ill or incapacitated that he cannot continue in the role. The Working Group hoped that the provision would never need to be exercised but saw that it would be beneficial if such circumstances arose. It recommended the inclusion of a less legalistic version of the provision which is also set out at Appendix E.

3.04 Lastly, the Working Group considered provisions about dismissing the Leader. The old constitution stated that the Leader was appointed at the AGM and served until the next AGM unless he resigned or was disqualified. There was no provision enabling the Leader to be removed, as exists in other councils. It was noted that those councils tend to appoint their leader for a whole council term but it agreed that it would be useful to have such a provision in case it was ever needed.

3.05 The Working Group wanted a process that would not destabilise the Council but, which did not set too high a threshold for removal. It considered that the MWC provision set too low a hurdle and so recommended that 15% of councillors from at least 2 groups would be needed to instigate such a vote and that a simple majority would be needed to approve the motion. As a further safeguard it suggested that no more than one such vote should be permitted in a rolling 12

month period.

4.00 RECOMMENDATIONS

4.01 That the changes in Appendixes A – E should be approved.

5.00 FINANCIAL IMPLICATIONS

5.01 None directly arising from this report.

6.00 ANTI POVERTY IMPACT

6.01 None directly arising from this report.

7.00 ENVIRONMENTAL IMPACT

7.01 None directly arising from this report.

8.00 EQUALITIES IMPACT

8.01 None directly arising from this report.

9.00 PERSONNEL IMPLICATIONS

9.01 None directly arising from this report.

10.00 CONSULTATION REQUIRED

10.01 Following consideration by this committee any changes must be approved by full Council.

11.00 CONSULTATION UNDERTAKEN

11.01 The Leader and Constitution Working Group.

12.00 APPENDICES

12.01 Appendix A – Articles 17.01, 17.02 and 17.06, 17.07 and 17.08 to be added to MWC

Appendix B – Article 1.04 to be added to paragraphs 2.4 and 2.5 of the MWC

Appendix C – Articles 20.02 and 20.03

Appendix D – State of the County debate

Appendix E – MWC provisions at paragraph 6.3.4

LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985

BACKGROUND DOCUMENTS

As referred to in the report.

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17.01 Responsibility for decision making

The Council will issue and keep a record of what part of the Council or individual has responsibility for particular types of decisions or decisions relating to particular areas or functions. This record is set out in Part 3 of this Constitution.

17.02 Principles of decision making

All decisions of the Council will be made in accordance with the following principles:

PRINCIPLES OF DECISION MAKING

- (a) proportionality (i.e. the action must be proportionate to the desired outcome);
- (b) due consultation and the taking of professional advice from officers;
- (c) respect for human rights (see below for further details);
- (d) a presumption in favour of openness; and
- (e) clarity of aims and desired outcomes.

17.03 Decisions reserved to full Council

Decisions relating to the functions listed in Articles 4.01 and 4.02 will be made by the full Council and not delegated.

17.04 Decision making by the full Council

Subject to Article 16.08, the Council meeting will follow the Council Procedures Rules set out in Part 4 of this Constitution when considering any matter.

17.05 Decision making by the Cabinet

Subject to Article 16.08, the Cabinet will follow the Cabinet Procedures Rules set out in Part 4 of this Constitution when considering any matter.

17.06 Decision making by Overview and Scrutiny Committees

Overview and Scrutiny Committees will follow the Overview and Scrutiny Procedures Rules set out in Part 4 of this Constitution when considering any matter.

17.07 Decision making by other Committees and Sub-Committees established by the Council

Subject to Article 17.08, other Council Committees and Sub-Committees will follow those parts of the Council Procedures Rules set out in Part 4 of this Constitution as apply to them.

17.08 Decision making by Council bodies acting as tribunals

The Council, a Councillor or an officer acting as a tribunal or in a quasi judicial manner or determining/considering (other than for the purposes of giving advice) the civil rights and obligations or the criminal responsibility of any person will follow a proper procedure which accords with the requirements of natural justice and the right to a fair trial contained in Article 6 of the European Convention on Human Rights.

Recommendation 17.01, 17.02, 17.06, 17.07, 17.08 to be added to MWC after section 1.2.1 as shown below

1. How the Council Operates

- 1.2.1 The Council is comprised of Councillors elected every four years. Each Councillor is democratically accountable to the residents of their electoral division as well as all of those who live in. The overriding duty of Councillors is to the whole community, but they have a special duty to their constituents, including those that did not vote for them.
- 1.2.2 The Council will issue and keep a record of what part of the Council or individual has responsibility for particular types of decisions or decisions relating to particular areas or functions. This record is set out in Part 3 of this Constitution.
- 1.2.3 All decisions of the Council will be made in accordance with the following principles:
 - (a) proportionality (i.e. the action must be proportionate to the desired outcome);
 - (b) due consultation and the taking of professional advice from officers;
 - (c) respect for human rights (see below for further details);

- (d) a presumption in favour of openness; and
- (e) clarity of aims and desired outcomes.

1.2.4 Overview and Scrutiny Committees will follow the Overview and Scrutiny Procedures Rules set out in Part 4 of this Constitution when considering any matter.

1.2.5 Subject to paragraph 1.2.6, other Council Committees and Sub-Committees will follow those parts of the Council Procedures Rules set out in Part 4 of this Constitution as apply to them.

1.2.6 The Council, a Councillor or an officer acting as a tribunal or in a quasi judicial manner or determining/considering (other than for the purposes of giving advice) the civil rights and obligations or the criminal responsibility of any person will follow a proper procedure which accords with the requirements of natural justice and the right to a fair trial contained in Article 6 of the European Convention on Human Rights.

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ARTICLE 1.04 CURRENT CONSTITUTION

1.04 Review of the Constitution

The Council will monitor and evaluate the operation of the Constitution as set out in Article 19.

MODEL WELSH CONSTITUTION

2.4 Duty to Monitor and Review the Constitution

The Monitoring Officer will monitor and review the operation of the Constitution to ensure that the aims and principles of the Constitution are given full effect and it is kept up-to-date. The Section 151 Officer shall be responsible for keeping under review the Financial Regulations set out in Section 16 of the Constitution and shall make any necessary amendments and revisions as are required from time to time. He/she shall report any amendments made to Section 16 to the next available Council meeting for noting.

2.5 Protocol for Monitoring and Review of Constitution by Monitoring Officer

A key role for the Monitoring Officer is to make recommendations for ways in which the Constitution could be amended in order to better achieve the purposes set out in this Section. In undertaking this task, the Monitoring Officer may:

- 2.5.1 observe meetings of different parts of the Member and Officer structure;
- 2.5.2 undertake an audit trail of a sample of decisions;
- 2.5.3 record and analyse issues raised with him/her by Members, Officers, the public and other relevant stakeholders; and,
- 2.5.4 compare practices in this Council with those in comparable authorities, or national examples of best practice.

Recommendation: to use the MWC which is more comprehensive

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ARTICLES 20.02 & 20.03 OLD CONSTITUTION

20.02 Interpretation

The ruling of the Chair of Council as to the construction or application of this Constitution or as to any proceedings of the Council shall not be challenged at any meeting of the Council. Such interpretation will have regard to the purposes of this Constitution contained in Article 1.

20.03 Publication

- (a) The Chief Officer, Governance will ensure that printed copies are available for inspection at Council offices, libraries and other appropriate locations, and can be purchased by members of the local press and the public on payment of a reasonable fee.
- (b) The Chief Officer, Governance will ensure that the summary of the Constitution is made widely available within the area and is updated as necessary.

MODEL WELSH CONSTITUTION:-

2.3 Interpretation of the Constitution

- 2.3.1 We have tried to make the Constitution as clear and as easy to understand as possible. Inevitably, people will have different views about what certain passages mean.
- 2.3.2 During meetings, the person chairing or presiding at the meeting interpret the relevant procedure rules and their ruling is final.
- 2.3.3 In all other situations, the Monitoring Officer will determine the interpretation and application of the Constitution, including the procedure rules

2.8 Publication

- 2.8.1 The Monitoring Officer will ensure that copies of this Constitution are available for inspection at Council offices and on the Council's website.

- 2.8.2 The Monitoring Officer will provide a link to a copy of this Constitution to each Member of the Council upon delivery to him/her of that individual's declaration of acceptance of office on the Member first being elected to the Council and thereafter ensure that an up to date version is available for inspection and published on the Council's website.
- 2.8.3 The Monitoring Officer will ensure that the Constitution is updated as necessary in accordance with paragraph

Recommendation: To use paragraphs 2.3 and 2.8

	State of the County Debate	APPENDIX D
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4.23

4.23.1 Calling of Debate

The Leader may call a state of the County debate annually on a date and in a form to be agreed with the Chair.

4.23.2 Form of Debate

The Leader will decide the form of the debate with the aim of enabling the widest possible public involvement and publicity. This may include holding workshops and other events prior to or during the debate.

4.23.3 Chairing of Debate

The debate will be Chaired by the Chair.

4.23.4 Results of Debate

The results of the debate will be disseminated as widely as possible within the community and to agencies and organisations in the area which work in active partnership with the Council and considered by the Leader in proposing the Budget and Policy Framework to the Council for the coming year.

Recommendation: Not to adopt these provisions

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1. SICKNESS/ILL HEALTH

MODEL WELSH CONSTITUTION

6.3.4 The Leader will cease to be Leader upon death or upon suffering any disability which will, or is likely to, prevent them from undertaking the role of Leader for a period of three months or more.

Suggested alternative wording

6.3.4 If the Leader dies or suffers any accident, illness or injury which will, or is likely, in the opinion of the Chair of Council, to prevent them from undertaking the role of Leader for a period of three months or more then the Full Council must consider whether to appoint a replacement

Recommendation: to adopt the suggested alternative wording

2. REMOVAL BY NOTICE OF MOTION

MODEL WELSH CONSTITUTION

6.3.2 The Leader can be dismissed where the Council passes a resolution removing him/her from office in accordance with the Rules at section .

4.20.4 Motion to Remove the Leader

- (a) A motion to remove the Leader cannot be moved unless the notice of motion is signed by a number of councillors which is at least equivalent to 15% of the total number of councillors on the Council and which includes councillors from at least two political groups.
- (b) In order for such a motion to be carried it must have the support of at least two thirds of those Members voting and present in the room at the time the question was put.
- (c) A motion to remove the Leader cannot be moved more than once in any rolling 12 month period.

