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Contact Officer:
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To: All Members of the Council

23 January 2019

Dear Councillor

You are invited to attend a meeting of the Flintshire County Council which will be held at 2.00 pm on Tuesday, 29th January, 2019 in the Council Chamber, County Hall, Mold CH7 6NA to consider the following items

A G E N D A

1 PRESENTATIONS

Purpose: Celebrating our successes:

Corporate Business and Communications – winners of the Silver Award in the Armed Forces Covenant Employer Recognition Scheme Awards.

Human Resources and Organisational Development – finalists in Best Change Management Initiative category of the Chartered Institute of Personnel and Development Wales Awards 2018 for its work in the transition of services to Aura Wales.

2 APOLOGIES FOR ABSENCE

Purpose: To receive any apologies.

3 MINUTES (Pages 5 - 12)

Purpose: To confirm as a correct record the minutes of the meeting held on 11th December 2018.

4 DECLARATIONS OF INTEREST

Purpose: To receive any Declarations and advise Members accordingly.

5 CHAIRMAN'S COMMUNICATIONS

Purpose: To receive the communications as circulated.

6 PETITIONS

Purpose: To receive any Petitions.

7 PUBLIC QUESTION TIME

Purpose: To receive any Public Questions.

8 QUESTIONS

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

9 QUESTIONS FROM MEMBERS ON COMMITTEE MINUTES

Purpose: The Minute Book, Edition 3 2018/19, has been circulated to Members. Members are now entitled to ask questions on these minutes, subject to certain limitations, and answers will be provided at the meeting. Members are requested to bring to the meeting their copy of the Minute Book. Any questions must have been received by the Democratic Services Manager prior to the close of business on 23 January 2019.

10 NOTICE OF MOTION

Purpose: To consider any Notices of Motion.

**11 COUNCIL FUND BUDGET 2019/20 – THIRD AND CLOSING STAGE
(Pages 13 - 48)**

Report of Corporate Finance Manager and Chief Executive

Purpose: To receive and consider the recommendation of Cabinet for balancing the budget for 2019/20.

12 FLINTSHIRE ELECTORAL REVIEW (Pages 49 - 66)

Report of Chief Executive and Chief Officer (Governance)

Purpose: To agree the final proposals to send to the Local Democracy and Boundary Commission for Wales.

13 WHITE PAPER: REFORM OF FIRE AND RESCUE AUTHORITIES IN WALES (Pages 67 - 102)

Report of Chief Officer (Governance)

Purpose: To agree a response to the recent White Paper on reform of the governance and funding of Fire Authorities in Wales.

14 **PAY POLICY STATEMENT FOR 2019/20** (Pages 103 - 164)

Report of Chief Executive

Purpose: To adopt the Pay Policy Statement for 2019/20.

15 **ARMED FORCES COVENANT ANNUAL REPORT APRIL 2017 -
DECEMBER 2018** (Pages 165 - 196)

Report of Chief Executive

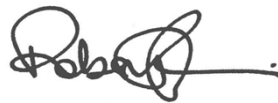
Purpose: To endorse the positive progress made in meeting the Armed Forces Covenant and support the commitments for further improvement and to approve the Armed Forces Covenant Annual Report prior to publication on the Council's website.

16 **STATEMENT OF GAMBLING POLICY RENEWAL** (Pages 197 - 244)

Report of Chief Officer (Planning, Environment and Economy) -

Purpose: To inform Members of the mandatory requirements to review the Gambling Policy and seek approval of the reviewed document.

Yours sincerely



Robert Robins
Democratic Services Manager

WEBCASTING NOTICE

This meeting will be filmed for live broadcast on the Council's website. The whole of the meeting will be filmed, except where there are confidential or exempt items.

Generally the public seating areas are not filmed. However, by entering the Chamber you are consenting to being filmed and to the possible use of those images and sound recordings for webcasting and / or training purposes.

If you have any queries regarding this, please contact a member of the Democratic Services Team on 01352 702345.

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FLINTSHIRE COUNTY COUNCIL
11TH DECEMBER 2018

Minutes of the meeting of Flintshire County Council held in the Council Chamber, County Hall, Mold on Tuesday, 11th December 2018.

PRESENT: Councillor Paul Cunningham (Chairman)

Councillors: Mike Allport, Bernie Attridge, Janet Axworthy, Glyn Banks, Marion Bateman, Sean Bibby, Chris Bithell, Helen Brown, Derek Butler, Clive Carver, Geoff Collett, Jean Davies, Rob Davies, Chris Dolphin, Rosetta Dolphin, Ian Dunbar, Andy Dunbobbin, Mared Eastwood, Carol Ellis, George Hardcastle, David Healey, Gladys Healey, Patrick Heesom, Cindy Hinds, Dave Hughes, Kevin Hughes, Ray Hughes, Dennis Hutchinson, Joe Johnson, Paul Johnson, Rita Johnson, Christine Jones, Richard Jones, Tudor Jones, Colin Legg, Brian Lloyd, Dave Mackie, Hilary McGuill, Billy Mullin, Ted Palmer, Mike Peers, Michelle Perfect, Vicky Perfect, Neville Phillips, Ian Roberts, Tony Sharps, Aaron Shotton, Paul Shotton, Ralph Small, Ian Smith, Carolyn Thomas, Owen Thomas, Martin White, David Williams and David Wisinger.

APOLOGIES:

Councillors: Haydn Bateman, Sian Braun, Bob Connah, Ron Davies, Adele Davies-Cooke, David Evans, Veronica Gay, Andrew Holgate, Richard Lloyd, Mike Lowe, Mike Reece, Andy Williams and Arnold Woolley.

IN ATTENDANCE:

Chief Executive, Chief Officer (Governance), Chief Officer (Housing and Assets), Chief Officer (Planning and Environment), Chief Officer (Education and Youth), Chief Officer (Social Services), Corporate Finance Manager, Democratic Services Manager, Internal Audit Manager and Team Leader – Committee Services.

67. PRESENTATIONS

Theatr Clwyd

Winner of the 'Best Musical Production' category in the 2018 UK Theatre Awards for 'The Assassination of Katie Hopkins'

The Chief Executive congratulated Tamara Harvey and Liam Evans-Ford on the award which was presented at the ceremony on 14th October. The ground-breaking production of The Assassination of Katie Hopkins was named Best Musical Production in the annual UK Theatre Awards which celebrated outstanding achievements in regional theatre throughout the UK. It was against strong competition from other nominees such as Miss Littlewood, Pieces of String and Summer Holiday.

Councillor Butler also congratulated the team on winning the prestigious award and thanked them for the revitalisation of Theatr Clwyd which was now home to engaging performances and was one of Flintshire's great employers.

Councillor Sharps also congratulated Tamara Harvey and Liam Ford-Evans for the outstanding achievements since their arrival at the Theatr, which was an asset to the Council and the community. Theatr Clwyd was a place to be proud of and he paid credit to all of the staff.

The Chief Executive suggested that a presentation be delivered at a future meeting of County Council by Tamara Harvey and Liam Ford-Evans on the work of the Theatr.

Planning Team

Winner of the Royal Town Planning Institute (RTPI) Wales for The Walks, Flint.

The Chief Executive congratulated the team on winning the award and said The Walks in Flint was the first site to be developed as part of the Council's Strategic Housing and Regeneration Programme (SHARP), which comprised 92 new council and affordable, energy-efficient homes which had been built by the programme partner, Wates Residential North.

Councillor Bithell thanked the team for their work and congratulated them on their success in winning the respected award. He said the work demonstrated how initiatives could be delivered with important outcomes, such as preventing homelessness, reducing fuel poverty and improving living conditions.

Councillor Aaron Shotton concurred and said it showed value, expertise and professionalism in a service that was often criticised. The team had created a sense of place and community and the RTPI was for the benefit of the residents of Flintshire.

68. MINUTES

The minutes of the meetings held on 20th November 2018 were submitted.

On minute number 56, Minutes, Councillor Ellis asked that her comments be included in the minutes of 23rd October 2018 in relation to the Notice of Motion on Brexit as follows: "We don't have the mandate of the residents of Flintshire to support calls for a second referendum". Councillor Heesom asked that his comments also be included about Brexit in the same minutes. Reference to the amendments would be made to the minutes of 20th November 2018.

RESOLVED:

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

69. DECLARATIONS OF INTEREST

None were received.

70. CHAIRMAN'S COMMUNICATIONS

A copy of the Chairman's Communications had been circulated to all Members prior to the meeting.

The Chair commented in particular on meeting Anastasia Blease, a 14 year old from Carmel who attended St Richard Gwyn High School. She was the only Welsh

member of Great Britain's Under 24 Wheelchair Basketball Team, and he expressed his congratulations to her.

71. PETITIONS

None were received.

72. PUBLIC QUESTION TIME

None were received.

73. QUESTIONS

None were received.

74. NOTICES OF MOTION

None were received.

75. COUNCIL FUND BUDGET 2019/20 – UPDATED FORECAST AND PROCESS FOR STAGE 3 OF BUDGET SETTING

The Chief Executive introduced the verbal report on the Council Fund Budget 2019/20 – Updated Forecast and Process for Stage 3 of Budget Setting.

A presentation was delivered by the Chief Executive and the Corporate Finance Manager which focussed on the following areas:

- #BacktheAsk – Campaigning Position;
- #BacktheAsk – Council Tax;
- #BacktheAsk – Public Debate;
- Update on Recent National Funding Announcements;
- Provisional Settlement Announcements;
- First Minister Announcements;
- Updated Budget Forecast for 2019/20;
- Council Tax – Current Estimates;
- School Budgets – Teachers Pay;
- Additional Information ;
- #BacktheAsk – Refresh;
- Letter to Cabinet Secretary; and
- Next Steps and Timelines.

The Chief Executive commented on the circular letter of the outgoing First Minister to all local authorities in Wales received later on the afternoon of the County Council meeting on 20th November. Following a number of specific Flintshire 'asks' that had been covered in that letter and granted, an updated letter from himself and the Leader of the Council to the Cabinet Secretaries for Finance and for Local Government and Public Services (on 28th November) as the Council's formal response

to the consultation on the Provisional Settlement. The letter represented the debate at Council on 20th November. Copies of both letters had been provided to all Members.

The letter to the Cabinet Secretaries said that the Council believed that Welsh Government (WG) had enough financial flexibility to further improve the Settlement and called for an improved Final Settlement which was to be announced on 19th December. The letter also explained that if no further improvements were made to the Settlement, Flintshire may have to adopt a Council Tax rise of 9% upwards to balance the budget for 2019/20. A formal request was made to improve the Settlement whereby Flintshire would benefit from a further minimum £2m of revenue funding.

On the Provisional Settlement announcements and additional grants, the Corporate Finance Manager explained the benefit of each to the Council. He also provided details on how the First Minister's announcements would benefit Flintshire in 2018/19, and 2019/20.

The Chief Executive reiterated that without any further announcements the remaining budget gap of £3.148m, following the updated forecast for 2019/20, would still require an overall Council Tax rise of in the region of 9.3%. The final increase in the North Wales Fire and Rescue Authority Levy was still to be confirmed and would have to be added to this Council requirement. Based on a provisional Levy increase of £0.420m, this would require a further increase of around 0.5% on Council Tax.

He explained the situation on teachers' pay and said the recent announcement allowed the Council to meet the minimum position of providing an uplift to meet the pay award. Additional funding through a specific grant was expected for 2018/19 which would be passported to schools to contribute to the additional costs incurred in-year.

A further report would be made to Corporate Resources Overview and Scrutiny Committee on 13th December and to Cabinet on 18th December. The Chief Executive asked Members to continue to support #BacktheAsk campaign prior to the Final Settlement being received on 19th December. Once the Final Settlement had been received, the information would be reviewed with the aim of approving a balanced budget at County Council on 29th January 2019. The recommendation of the report was moved by the Leader of the Council, Councillor Aaron Shotton, and seconded by the Deputy Leader of the Council, Councillor Bernie Attridge.

Councillor Shotton said the situation was fast moving and that much had taken place since the last County Council meeting on 20th November. He paid credit and thanks to Councillor Debbie Wilcox, Leader of the Welsh Local Government Association (WLGA), for the work undertaken with Council Leaders. He commented on the Council letter sent to the Cabinet Secretaries, noting the two areas which remained a concern for the Council - the potential for an approximate 9% rise in Council Tax and the threats to education funding. Flintshire was committed to retaining existing funding for education but that funding was not enough. He also expressed his thanks to the outgoing First Minister for being receptive to the plight of Flintshire and Local Government and he hoped there would be an opportunity for the incoming First Minister to look further at the need for additional funding. The campaigning that had taken place, for the benefit of Flintshire residents. He expressed his thanks for this work.

Following a question from Councillor Richard Jones, the Chief Executive explained that the slides on the First Minister's announcements covered the impact on the two financial years of 2018/19 and 2019/20.

Councillor Peers commented on the letter to the Cabinet Secretaries where it was made clear that the funding for local authorities was grossly inadequate and that there appeared to be an acceptance that Council Tax rises would have to bridge the funding gap. He asked what support was being received from the local Assembly Members and what Council Tax rises other authorities were considering. The Chief Executive explained that the point on Council Tax had been made in all of the communications with WG knowingly shifting the responsibility for funding local services to the local Council Tax payer. It was not known precisely what other authorities were looking towards on their Council Tax rise as the situation was fast changing. He encouraged all Members to make contact with any of the decision makers at WG, including local and regional Assembly Members.

Councillor Patrick Heesom said he could not support any Council Tax rise over 4% and questioned the budget process and the strategy adopted. The Chief Executive responded that the budget had been considered at each of the Overview and Scrutiny Committee along with the risk assessments. These assessments demonstrated that there was no further scope within services to find any more savings of scale. Each Overview and Scrutiny Committee had accepted that and the decision was a collective one, based on professional advice. If any Member had ideas of where additional savings could be made they could ask the team to look into it without delay.

Councillor Hilary McGuill proposed an amendment that the two local Assembly Members should be invited to a meeting with all Members, prior to the 19th December, so that they could hear, face to face, the situation and the experiences of Members. Councillor Heesom seconded the amendment. Councillor Kevin Hughes proposed a further amendment for the invitation should be extended to regional Assembly Members too; this was accepted by the mover and seconder of the original amendment. Councillors Shotton and Attridge, as mover and seconder of the original recommendation, accepted the amendment from Councillor McGuill.

Councillor Attridge then moved a further amendment that the local Members of Parliament also be invited to the meeting, which was seconded by Councillor Chris Bithell and accepted by the mover and seconder of the amendment, and became the substantive motion. The Chief Executive indicated that it may not be possible to arrange a meeting in such a timescale and suggested early to mid-January may be more feasible.

Councillor Tony Sharps said he fully supported education and would never support a cut in the funding for that service. He also commented on the cost of the office move to Ty Dewi Sant in Ewloe, and the income that was being lost on car park charges. Councillor Carolyn Thomas responded to the point made on car park charges and said that if full cost recovery was sought the charges would increase significantly. On the move to Ty Dewi Sant, the Chief Executive explained that a briefing note would be prepared for all Members showing the savings being made from the move. On

education, the Chief Executive confirmed that schools budgets would not be reduced as a policy position based on risk.

Councillor Glyn Banks asked if consideration could be given to asking WG if the Council could be released from the current loan agreements for buying out the arrangements whereby a portion of Flintshire rent were paid to WG and whether cheaper alternative rates could then be sought. The Chief Executive suggested that a report could be submitted to Community and Enterprise Overview and Scrutiny Committee in the New Year. The Chief Officer (Governance) said that WG had lifted the cap on borrowing so this was a timely request.

Councillor Carol Ellis said she was proud of the Social and Health Overview and Scrutiny Committee as it had directly challenged the Minister over the last 12 months on inadequacies in the funding.

Councillor Shotton, in his summing up, said it was important to have cross party consensus on the budget and said he strongly disagreed with Councillor Heesom's comments about the strategy not being right. Nine years of austerity had resulted in the Council being in a position that there was nothing else that could be done to identify any other savings. One of the main aims was to protect the key services of education and social services and no other strategy would have resulted in the Council being in a better position. Significant savings had been made with many staff moving to Ty Dewi Sant and supporting the point made by Councillor Thomas, he said if full cost recovery was the aim for car parking income then charges would have to rise further. He asked Members to continue to support #BacktheAsk as neither did he wish to see such a rise in Council Tax.

On being put to the vote, the substantive motion was carried.

RESOLVED:

- (a) That the verbal update on the updated budget forecast for 2019/20 be noted; and
- (b) That Members of Parliament and local and regional Assembly Members be invited to a meeting with all County Councillors, as soon as possible and preferably before 19th December 2018.

76. UPDATE ARTICLE 7 OF THE CONSTITUTION – AUDIT COMMITTEE TERMS OF REFERENCE AND CHARTER

The Chief Officer (Governance) presented the Update Article 7 of the Constitution – Audit Committee Terms of Reference and Charter report which complied with best practice.

The Audit Committee Charter had been developed to document the role of the Audit Committee within the Council's Governance Framework. The Audit Committee Terms of Reference and Charter, and the proposed changes, were agreed at the Audit Committee meeting on 21st November and by the Constitution and Democratic

Services Committee on 29th November, subject to a review of the composition of the Committee by Audit Committee members at their next meeting.

As Chair of the Audit Committee, Councillor Helen Brown moved the recommendation.

Councillor Heesom asked if the number of members on the Audit Committee could be increased to 11 for a fairer representation. The Chief Officer (Governance) explained that was a matter for the Annual Meeting in May. Councillor Brown suggested that it could be discussed at the Working Group for Chairs of the Audit Committee and each Overview and Scrutiny Committee.

RESOLVED:

That the changes to Article 7 as set out in appendices A and C be approved.

77. FLINTSHIRE ELECTORAL REVIEW

The Democratic Services Manager introduced the Flintshire Electoral Review report. He thanked Members who had attended the recent internal workshop and provided details of the drop in sessions that had been arranged, which would start the following day.

Councillor Attridge moved the recommendation which was seconded by Councillor Bithell.

On the point raised by Councillor Dave Healey at the workshop, the Democratic Services Manager confirmed the option presented would be withdrawn as the Caergwrle ward boundary was wrongly shown on the map provided by the Local Democracy and Boundary Commission Wales.

Councillor Peers said the second paragraph in the executive summary should read “this means having the same ratio in each electoral ward”, not number of electors. He said at the workshop there only appeared to be officer suggestions of any wards with 26% or above, and that there was no information made available on variance. He also asked if Members could have access to registers of adjoining wards. The Chief Executive said those could be made available at the drop in sessions. The Democratic Services Manager explained that two tables were available at the workshop, one with comments from Members and the second was officer suggestions based on red and amber areas.

RESOLVED:

That the work undertaken on the review of electoral arrangements for Flintshire be noted.

78. OVERVIEW AND SCRUTINY ANNUAL REPORT 2017/18

The Democratic Services Manager introduced the Overview and Scrutiny Annual Report 2017/18 which provided the Council with assurance that the Overview and Scrutiny function was fulfilling its constitutional role.

As Chair and Vice Chair of the Constitution and Democratic Services Committee, Councillors Rita Johnson and Marion Bateman moved and seconded the recommendation respectively.

RESOLVED:

That the Overview and Scrutiny Annual Report for 2017/18 be received.

79. MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE

There was one member of the press and 8 members of the public in attendance.

(The meeting started at 2.00 p.m. and ended at 4.05 p.m.)

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Chairman



FLINTSHIRE COUNTY COUNCIL

Date of Meeting	Tuesday, 29 th January 2019
Report Subject	Council Fund Budget 2019/20 – Third and Closing Stage
Report Author	Corporate Finance Manager and Chief Executive

EXECUTIVE SUMMARY

Cabinet received a report on the Council Fund Budget 2019/20 – Third and Closing Stage at its meeting on 22 January. This report is attached as Appendix A.

Resolutions from Cabinet:

- (1) Cabinet note the updated budget forecast position as the basis for setting a legal and balanced budget for 2019/20;
- (2) Cabinet advise Council that in the absence of an improvement in the Local Government Settlement by Welsh Government then the Council will have to rely on a Council Tax rise in the region of 8.5% to meet its own expenditure requirements for 2019/20 (excluding the increase in the Levy of the North Wales Fire and Rescue Authority);
- (3) Cabinet invite Council to engage with Welsh Government – through a cross-party delegation - for an improved Local Government Settlement, in order to suppress Council Tax rises in Flintshire and across Wales, by specifically increasing recurring funding for schools and children's services; and
- (4) Officers provide information on those non-mandatory services where Council could review its policies and funding commitments. The information to include financial values (to the Council Tax payer) and the risks associated with making any changes to current commitments.

The Council has developed the budget for 2019/20 in three stages:

Stage 1: Corporate Finance Solutions

Stage 2: Service Portfolio Efficiencies

Stage 3: Final Balancing Stage

The attached report provides an update on each stage. A presentation will be made

at the Council meeting.

Stage Three: this is the closing stage and the Council will need to set a balanced budget to meet its legal duty. It is the collective responsibility of the whole Council to set the budget on the advice of Cabinet. The options remaining to achieve a legal balanced budget are set out in the Cabinet report for consideration. The scope for further service reductions for this financial year has been exhausted. The portfolio resilience statements which demonstrate the risks to service capacity and performance of any other budget reductions have been accepted by the Overview and Scrutiny Committees and Cabinet. The position of the specific requests made to Welsh Government for financial assistance is also set out within the report. Beyond a financial intervention by Welsh Government the only remaining options to balance the budget are Council Tax Income and Reserves and Balances. The scope for the latter is limited.

RECOMMENDATIONS

1	That the Council receives and considers the recommendations of Cabinet for balancing the budget for 2019/20.
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REPORT DETAILS

1.00	BALANCING THE BUDGET FOR 2019/20
1.01	The Council has developed the budget for 2019/20 in three stages:
1.02	Stage One: Corporate Finance Solutions were reviewed by Overview and Scrutiny Committees throughout October and November and approved by Council on 20 November.
1.03	Stage Two: Service Portfolio efficiencies were considered at the Corporate Resources Overview and Scrutiny Committee throughout October and November and approved by Council on 20 th November.
1.04	Stage Three: this is the closing stage and the Council will need to set a balanced budget to meets its legal duty. It is the collective responsibility of the whole Council to set the budget on the advice of Cabinet. The options remaining to achieve a legal balanced budget are set out in this report for consideration. There is no scope for further reductions of scale. Beyond a financial intervention by Welsh Government the only remaining options to balance the budget are Council Tax Income and Reserves and Balances. The scope for the latter is limited.
1.05	Cabinet received a report on the 22 January 2019 (attached) which details the remaining options to balance the budget for 2019/20 to meet the Council's statutory duty. The Cabinet resolutions are set out in the Executive Summary and a presentation on the budget will also be made to Council.

	The Council has a further meeting scheduled in the Council diary for 19 February. At a further meeting on 28 February Council will formally need to set the Council Tax having received the Police and Crime Commissioner Annual precept, The Fire and Rescue Authority Annual levy, and the precepts from the 34 Town and Community Councils.
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2.00	RESOURCE IMPLICATIONS
2.01	As contained within the report to Cabinet of 22 January 2019 which is attached.

3.00	CONSULTATIONS REQUIRED / CARRIED OUT
3.01	As contained within the report to Cabinet of 22 January 2019 which is attached.

4.00	RISK MANAGEMENT
4.01	As contained within the report to Cabinet of 22 January 2019 which is attached.

5.00	APPENDICES
5.01	Appendix A Cabinet Report 22 January 2019.

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	As included in the Cabinet Report 22 January 2019 Contact Officer: Colin Everett, Chief Executive Gary Ferguson, Corporate Finance Manager Telephone: 01352 702271 E-mail: gary.ferguson@flintshire.gov.uk

7.00	GLOSSARY OF TERMS
7.01	As set out in the attached report.

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CABINET

Date of Meeting	Tuesday, 22 nd January 2019
Report Subject	Council Fund Budget 2019/20 – Third and Closing Stage
Cabinet Member	Leader of the Council and Cabinet Member for Finance
Report Author	Corporate Finance Manager and Chief Executive
Type of Report	Strategic

EXECUTIVE SUMMARY

The Council has developed the budget for 2019/20 in three stages similarly to the budget setting process in recent years.

Under stages one and two the Council has already approved the proposals for cost estimate reductions for Corporate Finance and Service Portfolios respectively.

Under stage three, the closing stage, the Council will need to set a balanced budget to meets its legal duty. It is the collective responsibility of the whole Council to set the budget on the advice of Cabinet. Officers provide professional advice to both.

The options remaining to achieve a legal balanced budget are set out in this report for consideration. There is no scope for further reductions in Corporate Finance and Service Portfolios of any scale. The portfolio resilience statements which demonstrate the risks to service capacity and performance of any further budget reductions have been accepted by the Overview and Scrutiny Committees and Cabinet. The Council has been central to campaigning across Wales for an improved Financial Settlement for local government through the collective case-making of the Welsh Local Government Association and our own press and social media-based campaign #backtheask.

Whilst the funding position for local government and Flintshire has improved on the original forecast at three stages – at the Provisional Settlement (October), at the intervention of the out-going First Minister (November) and at the Final Settlement (December) – the Settlement is still inadequate to meet our funding requirements. Beyond a further financial intervention by Welsh Government the only remaining options to balance the budget are Council Tax income and drawing upon reserves and balances. The scope for the latter is limited.

The budget gap to be bridged to reach a legal and balanced budget stands at £3.102m, based on the calculations and assumptions set out within this report.

A full presentation of the report will be made at the Council meeting.

List of Tables:

Table 1: Stage One Budget Proposals Approved and Adopted

Table 2: Stage Two Budget Proposals Approved and Adopted

Table 3: Revised Financial Forecast

Table 4: Prudent Level of Reserves

Table 5: Proposed Budget 2019/20

Table 6: Medium-Term Forecast

RECOMMENDATIONS

1	Cabinet note the updated budget forecast position as the basis for setting a legal and balanced budget for 2019/20.
2	Cabinet advise Council that in the absence of an improvement in the Local Government Settlement by Welsh Government then the Council will have to rely on a Council Tax rise in the region of 8.5% to meet its own expenditure requirements for 2019/20 (excluding the increase in the levy of the North Wales Fire and Rescue Authority).
3	Cabinet invite Council to make a final request to Welsh Government for an improved Local Government Settlement in order to suppress Council Tax rises in Flintshire and across Wales.

REPORT DETAILS

1.00	ARRIVING TO THIS FINAL STAGE OF THE BUDGET 2019/20
1.01	<p>Budget Process and Timeline</p> <p>The annual budget for 2019/20 has been developed in three stages.</p>
1.02	<p>A report to Cabinet in April this year gave the first detailed overview of the financial forecast for 2019/20. At that stage the projected budget “gap” stood at £12.2m.</p> <p>Internal workshops to brief Members on the updated financial forecast and the changing national budget position were held in two phases in July and September. A report to Cabinet in September provided the latest update on the financial forecast for 2019/20. At this stage the projected budget “gap” then stood at £13.7m.</p> <p>The Provisional Local Government Settlement was announced on 9 October and</p>

	<p>resulted in an overall reduction of 1% in funding which had the effect of increasing the overall gap to £15.3m.</p> <p>A report to Cabinet in November gave an update on the financial forecast and recommended to Council that the Stage One (Corporate Finance) and Stage Two (Service Portfolio) solutions be adopted. A special meeting of County Council approved both stages of the budget on 20 November.</p>																												
1.03	<p>Stage One – Corporate Finance Solutions</p> <p>Prior to approval by County Council the Stage One budget proposals were reviewed by Corporate Resources Overview and Scrutiny Committee (on 15 November) and a summary is detailed below.</p> <p>Table 1: Stage One Budget Proposals Approved and Adopted</p> <table border="1"> <thead> <tr> <th>Corporate Budget Solutions</th><th>£m</th></tr> </thead> <tbody> <tr> <td>Council Tax (illustrative 4.5%)</td><td>3.635</td></tr> <tr> <td>New Income Streams</td><td>0.100</td></tr> <tr> <td>Reserves and Balances</td><td>1.900</td></tr> <tr> <td>Alternative Delivery Model (ADM)</td><td></td></tr> <tr> <td>Subsidies</td><td>0.400</td></tr> <tr> <td>Reduction in Corporate Management</td><td>0.250</td></tr> <tr> <td>Housing Revenue Account (HRA) –</td><td></td></tr> <tr> <td>Council Fund Recharges</td><td>0.158</td></tr> <tr> <td>Transport Cost Anomalies</td><td>0.100</td></tr> <tr> <td>Cost Pressure Reductions:</td><td></td></tr> <tr> <td>- Inflation/Pensions</td><td>1.144</td></tr> <tr> <td>- Other Workforce Costs</td><td>0.250</td></tr> <tr> <td>Total</td><td>7.937</td></tr> </tbody> </table> <p>Note 1: full details of the above proposals can be accessed via the hyperlink listed under Background Papers at the end of the report.</p>	Corporate Budget Solutions	£m	Council Tax (illustrative 4.5%)	3.635	New Income Streams	0.100	Reserves and Balances	1.900	Alternative Delivery Model (ADM)		Subsidies	0.400	Reduction in Corporate Management	0.250	Housing Revenue Account (HRA) –		Council Fund Recharges	0.158	Transport Cost Anomalies	0.100	Cost Pressure Reductions:		- Inflation/Pensions	1.144	- Other Workforce Costs	0.250	Total	7.937
Corporate Budget Solutions	£m																												
Council Tax (illustrative 4.5%)	3.635																												
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- Other Workforce Costs	0.250																												
Total	7.937																												
1.04	<p>Stage Two - Service Portfolio Efficiencies</p> <p>The Stage Two budget proposals totalling £0.963m were also reviewed by Corporate Resources Overview and Scrutiny Committee (on 15 November) prior to approval by Council. The proposals contribute £0.630m to the budget once the income targets and workforce reductions, which are included in the Stage One solutions have been deducted.</p>																												

Table 2: Stage Two Budget Proposals Approved and Adopted

Portfolio		£m
Corporate		0.360
Social Services		0.315
Education & Youth		0.076
Streetscene & Transportation		0.065
Planning, Environment and Economy		0.111
Housing & Assets		0.035
Total		0.963
Budget Strategy		
Less:		
Income		0.143
Targeted Employee Post Reductions		0.190
Balance of Operational Efficiencies		0.630

Note 1: details of the service portfolio business plan efficiency proposals can be accessed via the hyperlink listed under Background Papers at the end of the report.

Final Local Government Settlement

1.05

The Final Local Government Settlement was announced by Welsh Government on 19 December. The head-line figures are detailed below.

Standard Spending Assessment (SSA)

The final SSA for 2019/20 is £269.127m (£267.547m at the Provisional Settlement stage) which is an *increase* of 1.8% on the SSA for 2018/19 (£264.333m)

Aggregate External Finance (AEF)

The final Aggregate External Finance for 2019/20 is £188.980m (£187.817m at the Provisional Settlement stage) which when compared to the adjusted 2018/19 AEF figure of £189.549m represents a *decrease* of 0.3% (All Wales average is an *increase* of 0.2%). AEF combines Revenue Support Grant (RSG) and National Non-Domestic Rates (NNDR).

The Final Settlement confirmed the two transfers into the Settlement as follows:

- Teachers Pay Grant (£0.694m)

	<ul style="list-style-type: none"> • Free School Meals Grant (£0.257m) <p>There were no transfers out of the Settlement identified.</p> <p>The Final Settlement advised of one additional new responsibility for increasing capital limits for residential care charging. The Council already has a pressure of £1.009m included in the budget forecast for this - therefore no adjustment is required.</p> <p>The impact of the Final Settlement improved the position for the Council by £1.163m with the funding floor (a limit beyond which no Council can be funded in detriment) being raised up to 0.3%. Flintshire County Council still remains at the floor level as at the Final Settlement stage.</p>
	Other Changes to the Forecast
1.06	<p>During the period December to January the following changes to the financial forecast have been made. The net impact is an increase of £0.170m to the budget 'gap' as shown in Table 3:</p> <p>North Wales Fire and Rescue Authority Levy (additional £0.381m) Following a consultation period the North Wales Fire and Rescue Authority has now set its budget for 2019/20. The levy will be increased and the additional contribution required of Flintshire County Council as a constituent authority is £0.381m. The impact of this increase in the levy is a 0.583% increase in Council Tax.</p> <p>Social Care Commissioning Costs (reduction of £0.150m) The level of fees for Independent Sector providers has now been agreed for 2019/20 with the overall costs being lower than the initial estimate.</p> <p>Reduction in Prior Year Pressure for Social Services – Learning Disabilities Day Services (reduction of £0.055m) A budget pressure for the transition to a new model of service for Learning Disabilities Day Services in the base budget will now reduce by £0.055m in 2019/20.</p> <p>Regional Education Consortium GwE (reduction of £0.006m) A reduction in annual operating costs of £0.006m has been agreed by GwE (a 1% decrease net of a 2% allowance for inflation) which will make a minor reduction in the contribution from the Council as a constituent authority.</p>
1.07	<p><u>Impact of Confirmed Grant Announcements</u></p> <p>Following the Provisional Settlement the First Minister announced some additional grants which have the following impact on the budget 2019/20:</p> <p>Schools - Teachers Pay Award (£0.375m) A further £7.5m across Wales to meet cost pressures of implementing the teachers' pay award – an additional £0.375m for the Council.</p> <p>Children's Services (£0.110m) A further £2.3m across Wales to help prevent children from being taken into care –</p>

	<p>an additional £0.110m for the Council.</p> <p>The following additional funding announcements made by Welsh Government also impact on the budget 2019/20:</p> <p>Social Care Grant (£1.410) An amount of £30m across Wales to meet social care demand cost pressures – an additional £1.410m for the Council. It has been confirmed that there is flexibility around the grant conditions and qualifying criteria and that the funding can be used to meet the costs of existing demands on services.</p> <p>Social Care and Health (£0.705m) An amount of £15m across Wales which will be allocated regionally through the Regional Partnership Boards via the Integrated Care Fund. The proportionate amount for Flintshire is £0.705m. The conditions and the distribution method are not yet confirmed at this stage. There is a risk that the Council will not secure this amount in full as the grant allocation for North Wales becomes available.</p>																
1.08	<p>The updated forecast, following approval of both Stages One and Two, the announcement of the Final Settlement, and other changes, is shown in Table 3 below. The remaining budget ‘gap’ still to be balanced stands at £3.102m.</p> <p>Table 3: Revised Financial Forecast</p> <table border="1"> <thead> <tr> <th>Item</th><th>£m</th></tr> </thead> <tbody> <tr> <td>Revised Gap at Provisional Stage</td><td>15.262</td></tr> <tr> <td>Less: Stage 1 Budget Proposals Approved</td><td>(7.937)</td></tr> <tr> <td>Less: Stage 2 Budget Proposals Approved</td><td>(0.630)</td></tr> <tr> <td>Less: Final Settlement Revised Reduction in Grant</td><td>(1.163)</td></tr> <tr> <td>Less: Further Changes emerging Dec/Jan</td><td>0.170</td></tr> <tr> <td>Less: Impact of Grant Announcements</td><td>(2.600)</td></tr> <tr> <td>Revised Working Budget Gap at Stage Three</td><td>3.102</td></tr> </tbody> </table>	Item	£m	Revised Gap at Provisional Stage	15.262	Less: Stage 1 Budget Proposals Approved	(7.937)	Less: Stage 2 Budget Proposals Approved	(0.630)	Less: Final Settlement Revised Reduction in Grant	(1.163)	Less: Further Changes emerging Dec/Jan	0.170	Less: Impact of Grant Announcements	(2.600)	Revised Working Budget Gap at Stage Three	3.102
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	STAGE THREE – THE CLOSING STAGE OF BUDGET SETTING																
1.09	<p>There is no scope for further reductions in cost estimates for Corporate Finance and Service Portfolios for 2019/20 of scale. This position has been accepted by the Overview and Scrutiny Committees, Cabinet and Council.</p> <p>Specific requests have been made to Welsh Government for an improved Settlement for local government in Wales and for Flintshire. These requests, as summarised in the report to Council in December and in the #backtheask campaign have only been met in part. The Settlement on offer is not adequate to meet the funding needs of Flintshire.</p>																
1.10	<p>Beyond a financial intervention by Welsh Government the only remaining options to balance the budget are Council Tax income and drawing upon reserves and balances. These two options are explored in the sections which follow. Following a recent consultation meeting with local and regional Assembly Members, and local</p>																