RECOMMENDED ALTERNATIVE

6.3.2 The Leader can be dismissed where the Council passes a resolution removing him/her from office in accordance with the Rules at section .

4.20.4 Motion to Remove the Leader

- (a) A motion to remove the Leader cannot be moved unless the notice of motion is signed by a number of councillors which is at least equivalent to 15% of the total number of councillors on the Council and which includes councillors from at least two political groups.
- (b) In order for such a motion to be carried it must have the support of a majority of those Members voting and present in the room at the time the question was put.
- (c) A motion to remove the Leader cannot be moved more than once in any rolling 12 month period.

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **CONSTITUTION COMMITTEE**

DATE: **WEDNESDAY, 7 OCTOBER 2015**

REPORT BY: **CHIEF OFFICER (GOVERNANCE)**

SUBJECT: **PROPOSED CHANGES TO CHIEF OFFICER
(PLANNING & ENVIRONMENT) DELEGATED
POWERS**

1.00 PURPOSE OF REPORT

- 1.01 To consider recommendations from Planning Strategy Group (PSG) to alter the delegations to the Chief Officer (Planning & Environment).
- 1.02 To transfer the documented responsibility to make agreements for highway works from the Chief Officer (Streetscene and Transportation) to the Chief Officer (Planning & Environment) in order to reflect the staffing structure.

2.00 BACKGROUND

- 2.01 The Chief Officer (Planning & Environment) has reported twice to PSG on potential changes to his delegated authority (see Appendix A and B). The purpose was to update the scheme and to ensure that the Planning and Development Committee considered those applications that warrant member scrutiny rather than matters which are reported to committee due to a technicality.
- 2.02 PSG considered a report on 21 May 2015 when it resolved:
- “(a) That the amendments to the Chief Officer (Planning & Environment) Scheme of Delegation be endorsed;
 - (b) That a report on the implications of the CIL regulations on Section 106 obligations be submitted to the next meeting of this Group; and
 - (c) That a reporting incorporating the proposed changes to the Chief Officer (Planning and Environment) delegated powers be submitted to the next available meeting of the Council’s Constitution Committee.”

PSG considered a further report on 2 July 2015 when it resolved:

“That the additional amendments to the Chief Officer (Planning & Environment) Scheme of Delegation outlined in the report be endorsed and that a report incorporating all the proposed changes be

taken to the next meeting of the Council's Constitution Committee.”

- 2.03 Section 13 of the Constitution sets out which committee or officer is responsible for Local Choice Functions (see table 3 page 175 onwards). At paragraph 18 (page 177) it allocates “the power to make agreements for the execution of highways works” to the Chief Officer (Transport and Streetscene) [sic]. In reality that work is now undertaken by officers reporting to the Chief Officer (Planning & Environment). It is therefore recommended that the table is amended to reflect this.

3.00 CONSIDERATIONS

- 3.01 It is clear that PSG fully supported the revised delegations to the Chief Officer (Planning and Environment), and was satisfied that the Planning & Development Control Committee will still be able to consider applications that warrant member scrutiny. There is of course the failsafe that members retain the ability to ask for applications to be considered at committee (if there is a legitimate reason).

4.00 RECOMMENDATIONS

- 4.01 That the revised delegations, recommended by PSG, to the Chief Officer (Planning & Environment) are recommended to Council for approval.
- 4.02 That the power to make agreements for the execution of highways works be transferred from the Chief Officer (Transport and Streetscene) to the Chief Officer (Planning & Environment).

5.00 FINANCIAL IMPLICATIONS

- 5.01 None directly arising.

6.00 ANTI POVERTY IMPACT

- 6.01 None directly arising.

7.00 ENVIRONMENTAL IMPACT

- 7.01 None directly arising.

8.00 EQUALITIES IMPACT

- 8.01 None directly arising.

9.00 PERSONNEL IMPLICATIONS

- 9.01 None directly arising.

10.00 CONSULTATION REQUIRED

10.01 This matter must be referred to full Council for approval.

11.00 CONSULTATION UNDERTAKEN

11.01 Planning Strategy Group

12.00 APPENDICES

Appendix A – Report to Planning Strategy Group dated 21.5.15

Appendix B – Report to Planning Strategy Group dated 2.7.15

**LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985
BACKGROUND DOCUMENTS**

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FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING STRATEGY GROUP**

DATE: **THURSDAY, 21 MAY 2015**

REPORT BY: **CHIEF OFFICER (PLANNING AND ENVIRONMENT)**

SUBJECT: **PROPOSED CHANGES TO CHIEF OFFICER
(PLANNING & ENVIRONMENT) DELEGATED
POWERS**

1.00 PURPOSE OF REPORT

1.01 To advise members of the intention to seek authority for the changes to the Chief Officer (Planning and Environment) delegated powers (pages 144 – 150 of the Council's constitution), in relation to the thresholds set in some of the criteria, the procedures for accepting money in lieu of community provisions under Section 106 obligations and other minor changes to update the scheme (The relevant extract from the constitution, being the existing scheme of delegation, is appended to the report).

2.00 BACKGROUND

2.02 Members will note from the attached delegated scheme (Para.4 at the bottom of page 145) that the Chief Officer (Planning and Environment) has the authority 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 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"

2.03 Members will also be aware that a number of planning applications have recently been reported to committee to seek Section 106 monies in lieu of Education provisions and affordable housing. Similarly, amendments to Section 106 Obligations relating to larger schemes have to be reported back to committee whenever minor changes such as substitution of house types are proposed, as this falls outside the delegated powers as they stand. Rarely will the issues be significant enough to warrant consideration by Members and the changes outlined below would allow these to be processed under delegated powers.

2.04 Other changes to the delegated scheme are required to bring it up to date with legislative and procedural changes and these along with the changes to some of the thresholds are set out below. The restrictions set out at the start of the delegation scheme, including "Where a

Member requests in writing during the consultation period that any application in his or her ward should be determined by the Planning and Development Control Committee” (and the following clause which refers to adjoining ward Members) will remain applicable to the amended delegation scheme as they do at present.

3.00 CONSIDERATIONS

- 3.01 The most recent amendment to the planning delegated scheme increased the thresholds in relation to non-residential developments from 1,000 sq. m. to 2,000 sq. m. (5,000 sq. m. on established industrial estates /business parks or land allocated for such purposes in the UDP). The intention here was to facilitate employment generating development. However, one of the remaining restrictions on delegated decisions refers to the development not exceeding 15 metres in height. **(Page 144, 1. (b) and (c))** of the delegated scheme. Whereas this is a useful indicator of the bulk and massing of a building and therefore of its potential impact and significance, there are often elements of the building or free standing structures which will exceed this height but which in themselves have little impact. Examples might be silos, telecommunication masts, chimneys and stacks and, in some contexts wind turbines. What is suggested in this context is that the reference to height is amended to read :
“Where the height, in the case of a building would exceed 15 metres and in the case of any other structure, 25 m.
- 3.02 The next suggested change is in relation to changes of use **(Page 145, 1. (i))**. This reads “changes of use to buildings and land where the floor area does not exceed 2000 sq. m. or the site area does not exceed 0.2 Ha.” It is proposed that this should also be subject to the clause that applies to (b) and (c) above, namely: **“the limits in (i) be increased to 5,000 sq. m. and 5 Ha. respectively on established industrial estates/business parks or land allocated for such purposes in the UDP”**.
- 3.03 Turning next to residential development **(Page 145, 1. (j))**. This presently reads “residential development which does not exceed 0.5 Ha, substitution of house types and variation of layout”. Previous versions of this clause referred to a maximum number of dwellings (10) and it is considered that for clarity a specific number should be re-introduced as a threshold. Based on the 0.5 Ha and the UDP’s standard of 30 dwellings to a hectare it is proposed that this should be changed to read: **“residential development which does not exceed 15 units or, where the number of dwellings is not known, 0.5 Ha., substitution of house types and variation of housing layouts”**
- 3.04 In relation to the construction of services **(Page 145, 1. (l))** which reads: “construction above and below ground of storage tanks with a volume no greater than 10,000 litres, pipes, sewers, drains and power lines of no more than 1Km. in length and associated pumping stations and substations”, it is suggested that the **of no more than 1 Km. in**

length is taken out on the basis that the impact of a proposed service is not proportional to its length (a 1 Km. overhead line might affect a significant number of properties in an urban area whereas a 10 Km. line might have no such impact in a rural area)

- 3.05 In relation to Section 106 Obligations (**Page 145, 4.**) the Chief Officer (Planning and Environment) has the authority 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 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”.
- 3.06 Under the Community Infrastructure Levy (CIL) Regulations the way we can accept money for community benefits has changed and a report on the implications of the legislation will be brought to the next group meeting. However, the current wording of the delegated power in relation to Section 106 Obligations results in a number of applications being reported to committee when they do not raise any significant planning issues which need involve Members
- 3.07 It is therefore proposed that Clause 4. should be amended to read:
“(i) 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, educational provision and/or in lieu of affordable housing provision, where the residential development concerned provides a maximum of 15 no. dwellings.
(ii) On behalf of the Council to receive the earlier payment of the monies referred to above where the applicant requests this as an alternative to the Section 106 Obligation.
(iii) On behalf of the Council to amend existing Section 106 Obligations covering the above matters.
- 3.08 Members will be aware that we will shortly be charging for pre-application advice and Welsh Government will be introducing a formal procedure in respect of this service. In light of these changes it is proposed to add another clause to the scheme of delegation to cover this:
5. To provide pre-application advice in relation to development proposals, informally and on the basis of formal applications
- 3.09 Finally, it will be noted that the Executive Functions (**Page 146**) and Schedule 1. (**Pages 147 – 150**) need to be updated to take account of procedural changes (e.g. Forestry Commission is now NRW) and more recent legislation (e.g. **The T&CP (Development Management Procedure) (Wales) Order 2012**) and these are included in the attached amended Scheme of Delegation.

4.00 RECOMMENDATIONS

That the amendments to the Chief Officer (Planning and Environment) Scheme of Delegation be endorsed and that a report incorporating the proposed changes be taken to the next meeting of the Council's Constitution Committee

5.00 FINANCIAL IMPLICATIONS

None

6.00 ANTI POVERTY IMPACT

None

7.00 ENVIRONMENTAL IMPACT

None

8.00 EQUALITIES IMPACT

None

9.00 PERSONNEL IMPLICATIONS

None

10.00 CONSULTATION REQUIRED

None

11.00 CONSULTATION UNDERTAKEN

None

12.00 APPENDICES

Chief Officer (Planning and Environment) Scheme of Delegation

**LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985
BACKGROUND DOCUMENTS**

Contact Officer: Glyn P. Jones
Telephone: 01352 703248
Email: glyn.p.jones@flintshire.gov.uk

Chief Officer, Planning & Environment

1. Subject to the following restrictions:-

(a) Where a Member requests in writing during the consultation period that any application in his or her ward should be determined by the Planning & Development Control Committee.

(b) Where an adjoining Ward Members whose Ward is likely to be significantly affected by the development in question requests in writing during the consultation period that the application be determined by the Planning & Development Control Committee.

(c) Where the application constitutes a departure from the Development Plan.

The Chief Officer, Planning & Environment shall have power to act and determine applications in accordance with the Council's Planning Policies in the following categories:-

(a) alterations and/or extensions to residential property, the construction of and alterations and/or extensions to domestic garages and structures;

(b) alterations and/or extensions to non-residential buildings or structures where the additional net floor space or ground area does not exceed 2000 sq.m. or 50% of the existing whichever is the greater, where the resultant building or structure would not exceed 15 metres in height above ground level 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 sq.m. net floor space or exceed 15 metres in height above ground level and/or where the site does not exceed 2 ha.;

Note: the limits in (b) and (c) above be increased to 5000 sq.m. and 5 ha. respectively on established industrial estates/business parks or land allocated for such purposes in the UDP.

(d) construction and/or alteration of vehicular and pedestrian accesses to highways;

(e) erection of satellite dishes, radio antennae and other telecommunications equipment;

(f) development on allotments;

(g) provision of means of enclosure;

(h) alterations to and/or provision of new shop and office fronts and the

	<p>provision of roller shutters and canopies;</p> <p>(i) changes of use to buildings and land where the floor area does not exceed 2000 sq.m. or the site area does not exceed 2 ha.</p> <p>(j) residential development which does not exceed 0.5 ha, substitution of house types and variation of housing layouts;</p> <p>(k) development by the County Council, statutory undertakers (including privatised utilities) and Government departments and agencies falling within any other category (a) to (u) hereof;</p> <p>(l) construction above and below ground of storage tanks with a volume no greater than 10,000 litres, pipes, sewers, drains and power lines of no more than 1 Km. in length and associated pumping stations and sub-stations;</p> <p>(m) tipping of inert, non-toxic waste on sites not exceeding 1 ha. in area;</p> <p>(n) demolition of buildings;</p> <p>(o) conservation area consent;</p> <p>(p) listed building consent;</p> <p>(q) amendments to schemes with planning permission;</p> <p>(r) renewal of temporary permission;</p> <p>(s) reserved matters and any application or request for approval, agreement or consent pursuant to a condition imposed on a planning permission or approval and the subsequent discharge of the condition;</p> <p>(t) renewal of time limited permissions which have not lapsed and where circumstances have not materially altered;</p> <p>(u) variation or removal of planning conditions.</p> <p>2. The Chief Officer, Planning & Environment shall also have delegated powers to act in relation to those matters set out in Schedule One hereto.</p> <p>3. To determine the need for Environmental Assessments and the issue of screening and scoping opinions in respect of development proposals.</p> <p>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.</p>
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Executive Functions

1. To respond to the Forestry Commission in relation to Notices regarding Felling Licence Applications under Section 15 of the Forestry Act 1967.
2. To prepare development briefs.
3. To take any urgent decision arising from the work of the Planning Division following consultation with the Chairman and Vice-Chairman.
4. To determine grant applications under the Flintshire Historic Building Repair Grant Scheme in consultation with the appropriate Cabinet Member.
5. To determine Landscape and Conservation Grant applications in consultation with the appropriate Cabinet Member.
6. To determine Holywell TH1 Grant applications in consultation with the appropriate Cabinet Member.

**DELEGATED POWERS TO
CHIEF OFFICER, PLANNING & ENVIRONMENT**

LEGISLATION	DESCRIPTION	SECTION	POWER
Town and Country Planning Act 1990 (as amended).	Tree Preservation Orders and Trees in Conservation Areas.	198, 201, 300	Making, service and confirmation of provisional TPO's where no objection is received
Page 34	Notices requiring replacement of trees.	207, 209	Revocation of TPO's Making and service and recovery of costs in default.
	Determination of requests for consent to fell, top or lop trees covered by TPO's and/or in Conservation Areas.	198	Granting or refusal.
	Dispensations with regard to replanting.	206, 213	Granting or refusal.
	Notices requiring proper maintenance of land.	215, 219	Making, service and withdrawal and recovery of costs in default.
	Breach of Condition Notices.	187A	Making, service and withdrawal.
	Planning Contravention Notices.	171C	Making, service, and determination of response to any offers and representations made at time and place meetings.

LEGISLATION	DESCRIPTION	SECTION	POWER
Town and Country Planning Act 1990 (as amended) (continued).	Stop Notices.	183	Making, service and withdrawal of Notice.
	Enforcement and Special Enforcement Notices.	172, 173A, 294	Making, service, variation and withdrawal.
	Information as to interest in land.	330	Making and service of notices.
	Repetitive Applications.	70A	To decline to determine such applications.
	Applications for Certificates of Lawfulness of existing or proposed use or development.	191, 192	Consideration and determination.
	Applications for Express Consent to Display Advertisements.	220	Consideration and determination.
	Advertisements, Placards or Posters Displayed in Contravention of Advertisement Regulations.	224, 225	Removal and/or obliteration and making and service of discontinuance orders.

LEGISLATION	DESCRIPTION	SECTION	POWER
Town and Country Planning Act 1990 (as amended) (continued).	Applications for Prior Approval under the Delyn Simplified Planning Zone Scheme.	84	Consideration and determination.
	Directions to restrict the exercise of permitted development rights in conservation areas.	60	Making and service.
	Applications for Prior Approval under Article 3 and Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995.	60	Consideration and determination.
Planning (Listed Buildings and Conservation Areas) Act 1990.	Building Preservation Notices.	3	Making and service.
	Listed Building Enforcement Notices.	38	Making, service, variation and withdrawal.
	Listed Building Repairs Notices.	48	Making and service.
	Dangerous Structures Orders.	56	Making and service.
	Urgent works to preserve unoccupied listed buildings.	54, 55	Making and service of notices and recovery of expenses.

LEGISLATION	DESCRIPTION	SECTION	POWER
Planning (Listed Buildings and Conservation Areas) Act 1990 (continued).	Contribution to preservation of listed and unlisted buildings of architectural or historic interest.	57	Processing and award of grants in accordance with the Council's agreed procedures and policies.
Planning (Hazardous Substances) Act 1990.	Hazardous Substances Contravention Notices.	24, 24A	Making, service, variation and withdrawal.
Land Compensation Act 1961 (as amended).	Applications for Certificates of Appropriate Alternative Development.	17	Consideration and determination.
Environment Act 1995.	Second list of sites or changes to first list of sites.	96	Obtain relevant information for, or take any other action to publicise.
	Mineral Planning - Phase I and II Sites		Granting of extensions of time for submissions of applications for appeals of conditions under the Environment Act 1995 (26th November, 1996)
	Mineral Planning - Phase I and II Sites	Schedule 13(9)	Authority to opine that the Council is unable to determine applications without further specific details
	The Hedgerow Regulations 1997 (S.I. 1160)		Authority to respond to Hedgerow Renewal Notes and to agree extensions of response for building and conduct appeals (24th June, 1997)

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FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING STRATEGY GROUP**

DATE: **THURSDAY, 2 JULY 2015**

REPORT BY: **CHIEF OFFICER (PLANNING AND ENVIRONMENT)**

SUBJECT: **SUPPLEMENTARY REPORT ON PROPOSED CHANGES TO CHIEF OFFICER (PLANNING & ENVIRONMENT) DELEGATED POWERS**

1.00 PURPOSE OF REPORT

1.01 Members will recall that I brought a report to the 21st May meeting of the Group to advise of the intention to seek authority for the changes to the Chief Officer (Planning and Environment) delegated powers (pages 144 – 150 of the Council’s constitution), in relation to the thresholds set in some of the criteria, the procedures for accepting money in lieu of community provisions under Section 106 obligations and other minor changes to update the scheme. This report seeks to widen the delegated powers in respect of other aspects which are normally but less frequently the subject of Section 106 Obligations.

2.00 BACKGROUND

2.02 My report to the group meeting in May is attached as Appendix 1 and the minutes reported above show that the recommendation was endorsed in respect of :

“(a) That the amendments to the Chief Officer (Planning & Environment) Scheme of Delegation be endorsed;

(b) That a report on the implications of the CIL regulations on Section 106 obligations be submitted to the next meeting of this Group; and

(c) That a report incorporating the proposed changes to the Chief Officer (Planning and Environment) delegated powers be submitted to the next available meeting of the Council’s Constitution Committee.”

2.03 What is now sought is that additions are made to the topics subject to Section 106 Obligations covered in Para. 3.07 of my previous report (Appendix 1) to include reference to off-site highway improvements and the payment of commuted sums to cover such works, the payment of sums of money in lieu of on-site parking provision, etc.

3.00 CONSIDERATIONS

The purpose of the changes contained in my previous report was to update the delegated scheme and to seek to ensure that Planning and Development Control Committee could concentrate on those significant development proposals which warrant consideration by Members, avoiding those applications which are often not contentious and which are reported on a technicality, because they fall outside the existing delegation scheme.

- 3.01 Although they are less frequent than those categories covered by my earlier report it is now recommended that Section 106 Obligations covering Highway requirements are included in the Scheme of Delegation. These would normally involve work such as road marking which would be required as a result of a new development and would be covered by a Traffic Regulation Order, along with the receipt of commuted sums in lieu of such works where this is the chosen option. It would also allow the receipt of money in lieu of on-site parking provision.
- 3.02 From recent reports to Planning Committee, Members will be aware that there is often a request for payment in lieu of mitigation in respect of the wildlife and ecological impacts of a development and these are again the subject of Section 106 Obligations. It is proposed that the delegated scheme be amended to include such Obligations and the earlier payment of such sums where this is the developer's chosen option
- 3.03 Further to me earlier report I now propose the following further amendments to Clause 4 of the delegated scheme , as shown in bold print below:

“(i) 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, educational provision, affordable housing provision, **off site highway or drainage works and ecological mitigation**, where the residential development concerned provides a maximum of 15 no. dwellings, **or in the case of non-residential development it would otherwise fall within the delegated scheme.**

(ii) On behalf of the Council to receive the earlier payment of the monies referred to above where the applicant requests this as an alternative to the Section 106 Obligation.