	<p>constituency Members of Parliament, a specific request has been made for an additional £33M to be made available for local authorities in Wales. Acceptance of this request would make a marked improvement on the budget forecast for the Council and would generate an estimated financial benefit of £1.6m. This would enable the Council to contain an annual Council Tax rise to between 6.0% and 7.0%. At this level the annual Council Tax rise would be (1) similar to that set for 2018/19 and (2) in line with the budget planning assumption of Welsh Government that Council Tax will rise at an average of 6.5% across Wales.</p>
	<p>Use of Reserves and Balances</p>
1.11	<p>Public bodies are encouraged to make strategic use of their reserves and balances to contribute to annual budget setting. The situation across local government in England and Wales is variable with some councils being 'reserve rich' and others being 'reserve poor'. Compared to many councils Flintshire has modest and limited reserves to call upon. We have an established protocol for openly reporting on the reserves held, and the purpose for retaining each of them, every quarter. This is seen as good practice in our sector. The Council has drawn on its reserves to (1) cross-fund one-off cost pressures (2) balance the budget as needed and (3) meet the costs of voluntary redundancies to reduce the Council workforce in recent years. Reserves can only be used once, and an over-reliance upon their use to balance annual budgets is not a sustainable way of funding services.</p> <p>Over the past three years the Council has utilised £6.179m from its reserves. In setting the 2018/19 budget the Council used £1.945m to help balance the budget with an additional £0.460m agreed on a 'one-off' basis to assist schools with their in-year cost pressures. This use of reserves is not a sustainable solution in funding the Council's recurring expenditure needs.</p>
1.12	<p>The Council has limited useable or 'un-earmarked' reserves to draw upon. The Month 8 Budget Monitoring Report for 2018/19 advises of a projected Contingency Reserve at 31st March 2019 of £7.689m. Stage One budget solutions already include use of £1.9m of reserves as part of the strategy to balance the 2019/20 budget – leaving £5.789m as a projected Contingency Reserve remaining for 2019/20. This is subject to change between now and the close of the financial year. The Council also holds earmarked reserves which are set aside for specific purposes. Some are restricted in their use by, for example, the terms and conditions of grant where their source is Government funding. An update on current projected levels of earmarked reserves shows that the amount is likely to reduce from £13.6m in 2018/19 to £7.3m by the end of the financial year as these reserves are 'drawn down' (See Appendix 9).</p> <p>The Council reviews its remaining earmarked reserves on an ongoing basis, and only those for which there is a strong business case will be retained with the remainder being released for use as part of the Medium-Term Financial Strategy.</p>
1.13	<p>The Contingency Reserve, currently projected at £5.789m, is the Council's main 'defence' against in-year cost pressures. It is utilised to meet the impact of an overall overspend in any given financial year.</p>
1.14	<p>The Council could also be exposed to any of several significant additional cost pressures later in 2019/20. Reserves will need to be held back as an in-year 'buffer' to meet them. Known corporate in-year risks include the outcome of the</p>

	ongoing pay modelling work, replenishment of earmarked reserves for the costs of redundancy, and potential exposure to a proportion of the cost of the increased employer contributions to teachers' pensions – something which is being negotiated at a UK national level. Other major risks we face are rising social care costs, and the upward trend in the number of cases of Out of County placements across Wales which has resulted in a projected in-year overspend of £1.717m (noting that this cost pressure at this level has been addressed by the inclusion of an additional budget pressure in the budget proposals for 2019/20), and the impact of any new high-cost placements. National market conditions are also uncertain at a time of UK-European trade market access negotiations with risks to inflation levels for goods including food and fuel.																		
1.15	<p>Taking all of the above factors into account it is imperative that a prudent level of reserves is held to mitigate the impact of one or all of these factors. The table below details recommended levels to be maintained for these specific purposes.</p> <p>Table 4: Prudent Level of Reserves</p> <table border="1"> <thead> <tr> <th>Detail</th><th>£m</th></tr> </thead> <tbody> <tr> <td>Contingency Reserve Available (Month 8)</td><td>7.689</td></tr> <tr> <td>Less: Approved use of Budget 2019/20 (Stage One)</td><td><u>(1.900)</u></td></tr> <tr> <td>Revised Amount Remaining</td><td>5.789</td></tr> <tr> <td>Increased annual budget management tolerance level 2019/20 due to imminent national market uncertainties e.g. financial markets and inflation levels</td><td>(2.600)</td></tr> <tr> <td>Contingency against further variations in 2018/19 e.g. Out of County Placements</td><td>(1.000)</td></tr> <tr> <td>Investment in change to achieve future efficiencies to support the MTFS over the next three years</td><td>(1.000)</td></tr> <tr> <td>Known Corporate Risks: Pay Modelling costs, replenishment of earmarked reserves for the costs of redundancy, and potential exposure to teacher pension employer contributions.</td><td>(1.000)</td></tr> <tr> <td>Amount Remaining</td><td>0.189</td></tr> </tbody> </table> <p>As shown in the analysis above there is only a relatively small amount of £0.189m available to make a further contribution to the budget for 2019/20 - based on the recommended levels required to maintain a prudent level of reserves.</p>	Detail	£m	Contingency Reserve Available (Month 8)	7.689	Less: Approved use of Budget 2019/20 (Stage One)	<u>(1.900)</u>	Revised Amount Remaining	5.789	Increased annual budget management tolerance level 2019/20 due to imminent national market uncertainties e.g. financial markets and inflation levels	(2.600)	Contingency against further variations in 2018/19 e.g. Out of County Placements	(1.000)	Investment in change to achieve future efficiencies to support the MTFS over the next three years	(1.000)	Known Corporate Risks: Pay Modelling costs, replenishment of earmarked reserves for the costs of redundancy, and potential exposure to teacher pension employer contributions.	(1.000)	Amount Remaining	0.189
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1.16	<p>Stage Three is the final and the closing stage of the 2019/20 budget process. Having taken account of all changes since the position reported in December there is still a remaining 'gap' of £3.1m to be bridged to achieve a legal and balanced budget.</p> <p>Beyond a financial intervention by Welsh Government the Council will need to rely on Council Tax to bridge the 'gap'. Welsh Government has made a budget planning assumption that Council Tax will rise at an average of 6.5% across Wales. There is no 'cap' which restricts the level at which any Council can set Council Tax. This is a decision devolved to local authorities.</p> <p>As the position stands the Council will have to rely on a Council Tax rise in the</p>																		

	<p>region of 8.4/5% to meet its own expenditure requirements for 2019/20 after the utilisation of the small use of reserves identified in para 1.15.</p> <p>The addition of the increase in the North Wales Fire and rescue levy will bring the overall Council Tax increase to 8.9%.</p>																																										
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1.17	<p>The table below summarises the overall position and the remaining budget ‘gap’ to be bridged through the limited budget balancing options which remain open to the Council.</p> <p>Table 5: Proposed Budget 2019/20</p> <table> <tr> <th>Funding</th><th>£m</th></tr> <tr> <td>Aggregate External Funding (AEF)/RSG NNDR</td><td>188.980</td></tr> <tr> <td>Council Tax at 18/19 level (4.5% indicative increase)</td><td>79.148</td></tr> <tr> <td>SSA/Budget Requirement</td><td>268.128</td></tr> <tr> <td>Specific Grants (Estimated)</td><td>31.042</td></tr> <tr> <td>Use of Reserves</td><td>1.900</td></tr> <tr> <td>Total Funding</td><td>301.070</td></tr> <tr> <th>Expenditure</th><td></td></tr> <tr> <td>Base Budget Rolled Forward</td><td>297.599</td></tr> <tr> <td>Transfers in/out of settlement (Appendix 2)</td><td>0.576</td></tr> <tr> <td>Previous Years Budget Decisions (Appendix 1)</td><td>(0.055)</td></tr> <tr> <td>Inflation (Appendix 3)</td><td>5.412</td></tr> <tr> <td>Cost Pressures and Investments (Appendix 4)</td><td>7.470</td></tr> <tr> <td>Fire Levy Increase (Appendix 4)</td><td>0.381</td></tr> <tr> <td>Efficiencies - Stage 1 (Appendix 5)</td><td>(1.664)</td></tr> <tr> <td>Efficiencies - Stage 1 Corporate (Appendix 5)</td><td>(2.402)</td></tr> <tr> <td>Efficiencies - Stage 2 (Appendix 6)</td><td>(0.630)</td></tr> <tr> <td>Efficiencies – Stage 3 (Appendix 7)</td><td>(2.231)</td></tr> <tr> <td>Less Specific Grants 2017/18</td><td>(31.326)</td></tr> <tr> <td>Plus Specific Grants 2018/19 (Estimated Appendix 8)</td><td>31.042</td></tr> <tr> <td>Total Expenditure</td><td>304.172</td></tr> </table>	Funding	£m	Aggregate External Funding (AEF)/RSG NNDR	188.980	Council Tax at 18/19 level (4.5% indicative increase)	79.148	SSA/Budget Requirement	268.128	Specific Grants (Estimated)	31.042	Use of Reserves	1.900	Total Funding	301.070	Expenditure		Base Budget Rolled Forward	297.599	Transfers in/out of settlement (Appendix 2)	0.576	Previous Years Budget Decisions (Appendix 1)	(0.055)	Inflation (Appendix 3)	5.412	Cost Pressures and Investments (Appendix 4)	7.470	Fire Levy Increase (Appendix 4)	0.381	Efficiencies - Stage 1 (Appendix 5)	(1.664)	Efficiencies - Stage 1 Corporate (Appendix 5)	(2.402)	Efficiencies - Stage 2 (Appendix 6)	(0.630)	Efficiencies – Stage 3 (Appendix 7)	(2.231)	Less Specific Grants 2017/18	(31.326)	Plus Specific Grants 2018/19 (Estimated Appendix 8)	31.042	Total Expenditure	304.172
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	Remaining Budget Gap	3.102
1.18	To follow the commentary in 1.09 and 1.10 above it should be noted that in the Council's formal response to Welsh Government on the Provisional Settlement (dated 28 th November) we did say that " <i>without an improved Settlement to this level (i.e. our campaign request) Welsh Government must accept that it is knowingly shifting the responsibility for paying for local services from national funding to the local Council Tax payer</i> ". We also said that " <i>as with our approach last year we invite Welsh Government to review our budget plans and risk and resilience statements, to be assured that we have taken all reasonable steps to secure a balanced budget before turning to you for national support</i> ". The Council has not received a response to our letter or to this invitation.	
	Funding	
1.19	The budget expenditure proposals (unbalanced) set a budget requirement of £268.128m. This includes £188.980m of the Council's core grant (Revenue Support Grant and share of National Rates Pool) and £79.148m of Council Tax yield based the indicative increase in Council Tax that was approved as part of the Stage One budget solutions.	
	Expenditure Provisions	
1.20	Previous Year Budget Decisions and Pressures Each year indicative amounts for pressures and investments from the previous year are included in the budget. These are updated as part of the ongoing review of the forecast and are summarised in Appendix 1. Details of all other pressures taken into account in the budget process are included in Appendix 4.	
1.21	Transfers Into/Out of the Settlement The transfers in and out of the settlement as confirmed in the Final Settlement are summarised in Appendix 2.	
1.22	Pay and Price Inflation A summary of the inflationary increases in the budget is included in Appendix 3. The impact of the two-year National Joint Council (NJC) pay awards is included. The pay modelling work to revise the Council's pay spine is ongoing. The cost of the preferred pay model exceeding the base provision in the draft budget remains an open risk.	
1.23	Specific Grants Appendix 8 provides the most up to date information on specific grants. The levels of funding for some specific grants have not yet been confirmed by Welsh Government.	
1.24	Managing the In-Year Position	

	As an important organisational discipline we will continue to review all operational budgets and cost pressures throughout the year to (1) aim to stay within budgets and avoid a projected year-end overspend on the Council Fund and (2) identify operational efficiencies to either off-set cost pressures or release funds back into the Contingency Reserve.
	Opinions of the Statutory Officers
1.25	Opinion of the Corporate Finance Manager Section 25 of the Local Government Act 2003 includes a specific duty on the Chief Finance Officer (for Flintshire this is the Corporate Finance Manager) to report to the Council when it is considering its budget and Council Tax setting on the robustness of the estimates and the adequacy of reserves. The Act requires the Council to have regard to this report in making its decisions on its budget.
1.26	The 2019/20 budget has again been set within the context of the Medium Term Financial Strategy. It presents a significant financial challenge. The Council's budget strategy for dealing with this has been clearly set out in detail in previous budget reports, supported by a series of member workshop sessions.
1.27	For the estimates contained within the budget, all figures are supported by a clear and robust methodology with the efficiency proposals considered achievable, but not without risk. The pressures are supported by evidenced method statements - some of which have been reviewed by the Council's internal auditors on a sample basis.
1.28	The Council's Reserves and Balances Protocol sets out how the Council will determine, manage and review the level of its Council Fund Balance and Earmarked Reserves taking into account legislation and professional guidance. An outcome of this protocol was to report to both Cabinet and Corporate Resources Overview and Scrutiny Committee the level of Earmarked Reserves held on a quarterly basis. This has been continued throughout 2018/19 through the monthly budget monitoring report. This process ensures that members can have a good understanding of all the reserves held by the Council.
1.29	The Council's overall level of reserves and balances is reviewed on an ongoing basis with the adequacy and purpose of reserves held being rigorously challenged. Any reserves no longer required at the level held are released for use.
1.30	I can confirm the reasonableness of the estimates contained in the proposed budget having regard to the Council's spending needs in 2019/20 and the financial context within which the budget is being set. It is clear that there are still some significant and open risks within the 2019/20 budget proposals - particularly around pay provision, social care demands, and the stability of the financial markets and inflation levels. Therefore, it is important that the Council protects its current level of reserves as far as possible to safeguard against these risks. A robust programme for the delivery of the efficiencies within the budget and to the timescales set together with effective and disciplined in-year financial management is essential to ensure that budgets are managed effectively - with prompt action taken to mitigate any impacts should variances occur.
1.31	In 2019/20 the Council was successful in the achievement of a significant VAT

	<p>rebate which provided an additional £1.9m. This has been transferred into the Contingency Reserve. The budget proposals approved at Stage One include a commensurate contribution of £1.9m from Reserves and Balances. The rebate has provided a 'windfall' for the Council's reserves which are reducing in size. Use of this additional reserve in this way enables the Council to make a similar contribution to the 2019/20 budget as in previous years.</p>
1.32	<p>Within the context described above, I recommend that the Council should maintain sufficient general balances of £5.769m and retain a sizeable Contingency Reserve as a safeguard to manage any in-year cost pressures and variances as detailed in paragraph 1.15. The over-use of reserves in the balancing of the annual budget would create a level of risk which I could not support.</p>
	<p>Opinion of the Chief Executive</p>
1.33	<p>My professional advice complements that of the Corporate Finance Manager, as set out above, and concentrates on the wider risks posed by the challenge of setting a legal and balanced budget.</p>
1.34	<p>The draft budget as presented follows the Medium-Term Financial Strategy adopted by the Council. It has been developed according to the budget setting model which has been recommended by the Constitution Committee. It is the most balanced approach possible for achieving an annual budget, as required by law and the principles of good governance, whilst attempting to protect the improvement objectives and public service duties and obligations of the Council. However, there are medium term risks – beyond 2019/20 - that the Council will not achieve its priority outcomes as set out in the Council Plan, or maintain performance to service standards, as it might have done, due to ongoing reducing budgets and reducing organisational capacity.</p>
1.35	<p>I cannot recommend making any further reductions of scale to service portfolio budgets without risking either (1) failure in meeting the Council's mandatory duties (2) failure in meeting required service standards and/or (3) failing to implement adopted Council policy and service standards for non-mandatory services which the Council has decided to retain and protect. Neither can I support making any further reductions in management or workforce capacity without risking either (1) placing unfair expectations or undue pressure on individuals or teams (2) having sufficient capacity to manage and oversee all Council functions and systems and/or (3) safe corporate governance and legal compliance. The resilience statements shared with and accepted by each of the Overview and Scrutiny Committees demonstrate all of the above. I cannot recommend to the Council any option which would knowingly place any service in such a position that it would be unsafe or unsustainable, or fail in my/our duty of care to employees.</p>
1.36	<p>Concluding Advice</p> <p>The final budget forecast position, and the limited options available to the Council to fulfil its collective responsibility to set a legal and balanced budget are set out within the report. The advice on which to base a decision is clearly set out. There is no other concluding advice to give Council.</p>
	<p>THE MEDIUM TERM OUTLOOK</p>

1.37

The financial forecast for the medium-term - 2020/21 – 2022/2023 - has been reviewed to refresh the Medium-Term Financial Strategy. A high-level estimate on the major cost pressures predicted over the next three years following this budget is included in Table 6. The forecast assumes that annual pay increases will trend be at a 2% and that we will continue to have a similar level of commissioning cost pressures within Social Services. Any decision on the level of reserves used to balance the budget will also impact on the following year. The 2019/20 budget should be set within the context of the medium-term position.

Table 6: Medium-Term Forecast

Cost Pressure Group		20/21	21/22	21/23
		£m	£m	£m
Pay Inflation		3.326	3.393	3.460
Non Pay Inflation		0.759	0.759	0.759
Social Care/CLIA Pressures*		3.470	4.044	4.100
Repayment of Reserve from 2019/20		1.900	0	0
Total		9.455	8.196	8.319

**Excludes any impact of Actuarial Review and future borrowing costs*

There are a number of variables which will have a major impact on the forecast and its reliability, none of which are within our control. The level of funding for local government in future funding settlements, the continuity and funding level of key specific grants, increases in demand-led Social Services cost pressures together with global economic uncertainty will necessitate this initial forecast being subject to regular revision.

2.00	RESOURCE IMPLICATIONS
2.01	As set out within the report.

3.00	CONSULTATIONS REQUIRED / CARRIED OUT
3.01	<p>Many people and organisations have been engaged in the development of the budget over seven months from July 2018 to now. There has been no singular consultation exercise or set period. There has been ample public communication and the opportunity for open debate on social media particularly through the #backtheask campaign. There has been no specific public consultation exercise – such as the series of public meetings held on each of the past three budget years – as there are no meaningful options on public services remaining on which to consult.</p>
3.02	<p>Engagement has taken place over this three-stage iterative budget setting process with:-</p> <ul style="list-style-type: none"> • Group Leaders

	<ul style="list-style-type: none"> • Members through three stages of workshops in July and September • MPs, AMs and Regional AMs • Welsh Government • Welsh Local Government Association • County Forum (of local town and community councils) • Flintshire Joint Trade Union Committee • School Budget Forum • Education Consultative Committee • Primary and Secondary Heads Federation • Flintshire Governors Association • Headteachers and Chairs of Governors of all local schools • Flintshire Local Voluntary Council • Flintshire Public Services Board partners • Chief Officers • Service Managers • Portfolio Teams (through the business planning process) • the workforce (through two seminars with a combined attendance of 225)
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4.00	RISK MANAGEMENT
4.01	<p>The overall risks in setting the budget are set out within the report. The resilience statements for each Service Portfolio, which set out the specific risks to services of reducing base budgets further, have been shared with and accepted by the Overview and Scrutiny Committees. There are a number of open risks of specific grant certainty (paragraph 1.07) and in-year cost pressures (paragraph 1.30) set out within the report. The Council has a legal duty to set a balanced budget, based on the professional advice of its officers. Failure to do so would lead to the triggering of draconian statutory provisions which would restrict the ability of the Council to commit expenditure and thereby to function effectively.</p>

5.00	APPENDICES
8.01	<p>Appendix 1: Previous Year Budget Decisions Appendix 2: Transfers into/out of the Settlement Appendix 3: Inflation Appendix 4: Cost Pressures and Investments Appendix 5: Stage 1 Efficiencies Appendix 6: Stage 2 Efficiencies Appendix 7: Stage 3 Efficiencies Appendix 8: Specific Grants Appendix 9: Summary of Earmarked Reserves</p>

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	<p>Cabinet Report – 20 November 2018; 2019/20 Council Fund Budget: Updated Forecast and Stage 1 and Stage 2 Budget Proposals</p>

	<p>Council Meeting 11 December 2018 Slides – Council Fund Budget 2019/20: Stage 3 Update</p> <p>Corporate Resources Overview and Scrutiny Committee 15 November 2018 – Presentation on the Stage 1 and Stage 2 budget Proposals</p>
6.02	<p>Contact Officers: Colin Everett, Chief Executive Gary Ferguson, Corporate Finance Manager Telephone: 01352 702101 E-mail: gary.ferguson@flintshire.gov.uk</p>

7.00	GLOSSARY OF TERMS
	<p>Medium Term Financial Strategy (MTFS): a written strategy which gives a forecast of the financial resources which will be available to a Council for a given period, and sets out plans for how best to deploy those resources to meet its priorities, duties and obligations.</p> <p>Local Government Funding Formula: the system through which the annual funding needs of each council is assessed at a national level, and from which each council's annual AEF (see above) is derived. The formula is very complex. In summary, using information such as statistics on local population change and deprivation, the formula sets a guide for each Council's funding needs called the Standard Spending Assessment (SSA).</p> <p>Revenue Support Grant (RSG): the annual amount of money the Council receives from Welsh Government to fund what it does alongside the Council Tax and other income the Council raises locally. Councils can decide how to use this grant across services although their freedom to allocate according to local choice can be limited by guidelines set by Government.</p> <p>Specific Grants: An award of funding from a grant provider (e.g. Welsh Government) which must be used for a pre-defined purpose.</p> <p>Aggregate External Finance (AEF): represents the support for local revenue spending from the Welsh Government and is made up of formula grant. Formula grant includes the revenue support grant (RSG), and the distributable part of non-domestic rates (NDR). Amounts are determined annually and in advance of each new financial year as part of the Local Government Financial Settlement.</p> <p>The Settlement: the amount of its funds the Welsh Government will allocate annually to local government as a whole, as part of its total budget and to individual councils one by one. The amount of Revenue Support Grant (see below) each council will receive is based on a complex distribution formula for awarding Aggregate External Finance (AEF). The formula is underpinned by assessments of local need based, for example, of population size and demographics and levels of social deprivation. The Provisional Settlement is the draft budget for local government published by the Welsh Government for consultation. The Final</p>

	<p>Settlement is the approved budget post-consultation.</p> <p>Budget: a statement expressing the Council's policies and service levels in financial terms for a particular financial year.</p> <p>Revenue: a term used to describe the day to day costs of running Council services and income deriving from those services. It also includes charges for the repayment of debt, including interest, and may include direct financing of capital expenditure.</p> <p>Earmarked Reserves: Funding set aside that must be used for a specific purpose.</p> <p>Un-earmarked Reserves: Funding set aside as a safeguard against unforeseen events and can be used for any purpose. The Council maintains a prudent base level.</p> <p>Contingency Reserve: A reserve accumulated from historical underspends and used to mitigate in-year variations.</p> <p>Integrated Care Fund (ICF): A regional grant allocated by Welsh Government which is administered by a regional partnership board. Local Authorities, Health and other partner agencies work in partnership to support older people, people with a learning disability and children with complex needs.</p> <p>Minimum Revenue Provision (MRP): method for charging (debt-funded) Capital expenditure to the revenue account in local authority accounts. Full Council sets an MRP policy annually selecting from a range of options contained with Welsh Regulations set by Welsh Government.</p> <p>Welsh Local Government Association: the representative body for unitary councils, fire and rescue authorities and national parks authorities in Wales.</p>
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Budget 2019/20
Council Fund Revenue

Previous Year Budget Decision

One-off Items Dropping Out	2019/20
<u>Approved 2018/19 Budget</u>	£m

Social Services

Work Opportunities Pressure Reduction	0.055
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Total Social Services	0.055
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Total 2019/20 Budget	0.055
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Budget 2019/20
Council Fund Revenue

Transfers in/out of settlement

Transfers in:	£m	£m
Teachers Pay Grant	0.319	
Free School Meals Grant	0.257	
 Total Transfers in (Pressure)		0.576
 Net effect (Pressure)		<u>0.576</u>

Budget 2019/20
Council Fund Revenue

Inflation

	Total £m
Pay (Non Schools)	3.251
NJC Pay Schools	1.402
Other Schools Inflation	0.192
Fuel	0.034
Energy/Water	0.329
Price	0.204
Total Inflation	<u>5.412</u>

Budget 2019/20
Council Fund Revenue

Cost Pressures & Investments

	2019/20	2020/21
	£m	£m
<u>Social Services</u>		
Social Care Commissioning	1.450	1.450
Transition to Adulthood	0.640	0.640
Out of County Placements (Joint with E & Y)	1.655	1.655
Residential Care Pressure	1.009	1.009
Total Social Services	4.754	4.754
<u>Streetscene & Transportation</u>		
North Wales Waste Partnership	0.425	0.000
Waste Recycling Income	0.180	0.180
Total Streetscene & Transportation	0.605	0.180
<u>Planning & Environment</u>		
Local Development Plan	0.172	0.000
Total Planning & Environment	0.172	0.000
<u>Education & Youth (E & Y)</u>		
Minority Ethnic A Grant	0.048	0.048
Additional Learning Needs (ALN) reforms	0.142	0.142
Total Education & Youth	0.190	0.190
<u>Governance</u>		
Members Allowances	0.030	0.030
Universal Credit Support Funding Transfer	0.019	0.019
Contact Centre	0.100	0.100
Microsoft Licence Renewal	0.150	0.150
Total Governance	0.299	0.299
<u>Community & Enterprise</u>		
Council Tax Care Leavers Discount Scheme	0.027	0.027
Council Tax Reduction Scheme (CTRS)	0.341	0.341
Bad Debt Collection - (one Year efficiency dropping out)	0.144	0.144
Single Person Discount - (one year efficiency dropping out)	0.300	0.300
Total Community & Enterprise	0.812	0.812
<u>Housing & Assets</u>		
County Hall - (one year efficiency dropping out)	0.300	0.300
Energy Efficiency Pressure	0.050	0.050
SHARP	0.020	0.020
Total Planning & Resources	0.370	0.370
<u>Central & Corporate</u>		
CLIA - Borrowing Costs	0.226	0.226
North Wales Fire & Rescue Levy	0.381	0.381
Coroners	0.042	0.042
Total Central & Corporate	0.649	0.649
Total Pressures and Investments	7.851	7.254

Budget 2019/20
Council Fund Revenue

Stage 1 Efficiencies

<u>Stage 1 Corporate Efficiency</u>	<u>£m</u>
Minimum Revenue Provision	1.400
Domiciliary Care Charging Cap	0.264
Total Stage 1 Efficiency	<u>1.664</u>

<u>Stage 1 Corporate Efficiency</u>	<u>£m</u>
New Income Streams	0.100
Management of Workforce and Inflation cost pressures	1.144
Workforce Terms and Conditions	0.250
ADM Subsidies	0.400
Reduction in Corporate Management Costs	0.250
HRA/Council Fund Recharges	0.158
School Transport	0.100
Total Stage 1 Corporate Efficiency*	<u>2.402</u>

*Excluding Reserves and Council Tax

Budget 2019/20
Council Fund Revenue

Stage 2 Efficiencies

Stage 2 Business Planning Efficiencies

£m

Portfolio

Corporate	0.150
Social Services	0.300
Education & Youth	0.076
Streetscene & Transportation	0.005
Planning & Environment	0.063
Housing & Assets	0.035

Total Stage 2 Corporate Efficiency*

0.630

*Net of Stage 1 targets for income and targeted post reductions

Budget 2019/20
Council Fund Revenue

<u>Stage 3 Efficiencies</u>	<u>£m</u>
Gwe Efficiency	0.006
Social Care Additional Funding	1.410
Childrens Services Additional Funding	0.110
Regional Allocation Health & Social Care	0.705
Total Stage 3 Efficiency	<u>2.231</u>

Budget 2019/20
Council Fund Revenue

Specific Grants

		Budget 2018-19*	Budget 2019-20	Variance	Confirmed (C) or Estimated (E)
		£	£	£	
Education & Youth					
Non Delegated	Promoting Positive Engagement (Youth Crime Prevention Fund)	196,143	196,143	0	E
	YOT / Youth Justice Board (inc. JAC)	221,956	221,956	0	E
	Welsh Network of Healthy School Schemes	101,380	101,380	0	E
	Youth Support Grant (Youth Service Revenue Grant)	126,820	126,820	0	E
	Free School Milk	245,891	245,891	0	E
	Families First	1,532,678	1,505,090	(27,588)	E
	Pupil Development Grant	2,977,000	3,587,850	610,850	E
	Education Improvement Grant for Schools	5,822,154	5,814,343	(7,811)	E
		11,224,022	11,799,473	575,451	
Delegated	6th Form Funding (Formally DCELLs)	4,756,182	4,729,890	(26,292)	E
		4,756,182	4,729,890	(26,292)	
Social Services	Social Care Workforce Development Programme	312,069	312,069	0	E
	Flying Start	2,904,700	2,904,700	0	E
	Out of School Childcare	97,877	97,877	0	E
		3,314,646	3,314,646	0	
Streetscene & Transportation	Concessionary Travel	2,180,000	2,180,000	0	E
	Local Transport Services (Capital)	974,500	0	(974,500)	E
	Sustainable Waste - now Environment & Sustainable Development	852,852	852,852	0	E
	Bus Service Support Grant	557,000	557,000	0	E
	Welsh Young Person Travel Discount Scheme	60,000	60,000	0	E
		4,624,352	3,649,852	(974,500)	
Planning & Environment	Safer Communities Fund	221,881	221,881	0	E
	Substance Misuse	522,744	522,744	0	E
	Crime Reduction and Anti Social Behaviour	31,566	31,566	0	E
	Domestic Abuse Co-ordinator Funding	92,400	92,400	0	E
	Environment & Sustainable Development Grant (non-Waste)	178,068	178,068	0	E
		1,046,659	1,046,659	0	
Housing & Assets	Supporting People	5,809,818	5,950,819	141,001	E
		5,809,818	5,950,819	141,001	
Chief Executives	Free Swimming	121,500	121,500	0	E
	National Exercise Referral	123,750	123,750	0	E
	Active Young People	305,303	305,303	0	E
		550,553	550,553	0	
Total		31,326,232	31,041,892	(284,340)	

*2018/19 Budget including estimated amounts not final

Budget 2019/20

Council Fund - Revenue

Summary of Earmarked Reserves

	Estimated Balance 01/04/19 £m	Estimated Balance 31/03/20 £m
<u>Service Balances</u>		
Planning, Environment & Economy	0.172	0.099
Education & Youth	0.000	0.000
Social Services	0.095	0.095
Streetscene & Transportation	0.000	0.000
Housing & Assets	0.002	0.002
Strategic Programmes	0.000	0.000
Corporate Services	0.065	0.021
Theatre Clwyd	0.200	0.200
Total	0.534	0.417
<u>Corporate Balances</u>		
Single Status/Equal Pay	0.538	0.000
General Reserve - Investment in Organisational Change	0.525	0.338
Total	1.064	0.338
<u>Specific Reserves</u>		
Benefits Equalisation	0.318	0.318
County Elections	0.205	0.205
Local Development Plan	0.180	0.034
Building Control	0.013	0.013
Waste Disposal	0.120	0.060
Flintshire Enterprise Ltd	0.058	0.058
Design Fees	0.100	0.100
Winter Maintenance	0.215	0.215
Car Parking	0.022	0.022
Insurance Funds	1.805	1.805
Cash Receipting Review	0.084	0.084
Flintshire Trainees	0.476	0.000
Customer Services Strategy	0.103	0.103
Supervision Fees	0.049	0.049
LMS Curriculum	0.097	0.097
Emergency Remediation	0.048	0.048
Solar Farms	0.221	0.221
Grants & Contributions	1.618	1.618
Total	5.731	5.049
Total Earmarked Reserves	7.329	5.805

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FLINTSHIRE COUNTY COUNCIL

Date of Meeting	Tuesday, 29 th January 2019
Report Subject	Flintshire Electoral Review
Report Author	Chief Executive and Chief Officer (Governance)

EXECUTIVE SUMMARY

The Local Democracy and Boundary Commission for Wales (LDBCW) is reviewing the electoral arrangements for the County of Flintshire and will formulate proposals for future electoral arrangements.

The twelve week consultation period began on 1 November 2018 and closes on 30 January 2019. This has been extended to allow Flintshire County Council to consider its proposals at County Council on 29 January 2019.

Appendix 1 of the report outlines the proposals to be submitted to the Commission based on the extensive work undertaken with the Members of the Council.

RECOMMENDATIONS

1	That the Council agrees to submit the proposals set out in Appendix 1 with or without variation.
2	That the Council provide background information to the Commission in support of the positive proposals included in Appendix 1 and, in the case of those areas where no compliant proposal is made, the full set of options considered by Members.

REPORT DETAILS

1.00	EXPLAINING THE REVIEW OF ELECTORAL ARRANGEMENTS FOR FLINTSHIRE
1.01	The Local Government (Democracy) (Wales) Act 2013 requires the Local Democracy & Boundary Commission for Wales (LDBCW) to publish a ten year programme of electoral reviews.
1.02	In June 2016 the then Cabinet Secretary for Finance and Local Government published a Written Statement asking the Commission to restart its ten year programme with a new prioritised timetable and an expectation that all electoral reviews be completed in time for the new arrangements to be put into place across Wales for the 2022 Local Government Elections.
1.03	The Commission has published a Policy and Practice document and has adopted a methodology to determine the number of elected members appropriate for each council. This is explained in Appendix 2 - Council Size Policy. Flintshire has been given a category allocation number 2. The Councillor to population ratio is 1:2,500. Our current divisions have electorates between 1,041 and 4,582. Therefore, the number of Councillors determined for Flintshire after constraints have been applied will be 63. The aim is to obtain a Councillor/electorate ratio of 1:1,895.
1.04	The Commission met with Group Leaders and Officers in October to explain the process and timeline for the review.
1.05	The Commission gave a presentation to the full Council, and to the County Forum of Town & Community Councils on 23 October 2018. The Commission explained the process and outlined what would and would not be included as part of the review. The Policy and Practice document, statistical information and a map showing the existing variance in electoral representation from the proposed County average was circulated at these meetings. It was decided at that Council meeting that the preference was to reach a local agreement area by area for submission to the Commission as far as is possible.
1.06	Members were then invited to make suggestions on how to create electoral wards as close to 1:1,895 electors as possible.
1.07	The first stage of the process began on 1 November 2018. The 12 week initial consultation period closes on 23 January 2019. The Commission has agreed to extend the consultation period until 30 January 2019 so that this report can be made to full Council on 29 January 2019. Representations can be made to the Commission as a member of the public, as an individual Councillor, local Party or as a Town or Community Council.
1.08	An internal member workshop was held on 6 December 2018 to discuss review possible proposals.
1.09	An update was given to Council on 11 December 2019 on the process for engaging Members and the progress made to develop proposals.

1.10	During December a 'drop in' facility was provided where Members were able to prepare their proposals in detail with officers. Twenty-two Members attended the sessions and officers have assisted Members in developing these proposals.
1.11	A second workshop was held on 9 January 2019.
1.12	An email was sent to all Members to provide feedback from the workshop. Members were reminded that they had until Friday 18 January 2019 to submit any alternative suggestions or comments to be considered by Council.
1.13	Members have worked together to make proposals to the Commission for changes where it is felt these will improve local representation.
1.14	It is noted that Members representing rural areas have raised concerns that the size and topography of a ward is not taken into account by the Commission in balancing the ratio requirement with the logistics of local representation.
1.15	<p>Appendix 1 of the report outlines the proposals to be submitted to the Commission for them to consider in developing their draft proposals. Each electoral ward has been given a Red, Amber, Green (RAG) status.</p> <ul style="list-style-type: none"> • Green – Proposals where there is agreement and it is within a variance of 25% of the proposed County average. • Amber – Proposals where there is some disagreement but is a 'favoured' option and it is within a variance of 25% of the proposed County average. • Red - Proposals where there is no agreement or the proposal is not compliant as it is not within a variation of 25% of the County average.
1.16	<p>Detailed maps and associated electoral information will be submitted to the Commission where any new boundaries are suggested and where any consequential changes are also required to Town / Community wards.</p> <p>All information previously collated which includes Members representations will also be submitted to the Commission to consider in developing their draft proposals.</p>
1.17	Once the initial consultation period has ended Stage two of the process will begin. The Commission will prepare Draft Proposals for the electoral arrangements for the County of Flintshire. These will be published in Autumn 2019 and there will then be a further 12 week consultation period.
1.18	At Stage Three the Commission will prepare a Final Proposals Report which will be submitted to Welsh Government (in 2020 along with those for all other councils in Wales).
1.19	Following that Welsh Government will consider these proposals at Stage Four of the process.

1.20	After six weeks Welsh Government may make an Order and there will be an opportunity to write to Welsh Government with comments.
1.21	The final Stage will be the electoral arrangements coming into force for the 2022 local government elections.

2.00	RESOURCE IMPLICATIONS
2.01	There are no specific resource implications within this report.

3.00	CONSULTATIONS REQUIRED / CARRIED OUT
3.01	The Commission are consulting with all Members of the Council, Town and Community Councils and other interested parties.

4.00	RISK MANAGEMENT
4.01	None specific

5.00	APPENDICES
5.01	Appendix 1 – Flintshire County Council’s Proposals

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	<p>Electoral Reviews: Policy and Practice document 2016 http://ldbc.gov.wales/reviews/electoralreviews/58417614/?lang=en</p> <p>Local Democracy and Boundary Commission for Wales Presentation to County Council on Tuesday 23 October 2018</p> <p>Email of the Democratic Services Manager to all Members dated Wednesday 31 October 2018.</p> <p>Officer’s suggestions and Member representations circulated at the workshop on Wednesday 9 January 2019.</p> <p>Email of the Democratic Services Manager to all Members dates Monday 14 January 2019.</p> <p>Contact Officer: Lynn Phillips, Team Leader – Democratic Services Telephone: 01352 702329 E-mail: lyn.phillips@flintshire.gov.uk</p>

7.00	GLOSSARY OF TERMS
7.01	<p>Local Democracy and Boundary Commission for Wales: The role of the Commission is to keep under review all local government areas in Wales, and the electoral arrangements for the principal areas, and to make such proposals to the Welsh Government as seem desirable in the interests of effective and convenient local government.</p> <p>Local Government (Democracy) Wales Act 2013: An Act of the National Assembly for Wales to make provision about the constitution and functions of the Local Democracy and Boundary Commission for Wales; to make various provisions relating to local government; and for connected purposes.</p> <p>Electoral Review: A review of electoral arrangements for a local authority area.</p> <p>Council Size Methodology: A model the Commission has adopted for determining the size of Councils.</p> <p>Assessment: The programme is based upon the base data in the assessment table but moving principal councils up or down the order to take into consideration the Cabinet Secretary's desire for review of certain council's to be undertaken first.</p>

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Flintshire County Council

Electoral Wards Review

- **Green** – Proposals where there is agreement and it is within a variance of 25% of the proposed County average.
- **Amber** – Proposals where there is some disagreement but is a 'favoured' option and it is within a variance of 25% of the proposed County average.
- **Red** - Proposals where there is no agreement or the proposal is not compliant as it is not within a variation of 25% of the County average.