(iii) On behalf of the Council to amend existing Section 106 Obligations covering the above matters.

4.00 RECOMMENDATIONS

That the additional amendments to the Chief Officer (Planning and Environment) Scheme of Delegation outlined above be endorsed and that a report incorporating all the proposed changes be taken to the next meeting of the Council's Constitution Committee

5.00 FINANCIAL IMPLICATIONS

None

6.00 ANTI POVERTY IMPACT

None

7.00 ENVIRONMENTAL IMPACT

None

8.00 EQUALITIES IMPACT

None

9.00 PERSONNEL IMPLICATIONS

None

10.00 CONSULTATION REQUIRED

None

11.00 CONSULTATION UNDERTAKEN

None

12.00 APPENDICES

Chief Officer (Planning and Environment) Scheme of Delegation

**LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985
BACKGROUND DOCUMENTS**

Contact Officer: Glyn P. Jones
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FLINTSHIRE COUNTY COUNCIL

REPORT TO: **CONSTITUTION COMMITTEE**
DATE: **WEDNESDAY 7TH OCTOBER, 2015**
REPORT BY: **MEMBER ENGAGEMENT MANAGER**
SUBJECT: **OVERVIEW & SCRUTINY ANNUAL REPORT**

1.00 **PURPOSE OF REPORT**

1.01 To enable the Committee to consider the draft Overview & Scrutiny Annual Report for the 2014/15 municipal year.

2.00 **BACKGROUND**

2.01 Article 6.03 (d) places a requirement on Overview & Scrutiny Committees to report annually to Full Council through the Constitution Committee on their workings and working methods.

3.00 **CONSIDERATIONS**

3.01 The Committee is requested to consider the draft Overview & Scrutiny Annual Report (attached as an appendix) and make any observations or amendments as it considers to be appropriate.

4.00 **RECOMMENDATIONS**

4.01 That the Constitution Committee considers the Annual Report, attached as Appendix 1 of this report, and makes observations thereon.

5.00 **FINANCIAL IMPLICATIONS**

5.01 None arising directly from this report.

6.00 **ANTI POVERTY IMPACT**

6.01 None arising directly from this report.

7.00 **ENVIRONMENTAL IMPACT**

7.01 None arising directly from this report.

8.00 EQUALITIES IMPACT

8.01 None arising directly from this report.

9.00 PERSONNEL IMPLICATIONS

9.01 None arising directly from this report.

10.00 CONSULTATION REQUIRED

10.01 Not Applicable

11.00 CONSULTATION UNDERTAKEN

11.01 The Overview & Scrutiny chairs have been consulted on parts of the report relating to their committees.

12.00 APPENDICES

12.01 Appendix 1 – Draft Overview & Scrutiny Annual Report 2014/15.

**LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985
BACKGROUND DOCUMENTS**

None.

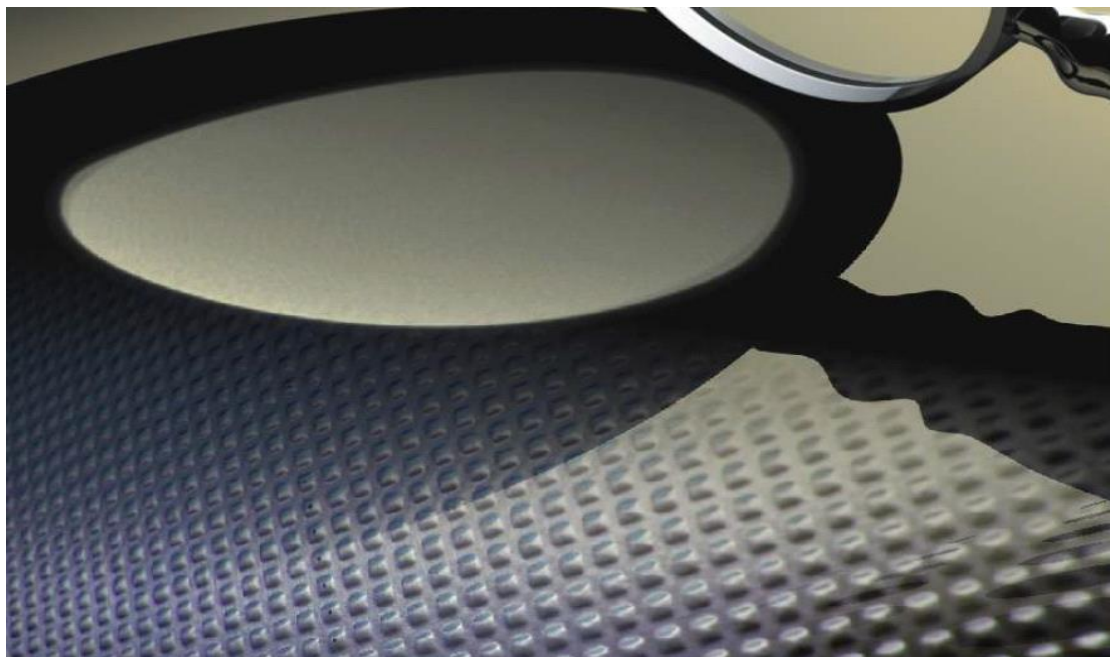
Contact Officer: Robert Robins
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Overview & Scrutiny

Annual Report

2014/15



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Foreword



As Chair of the Constitution Committee, my writing the foreword to the Overview & Scrutiny Annual report has become a regular, but not onerous task. This year, we have carried out a review of the Overview & Scrutiny committee structure, details of which have been included in the report.

In moving from one structure to another there are inevitable changes. For instance, the Community Profile & partnerships Overview & Scrutiny committee has gone, creating space for the new Organisational Change Overview & Scrutiny Committee. Given the extent of the changes which we as an organisation are going through and are facing with a significant budget challenge, the new committee has a significant task ahead.

This is my opportunity to pay tribute to the thirteen Overview & Scrutiny chairs and vice-chairs who have held office during the year for their hard work. It is, of course, wider than those few individuals. Overview & Scrutiny would not be flourishing here without the efforts made by all of the Members of the committee and the Cabinet Member and officer contributors, or our support staff.

Councillor Robin Guest
Chair of the Constitution Committee

OVERVIEW & SCRUTINY – A CABINET PERSPECTIVE



As the Leader of the Council, I was pleased to again be invited to make a contribution to the Overview & Scrutiny Annual report.

Overview & Scrutiny is an integral part of our Cabinet arrangements and so we all have a vested interest in our Overview & Scrutiny arrangements working effectively. The role of Overview & Scrutiny in commenting on reports and emerging policies before they are considered formally by the Cabinet is invaluable to us.

During the year, the Corporate Resources Overview & Scrutiny Committee asked for verbal updates on the budget process, so during the autumn and winter the Chief executive and I made regular reports. The committee members indicated that they found this invaluable in broadening their understanding of the issues. We have also sought to ensure that there is as wide as possible involvement in the budget process for all members, which we have achieved through a series of workshops.

We have carried out a review of the Overview & Scrutiny structure, with a series of alternative models being prepared for Member consideration. A small working group made a final recommendation to the Constitution for the retention of a six committee model, but with redefined terms of reference.

Overview & Scrutiny is what we make it. I am proud to say that we have the confidence, in Flintshire, to support a structure which provides a significant challenge to the cabinet and decision makers. This is both healthy and beneficial.

I would like to thank everyone who is involved in Overview & Scrutiny here; the Committee Chairs and Members and the Cabinet Members and Officers who attend as contributors at the meetings, as well as the support staff. We couldn't make this work without you.

Councillor Aaron Shotton,
Leader of the Council

OBSERVATIONS FROM THE CHIEF EXECUTIVE – COLIN EVERETT



In local government and the public services we continue to face financial and service demand challenges on an unprecedented scale. The savings which we are having to make are huge and we are having to reform services, make hard choices over priorities, and introduce new ways of working to be more efficient and effective with reducing resources.

Overview and Scrutiny plays a major play in both testing out ideas and proposals for reform, and initiating them.

We have refreshed and refocused our Overview and Scrutiny Committee to support and influence the Council's organisational and service change programmes. With this enhanced role comes expectation. The Committees will need to work at pace, and share an appetite for change, with the Cabinet and the Chief Officer Team. There can be no respite from making big decisions over the next couple of years.

We have a robust Overview and Scrutiny function, one which offers both healthy challenge and support to the Cabinet in its decision making. There are ample examples where the decision-makers and the scrutineers have worked in unison over the past year.

In refreshing our Overview and Scrutiny function we have both adopted ideas from the 'Characteristics of Effective Overview & Scrutiny' which was put together by scrutiny officers across Wales, working with the Centre for Public Scrutiny and the Wales Audit Office, and applied our own learning.

The new model, which was adopted by the County Council at the Annual Meeting retains six Overview and Scrutiny committees of fifteen members. This provides an opportunity for all of our Members who want to participate so to do. The Committees are being invited and challenged to make an even greater contribution, with less passive reports, and to forward plan more relevant agendas which chime with the challenges and issues we face.

The early signs of the experience of the new model is that there is appetite for it to work at a higher level. It will be down to all members and officers to make the model work well and for Overview and Scrutiny to help guide the Council through the challenges which lie ahead.

Colin Everett
Chief Executive.

OVERVIEW & SCRUTINY COMMITTEE STRUCTURE REVIEW

At the Annual Meeting of the Council in May 2014, it was agreed that our Overview & Scrutiny Committee structure needed to be reviewed. We had been operating with six committees since the last review in 2010. The only change during that time had been the incorporation of the Co-ordinating Committee's remit into that of the Constitution Committee in 2012.

In the light of the Council's new operating model and Senior Management structure it had been recognised that there was a need for a change to ensure flexibility, simplify Cabinet Member and senior officer attendance and to balance the workload across all of our committees.

To provide the Officers with some design principles for carrying out the review, a series of statements and questions was put to Members. These were:-

- (1) Overview & Scrutiny must have the capacity to cover all of our internal services and external challenges
- (2) Overview & Scrutiny must have the capacity, ability and enthusiasm to take a full and active part in our Improvement Agenda.
- (3) We must ensure efficiency of attendance from Cabinet and Chief Officer Team (COT) Members at Overview & Scrutiny Committee meetings.
- (4) All of the Committees should have broadly similar workloads.
- (5) Overview & Scrutiny must have a clearly defined and valued role in corporate governance and improvement.
- (6) Overview & Scrutiny must have the ability and capacity to provide well evidenced solutions to recognised problems.
- (7) Overview & Scrutiny must be Member led, whilst taking into account the needs of the organisation and the views of the public, our Partners and our Regulators.
- (8) Overview & Scrutiny must be credible to all of our Members, our public, Partners and Regulators.
- (9) Overview & Scrutiny must be able to balance small pictures – detailed scrutiny with big pictures – more imaginative overview.

- (10) Overview & Scrutiny must have flexibility, durability and appetite for change.
- (11) Should the Overview & Scrutiny structure focus be the Council's Improvement Priorities or the Operating Model?
- (12) Is six Committees for 15 Members the right number or should this be reduced or increased?
- (13) What will the Officers need to support change and help them to implement it?
- (14) What does the public need to comment on / influence change through consultation on policy and service reviews?

Following consideration of the Design Principles by the Political Group Leaders and the Chairs of the Overview & Scrutiny Committees, a report was submitted to the Constitution Committee at its October meeting. During discussion it was agreed that a number of options for Overview & Scrutiny Structural Models would be considered at the next meeting.

At the January meeting, six Models for a six Overview & Scrutiny Committee Structure were submitted, together with three further Models which provided for three, four and five Committees. As a result of discussions which took place at the meeting, it was agreed that a politically balanced Working Group of eight Members be appointed to give further consideration to the options prior to report back to the Committee.

The Working Group comprised Councillors Aaron Shotton, Bernie Attridge, Marion Bateman, Clive Carver, Robin Guest, Ron Hampson, Tim Newhouse and Mike Peers, supported by the Officers. They identified a preferred model and asked that the Officers draft Terms of Reference for the Committees within that new structure.

The Committees within the new structure are as follows:-

- Community & Enterprise;
- Corporate Resources;
- Education and Youth;
- Environment;
- Organisational Change;
- Social & Health Care.

Details of which Cabinet Members and Chief Officers will relate to which committee are shown on the on model on the following page. At its meeting on the 15th April, the Constitution Committee approved the New Structure and its Terms of Reference for recommendation to the Annual Meeting of the Council.

Committee	Corporate	Education & Youth	Social Care & Health	Community & Enterprise	Environment	Organisational Change
Cabinet Members attending	Leader /Finance, Corporate Management	Education	Social Services	Housing Economic Development	Deputy/ Environment Waste, PP and LS	Leader Others as required
COT Members Attending (or others from the portfolio)	Chief Executive, Chief Officer Governance Chief Officer People & Resources	Chief Officer Education & Youth	Chief Officer Social Services	Chief Officer Community & Enterprise	Chief Officer Planning & Environment Chief Officer Streetscene & Transportation	Chief Executive Chief Officer Organisational Change Chief Officer Organisational Change

COMMUNITY PROFILE & PARTNERSHIPS OVERVIEW & SCRUTINY COMMITTEE



**Chairman –
Cllr Brian Dunn**



**Vice-Chair –
Cllr Brian Lloyd**

Introduction

This committee was set up in 2010, with a broad remit to scrutinise public service providers, especially those which did not have obvious links with one of the other functional overview & Scrutiny committees. In the consultation to the Local Government (Wales) Measure 2011, it was apparent that local authorities would be tasked with carrying out external scrutiny.

However, those external scrutiny powers under section 59 of the Local Government (Wales) Measure 2011, which had been anticipated when the committee was set up in 2010 have never been implemented. We have made representations to the Welsh Government minister to express our concerns at this. Because of the lack of the specific power, the committee has not been able to completely fulfil its original potential, which we have found disappointing. We have instead operated using the more general powers available to scrutiny committees under section 20 (2) e of the Local Government Act 2000. Thus we have had been a comprehensive and rewarding work programme which has provided Members with an insight into organisations which operate within Flintshire.

This will be the last time that the work of the Community Profile & Partnerships Overview & Scrutiny Committee is reported on. As part of the Overview & Scrutiny Committee review, the committee will cease to be. That being so, this is a good opportunity to thank everyone who has been a Member of the committee or who has attended our meetings as a contributor for their commitment.

Information and comment items

- Flintshire Credit Union and the North Wales Credit Union: Representatives of both the credit unions which operate in the county attended meetings and gave presentations on their work within our local communities. Members recognised the huge importance of the

facilities which both of the credit unions offered in protecting members of our society from unscrupulous or unethical money lending.

- Glyndwr University: David Skydmore provided an insight into the work carried out at the university's Northop campus.
- Coleg Cambria: Mr David Jones, OBE, the chief executive /principal of the college attended a joint meeting of this committee and the Lifelong learning Overview & Scrutiny Committee, as both committees had identified a need to engage with the college in their work programmes. The meeting dealt with education issues as well as links to economic development.
- Samaritans: this presentation came from a member suggestion and Mrs Rosemary Howell and Mr Dafydd Rees-Owen gave a fascinating insight into the work of the Samaritans in North Wales.
- Flintshire Community Endowment Fund: this was a follow up from a previous report. Cabinet approval had been given in November 2012 to the closing down and transfer of the existing moribund and ineffective education trust funds administered by the County Council to a newly established Flintshire Community Endowment Fund managed and administered by Community Foundation in Wales. The fund had been established in September 2013 and on transfer the value of the endowment was £178,998. Now controlled by specialist fund managers, the value of the assets as at the end of December 2014 stood at £184,682, a capital gain of 3.2% with a dividend income of £9,584: a total return of 8.5%
- Flintshire Local Voluntary Council (FLVC): Mrs Ann Woods, the chief officer of FLVC attended the last meeting of the committee to provide an update on the work of the council. Her predecessor in the role, Mr Kieran Duff had attended a number of previous meetings. With having an active part to play in providing support to the County Council's community Asset Transfer programme, it was very apparent to us that the working relationship between the county and the voluntary council was now more important than it had ever been.
- Following on from a presentation on the Clwyd Special Riding Centre, the committee accepted an invitation to visit the centre and see the facilities which are on offer.

Assurance Items

The Chief Executive, as the lead officer for the Regional Emergency Planning Service, together with the Regional Emergency Planning Manager, Philip Harrison attended the September meeting to give a presentation on the new service. Previously, there had been a joint service hosted by Flintshire which covered both Flintshire and Denbighshire.

The new service is based on two operating hubs: for the north west of Wales based in Conwy and the north east, based at County Hall, Mold

The Chair of the North Wales Fire & Rescue authority, Councillor Meyrick Lloyd Davies and the Chief Fire Officer, Simon Smith attended our December meeting. One of the salient points of the presentation which they gave was on the public consultation being undertaken on the levels of service provided in 2015/16 and beyond.

Crime & Disorder Scrutiny Committee

Sections 19 and 20 of the Police & Criminal Justice act 2006 came into effect in Wales on 1st October 2009. This legislation requires every local authority to have a committee with the power to review or scrutinise decisions made, or other action taken, and the discharge by the responsible authorities of the crime and disorder functions and to make reports or recommendations to the Council (if necessary) with respect to those functions.

As the Council's statutory 'crime & disorder' scrutiny committee, the committee was required to hold at least one meeting per year with a specific item on the agenda for 'crime & disorder' issues . In practice, this has meant having a meeting on an annual basis with the Community Safety partnership. This took place at the July 2014 meeting.

During the year, the committee began to receive Performance and Improvement Plan reports: a new item of work for the committee, but as this related to Community Safety issues, this was an area with which the committee was already familiar.

The committee also examined the implications for the Council of the Anti-social behaviour, Crime and Policing Act 2014.

Councillor Brian Dunn

Chair of the Community Profile & Partnerships Overview & Scrutiny Committee

CORPORATE RESOURCES OVERVIEW & SCRUTINY COMMITTEE



**Chair: May – March,
Cllr Carolyn Thomas.**



**March to May,
Cllr David Roney**



**Vice-chair:
Cllr Peter Curtis**

Introduction

In providing an overview of the work of the committee during 2014/15, we have grouped our activities under a number of sub-headings, which indicate our role in dealing with those issues.

Information and Comment

To ensure that the Committee was kept fully informed during the Budget preparation and consultation Process, Cllr Carolyn Thomas suggested that it would be beneficial to have a verbal update at the start of each meeting. Such an approach meant that the information would be as timely as possible. The suggestion was readily adopted, and so at the start of each meeting from September to March, the Leader and the Chief Executive gave the committee a verbal update on issues such as the provisional settlement, the Big Budget Conversation, on-going preparation work and the holding of workshops.

A workshop to provide Members with an insight into the development of the new version of the People Strategy was held in December.

An item which was requested by committee members was on the Council's approach to Virement. Virement is where 'the transfer of an underspending on one budget head to finance additional spending on another budget head , in accordance with an Authority's Financial Regulations' is carried out.

With a need to ensure that our resources are used as effectively as possible, there has been a move away from traditional desk based approaches to work. The Authority has developed an Agile and Flexible Working Policy. Managers from the Revenues and Benefits and Housing services in the Community & Enterprise portfolio attended the committee to give an insight into working and productivity improvements since their respective teams had started to work flexibly.

Budget Consultation

Budget workshops, open to all Members of the Council were held at the end of October, the beginning of November and in mid-January before the formal budget consultation meetings for all of the Overview & Scrutiny committees.

The committee led the Overview & Scrutiny response to the Cabinet's budget proposals for 2015/16, holding two budget consultation meetings. The second meeting provided details of the views from the other functional Overview & Scrutiny budget consultation meetings, as well as the Capital programme. All Members were invited to participate in this meeting

Monitoring

On a monthly basis, the committee considers the budget monitoring reports, prior to them going to the Cabinet. During the year, the Chair introduced a new practice, wherein a formal note of the committee's concerns and comments is sent to the Leader/Cabinet Member for Finance, the Chief Executive and the section 151 officer immediately after the meeting, to enable those comments to be reported to the Cabinet.

As part of the budget monitoring remit, the committee also identifies areas of concerns which it invites the relevant overview & Scrutiny committee to investigate. Examples of such referrals have been School Maintenance and Classroom sizes.