Electoral Ward (No.of Councilors)	Current Councillors(s)	Proposal	Status
Argoed	Hilary McGuill	<p>Option 1 - Status quo – within a 15% variance of the proposed County average.</p> <p>Option 2 - Amendments to the external ward between New Brighton and Argoed electoral wards and Leeswood and Argoed electoral wards. To improve the Councillor / elector ratio, it is proposed to move 2 streets / 56 electors from New Brighton electoral ward to Argoed electoral ward and move 4 properties in Alyn Lane, Llong / 4 electors from the Argoed electoral ward to Leeswood electoral ward.</p> <p>The revised 2018 electorate would be 2231. The ratio would be 1:2,231. The electorate would be within a 25% variance of the proposed County average.</p> <p>Consequential changes required to the community wards of Argoed Community Council and Leeswood Community Council.</p>	Green
Aston (2)	Helen Brown, George Hardcastle	<p>To split the existing Hawarden electoral ward between Mancot and Aston electoral wards. It is proposed to rename the Aston electoral ward 'Hawarden West'. The boundary between Aston and Hawarden wards behind Overlea Drive from Gladstone Way to where it meets Bennett's Lane would be removed and a new boundary inserted along Bennett's Lane from the junction with Lower Aston Hall Lane to the junction with Gladstone Way.</p> <p>The revised 2018 electorate would be 3355. The ratio would be 1:1,677. The electorate would be within a 15% variance of the proposed County average.</p>	Green

		Consequential changes required to the community wards of Hawarden Community Council.	
Bagillt East	Rob Davies	Status quo – within 25% variance of the proposed County average.	Green
Bagillt West	Mike Reece	Status quo – within 15% variance of the proposed County average.	Green
Broughton North East	Billy Mullin	Status quo – within 15% variance of the proposed County average.	Green
Broughton South (2)	Derek Butler Mike Lowe	Status quo – within 15% variance of the proposed County average.	Green
Brynford	Jean Davies	Status quo – within 10% variance of the proposed County average.	Green
Buckley Bistre East (2)	Richard Jones Arnold Woolley	<p>Two proposals for the area of Buckley. Both proposals seek to 'balance' wards by moving internal boundaries.</p> <p>Proposal One – To improve the Councillor / elector ratio, with a minimum movement of electors between electoral wards, it is proposed to move 20 streets / 668 electors from Buckley Pentrobin electoral ward to Buckley Bistre East electoral ward.</p> <p>The revised 2018 electorate would be 3574. The ratio would be 1:1,787. The electorate would be within a 10% variance of the proposed County average.</p> <p>This is supported by six of the seven County Councillors representing the Buckley area.</p> <p>Proposal Two – To improve the Councillor / elector ratio, it is proposed to move 20 streets / 921 electors from Buckley Pentrobin electoral ward to Buckley Bistre East electoral ward. This takes into account local community ties.</p> <p>The revised 2018 electorate would be 3542. The ratio would be 1: 1,771. The electorate would be within a 10% variance of the proposed County average.</p> <p>Consequential changes required to the town wards of Buckley Town Council.</p>	Amber / Green
Buckley Bistre West (2)	Neville Phillips Andy Williams	<p>Two proposals for the area of Buckley. Both proposals seek to 'balance' wards by moving internal boundaries.</p> <p>Proposal One – To improve the Councillor / elector ratio, with a minimum movement of electors between electoral wards, it is proposed to move 7 streets / 285 electors from Buckley Bistre West electoral ward to Buckley Bistre East electoral ward.</p> <p>The revised 2018 electorate would be 3527. The ratio would be 1:1,763. The electorate would be within a 10% variance of the proposed County average.</p>	Amber / Green

		<p>This is supported by six of the seven County Councillors representing the Buckley area.</p> <p>Proposal Two – To improve the Councillor / elector ratio, it is proposed to move 17 streets / 1,171 electors from Buckley Bistre West electoral ward to Buckley Mountain electoral ward. This takes into account local community ties.</p> <p>The revised 2018 electorate would be 2059. The ratio would be 1: 2,059. This would be a single Member ward. The electorate would be within a 10% variance of the proposed County average.</p> <p>Consequential changes required to the town wards of Buckley Town Council.</p>	
Buckley Mountain	Carol Ellis	<p>Two proposals for the area of Buckley. Both proposals seek to 'balance' wards by moving internal boundaries.</p> <p>Proposal One – To improve the Councillor / elector ratio, it is proposed to move 17 streets / 1,171 electors from Buckley Bistre West electoral ward to Buckley Mountain electoral ward. Move 5 streets / 285 electors from Buckley Mountain electoral ward to Buckley Pentrobin electoral ward. This takes into account local community ties.</p> <p>The revised 2018 electorate would be 3450. The ratio would be 1: 1,725. This would be a two Member ward. The electorate would be within a 10% variance of the proposed County average.</p> <p>Proposal Two – To improve the Councillor / elector ratio, with a minimum movement of electors between electoral wards, it is proposed to move 19 streets / 582 electors from Buckley Mountain electoral ward to Buckley Bistre West electoral ward.</p> <p>The revised 2018 electorate would be 1982. The ratio would be 1:1,982 The electorate would be within a 5% variance of the proposed County average.</p> <p>This is supported by six of the seven County Councillors representing the Buckley area.</p> <p>Consequential changes required to the town wards of Buckley Town Council.</p>	Amber / Green
Buckley Pentrobin (2)	Dennis Hutchinson Mike Peers	<p>Two proposals for the area of Buckley. Both proposals seek to 'balance' wards by moving internal boundaries.</p> <p>Proposal One – To improve the Councillor / elector ratio, with a minimum movement of electors between electoral wards, it is proposed to move 20 streets /</p>	Amber / Green

		<p>668 electors from Buckley Pentrobin electoral ward to Buckley Bistre East electoral ward.</p> <p>The revised 2018 electorate would be 3521. The ratio would be 1:1, 760. The electorate would be within a 10% variance of the proposed County average.</p> <p>This is supported by six of the seven County Councillors representing the Buckley area.</p> <p>Proposal Two – To improve the Councillor / elector ratio, it is proposed to move 20 streets / 921 electors from Buckley Pentrobin electoral ward to Buckley Bistre East electoral ward. Move 5 streets / 285 electors from Buckley Mountain electoral ward to Buckley Pentrobin electoral ward. This takes into account local community ties.</p> <p>The revised 2018 electorate would be 3549. The ratio would be 1: 1,774. The electorate would be within a 10% variance of the proposed County average.</p> <p>Consequential changes required to the town wards of Buckley Town Council.</p>	
Caergwrle	Dave Healey	Amalgamation with Hope electoral ward. The ratio would be 1:1,626. The electorate would be within a 15% variance of the proposed County average.	Green
Caerwys	Tudor Jones	Status quo – within 10% variance of the proposed County average.	Green
Cilcain	Owen Thomas	To amalgamate Cilcain ward of Cilcain CC, Pantymwyn ward of Gwernaffield & Pantymwyn CC and Nannerch CC. One Member at a ratio of 1:1,824. The electorate would be within a 5% variance of the proposed County average.	Amber
Connah's Quay Central (2)	Bernie Attridge Aaron Shotton	<p>Proposals to 'balance' wards by moving internal boundaries. Properties from Connah's Quay South and Connah's Quay Golftyn electoral wards to be moved to Connah's Quay Central electoral ward to address the imbalance.</p> <p>To improve the Councillor / elector ratio, it is proposed to move 23 streets / 868 electors from Connah's Quay South electoral ward to Connah's Quay Central electoral ward and 5 Streets / 237 electors from Connah's Quay Golftyn electoral ward to Connah's Quay Central electoral ward.</p> <p>The revised 2018 electorate would be 3509. The ratio would be 1: 1,754. The electorate would be within a 10% variance of the proposed County average.</p> <p>Consequential changes required to the town wards of Connah's Quay Town Council.</p>	Green
Connah's Quay Golftyn (2)	Andy Dunbobbin Paul Shotton	Proposals to 'balance' wards by moving internal boundaries. Properties from Connah's Quay South and Connah's Quay Golftyn electoral wards to be moved to Connah's Quay Central electoral ward to address the imbalance.	Green

		<p>To improve the Councillor / elector ratio, it is proposed to move 5 Streets / 237 electors from Connah's Quay Golftyn electoral ward to Connah's Quay Central electoral ward.</p> <p>The revised 2018 electorate would be 3716. The ratio would be 1: 1,858. The electorate would be within a 5% variance of the proposed County average.</p> <p>Consequential changes required to the town wards of Connah's Quay Town Council.</p>	
Connah's Quay South (2)	Ian Dunbar Ian Smith	<p>Proposals to 'balance' wards by moving internal boundaries. Properties from Connah's Quay South and Connah's Quay Golftyn wards to be moved to Connah's Quay Central electoral ward to address the imbalance.</p> <p>To improve the Councillor / elector ratio, it is proposed to move 23 streets / 868 electors from Connah's Quay South electoral ward to Connah's Quay Central electoral ward.</p> <p>The revised 2018 electorate would be 3714. The ratio would be 1: 1,857. The electorate would be within a 5% variance of the proposed County average.</p> <p>Consequential changes required to the town wards of Connah's Quay Town Council.</p>	Green
Connah's Quay Central (2)	Martin White	Status quo – within 10% variance of the proposed County average.	Green
Ewloe (2)	Janet Axworthy David Mackie	<p>Status quo - within 10% variance of the proposed County average. It is proposed to rename the Ewloe electoral ward 'Hawarden South'</p> <p>Consequential changes required to the Community wards of Hawarden Community Council.</p>	Green
Ffynnonogroyw	Glyn Banks	Status quo – within 25% variance of the proposed County average.	Green
Flint Castle	Ian Roberts	<p>This proposal takes into account the known growth within the area and in particular the Flint Coleshill and Flint Oakenholt wards. The projected electorate has been used as housing developments are taking place now and it is not just land identified for building.</p> <p>To improve the Councillor / elector ratio, it is proposed to move 2 streets / 308 electors from Flint Oakenholt electoral ward to Flint Castle electoral ward.</p> <p>The revised 2018 electorate would be 1772. The ratio would be 1: 1,772. The electorate would be within a 5% variance of the proposed County average. The projected electorate would be 1781. The ratio would be 1:1,781. The electorate would be within a 5% variance of the proposed County average.</p>	Green

		Consequential changes required to the town wards of Flint Town Council.	
Flint Coleshill (2)	Dave Cox Michelle Perfect	<p>This proposal takes into account the known growth within the area and in particular the Flint Coleshill and Flint Oakenholt wards. The projected electorate has been used as housing developments are taking place now and it is not just land identified for building.</p> <p>No change to ward boundaries.</p> <p>The revised 2018 electorate would be 3058. The ratio would be 1: 1,529. The electorate would be within a 25% variance of the proposed County average. The projected electorate would be 3204. The ratio would be 1:1,602. The electorate would be within a 15% variance of the proposed County average.</p> <p>Consequential changes required to the town wards of Flint Town Council.</p>	Green
Flint Oakenholt	Rita Johnson	<p>This proposal takes into account the known growth within the area and in particular the Flint Coleshill and Flint Oakenholt wards. The projected electorate has been used as housing developments are taking place now and it is not just land identified for building.</p> <p>To improve the Councillor / elector ratio, it is proposed to move 16 streets / 999 electors from Flint Oakenholt electoral ward to Flint Trelawny electoral ward and 2 streets / 308 electors from Flint Oakenholt electoral ward to Flint Castle electoral ward.</p> <p>The development within this area is with the polling district FFD2. The revised 2018 electorate would be 1080. The ratio would be 1: 1,080. The electorate would be a 45% variance below the proposed County average and not compliant. The projected electorate would be 1632. The ratio would be 1:1,632. The electorate would be within a 15% variance of the proposed County average.</p> <p>Consequential changes required to the town wards of Flint Town Council.</p>	Amber / Red
Flint Trelawny (2)	Paul Cunningham Vicky Perfect	<p>This proposal takes into account the known growth within the area and in particular the Flint Coleshill and Flint Oakenholt wards. The projected electorate has been used as housing developments are taken place now and it is not just land identified for building.</p> <p>To improve the Councillor / elector ratio, it is proposed to move 16 streets / 999 electors from Flint Oakenholt electoral ward to Flint Trelawny electoral ward and 1 street / 31 electors from Northop electoral ward.</p> <p>The revised 2018 electorate would be 3754. The ratio would be 1: 1,877. The</p>	Green

		<p>electorate would be with a 5% variance of the proposed County average. The projected electorate would be 3790. The ratio would be 1:1,895. The electorate would be with a 0% variance of the proposed County average</p> <p>Consequential changes required to the town wards of Flint Town Council and community wards of Northop Community Council.</p>	
Greenfield	Rosetta Dolphin	Status quo – within 10% variance of the proposed County average.	Green
Gronant	Sian Braun	Status quo – this is not compliant and is a 34% variance below the proposed County average.	Red
Gwernaffield	Adele Davies-Cooke	Status quo – within 15% variance of the proposed County average. The Community council do not agree with the proposals that Officers and Members agreed at the workshop on 9 January and therefore the local Member can no longer support this.	Amber
Gwernymynydd	Kevin Hughes	To amalgamate Gwernaffield ward of Gwernaffield & Pantymwyn CC and Gwernymynydd CC. One Member at a ratio of 1:1,725. The electorate would be within a 10% variance of the proposed County average.	Amber
Halkyn	Colin Legg	To amalgamate Halkyn electoral ward and Rhydymyn ward of Cilcain CC: One Member at a ratio of 1:1,927. The electorate would be within a 5% variance of the proposed County average.	Amber
Hawarden	Clive Carver	<p>To split the existing Hawarden electoral ward between Mancot and Aston electoral wards. Loss of one Member.</p> <p>Consequential changes required to the community wards of Hawarden Community Council.</p>	Green
Higher Kinnerton	Mike Allport	<p>Option 1 - Amendment to the external boundary following Lesters Lane, along A5104 down Lower Mountain Road and along Sandy Lane. This will take properties from Broughton South, Hope and Penyffordd electoral wards. The ratio 1: 1,441. The electorate would be within a 25% variance of the proposed County average. Using the projected electorate 1:1,544 and this would be within a 20% variance of the proposed County average.</p> <p>Consequential changes required to the community wards of Broughton, Higher Kinnerton, Hope and Penyffordd Community Councils.</p> <p>Option 2 - Status quo – this is not compliant and is a 31% variance below the proposed County average.</p>	Amber / Red
Holywell Central	Ted Palmer	Status quo – within 25% variance of the proposed County average.	Green
Holywell East	Joe Johnson	Status quo – within 25% variance of the proposed County average.	Green
Holywell West	Paul Johnson	Status quo – within 10% variance of the proposed County average.	Green
Hope	Gladys Healey	Amalgamation with Caergwrle electoral ward. The ratio would be 1:1,626. The electorate would be with a 15% variance of the proposed County average.	Green
Leeswood	Ray Hughes	Option 1 - Status quo – within 15% variance of the proposed County average.	Amber

		Option 2 - 4 Properties in Llong currently in the Argoed electoral ward transfer to Leeswood electoral ward. Possible inclusion of Pontybodkin ward of Llanfynydd CC. Consequential changes required to the community wards of Argoed. Leeswood and Llanfynydd Community Councils	
Llanfynydd	Dave Hughes	Status quo – within 25% variance of the proposed County average.	Green
Mancot (2)	Bob Connah Ralph Small	<p>To split the existing Hawarden electoral ward between Mancot and Aston electoral wards. It is proposed to rename the Mancot electoral ward 'Hawarden East'. The ward boundary between Hawarden and Mancot wards will be removed from where Bennett's Lane meets Gladstone Way along Gladstone Way, Crosstree Lane, Glynn Way (B5125) and Chester Road to a point before where Chester Road meets Manor Lane.</p> <p>The revised 2018 electorate would be 3481. The ratio would be 1:1,740. The electorate would be within a 10% variance of the proposed County average.</p> <p>Consequential changes required to the community wards of Hawarden Community Council.</p>	Green
Mold Broncoed	Haydn Bateman	<p>Option 1 -Status quo – within 25% variance of the proposed County average.</p> <p>Option 2 - To improve the Councillor / elector ratio, it is proposed to move 3 streets / 74 electors from Mold Broncoed electoral ward to Mold South electoral ward. This option takes into account imminent house builds.</p> <p>The revised 2018 electorate would be 2022. The ratio would be 1: 2,022. The electorate would be within a 10% variance of the proposed County average.</p> <p>Consequential changes required to the town wards of Mold Town Council.</p>	Green
Mold East	Chris Bithell	<p>Option 1 -Status quo – within 20% variance of the proposed County average.</p> <p>Option 2 - To improve the Councillor / elector ratio, it is proposed to move 15 streets / 471 electors from Mold West electoral ward to Mold East electoral ward. This option takes into account imminent house builds.</p> <p>The revised 2018 electorate would be 2018. The ratio would be 1: 2,018. The electorate would be within a 10% variance of the proposed County average.</p> <p>Consequential changes required to the town wards of Mold Town Council.</p>	Green
Mold South	Geoff Collett	<p>Option 1 -Status quo – within 20% variance of the proposed County average.</p> <p>Option 2 - To improve the Councillor / elector ratio, it is proposed to move 8 streets / 289 electors from Mold South electoral ward to Mold West electoral ward. This</p>	Green

		<p>option takes into account imminent house builds.</p> <p>The revised 2018 electorate would be 1997. The ratio would be 1: 1,997. The electorate would be within a 10% variance of the proposed County average.</p> <p>Consequential changes required to the town wards of Mold Town Council.</p>	
Mold West	Brian Lloyd	<p>Option 1 -Status quo – within 5% variance of the proposed County average.</p> <p>Option 2 - To improve the Councillor / elector ratio, it is proposed to move 15 streets / 471 electors from Mold West electoral ward to Mold East electoral ward. This option takes into account imminent house builds.</p> <p>The revised 2018 electorate would be 1872. The ratio would be 1: 1,872. The electorate would be within a 5% variance of the proposed County average.</p> <p>Consequential changes required to the town wards of Mold Town Council.</p>	Green
Mostyn	Patrick Heesom	Status quo – within 25% variance of the proposed County average.	Green
New Brighton	Mared Eastwood	<p>Option 1 - Status quo – within a 15% variance of the proposed County average.</p> <p>Option 2 - Amendment to the external ward between New Brighton and Argoed electoral wards. To improve the Councillor / elector ratio, it is proposed to move 2 streets / 56 electors from New Brighton electoral ward to Argoed electoral ward.</p> <p>The revised 2018 electorate would be 2329. The ratio would be 1:2,329. The electorate would be within a 25% variance of the proposed County average.</p> <p>Consequential changes required to the community wards of Argoed Community Council.</p>	Green
Northop	Marion Bateman	<p>To amalgamate Northop Hall and Northop electoral wards. Two Member ward. Ratio 1: 1,924. The electorate would be within a 5% variance of the proposed County average.</p> <p>18 Properties in Starkey lane to go to Flint Trelawny ward so that the external boundary is A55.</p> <p>Consequential changes required to the town / community wards of Flint Town Council and Northop Community Council.</p>	Green
Northop Hall	Tony Sharps	To amalgamate Northop Hall and Northop electoral wards. Two Member ward. Ratio 1: 1,924. The electorate would be within a 5% variance of the proposed County average.	Green
Penyffordd (2)	Cindy Hinds Dave Williams	Status quo – within 10% variance of the proposed County average.	Green

Queensferry	Dave Wisinger	<p>Option 1 - Status quo – within 25% variance of the proposed County average.</p> <p>Option 2 – Amalgamate Sealand and Queensferry electoral wards. Two Member ward. Ratio 1: 1,808. The electorate would be within a 5% variance of the proposed County average.</p>	Green
Saltney Mold Junction	Richard Lloyd	<p>Proposal 1 – To redraw the internal boundary along the Balderton Brook from Boundary Lane to the main Chester Road by the Stonebridge and then to proceed along the main road to the Cheshire border as it is now.</p> <p>To improve the Councillor / elector ratio, it is proposed to move 11 streets / 785 electors from Saltney Stonebridge electoral ward to Saltney Mold Junction electoral ward.</p> <p>The revised 2018 electorate would be 1823 for the Saltney Mold Junction electoral ward. The ratio would be 1: 1,823. The electorate would be within a 5% variance of the proposed County average. The revised 2018 electorate would be 1993 for the Saltney Stonebridge electoral ward. The ratio would be 1: 1,993. The electorate would be within a 5% variance of the proposed County average.</p> <p>Consequential changes required to the town wards of Saltney Town Council.</p> <p>Proposal 2 – To amalgamate the Saltney Stonebridge and Saltney Mold Junction electoral Wards. To rename the electoral ward Saltney. Two member ward. Ratio 1: 1,913. The electorate would be within a 5% variance of the proposed County average.</p> <p>Consequential changes required to the town wards of Saltney Town Council.</p>	Red
Saltney Stonebridge	Veronica Gay	<p>Proposal 1 – To amalgamate the Saltney Stonebridge and Saltney Mold Junction electoral Wards. To rename the electoral ward Saltney. Two member ward. Ratio 1: 1,913. The electorate would be within a 5% variance of the proposed County average.</p> <p>Consequential changes required to the town wards of Saltney Town Council.</p> <p>Proposal 2 – To redraw the internal boundary along the Balderton Brook from Boundary Lane to the main Chester Road by the Stonebridge and then to proceed along the main road to the Cheshire border as it is now.</p> <p>To improve the Councillor / elector ratio, it is proposed to move 11 streets / 785 electors from Saltney Stonebridge electoral ward to Saltney Mold Junction electoral ward.</p>	Red

		<p>The revised 2018 electorate would be 1823 for the Saltney Mold Junction electoral ward. The ratio would be 1: 1,823. The electorate would be within a 5% variance of the proposed County average. The revised 2018 electorate would be 1993 for the Saltney Stonebridge electoral ward. The ratio would be 1: 1,993. The electorate would be within a 5% variance of the proposed County average.</p> <p>Consequential changes required to the town wards of Saltney Town Council.</p>	
Sealand	Christine Jones	<p>Option 1 - Status quo – within 15% variance of the proposed County average.</p> <p>Option 2 – Amalgamate Sealand and Queensferry electoral wards. Two Member ward. Ratio 1: 1,808. The electorate would be within a 5% variance of the proposed County average.</p>	Green
Shotton East	David Evans	<p>Option 1 - Status quo - this is not compliant and is a 27% variance below the proposed County average.</p> <p>Option 2 - Amalgamate Shotton Higher and Shotton East electoral ward as a two member ward. The revised 2018 electorate would be 3193. The ratio would be 1:1,596. The electorate would be within a 25% variance of the proposed County average.</p> <p>Option 3 - Take part of Aston ward (Aston Park area) and some of Shotton Higher ward. Aston would then be a one Member ward. Consequential changes required to the town / community wards of Hawarden Community Council and Shotton Town Council.</p> <p>Option 4 - Merge all Shotton wards into a three member ward. Amalgamate Shotton Higher and Shotton East electoral ward as a two member ward. The revised 2018 electorate would be 4867. The ratio would be 1:1,622. The electorate would be within a 20% variance of the proposed County average.</p>	Amber / Red
Shotton Higher	Ron Davies	<p>Option 1 - Status quo – within 5% variance of the proposed County average.</p> <p>Option 2 - Amalgamate Shotton Higher and Shotton East electoral ward as a two member ward. The revised 2018 electorate would be 3193. The ratio would be 1:1,596. The electorate would be within a 25% variance of the proposed County average.</p> <p>Option 3 - Merge all Shotton wards into a three member ward. Amalgamate Shotton Higher and Shotton East electoral ward as a two member ward. The revised 2018</p>	Green

		electorate would be 4867. The ratio would be 1:1,622. The electorate would be within a 20% variance of the proposed County average.	
Shotton West	Sean Bibby	Option 1 - Status quo – within 20 % variance of the proposed County average. Option 2 - Merge all Shotton wards into a three member ward. Amalgamate Shotton Higher and Shotton East electoral ward as a two member ward. The revised 2018 electorate would be 4867. The ratio would be 1:1,622. The electorate would be within a 20% variance of the proposed County average.	Green
Trelawnyd & Gwaenysgor	Andrew Holgate	Status quo – within 25 % variance of the proposed County average.	Green
Treuddyn	Carolyn Thomas	Status quo - this is not compliant and is a 29% variance below the proposed County average.	Red
Whitford	Chris Dolphin	Status quo – within 5 % variance of the proposed County average.	Green

Note: Those electoral wards that require boundary changes maps and technical information are available in more detail.



FLINTSHIRE COUNTY COUNCIL

Date of Meeting	Tuesday, 29 th January 2019
Report Subject	White Paper: Reform of Fire and Rescue Authorities in Wales
Report Author	Democratic Services Manager

EXECUTIVE SUMMARY

The Welsh Government has published a White Paper titled *Reform of Fire and Rescue Services in Wales* with a consultation deadline of 5th February 2019. The White Paper is attached as Appendix 1

Whilst recognising that the three fire and rescue authorities in Wales perform highly in their operations the White Paper proposes changes to the governance and membership of fire and rescue authorities, and to their relationship with their constituent local authorities in budget-setting.

The Council has not expressed any concerns over the governance of the North Wales Fire and Rescue Authority and has been satisfied that the Authority has fully engaged the Council, as a constituent local authority, in consultations on its key strategies and its budget strategy. The responses to the consultation questions within the White Paper are attached in Appendix 2.

This report was also be considered by Corporate Resources Overview & Scrutiny Committee at its meeting on 17th January 2019. The comments of the Committee will be reported to Council verbally. A PowerPoint presentation will be made at the meeting to facilitate debate.

RECOMMENDATIONS

1	That the draft responses to the questions in Appendix 2 are considered and endorsed as the formal Flintshire response to the <i>Reform of Fire and Rescue Services in Wales</i> White Paper.
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REPORT DETAILS

1.00	THE WHITE PAPER; REFORM OF FIRE AND RESCUE AUTHORITIES IN WALES
1.01	The Welsh Government has published a White Paper titled <i>Reform of Fire and Rescue Services in Wales</i> with a consultation deadline of 5 th February 2019. Whilst recognising that the three fire and rescue authorities in Wales perform highly in their operations, the White Paper proposes changes to the governance and membership of fire and rescue authorities, and to their relationship with their constituent local authorities in budget-setting.
1.02	The Council is represented on the North Wales Fire and Rescue Authority by six councillors. The membership of the Authority (28) is politically balanced. The Authority is well-governed - as validated in a series of regulatory reports by the Wales Audit Office over a period of years.
1.03	The Council has not expressed any concerns over the governance of the North Wales Fire and Rescue Authority and has been satisfied that the Authority has fully engaged the Council, as a constituent local authority, in consultations on its key strategies and its budget strategy. The Chair and Vice Chair of the Authority, and the Chief Fire Officer and senior team members have been frequent attenders at Council and Overview and Scrutiny Committee meetings with the most recent example being attendance at Council on the Improvement Objectives and budget strategy of the Authority.
1.04	The White Paper is attached as Appendix 1. The draft responses to the consultation questions are attached as Appendix 2. The comments from the Corporate Resources Overview & Scrutiny committee which considered this report on 17 th January will be reported at the meeting.

2.00	RESOURCE IMPLICATIONS
2.01	None.

3.00	CONSULTATIONS REQUIRED / CARRIED OUT
3.01	None.

4.00	RISK MANAGEMENT
4.01	Not applicable at this stage.

5.00	APPENDICES
5.01	Appendix 1: Welsh Government White Paper: <i>Reform of Fire & Rescue Authorities in Wales</i> (WG36211) Appendix 2: Draft responses to the consultation questions.

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	None other than those set out as Appendices. Contact Officer: Robert Robins, Democratic Services Manager Telephone: 01352 702320 E-mail: robert.robins@flintshire.gov.uk

7.00	GLOSSARY OF TERMS
7.01	Fire & Rescue Authority (FRA): a combined authority, formed of as a combination of the local authorities in its area, but a separate entity in its own right. Flintshire, as the largest constituent authority of the North Wales Fire & Rescue authority, appoints six councillor nominees.

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Welsh Government

White Paper

Reform of Fire and Rescue Authorities in Wales

Consultation on reform of the Fire and Rescue Authorities in Wales'
governance and funding arrangements

Date of issue: 13 November 2018

Action required: Responses by 05 February 2019

Mae'r ddogfen yma hefyd ar gael yn Gymraeg.
This document is also available in Welsh.

Overview	<p>The purpose of this consultation is to seek your views on proposals to reform how Fire and Rescue Authorities are governed and funded.</p>
How to respond	<p>To respond to this consultation, please complete the online form, which you can access here:</p> <p>https://beta.gov.wales/reform-fire-and-rescue-authorities-wales</p> <p>Alternatively, you may use the separate response form provided, which you can email to:</p> <p>fire@gov.wales</p> <p>or send it in hard copy to the address below.</p> <p>The closing date for responses is 5 February 2019.</p>
Further information and related documents	<p>Large print, Braille and alternative language versions of this document are available on request.</p> <p>Consultation web address:</p> <p>https://beta.gov.wales/reform-fire-and-rescue-authorities-wales</p>
Contact details	<p>For further information:</p> <p>Fire Services Branch Welsh Government Rhydycar Merthyr Tydfil CF48 1UZ</p> <p>email: fire@gov.wales Tel: 0300 062 8226</p>

General Data Protection Regulation (GDPR)

The Welsh Government will be data controller for any personal data you provide as part of your response to the consultation. Welsh Ministers have statutory powers they will rely on to process this personal data which will enable them to make informed decisions about how they exercise their public functions. Any response you send us will be seen in full by Welsh Government staff dealing with the issues which this consultation is about or planning future consultations. Where the Welsh Government undertakes further analysis of consultation responses then this work may be commissioned to be carried out by an accredited third party (e.g. a research organisation or a consultancy company). Any such work will only be undertaken under contract. Welsh Government's standard terms and conditions for such contracts set out strict requirements for the processing and safekeeping of personal data.

In order to show that the consultation was carried out properly, the Welsh Government intends to publish a summary of the responses to this document. We may also publish responses in full. Normally, the name and address (or part of the address) of the person or organisation who sent the response are published with the response. If you do not want your name or address published, please tell us this in writing when you send your response. We will then redact them before publishing.

You should also be aware of our responsibilities under Freedom of Information legislation.

If your details are published as part of the consultation response then these published reports will be retained indefinitely. Any of your data held otherwise by Welsh Government will be kept for no more than three years.

Your rights

Under the data protection legislation, you have the right:

- to be informed of the personal data holds about you and to access it
- to require us to rectify inaccuracies in that data
- to (in certain circumstances) object to or restrict processing
- for (in certain circumstances) your data to be 'erased'
- to (in certain circumstances) data portability
- to lodge a complaint with the Information Commissioner's Office (ICO) who is our independent regulator for data protection.

For further details about the information the Welsh Government holds and its use, or if you want to exercise your rights under the GDPR, please see contact details below:

Data Protection Officer:
Welsh Government
Cathays Park
CARDIFF
CF10 3NQ

e-mail:

Data.ProtectionOfficer@gov.wales

The contact details for the Information Commissioner's Office are:

Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Tel: 01625 545 745 or
0303 123 1113

Website: <https://ico.org.uk/>

Foreword by the Cabinet Secretary for Local Government and Public Services



We are rightly proud of our fire and rescue services. They respond swiftly, effectively and selflessly to deal with serious threats to our safety. More than that, their prevention and safety work has helped reduce the number of fires by more than half since responsibility was devolved to Wales in 2005.

That is a huge success, but it is also a challenge. As the number of fires falls, the role of the Service is becoming broader. Firefighters have the skills, capabilities and values to deal with a wide range of other incidents, such as floods, medical emergencies and terrorist attacks. But to make the most of that potential, the Service needs to be governed and funded in a modern, accountable and sustainable way. At present it is not.

There are other challenges too. People are living longer, but older people are at greater risk of fires in their homes. The lessons of the Grenfell Tower tragedy still have to be fully learned and applied. Climate change will increase the risks of flooding and wildfires. And public finances are extremely constrained – a situation that is only likely to worsen in the aftermath of Brexit. Again, this calls for the highest standards of leadership and transparency, ensuring that the Service has the resources it needs, but also placing that in a wider context.

None of this is the Service's fault. The arrangements we now have date from the mid-1990s. While they may then have been adequate for running a municipal fire brigade, the Service and the demands placed on it have changed significantly since.

This document sets out the Welsh Government's proposals for addressing this situation. It includes the broad case for reform, as well as our preferred options for pursuing it.

Reform has to happen if the Service is to have a sustainable future, and the status quo is not an option. Nor are several other hypothetical possibilities which Chapter 2 of this document describes. However, I am more concerned at this stage with the outcomes of reform than with the means. I would, therefore, be happy to consider any other options for reform which would clearly meet the criteria that this document describes.

Change is too often a response to failure, and creates even more burdens on organisations in difficulty. That is not so here. I want to build on the successes we have seen, and to sustain the services on which we all rely. I look forward to hearing your views.

Alun Davies AM
Cabinet Secretary for Local Government and Public Services

CHAPTER 1

The case for change

- 1.1 This chapter sets out the current arrangements for managing and providing fire and rescue services in Wales, and why the Welsh Government believes they should change.
- 1.2 This does not reflect any need to improve the headline performance of core and traditional fire and rescue services. That performance has long been strong. Fires and casualties from fires are in sustained and significant decline in Wales, as elsewhere.
- 1.3 Those trends at least partly reflect the work of the fire service in improving fire safety and in responding swiftly and effectively to fires when they break out. We do not seek to challenge that; indeed, we believe all involved with the service should be very proud of what they have achieved. **Any reform must preserve this record and allow the Fire Service to sustain and enhance it to the fullest extent possible.**
- 1.4 The case for change relies rather on the need to improve the capability of the service to sustain and build on that success. It needs to be able to understand and respond to emerging long-term challenges, and to do so in ways which reflect the wider context of public service delivery. We believe the current arrangements are defective in this regard. The reasons for that are all grounded in the statutory governance and funding framework, which dates back to the mid-1990s. **The case for change does not imply any shortcoming at all on the part of Fire and Rescue Authority (FRA) members, managers or staff.** They have had to work with the system as it is, and we believe they have done so as well as they possibly could.

The current arrangements

- 1.5 Since 1996, fire and rescue services in Wales have been provided by three FRAs. Each FRA is, in law, a *combined authority*, meaning that it is formed as a combination of the local authorities in its area – although the FRA is a separate entity in its own right. Those constituent local authorities are in turn responsible for the membership and funding of the FRA, as follows.
- 1.6 Firstly, each local authority nominates a set number of councillors to be members of the FRA. That number broadly reflects the population of the local authority as a proportion of the population of the FRA's area. The choice of members is one for each local authority; but FRA members are generally drawn from councillors who do not have other responsibilities such as being members of a council executive or chairs of scrutiny or audit committees.
- 1.7 Secondly, local authorities provide FRAs with nearly all of their funding. This is in the form of contributions which each FRA calculates and levies on each of its constituent councils. The amount of each contribution is a matter for the FRA to determine. Again, FRAs in practice aim to levy contributions broadly based on each FRA's share of the local population, to limit increases in funding to the minimum the FRA believes to be necessary, and to accommodate any reservations or comments made by local authorities – but there is nothing requiring them to do so.

Local authority	FRA members	Funding Contribution 2016-17 (£000)
Conwy	5	5,277
Denbighshire	4	4,364
Flintshire	6	7,023
Gwynedd	5	5,598
Isle of Anglesey	3	3,191
Wrexham	5	6,433
North Wales FRA total	28	31,886
Carmarthenshire	5	9,172
Ceredigion	2	3,696
Neath Port Talbot	4	6,851
Pembrokeshire	3	6,036
Powys	4	6,537
Swansea	7	11,913
Mid and West Wales FRA total	25	44,205
Blaenau Gwent	1	3,171
Bridgend	2	6,541
Caerphilly	3	8,279
Cardiff	5	16,776
Merthyr Tydfil	1	2,748
Monmouthshire	2	4,209
Newport	2	6,892
Rhondda Cynon Taf	4	10,789
Torfaen	2	4,208
Vale of Glamorgan	2	5,898
South Wales FRA total	24	69,511
Wales total	77	145,602

Accountability and scrutiny

- 1.8 The Welsh Government believes these arrangements mean FRAs are not as accountable as they ought to be. In any democracy, public bodies must be clearly answerable to those they serve. That ensures they meet public needs and expectations – and are exposed to scrutiny and challenge if they do not. Public bodies should therefore either be directly elected (as local authorities and the National Assembly are); or should be formally and clearly accountable to such bodies.
- 1.9 Neither of these is true of FRAs. While their members are elected councillors, those councillors are not accountable to their 'home' council for their actions as FRA members. Indeed, when acting as members of the FRA they are duty bound to put aside loyalty to their local authority, and to act in the interests of the FRA instead. Nor do FRA members represent the electorate to any significant extent. Only around 6% of councillors in Wales are FRA members, meaning only a very small proportion of the electorate are represented by them. Even if those few people were aware that their councillor had been an FRA member, it seems unlikely that that would have much bearing on voting decisions alongside other influences such as local authority services or party allegiance. And there is no guarantee that such a councillor would, if re-elected, be reappointed to the FRA anyway. So FRA decisions are not grounded in

any kind of democratic mandate, nor are FRA members answerable to the electorate as a whole for those decisions.

- 1.10 In local authorities, democratic accountability is enhanced by dividing responsibilities between a cabinet, which takes most major decisions, and scrutiny committees, which hold the cabinet to account. That distinction does not formally exist in an FRA, nor could it. It depends on members being elected on a political mandate: cabinets are normally composed of the ruling party group or coalition, with scrutiny committees constituted to give other parties fair representation. But FRA members have no such mandate in that capacity.
- 1.11 At the same time, FRAs are not fully accountable to national institutions either. Many other public organisations in Wales, for instance in the NHS, are themselves accountable to the Welsh Government, and through it to the National Assembly for Wales. That relationship usually involves the Welsh Government determining the budget and policy direction for such bodies, and being answerable for those decisions to the Assembly. Yet the Welsh Government has no such relationship with FRAs. While it sets a broad strategic direction in the form of the National Framework for Fire and Rescue Services, that is only guidance to which FRAs should “have regard”; strategic and operational decisions are solely for FRAs to make. And as explained below, the Welsh Government has no influence over FRA budgets at all.
- 1.12 It is true that other forms of accountability exist in the sector. For instance, FRA officers and managers are answerable to FRA members. But that is only an internal arrangement; it lacks both transparency and independence, and does not amount to the public and democratic accountability described above. FRAs are also liable to audit and inspection by the Wales Audit Office (WAO), as are all devolved public bodies in Wales. That is external, independent and transparent; but it is limited by the WAO’s statutory remit and audit methodology. For instance, auditors never challenge the substance of any organisation’s policy or spending decisions, or argue for alternatives. They can only consider the way in which those decisions were implemented and reflected in the organisation’s accounts.
- 1.13 Some might say that a lack of accountability is wrong in principle. We agree; but that alone would make a weak case for change. There are, though, more practical consequences of these problems, as follows.

Innovation and change

- 1.14 Public accountability aims to expose an organisation and its decisions and services to a wider range of views and influences. In doing that, it should verify that the organisation is meeting public expectations and needs; and/or challenge that and suggest different priorities and approaches. In short, it should help public bodies to identify changing needs and innovative ways of meeting them. That much is central to the provision of any public service, where decisions about what to provide and for whom are a matter of public policy rather than market mechanisms.
- 1.15 All of our FRAs have changed and innovated in recent years. For instance, South Wales FRA has completed a thorough review of front-line fire cover; North and Mid and West Wales FRAs have overhauled their crewing arrangements; and all three have

made progress in diversifying the service to address a wider range of non-fire risks and incidents. All of this and much else is positive and praiseworthy.