Performance against the targets contained within the Improvement plan is reported on a biannual basis, with the Chief Officer Performance reports being reported on a similar basis. The Improvement Plan priorities within the remit of the committee are: Welfare reform; Organisational Change; Financial Strategy; Procurement Strategy; Asset strategy; Access to Council services and people Change & Development

Assurance

The Annual Improvement report from the Wales Audit Office (WAO), the WAO Performance Audit Regulatory Programme and the Auditor General for Wales Certificate of compliance for the Audit of the Council's Improvement Plan are corner stones of 'assurance reporting' to Members. The WAO carries out analyses of the Council's performance and provides appropriate commentary on various aspects of it. These comments, together with responses made on behalf of the Council are considered by the committee and the WAO representative, Cabinet members and senior officers challenged on elements of what they have said.

Arising out of the Certificate of compliance, a small Task and Finish group comprising Councillors Carolyn Thomas, Richard Jones and Robin Guest, supported by appropriate officers was formed. The purpose of the group was to consider and

comment on the feedback provided to the council by the WAO on the improvement plan audit. This group met twice and then reported back to the committee.

The new Performance Appraisal Competency Based model was introduced and a detailed report was given by the Chief Officer (People & Resources). The aim was for all senior managers to have been appraised under the new system by the end of March 2015 and process. The need for all employees to receive regular and meaningful appraisals has long been a concern of the committee.

Following a committee request for more information on the Value for Money Programme update: the Chief Executive and the Corporate Finance Manager gave an extensive update on the functional Value for money programme.

Strategy/policy development

As part of the policy development role, the committee was consulted on, and made comments on the following:

- Customer services policy
- Council tax reduction scheme
- Discretionary Housing Payment and Housing Benefit Overpayment policies.

Councillor David Roney

Chair of the Corporate Resources Overview & Scrutiny Committee

ENVIRONMENT OVERVIEW & SCRUTINY COMMITTEE



Chair
Cllr Hilary Isherwood



Vice-Chair
Cllr David Evans

Overview & Scrutiny is continually adapting and responding to meet the challenges of the difficult decisions faced by Flintshire County Council on funding priorities. The Environment Overview & Scrutiny Committee has played a proactive role in carrying out pre-scrutiny work in advance of key decisions being taken by the Cabinet. One of the challenges for scrutiny is ensuring that actions that arise at meetings are completed. In order to see how well we were doing we undertook an audit of the actions and how they were dealt with.

Workshops

The Environment Overview & Scrutiny Committee hosted two Member workshops to give Members of the Committee an opportunity to scrutinise 4 draft policies prior to consideration at the Environment Overview & Scrutiny Committee on the 19th of March. The policies/strategies considered were:-

- Waste Collection Policy
- Grass Cutting Policy
- Street lighting Policy
- Flintshire Parking Strategies

Representatives of Town and Community Councils were also invited. The Committee recognises the value of placing the citizen at the centre of policy decisions and positive feedback was received from Town and Community Councils.

Site Visits

On the 17th of November 8 Members of the Committee visited the new Biogen Waste Treatment Works at Waen, Rhualt. Members were given a tour of the Waen Anaerobic digestion plant system which recycles food waste collected by Flintshire, Denbighshire and Conwy County Councils, along with food waste from commercial sources. We were told that the plant is anticipated to generate a significant amount of renewable energy and also produces bio fertiliser to be used in the immediate vicinity of the plant. Members of

the committee were impressed with the facility which manages food waste and protects the environment.



We then made our way to Talacre and were met by officers from Flintshire County Council's economic development department. They gave us a tour of the new developments including the new car park, toilet block, improvements to the cycle path and work to safeguard the sand dunes. A passing cyclist stopped to talk to us and spoke very positively regarding the improvements made to the cycle path and it was good to hear first-hand how the work that had been undertaken was having a positive impact.

On the 31st of March, Members of the Committee were joined by the Cabinet Member, Cllr Kevin Jones and local Members at the recently opened Household Recycling Centre on Prince William Avenue in Shotton. Harvey Mitchell, Streetscene Manager gave Members a tour of the facility, which offers the residents of Deeside a wide range of recycling and disposal opportunities. Several cars visited the site during the visit and we were given a demonstration of how black bag rubbish is screened for recyclable items which are then recovered. It was a good opportunity to see how the new centre was operating and to speak to the staff working at the facility.

Councillor Hilary Isherwood

Chair of the Environment Overview & Scrutiny Committee

HOUSING OVERVIEW & SCRUTINY COMMITTEE



**Chairman –
Cllr Ron Hampson**



**Vice-Chair –
Cllr George Hardcastle**

The Committee has had another busy year scrutinising a number of topics. We continue to undertake pre-decision scrutiny and have been consulted on a number of initiatives, including, the Strategic Housing and Regeneration Programme, Responsible Pet Ownership Policy and Supporting People Commissioning Plan.

Below is a summary of some of the topics the Committee have considered over the last 12 months.

Tenancy Agreement Consultation

In September 2014 the Committee considered a report which provided an overview of the formal consultation process in relation to the Council's intention to introduce a revision to its tenancy conditions prior to its consideration by Cabinet.

Pursuant to section 62 of the Local Government (Wales) Measure 2011 and paragraph 5.26 of the Statutory Guidance from the Local Government Measure 2011, a member of the public had requested to speak on the proposed revision to the Council's tenancy conditions. The member of the public was given the opportunity to address the Committee and outline his concerns on the proposed revisions and the length of the consultation period.

The Committee welcomed the involvement of a member of the public at the meeting and the work undertaken by officers in involving tenants in the consultation process. The Committee raised a questions around proposed charges for missed appointments and the Disabled Facilities Grant (DFG) waiting list which were all addressed by the officers and passed to Cabinet during its consideration of the report.

The Committee recommended to support the proposed revisions to the Council's tenancy conditions and final implementation stage.

Work of Housing Associations

Wales & West Housing Association

In February 2015, following an invitation from the Committee, Mr Shayne Hembrow of Wales & West Housing Association attended the meeting and gave a detailed presentation on their work in Flintshire. He responded to a number of questions from Members, which focused on current housing development across Flintshire and the right to buy scheme. The Committee welcomed the joint working between the Council and Wales & West Housing Association.

Pennaf Housing Association

In April 2015 the Committee held its meeting at the Old Court House in Flint. Prior to the meeting, Members were invited to take part in a tour of building which had been renovated through joint working between the Council and Pennaf Housing Association. During the meeting the Committee received a presentation from Mr Graham Worthington, Mr Deiniol Evans, Mr Andy Roberts and Mr Paul Moore of Pennaf Housing Association on their work in Flintshire.

Following the presentation, the Committee were given the opportunity to ask questions, which focused on extra care facilities and provision of housing for people over the age of 50. The Committee welcomed the joint working between the Council and Pennaf Housing Association.

Introduction of Self-Financing for the Housing Revenue Account

In July 2014, the Committee considered the Welsh Government consultation documents around ending the Housing Revenue Account Subsidy system by voluntary agreement.

During 2014/15 the Committee received a number of written and verbal reports on progress with introducing self-financing for the Housing Revenue Account. During the meeting in October 2014, the Chair of the Flintshire Federation of Tenants & Residents attended the Committee meeting to provide feedback to Members on the consultation carried out with tenants who had welcomed the explanations given on such a complex issue.

The Committee have welcomed the opportunity to scrutinise proposals around the introduction of self-financing for the Housing Revenue Account which would benefit Council tenants.

Welfare Reform

During 2014/15 the Committee continued to receive regular update reports on the impact of Welfare Reform and the actions taken locally to provide help and support to affected residents in Flintshire. The Committee have welcomed the early intervention steps being taken and will continue to receive update report to ensure the impact is continually monitored.

Councillor Ron Hampson

Chair of the Housing Overview & Scrutiny Committee

LIFELONG LEARNING OVERVIEW & SCRUTINY COMMITTEE



**Chairman –
Councillor Ian Roberts**



**Vice-Chair –
Mr. David Hytch**

The Committee has had another busy year. We have continued to hold a number of our Committee meetings outside of County Hall at a number of schools across Flintshire, including, Elfed High School, Trelawnyd Primary School, St. Richard Gwyn Catholic High School and Mold Alun High School. During each of the visits the Committee was given a short tour of the facilities prior to the start of the meetings. The Committee hoped to continue to hold a number of their future meetings at various venues across Flintshire as appropriate.

We also continue to undertake pre-decision scrutiny and have been consulted on a number of proposals, including, the School Modernisation Strategy and Medium Term Plan for Libraries.

Below is a summary of some of the topics considered by the Committee over the last 12 months.

School Modernisation Strategy and School Repairs and Maintenance Backlog

School Modernisation Strategy

The Committee continues to receive regular update reports on the School Modernisation Strategy, having considered updates at the meetings held on 25th September, 4th December, 2014 and 15th January, 2015. During those meetings, the Committee raised questions around the post-16 Hub at Connah's Quay, surplus places, mobile classrooms, and future funding for the School Modernisation Strategy.

Consideration of the School Modernisation Strategy has resulted in the Committee requesting that it be consulted on all proposals prior to their adjudication by Cabinet. The Committee will continue to closely scrutinise the Strategy.

School Repairs and Maintenance Backlog

During consideration of the School Modernisation Strategy at its meeting held on 25th September, the Committee requested further information on the school repairs and maintenance backlog. The Corporate Resources Overview & Scrutiny Committee had also highlighted concerns around the schools repairs and maintenance budget and had requested that we look into this matter.

The Committee considered the school repairs and maintenance backlog and budget as part of the School Modernisation Strategy report at its meeting held on 4th December, 2015. I invited Councillor Richard Jones to attend the meeting and speak on issues around the school repairs and maintenance budget as a Member of the Corporate Resources Overview & Scrutiny Committee.

Coleg Cambria

In February, 2015, the Committee held a joint meeting with the Community, Profile & Partnerships Overview & Scrutiny Committee. Mr. David Jones OBE, Principal/Chief Executive of Coleg Cambria accepted an invitation to attend the meeting and provide Members of both Committee's with a presentation on the work of Coleg Cambria.

Mr. Jones responded to the questions and concerns raised by Members and covered within his presentation information on tackling substance misuse and links between the Sixth Form Centre with requirements in the Deeside Enterprise Zone; issues which were raised by Members of the Committee prior to the meeting.

The Committee will continue to closely scrutinise developments at the 6th form Hub in Connah's Quay as part of the School Modernisation Strategy.

Medium Term Plan for Libraries

In May 2015, the Committee considered outline proposals to develop a new hub library at Deeside Leisure Centre and re-locate Hawarden, Mancot and Queensferry Libraries. The proposals had been the subject of public consultation events held at Hawarden Library, Mancot Library and Deeside Leisure Centre. Detailed comments from the consultation exercise were provided to the Committee to assist with their consideration of the report.

The Committee asked a number of questions around the proposed location of the hub library and mobile library service. I felt that consideration of this item had prompted a good debate, and provided an example of effective scrutiny.

We recommended that the comments the Committee made during the meeting be commended to the Cabinet as its formal observations on the proposals for the development of the new hub library at Deeside Leisure Centre.

Councillor Ian Roberts

Chair of the Lifelong Learning Overview & Scrutiny Committee

SOCIAL & HEALTH CARE OVERVIEW & SCRUTINY COMMITTEE



Chair
Cllr Carol Ellis



Vice-Chair
Cllr Andy Dunbobbin

The Social and Health Care Overview and Scrutiny Committee has had another busy year and has scrutinised a wide range of topics as listed in Appendix 2 of the report.

The Committee supported the development of a Single Point of Access for Flintshire as part of a regional initiative supported by the Welsh Government. It is designed to enable citizens to easily access information and advice and enable them to make informed choices about Health, Social Care and wellbeing services based within their own community or area by contacting one central number.

Integrated Health and Social Care Action Plan – to support individuals with Dementia

In September we were informed about the strategic approach being taken by Social Services in Flintshire in partnership with Betsi Cadwaladr University Health Board to deliver integrated Health and Social Care Services to people living with Dementia, their families and carers. Members of the Committee welcomed the joint approach and shared philosophy. Concerns were raised about future provision of services in view of the reductions in workforce and resources and it was accepted that this posed a risk. In April 2015 Members of the committee received 'Dementia Friends' training from the Alzheimer's Society as part of Flintshire County Council's efforts to make Flintshire County Council Dementia friendly.

As a Committee we continue to express concern with regard to joint strategic working between Health and Social Care providers and to emphasise the need for Betsi Cadwaladr University Health Board to ensure partnership working is given a higher priority.

Direct Payments

The Committee have maintained a keen interest in the use of direct Payments working in partnership with Penderels Trust. We invited representatives of Penderels Trust and a Service User to come along to our October meeting to give us an update. We heard how Flintshire County Council were considered an exemplar in the field of direct payments and citizen support. Direct payments provide an opportunity for people who have been assessed as needing care or support, to arrange and buy their care themselves giving them a greater choice and control over the support they require to meet their bespoke needs

Members had raised concerns about training, recruitment, risks and safeguards and Disclosure and Barring Service checks in relation to personal assistants. We heard first hand from a service user about her extremely positive experiences of operating the direct payments and how having control over her own care arrangements was working extremely well. The Committee also heard how the new requirements within the Social Services and Wellbeing (Wales) 2013 Act would further influence the delivery of Direct Payments in the future.

Rota Visits

Members of the Committee continue to undertake Rota Visits to social care establishments and are focused on the wellbeing of service users.

Councillor Carol Ellis

Chair of the Social & Health Care Overview & Scrutiny Committee

Appendix 1 Membership of Overview & Scrutiny Committees 2014/15

Community Profile & Partnerships

Councillor Brian Dunn (Chair)

Councillor Chris Dolphin
Councillor Ian Dunbar
Councillor Robin Guest
Councillor Ron Hampson
Councillor Dennis Hutchinson (*from June 2014 to October 2014*)
Councillor Joe Johnson

Councillor Brian Lloyd (Vice-Chair)

Councillor David Mackie
Councillor David Roney (*from November 2014 to February 2015*)
Councillor Tony Sharps
Councillor Paul Shotton
Councillor Ian Smith
Councillor Nigel Steele-Mortimer
Councillor Owen Thomas (*from April 2015*)
Councillor David Williams

Corporate Resources

Councillor Carolyn Thomas (Chair from May 2014 to February 2015)

Councillor David Roney (Chair from March 2015)

Councillor Marion Bateman
Councillor Clive Carver
Councillor Paul Cunningham
Councillor Peter Curtis (Vice-Chair)
Councillor Ian Dunbar
Councillor Andy Dunbobbin
Councillor Robin Guest
Councillor Ron Hampson
Councillor Joe Johnson
Councillor Richard Jones
Councillor Richard Lloyd (*from May 2014 to February 2015*)
Councillor Tim Newhouse (*from May 2014 to June 2014 – re-appointed to Committee in March 2015*)
Councillor Paul Shotton
Councillor Nigel Steele-Mortimer (*from March 2015*)
Councillor Arnold Woolley Dip.IM, MCMI

Environment

Councillor Hilary Isherwood (Chair)

Councillor Alex Aldridge (*from May 2014 to June 2014*)
Councillor Haydn Bateman
Councillor Peter Curtis
Councillor Chris Dolphin
Councillor Ian Dunbar

Councillor David Evans (Vice-Chair)

Councillor Veronica Gay
Councillor Cindy Hinds
Councillor Ray Hughes
Councillor Joe Johnson (*from July 2014*)
Councillor Colin Legg
Councillor Brian Lloyd (*from March 2015*)
Councillor Nancy Matthews
Councillor Ann Minshull
Councillor Paul Shotton
Councillor Carolyn Thomas (*from May 2014 to March 2015*)

Housing

Councillor Ron Hampson (Chair)

Councillor Amanda Bragg
Councillor David Cox
Councillor Paul Cunningham (*from June 2014*)
Councillor Peter Curtis
Councillor Ron Davies
Councillor Glenys Diskin (*from May 2014 to June 2014*)

Councillor Rosetta Dolphin
Councillor Jim Falshaw

Councillor George Hardcastle (Vice-Chair)

Councillor Ray Hughes
Councillor Hilary Isherwood
Councillor Brian Lloyd
Councillor Mike Reece
Councillor Gareth Roberts
Councillor Sharon Williams

Lifelong Learning

Councillor Ian Roberts (Chair)

Councillor Marion Bateman
Councillor Amanda Bragg
Councillor Adele Davies-Cooke
Councillor Ian Dunbar
Councillor Ron Hampson
Councillor Stella Jones (*from May 2014 to February 2015*)
Councillor Colin Legg
Councillor Phil Lightfoot
Councillor Mike Lowe (*from June 2014*)
Councillor David Mackie
Councillor Nancy Matthews
Councillor Vicky Perfect (*from September 2014*)
Councillor Paul Shotton
Councillor Nigel Steele-Mortimer
Councillor Carolyn Thomas (*from June 2014*)
Councillor David Williams (*from May 2014 to June 2014*)

Co-opted Members

Janine Beggan (*from June 2014*)

David Hytch (Vice-Chair)

Rita Price
Rebecca Stark
Rev. John Thelwell
Stephanie Williams (*from May 2014 to June 2014*)

Social & Health Care

Councillor Carol Ellis (Chair)

Councillor Marion Bateman (*from May 2014 to October 2014*)
Councillor Amanda Bragg (*from October 2014*)
Councillor Peter Curtis
Councillor Adele Davies-Cooke
Councillor Andy Dunbobbin (Vice-Chair)
Councillor Veronica Gay
Councillor Cindy Hinds
Councillor Hilary Isherwood
Councillor Stella Jones (*from May 2014 to February 2015*)
Councillor Mike Lowe
Councillor Brian Lloyd
Councillor David Mackie
Councillor Hilary McGill
Councillor Ian Smith
Councillor David Wisinger

Appendix 2
Topics covered and activity information

Joint Community Profile & Partnerships and Lifelong Learning Overview & Scrutiny Committee

2nd February 2015	
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Coleg Cambria (Presentation)	
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COMMUNITY PROFILE & PARTNERSHIPS met 8 times May 2014 and May 2015

<p>9th June, 2014 24th July, 2014 8th September, 2014 13th October, 2014</p>	<p>17th November, 2014 18th December, 2014 9th March, 2015 13th April, 2015</p>
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<p>Flintshire Credit Union Improvement Plan 2014/15 Community Safety Partnership Annual Report 2013/14 (Statutory Crime & Disorder Scrutiny Committee meeting) Year End Improvement Plan Monitoring Report LSB and Strategic Partnership Performance - End of Year 2013/14 Review Regional Emergency Planning Service County Forum North Wales Credit Union</p>	<p>North Wales Fire & Rescue Service Presentation Glyndwr University Presentation Samaritans Presentation Implications of the Anti-Social Behaviour Crime & Policing Act 2014 Strategic Partnership Performance Mid-Year Review Quarterly Improvement Plan Monitoring Reports Flintshire Community Endowment Fund (Presentation) Flintshire Local Voluntary Council (Presentation)</p>
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Corporate Resources met 12 times between July 2014 and April 2015

<p>2nd July, 2014 (appointment of chair) 30th July, 2014 11th September, 2014 9th October, 2014 13th November, 2014 11th December, 2014</p>	<p>15th January, 2015 22nd January, 2015 30th January, 2015 12th February, 2015 12th March, 2015 16th April, 2015</p>
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<p>Annual Improvement Report from Wales Audit Office WAO Performance Audit Regulatory Programme 2014-15 Improvement Plan 2014/15</p>	<p>Budget Consultation Process Feedback on Agile & Flexible Working Corporate Resources Mid-Year Chief Officer Performance Reports Customer Service Policy</p>
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<p>Workforce Information Report Quarterly Revenue Budget Monitoring Reports Functional Value for Money (VFM) Programme update</p> <p>Year End Service Performance Report Year End Improvement Plan Monitoring Report Revenue Budget Monitoring 2013/14 (outturn) and capital Programme 2013/14 (outturn) Auditor General for Wales: Certificate of Compliance for the Audit of Flintshire County Council's 2014-15 Improvement Plan Quarterly Improvement Plan Monitoring Reports</p>	<p>Council Tax Reduction Scheme People Strategy Workshop Report back from the Performance Task & Finish Group</p> <p>Update on the Development of the People Strategy 2015 - 18 Performance Appraisal Competency Based Model Budget Virement Process Discretionary Housing Payment Policy Housing Benefit Overpayments Policy</p>
Environment met 9 times between June 2014 and April 2015	
<p>11th June, 2014 9th July, 2014 17th September, 2014 22nd October 2014 3rd December 2014</p>	<p>26th January, 2015 19th March, 2015 15th April, 2015 23rd April, 2015</p>
<p>Presentation by Natural Resources Wales Mersey Dee Alliance Improvement Plan 2014/15 Energy Switching Scheme Update Year End Service Performance Report Year End Improvement Plan Monitoring Report Feedback from Workshop on Changing Times: Helping Flintshire's Town Centres adapt to a Changing World Prioritisation of Highway Improvement Schemes and Traffic Regulation Order Variations Proposed High Level Staffing Structures - Planning and Environment Revised Staffing Structure - Streetscene and Transportation West Flintshire Community Enterprises (Presentation)</p>	<p>12 Month Progress Report following the introduction of Civil Parking Enforcement measures Quarterly Improvement Plan Monitoring Reports Heritage Buildings Mersey Dee Alliance Mid-Year Chief Officer Performance Reports Quarterly Improvement Plan Monitoring Reports Budget Consultation Process 2014/15 Waste Collections Policy Grass Cutting Policy Streetlighting Policy Flintshire Parking Strategies Flintshire County Council's Car Parking Strategy The Council's Bus Subsidy, Review of the Demand Responsive Travel Arrangements and the Introduction of an Integrated Transportation Unit</p>