- 1.16 However, the absence of fully effective accountability mechanisms means that these and other developments have not been properly debated, scrutinised or subjected to challenge. It is perfectly possible that different or further action might have been more appropriate; or that there are other opportunities being missed or other needs being unmet. We simply do not and cannot know.
- 1.17 That is particularly important given the acknowledged need for the Fire Service to change, and to diversify its role. The success the Service has had in reducing the incidence of fire has created considerable potential to address other sorts of hazards too. Without that, the Service risks becoming a victim of its own success. But realising that potential and leading the Service in this time of change demands an acute sensitivity to wider needs and opportunities. That is less likely to happen while FRAs are managed as though they were stand-alone municipal services. Open debate about the future role of the Fire Service has never been more important – but it is not supported by the current governance arrangements.
- 1.18 We believe that reform should therefore **create clear and effective leadership of, and accountability for, the development and delivery of fire and rescue services**. In particular, this should support full and open debate about the potential for diversifying the service.

Resourcing

- 1.19 As noted, the great bulk of FRAs' funding comes from local authority contributions, levied at rates over which each FRA has sole control. Neither local authorities nor the Welsh Government have any right to consent to those rates. By contrast, local authorities derive the bulk of their funding from the Welsh Government, which in turn needs the approval of the Assembly to set a budget; most of the balance of each local authority's funding is raised from council tax, for which the authority and its members are of course directly answerable to the electorate.
- 1.20 This absence of any form of external control over FRA budgets is unique in the Welsh public sector and, as far as we know, elsewhere in the UK. In recent years, FRAs have largely exercised their funding powers responsibly, so the overall cost of providing fire services has fallen (although that needs to be put alongside the fall in the incidence and risk of fire too). However, progress has not always been as quick as it might have been. For instance, two of our FRAs have been slow to reduce their attendance at false alarms, which consumes significant amounts of resources each year for no benefit. And all three FRAs have long been relatively high spenders: expenditure per head for each of them is in the top quartile across the UK, and has been for some time.
- 1.21 As with issues relating to innovation, the current arrangements mean a potentially powerful driver for ensuring value for money is missing. That does not necessarily mean that FRAs are wasteful; it means we do not know. Nor are there adequate ways of verifying or challenging FRA budgetary decisions. Regardless of how prudent or frugal FRAs choose to be, that cannot continue in a time of sustained severe pressure on public finances – which will probably be further exacerbated by Brexit.

- 1.22 Likewise, the diversification of the Fire Service's role is not properly reflected in its funding arrangements. Most obviously, in 2016/17 almost 20% of all genuine calls to which the Service responded (excluding false alarms) consisted of non-fire medical emergencies. Prevention and safety work also increasingly addresses non-fire risks to health, such as falls, smoking and poor diet.
- 1.23 Many of these services aim to relieve pressure on the NHS, either by preventing accidents and conditions which would otherwise need hospital treatment, or by responding to medical emergencies on behalf of the Ambulance Service. And research suggests that they can be markedly successful in this, with one recent study showing savings to the NHS of over £4 for each £1 invested in Fire Service provision. Yet the current funding model means that these health-related services are being financed by local authority budgets. That is wrong in principle: it means that FRAs neither have sustainable funding for such work, nor are they accountable for what they spend. So **reform must encompass the changing role of the service and provide clear, fair and sustainable funding mechanisms for it.**
- 1.24 Emergency services differ from most other public services. They must always be available to anyone who needs them, and those providing them can neither anticipate demand nor manage it by using waiting lists or similar. That has significant effects on resourcing and budget-setting, which must cater for the peak demand at any given time. **Any reform needs to recognise that, and to ensure that the excellent standards of service we enjoy are maintained and enhanced.** But that cannot be an argument against proper control over public money. In fact, it strengthens the case for a funding model which fully reflects the pressures on fire services and the wider public sector. We believe that reform should **create genuine external accountability for FRA budget and spending decisions, while recognising the particular features of resourcing emergency services.**

Membership

- 1.25 At present, FRA members tend to be 'backbench' councillors, nominated into that position by their local authorities. Such councillors naturally play an invaluable role within their authorities, in representing local concerns and discharging their electoral mandates. They also help ensure that the balance which all local authorities have to strike between the services for which they are responsible fairly reflects the needs and views of citizens and communities.
- 1.26 We are not convinced that the role of an FRA member calls for these attributes, or that it is best discharged by backbench councillors. FRAs are responsible for only one service, albeit one that is changing and diversifying. Leading and managing that service is often a technical and complex business. Only rarely – when matters such as station closures are being considered – are purely local political or community concerns at stake. Rather, effective leadership of the Service is more a matter of maintaining professional standards and responding to changes in risk and technology.
- 1.27 There should be no doubt at all about the personal dedication and commitment of FRA members. But we do not believe they necessarily have all the capability that they need to provide strategic leadership to the Service or to challenge senior officers, in particular during the time of change that the Service is facing. That also demands expertise in

service management, in organisational change and in developing collaborative relationships with other service-providers. It would also help if the governance arrangements for FRAs were more aligned and integrated with those for other services with which they need to collaborate.

1.28 Therefore, we believe that **reform should increase the expertise and capability of FRAs to provide strategic leadership, to sustain effective collaboration and to hold senior officers to account.** That, though, should not come at the expense of local knowledge and accountability.

1.29 While fire and rescue services are essential, they are relatively small. Overall, they account for only around 1% of all devolved spending; and their governance arrangements do not need to be extensive or elaborate. For instance, there may be scope to reduce the size of their membership. As the table below shows, FRAs have relatively high memberships when compared to other bodies, despite the relatively modest extent of their responsibilities.

Organisation type	Revenue budget	Number of members
Local authorities (x22)	£149 million to £813 million	30 to 76
Health boards (x7)	£285 million to £1.43 billion	20 to 25
Welsh Ambulance Service Trust	£174 million	13
Natural Resources Wales	£182 million	11
FRAs (x3)	£34 million to £74 million	24 to 28

1.30 As we have argued, FRA members do not represent the electorate, nor do they have a mandate to discharge. So we do not believe representation on this scale can be justified: it increases the cost and complexity of governance to no obvious benefit. **It would be better for FRA members to be fewer in number, but to have a more clearly defined remit and the capability to carry it out.**

Performance management

1.31 The problems we have set out above relate to the statutory governance and funding arrangements for FRAs. Those are, if anything, compounded by the current ways in which FRAs are required to manage and report their performance. Those are set out in the Local Government (Wales) Measure 2009, which treats FRAs – and for that matter National Park authorities – in the same way as local authorities.

1.32 In outline, the Measure requires FRAs to ‘make arrangements to secure continuous improvement’ in the exercise of their functions. Those arrangements must include:

- Formulating and consulting on annual ‘improvement objectives’, i.e. priorities for improvement in the coming year;
- Collecting quantitative performance data and other types of information which show how far those objectives are being met;
- Reporting publicly after the end of the year about progress in attaining improvement objectives; and

- An annual inspection by the Wales Audit Office of the extent to which the FRA has complied with the Measure.

- 1.33 However, these arrangements were designed primarily for local authorities. They face very different challenges from FRAs. Every local authority is responsible for numerous services, each of which meets different needs for different people or areas. Its members also have electoral mandates to discharge. That means each authority has to balance competing demands and expectations, and set priorities accordingly – hence the sort of arrangements which the 2009 Measure set out.
- 1.34 FRAs, by contrast, provide only a small range of services and have no direct mandate from the electorate. As noted above, they cannot manage demand for their core emergency response services – they need to provide those when needed, anywhere at any time. So the notion of balancing demands and setting priorities does not arise to anywhere near the same extent as with a local authority. This makes the requirements of the Measure burdensome and over-complex in an FRA context. Nor are some of the techniques which the Measure stipulates particularly useful. For instance, it is not possible to use performance indicators to assess the effectiveness of fire safety or prevention programmes, as that would mean trying to measure events which did not occur.
- 1.35 The Welsh Government has already announced that the Measure will be repealed. We believe **a new performance management system should better reflect the particular operating contexts and challenges which FRAs face**. In doing so it should maximise accountability while minimising burdens, and should reflect related planning and reporting requirements on FRAs, such as under the National Framework for Fire and Rescue Services, and the Well-being of Future Generations (Wales) Act 2015.

Sustaining front-line services

- 1.36 These issues are all concerned with the corporate governance of FRAs, not with front-line operations. Of course, strengthening governance will help sustain and improve front-line services. The case for change we have outlined in this chapter will bring clearer and more accountable leadership, more open debate around priorities for the Service and a fuller understanding of the needs it has to meet.
- 1.37 However, front-line responsive and preventative services obviously have to be maintained during any period of change. Undue disruption and distraction must be avoided at all costs. So **the process of reform must be as limited in scope as possible**, while still achieving the objectives we seek.
- 1.38 Organisational change often makes staff uneasy, especially if they fear that it may lead to job losses or other effects on their work. That is not so here. The focus of reform is entirely on how FRAs are structured, funded and accountable at the corporate level. **Changes to front-line operations, including the numbers of firefighters, appliances or fire stations, or other operational matters such as crewing, rostering or ridership arrangements, have no place in this programme of reform.**

Summary of the objectives for reform

Reform of the current governance, finance and performance management arrangements for FRAs should:

- ***Preserve the current high standards of service and allow the Fire Service to sustain and enhance it to the fullest extent possible.***
- ***Create clear and effective leadership of, and accountability for, the development and delivery of fire and rescue services.***
- ***Create genuine external accountability for FRA budget and spending decisions, while recognising the particular features of resourcing emergency services.***
- ***Encompass the changing role of the service and provide clear, fair and sustainable funding mechanisms for it.***
- ***Increase the expertise and capability of FRAs to provide strategic leadership, to sustain effective collaboration and to hold senior officers to account.***
- ***Provide for FRA members to be fewer in number, but to have a more clearly defined remit and the capability to carry it out.***
- ***Include a new performance management system which should better reflect the particular operating contexts and challenges which FRAs face.***
- ***Be as limited in scope as possible, and avoid any changes to front-line operations or resources.***

Questions for consultation – the case for change:

1. Do you agree the objectives for reform are appropriate and important?
2. Are there other objectives that the reform programme should pursue?

CHAPTER 2

Designing a new system

- 2.1 The previous chapter set out the case for reforming FRA governance and finance, and the broad objectives of such a change. This one sets out the essential elements of a reformed system, and in doing so discounts some hypothetically possible options, while pointing towards others which the following chapters explore more fully.

A distinctive service

- 2.2 Fire and Rescue Services are widely recognised, and firefighters are seen as highly skilled and public-spirited individuals with a degree of respect which is not always enjoyed by other professionals and public service-providers. That is central to much of the work to broaden its role. For instance, programmes to tackle arson and other forms of offending often work because the firefighters who deliver them are not seen as connected to law enforcement. People who might resist the influence of authority figures such as police officers or teachers might well be more receptive to the same messages delivered by firefighters. More generally, the core skills and processes involved in firefighting can readily be expanded and adapted to deal with other emergencies.
- 2.3 We believe it is important to maintain that Fire and Rescue Service ‘brand’ and the core skills and values of firefighters. That means **FRAs should remain as separate and distinctive entities**. They should have their own governance and funding arrangements, although these will need to be reformed to allow them to maximise collaboration with other organisations.
- 2.4 Accordingly, **we do not support the transfer of fire and rescue services to the control of Police and Crime Commissioners (PCCs)**, as is taking place in parts of England. While FRAs must and do work closely with the Police, a formal transfer of control could compromise the distinctive Service identity. We also could not accept a devolved service coming under the control of non-devolved office-holders like PCCs. And in any event, fire and police boundaries generally do not align: of the four forces in Wales, only North Wales Police serves the same area as the FRA.
- 2.5 We would also not support transferring control of the Service back to local authorities, although there are other reasons for this too (see below).

A local service

- 2.6 In almost all countries in the developed world, fire and rescue services are managed and provided at the local or state/provincial level, rather than the national level¹. There is a very long history of this – fire services are among the oldest local public services in the world – but there are also positive reasons for control at this level. Although, as the previous chapter noted, local politics and community concerns rarely figure in FRA business. However, planning and delivering effective fire and rescue services depends

¹ Known exceptions include Italy, where a single national service was established in 1941, and more recently Scotland (in 2013) and New Zealand (in 2017). Some countries, such as Russia and Poland, also retain single national services created in the Soviet era.

on a detailed and intimate knowledge of specific local risks. For instance, each of our three FRAs has to manage the specific and very different fire risks of the Port of Holyhead, the Milford Haven oil refineries and the proliferation of high-rise buildings in Cardiff, as well as many other diverse risks created by particular local housing conditions, industrial developments, population patterns or environmental, topographical and climatological factors.

- 2.7 At the same time, a comprehensive fire and rescue service requires an extensive and highly trained workforce and a wide range of specialised vehicles and other equipment. In 1995, when the current FRAs were created, it was felt that these needs could only be met by organisations on the scale we now have. That is all the more so now – technology has advanced considerably since 1995, and the role of the Service continues to widen. The most highly specialised capabilities, such as those for dealing with water rescues, terrorist attacks or fires in high-rise buildings, only need to exist at a few of our fire stations, as now. It would not be possible for smaller organisations to maintain this breadth of service, still less to expand it into new areas.
- 2.8 Accordingly, we believe **the current pattern of three FRAs should remain**. They are small enough to maintain the detailed knowledge of local risks and conditions that they need, while being large enough to sustain the range of specialist capabilities that their role calls for. So **we do not support the creation of a single Fire Service for Wales**, similar to the Scottish Fire and Rescue service created in 2013. Even if that could be done quickly and cheaply – which evidence from Scotland suggests it could not – it would mean a loss of local knowledge and control, and would not necessarily address any of the objectives we cited in the previous chapter.
- 2.9 The same point means **fire and rescue services cannot return to local authority control**, as they were before 1995, and as they still are in some of the larger counties of England. All of our local authorities are far too small to be able to provide a comprehensive and efficient fire and rescue service. They would have to share resources between them, effectively recreating the status quo.
- 2.10 Likewise, we believe **there is no case for changing the current boundaries of FRAs**. Some have advocated this, in particular moving the areas of Swansea and Neath Port Talbot from Mid and West Wales FRA to South Wales FRA. This would create more homogenous FRAs for urban south Wales and rural mid and west Wales, and align FRA boundaries with those for the Police. But there is no evidence that the current boundaries create any particular problems, so no grounds for changing them.

A national dimension

- 2.11 While we believe the current configuration of FRAs should remain, there are also aspects of their work that are more grounded in national and international factors. For instance, long-term trends in risk are heavily influenced by matters such as ageing, austerity, climate change and terrorism, which clearly transcend FRA borders. Some highly specialised FRA functions – the so-called ‘national resilience’ capabilities² – are already managed and funded at an all-Wales level, in recognition of the degree of specialisation involved and the level of threat they are designed to address. And

² The main capabilities concern those dealing with major flooding; urban search and rescue (in collapsed buildings and similar); chemical, biological, radiological and nuclear incidents; and terrorist attacks.

diversification of the Service, in particular to support the NHS, also raises issues of national-level policies and objectives in those areas. They may in turn have implications for firefighters' pay and conditions – a matter into which all governments in the UK are increasingly being drawn.

- 2.12 The current relationship between FRAs and the Welsh Government is complex. The Welsh Government's National Framework for Fire and Rescue Services contains objectives and priorities for FRAs, and the Welsh Ministers can issue directions to FRAs which fail to act in accordance with it, but it is only guidance to which FRAs should 'have regard'. The Welsh Government has no control at all over FRAs' plans, performance or budgets.
- 2.13 Accordingly, while control should largely continue at the current level, we believe **new arrangements should also reflect the legitimate but limited national interests in the development and delivery of the Service**. It may be more appropriate for that to entail clarifying and tightening up the current status of the National Framework and the related performance management arrangements. We are not persuaded that extensive and direct involvement by government in the day-to-day governance of the Service would be justified.

Implementing change

- 2.14 Most of the changes we propose in this document can probably be made by amending the FRAs' *combination orders* – the statutory instruments which established them and which set out their current governance and finance arrangements. The Welsh Ministers have powers to do so by order. Some possible changes appear likely to require an Act of the Assembly instead, and this document identifies those too.

Questions for consultation – designing a new system:

- 3. Do you agree that FRAs should remain as separate and distinct entities, with the same boundaries as now?**
- 4. Do you agree that transferring control of fire and rescue services to Police and Crime Commissioners or local authorities would not be appropriate?**
- 5. Do you agree that there are legitimate but limited national interests in the Service that need to be reflected in its governance arrangements?**

CHAPTER 3

Proposals for change (1): Governance and membership

- 3.1 The previous chapter explained that the current structure of three FRAs needs to remain, in order to balance local knowledge with the scale needed to provide a comprehensive and efficient service. This chapter explains how, within that structure, the membership of FRAs should change to meet the objectives of reform.

Sources of membership

- 3.2 Members of public bodies (other than those who are directly elected) are normally nominated or appointed to their posts by other organisations or office-holders. There are three broad options for that in the case of FRAs:
- a. Local authorities could continue to nominate councillors to FRA membership.
 - b. Welsh Ministers could appoint people to membership on the basis of merit, following a fair and open competition.
 - c. Membership could be mixed, with some members nominated by local authorities and some appointed by the Welsh Ministers.
- 3.3 Councillor nomination would keep FRAs' political leadership at its current local level, and could provide for clearer accountability to local communities. By contrast, appointment by the Welsh Ministers would break that connection – accountability would instead be to the Welsh Government and the Assembly. But it would probably increase the expertise among members, who would be appointed for the skills and experience they would bring. A mixed membership would, of course, combine these features.
- 3.4 On balance, **we believe that local authorities should continue to nominate members.** That would be more consistent with the need for local knowledge and accountability which we described in the last chapter. While the attractions of an appointed 'expert' membership are considerable, we do not believe that it would be appropriate for what has always been a local service to become accountable only to the Welsh Government. Mixed membership may also look attractive and might combine the advantages of both the other options. But it could confuse accountability, complicate decision-making and increase the necessary membership size.
- 3.5 There are, though, some important changes that still need to be made.

Number of members

- 3.6 As we described in chapter 1, FRAs almost certainly have more members than they need. There is no meaningful sense in which those members represent the electorate, so there is no need for representation to be on this scale – or in proportion to local authority population. All an unduly large membership achieves is to complicate and delay effective decision-making – and to incur extra costs in the form of members' salaries and expenses.

- 3.7 Therefore, we propose that **each local authority should nominate one member of the FRA**, regardless of population. That would mean the number of nominated members would fall to 10 in South Wales and 6 in each of North and Mid and West Wales.

Types of members

- 3.8 Currently, FRA members are almost always nominated from the ranks of 'backbench' councillors – i.e. those who are not members of a council executive or chairs of scrutiny or audit committees. Anecdotally, this is because those who do hold such offices are not permitted to receive any extra salary as an FRA member, while backbenchers have no such restrictions.
- 3.9 We have no doubt about the dedication of the current membership. But this approach effectively separates the governance of fire and rescue services from that of all other local services, which is of course overseen by council executives. That is not in the interests of effective collaboration between FRAs and providers of those other services, or of effective scrutiny of that.
- 3.10 One promising option would be that **all nominated FRA members must be members of their council's cabinet**, appointed by the Leader as normal. They would come together as an executive decision-making FRA, replicating the roles they exercised in their 'home' authority. And they would be better able to build connections between fire and rescue services and other local services for which they and their cabinet colleagues were responsible.
- 3.11 To facilitate such change, it may be necessary to remove the current restriction on cabinet members receiving an extra salary as FRA members. The Independent Remuneration Panel for Wales is responsible for considering the salaries of councillors and cabinet members. It might also be necessary to raise the current statutory cap on the size of a local authority cabinet (9 members plus the Leader). We would need to consider this in light of the time available for cabinet members to carry out their roles, and how cabinets of the future could be shaped to give opportunities for job sharing in cabinet roles. We would welcome views on these points.

Scrutiny and challenge

- 3.12 Under this model, nominated members would all have executive roles, both in the FRA and their 'home' local authority. That should clarify and strengthen strategic leadership and connections with other services. But it would not of itself improve the accountability of the FRA as a whole. Individual members might be subject to scrutiny in their 'home' authorities, but that would not necessarily embrace their roles as FRA members, nor would it apply to the whole FRA.
- 3.13 As we explained in the first chapter, the local government scrutiny model relies on there being a politically distinct executive with a mandate to discharge. It does not and cannot work in an FRA context. There needs to be another means of holding the FRA to account and introducing constructive challenge into its decision-making.

- 3.14 One way of doing so is already widely used in the private and voluntary sectors. It involves appointing additional members (whether trustees, directors or similar) in a non-executive capacity. Such non-executive members do not make decisions; instead, they provide advice and challenge to those who do. Non-executive members are normally appointed because of the particular knowledge or expertise they would bring to the role and to the organisation as a whole.
- 3.15 We believe this approach would work well for FRAs. It would provide scrutiny and challenge without compromising local control, and would build the expertise available to each FRA. Therefore, we propose that **FRAs should also have non-executive members**. They should assist rather than obstruct decision-making, so their numbers should be modest. We would suggest the number of non-executive members should be equivalent to 25% of the reduced councillor membership as above, rounding up (i.e., 3 in South Wales and 2 each in North and Mid and West Wales).
- 3.16 The most straightforward approach would be for **the Welsh Ministers to appoint non-executive members on the basis of fair and open competition**. That would not make FRAs unduly accountable to the Welsh Government, as non-executive members would have no decision-making role. It would, though, ensure consistency across Wales and could attract a higher number and calibre of applicants. However, we would be open to FRAs appointing their own non-executive members, provided there were an agreed process and set of criteria for this.
- 3.17 This approach brings some challenge to FRA decision-making, but it does not generate the sort of full external accountability we envisaged in chapter 1. Doing that would require fundamental changes to the legislation governing FRAs, which will not be possible in the near future.
- 3.18 However, if and when legislative change were possible, we believe the best means of generating accountability would be to separate the role of the FRA from that of the Fire and Rescue Service (FRS) itself. The latter would be formally responsible for all aspects of service provision. It would be headed by a statutory Chief Fire Officer who had all of the service delivery functions which currently vest in the FRA, as well as the power to employ staff and own assets. The FRA, by contrast, would hold the Chief Fire Officer and FRS to account. It would not make decisions itself, but would endorse the most major decisions such as setting a budget, publishing a strategic plan or significantly reshaping front-line capacity.
- 3.19 This model would, we feel, best reflect the reality of running an emergency service. On a day-to-day basis that is arguably better left to professionals, with members being better equipped to scrutinise and challenge those responsible. The separation between the two would ensure full and independent accountability, while freeing up senior officers to lead and manage the Service. Such an approach was used for many years in the Police, where the Chief Constable had a similar relationship with the Police Authority.
- 3.20 Under this model, we would see no particular need to change the overall FRA membership arrangements described above. However, a scrutiny and challenge role may call for different skills, and it might be appropriate for local authorities to nominate (for instance) senior scrutiny members rather than executive members. We would

welcome views on this point, and on the longer-term reform we have proposed more generally.

- 3.21 While this represents our preferred approach, the outcomes of reform are much more important than the details. **We would, therefore, be happy to consider other proposals for FRA governance** besides those set out (or rejected) in this chapter. Any such proposals must, though, demonstrably meet the criteria we set out in Chapters 1 and 2 of this document.

Questions for consultation – governance and membership:

6. Do you agree that local authorities should continue to nominate FRA members?
7. Do you think that local authorities should nominate one FRA member each, drawn from their cabinets?
8. Do you believe any changes are needed to the size and remuneration of council cabinets, if their members were also to serve on FRAs?
9. Do you agree that FRAs should also have non-executive members?
10. Who should appoint non-executive members of FRAs?
11. Do you have any views on the longer term proposal that responsibility for the service should vest in a statutory Chief Fire Officer, with FRAs fulfilling a scrutiny and oversight role? If so, would that require any change to membership arrangements?
12. Do you have any other proposals for how to reform FRA governance which meet the criteria in Chapters 1 and 2?

CHAPTER 4

Proposals for change (2): Funding

- 4.1 The previous chapter set out new arrangements for FRA membership and governance, grounded in local control but with independent challenge from non-executive members. This chapter describes options for funding FRAs under this new model.
- 4.2 The aims of reform here are (a) to provide proper accountability for budgets and expenditure, while (b) maintaining the level of funding needed to provide the full range of services (including non-core services such as those in support of the NHS). While mechanisms for generating accountability are widespread in the public sector, meeting the distinctive funding needs of a major emergency service calls for a more tailored approach.

Sources of funding

- 4.3 Some of the possible future sources of FRA funding are:
- a. Contributions from local authorities, as now, but with some form of external control on, or agreement about, the level of such contributions. This would be the minimum change needed to the current arrangements, and could sustain local accountability for budgets and spending. But it would not provide sustainable funding for non-core services.
 - b. Direct grant funding from the Welsh Government. This would mean the current funding route via local authorities would end. In the context of continuing austerity, such funds could have to be ‘top-sliced’ from the local authority revenue support grant (RSG) in the first instance. This would create some form of accountability to the Welsh Government and the Assembly, and would be broadly consistent with funding for agencies in areas like health. It would eliminate the need for local authorities to pay money on to FRAs, but would do little for local accountability.
 - c. A council tax precept, i.e. an extra charge on local council tax bills determined by the FRA, to pay for fire and rescue services. This could make the cost of the service transparent to local council tax payers, if FRAs engaged with them annually and fully assessed the impact of the level that is set, balancing the needs of the Service with the burdens on hard-pressed households. Precepting would also leave the level of resourcing under FRAs’ control. However, while the money raised would no longer be paid to FRAs by local authorities, it would be up to local authorities to decide whether to reduce their element of council tax in proportion. In challenging times, a material reduction in that element may be unlikely. And aside from the Welsh Ministers’ powers to cap council tax rises, there would be no external control on the overall level of spending.
 - d. A combination of (a) or (b) and (c). This would combine the strengths of the various options, but could complicate the system and accountability for spending if it were not carefully designed. Such a combination of central government grant and council tax precept is already used to fund police services, and fire services in England.

- 4.4 Of these options, we believe funding from the Welsh Government alone would be inconsistent with the local governance model for FRAs which we have described. While there is some scope for funding in this way, in particular for non-core services, relying wholly on it would make FRA funding subject to likely severe and long-term pressure on Welsh Government budgets, possibly threatening service standards. It would also mean removing from the RSG the significant sums which are paid on to FRAs. While that money is not available to local authorities in any event, those which receive relatively little RSG funding could suffer disproportionately from any such approach. However, **this could be a fall-back option if no other course appeared feasible.**
- 4.5 A council tax precept could increase the transparency of spending decisions. Allowing FRAs to retain control of their budgets would also help sustain service levels during a time of austerity. But this would not create any external control or challenge, aside from Ministers' capping powers. In particular, FRAs would not be answerable to the electorate for their council tax decisions, unlike other directly elected bodies like local authorities and Police and Crime Commissioners. There would also be greater administrative complexity in both FRA and local authority functions of billing and collection, together with the related tax-base calculations and information flows. We would also need to ensure that this option did not affect our ability to deliver our Taking Wales Forward commitment to reform council tax to make it fairer. And powers to set precepts would need to be created in an Act of the Assembly, so this could not be a short-term option.
- 4.6 That leaves the possibility of modifying the current system of FRAs levying contributions from local authorities. This would provide greater accountability and control if **FRAs are required to agree the level of funding each year with their constituent local authorities.** Doing so would also put FRA funding more clearly in a wider context of funding other local services, and would stimulate broader debate. In the event that agreement could not be reached, **the Welsh Ministers would have a default power to arbitrate** between the positions of the FRA and its constituent authorities. In practice this power would involve Welsh Ministers setting a budget by default if it appeared that an FRA could not agree a budget which fairly reflected the specific demands of operating an effective emergency service. Such a budget would be no higher than that originally proposed by an FRA, and costs would continue to be met by constituent local authorities.
- 4.7 We believe that would make a positive and immediate difference, and it is our preferred option in the short term. We would also be interested in views on the options for the longer term, such as funding by means of a council tax precept, combined with a Welsh Government grant. The aim would be to design a system which better reflected the Service's changing role, including services in support of the NHS. It should also allow FRAs to maintain a measure of control over funding levels, thus protecting service standards from long-term pressure on public finances.
- 4.8 As with our proposals on governance and membership, though, we are not wedded to the details here. Again, **we would be happy to consider alternative proposals on funding** provided that they met the broad criteria for reform.

Questions for consultation – funding:

- 13. Do you agree that FRAs and local authorities should agree the level of FRA funding each year, with a reserve arbitration power for the Welsh Ministers?**
- 14. Do you have any views on whether, and if so how, the funding model should change in the longer term?**
- 15. Do you have any other proposals for how to reform FRA funding which meet the criteria in Chapters 1 and 2?**

CHAPTER 5

Proposals for change (3): Performance management

- 5.1 As we explained in Chapter 1, the current performance management system for FRAs is not well-suited to their circumstances; and the Local Government (Wales) Measure 2009, on which it is based, is being repealed.
- 5.2 We propose to create a new system which is simpler, more flexible and more aligned to the distinctive features of fire and rescue services. In particular, the new system will:
 - a. Have flexible deadlines, rather than requiring plans and reports on a fixed annual cycle. Many of the challenges which the Service faces call for long-term transformation, and annual reporting can easily distract from that.
 - b. Allow FRAs to draw on a wide range of evidence about the services they provide, rather than relying on fixed performance indicators. These and other conventional performance measurement techniques do not work well for many FRA services. That is especially so for prevention and safety work, where qualitative techniques such as case studies are more useful.
 - c. Align with other statutory requirements on FRAs, in particular those under the Wellbeing of Future Generations (Wales) Act 2015. The aim should be for FRAs to have to produce only one set of plans and reports to discharge all such statutory requirements.
- 5.3 The National Framework for Fire and Rescue Services is already the accepted strategic Wales-wide vision for FRAs. It should be at the heart of their performance management arrangements. However, at present, the Framework's status and the duties of FRAs under it are far from clear. FRAs must only 'have regard' to the Framework; yet if they fail to 'act in accordance' with it, they can be subject to intervention by the Welsh Ministers.
- 5.4 We therefore propose to create a new system under which:
 - a. The Framework would continue to be reviewed and reissued every 3-5 years, and would contain strategic objectives for the Service.
 - b. The current practice of developing the Framework in full collaboration with the FRAs and with firefighters' unions would also continue, as would the alignment of the Framework with the Wellbeing of Future Generations (Wales) Act 2015.
 - c. For each iteration of the Framework, FRAs would decide whether to adopt each of the objectives in it, to adopt them with local modifications, or not to adopt them at all. FRAs could also decide to include their own objectives if they wished.
 - d. Each FRA would then be required to publish a plan for the lifetime of that Framework, setting out the objectives they have adopted, and (if appropriate) reasons for not adopting others. That plan would also set out the means by which the FRA would monitor progress towards those

objectives – which might in some cases be derived from the Framework itself.

- e. Each FRA would also produce periodic progress reports. The timing of these would depend on the objectives they covered. An objective which reflected day-to-day operations would lend itself to annual (or even more frequent) reporting, whereas one relating to the long-term transformation of the Service would not.
- f. Welsh Ministers would retain their current duty to report to the National Assembly every two years on progress in delivering the Framework, and their intervention powers.

5.5 Subject to the outcome of this consultation, we will use the forthcoming Local Government Bill to confer powers on the Welsh Ministers to create a system like this.

Questions for consultation – performance management:

- 16. Do you agree that the performance management system for FRAs should be grounded in the National Framework for Fire and Rescue Services?**
- 17. Do you agree with the need for such a system to give FRAs flexibility on planning and reporting cycles, and on the sources of information about performance that they use?**
- 18. Do you agree that the Welsh Ministers should retain their duty to report to the Assembly about delivery of the Framework, and their powers of intervention?**

Consultation Response Form

Your name:

Organisation (if applicable):

email / telephone number:

Your address:

Question 1: Do you agree the objectives for reform are appropriate and important?

Question 2: Are there other objectives that the reform programme should pursue?

Question 3: Do you agree that FRAs should remain as separate and distinct entities, with the same boundaries as now?

Question 4: Do you agree that transferring control of fire and rescue services to Police and Crime Commissioners or local authorities would not be appropriate?

Question 5: Do you agree that there are legitimate but limited national interests in the Service that need to be reflected in its governance arrangements?

Question 6: Do you agree that local authorities should continue to nominate FRA members?

Question 7: Do you agree that local authorities should nominate one FRA member each, drawn from their cabinets?

Question 8: Do you believe any changes are needed to the law on the size and remuneration of council cabinets, to allow their members also to serve on FRAs?

Question 9: Do you agree that FRAs should also have non-executive members?

Question 10: Who should appoint non-executive members of FRAs?

Question 11: Do you agree that, in the longer term, responsibility for the service should vest in a statutory Chief Fire Officer, with FRAs fulfilling a scrutiny and oversight role? If so, would that require any change to membership arrangements?

Question 12: Do you have any other proposals for how to reform FRA governance which meet the criteria in Chapters 1 and 2?

Question 13: Do you agree that FRAs and local authorities should agree the level of FRA funding each year, with a reserve arbitration power for the Welsh Ministers?

Question 14: Do you agree that, in the longer term, FRAs should have powers to set a council tax precept, with the balance of their funding from Welsh Government grants?

Question 15: Do you have any other proposals for how to reform FRA funding which meet the criteria in Chapters 1 and 2?

Question 16: Do you agree that the performance management system for FRAs should be grounded in the National Framework for Fire and Rescue Services?

Question 17: Do you agree with the need for such a system to give FRAs flexibility on planning and reporting cycles, and on the sources of information about performance that they use?

Question 18: Do you agree that the Welsh Ministers should retain their duty to report to the Assembly about delivery of the Framework, and their powers of intervention?

Question 19: We would like to know your views on the effects that the policy proposals would have on the Welsh language, specifically on opportunities for people to use Welsh and on treating the Welsh language no less favourably than English.

What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?

Question 20: Please also explain how you believe the policy proposals could be formulated or changed so as to have positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language, and no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

Question 21: We have asked a number of specific questions about FRA governance, finance and performance management. If you have any related issues which we have not specifically addressed, please use this space to report them:

Please enter here:

Responses to consultations are likely to be made public, on the internet or in a report. If you would prefer your response to remain anonymous, please tick here:

☐

Appendix 2 Reform of Fire & Rescue Authorities in Wales

Consultation Response Form

Robert Robins, Head of Democratic Services,

On behalf of Flintshire County Council

Robert.robins@flintshire.gov.uk 01352 702320

County Hall, Mold, CH7 6NR

Question 1: Do you agree the objectives for reform are appropriate and important?

Response: No. The objectives of the reform seek to make changes where there is no evidence of need. Paragraph 1.25 is somewhat dismissive of the role and value of the 'back bench' Councillors who are appointed to the FRAs. In Flintshire's case, whilst the nominees are, as they must currently be, non-executive Members, there is a wealth of local authority leadership experience, with several having held major regulatory committee chairs.

Question 2: Are there other objectives that the reform programme should pursue?

Response: The most significant requirement is for FRAs to become precepting rather than levying bodies. The Council Tax payer should be able to see on their Council Tax bill what they are paying for the FRA and Fire and Rescue services.

Question 3: Do you agree that FRAs should remain as separate and distinct entities, with the same boundaries as now?

Response: Yes.

Question 4: Do you agree that transferring control of Fire and Rescue Services to Police and Crime Commissioners or local authorities would not be appropriate?

Response: Yes, it is agreed that it would be inappropriate to transfer control of Fire & Rescue Services to Police & Crime Commissioners, for the reasons given within the White Paper.

Question 5: Do you agree that there are legitimate but limited national interests in the service that need to be reflected in its governance arrangements?

Response: This has not been sufficiently considered within the consultation document for an informed decision to be made one way or the other.

Question 6: Do you agree that local authorities should continue to nominate FRA members?

Response: Yes.

Question 7: Do you agree that local authorities should nominate one FRA member each, drawn from their Cabinets?

Response: No. The current arrangements where local authorities nominate based on population is a fairer system than each local authority having one vote, which would not be equal across the FRA area. Under the proposal, a Flintshire vote would have less 'weight' than Anglesey which has a much lower population. This is not equitable and would be out of proportion to the financial contribution currently made by constituent authorities, which is based on their population size.

In addition, the role of a Cabinet member is already meant to be the equivalent of a full time job, as the Independent Remuneration Panel for Wales have identified during discussions with local authorities across Wales.

A reduction in membership from the current 28 to 6 Members would significantly reduce the 'Member' capacity of the NWFRA, and of the other two Welsh FRAs, which would also then have an impact on those organisations' resilience. This would not be a safe or proportionate change to make.

Question 8: Do you believe any changes are needed to the law on the size and remuneration of Council Cabinets to allow their members also to serve on FRAs?

Response: No – no evidence or argument has been put forward for this. It is certainly not the 'promising option' referred to in paragraph 3.10

Question 9: Do you agree that FRAs should also have non-executive members?

Response: No – within the White Paper, no evidence or argument has been put forward for this. We would have liked to have heard why this approach is being considered, so as to be able to understand the impetus for this. Not providing evidence suggests that this is a change being made for the sake of a change, which is not a sustainable point. The introduction of 'non-executive' directly appointed Members would effectively replicate the governance structure used for the National Parks. This might work for them. However, the current FRA structure certainly works very effectively in North Wales and has produced a stable governance structure over two decades.

Question 10: Who should appoint non-executive members of FRAs?

Response: No effective argument has been made for the appointment of non-executive members of FRAs. However, the arrangements for appointment to the National Park Authorities does offer one solution. However, that would be a retrograde step, taking a 'local' decision away from the areas served and moving it to the Welsh Government.

If it is believed that FRAs should have directly appointed non-executive members, (and so far the case has not been compellingly put) then these should be chosen by the FRAs themselves, in the same way that local authorities currently appoint lay members of their Audit and Standards Committees. We know from experience that such an approach can produce high calibre candidates who make a significant contribution. The Committees are

richer in experience and knowledge for having the lay members amongst their number. Those lay members, who are not interested in participating in local politics would probably not stand for election, or want to have a ward work load as their elected colleagues have..

Question 11: Do you agree that, in the longer term, responsibility for the services should vest in a statutory Chief Fire Officer, with FRAs fulfilling a scrutiny and oversight role? If so, would that require any change to membership arrangements?

Response: No. The status quo should prevail for FRAs, as they are already strong and accountable, with an effective level of delegation to their Chief Fire Officers. However, we do think that the Chief Fire Officer role itself should become a statutory role, similar in functions to a local authority's head of paid service. Given the relatively small size of FRAs, any other changes could become bureaucratic.

Question 12: Do you have any other proposals for how to reform FRA governance which meet the criteria in Chapters 1 and 2?

Response: Given the small size of FRAs currently, unnecessary changes to governance arrangements could become bureaucratic and more costly.

Question 13: Do you agree that FRAs and local authorities should agree the level of FRA funding each year, with a reserve arbitration power for the Welsh Ministers?

Response: No. FRAs should be precepting authorities on the same basis as the Police & Crime Commissioners. They should continue to consult on their plans, but make their own decisions which are then reflected in a clear entry on Council Tax bills. The current levy arrangement lacks transparency and is divisive.

Question 14: Do you agree that, in the longer term, FRAs should have powers to set a Council Tax precept, with the balance of their funding from Welsh Government grants?

Response: Not exactly. FRAs becoming precepting authorities should be in the shorter, rather than the longer term. They should be required to formally consult the constituent authorities and the public as part of this process. It would be the most effective way of reforming FRA governance and provide much needed clarity in their funding source.

Question 15: Do you have any other proposals for how to reform FRA funding which meet the criteria in Chapters 1 and 2?

Response: Please see the responses to Questions 13 and 14. The emphasis should be on formal consultation on spending with stakeholders: the public and the constituent authorities.

Question 16: Do you agree that the performance management system for FRAs should be grounded in the National Framework for Fire & Rescue services?

Response: This is a technical question for FRAs themselves. More detail of the performance management system should have been provided within the White Paper to enable other responders to the White Paper give an objective response.

Question 17: Do you agree with the need for such a system to give FRAs flexibility on planning and reporting cycles, and on the sources of information about performance that they use?

Response: Yes.

Question 18: Do you agree that the Welsh Ministers should retain their duty to report to the Assembly about delivery of the Framework, and their powers of intervention?

Response: Yes. This currently works.

Question 19: We would like to know your views on the effects the policy proposals would have on the Welsh language , specifically on opportunities for people to use Welsh and on treating the Welsh language no less favorably than English?

What effects do you think there would be? How positive effects could be increased, or negative effects be mitigated?

Response: This cannot be answered on the basis of information provided within the consultation document. FRAs are already required to meet Welsh Language standards.

Question 20: Please explain how you believe the policy proposals could be formulated so as to have positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language and on no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

Response: This cannot be answered on the basis of information provided within the consultation document.

Question 21: We have asked a number of specific questions about FRA governance, finance and performance management. If you have any related issues which we have not specifically addressed, please use this space to report them:

Please enter here: -

At the meeting of the Council's Corporate Resources Overview & Scrutiny Committee, held on 17th January 2019, the unanimous view was that the current governance model works, is strong, and therefore should not be altered. The sole change required is in financing, so that Fire & Rescue Authorities become precepting rather than levying bodies.

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FLINTSHIRE COUNTY COUNCIL

Date of Meeting	Tuesday, 29 th January 2019
Report Subject	Pay Policy Statement for 2019/20
Report Author	Chief Executive and Senior Manager, Human Resources and Organisational Development

EXECUTIVE SUMMARY

All local authorities are required to publish an annual Pay Policy Statement.

The Pay Policy presented within this report is the seventh annual statement published by the Council.

The latest Equal Pay Audit is also appended to this report for information.

RECOMMENDATIONS

1	That County Council approves the appended Pay Policy Statement for 2019/20 and notes the latest Equal Pay Audit.
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REPORT DETAILS

1.00	PAY POLICY STATEMENTS
1.01	<p>Under the Localism Act 2011 local authorities are required to publish an annual Pay Policy Statement. A Pay Policy Statement should include:</p> <ul style="list-style-type: none"> • the local authority's policy on the level and elements of remuneration for each chief officer; • the policy on the remuneration of its lowest-paid employees - together with its definition of lowest-paid employees and the reasons for adopting that definition; • the policy on the relationship between the remuneration of its chief officers and other officers; and • the policy on other specific aspects of chief officers' remuneration such as recruitment, pay increases, the use of performance related pay and bonuses, termination payments, and pay transparency.
1.02	The Council's current Pay Policy Statement was approved by Council on 1 March 2018.
1.03	The Pay Policy Statement forms a key component of the organisation's approach to managing its workforce in general and, in particular, reward and recognition - one of the five strategic priorities of the People Strategy 2016-19.
1.04	The draft Pay Policy Statement for 2019/20 is appended to this report. The Statement summarises the organisation's approach to pay and remuneration and sets this within an organisational, regional and national context. It has also been updated to provide a more comprehensive account of the Council's approach to the remuneration of its workforce.
1.05	<p>The proposed Pay Policy Statement appended to this report sets out:</p> <ul style="list-style-type: none"> • the Council's approach to job evaluation and the grading of posts; and • the Council's pay multiple (the ratio between the highest paid employee and the median average salary of the Council's workforce) which now stands at 1:7:18 (1:7:51 in 2018/19) and is reducing year on year.
1.06	This year's Statement is largely consistent with that agreed twelve months ago. Whilst there are no changes to the proposed principles or the approach to remuneration it has been necessary to update Section 11 to reflect the conclusion of national negotiations last year. This resulted in the National Employers having undertaken a longer-term review of the pay spine with Trade Unions reaching agreement on the rates of pay applicable from 1 April 2018 and 1 April 2019.
1.07	Year Two (2019) of the NJC pay agreement includes the introduction of a 'new' pay spine with assimilation to newly created spinal column points. The agreement introduces far greater change than a simple cost of living monetary award and is based on the following:

	<ul style="list-style-type: none"> • a lowest pay rate of £9.00 per hour (£17,364) on new Spinal Column Point (SCP)1 (equivalent to old SCPs 6 & 7); • the 'pairing off' old SCPs 6-17 incl. to create new SCPs 1-6 inclusive; • equal steps of 2.0% between each new SCPs 1 to 22 incl. (equivalent to old SCPs 6-28 inclusive.); • new SCPs 10, 13, 16, 18 and 21 are created to which no old SCPs will assimilate (by creating equal steps between these pay points); and • a 2.0% pay increase on new SCPs23 and above (equivalent to old SCPs 29 and above).
1.08	The introduction locally of Year Two of the NJC pay agreement necessitates a fundamental change to the pay model/spine which we operate and are familiar with. Accordingly, it is necessary to undertake our own detailed pay modelling. A new pay model has to pass the tests of being legal and equitable, workable and sustainable, acceptable, and affordable and, once concluded, it will be necessary to bring back an amended Pay Policy Statement to full Council.
1.09	<p>Sections subject to amendment during the course of the year are:</p> <ul style="list-style-type: none"> • Section 6 - the Government has for some time, been planning to implement a cap on Public Sector exit payments at £95,000 and a process of recovery of Chief Officer exit payments where certain conditions apply. Any changes would be effected by the Enterprise Act 2016. The Act gives powers to Welsh Ministers to 'relax' any regulations made At the time of writing we continue to wait for draft regulations to be consulted upon which will then give any powers to Welsh Ministers to determine the approach in Wales; and • Section 11 – once agreement has been reached on a new pay policy (section 1.07 refers).
	Equal Pay Audit
1.10	In addition to the obligations placed on the Council by the Localism Act 2011 in relation to its pay policy, the Council has obligations under the Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011 to report on the gender pay gap.
1.11	The gender pay gap is the difference between men's pay and women's pay as a percentage of men's pay.
1.12	The Council fulfils its obligations under the Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011 through an Equal Pay Audit which it undertakes annually. The Equal Pay Audit involves the specific comparison of the pay of male and female colleagues, investigating the causes of any pay gaps by gender, ethnicity, disability or working pattern and planning to close any gaps that cannot be justified on grounds other than one of those characteristics.
1.13	The Equal Pay Audit 2018 which is appended to this report shows an improving position when compared to the 2017. The overall gender pay gap across all grades and terms and conditions is 13.65% compared to 16.96% in 2017.

2.00	RESOURCE IMPLICATIONS
2.01	None as the Pay Policy Statement appended to this report is a description of existing arrangements.

3.00	CONSULTATIONS REQUIRED / CARRIED OUT
3.01	None required.

4.00	RISK MANAGEMENT
4.01	The new pay model, once agreed, will need to pass the tests of being legal and equitable, workable and sustainable, acceptable and affordable.
4.02	The new pay model, once agreed, will need to pass an independent Equality Impact Assessment.

5.00	APPENDICES
5.01	Appendix A – Pay Policy Statement 2019/20 Appendix B – Equal Pay Audit 2018

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	Contact Officer: Sharon Carney, Senior Manager, Human Resources and Organisational Development Telephone: 01352 702139 E-mail: Sharon.carney@flintshire.gov.uk

7.00	GLOSSARY OF TERMS
7.01	As detailed in the attached Pay Policy Statement for 2019/20.

Pay Policy Statement 2019/20
(incorporating LGPS Discretionary Pension Statement)

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1. Introduction and Purpose

This Pay Policy Statement (the statement) sets out the Council's approach to pay policy in accordance with the requirements of the Localism Act 2011 (the Act). Under section 38 (1) of the Act 2011 English and Welsh local authorities are to produce and publish a pay policy statement for each financial year covering:

- The authority's policies for the remuneration of chief officers;
- The arrangements for the publication of and access to information on the remuneration of chief officers;
- The authority's policies towards the remuneration of its lowest paid employees; and
- The relationship between the remuneration of its chief officers and other employees.

The Council has published information on senior pay for a number of years on its website and in its Statement of Accounts. It has also responded openly and in full to Freedom of Information Act requests for such details.

In relation to other organisations in all sectors across the UK, we are a large, complex organisation providing a very diverse range of services. Many of these services are vital to the wellbeing of individuals and groups of residents in our local community. These can be delivered in very challenging circumstances, which means the Council must take account of the levels of need and ensure the availability of resources to meet them.

We compete with other local employers to recruit and retain managers capable of meeting the challenges of delivering our services to the required standards. This has an important bearing on the levels of remuneration we offer. At the same time, we are obligated to secure the best value for money for our residents and taxpayers in taking decisions on our pay levels. Therefore, the arrangements for the evaluation of posts across the workforce, and pay and terms and consideration of employment, are complex and require careful planning, maintenance and control.

2. Legislative Framework

In determining the pay and remuneration of all of its employees, the Council will comply with all relevant employment legislation including the following:

- The Equality Act 2010;
- Part Time Employment (Prevention of Less Favourable Treatment) Regulations 2000;

- The Agency Workers Regulations 2010;
- Where relevant the Transfer of Undertakings (Protection of Earnings) Regulations.

The Council will ensure that there is no pay discrimination within its pay and grading structures and that all pay differentials in pay can be objectively justified through the use of a Job Evaluation system. The Council's Single Status Agreement is compliant with all relevant legislation and industry practice.

3. Scope of the Pay Policy Statement

The Localism Act 2011 requires authorities to publish their pay policy on all aspects of Chief Officer Remuneration (including on ceasing to hold office) and to explain the relationship between remuneration for Chief Officers and other workforce groups including the 'lowest paid'.

In the interests of transparency the Council has chosen to take a broader approach and produces a policy covering all employee groups with the exception of School Teachers (as the remuneration for this group is set by the Secretary of State at a UK level and therefore is not within local authority control).

Nothing within the provisions of the Localism Act 2011 detract from the Council's autonomy in making decisions on pay that are appropriate to local circumstances and which deliver achieve business objectives and value for money. The Council will follow its own policy in setting remuneration levels for all workforce groups within its scope.

4. Independent Remuneration Panel for Wales (IRPW)

Section 143A of the Local Government (Wales) Measure 2011, as inserted by Section 63 of the Local Government (Democracy) (Wales) Act 2013 refers to the Independent Remuneration Panel in Wales (the "IRP") and sets out their functions for the remuneration of heads of paid service. All councils should note that the IRP may make recommendations about any on the salary of the head of paid service and any proposed change to the salary of the position.

The responsibilities of the IRPW are increasing. For example, on recruitment, directions may impose restrictions on proposed recruitment to certain posts, including chief officers. Should the Welsh Ministers decide to issue directions under subsection (1), no chief officer may be recruited without the consent of a person specified in the direction.

Detailed guidance to the Independent Remuneration Panel for Wales on the pay of Heads of Paid Service and Chief Officers under Section 143A of the Local Government (Wales) Measure 2011 and Section 39 of the Local Government (Wales) Act 2015 can be found via the following link <http://gov.wales/topics/localgovernment/publications/guidance-salaries-irp/>.

5. Broad Principles of our Pay and Reward Strategy

I) Transparency, accountability and value for money

The Council is committed to an open and transparent approach to pay policy which will enable anyone to access, understand and assess information on remuneration levels across all groups of Council employees. The following is available on the council's website at www.flintshire.gov.uk.

Remuneration data

- All employee pay scales
- Individual remuneration details for senior employees whose remuneration is over £60,000 per annum, and the number of employees whose remuneration exceeds £60,000 as required under the Accounts and Audit (Wales) (Amendment) Regulations 2010.

Policy documents

- [Additional Payments](#)
- [Policy Statement on Redundancy and Severance Payments \(including additional pension payments\)](#)

All relevant policies are reviewed periodically to ensure they are current and meet the principles of fairness, equality, accountability and value for money.

II) Development of Pay and Reward Strategy

The primary aim of a reward strategy is to attract, retain and motivate suitably skilled employees so that the organisation can perform to its best. The biggest challenge for the Council in the current financial climate is to maximise productivity and efficiency within current resources. Pay policy is a matter of striking a balance between setting

remuneration levels at appropriate levels to ensure a sufficient 'supply' of appropriately skilled, experienced and qualified individuals to fill the Council's wide range of posts, and ensuring that the burden of cost does not become greater than can be justified.

It should be recognised that in a competitive recruitment 'market' remuneration levels need to enable the attraction of a suitably wide pool of talent (which will ideally include people from across the public sector and from outside as well as within Wales), and the retention of suitably skilled and qualified individuals once in post. It should be recognised that the Council will often be seeking to recruit in competition with other public and private sector employers.

The Council is a major employer in the area. The availability of good quality employment on reasonable terms and conditions and fair rates of pay has a beneficial impact on the quality of life in the community as well as on the local economy. The Council also has a role in setting a benchmark example on pay and conditions to other employers in the area for the same reasons.

In designing, developing and reviewing the Pay and Reward strategy the Council will seek to balance these factors to achieve performance outcomes for the organisation and the community it serves, whilst managing and controlling total pay costs. This has remained a challenge year on year for the Council against a backdrop of recent pay 'freezes' for local government workers. The 1% NJC national 'cost of living' pay award for 2013/14 made for most employees followed an unprecedented three-year pay freeze.

For senior posts regulated under the Joint Negotiating Council (JNC) the pay 'freeze' had lasted for 6 years to 2015/16 and, for the most senior posts such as Chief Executives, for seven years to 2015/16.

III) The Councils Pay and Grading Structure

Section 112 of the Local Government Act 1972 provides that a local authority shall appoint such Officers for the proper discharge of its functions on such reasonable terms and conditions, including conditions as to remuneration as the local authority thinks fit.

The remuneration of the large majority of employees of the Council is in accordance with the locally agreed pay scale with spinal column points based on the nationally agreed pay spine (the NJC pay scale).

As part of its ongoing commitment to ensure the integrity of the Single Status Agreement, the Council regularly reviews and analyses a variety of reports to ensure that reward processes are consistently applied in line with the relevant policies and to challenge where appropriate, and to receive Equal Pay Audits and to recommend an action plan as needed.

The Council uses a range of methods to evaluate pay and has multiple pay scales dependent on the terms and conditions of employment.

For roles that are not nationally prescribed and are not Chief Officer posts, the Council uses the Greater London Provincial Committee (GLPC), which is part of the Single Status Collective Agreement, and role profiles for support workers employed by School Governing Bodies.

For employees under JNC Craft Agreement (Red Book) there is a multi-skilling local agreement in place for pay which is based on 3 bands of pay in each trade and is dependent on employees being competent to undertake multi-trade working. The pay scale is based on the National Pay Scales for Craft but is all inclusive of 'tool' and 'dirt money' etc.

In 2016 the Council introduced a collective agreement known as the 'House Agreement' for Theatr Clwyd covering pay and terms and conditions of employment. The agreement introduced a new pay scale and terms and conditions of employment that ensured future payments were equitable, affordable and sustainable whilst facilitating retention and recruitment. Generic profile descriptors are used as a basis for matching each job to the most appropriate grade.

Pay Progression

With the exception of Chief Officers whose pay progression is based on performance, all employees receive annual increments until the maximum spinal point in the grade is reached, subject to six months in that grade (whether attained by appointment, promotion or re-grading).

All employees, including senior employees, will normally be appointed to the minimum point of the pay grade for the job. In certain circumstances it may be appropriate to appoint to a higher point in the pay grade. This may arise when, for example, the

preferred candidate for the job is or has been in receipt of a salary at a higher level than the grade minimum, subject to approval by their respective Chief Officer.

For employees on the Craft Rates of Pay, progression through the bands of pay will be dependent upon multi-trade working.

Within Theatr Clwyd incremental progression will be dependent on Theatr Clwyd achieving collective targets which are agreed and reviewed annually by the Board of Trustees.

Bonus Payments and Performance Related Pay

The Council does not apply any bonus payments. The Council operates an appraisal system as part of its performance management strategy and with the exception of Chief Officers (see above) this is not linked to pay.

Chief Officer Job Evaluation

For Chief Officers, the Council uses the nationally recognised Hay Job Evaluation Scheme. The scheme is an analytical one that takes into consideration three key elements of a post:

- Know How – the levels of knowledge, skill and experience (gained through work experience, education and tradition) which are required to perform the job successfully;
- Problem Solving – the complexity of thinking required to perform the job when applying Know How;
- Accountability – the impact the job has on the organisation and the constraints the job holder has on acting independently.

The Council undertook reviews of Chief Officer's roles and associated pay arrangements in 2014. Therefore, current arrangements are modern for the business needs of the Council.

IV) Additional Payments

There may be occasions when an employee is asked to carry out additional duties to those of their substantive post for a period of time. In such circumstances an additional payment may be made in line with the Council's Additional Payments policy. The policy provides a framework to ensure the continued fairness, equitability and affordability of the pay and grading structure and differentiates between the following scenarios:

Honorarium

Subject to certain conditions, employees who are temporarily required to undertake some or all of the duties of a higher graded posts are eligible to be paid an honorarium. Details of the scheme can be found in the Council's Additional Payments Policy.

Market Supplements

From time to time it may be necessary to take account of the external pay levels in the labour market in order to attract and retain employees with particular experience, skills and capacity and apply a time limited, market supplement. Where necessary, the Council will ensure the requirement is objectively justified by reference to a clear and transparent evidence of relevant market comparators, using data sources available from the local government sector and outside, as appropriate.

V Salary Protection

The Council will take reasonable steps to protect an employee's basic pay where it is reduced as a result of:

- Organisational change
- Redeployment where the individual is at risk of or under notice of redundancy and is redeployed or assimilated into either a lower graded post or a post which attracts a lower total remuneration package than their previous post

The Council protects the remuneration of employees for a maximum of twelve months from the date of the change to basic pay, subject to a maximum of one grade difference or equivalent between the old post and the new post.

6. Chief Officer Remuneration

i) Definitions of Chief Officer

For the purposes of this statement, 'Chief Officers' are as defined within S43 of the Localism Act. The relevant posts within the Council are as follows:

- a) Chief Executive (including Head of Paid Service)
- b) Chief Officer, Governance
- c) Chief Officer, Streetscene and Transportation
- d) Chief Officer, Planning, Environment and Economy
- e) Chief Officer, Social Services
- f) Chief Officer, Education and Youth,

g) Chief Officer, Housing and Assets

These officers are responsible for working alongside and advising elected members over the strategic direction of the Council, carrying out the stated aims of the Council, ensuring the efficiency and effectiveness of all services provided by the Council and its partners, and providing overall day to day operational management of services.

A new single grade and pay range for the new Chief Officer group was introduced in June 2014. All roles in the structure are positioned in the same single incremental range, given that all roles are broadly the same size, other than the Chief Executive. Placing the new Chief Officer roles on the same grade also removes any hierarchy at senior management level and reflects the single, collective tier.

All roles have access to the same four increments. The pay range has a clear rationale, building on the options developed with the independent advice from Hay Group and being mindful of both affordability and the relativity to management roles in the grades below. The range overlaps with the increments which existed for the former Heads of Service but falls below the former Director pay. It also represents a consistent policy of paying between the lower quartile and the median. Progression through the range is based on performance. The approach is affordable and fair, and has ensured that the Council can meet its financial targets for the reduction of senior management costs.

ii) Policy on the Remuneration of Chief Officers

The Terms and Conditions of employment applicable to Chief Officers are as determined by the JNC (Joint Negotiating Council) for Chief Officers of Local Authorities (or JNC for Chief Executives of Local Authorities) as amended/ supplemented or superseded by decisions on conditions of service made by the Council from time to time and contained within the Councils Employment Policies and Procedures.

iii) Recruitment of Chief Officers

The Council's policy and procedures for the recruitment of Chief Officers is set out within Article 15, 15.01 sub section (b) of the Constitution.

The Council's Management Structure is as approved by Council. The Job Descriptions and Person Specifications for each Chief Officer post are approved prior to advertisement by the Council's appointment panel which comprises seven elected members. The

determination of the remuneration to be offered to any newly appointed Chief Officer will take account of such factors as the requirements of the job, the relative size of the organization, local and national market rates and the relationship with other posts within the grading structure. It is the responsibility of the Chief Executive to make and maintain arrangements for the professional management of the Council which meet both its legal duties and its business needs.

There is a requirement under the Welsh Government Regulations that all vacant posts with a salary of over £100,000 are publicly advertised. The Council has not appointed to any posts in this range since 2007. The only exception to this new rule is where the appointment is for 12 months or less. It is also possible to divide up the duties from one deleted Chief Officer post between other existing post holders.

iv) Chief Officer Salaries

Details of the Chief Officers basic salary are set out below (salaries are those applicable at 4 January 2019).

Chief Executive

The salary falls within a range of 1 – incremental points between £125,627.00 rising to a maximum of £136,548.00. (This salary range was set by the Council in 2007 with external advice. It was reviewed again in 2014 but a decision was taken not to change at that time.)

Chief Officers

The salary falls within a range of 1 – 4 incremental points between £83,844.00 rising to a maximum of £94,458.00.

v) Additions to Salary of Chief Officers

The Council does pay all reasonable travel and subsistence expenses on produced of receipts and in accordance with JNC conditions and other local conditions. Part III changes which formed part of the Single Status Agreement have removed other previous entitlements. A number of senior employees choose not to claim in full expenses to which they are contractually entitled as a 'conscious' voluntary decision given the current financial constraints.

The Returning Officer for the County Council is the Chief Executive. The Returning Officer duties are not part of the Chief Executive's substantive role. Fees for these duties are paid separately and are determined by the full Council for Council elections and by legislation for the Police and Crime Commissioner, the National Assembly for Wales, the Parliamentary Elections, European Elections and national referenda.

vi) Performance Related Pay and Bonuses

The Council does not apply any bonuses or performance related pay to its Chief Officers pay. However, the annual increment (if not already at top of scale) is only awarded once the Annual Appraisal has been passed as satisfactory (page 7 refers).

All Chief Officers have annual and mid-year appraisals and the Chief Executive has an annual appraisal facilitated by an external party as per national guidance and the post's contractual rights.

vii) Payments on Termination

The Council's policies for redundancy payments and retirement are set out respectively within its Discretionary Compensation Scheme and Early Retirement Policy.

Under the Local Government (Early Termination of Employment) Discretionary Compensation) (England and Wales) Regulations 2006, the Council applies its discretion under Regulation 5 in the case of both voluntary and compulsory redundancy to base any payments on an employee's actual week's pay.

Under Regulation 6, the Council makes redundancy payments (compulsory and voluntary) to employees based upon the statutory redundancy payments scale which are calculated by multiplying a number of weeks based on their age and length of service (subject to a maximum of 20 years' service) by their actual weekly rate of pay, as follows:

- 0.5 week's pay for each year of employment in which the employee was aged 21 and below
- 1 week's pay for each year of employment in which the employee was aged 22 to 40 inclusive.
- 1.5 week's pay for each year of employment during which the employee was aged 41 or over.

For employees under the age 55 (or aged 55 and over and are *not* members of the Local Government Pension Scheme (LGPS)) apply a multiplier of 1.5 times the redundancy payment as calculated above.

The Government announced its intention to introduce a cap on Public Sector exit payments in order to restrict these to a maximum of £95,000. This has the potential to reduce both redundancy dismissal and efficiency pension benefits where the Chief Officer is aged 55+ and may have some of their pension benefits reduced where the overall cost of termination exceeds £95,000 including pension strain costs.

The background to the current position is that the Enterprise Act 2016 has been passed and Section 9 provides enabling powers to make regulations for exit payments. The Act also gives powers to Welsh Ministers to 'relax' any regulations made. At the time of writing we continue to wait for draft regulations to be consulted upon which will then give any powers to Welsh Ministers to determine the approach in Wales. Until then, the status quo applies.

Outside of the policies outlined above the Council does not operate any other policy of making any specific or general payment to its Chief Officers or any other employees on their ceasing to hold office or to be employed by the Council but it may, where appropriate, agree to waive contractual notice.

viii) Publication of Chief Officer and Other Senior Post Salaries

Upon approval by the full Council, this statement will be published on the Council's Website. In addition, for posts where the full time equivalent salary is over £60,000 per annum the Council's Annual Statement of Accounts will include a note setting out by posts the total amount of:

- salary, fees or allowances paid to or receivable by the person in the current and previous year;
- any bonuses so paid or receivable by the person in the current and previous year;
- any sums payable by way of expenses allowance that are chargeable to UK income tax;
- any compensation for loss of employment and any other payments connected with termination; and
- any benefits received that do not fall within the above.

ix) Pay Increases – Chief Officers

The Council employs Chief Officers under JNC terms and conditions which are incorporated into their contracts. The JNC for Chief Officers negotiates on national (UK) annual cost of living pay increases for this group, and any award of the same is determined on this basis. Chief Officers employed on JNC terms and conditions are contractually entitled to any national JNC determined pay rises and this Council will therefore pay these as and when determined in accordance with current contractual arrangements.

Agreement was reached on pay awards applicable from 1 April 2018 and 1 April 2019 on 8 June 2018 for Chief Executives, and 12 July 2018 for Chief Officers. This agreement provided for the individual basic salary of all officers within scope of the JNC for Chief Officers of Local Authorities to be increased by 2.0% with effect from 1 April 2018 and 2.0% with effect from 1 April 2019.

7. Remuneration of the Lowest Paid Employees

The lowest paid persons employed under a contract of employment with the Council are defined as those employed on full time 37 hours equivalent salaries in accordance with the minimum spinal column point currently in use within the Council's grading structure post single status. As at 1 January 2019, this is **£16,626** per annum. The Council has adopted this definition as it is recommended in relevant guidance as the most easily understood.

The Council employs apprentices (and other such trainees) who are not included within the definition of 'lowest paid employees' and are paid less than the minimum spinal column point for other employees during their apprenticeship. The purpose of paying a lower salary is to reflect the particular nature and/or duration/frequency of their employment and to maximize the number of apprenticeships offered.

8. Salary Sacrifice Scheme

The Council has offered childcare vouchers and cycle to work scheme for many years but, following a review of our total reward strategy in 2016 we launched a new 'eRewards' scheme. This scheme introduced retail and leisure discounts for employees as well as providing an opportunity to re-launch the cycle to work scheme via new providers all under the National Procurement Service for Wales (NPS) framework.

The aim of the schemes is to stretch net pay for employees following recent years of pay freezes and 1% pay awards against a rise in living costs. The retail and leisure discounts provides many of ways of saving on everyday expenses such as everyday shopping, motoring and insurance.

9. Pay Relativities within the Authority

The statutory guidance under the Localism Act recommends the use of pay multiples as a means of measuring the relationship between pay rates across the workforce and that of senior managers, as included within the Hutton 'Review of Fair Pay in the Public Sector' (2010).

The Hutton report was asked by Government to explore the case for a fixed limit on dispersion of pay through a requirement that no public sector manager can earn more than 20 times the lowest paid person in the organisation. The report concluded that the relationship to median earnings was a more relevant measure and the Governments Code of Recommended Practice on Data Transparency recommends the publication of the ratio between the highest paid salary and the median average salary of the whole of the Authority's workforce. The median salary for Flintshire County Council based on based on a payroll extract taken on 4 January 2019 is **£19,009.00**

The multiples of pay for Flintshire County Council are as follows:

1. The multiple between the lowest paid (full time equivalent) employee and the Chief Executive is 1:8:20 (*compared to 1:8.78 last year*)
2. The multiple between the lowest paid employee and mean average Chief Officer is 1:5:60 (*previous year 1:5.40*)
3. The multiple between the median (average) full time equivalent employee and the Chief Executive is 1:7:18 (*previous year 1:7.51*)

(based on a payroll extract taken on 4 January 2019)

The interim Hutton Fair Pay Report noted that most 'top to bottom' pay multiples in the public sector are in the region of **1:8.1 to 1: 12.1**. The multiples in Flintshire are therefore well within this notional range and are showing a reducing pay range between 'top and bottom' year on year.

10. National Negotiating Bodies and Pay Awards

The National Joint Council negotiates the pay, terms and conditions of employees in local authorities. It agrees an annual cost of living uplift to the national pay spine, on which each individual council decides where to place its employees. Each council takes into account a number of factors such as job size and local market conditions when deciding an employee's salary. There are no nationally determined jobs or pay grades in local government, unlike in other parts of the public sector.

As with other Welsh councils, the Council continues to comply with all national pay bargaining arrangements in respect of the establishment and revision of the national pay spine, for example through any agreed annual pay increases negotiated with join trade unions at a UK level.

11. National Living Wage (NLW)

The Government introduced the National Living Wage (NLW) for employees aged 25 and above on 1 April 2016 with the aim of reaching 60% of median UK earnings by 2020. This rate is currently £7.83 per hour and is projected to rise to at least £9 per hour by 2020. It should be noted, the Government have announced the NLW rate will rise to £8.21 per hour from 1 April 2019.

For some time it has been recognised at a national level that the pay spine has lost its relevance to modern working arrangements and is unable to absorb the new NLW along with the planned increases. It is also clear that a number of Councils have already taken a decision to pay the Foundation Living Wage (or their own version of this) and this has resulted in a restructure of the national pay spine is required.

Following the conclusion of national negotiations last year, the National Employers having undertaken a longer-term review of the pay spine with Trade Unions, reached agreement on the rates of pay applicable from **1 April 2018** and **1 April 2019**.

The increases effective from 1 April 2018, implemented in June 2018, as a result of the National Agreement, were as follows:

- On SCP 6, £1,380 (equivalent to 9.191%)
- On SCP 7, £1,380 (equivalent to 9.130%)
- On SCP 8, £1,380 (equivalent to 9.052%)

- On SCP 9, £1,380 (equivalent to 8.976%)
- On SCP 10, £1,250 (equivalent to 8.006%)
- On SCP 11, £1,200 (equivalent to 7.592%)
- On SCP 12, £1,050 (equivalent to 6.512%)
- On SCP 13, £900 (equivalent to 5.458%)
- On SCP 14, £900 (equivalent to 5.363%)
- On SCP 15, £900 (equivalent to 5.272%)
- On SCP 16, £900 (equivalent to 5.167%)
- On SCP 17, £900 (equivalent to 5.064%)
- On SCP 18, £800 (equivalent to 4.427%)
- On SCP 19, £700 (equivalent to 3.734%)
- On SCPs 20 and above, 2.0%

Year two (2019) of the NJC pay agreement includes the introduction of a 'new' pay spine with assimilation to newly created spinal column points. The agreement introduces far greater change than a simple cost of living monetary award.

The introduction of the year two award locally necessitates fundamental change to the pay model/spine which we operate and are familiar with. The national agreement is based on the following:

- A lowest pay rate of £9.00 per hour (£17,364) on new Spinal Column Point (SCP)1 (equivalent to old SCPs 6 & 7);
- The 'pairing off' old SCPs 6-17 incl. to create new SCPs 1-6 inclusive;
- Equal steps of 2.0% between each new SCPs 1 to 22 incl. (equivalent to old SCPs 6-28 inclusive.);
- New SCPs 10, 13, 16, 18 and 21 are created to which no old SCPs will assimilate (by creating equal steps between these pay points); and
- A 2.0% pay increase on new SCPs 23 and above (equivalent to old SCPs 29 and above).

Accordingly, it is necessary to undertake our own detailed pay modelling. A new pay model has to pass the tests of being legal and equitable, workable and sustainable, acceptable, and affordable and once concluded, it will be necessary to bring back an amended Pay Policy Statement to full Council once the pay modelling has been completed and a new pay model has been agreed.

As an employer we fully support the principle of the National Living Wage. The challenge arises from the lack of any national funding to support its introduction in the public services and within the sectors from which we commission services such as the social care sector.

Given our difficult financial position this pay offer, if accepted, will only serve to put further pressure on our diminishing budgets.

12. Pension benefits

Where employees have exercised their statutory right to become members of the Local Government Pension Scheme, the Council is required to make a contribution to the scheme representing a percentage of the pensionable remuneration due under the contract of employment of that employee.

The rate of contribution is set by Actuaries advising the Clwyd Pension Fund and reviewed on a triennial basis in order to ensure the scheme is appropriately funded.

There are two sections to the LGPS - MAIN and 50/50. The main section is calculated using 1/49th of an individual's annual pensionable pay (CARE pay). The 50/50 section is a new option (since 01/04/2014). Employees who join this scheme, pay half contributions but build up half the normal pension. This is calculated using 1/98th of annual pensionable pay (CARE pay) instead of the 1/49th in the MAIN scheme.

The contribution rate provided for the LGPS is based on actual pensionable pay, and there are nine different contribution rates ranging from 5.5% to 12.5% in the MAIN scheme and 2.75% to 6.25% in the 50/50 scheme.

The Council has prepared a written statement of policy in relation to its exercise of certain discretionary functions, available under the LGPS regulations. The Council's Local Government Pension Scheme (LGPS) Discretionary Pension Statement is detailed in Appendix 2.

13. Re-engagement of Chief Officers

No Chief Officer who was previously made redundant or granted early retirement from the Council will be later re-employed or re-engaged either as an employee (Contract of Service), as a Consultant (Contract for Service) or through an external contractor commission to work in behalf of the Council.

This is aligned to the principles applied within the Voluntary Redundancy Policy which provides that employees who voluntarily leave the Councils employment under the Scheme should not be re-engaged in any capacity within a period of 24 months from the

end of their employment, save for exceptional circumstances and only if approved by the Chief Executive as Head of Paid Service.

14. Partnership with Trade Unions

The Council will endeavor to maintain the constructive partnership approach it has developed with the recognised Trade Unions and will continue to work closely with them on pay issues.

15. Future Legislation

The Council will comply with changes to legislation in relation to remuneration and exist payments requirements should legislation change.

16. Monitoring, Evaluation and Review

This policy statement is subject to review on a minimum of an annual basis and the policy for the next financial year will be approved annually by 31st March. Should circumstances require, the policy can be amended during the course of the year subject to the same requirement of approval by full council.