Housing met 10 times between May 2014 and April 2015	
<p>21st May, 2014 10th June, 2014 7th July, 2014 10th September, 2014 15th October, 2014</p>	<p>26th November, 2014 14th January, 2015 24th February, 2015 24th March, 2015 24th April, 2015</p>
<p>Domestic Abuse Responsible Pet Ownership Policy Update on the Housing Asset Management Service Improvement Plan 2014/15 Year End Improvement Plan Monitoring Report Year End Service Performance Report Flintshire's Local Housing Strategy - a Report on progress Housing Revenue Account Subsidy (HRAS) System Strategic Housing and Regeneration Programme (including Flint) Tenancy Agreement Consultation Improvement Plan Monitoring Report Welfare Reform Update WHQS Delivery Programme Update Introduction of Self Financing for the Housing Revenue Account Use of Commuted Sums Service Charges/Assisted Gardening Service</p>	<p>North East Wales Homes – update Housing Act Wales 2014 Budget Consultation for 2015/16- Housing Revenue Account Quarterly Performance Reporting Housing Mid-Year Chief Officer Performance Reports Update on implementation of SARTH Anti-Social Behaviour Policy Work of Wales and West Housing Association Housing Act 2014 (Wales) – Homelessness and Power to Disregard the Test of Intentionality Supporting People Commissioning Plan Update on the Housing Revenue Account (HRA) Subsidy Vibrant and Viable Places Welsh Government Consultation on the future of the Right to Buy and Right to Acquire Work of Pennaf Housing Association (PRESENTATION) Flintshire’s Strategic Housing and Regeneration Programme (SHARP)</p>
Lifelong Learning met 11 times between June 2014 and May 2015	
<p>19th June, 2014 24th July, 2014 25th September, 2014 23rd October, 2014 4th December, 2014 15th January, 2015</p>	<p>23rd January, 2015 26th February, 2015 26th March, 2015 30th April, 2015 11th May, 2015</p>
<p>Post 16 Commissioning and Planning Cycle Education Improvement & Modernisation Strategy Recommendation from the Leisure Finance Task & Finish Group</p>	<p>Lifelong Learning Mid-Year Chief Officer Performance Reports Quarterly Improvement Plan Monitoring Reports School Modernisation Strategy Public Library Standards</p>

<p>Year End Service Performance Report Year End Improvement Plan Monitoring Report Inclusion Service Review Update on School Modernisation Governance in Schools Apprenticeship and Training opportunities Improvement Plan Monitoring report Learning from the School Standards Monitoring Group (SSMG) Collaborative Working between Schools and Federations</p> <p>Health & Safety in Schools Play Development: Summer Playschemes Self-Evaluation of Education Services School Balances</p>	<p>Statement of Special Needs – Progress Report on Performance Budget Consultation Process 2015/16 Review of School Service Level Agreements Leisure Services Assets – Scoping Report Learner Outcomes School Transport Policy Education for All National Model for School Improvement Improvement plan Monitoring Report</p> <p>Medium Term Plan for Libraries – Proposal to develop new Hub Library at Deeside Leisure Centre and Re-locate Hawarden, Mancot and Queensferry Libraries</p>
Social & Health Care met 11 times between June 2014 and April 2015	
<p>12th June, 2014 3rd July, 2014 4th September, 2014 9th October, 2014 13th November, 2014 18th December, 2014</p>	<p>26th January, 2015 29th January, 2015 5th March, 2015 9th April, 2015 16th April, 2015</p>
<p>Presentation by the Betsi Cadwaladr University Health Board Improvement Plan 2014/15 Year End Service Performance Report Year End Improvement Plan Monitoring Report Emergency Duty Team Integrated Health and Social Care Action Plan to support individuals with Dementia Betsi Cadwaladr University Health Board update Improvement Plan Monitoring Report Rota Visits Flintshire Childcare Sufficiency Assessment 2014-2017 Direct Payments/Penderels Trust Regional Safeguarding Children’s Board Proposal Adult Safeguarding Single Point of Access</p>	<p>Safeguarding and Care Planning of looked after children and care leavers who exhibit vulnerable and risky behaviour CSSIW Annual Report North Wales Adults Safeguarding Board Mid-Year Chief Officer Performance Report Quarterly Improvement Plan Monitoring Reports Budget Consultation Process 2015/16 Social Services Intermediate Care Fund (ICF) Reablement/Independent Living in Flintshire Key Partnership Projects with Health and the Third Sector Social Services Wellbeing Act Update and Response to Code of Practice Collaborative Projects Update Presentation by Betsi Cadwaladr University Health Board</p>

Key:	
CP & P	= Community Profile & Partnerships Overview & Scrutiny Committee
CR	= Corporate Resources Overview & Scrutiny Committee
E	= Environment Overview & Scrutiny Committee
H	= Housing Overview & Scrutiny Committee
LL	= Lifelong Learning Overview & Scrutiny Committee
S&HC	= Social and Health Care Overview & Scrutiny Committee

OVERVIEW & SCRUTINY OFFICER SUPPORT

The support which Overview & Scrutiny enjoys from officers across the Council is essential to ensure its smooth and effective running.

OVERVIEW & SCRUTINY SUPPORT

The Scrutiny Team are:-

- ❖ Robert Robins – Member Engagement Manager
(principally supporting the Community Profile & Partnerships and the Corporate Resources Overview & Scrutiny committees in 2014/15) Now supporting Corporate Resources and Organisational Change Overview & Scrutiny Committees.
- ❖ Margaret Parry-Jones – Overview & Scrutiny Facilitator
(principally supporting the Environment and Social & Health Care Overview & Scrutiny Committees)
- ❖ Ceri Owen – Overview & Scrutiny Facilitator
(principally supporting the Housing and the Lifelong Learning Overview & Scrutiny Committees in 2014/15) Now supporting Community & Enterprise and Education & Youth Overview & Scrutiny Committees.
- ❖ Janet Kelly – Overview & Scrutiny Support Officer
(principally supporting task & finish groups)

The team are an independent resource supporting the scrutiny function and its Members:

Advising on the strategic direction and development of the scrutiny function;

- Co-ordinating the work programmes for the six Overview & Scrutiny Committees;
- Advising, supporting and assisting in the development of scrutiny members;
- Undertaking research and information analysis to help inform reviews;
- Producing reports and presentations on behalf of members;
- Offering independent advice and guidance in relation to policy development and performance management;

- Acting as a key contact point to members, officers, external organisations and the public in relation to scrutiny matters; and
- Facilitating task & finish groups.

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CONSTITUTION COMMITTEE

Date of Meeting	7 th October 2015
Report Subject	New Report Format for Cabinet and Committees
Portfolio Holder	Cabinet Member for Corporate Management
Report Author	Member Engagement Manager
Type of Report	Operational

EXECUTIVE SUMMARY

To seek the views of the Members of the Constitution Committee on a new style of reports for Cabinet, Council and Committees. By way of illustration, this report has been produced in the new format.

The report gives details of the new format, which is intended to make reporting more effective and efficient. Following the guidelines and using the template, the reports will be less resource intensive to prepare, and easier and quicker to read.

RECOMMENDATIONS

1	That the committee comments on and approves the use of the new format for Council and Committee reports.
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REPORT DETAILS

1.00	EXPLAINING THE CONTENT OF THE REPORT
1.01	<p>Following on from the recent review of the Overview & Scrutiny Committee structure and the move to the use of iPads for committee papers, we thought that it would be useful to review how we produce Cabinet and Committee reports.</p>
1.02	<p>The format which we have been using has not changed for several years, and in many ways had ceased to be as effective as we need it to be. With a greater workload for Members than we have had before, we recognised that we had to make our reporting more accessible and easier to use.</p>
1.03	<p>During the summer, a number of officers within the Chief Executive's office and the Governance portfolio have been considering how we could make improvements in producing reports and presenting them in meetings. This exercise has resulted in a detailed guidance on report writing and presenting being produced, together with the review of our standard report format.</p>
1.04	<p>The new report format has been piloted for the September meeting of the Cabinet. In addition, any report which has been put to a scrutiny committee prior to also being considered by the Cabinet has been produced in the new format. This is to avoid duplication of effort.</p>
1.05	<p>The new format has an executive summary and the recommendations on the front page. The purpose, background and consideration sections of the old style has been replaced with a 'report details' section. We have replaced the financial and personnel implications with 'Resource Implications' and the impacts (Anti-poverty, Environmental and Equalities) are now to be referred to within the Risk management section on an 'if necessary' basis.. For the appendices, we will be making greater use of hyperlinks and there will be a glossary of terms used within the report at the end of it.</p>
1.06	<p>We have also been giving guidance to colleagues on report style and layout, consultation and report clearance and on presenting reports to Cabinet, Council or committees. The intention is that our approach will be slicker and will ensure that Members are being provided with the right information to enable more focussed consideration.</p>
1.07	<p>The Committee is invited to comment on and approve the new report format.</p>

2.00	RESOURCE IMPLICATIONS
2.01	It is anticipated that the new approach should reduce both Member and officer time spent in preparing and reading reports.

3.00	CONSULTATIONS REQUIRED / CARRIED OUT
3.01	Consultation has been carried out with Cabinet Members and Officers during the review process. This report is a further stage in that process.

4.00	RISK MANAGEMENT
4.01	It is intended that reports in the new format will be easier to use.

5.00	<u>APPENDICES</u>
5.01	There are no appendices to this report.

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	There are no background documents for this report Contact Officer: Robert Robins Telephone: 01352 702320 E-mail: robert.robins@flintshire.gov.uk

7.00	GLOSSARY OF TERMS
7.01	None of the terms used within this report are 'technical' in nature and no acronyms have been used.

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