Appendix 1

Salary Scales

Chief Executives and Chief Officers

Grade	New Salary April 2018	Monthly Salary
CEO Point 01	£125,627.00	£10,365.33
CEO Point 02	£129,266.00	£10,665.58
CEO Point 03	£132,908.00	£10,966.08
CEO Point 04	£136,548.00	£11,266.42
New Chief Officer Point 1	£83,844.00	£6,987.00
New Chief Officer Point 2	£87,028.00	£7,252.33
New Chief Officer Point 3	£90,212.00	£7,517.67
New Chief Officer Point 4	£94,458.00	£7,871.50
Chief Financial Officer	£68,356.51	£5,696.38
Senior Manager HR&OD	£65,781.01	£5,481.75

NJC Payscales

Grade	SCP	Salary 1 April 2018	Monthly Salary	Hourly Rate
Scale 1	06	£16,394.00	£1,366.17	£8.4974
*Scale 1	07	£16,495.00	£1,374.58	£8.5498
Scale 1	08	£16,626.00	£1,385.50	£8.6177
*Scale 1	09	£16,755.00	£1,396.25	£8.6846
Scale 1	10	£16,863.00	£1,405.25	£8.7405
Scale 1/Scale 2	11	£17,007.00	£1,417.25	£8.8152
Scale 2	12	£17,173.00	£1,431.08	£8.9012
Scale 2 / Scale 2a	13	£17,391.00	£1,449.25	£9.0142

Scale 2a / Scale 3	14	£17,681.00	£1,473.42	£9.1645
Scale 2a / Scale 3	15	£17,972.00	£1,497.67	£9.3154
Scale 3	16	£18,319.00	£1,526.58	£9.4952
Scale 3	17	£18,672.00	£1,556.00	£9.6782
Scale 4	18	£18,870.00	£1,572.50	£9.7808
Scale 4	19	£19,446.00	£1,620.50	£10.0794
Scale 4	20	£19,819.00	£1,651.58	£10.2727
Scale 4	21	£20,541.00	£1,711.75	£10.6469
Scale 5	22	£21,074.00	£1,756.17	£10.9232
Scale 5	23	£21,693.00	£1,807.75	£11.2441
Scale 5	24	£22,401.00	£1,866.75	£11.6110
Scale 5	25	£23,111.00	£1,925.92	£11.9790
Scale 6	26	£23,866.00	£1,988.83	£12.3704
Scale 6	27	£24,657.00	£2,054.75	£12.7804
Scale 6	28	£25,463.00	£2,121.92	£13.1981
SO1	29	£26,470.00	£2,205.83	£13.7201
SO1	30	£27,358.00	£2,279.83	£14.1804
SO1	31	£28,221.00	£2,351.75	£14.6277
SO2	32	£29,055.00	£2,421.25	£15.0600
SO2	33	£29,909.00	£2,492.42	£15.5026
SO2 / M1	34	£30,756.00	£2,563.00	£15.9417
M1	35	£31,401.00	£2,616.75	£16.2760
M1 / M2	36	£32,233.00	£2,686.08	£16.7072
M1 / M2	37	£33,136.00	£2,761.33	£17.1753
M2	38	£34,106.00	£2,842.17	£17.6780
M2 / M3	39	£35,229.00	£2,935.75	£18.2601
M3	40	£36,153.00	£3,012.75	£18.7391
M3	41	£37,107.00	£3,092.25	£19.2335
M3 / M4	42	£38,052.00	£3,171.00	£19.7234
M4	43	£39,002.00	£3,250.17	£20.2158
M4	44	£39,961.00	£3,330.08	£20.7128
M4 / M5	45	£40,858.00	£3,404.83	£21.1778
M5	46	£41,846.00	£3,487.17	£21.6899
M5	47	£42,806.00	£3,567.17	£22.1875
M5 / M6	48	£43,757.00	£3,646.42	£22.6804
M6	49	£44,697.00	£3,724.75	£23.1676

** Applies to Former Manual Workers only*

National Minimum Wage and National Living Wage Rates

Grade	Hourly Rate	Annual Salary	Monthly Salary
First Year Apprentice	£3.70	£7,138.36	£594.70
Age Under 18	£4.20	£8,103.00	£675.25
Aged 18 to 20 Inclusive	£5.90	£11,382.79	£948.57
Aged Over 21 and Under 25	£7.38	£14,238.13	£1,186.51
National Living Wage (aged 25 and over)	£7.83	£15,106.31	£1,258.86

Single Status Payscale

Grade	SCP	Salary 1 April 2018	Monthly Salary	Hourly Rate
A	08	£16,626.00	£1,385.50	£8.6177
	09	£16,755.00	£1,396.25	£8.6846
	10	£16,863.00	£1,405.25	£8.7405
	11	£16,935.00	£1,411.25	£8.7779
B	12	£17,007.00	£1,417.25	£8.8152
	13	£17,173.00	£1,431.08	£8.9012
	14	£17,391.00	£1,449.25	£9.0142
C	14	£17,391.00	£1,449.25	£9.0142
	15	£17,972.00	£1,497.67	£9.3154
	16	£18,319.00	£1,526.58	£9.4952
D	16	£18,319.00	£1,526.58	£9.4952
	17	£18,672.00	£1,556.00	£9.6782
	18	£19,102.00	£1,591.83	£9.9011
	19	£19,562.00	£1,630.17	£10.1395
E	19	£19,562.00	£1,630.17	£10.1395
	20	£19,819.00	£1,651.58	£10.2727
	21	£20,541.00	£1,711.75	£10.6469
	22	£21,074.00	£1,756.17	£10.9232

F	23	£21,693.00	£1,807.75	£11.2441
	24	£22,401.00	£1,866.75	£11.6110
	25	£23,111.00	£1,925.92	£11.9790
	26	£23,866.00	£1,988.83	£12.3704
	27	£24,657.00	£2,054.75	£12.7804
G	30	£27,260.00	£2,271.67	£14.1296
	31	£28,221.00	£2,351.75	£14.6277
	32	£29,055.00	£2,421.25	£15.0600
	33	£29,909.00	£2,492.42	£15.5026
H	34	£30,756.00	£2,563.00	£15.9417
	35	£31,401.00	£2,616.75	£16.2760
	36	£32,233.00	£2,686.08	£16.7072
	37	£33,136.00	£2,761.33	£17.1753
I	39	£35,229.00	£2,935.75	£18.2601
	40	£36,153.00	£3,012.75	£18.7391
	41	£37,012.00	£3,084.33	£19.1843
J	42	£38,052.00	£3,171.00	£19.7234
	43	£39,002.00	£3,250.17	£20.2158
	44	£39,961.00	£3,330.08	£20.7128
K	45	£40,858.00	£3,404.83	£21.1778
	46	£41,846.00	£3,487.17	£21.6899
	47	£42,806.00	£3,567.17	£22.1875
	48	£43,757.00	£3,646.42	£22.6804
L	51	£46,821.00	£3,901.75	£24.2686
	52	£48,064.00	£4,005.33	£24.9128
	53	£49,340.00	£4,111.67	£25.5742
M	53	£49,340.00	£4,111.67	£25.5742
	54	£50,652.00	£4,221.00	£26.2543
	55	£51,996.00	£4,333.00	£26.9509
N	56	£53,375.00	£4,447.92	£27.6657

	57	£54,792.00	£4,566.00	£28.4001
	58	£56,246.00	£4,687.17	£29.1538
	59	£57,737.00	£4,811.42	£29.9266

Assistant Educational Psychologists

Spinal Column Point	Previous Salary 1 September 2017	New Salary 1 September 2018	Monthly Salary
01	£28,218.00	£28,783.00	£2,398.58
02	£29,371.00	£29,959.00	£2,496.58
03	£30,523.00	£31,134.00	£2,594.50
04	£31,669.00	£32,303.00	£2,691.92

Educational Psychologists

Spinal Column Point	Previous Salary 1 September 2017	New Salary 1 September 2018	Monthly Salary
01	£35,731.00	£36,446.00	£3,037.17
02	£37,545.00	£38,296.00	£3,191.33
03	£39,359.00	£40,146.00	£3,345.50
04	£41,171.00	£41,994.00	£3,499.50
05	£42,984.00	£43,844.00	£3,653.67
06	£44,797.00	£45,693.00	£3,807.75
07	£46,504.00	£47,434.00	£3,952.83
08	£48,211.00	£49,175.00	£4,097.92
09	£49,810.00	£50,806.00	£4,233.83
10	£51,411.00	£52,439.00	£4,370.00
11	£52,903.00	£53,961.00	£4,496.83

Senior and Professional Educational Psychologists

Spinal Column Point	Previous Salary 1 September 2017	New Salary 1 September 2018	Monthly Salary
01	£44,797.00	£45,693.00	£3,807.75
02	£46,504.00	£47,434.00	£3,952.83
03	£48,211.00	£49,175.00	£4,097.92
04	£49,810.00	£50,806.00	£4,233.83
05	£51,411.00	£52,439.00	£4,369.92
06	£52,903.00	£53,961.00	£4,496.75

07	£53,516.00	£54,586.00	£4,548.83
08	£54,661.00	£55,754.00	£4,646.17
09	£55,795.00	£56,911.00	£4,742.58
10	£56,950.00	£58,089.00	£4,840.75
11	£58,081.00	£59,243.00	£4,936.92
12	£59,235.00	£60,420.00	£5,035.00
13	£60,409.00	£61,617.00	£5,134.75
14	£61,543.00	£62,774.00	£5,231.17
15	£62,731.00	£63,986.00	£5,332.17

Educational Improvement Professionals (Soulbury)

Spinal Column Point	Previous Salary 1 September 2017	New Salary 1 September 2018	Monthly Salary
01	£34,067.00	£34,749.00	£2,895.75
02	£35,287.00	£35,993.00	£2,999.42
03	£36,439.00	£37,168.00	£3,097.33
04	£37,606.00	£38,359.00	£3,196.58
05	£38,767.00	£39,543.00	£3,295.25
06	£39,928.00	£40,727.00	£3,393.92
07	£41,148.00	£41,971.00	£3,497.58
08	£42,321.00	£43,168.00	£3,597.33
09	£43,689.00	£44,563.00	£3,713.58
10	£44,908.00	£45,807.00	£3,817.25
11	£46,112.00	£47,035.00	£3,919.58
12	£47,277.00	£48,223.00	£4,018.58
13	£48,597.00	£49,569.00	£4,130.75
14	£49,773.00	£50,769.00	£4,230.75
15	£51,073.00	£52,095.00	£4,341.25
16	£52,248.00	£53,293.00	£4,441.08
17	£53,426.00	£54,495.00	£4,541.25
18	£54,582.00	£55,674.00	£4,639.50
19	£55,775.00	£56,891.00	£4,740.92
20	£56,391.00	£57,519.00	£4,793.25
21	£57,575.00	£58,727.00	£4,893.92
22	£58,607.00	£59,780.00	£4,981.67
23	£59,744.00	£60,939.00	£5,078.25
24	£60,762.00	£61,978.00	£5,164.83
25	£61,851.00	£63,089.00	£5,257.42
26	£62,914.00	£64,173.00	£5,347.75
27	£64,001.00	£65,282.00	£5,440.17
28	£65,102.00	£66,405.00	£5,533.75
29	£66,207.00	£67,532.00	£5,627.67
30	£67,309.00	£68,656.00	£5,721.33

Young Peoples / Community Service Manager (Y&C Officers)

Spinal Column Point	Previous Salary 1 September 2017	New Salary 1 September 2018	Monthly Salary
01	£35,333.00	£36,040.00	£3,003.33
02	£36,489.00	£37,219.00	£3,101.58
03	£37,645.00	£38,398.00	£3,199.83
04*	£38,824.00	£39,601.00	£3,300.08
05	£40,023.00	£40,824.00	£3,402.00
06	£41,192.00	£42,016.00	£3,501.33
07**	£42,388.00	£43,236.00	£3,603.00
08	£43,747.00	£44,622.00	£3,718.50
09	£44,497.00	£45,387.00	£3,782.25
10	£45,654.00	£46,568.00	£3,880.67
11	£46,805.00	£47,742.00	£3,978.50
12	£47,958.00	£48,918.00	£4,076.50
13	£49,103.00	£50,086.00	£4,173.83
14	£50,259.00	£51,265.00	£4,272.08
15	£51,417.00	£52,446.00	£4,370.50
16	£52,578.00	£53,630.00	£4,469.17
17	£53,745.00	£54,820.00	£4,568.33
18	£54,904.00	£56,003.00	£4,666.92
19	£56,057.00	£57,179.00	£4,764.92
20***	£57,235.00	£58,380.00	£4,865.00
21***	£58,435.00	£59,604.00	£4,764.92
22***	£59,663.00	£60,857.00	£4,865.00
23***	£60,915.00	£62,134.00	£4,764.92
24***	£62,194.00	£63,438.00	£4,865.00

**normal minimum point for senior youth and community service officers undertaking the full range of duties at this level.*

***normal minimum point for principal youth and community service officer undertaking the full range of duties at this level.*

****extension to range to accommodate discretionary scale points and structured professional assessments.*

Theatr Clwyd Payscale

Grade	SCP	Salary 1 April 2018	Monthly Salary	Hourly Rate
TC07	06	£16,394.00	£1,366.17	£8.4974
	07	£16,495.00	£1,374.58	£8.5498
TC06	09	£16,755.00	£1,396.25	£8.6846
	10	£16,863.00	£1,405.25	£8.7405
	11	£17,007.00	£1,417.25	£8.8152
TC05	13	£17,391.00	£1,449.25	£9.0142
	15	£17,972.00	£1,497.67	£9.3154
	16	£18,319.00	£1,526.58	£9.4952
	17	£18,672.00	£1,556.00	£9.6782
	18	£18,870.00	£1,572.50	£9.7808
TC04	19	£19,446.00	£1,620.50	£10.0794
	20	£19,819.00	£1,651.58	£10.2727
	21	£20,541.00	£1,711.75	£10.6469
	22	£21,074.00	£1,756.17	£10.9232
TC03	23	£21,693.00	£1,807.75	£11.2441
	24	£22,401.00	£1,866.75	£11.6110
	25	£23,111.00	£1,925.92	£11.9790
	26	£23,866.00	£1,988.83	£12.3704
	27	£24,657.00	£2,054.75	£12.7804
TC02	29	£26,470.00	£2,205.83	£13.7201
	30	£27,358.00	£2,279.83	£14.1804
	31	£28,221.00	£2,351.75	£14.6277
	32	£29,055.00	£2,421.25	£15.0600
	34	£30,756.00	£2,563.00	£15.9417
TC01.5	36	£32,233.00	£2,686.08	£16.7072
	37	£33,136.00	£2,761.33	£17.1753
	38	£34,106.00	£2,842.17	£17.6780
	39	£35,229.00	£2,935.75	£18.2601
	40	£36,153.00	£3,012.75	£18.7391
TC01	41	£37,107.00	£3,092.25	£19.2335
	42	£38,052.00	£3,171.00	£19.7234
	43	£39,002.00	£3,250.17	£20.2158
	44	£39,961.00	£3,330.08	£20.7128

Youth Worker Payscale

Spinal Column Point	New Salary 1 September 2018	Monthly Salary	Hourly Rate
02	£16,757.00	£1,396.42	£8.6856
03	£17,267.00	£1,438.92	£8.9499
04	£17,681.00	£1,473.42	£9.1645
05	£18,141.00	£1,511.75	£9.4030
06	£18,556.00	£1,546.33	£9.6181
07	£19,009.00	£1,584.08	£9.8529
08	£19,645.00	£1,637.08	£10.1825
09	£20,456.00	£1,704.67	£10.6029
10	£21,090.00	£1,757.50	£10.9315
11	£22,116.00	£1,843.00	£11.4633
12	£23,118.00	£1,926.50	£11.9827
13	£24,153.00	£2,012.75	£12.5191
14	£25,225.00	£2,102.08	£13.0748
15	£25,955.00	£2,162.92	£13.4532
16	£26,718.00	£2,226.50	£13.8486
17	£27,468.00	£2,289.00	£14.2374
18	£28,223.00	£2,351.92	£14.6287
19	£28,972.00	£2,414.33	£15.0170
20	£29,724.00	£2,477.00	£15.4067
21	£30,568.00	£2,547.33	£15.8442
22	£31,525.00	£2,627.08	£16.3402
23	£32,456.00	£2,704.67	£16.8228
24	£33,392.00	£2,782.67	£17.3080
25	£34,335.00	£2,861.25	£17.7967
26	£35,277.00	£2,939.75	£18.2850
27	£36,221.00	£3,018.42	£18.7743
28	£37,175.00	£3,097.92	£19.2688
29	£38,122.00	£3,176.83	£19.7596

30	£39,070.00	£3,255.83	£20.2510
31	£39,709.00	£3,309.08	£20.5822
32	£40,760.00	£3,396.67	£21.1270

Appendix 2

Local Government Pension Scheme (LGPS) Discretionary Pension Statement

PART A

The regulations of the LGPS require every employer to

- (i) issue a written policy statement on how it will exercise the various discretions provided by the scheme,
- (ii) keep it under review and
- (iii) revise it as necessary.

This document meets these requirements stating the regulation requirement and the organisation decision on these.

These discretions are subject to change, either in line with any change in regulations or by due consideration by Flintshire County Council. These provisions do not confer any contractual rights.

Local Government Pension Scheme Regulations 2013 and the Local Government Pension Scheme (Transitional Provisions and Savings) Regulations 2014

1.0 LGPS (Benefits, Membership and Contributions) Regulations 2014 Regulation 16 (2) (e) & 16 (4) (d) (purchasing additional pensions)

An employer may choose to contribute to a Shared Cost Additional Pension Contribution (APC) scheme in certain circumstances. In the case of an employee paying APCs to buy any or all the 'lost' pension for a period of authorised unpaid leave of absence (including any period of unpaid additional maternity, paternity or adoption leave), the employer shall pay 2/3rds of the cost of the APC (election by the employee to buy back lost membership must be made within 30 days of returning to work). This is known as a Shared Cost Additional Pension Contribution (SCAPC).

Where the absence is in relation to a trade dispute, the employee meets 100% of the cost.

If an employee chooses to make a one off contribution or regular additional contributions in order to buy a set amount of additional pension. It is possible for an employer to contribute towards the cost of purchasing such pension on a voluntary basis. The split between an employee's and employers' additional contributions for an SCAPC can be any ratio as agreed but not 100% cost to the employer.

Details of Policy Concerning Resolution

Due to potential cost burden Flintshire County Council will not contribute towards the cost of the employee (purchasing additional pension).

1.1 LGPS (Benefits, Membership and Contributions) Regulations 2014 Regulation 30 (6) & Transitional Regulation 11 (2) (flexible retirement)

An employer may allow a member of the pension scheme who has attained the age of 55 to reduce the hours he / she works, or the grade in which he / she is employed and gain access to some or all of their pension benefits.

Details of Policy Concerning Resolution

Flintshire County Council have a policy on Flexible Retirement which requires a minimum reduction of 20% in hours/salary with no backfill arrangements.

An employee who is Aged 55 and over may request flexible retirement and each case will be considered on its own merits following full consideration of all financial and service delivery implications via a retirement panel.

This does not preclude younger employees, under 55 years of age requesting flexible working but without the payment of their retirement benefits.

The Council may review its policy at any time.

1.2 LGPS (Benefits, Membership and Contributions) Regulations 2014 Regulation 30 (8) (flexible retirement)

A member of the pension scheme who has attained the age of 55 and with his / her employer's consent, reduces the hours he / she works, or the grade in which he / she is employed, may make a request in writing to receive all or part of his / her benefits under the Benefits Regulations.

If the benefits are reduced in accordance with guidance issued by the Government Actuary, the employer may agree to waive, in whole or in part, any such reduction.

Details of Policy Concerning Resolution

It is not the policy of Flintshire County Council to waive, in whole or in part any actuarial reduction resulting from Flexible Retirement.

1.3 LGPS (Benefits, Membership and Contributions) Regulations 2014 Regulation 30 (8) (early retirement)

An employer may waive, in whole or in part, actuarial reduction on benefits which a member voluntarily withdraws before normal pension age.

Details of Policy Concerning Resolution

Flintshire County Council have a policy on Early Retirement. Any employee from their 55th birthday can voluntarily retire and access their benefits with an actuarial reduction.

An employee may request that Flintshire County Council waive in full or in part their reduction on compelling compassionate grounds only. Each case will be considered on its own merits following full consideration of all financial and service delivery implications via a retirement panel.

The Council may review its policy at any time

1.4 LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014, Schedule 2 – (85 Year Rule)

The “85 Year Rule”, where a member’s service and age equal 85, can be activated for individual members, prior to age 60 in the case of Early Retirement, the cost of which can be borne, in full or in part, by the employer.

Details of Policy Concerning Resolution

Employees can request that the Flintshire County Council to apply the 85 year rule, if they are eligible. To be eligible, the employee's LGPS Service pre 1st April 2014 and their age must equal 85 years or more, and they must have joined the pension scheme before 1st October 2006.

Flintshire County Council will approve the ‘switch on’ of the 85 year rule in cases where there is no cost to the employer, allowing the member to take their benefits early with some actuarial reduction.

The Council may review its policy at any time.

1.5 LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014, Schedule 2 – (waiving reductions)

It is an employer’s discretion review applications for waiving the reductions applied to benefits from pre 1 April 2014 membership where an employer has switched on the rule of 85 for a member voluntarily drawing benefits on or after age 55 but before age 60.

If it is agreed to apply the '85 year rule', Flintshire County Council may waive the actuarial reduction in full or in part following careful consideration of the financial implications and affordability. *Each case will be considered on its own merits following full consideration of all financial and service delivery implications via a retirement panel.*

The Council may review its policy at any time.

1.6 LGPS (Benefits, Membership and Contributions) Regulations 2014 Regulation 31

From 1 April 2014, an employer may grant additional pension up to a maximum of £6,500. The decision to award additional pension can be made only in respect of an employee who is an active member of the LGPS, or within 6 months of leaving employment if the reason for leaving was redundancy or business efficiency.

Details of Policy Concerning Resolution

It is not the policy of Flintshire County Council to award additional pension

PART B - Discretionary policies relating to earlier Scheme rules

1.1 LGPS (Benefits, Membership and Contributions) Regulations 2007 Regulation 12

An employer may increase (i.e. augment) the total membership of an employee who is currently paying contributions to the Scheme, for example, to enhance a redundancy package for staff with scarce and/or key skills. The member's (of the pension scheme) increase in membership under this regulation (including additional membership in respect of different employments) must not exceed 10 years or go beyond age 75 if retiring after age 65. This discretion is spent entirely after 30/09/14.

Details of Policy Concerning Resolution

It is not the policy of Flintshire County Council to augment pension.

2.2 LGPS (Benefits, Membership and Contributions) Regulations 2007 Regulation 30 (2) (deferred pension)

It is an employer's discretion review applications from former employee's for releasing the deferred benefits on or after age 55 but before age 60.

Details of Policy Concerning Resolution

Flintshire County Council will only consider a request to waive an actuarial reduction, either in full or in part only in exceptional circumstances on a case by case basis.

2.3 LGPS (Benefits, Membership and Contributions) Regulations 2007 Regulation 30 (5) (deferred pension)

It is an employer's discretion to review applications for waiving the reductions applied to benefits where an employer has agreed to release the deferred benefits on or after age 55.

Details of Policy Concerning Resolution

Flintshire County Council will only consider a request to waive an actuarial reduction, either in full or in part only in exceptional circumstances on a case by case basis.

2.4 LGPS (Benefits, Membership and Contributions) Regulations 2007 Regulation 30A (3) (deferred pension)

It is an employer's discretion review applications from former employee's for releasing the deferred benefits on or after age 55 but before age 60 following a suspended ill health pension.

Details of Policy Concerning Resolution

It is not the policy of the Flintshire County Council to waive the actuarial reduction on early payment of a deferred pension unless there are compelling, compassionate* reasons to do so and there is no cost to the Council.

2.5 LGPS (Benefits, Membership and Contributions) Regulations 2007 Regulation 47

A scheme member who meets the normal criteria for a refund of pension contributions is not entitled to such a refund if he/she left his/her employment because of:

- An offence of fraudulent character – unless the employer directs that a total or partial refund may be made to the member.*
- Grave misconduct – unless the employer directs that a total or partial refund may be made to the member, his/her spouse, civil partner nominated cohabiting partner or any dependant of his/her.*

Details of Policy Concerning Resolution

It is not the policy of Flintshire County Council to allow a refund in the circumstances above.

PART C

3.1 Background

There are a further five discretions that are not compulsory to include in the Policy Statement but that are recommended to be included:

3.2 LGPS (Administration) Regulations 2008 Regulation 22 (2)

A scheme member may elect to pay optional contributions to cover a period of absence from work providing the option is made within 30 days of return to work or cessation of employment or such longer period as the employer allows.

Details of Policy Concerning Resolution

It is the policy of Flintshire County Council to consider an extension in cases where the member of staff was not notified of their rights to pay contributions in respect of a period of absence before returning to work, or ceasing to be employed without returning to work. The extension would be for one month from the date that they were notified of their right to pay.

3.3 LGPS (Administration) Regulations 2008 Regulation 83 (8)

If a scheme member wishes to transfer pension into the LGPS he/she must opt to do so within 12 months of joining the LGPS or such longer period as the employer may allow.

Details of Policy Concerning Resolution

It is not the policy of Flintshire County Council to consider extending the time limit for a transfer in of previous pension rights to proceed after twelve months.

3.4 LGPS (Administration) Regulations 2008 Regulation 25 (3)

Where the member's employing authority contributes to the scheme, the additional voluntary contributions arrangement is to be known as a shared cost additional voluntary contributions arrangement and contributions to it as "SCAVCs".

Details of Policy Concerning Resolution

It is not the policy of Flintshire County Council to contribute towards a shared cost additional voluntary contributions scheme.

3.5 LGPS (Benefits, Membership & Contribution) Regulations 2007 Regulation 3 (4)

Where a member is employed in any employment for part only of any financial year, the range (and the contribution rate) applicable to him/her are those that would have applied had he/she been so employed for the whole of that financial year.

The tiered contribution rate for each employee will be based on the pensionable pay elements. Basic salary is assessed at the full time equivalent rate, in each post an employee holds at 1 April.

The contribution rate will be re-assessed annually on implementation/application (regardless of when the award is made) of the annual pay award. Re-assessment will take place at any point in the year in the following circumstances:-

- Promotion
- Demotion
- Incremental progression
- Pay award
- Acting up starts/Acting up ceases
- Contractual Allowance starts/Contractual Allowance ceases

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Equal Pay Audit



2018

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Introduction

Flintshire County Council supports the principle of equal pay for equal work of equal value and recognises that there should be a pay and grading structure which is free from bias and based on objective criteria. The Council's principal terms and conditions for staff were harmonised under the Single Status Agreement of 1997, which was implemented in June 2014, following the undertaking of a full job evaluation exercise within the Council. Job evaluation is a systematic way of determining the value/worth of a job compared to other jobs within an organisation. All (Green Book) jobs were evaluated using the GLPC (Greater London Provincial Committee) Job Evaluation Scheme.

This is the third equal pay audit that Flintshire County Council has undertaken since the implementation of the Single Status Agreement. A data extract from the Council's payroll system iTrent was taken on 1st April 2018 and this audit has focused on an analysis of **all** employees within the organisation across the full range of terms and conditions.

Background

The Equality Act gives a right to equal pay for equal work. Employers are responsible for providing equal pay and for ensuring that the pay systems are transparent. The Equality and Human Rights Commission code of practice recommends equal pay reviews as the most appropriate method of ensuring that a pay system delivers equal pay free from discrimination.

What does the audit cover?

The report contains the following:

A Gender Pay Audit

This is a broad analysis of how pay rates are distributed by gender across Flintshire County Council. The gender pay gap is defined as the difference between the average male and female pay rates.

This analysis does not look at whether there are differences in pay for men and women in equivalent posts and so the results will be affected by differences in the gender composition across our various professional groups and job levels. Gender pay reporting does not take into consideration the difference in size of roles either. Reporting the total gender pay gap of an organisation reveals the difference in the level of roles performed by men and women. A gender pay gap may be indicative of talent management and diversity issues, reflecting higher proportions of female employees in less senior roles and/or employed in roles which are valued lower in the market.

Equal Pay Audit

An Equal Pay Audit involves the specific comparison of the pay of male and female colleagues, investigating the causes of any pay gaps by gender, ethnicity, disability or working pattern and planning to close any gaps that cannot be justified on grounds other than one of those characteristics.

There are a number of benefits of conducting an equal pay audit:

- Identifying, explaining and, where justifiable, eliminating pay inequalities.
- Supporting rational, fair and transparent pay arrangements.
- Demonstrating to employees a commitment to equality.
- Demonstrating the Council's values to external stakeholders.
- Helping to meet the public sector equality duty.

The Gender Pay Gap

The gender pay gap refers to the difference between men's pay and women's pay as a percentage of men's pay. If the gender pay gap is 15% then women, on average, earn 15% less than men. Gender pay gaps can be either positive or negative, with a negative gender pay gap indicating that women earn, on average more than men. Gender pay gaps are an important element in analysing and monitoring progress on equal pay both nationally and within organisations.

The current gender pay gap in the UK, based on median hourly earnings, excluding overtime for full time workers is 14.1% (mean) or 9.1% (median). The gap for all employees (full and part time) is 17.4% (mean) or 18.4% (median). This data is from the ONS Annual Survey of Hours and Earnings (2017).

Methodology and Data Collection

The Equality and Human Rights Commission guidelines for undertaking equal pay audits has been followed and the data has been analysed using the definitions and methodologies advocated in national guidelines.

The data was extracted from the Council's HR and Payroll system "iTrent" on 1st April 2018. Relief workers were not included in the data extract. However, temporary employees were included. Data was analysed for all employees irrespective of their terms and conditions to provide an overall gender pay gap, with further analysis focusing on certain groups of employees.

Analysis of this data has been undertaken to consider the following:

- Workforce composition including male, female, BME (black minority ethnic) and disability.
- Average male/female pay gap across pay grades.
- Distribution of males/females across pay grades.
- Distribution of full and part time workers across pay grades.
- Gender profile of full and part workers.

The gender pay gap is calculated using the mean and median salaries of female employees expressed as a percentage of the mean and median salaries of male employees doing work of equal value. 'Salary' is the full time equivalent salary.

Definitions of Mean and Median

Mean – a measure of the average which is derived by summing values for a given sample, and then dividing the sum by the number of observations in the sample. In earnings, the mean can be disproportionately influenced by a relatively small number of high paying jobs.

Median – the value below which 50% of all jobs fall. This is less affected by a small number of very high earners. This therefore gives a better indication of typical pay than the mean.

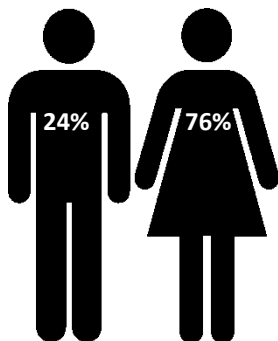
Workforce Composition

From the data extract taken on 1st April 2018, the Council has 6649 (occupied positions). This is not a head count number as a significant proportion of our employees hold multiple positions across the organisation. This is a reduction from 7829 occupied positions in the 2017 audit. This is attributable to a large number of employees TUPE transferring over to other organisations such as Newydd and Aura and on-going programmes of organisational change.

Table 1: Workforce Composition

Females	% Females	Males	% Males
5078	76.3%	1571	23.7%

Total Workforce Demographic



We have therefore seen an increase of males in the composition of the workforce by just over 1%. This is likely to be attributable to the number of employees who have TUPE transferred over to NEWydd which are predominantly females working in cleaning and catering roles.

Gender Pay Gap Analysis – All employees on all terms and conditions

There are 7829 permanent occupied positions (staff records) for employees of Flintshire County Council across the full range of terms and conditions of employment. This is not a head count number as a significant number of our employees hold multiple positions across the organisation.

The table below provides a breakdown of all terms and conditions, gender numbers and the average salaries for each group.

Table 2: Average Salary for Males and Females on different terms and conditions

Pay Table	Female	Average Salary	Male	Average Salary	GENDER PAY GAP	Overall Total	Overall Average Salary
Chief Officers/Chief Executive	3	£79,765.39	8	£94,564.52	15.65%	11	£90,528.40
Craft & Associated Employees	3	£20,183.10	103	£22,745.04	11.26%	106	£22,672.53
Head Teachers	119	£53,300.74	78	£56,219.92	5.19%	197	£54,456.56
Local Rates	1	£65,650.00	4	£29,811.00	-120.22%	5	£36,978.80
Members	1	£1,200.00	2	£1,200.00	0.00%	3	£1,200.00
National Trainees	11	£10,660.18	25	£12,178.43	12.47%	36	£11,714.52
NJC Local Government Workers	1	£31,401.00	2	£9,386.00	-234.55%	3	£16,724.33
Occupational Health Nurses	2	£38,630.00	1	£35,577.00	-8.58%	3	£37,612.33
Single Status Pay Scale (2014)	3846	£20,998.78	1006	£25,065.38	16.22%	4852	£21,841.94
Soulbury/Y&C Officers/Ed. Psychos	13	£50,777.54	2	£56,069.00	9.44%	15	£51,483.07
Teachers - Basic Scale	955	£35,151.08	271	£35,640.03	1.37%	1226	£35,259.16
Teachers - Unqualified (Assimilated)	13	£22,576.08	15	£24,747.80	8.78%	28	£23,739.50
Theatr Clwyd Pay Scale	43	£21,076.79	36	£24,086.42	12.50%	79	£22,448.27
Unison Pay Structure	1	£20,200.00			N/A	1	£20,200.00
Youth Workers	62	£20,753.50	18	£22,179.78	6.43%	80	£21,074.41
(blank)	4				N/A	4	
Grand Total	5078	£24,523.61	1571	£28,399.74	13.65%	6649	£25,439.55

Overall the average salary for women across all grades and terms and conditions is **£24,523** and the average salary for men across all grades and terms and conditions is **£28,399** giving an **overall** Gender Pay Gap of **13.65%**. This is using the **mean** method of calculating average pay.

Using the **median method**, the average salary for men across all Grades and terms and conditions is **£24,562** and the average salary for females across all grades and terms and conditions is **£19,562** giving an overall gender pay gap of **20.36%**.

As you can see from the data in the table, the biggest gender pay gaps are in Chief Officers, Craft and Associated employees (Red Book) and the Single Status pay table (Green Book). This gender pay gap is

attributable to the unequal distribution of males and females within the group. This report will therefore analyse data from these areas in more detail.

Gender Pay Gap Analysis - Craft and Associated employees (Red book)

The gender pay gap has decreased since the 2017 Equal Pay Audit within this group. There are still only 3 female employees within this group. The high gender gap last year was attributable to the fact that two of the females were on training rates of pay (apprentices.) The gap has therefore reduced this year, due to the female's rates of pay increasing as they move through the training scheme. We are hoping to encourage more females into this line of work that is traditionally male orientated. However, as it is currently predominantly male, any new female trainees joining in the future will have a negative impact on the gender pay gap.

Gender Pay Gap Analysis - Chief Officer Terms and conditions

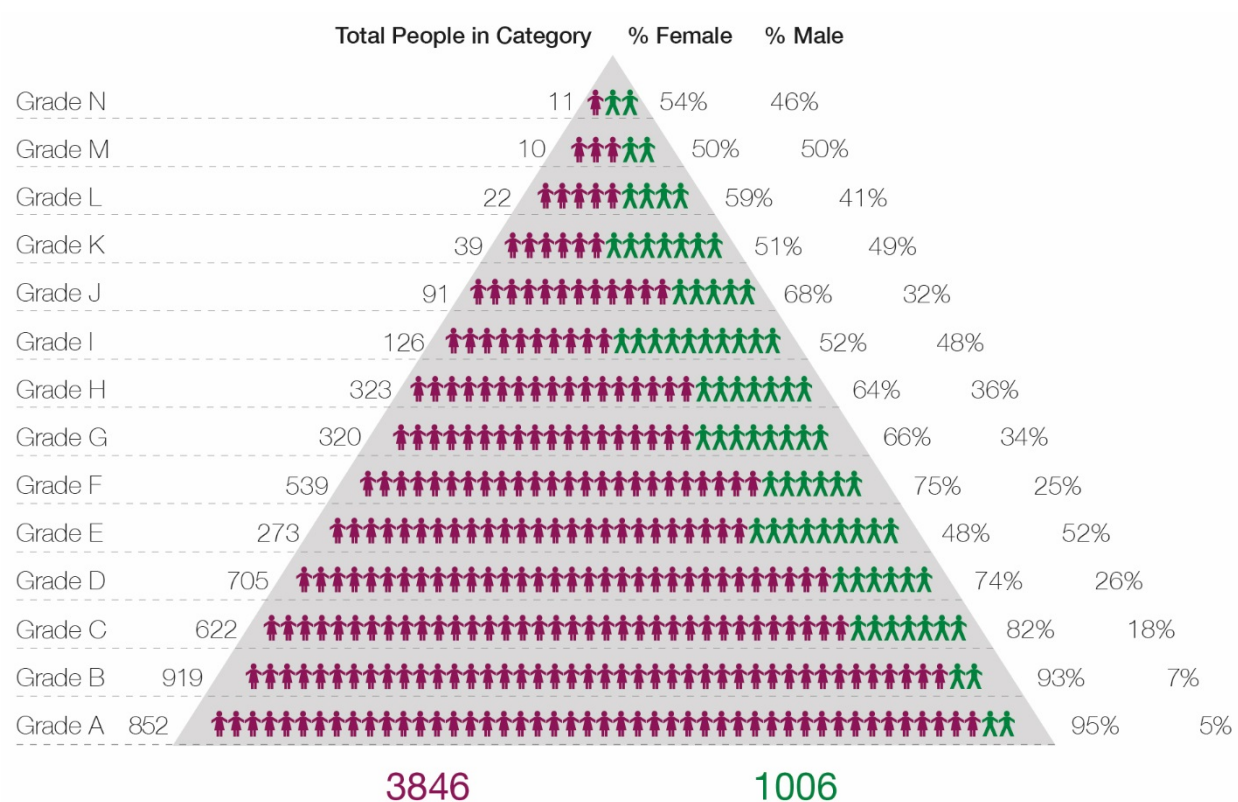
The data confirms a pay gap of 15.65% within this area. The data shows there are only three females within this group compared to 8 males. The imbalance of average salary within this group is as a result of short term arrangements affecting two females. This will be resolved once permanent recruitment is concluded. We would anticipate that the gap will be reduced in the 2018 audit.

Gender Pay Gap Analysis – Head teachers Pay table (including Deputy and Assistant Head teachers)

This data refers to Head teachers, Deputy Headteachers and Assistant Headteachers. The data confirms that there is a higher number of female headteachers (119) as opposed to male (78), however a gender pay gap of 5.19%. Having reviewed this, the data confirms that there is a high volume of female headteachers employed as a head of a primary school. The headteachers pay scale, offers higher salaries for headteachers of larger schools and secondary schools. The gender pay gap is therefore attributable to a higher volume of male headteachers within secondary schools and a higher number of female headteachers within smaller primary schools.

Gender Pay Gap Analysis – Green Book terms and conditions (single status pay table)

The majority of our employees, are working under Green Book terms and conditions (single status pay table) and their roles have been evaluated using the GLPC method of Job Evaluation (4852 records).

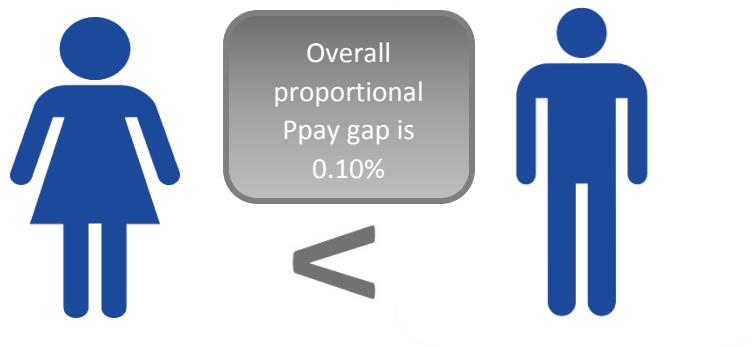


Overall the average salary for women across all Single Status grades (grade A to grade N) is **£20,998** and the average salary for males across all grades is **£25,065** giving an overall gender pay gap of **16.22%**.

Table 3: Distribution of Male and Females employees by grade including average basic salary

Grade	Female	Av Salary	Male	Av Salary	Pay Gap	Total	Av Salary
SS Grade A	808	£16,872.39	44	£16,873.02	0.00%	852	£16,872.42
SS Grade B	853	£17,343.56	66	£17,312.36	-0.18%	919	£17,341.32
SS Grade C	512	£18,191.10	110	£18,031.57	-0.88%	622	£18,162.89
SS Grade D	542	£19,296.97	163	£19,325.72	0.15%	705	£19,303.62
SS Grade E	131	£20,763.17	142	£20,822.94	0.29%	273	£20,794.26
SS Grade F	408	£24,048.40	131	£23,806.56	-1.02%	539	£23,989.62
SS Grade G	213	£29,406.83	107	£29,426.23	0.07%	320	£29,413.32
SS Grade H	207	£32,807.15	116	£32,779.92	-0.08%	323	£32,797.37
SS Grade I	66	£36,797.85	60	£36,910.70	0.31%	126	£36,851.59
SS Grade J	62	£39,621.87	29	£39,664.62	0.11%	91	£39,635.49
SS Grade K	20	£42,942.25	19	£43,100.53	0.37%	39	£43,019.36
SS Grade L	13	£48,947.38	9	£49,340.00	0.80%	22	£49,108.00
SS Grade M	5	£51,727.20	5	£51,996.00	0.52%	10	£51,861.60
SS Grade N	6	£56,016.00	5	£56,544.20	0.93%	11	£56,256.09
Grand Total	3846	£20,998.78	1006	£25,065.38	16.22%	4852	£21,841.94

Overall Proportional Pay Gap



This is a typical gender profile for a large county council that comprises large groups of female dominant roles. A number of observations can be made about the data presented in the table. Firstly, the mean salaries for men and women are relatively similar within each grade. Whilst mean male salaries within a grade are generally higher (Grade D, E, G, I, J, K, L, M, N), this is by less than 0.93% in almost all grades (mostly under 0.5%). Mean female salaries are higher in some grades (grade B, C, F, H), with the highest pay gap being 1.02% in Grade F (this is likely due to the high number of increments in grade F).

This data provides reassurance that the Council's *job evaluation scheme* and the processes within it are robust and meet equality requirements.

The clustering of male employees on higher grades and female employees on lower and middle grades has a significant impact on the gender pay gap.

There is no evidence that the gender pay gap is attributable to direct or indirect unfair discrimination in our processes or decision making. Possible reasons for the pay gap could be:-

- The labour market experience of women; length and breaks in employment.
- Female self-selection for part time work.
- Elements of occupational segregation.

Common causes of occupational segregation, including vertical segregation, are gender stereotyping (attitudes which stereotype roles which males and females should have in society), inflexible working (women with children struggle to find work commensurate with their skills, abilities and aspirations, that they can balance with childcare and other caring responsibilities) and recruitment practices (the way jobs are advertised and recruitment processes.)

Research to date has uncovered a range of important issues that contribute or are related to the gender pay gap. A significant review of the gender pay gap by UK Government Equalities Office concludes that the most important factor influencing the gender pay gap is the effects of interruptions to employment and the lack of 'good' part time work. These findings are supported by numerous studies.

Despite significant equal pay initiatives in local government and the health sector, there has been little progress in closing the gender pay gap in the public sector, which currently stands at 17.7%¹. Part of the lack of progress in the gender pay gap in the public sector is explained by the lack of representation of females in senior management roles in the sector. Women represent 53% of all employees in the civil service but occupy only 33% of senior management roles.

Table 4: Mean Gender Pay Gap

	Public Sector	Private Sector
All employees	17.7%	21.1%
Full Time	14.3%	17.1%
Part Time	28.7%	4.5%

Source: ONS Annual Survey of Hours and Earnings 2017.

¹ Source ONS Annual Survey of Hours and Earnings 2017

Women are considerably more likely to be in health and social work and education sectors than men, who are more likely to be in manufacturing, construction and transport (horizontal segregation). Traditionally, health, social work and education tends to be delivered by the public sector. Accordingly, women are significantly more likely to work for a public sector employer. According to the EHRC, 40% of women work in the public sector compared to only 15% of men. This is quite significant for Flintshire County Council, with the gender distribution of the workforce being 76.3% women.

Full and Part time Staff

Table 5: Distribution of Male and Female by Basis

Basis	Female	Av Salary	Male	Av Salary	Pay Gap	Total	Av Salary
Full Time	1668	£31,753.58	1263	£29,736.78	-6.78%	2931	£30,883.63
Full Time Term Time	104	£23,363.39	22	£22,703.82	-2.91%	126	£23,248.22
No Basis	5	£18,271.25	3	£8,913.00	105.00%	8	£15,151.83
Part Time	1440	£24,520.80	168	£26,608.57	7.85%	1608	£24,738.92
Part Time Term Time	1861	£18,135.56	115	£17,760.77	-2.11%	1976	£18,113.75
Grand Total	5078	£24,523.61	1571	£28,399.74	13.65%	6649	£25,439.55

A comparison between the earnings of full-time employees and part-time employees has been calculated across all terms and conditions within the Council.

The pay gap between a full time males salary (average £29,736.78) against a part time females salary (average £24,520.80) is **17.54%**. There is a positive gender pay gap between full time females and full time males of 6.78% meaning full time females earn on average 6.78% more than full time males.

The proportion of females in part time work and the quality of part time work available in the UK are closely associated with its relatively high gender pay gap in comparison to international standards. Around 1 in 5 jobs in the UK is part time but 4 in 10 females work in part time employment. These proportions have remained constant since the early 1990's.

While opportunities for part time work in the UK has increased rapidly, there are concerns about the quality of these jobs, particularly pay, career progression, training and other conditions of employment.

In shifting to part time work, women are also likely to downgrade their occupational status due to lack of suitable part time opportunities that fit their skill set. Research has found that a third of female corporate managers move to a lower skill occupation after having a child with two thirds of these moving into clerical work.

Table 6: Part time and Full Time analysis by Grade and Average FTE salary (Green book terms and conditions)

Gender	Female								Male								Overall	
Basis	Full Time		Full Time Term Time		Part Time		Part Time Term Time		Full Time		Full Time Term Time		Part Time		Part Time Term Time		OVERALL TOTAL	
Grade	No	Av Sal	No	Av Salary	No	Av Salary	No	Av Salary	No	Av Salary	No	Av Salary	No	Av Salary	No	Av Salary	No	Av Salary
SS Grade A	6	£16,851.00	2	£16,845.00	201	£16,913.20	599	£16,859.96	0	£0.00	0	£0.00	8	£16,935.00	36	£16,867.83	852	£16,872.42
SS Grade B	14	£17,359.86	11	£17,281.55	148	£17,370.31	680	£17,338.40	9	£17,391.00	3	£17,318.33	25	£17,358.20	29	£17,247.83	919	£17,341.32
SS Grade C	111	£18,125.84	13	£18,265.62	235	£18,211.49	153	£18,200.80	79	£18,014.19	4	£18,232.25	8	£18,159.63	19	£18,007.68	622	£18,162.89
SS Grade D	109	£19,263.58	13	£19,217.38	181	£19,363.13	239	£19,266.44	139	£19,394.65	3	£18,697.67	6	£19,485.33	15	£18,748.73	705	£19,303.62
SS Grade E	74	£20,775.99	1	£19,819.00	55	£20,757.44	1	£21,074.00	113	£20,859.67	1	£21,074.00	26	£20,692.50	2	£20,318.00	273	£20,794.26
SS Grade F	141	£23,939.09	35	£23,943.51	90	£24,402.90	142	£23,958.11	119	£23,797.30	5	£24,205.80	3	£24,141.67	4	£23,331.75	539	£23,989.62
SS Grade G	127	£29,393.93	21	£29,287.52	59	£29,513.98	6	£29,043.83	88	£29,360.59	4	£29,695.50	14	£29,727.43	1	£29,909.00	320	£29,413.32
SS Grade H	149	£32,756.02	1	£33,136.00	56	£32,947.57	1	£32,233.00	111	£32,763.88	1	£33,136.00	4	£33,136.00	0	£0.00	323	£32,797.37
SS Grade I	57	£36,795.32	0	£0.00	9	£36,813.89	0	£0.00	55	£36,917.11	0	£0.00	5	£36,840.20	0	£0.00	126	£36,851.59
SS Grade J	49	£39,687.92	4	£39,483.75	8	£39,482.63	1	£38,052.00	28	£39,654.04	0	£0.00	1	£39,961.00	0	£0.00	91	£39,635.49
SS Grade K	16	£42,738.56	0	£0.00	4	£43,757.00	0	£0.00	19	£43,100.53	0	£0.00	0	£0.00	0	£0.00	39	£43,019.36
SS Grade L	10	£48,829.60	0	£0.00	3	£49,340.00	0	£0.00	8	£49,340.00	0	£0.00	1	£49,340.00	0	£0.00	22	£49,108.00
SS Grade M	5	£51,727.20	0	£0.00	0	£0.00	0	£0.00	4	£51,996.00	0	£0.00	1	£51,996.00	0	£0.00	10	£51,861.60
SS Grade N	6	£56,016.00	0	£0.00	0	£0.00	0	£0.00	5	£56,544.20	0	£0.00	0	£0.00	0	£0.00	11	£56,256.09
Total	874	£27,221.10	101	£23,515.02	1049	£20,645.18	1822	£18,082.49	777	£26,422.30	21	£22,618.95	102	£22,765.79	106	£17,874.32	4852	£21,841.94

Table 7: Full and Part Time analysis – Percentage of Male and Female by Basis and Grade

Gender	Female								Male								Overall	
Basis	Full Time		Full Time Term Time		Part Time		Part Time Term Time		Full Time		Full Time Term Time		Part Time		Part Time Term Time		OVERALL TOTAL	-
Grade	No	%	No	%	No	%	No	%	No	%	No	%	No	%	No	%	No	%
SS Grade A	6	0.12%	2	0.04%	201	4.14%	599	12.35%	0	0.00%	0	0.00%	8	0.16%	36	0.74%	852	17.56%
SS Grade B	14	0.29%	11	0.23%	148	3.05%	680	14.01%	9	0.19%	3	0.06%	25	0.52%	29	0.60%	919	18.94%
SS Grade C	111	2.29%	13	0.27%	235	4.84%	153	3.15%	79	1.63%	4	0.08%	8	0.16%	19	0.39%	622	12.82%
SS Grade D	109	2.25%	13	0.27%	181	3.73%	239	4.93%	139	2.86%	3	0.06%	6	0.12%	15	0.31%	705	14.53%
SS Grade E	74	1.53%	1	0.02%	55	1.13%	1	0.02%	113	2.33%	1	0.02%	26	0.54%	2	0.04%	273	5.63%
SS Grade F	141	2.91%	35	0.72%	90	1.85%	142	2.93%	119	2.45%	5	0.10%	3	0.06%	4	0.08%	539	11.11%
SS Grade G	127	2.62%	21	0.43%	59	1.22%	6	0.12%	88	1.81%	4	0.08%	14	0.29%	1	0.02%	320	6.60%
SS Grade H	149	3.07%	1	0.02%	56	1.15%	1	0.02%	111	2.29%	1	0.02%	4	0.08%	0	0.00%	323	6.66%
SS Grade I	57	1.17%	0	0.00%	9	0.19%	0	0.00%	55	1.13%	0	0.00%	5	0.10%	0	0.00%	126	2.60%
SS Grade J	49	1.01%	4	0.08%	8	0.16%	1	0.02%	28	0.58%	0	0.00%	1	0.02%	0	0.00%	91	1.88%
SS Grade K	16	0.33%	0	0.00%	4	0.08%	0	0.00%	19	0.39%	0	0.00%	0	0.00%	0	0.00%	39	0.80%
SS Grade L	10	0.21%	0	0.00%	3	0.06%	0	0.00%	8	0.16%	0	0.00%	1	0.02%	0	0.00%	22	0.45%
SS Grade M	5	0.10%	0	0.00%	0	0.00%	0	0.00%	4	0.08%	0	0.00%	1	0.02%	0	0.00%	10	0.21%
SS Grade N	6	0.12%	0	0.00%	0	0.00%	0	0.00%	5	0.10%	0	0.00%	0	0.00%	0	0.00%	11	0.23%
Total	874	18.01%	101	2.08%	1049	21.62%	1822	37.55%	777	16.01%	21	0.43%	102	2.10%	106	2.18%	4852	100.00%

This table demonstrates vertical and horizontal segregation between males and females across the grades within the County Council. Out of all the employees (male and female) on Green Book terms and conditions, the highest percentage of employees are part time and term time in grade B and female (14.01%). Out of the 20.73% that at male, 16.01% are full time. Out of the total population 59.17% are female and part time and 4.29% are male and part time. Out of the full population 49.32% of employees are in grade A, B and C. This demonstrates some of our OD principles with a flatter structure with less layers and levels. These figures are consistent with the 2017 audit.

Disability Analysis

Table 8: Disability analysis of all employees

	Number	Percentage	Average FTE salary
Disabled	127	1.91%	£25,563
Not Disabled	3849	57.89%	£26,009
Prefer not to say or undisclosed	2673	40.20%	£23,925

** Note: It has not been possible to produce a meaningful view of a grade-by-grade comparison and of occupational segregation due to low numbers, as noted above.*

There are a significant numbers of employees who have not declared their disability status or for whom this status is not known and this makes it difficult to undertake a robust analysis of pay by disability status. Out of the 6649 records across all County Council employees, 127 (1.91%) have disclosed a disability, 3849 (57.89%) have registered not disabled and 2673 (40.20%) have not disclosed any information in relation to a disability.

There is a -1.71% mean pay gap between all employees across the County Council with a registered disability and those who have declared themselves as not disabled. This means the average salary of a disabled person is on average 1.71% lower than a non-disabled person. This data however, is not considered to be robust due to the high proportion of employees who have not declared information on disability.

All employees are encouraged to utilise the employee self-service on the HR system to disclose information in relation to protected characteristics. On-going work within this area will continue.

Ethnicity Analysis

Table 10: Ethnic Profile for all Employees of Flintshire County Council

Ethnicity	Number	Percentage	Average Salary
blank/unknown	2486	37.39%	£24,510.01
African	2	0.03%	£34,622.50
Any Other Asian Background	2	0.03%	£24,527.00
Any Other Background	3	0.05%	£18,042.00
Any Other Chinese Background	1	0.02%	£29,909.00
Any Other Mixed Background	3	0.05%	£29,903.33
Any Other White Background	4	0.06%	£25,598.00
Bangladeshi	2	0.03%	£17,922.50
Caribbean	1	0.02%	£57,077.00
Chinese	1	0.02%	£38,633.00
Indian	2	0.03%	£17,163.00
Not Stated	9	0.14%	£23,879.56
Pakistani	1	0.02%	£16,755.00
Prefer Not To Say	22	0.33%	£30,087.86
White And Asian	2	0.03%	£23,223.00
White And Black Caribbean	3	0.05%	£19,134.33
White British	1071	16.11%	£25,334.62
White British English	985	14.81%	£25,989.00
White British Other	13	0.20%	£25,359.69
White British Scottish	19	0.29%	£27,501.84
White British Welsh	1966	29.57%	£26,362.94
White Irish	14	0.21%	£26,378.43
White Other	37	0.56%	£23,555.73
	6649	100.00%	

There are significant numbers of staff who have chosen not to disclose their ethnicity or who have not provided any information on their ethnic origin (37.39%). This makes it difficult to undertake a robust analysis of pay by ethnicity.

4105 have disclosed their ethnicity as “white” (61.7%) and 49 employees have disclosed their ethnicity as BME (Black or Minority Ethnic) (0.74%). Please note the ethnic profile of Flintshire County is 98.5% white (2011 census – office for national statistics).

Table 11: Distribution of Ethnicity across Green Book Grades including Average Salary and Pay Gap

	BME Numbers	Average Salary (BME)	White Numbers	Average Salary (White)	Ethnicity Pay Gap	Number (Prefer not to say)	Average Salary (prefer not to say)	Numbers Blank	Average Salary (blank)	
SS Grade A	6	£15,159.10	619	£15,134.10	-0.17%	0	n/a	427	£15,050.98	
SS Grade B	4	£16,077.00	763	£16,089.53	0.08%	0	n/a	634	£15,948.87	
SS Grade C	2	£16,680.00	500	£17,015.32	1.97%	1	£17,169.00	283	£16,817.94	
SS Grade D	2	£18,110.00	503	£18,073.35	-0.20%	2	£18,110.00	259	£17,913.47	
SS Grade E	0	£0.00	346	£19,808.11	n/a	2	£19,564.00	120	£19,966.28	
SS Grade F	2	£22,840.50	439	£22,872.27	0.14%	4	£22,121.50	155	£22,218.26	
SS Grade G	3	£28,176.00	265	£27,892.03	-1.02%	6	£28,051.67	65	£27,964.46	
SS Grade H	2	£30,571.00	265	£31,232.17	2.12%	2	£32,165.00	55	£31,198.19	
SS Grade I	2	£35,061.00	113	£35,448.44	1.09%	4	£35,926.00	12	£35,424.17	
SS Grade J	0	£0.00	80	£38,416.05	n/a	0	n/a	13	£37,933.92	
SS Grade K	0	£0.00	38	£41,289.73	n/a	1	£40,620.00	5	£41,358.00	
SS Grade L	0	£0.00	19	£46,911.33	n/a	0	n/a	3	£46,665.67	
SS Grade M	0	£0.00	10	£49,610.28	n/a	0	n/a	1	£47,894.00	
SS Grade N	0	£0.00	11	£52,101.63	n/a	0	n/a	0	n/a	
TOTALS	23	£21,120.52	3971	£20,798.55	-1.55%	22	£27,180.32	2032	£18,017.00	6048

Our analysis of the average basic pay earned by white and BME staff shows that overall, BME staff earn 1.55% more average basic pay than white staff employed by Flintshire County Council.

The ethnicity profile has the employee population on Green Book terms and conditions has shifted slightly from 2016 with an increase in BME employees from 12 in 2016 to 23 in 2017. This, however, could be attributable to the inclusion of temporary and fixed term employees in the data this year. The Council has ran a campaign over the past 12 months to improve diversity data within our systems. It is however acknowledged, that this is an on-going issue with 37% of employees not declaring their ethnicity.

Our analysis of the average basic pay earned by staff known to be BME or white in the same grade, found the pay gap to be generally negligible.

Sexual Orientation

The proportion of the total population of employees who have declared their sexual orientation as heterosexual is 34.55%. 0.65% have declared themselves as bisexual/gay/lesbian and 65% have preferred not to say or their sexual orientation is unknown. The data that the County Council holds on sexual orientation is not sufficiently robust to report on pay gaps.

Religion

The proportion of the total population of employees who have declared their religion or belief as Christian is 30.07% and 0.13% have declared another religion or belief (Buddhist, Hindu, Jewish, Muslim or Sikh.) 12.5% reported they have no religion and 2.06% prefer not to say and for 54.07% religion or belief is unknown. The data which the County Council holds on religion is not sufficiently robust to report on pay gaps.

Conclusion

Our biggest challenge remains Occupational segregation. When we look across the County Council as a whole, women are more heavily concentrated in lower paid roles and in particular kinds of roles.

Occupational segregation is one of the barriers which prevents women and men fulfilling their potential in the labour market and consequently contributes to the pay gap. Women tend to be concentrated in lower paid jobs and the lower grades within the organisation.

We need to ensure that the pool of talent and skills available to employers is not inhibited by stereotypical perceptions of what women and men do and that everyone's skills are being utilised to the maximum potential.

The Audit provides reassurance that the County Councils job evaluation scheme and the processes within which it operates are robust and meet equality requirements.

Flintshire County Council is committed to delivering equal treatment of its employees regardless of their gender or other protected characteristics. The Equality and Diversity Infonet pages provide further information about the equality initiatives the County Council is currently engaged with. The County Councils commitment to equality and diversity can also be evidenced by the specific objectives that have been identified in the Strategic Equality Plan 2016-2020.

As we monitor the sizes of our gender pay gaps within Flintshire County Council, we will seek to continue to ensure that our HR policies and practices help to improve awareness across the organisation and help close the gender pay gap.

The Council is committed to work life balance and provides a wide range of flexible working opportunities as a means to support, develop and retain employees at work. We will continue to promote these initiatives going forward and hopefully encourage more females to take up more senior management roles within the County Council. The Agile Working Policy was reviewed in 2018, which promotes agile and flexible ways of working to support both the employee and the organisation.

Next Steps and Action Planning

Since the last audit, we have worked hard to improve our diversity data by carrying out diversity questionnaires and encouraging employees to update their diversity data via an organisational campaign. This has resulted in an improved picture since the 2016 Audit, however there is still further work that can be done in this area.

Action – Once agreement is reached on a new pay model which delivers on the second year (2019) of the nationally agreed pay award, we will be writing those in scope, which is a large proportion of our workforce to provide updated contracts of employment. We will also send out a diversity questionnaire, which will ensure every employee within the workforce will have been provided with a diversity questionnaire with a method to return it.

As referred to in the conclusion, our biggest challenge remains occupational segregation. Flintshire County Council is composed of 76% females, which are more highly concentrated lower down the pay and grading structure. We therefore plan to start working on a campaign that **“challenges gender**

stereotypes.” We have some good, albeit small numbers of examples across the County Council where employees have challenged that stereotype. As part of our campaign, we want to complete case studies on some of these employees to highlight that some roles that may have traditionally been filled with a particular gender, can be accessible to all genders. We then plan to target this campaign through our apprentice and graduate recruitment as well as general recruitment across the organisation.

Action – Prepare a number of case studies which identifies services where the composition of a team or service departs from traditional stereotypes as part of a “challenging gender stereotypes” campaign. We will also continue to work with services to address occupational segregation which remains a significant factor in influencing pay gaps between males and females.

In conclusion:-

- We will continue to report annually on the gender pay gap in Flintshire County Council.
- We will continue to appoint and develop people on merit, regardless of their gender or other factors covered by the Equality Act 2010.
- We will continue to develop our workforce at all levels to make sure talented people can progress into the most senior roles.
- We will continue to promote positive work/life balance offering flexible working options to assist in addressing any equality issues.
- We will continue to apply fair recruitment and selection practices.

These targets are designed to push Flintshire County Council to become more imaginative in how we go about attracting, recruiting, developing and encouraging our most talented colleagues to stay with us.

In conclusion the County Council will continue to eliminate unlawful discrimination and to advance equality of opportunity through its role as employer and through its work with the community.

This comprehensive audit emphasises the County Council’s commitment to monitoring pay in order to equally reward work of equal value and continue to contribute to develop equality and diversity strategies to promote good practice.



FLINTSHIRE COUNTY COUNCIL

Date of Meeting	Tuesday, 29 th January 2019
Report Subject	Armed Forces Covenant Annual Report April 2017 - December 2018
Report Author	Chief Executive

EXECUTIVE SUMMARY

This is the second Annual Report of Flintshire County Council's Armed Forces Covenant.

The Armed Forces Covenant is a promise from the nation that those who serve or have served in the armed forces, and their families, are treated fairly. The Covenant is a national responsibility involving government, businesses, local authorities, charities and the public, encouraging local communities to support the Armed Forces in their area and to promote understanding and awareness.

The Council is committed to supporting the Armed Forces community by working with a range of partners who have signed our Covenant, including Flintshire Local Voluntary Council and the Royal British Legion. The purpose of the Flintshire Covenant is to encourage support for the Armed Forces community who work and/or live in Flintshire and to recognise and remember the sacrifices made by members of this Armed Forces community.

RECOMMENDATIONS

1	Note the positive progress made in meeting the Armed Forces Covenant and support the commitments for further improvement.
2	Endorse the Armed Forces Covenant Annual Report prior to publication on the Council's website.

REPORT DETAILS

1.00	PROGRESS MADE SUPPORTING THE ARMED FORCES COVENANT
1.01	<p>The Armed Forces Covenant aims to recognise the sacrifices made by the Armed Forces community within the County and help provide support for them and their families ensuring they do not face disadvantage because of military service. The Armed Forces community includes in-Service and ex-Service personnel, families and widow(er)s. The Covenant is a two-way arrangement and the Armed Forces community is encouraged to do as much as they can to support their civilian community.</p> <p>The Council proudly hosted the North Wales Armed Forces Day in June 2013 and signed the Covenant in July 2013.</p>
1.02	<p>The Covenant covers issues affecting the Armed Forces community such as housing, education and welfare support after military service has ended and also supporting current service members and their families.</p>
1.03	<p>A multi-agency steering group has been established with members:</p> <ul style="list-style-type: none"> • Flintshire County Council employees who are veterans • Representatives of key Council services, including Benefits, Education, Housing, Social Services • Soldiers, Sailors, Airmen and their families Association (SSAFA) • Royal British Legion (RBL) • A representative of the Armed Forces • Flintshire Local Voluntary Council. <p>Councillor Andrew Dunbobbin is the Council's Armed Forces Champion and is the chair of this group.</p>
1.04	<p>The Steering Group agreed an action plan in 2016 to progress its work. Over three quarters of the action plan has been completed. Key achievements are set out in the Annual report and include:</p> <ul style="list-style-type: none"> • receiving the Silver award from the Defence Employer Recognition Scheme for the Council's Veteran friendly employment policies and practices; • demonstrating commitment to the Armed Forces Covenant by promoting Reserves Day and Armed Forces Day; • the second year of the Welsh Government grant-funded two Regional Armed Forces Liaison Officers (one appointed to North West Wales and the second post to cover North East Wales). These posts have created additional capacity in councils across North Wales accelerating progress in meeting the commitments of the Covenant and supporting grant aided local projects (refer to section 1.05); • the Regional Armed Forces Liaison Officers have delivered training to the Mental Health team in Social Services to raise awareness of the needs of veterans, enabling them to provide more effective

	<p>services; and</p> <ul style="list-style-type: none"> • veterans and armed forces personnel in possession of an MOD Defence Privilege Card continue to take advantage of the Welsh Government's free swimming initiative.
1.05	<p>As part of the World War One celebrations, Southdown Community School in Buckley researched a local hero, Frederick Birks, who was awarded the Victoria Cross for his gallantry in World War One. The school's work was recognised in a recent Estyn report, which stated:</p> <p><i>“When studying a local war hero pupils were encouraged to use their own opinions to shape their history lessons. As the project grew it influenced the class in a new direction. Pupils gained a sense of personal achievement by knowing that their ideas contributed to changes in what they studied. Pupils were given an open approach to class planning, which enabled them to produce their own play on their research findings.”</i></p>
1.06	<p>The Council was successful in submitting and being awarded a grant to commemorate the centenary of the end of World War One. The commemorations included:</p> <ul style="list-style-type: none"> • the dedication of commemorative stones for two people from Flintshire who were awarded the Victoria Cross (V.C.) for their gallantry during the War- Frederick Birks V.C. from Buckley and Harry Weale V.C. from Shotton; • a “Thank You” project involving local primary schools to remember the names of soldiers who had lost their lives during battle and whose names are missing from the Connah's Quay Shotton Memorial; and • “Battles Over” initiative on 11th November which involved lighting beacons across Flintshire to pay tribute to those who lost their lives or were injured.
1.07	<p>A grant has also been awarded for a project “Planes over Talacre” to remember the relationship between the Royal Air Force and the people of Talacre during World War Two. This project will involve the reconstruction of a “pill box” as the existing pill boxes on Talacre beach are being eroded by the sea. Pill boxes are small, concrete forts and formed one of the defences to prevent German invasion.</p> <p>The project will culminate in an open day in July 2019.</p>
1.08	<p>The Annual Report also identifies issues to be addressed during 2019:</p> <ul style="list-style-type: none"> • Council services to start capturing the profile of their customers who are members of the Armed Forces community. This will enable services to better understand the make-up of the Armed Forces community in Flintshire and their needs; • schools to start capturing whether any pupils/students are children of serving members of the Armed Forces or veterans; • training and awareness programme targeted at public facing services, delivered by the Regional Armed Forces Liaison Officers; • restructure of the local Armed Forces Steering Group to reflect the

	<p>functions of the recently restructured Regional group which has been divided into separate Strategic and Delivery Groups; and</p> <ul style="list-style-type: none"> publish an annual newsletter to keep the Armed Forces community up to date with our progress.
1.09	The two Regional Armed Forces Liaison Officers have recently completed a mapping exercise of the Armed Forces community in North Wales and their needs. The following 12 months will focus on addressing the gaps identified in this report either locally or on a regional basis.

2.00	RESOURCE IMPLICATIONS
2.01	<p>There are no financial resource implications arising directly from this report. Covenant Funds are available from the MoD which will continue to be pursued to support projects and activities across Flintshire to support the Covenant.</p> <p>Employees in public facing services will complete basic awareness training to develop a better understanding of the needs of the Armed Forces community.</p>

3.00	CONSULTATIONS REQUIRED / CARRIED OUT
3.01	The Armed Forces Steering Group has been involved in the activities and improvements identified in the Annual Report.

4.00	RISK MANAGEMENT
4.01	Adhering to the commitments of the Covenant ensures that Armed Forces, their families and veterans are treated fairly when accessing Council services.

5.00	APPENDICES
5.01	Appendix 1: Armed Forces Covenant Annual Report April 2017- December 2018

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	<p>Armed Forces Covenant</p> <p>Contact Officer: Fiona Mocko, Strategic Policy Advisor Telephone: 01352 702122 E-mail: Fiona.mocko@flintshire.gov.uk</p>

7.00	GLOSSARY OF TERMS
7.01	<p>Armed Forces Community: includes in-service and ex-service personnel, their families and widow(er)s.</p> <p>Armed Forces Covenant: the Armed Forces Covenant is a promise of mutual support between a civilian community and its local armed forces community.</p> <p>Armed Forces Liaison Officer: a full time officer funded by the Armed Forces Grant to support local authorities deliver the commitments set out in the Armed Forces Covenant.</p>

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Flintshire County Council

Armed Forces Covenant Annual Report 2017/18



Armed Forces Covenant Annual Report 2017/18

Introduction

I am very pleased to introduce Flintshire County Council's second Armed Forces Covenant Annual Report, setting out the progress we have made since first signing the Covenant in 2013.

Since the last annual report, with the valuable support of the Regional Armed Forces Liaison Officer, we have accelerated our commitment to the Covenant, refreshing our action plan and extending membership of the Steering Group. We have now completed 77% of the actions we identified in our action plan. I am proud and delighted to report that this has resulted in the Council being awarded the Silver Award in the Ministry of Defence Employer Recognition Scheme.

We recognise the important role that the Armed Forces community make to our community and nation and we are committed to ensuring that we recognise their contributions and ensure that those who give the most do not suffer detriment when accessing our services. During the next 12 months we will continue to push forward with our action plan, supporting the Armed Forces community and raising public awareness of the contributions they make.

**Councillor Andrew
Dunbobbin
Armed Forces Champion**



1. Background

1.1 The [Armed Forces Covenant](#) is a voluntary statement of mutual support between a civilian community and its local Armed Forces community. It is intended to complement the Armed Forces Covenant, which outlines the moral obligation between the Nation, the Government and the Armed Forces, at a local level.

1.2 The purpose of the Flintshire Covenant is to encourage support for the Armed Forces community working and residing in Flintshire and to recognise and remember the sacrifices made by members of this Armed Forces community, particularly those who have given the most. This includes in-service and ex-service personnel, their families and widow(er)s in Flintshire.

1.3 The Covenant encourages the integration of service life into civilian life as well as encouraging members of the armed forces community to help in their local community. Flintshire County Council signed the Covenant in July 2013 and hosted the North Wales Armed Forces Day in June 2013.

1.4 There are currently no army barracks in Flintshire, Royal Air Force (RAF) base in Sealand closed in 2006, however, according to research by the Royal British Legion (RBL) Flintshire has the highest number and proportion of veterans in North Wales- 10,440 (21%). A veteran is someone who has served in Her Majesty's Armed Forces and includes people who have served in the Reserves.

1.5 This report sets out what we have achieved since the last report and our key priorities for the next 12 months. It is set out under the following headings:

- What we have achieved during April 2017- December 2018
- Governance
- Next Steps

2. What we have achieved during 2017/18

2.1 Armed Forces Steering Group

The membership of the Steering Group has continued to grow and we have welcomed new members such as:

- Airbus
- The Probation Service
- Flintshire Local Voluntary Council
- Veterans
- Reservists

A full list of member organisations is attached as Appendix 1

Councillor Andrew Dunbobbin is the elected member Armed Forces Champion and chairs the Steering Group. A copy of the terms of reference for the Steering Group is attached as Appendix 1.

2.2 Action Plan

We agreed an action plan in 2016, setting ourselves 35 actions to complete. We have rated our progress against these actions as Red, Amber Green.

Red= No progress

Amber= Limited progress

Green= Complete or on track

A total of 27 (77%) actions have been completed or are making good progress, three actions are underway but limited progress has been made. No progress has been made against five actions.

The action plan is attached as Appendix 2.

2.3 Armed Forces Web pages on the Council website

We have dedicated several pages on the Council website to promote our commitment to the Armed Forces Covenant and providing information for the Armed Forces community. There is also an email address for anyone to submit enquiries and contact the Armed Forces Team.

2.4 Council Priority

We take seriously the commitment we have made to the Armed Forces Covenant and this is demonstrated in the Council's priorities for 2018/19. Under the priority of Modern and Efficient Council, we have agreed that we will:

Ensure our Armed Forces community and their families are not disadvantaged when accessing Council Services.

Achievement will be measured through:

- Optimising national grant funding available to support local projects
- Preparing as the first Council in Wales to collect and monitor pupil data from the Armed Forces Community and their families to better inform service provision
- Revising council policies to reflect the ambitions of the Armed Forces Covenant; and
- Achieving Gold status in the Ministry of Defence Employee Recognition Scheme.

We will monitor our achievement through monitoring the achievements of the Armed Forces Covenant Action Plan.

2.5 Education

The Regional Armed Forces Liaison Officer (AFLO) attended the meeting of the Primary and Secondary Schools Heads (Heads' Federation) to raise awareness of the importance of identifying pupils who are children of serving personnel and veterans. The AFLO provided schools with details of the questions needed to be asked of pupils. Schools are responsible for capturing this data which is collated by the Education department. Colleagues from the Welsh Local Government Association are working with the Welsh Government to look at opportunities for the data to be captured via "PLASC" (pupil level annual school census) which is the Welsh Government's system for ensuring all schools annually capture specific data on all pupils.

We will be able to report on this in more detail in our 2018/19 annual report.

Remembering a local hero

One primary school in Flintshire, Southdown community school, has been commended by Estyn for their approach to researching a local World War one hero, Frederick Birks V.C. M.M. The Estyn Inspection report said:

When studying a local war hero pupils were encouraged to use their own opinions to shape their history lessons. As the project grew it influenced the class in a new direction. Pupils gained a sense of personal achievement by knowing that their ideas contributed to changes in what they studied. Pupils were given an open approach to class planning, which enabled them to produce their own play on their research findings.

The school have made links to Frederick Birks family who have donated an award to the school which is given annually to a pupil who has shown the same qualities as Frederick Birks-strength, courage and compassion.

The school developed a play which was performed in front of many dignitaries including Frederick Birks family and the Australian High Commission. The work undertaken by the pupils was also reported in the national media. The next project for the pupils is to ensure Fred's memorial in St Matthews Church Buckley is cleaned. Through their research the pupils have created a lasting legacy for the community to remember the sacrifice and achievements of a local hero.

2.6 Employment

We proudly supported Reserves Day as we recognise the valuable contribution Council employees who are Reservists make to the Armed Forces, our community, our organisation and nation. Reservists give up their spare time to serve in the Reserve Forces, balancing their civilian life with a military career to ensure that should their country need them, they would be ready to serve. We raised the Armed Forces flag outside County Hall in Mold acknowledging our support and published a press release to demonstrate our support.

We agreed the Reserves Policy in 2016/17 and agreed a guaranteed interview for veterans who left the forces within the last three years and meet the essential criteria of a post.

2.7 Housing

Veterans face many challenges on leaving the services which can include financial debt, lack of employment opportunities, addiction, mental health problems or relationship breakdowns. The Council works towards the Welsh Government's Housing Pathway for Ex Service Personnel to ensure that veterans are treated fairly, their specific needs are recognised and they are allocated appropriate accommodation.

The Regional Armed Forces Liaison Officer reviewed Housing policies to ensure they are compatible with the commitments of the Armed Forces Covenant.

2.8 Leisure Services

The Welsh Government fund free swimming for Armed Forces personnel and veterans who reside in Wales, this is available in the following swimming pools in the county: Buckley, Flint, Holywell and Mold during public swimming sessions only. Veterans and armed forces personnel wanting to take advantage of the free swimming initiative must be in possession of an MOD Defence Privilege Card. Those without a card will be unable to access free swimming until they purchase a card from the MOD Defence Discount Service. These cards are available from www.defencediscountservice.co.uk.

Details of attendance at swimming sessions for Armed Forces personnel and veterans during 2017/18

	Quarter 1	Quarter 2	Quarter 3	Quarter 4	Total
Buckley	73	46	28	47	194
Jade Jones Pavilion, Flint	3	4	2	4	13
Mold Leisure Centre	40	35	16	4	95

2.9 Social Care

The Regional Armed Forces Liaison Officers delivered training sessions to the mental health team to raise their awareness of the needs of veterans, enabling them to provide more effective services.

2.10 Covenant members

In October 2017, North Wales Fire and Rescue Service (NWFRS) signed the Flintshire Armed Forces Covenant; Chief Fire Officer Simon Smith signed the Covenant on behalf of NWFRS in front of the Leader of Flintshire County Council Councillor Aaron Shotton, the Regional Armed Forces Liaison Officers, the Armed Forces Champion Councillor Andrew Dunbobbin and members of the Armed Forces Steering Group.



2.11 Commemoration and Promotion Events

Since the last annual report we have actively promoted our commitment to the Armed Forces Covenant:

- June -Armed Forces Week- we published a press release and posted tweets to actively show our support to the Armed Forces community.
- 21 June 2017 and 2018- we raised the Armed Forces flag, 21 June, to celebrate Reserves Day and promoted our support for employees who are Reservists.
- November we held a two minute silence on Remembrance Day, inviting our customers to join employees in remembering those who lost their lives in the two world

¹ NWFRS sign the Flintshire Armed Forces Covenant. Left to Right Cllr Aaron Shotton, Fiona Mocko FCC, Karen Armstrong FCC, Cllr Andy Dunbobbin, Mark Powell Reservist and MOD representative, Janette Williams AFLO, Pete Fuller FCC, Stephen Townley AFLO

- wars and later conflicts. We also jointly funded with Town and Community Councils, ceremonial poppies to display on lamp posts during the Remembrance period.
- January 2018 – we marked Holocaust Memorial Day, with a press release and workforce news item.
- We were awarded two grants The Council was successful in submitting and being awarded a grant to commemorate the centenary of the end of World War One. The commemorations included:
 - the dedication of commemorative stones for two people from Flintshire who were awarded the Victoria Cross (V.C.) for their gallantry during the War-Frederick Birks V.C. from Buckley and Harry Weale V.C. from Shotton;
 - A “Thank You” project involving local primary schools to remember the names of soldiers who had lost their lives during battle and whose names are missing from the Connah’s Quay Shotton Memorial; and
 - “Battles Over” initiative on 11th November which involved lighting beacons across Flintshire to pay tribute to those who lost their lives or were injured.
- A grant has also been awarded for a project “Planes over Talacre” to remember the relationship between the Royal Air Force and the people of Talacre during World War Two. This project will involve the reconstruction of a “pill box” as the existing pill boxes on Talacre beach are being eroded by the sea. Pill boxes are small, concrete forts and formed one of the defences to prevent German invasion. The project will culminate in an open day in July 2019.



² Raising the flag Armed Forces Week June 2017, Cllr Andy Dunbobbin, Mike Dodd FCC, Karen Armstrong FCC, Pete Fuller FCC, Cllr Bernie Attridge, Captain Neil Turnbull

2.12 We are an active member of the Regional Armed Forces Forum; the following organisations are also members:

- Betsi Cadwaladr University Health Board (BCUHB)
- Barnardo's Family Service
- CAIS
- Glyndwr University
- Ministry of Defence
- Prison Service
- Royal British Legion (RBL)
- Six North Wales local authorities
- Soldiers, Sailors and Airmen and Families Association (SSAFA)
- Welsh Government (WG)

The Regional Armed Forces Liaison Officer has supported several organisations to develop projects and bid for funding from the Armed Forces Covenant Fund Trust.

3. Governance

3.1 As the Armed Forces Covenant has been identified as a priority in the Council Plan 2018/19, quarterly reports on progress are presented to Chief Officers, Cabinet and relevant Scrutiny Committees. This will ensure we keep focussed on achieving the outcomes set out in our action plan.

3.2 The Steering Group will report to the Public Services Board (PSB) (via one of the PSB priority themes) on a quarterly basis. We also produce an Annual Report which will be approved by Cabinet and full Council before being published.

Next Steps

The priorities for the Armed Forces Steering Group for 2019 are to focus outstanding actions, which will include:

- ensure services are capturing information from their customers to identify whether they are from the Armed Forces community and analyse this information to identify needs;
- encourage schools to capture data on pupils who are children of serving members of the Armed Forces or children of veterans;
- amending the comments and complaints form to capture the Armed Forces community; and

- review potential for Council discretionary services to apply to be registered for the Veterans Discount card.

and to:

- review the make-up and structure of the Steering Group to reflect the structure of the Regional Steering Group and Delivery Group;
- refresh the action plan to encompass the priorities identified in the ALO mapping of the Armed Forces Community in North Wales and their needs;
- implement an employee training programme to raise awareness of the needs of the Armed Forces community;
- continue to celebrate and commemorate key events recognising the contribution made by the Armed Forces;
- publish an annual newsletter to keep the Armed Forces community up to date with progress to meet the Armed Forces Covenant; and
- aim to achieve the Gold award in the Employers Recognition Scheme.

Thank you for reading this report. If you would like to find out more about the Council's commitment to the Covenant or would like to make any comments on this report please contact:

Fiona Mocko, Strategic Policy Advisor, Flintshire County Council

E-mail: fiona.mocko@flintshire.gov.uk

Telephone: 01352 702122

The Armed Forces Community Covenant is designed to complement, at a local level, the Armed Forces Covenant, which outlines the moral obligation between the nation, the government and the armed forces. The aim of the Community Covenant is to encourage local communities to support the service community in their area and promote understanding and awareness among the public of issues affecting the armed forces community.

The Armed Forces Covenant is a promise by the nation to ensure that those who serve, those who have served, and their families are treated fairly.

For Flintshire County Council and partner organisations, the community covenant presents an opportunity to coordinate support and advice to members of the armed forces community.

For the armed forces community, the community covenant encourages the integration of service life into civilian life and encourages members of the armed forces community to help their local community.

The Flintshire Community Covenant signed in July 2013 by the Royal British Legion, Armed Forces' organisations³, third sector organisations⁴, NHS Trust, Department for Work and Pensions, Wales Probation, Coleg Cambria and the Council made the commitment to work closely together to ensure support is provided for the armed forces community.

³ Royal Navy, British Army, Royal Air Force, Soldiers, Sailors and Armed Forces Association (SSAFA), Reserve Forces' and Cadet's Associations (RFCA),

⁴ Flintshire Local Voluntary Council, North Wales Young Dragons, Citizens' Advice Bureau – Flintshire, Pennaf Housing Association, Wales and West Housing Association.

LOCAL STEERING GROUP - TERMS OF REFERENCE

AIMS

1. To encourage support for the Armed Forces community working and residing in Flintshire and to recognise and remember the sacrifices made by members of this Armed Forces community, particularly those who have given the most. This includes in-Service and ex-service personnel, their families and widow(er)s in Flintshire.
2. To foster opportunities for the civilian sector to give help, advice and support to serving and retired members of the Armed Forces and their families in Flintshire by joint dialogue and imaginative exploration of all possibilities.
3. To assist the realignment of service provision to meet the changing needs of the military, their families and veterans, including the Reserves of all three forces.
4. To create a culture wherein Armed Forces organisations in Flintshire can offer support to their local civilian communities.
5. To integrate, where possible, military and civilian activities and events to the mutual benefit of both communities.
6. To explore education, training and employment opportunities for those leaving or about to leave the armed forces, veterans and their families.
7. To further develop, monitor and review the commitments made in the Flintshire Community Covenant Action Plan.

Membership

To be reviewed:

Governance

The Steering Group will report to the Public Services Board (PSB) (via one of the PSB priority themes) on a quarterly basis. Secretariat support will be provided by the Corporate Business and Communications Executive Office Team.

Decision Making

Decisions will be arrived at by consensus and recorded in the minutes of the Steering Group.

Frequency of meetings

The Steering Group will meet twice yearly or more frequently if required and will be chaired by the Flintshire Armed Forces Champion.




Appendix 2 Armed Forces Covenant Action Plan





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To encourage support for the Armed Forces community working and residing in Flintshire and to recognise and remember the sacrifices made by members of this Armed Forces community, particularly those who have given the most. This includes in-Service and ex-service personnel, their families and widow(er)s in Flintshire.



	Activity	Responsibility	Timeframe	Outcome/Output	Progress
1.1	Identify key Armed Forces events/remembrance days	FM	May 2017	Calendar of events available to Steering Group	Complete 
1.2	Develop action plan for each event to ensure that they are commemorated	FM	October 2017	Increased awareness AF and support available to AF community	On-going 




Page 178	1.3	Further develop pages on Council website to promote AFC and encourage support to Armed Forces community	FM	September 2017	AF community can access information easily.	Complete. 
	1.4	Ensure use of AFC logo on Council publications and promotional material	KA/Graphic Design	December 2017	FCC is promoted as AF friendly and its commitment to the Covenant is visible on all documents and promotional material	Logo is bilingual and is being used 
	1.5	Ensure AFC e-learning module is available for all new employees as part of their induction	Corporate Training/Regional AFLO	March 2018	Employees understand the Council's commitment to the AF community and have an awareness of their needs	WLGA have developed bilingual module for Wales which can be adapted locally. Regional AFLOs have also developed e-learning package- to be launched during 2018/19 




1.6	Develop specific workshops for public facing employees to support them to understand the needs of the AF community	Regional AFLO	March 2018	Council services are aware of and deliver services that meet the needs of the local AF community	Delivered to mental health team in Social Services 
1.7	Flintshire AF events are promoted and supported through the County Forum	FM/KA	October 2017	Town and Community Councils work with the Council to promote AF events	FM and Regional AFLO attended meeting with County Forum. County Forum. Town and Community Councils have been encouraged to contact AFLO to access grants. 
To foster opportunities for the civilian sector to give help, advice and support to serving and retired members of the Armed					



Forces and their families in Flintshire by joint dialogue and imaginative exploration of all possibilities.





	Activity	Responsibility	Timeframe	Outcome/Output	Progress
2.1	To explore the role of FLVC and the Armed Forces Covenant	FM/KA	September 2017	Third sector organisations actively support the AF Covenant	Complete 
2.2	To include AFC within criteria for accessing FCC grants	FM/KA	December 2017	Grants provided by the Council support the Council's commitment to AF covenant where applicable. Public money is spent supporting AF community	Complete 
2.3	Commitment to AFC included as part of FCC's community benefit clauses within the procurement process	Arwel Staples/Tom Booty/KA	September 2017	Opportunities to support for the AF community are maximised. Public money spent on goods, works and services benefit	In progress 

				the AF community. Opportunities to train and employ local veterans are increased.	
2.4	Explore the opportunities to include commitment to AFC within Community Asset Transfers (CAT) and Alternative Delivery Models (ADMS)	KA/FM	March 2018	Increased support for the AF community is available CATs and ADMS meet the needs of the AF community	In progress 
To assist the realignment of service provision to meet the changing needs of the military, their families and veterans, including the Reserves of all three forces.					
	Activity	Responsibility	Timeframe	Outcome/Output	Progress
3.1	Services nominate a contact for AFC	KA/FM	September 2017	The Steering Group has mechanisms in place to communicate effectively with all services in the Council.	Services represented from across the Council. 




				There is a “joined-up” approach to support for the AF community across the Council	
3.2	Ensure that all services who have customer databases, ask customers at the point of contact with the Council whether they have an AF connection	AF Steering Group/ service representatives	March 2018	Services consistently ask questions about AF connections and capture the data on their customer databases	Education- in progress 
3.3	All services to amend equality monitoring questionnaire to include AF	Steering Group/service representatives	January 2018	There is a better understanding of the profile of the AF community in Flintshire and access to and take-up of services	To be started 
3.4	To amend and monitor customer comments and complaints to capture AF community	Ian McLaren (IMc) / RJ	December 2017	There is a better understanding of the satisfaction level of the AF community with Council Services and services which do meet needs.	To be started 




3.5	Monitor, analyse and review complaints/comments to identify any trends to inform service improvements	IMc/RJ	March 2018	There is a better understanding of the satisfaction level of the AF community with Council Services and services which do meet needs	To be started 
3.6	To review data to identify services used by AF community	Steering Group/service representatives	March 2018	To gain an understanding of the profile of the AF community in Flintshire, their needs and the take-up of services.	To be started 
3.7	Audit and suggest amendments to Corporate and service portfolio policies to reflect AFC	Regional AFLO	December 2018	Services are able to meet the needs of the AF community	Complete 

3.8	Establish base line of services that are AF community friendly	Regional AFLO/ service representatives	December 2018	List of AF community friendly services available. Action plan in place to ensure all services are AF community friendly	In progress 
3.9	Support Housing to embed Housing pathway for AFC	Regional AFLO	September 2018	Housing officers understand the needs of AFC Housing information is accessible for AFC Accommodation needs of veterans are met	Complete 
To create a culture wherein Armed Forces organisations in Flintshire can offer support to their local civilian communities.					
	Activity	Responsibility	Timeframe	Outcome/Output	Progress


4.1	Create a framework to promote opportunities for Council related and sponsored events using AF volunteers	Cptn NT/GM/PK/FM/KA/Gwenno Jones (GJ)	October 2018	AF volunteers participate in Council events. AF volunteers support local communities	Complete 
4.2	Promote FLVC on the Armed Forces pages of website	FM	May 2017	Increased number of AF Community become volunteers	Complete 
4.3	AFC to provide Flintshire County Council (FCC) with information that can be promoted on the website	Cptn NT/GM/PK	December 2017	An increased range of up to date information for the AFC is available on the website	Completed as part of regional website 
4.4	Develop AFC Volunteer network	Regional AFLO	March 2019	A sustainable network of AFC volunteers is in place and is actively involved in supporting veterans	Volunteering opportunities promoted to AFC 


To integrate, where possible, military and civilian activities and events to the mutual benefit of both communities.

	Activity	Responsibility	Timeframe	Outcome/Output	Progress
Page 186	5.1 Develop annual communications plan	FM/KA	December 2017	Co-ordinated messages cascaded within the county and Council Collaborative working to avoid duplication and make best use of resources	Complete 
	5.2 Implement training programme for public facing employees	AFLO	March 2018	Employees understand the needs of the AF community	In progress 
	5.3 Promote the Veterans Discount Card	Cptn NT/PK/GM/MD	December 2017	Increased number of veterans apply for the discount card Increased number of businesses apply	In progress-promoted through Council website 

				to be registered.	
5.4	Review potential for Council discretionary services to apply to be registered	Service representatives	December 2017	Some Council services apply to be registered to accept the discount card	To be started 
To explore education, training and employment opportunities for those leaving or about to leave the armed forces, veterans and their families.					
Page 187	Activity	Responsibility	Timeframe	Outcome/Output	Progress
	6.1	Review organisations offering opportunities to the AF community, veterans and their families	Regional AFLO	December 2017	A list of organisations and services they offer is available 
	6.2	Promote these organisations on the website	FM	January 2018	Information is easily accessed. Increased take-up of these services. Complete 

6.3	Create opportunities for drop-in centres/hubs for AF community and veterans	Regional AFLO/Cheryl Marland (CM)/PF/MD/FM	April 2018	<p>AF community can access information and support in AF friendly environment</p> <p>AF Hubs available in each Town centre</p> <p>Hubs are sustainable and supported by all agencies</p>	<p>Hubs provided by Regional AFLO, in the longer term to become mainstreamed within services</p> <p>G</p>
6.4	To produce periodic monitoring reports to FCC Chief Officer Team (COT) identifying areas for improvement and further action	FM/KA	First report due September 2017	<p>COT are informed and up to date with progress.</p> <p>Barriers to progress are removed</p>	<p>Complete G</p>
6.5	Complete an annual report to Cabinet and Corporate Resources and Overview Committee providing an overview of progress	FM/KA	First report April 2018	Elected members are reassured that the Council is committed to the AF Covenant.	<p>Complete G</p>

				Elected members support the Council's commitment to the AF Covenant	
Explore Funding Opportunities and Community Projects					
	Activity	Responsibility	Timeframe	Outcome/Output	Progress
Page 189	Identify grants available to support the work of the AFC	FM/KA/ Regional AFLO	September 2017	List of grants available	Complete. 
7.2	Scope projects to support applications and submit applications for relevant grants	FM/KA/ Regional AFLO	March 2018	Applications for grants are submitted Grant applications are successful A number of initiatives within the county are	Complete. Two bids submitted during 2017/18. One was unsuccessful but the project was redeveloped and the second application for the grant was successfully submitted during

				supported by grants	2028/19. Further bids to be submitted during 2018/19 
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FLINTSHIRE COUNTY COUNCIL

Date of Meeting	Tuesday, 29 th January 2019
Report Subject	Statement of Gambling Policy Renewal
Report Author	Chief Officer (Planning and Environment)

EXECUTIVE SUMMARY

To seek Member approval for the Draft Statement of Gambling Policy, which is due to commence 31 January 2019.

RECOMMENDATIONS

1	That Members approve the Draft Policy for adoption, for the period 31 January 2019 to 30 January 2022.
2	That any minor changes made during the life of the policy are delegated to Licensing Committee.

REPORT DETAILS

1.00	EXPLAINING THE POLICY
1.01	The Gambling Act received royal assent in April 2005 and consolidates regulation of casinos, bingo, gaming machines, lotteries, betting and remote gambling in one Act.
1.02	The Act established a non-departmental public body – the Gambling Commission – which has responsibility for advising both central and local government on issues relating to gambling. In addition the Gambling Commission has responsibility for issuing Operating Licences and Personal Licences to organisations and individuals who wish to undertake certain activities under the Act.
1.03	The Gambling Commission is required by section 25 of the Act to issue Guidance to licensing authorities on the discharge of their functions under the Act. This Guidance deals primarily with matters intended to assist licensing authorities in the development of their gambling policy, and sets out the principles that must be applied by the licensing authority in exercising its functions under the Act.
1.04	The Council is required to develop, consult on, produce and periodically review its Statement of Gambling Policy with regard to how it exercises its functions in accordance with the Gambling Act 2005.
1.05	The current policy came into force on 31 January 2013.
1.06	Flintshire have played an active part in the North Wales Licensing Group plan to bring in line the contents of all the separate Gambling Policies to make them follow the same order. Each Authority has had to keep area specific content, but each individual authority has followed the same structure to make the policies more user friendly across the North Wales regions.
1.07	The new policy will be required to commence on 31st January 2019, in accordance with the Gambling Act 2005. The draft policy is shown as Appendix A. This report sets out the procedure and draft policy statement.
1.08	The Policy must contain objectives regarding the following; <ul style="list-style-type: none"> • preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime, • ensuring that gambling is conducted in a fair and open way, and • protecting children and other vulnerable persons from being harmed or exploited by gambling.
1.09	The Council must have regard to <ul style="list-style-type: none"> • any relevant code of practice issued by the Secretary of State, • any guidance issued by the Gambling Commission, • how they exercise their functions in accordance with the objectives and the policy itself.

1.10	Consultation has taken place with relevant bodies and interested parties. The results are set out in section 3 below.
1.11	The Gambling Commission responded to the consultation, and made recommendations.
1.12	The policy includes a section relating to the Social Responsibility Code and local Risk Assessments.
1.13	The Policy was approved by the Chair of the Licensing Committee, prior to it being taken before Licensing Committee on 8 th November, where it was approved by all Licensing Committee Members.

2.00	RESOURCE IMPLICATIONS
2.01	The document has no effect on fees and charges for licenses and permits.

3.00	CONSULTATIONS REQUIRED / CARRIED OUT
3.01	Although there have been significant changes to the aesthetics of the Policy, i.e. changes to the format, rewording of paragraphs and changes to the order in which paragraphs appear, there has been no material change to the content. The changes were made to bring the document in line with the policies in place for all of the North Wales Authority areas. This collaboration project was undertaken by the North Wales Licensing Group in order to make the process easier to follow for individuals and organisations who hold licences or wish to apply for licenses is more than one location in North Wales.
3.02	The legislation now requires licence holders to complete a risk assessment for their premises, and therefore a section has been added to account for this. This addition is shown in section 8.5 of the draft policy.
3.03	Consultation took place in October and November 2018. Relevant parties were invited to make representations.
3.04	<p>The following Bodies were consulted in accordance with the Gambling Act 2005:</p> <ul style="list-style-type: none"> • The Chief Officer of Police for the Authority's area • One or more persons who appear to the Authority to represent the interests of persons carrying on gambling businesses in the Authority's area, e.g. holders of any licenses under the Gambling Act within Flintshire • One or more persons who appear to the Authority to represent the interests of persons who are likely to be affected by the Authority's functions under the Act, e.g. Members, Town Councils, charities dealing specifically with problem gambling.

3.05	The Council consulted with the Public Health Authority, holders of licenses/ permits, gambling addiction support agencies and the Gambling Commission. Flintshire County Council Members and Community Councils. The consultation was available to any member of the public on Flintshire's website.
3.06	The Gambling Commission (GC) provided a response to the consultation, which raised two issues. The first was in relation to the keeping of risk assessments on the premises, and resulted in the addition of paragraph 8.5.6. The second was a suggestion to remove reference to the stakes and prizes in Appendix D. The table was removed and the reader directed to the Gambling Commission website.
3.07	There were no other responses.

4.00	RISK MANAGEMENT
4.01	None.

5.00	APPENDICES
5.01	Appendix A – Draft Statement of Gambling Policy, January 2019 (V3).

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	<p>Link to consultation:</p> <p>Consultation and Policy: English https://www.flintshire.gov.uk/en/Business/Licences-and-permits/Gamblingpremises-licence.aspx</p> <p>Consultation and Policy: Cymraeg: http://www.sirffflint.gov.uk/cy/Business/Licences-and-permits/Gamblingpremises-licence.aspx</p> <p>Contact Officer: Gemma Potter – Team Leader Telephone: 01352 703371 E-mail: gemma.potter@flintshire.gov.uk</p>

7.00	GLOSSARY OF TERMS
7.01	<p>Gambling Act 2005: Legislation regulating all forms of gambling</p> <p>Statement of Gambling Policy: The Act requires the Licensing Authority to prepare and publish this document to reflect the principles they will apply in exercising their functions under the Act.</p>

	<p>Gambling Commission: An executive non-departmental public body of the government, responsible for regulating gambling and supervising gaming law in Great Britain.</p>
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Statement of Gambling Policy

GAMBLING ACT 2005
January 2019

FOREWORD

Since the Gambling Act 2005 has been in force, the Council has worked effectively with the industry and with its partner agencies to ensure that standards continue to be met.

The Council will continue to work in partnership with the Gambling Commission and the various Responsible Authorities to ensure that the licensing objectives are promoted, and in particular that there are measures in place to protect children and other vulnerable persons from being harmed or exploited by gambling.



Councillor Tony Sharps
Chair of the Licensing Committee
January 2019

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1. INTRODUCTION

1.1 BACKGROUND

- 1.1.1 Under the provisions of the Gambling Act 2005, Flintshire County Council is the **Licensing Authority** (and is referred to in this document as “the licensing authority”) responsible for granting gambling Premises Licences, Notices, Permits and Registrations in the county of Flintshire.
- 1.1.2 The Gambling Act 2003 (“the Act”) requires a licensing authority to prepare and publish a statement of licensing policy (“the policy”) at least every three years. This policy is made under Section 349 of the Act and in accordance with the ‘Guidance to Local Authorities’ issued by the Gambling Commission under Section 25 of the Act (“the Guidance”).
- 1.1.3 The licensing authority is bound by the Act and any regulations made under the Act. The licensing authority must have regard to the Guidance and the Licence Conditions and Codes of Practice (LCCP) issued by the Gambling Commission (Section 153). If it considers it appropriate, the licensing authority may depart from the Guidance if they have good reason to do so and can provide full reasons.
- 1.1.4 The policy comes into force at the time of adoption, and will remain in force until a statutory or other review and consultation process is deemed necessary. The licensing authority will keep the policy under review, making any amendments it considers appropriate to support the licensing objectives. Any amendments will be published in the form of a new policy statement or, if appropriate, by publishing the amendment.
- 1.1.5 The policy will normally apply to any application determined after the date that the licensing authority resolved to make these policies operational, irrespective of the date on which the application was made.
- 1.1.6 The Appendixes are to be read in conjunction with this policy however they do not form part of the policy and may be updated at any time.

1.2 GEOGRAPHY OF FLINTSHIRE COUNTY COUNCIL

- 1.2.1 Flintshire is the north-eastern gateway to Wales, and is bounded by the counties of Wrexham, Denbighshire and Cheshire West and Chester. The Dee Estuary defines the North Eastern limit of the County. The extreme north-west of the county is bounded by the Irish Sea, although the North Wales coastal resorts of Rhyl and Prestatyn lie just outside the county, while the built-up area around Chester straddles the English / Welsh border at Saltney. The south-west of the county is bounded by the Clwydian Hills which forms a distinct boundary with Denbighshire.
- 1.2.2 Flintshire covers an area of 438 km² including the Dee Estuary and 43,464 hectares excluding the estuary. Census 2001 statistics show that the area supports 152,500 people, making the county the sixth largest in Wales in terms of population (exceeded only by Cardiff, Rhondda Cynon Taf, Swansea, Carmarthenshire and Caerphilly). A map of the county is shown at [Appendix A](#).
- 1.2.3 This gives a population of 342 persons per square kilometre. This is more than double the average population densities for both North Wales and for Wales as a whole. Flintshire's density is average for England and Wales, but above that of the UK as a whole. From its close neighbours, only the urban areas of the Wirral and Ellesmere Port have a higher density.

1.3 CONSULTATION PROCESS

- 1.3.1 The necessary consultation process has been undertaken and the responses incorporated into this policy where applicable.

2. SCOPE AND EXTENT

2.0.1 The purpose of this statement of licensing policy is to set out the principles the licensing authority will apply when exercising its licensing function, i.e. when regulating the gambling activities within the terms of the Act. Reference will be made to the Act for ease of understanding however it is not intended to be a simplified summary of the law.

2.0.2 The Act defines **Gambling** as:-

2.0.3 **Gaming** - means playing a 'game of chance' for a prize. A 'game of chance' includes a game that involves both an element of chance and skill, a game that involves an element of chance that can be eliminated by superlative skill, and a game that is presented as involving an element of chance, but does not include a sport.

2.0.4 **Betting** – means making or accepting a bet on the outcome of a race, competition, or any other event; the likelihood of anything occurring or not occurring; or whether anything is true or not.

2.0.5 **Taking part in a lottery** – means paying in order to take part in an arrangement, during the course of which one or more prizes are allocated by a process which relies wholly on chance.

A full glossary of the terms used in the Act and in this policy can be found in **Appendix B**.

2.0.6 It is a criminal offence under Section 33 of the Act to provide facilities for Gambling unless an exception is provided for under the Act.

2.0.7 The **types of authorisation** the Act requires the licensing authority to regulate are:-

- Premises Licences
- Temporary Use Notices
- Occasional Use Notices
- Permits as required under the Act; and
- Registrations as required under the Act.

2.0.8 This policy relates to all premises licences, notices, permits and registrations identified as falling within the provisions of the Act, namely: -

- Premises Licences
 - Casinos;
 - Bingo Premises;
 - Betting Premises;
 - Tracks (*site where races or other sporting events take place*);
 - Adult Gaming Centres;
 - Licensed Family Entertainment Centres;

- Notices
 - Temporary Use Notices
 - Occasional Use Notices
- Permits
 - Family Entertainment Centre Gaming Machine Permits;
 - Club Gaming Permits;
 - Club Gaming Machine Permits;
 - Alcohol licensed premises Gaming Machine Permits;
 - Prize Gaming Permits;
- Registrations
 - Registrations of Small Society lotteries.

3. LICENSING OBJECTIVES

3.0.1 When exercising its functions under the Act the licensing authority must seek to promote the three **licensing objectives** contained in the Act. The three objectives are:

- preventing gambling from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime;
- ensuring that gambling is conducted in a fair and open way; and
- protecting children and other vulnerable persons from being harmed or exploited by gambling.

3.1 OBJECTIVE 1: PREVENTING GAMBLING FROM BEING A SOURCE OF CRIME AND DISORDER

3.1.1 The licensing authority will, when determining applications, consider whether the grant of a premises licence will result in an increase in crime and disorder.

3.1.2 The Guidance for local authorities notes that “disorder is intended to mean activity that is more serious and disruptive than mere nuisance. Factors to consider in determining whether a disturbance was serious enough to constitute disorder would include whether police assistance was required and how threatening the behaviour was to those who could see or hear it.” The licensing authority agrees with this statement.

3.1.3 Applicants are encouraged to discuss the crime prevention procedures in their premises with the licensing authority Licensing Officers and/or North Wales Police before making a formal application.

3.1.4 In considering licence applications, the licensing authority will particularly take into account the following:

- The design and layout of the premises;
- The training given to staff in crime prevention measures appropriate to those premises;
- Physical security features installed in the premises. This may include matters such as the position of cash registers or the standard of CCTV that is installed;
- Where premises are subject to age-restrictions, the procedures in place to conduct age verification checks;
- The likelihood of any violence, public order or policing problem if the licence is granted.

3.2 OBJECTIVE 2: ENSURING THAT GAMBLING IS CONDUCTED IN A FAIR AND OPEN WAY

- 3.2.1 Generally, the Commission would not expect licensing authorities to become concerned with ensuring that gambling is conducted in a fair and open way as this will be a matter for either the management of the gambling business, and therefore subject to the Operating Licence, or will be in relation to the suitability and actions of an individual and therefore subject to the Personal Licence, both of which are the responsibility of the Gambling Commission.

3.3 OBJECTIVE 3: PROTECTING CHILDREN AND OTHER VULNERABLE PERSONS

- 3.3.1 With limited exceptions, the access of children and young persons to licensed gambling premises, which are adult only environments, will not be permitted.

- 3.3.2 The licensing authority will seek to limit the advertising for premises so that gambling products are not aimed at children or advertised in such a way that makes them particularly attractive to children.

- 3.3.3 The licensing authority will consult with the Local Safeguarding Children Board on any application that indicates there may be concerns over access for children or vulnerable persons.

- 3.3.4 The licensing authority will judge the merits of each separate application before deciding whether to impose conditions to protect children on particular categories of premises. This may include such requirements as:
- Supervision of entrances;
 - Segregation of gambling areas from areas frequented by children;
 - Supervision of gaming machines in non-adult gambling specific premises.

- 3.3.5 The 2005 Act provides for a Code of Practice on access to casino premises by children and young persons and the licensing authority will work closely with the police to ensure the appropriate enforcement of the law.

- 3.3.6 The licensing authority does not seek to prohibit particular groups of adults from gambling in the same way that it seeks to prohibit children but it will assume, for regulatory purposes, that '**vulnerable persons**' includes :
- people who gamble more than they want to;
 - people who gamble beyond their means; and
 - people who may not be able to make an informed or balanced decision about gambling due to a mental impairment, alcohol or drugs.

4. LEGISLATION AND POLICIES

4.1 LEGISLATION

4.1.1 In undertaking its licensing function under the Gambling Act 2005, the licensing authority must also consider other legislation. These include:-

- Equalities Act 2010
- Section 17 of the Crime and Disorder Act 1988;
- Human Rights Act 1998;
- Health and Safety at Work etc. Act 1974;
- Environmental Protection Act 1990;
- The Anti-social Behaviour Act 2003;
- Race Relations Act, 1976 (as amended)
- The Licensing Act 2003
- Regulatory Return (Fire Safety) Order 2005
- The Regulators' Compliance code
- Flintshire County Council's Public Protection Enforcement Policy

However, the policy is not intended to duplicate existing legislation and regulation regimes that already place obligations on employers and operators.

4.2 PLANNING AND BUILDING CONTROL

4.2.1 When determining an application regard cannot, under the terms of the Act, be given to planning or building control permissions and / or any planning restrictions.

4.2.2 Flintshire County Council's planning policies are set out in the 'Flintshire Unitary Development Plan' and various supplementary planning guidance, all of which are available to view on the Council's website. Building Regulation Guidance is also available on the Council's website and it is important to check that any changes made to a building, including structural, drainage or electrical accord with those regulations.

4.2.3 The issue of a Provisional Grant of a premises licence is a separate and distinct process to the granting of Planning Permission. Planning and Building Control permissions will have to be sought and approved before any development takes place.

4.2.4	The licensing authority will normally expect that prior to the submission of a licensing application, the appropriate planning permission will have been granted in respect of any premises. However, applications for licences may be made before any relevant planning permission has been sought or granted.
4.2.5	The authority will also normally expect the activity to be authorised by the licence to be a lawful planning use and that any operating hours sought do not exceed those, if any, authorised by the planning permission.
4.2.6	Operating hours granted within the licensing process do not replace any restrictions imposed as a planning condition. Planning conditions will be addressed through the planning process.

4.2.7 The licensing authority will seek to discharge its responsibilities identified by other Government Strategies, so far as they impact on the objectives of the licensing function.

4.2.8 The licensing authority will consider applications with reference to other adopted local policies, including the following:

- The Council's Visions, Strategic Aims and Priorities
- Community Safety Strategy
- Enforcement Policy

5. DELEGATION, LICENSING COMMITTEE AND DECISION MAKING

5.1 DELEGATION

5.1.1 The licensing authority will be involved in a wide range of licensing decisions and functions and has established a Licensing Committee to administer them. Appreciating the need to provide a speedy, efficient and cost-effective service to all parties involved in the licensing process, the Committee has delegated certain decisions and functions and has established a Sub Committee to deal with them.

5.1.2 Many of the decisions and functions will be purely administrative in nature and the grant of non-contentious applications, for example, those licences and permits where no representations have been made, will be delegated to Council Officers.

5.1.3 The table shown at Appendix C sets out the agreed delegation of decisions and functions to the Licensing Committee, Sub Committee and Officers.

5.1.4 This form of delegation is without prejudice to Officers referring an application to a Panel, a Panel to Full Committee, or Committee to Full Council, if appropriate.

5.2 LICENSING COMMITTEE

5.2.1 The Act provides that the functions of the licensing authority, including its determinations are to be carried out by its licensing committee.

5.2.2 The licensing committee may delegate these functions to sub-committees or in appropriate cases, to officials supporting the licensing authority.

5.2.4 A Sub Committee made up of three councillors from the Licensing Committee will sit to hear applications where representations have been received from interested parties and responsible authorities. Ward Councillors will not sit on a panel involving an application within their ward.

5.2.5 Where a councillor who is a member of the licensing committee is making or has made representations regarding a licence on behalf of an interested party, in the interests of good governance they will disqualify themselves from any involvement in the decision-making process affecting the licence in question.

5.3 DECISION MAKING

- 5.3.1 Every determination of a licensing decision by the Licensing Committee or Subcommittee shall be accompanied with clear, cogent reasons for the decision. The decision and the reasons for that decision will be sent to the Applicant and those who have made relevant representations as soon as practicable.
- 5.3.2 The Council's licensing officers will deal with all other licence applications where either no representation have been received, or where representations have been received and it is agreed by the parties that a hearing is not necessary.
- 5.3.3 Decisions as to whether representations are irrelevant, frivolous or vexatious will be made by Council officers, who will make the decisions on whether representations or applications for licence reviews should be referred to the licensing committee or panels. Where representations are rejected written reasons as to why that is the case will be given.
- 5.3.4 In order to avoid duplication with other statutory regimes as far as possible the licensing authority will not attach conditions to a licence unless they are considered necessary for the promotion of the licensing objectives. Conditions will generally be considered unnecessary if they are already adequately covered by other legislation.

6. GENERAL PRINCIPLES

- 6.0.1 Nothing in this 'Statement of Policy' will:
- Undermine the rights of any person to apply under the Act for a variety of permissions and have the application considered on its individual merits; OR
 - Override the right of any person to make representations on any application or seek a review of a licence or permit where they are permitted to do so under the Act.
- 6.0.2 The licensing authority, in undertaking its licensing function, will have due regard to the need to eliminate unlawful discrimination and to promote equality and good relations between persons of different racial groups.
- 6.0.3 The licensing authority shall aim to permit the use of premises for gambling in so far as they think it is
- In accordance with any relevant code of practice under Section 24 of the Act;
 - In accordance with any relevant guidance issued by the Commission;
 - Reasonably consistent with the licensing objectives
 - In accordance with the licensing authority's statement of licensing policy.
- 6.0.4 Unmet demand is not a criterion that will be taken into consideration when determining an application for a premises licence under the Act.

6.1 COMPETENT AUTHORITY FOR PROTECTION OF CHILDREN FROM HARM

- 6.1.1 The licensing authority, designates the Local Safeguarding Children Board as the competent authority to provide advice on the protection of children from harm given the wealth of specialist knowledge and expertise to hand to fulfil this role.
- 6.1.2 The Act indicates each licensing authority must nominate a single body to undertake this function but it may be prudent for the licensing authority to involve other organisations if it believes it is right to do so for the prevention of their physical, moral or psychological harm, especially where it receives representations to that effect.

6.2 INTERESTED PARTIES

- 6.2.1 For the purposes of the Gambling Act 2005, a person is an interested party in relation to a premises licence if, in the opinion of the licensing authority which issues the licence or to which the application is made, the person:
- Lives sufficiently close to the premises to be likely to be affected by the authorised activities;
 - Has business interests that might be affected by the authorised activities; this could also include, for example, trade associations, charities, faith groups and medical practices.
 - Represents persons who satisfy either of the above; for example Residents' and Tenants' Associations.
- 6.2.2 When considering whether a person is an interested party, each case will be judged on its merits taking into consideration the relevant circumstances, including those contained in the Guidance to local authorities.
- 6.2.3 Where a person, whether or not directly affected by an application or living in the vicinity of a licensable premise under consideration, puts themselves forward as representing the interests of residents in the vicinity, the licensing authority will normally ask them to provide evidence that they are acting as representatives of others.

6.3 EXCHANGE OF INFORMATION

- 6.3.1 In fulfilling its functions and obligations under the Gambling Act 2005 the licensing authority will exchange relevant information with other regulatory bodies and will establish protocols in this respect. In exchanging such information the licensing authority will conform to the requirements of the Gambling Act, Data Protection and Freedom of Information legislation in accordance with the Council's existing policies.
- 6.3.2 Contact details of those persons making representations and details of the representations will be made available to applicants to allow for negotiation and, in the event of a hearing being held, will form part of a public document. Anyone making representation or applying for a review of a premises licence will be informed that these details will be disclosed.

6.4 INSPECTION AND CRIMINAL PROCEEDINGS

- 6.4.1 The licensing authority will be guided by the Gambling Commission's Guidance and will endeavour to be:
- **Proportional:** regulators will only intervene when necessary; remedies will be appropriate to the risk posed and costs identified and minimized.
 - **Accountable:** regulators will be able to justify decisions and be subject to public scrutiny.
 - **Consistent:** rules and standards will be joined up and implemented fairly.
 - **Transparent:** regulators will be open and endeavour to keep regulations simple and user friendly;
 - **Targeted:** regulation will be focused on the problem and minimize side effects.
- 6.4.2 The licensing authority will endeavour to avoid duplication with other regulatory regimes so far as possible.
- 6.4.3 The licensing authority recognises that, apart from the licensing function, there are a number of other mechanisms available for addressing issues of unruly behaviour that can occur away from licensed premises, including:
- Planning controls;
 - Ongoing measures to create a safe and clean environment in these areas in partnership with local businesses, transport operators and other Council Departments;
 - Regular liaison with the Police on law enforcement issues regarding disorder and anti-social behaviour;
 - The power of the police, other responsible authorities or a local resident or business to seek a review of the licence.
- 6.4.4 This licensing authority has adopted a risk based inspection programme, i.e. those premises considered to pose a greater risk will be subject to more frequent inspections than those posing a lower risk.
- 6.4.5 When determining risk, consideration will be given to :-
- the nature of the gambling activities carried out on the premises
 - the location of the premises in relation to schools etc.
 - the procedures put in place by the management to meet the licensing objectives.
- 6.4.6 The licensing authority will make arrangements to monitor premises, undertake inspections and take appropriate enforcement is deems necessary to support and promote the licensing objectives or following receipt of complaint. The district will be monitored for unlicensed premises.
- 6.4.7 The licensing authority will seek to work actively with the police in enforcing

licensing legislation. It encourages the police to share information about licensees and licensed premises under the Crime and Disorder Act 1998.

6.4.8 In general terms, action will only be taken in accordance with the Public Protection Service Enforcement Policy. To this end the key principles of consistency, transparency and proportionality will be maintained.

6.4.9 Where conditions have been imposed on a licence, an authorised person of the licensing authority may inspect the premises at any reasonable time for the purpose of checking that those conditions are being complied with.

6.4.10 The licensing authority will consider issuing a written informal warning to a licence holders specifying recommended improvement within a particular period of time if it deems necessary to support and promote the licensing objectives.

7. LICENSING PROCESS

- 7.0.1 Applicants are advised that the application process for each type of authorisation or permission is set out in detail in the Act, the Regulations and the Guidance.
- 7.0.2 Applications must be made on the prescribed or local form, and be accompanied by a fee. All prescribed forms and notices can be downloaded from the Commission's website www.gamblingcommission.gov.uk.
- 7.0.3 A request for an application form may also be made directly to the licensing authority via telephone 01352 703030
- 7.0.4 Applicants may submit applications electronically to the licensing authority by hardcopy or via email to Licensing@Flintshire.gov.uk.

7.1 APPLICATIONS

- 7.1.1 The starting point in determining applications will be to grant the application, without conditions.
- 7.1.2 Conditions will only be considered where they are needed to meet the requirements of the licensing objectives and any conditions applied will not be overly onerous and will be proportionate to the scale of the application and the 'risks' involved. Conditions will generally be considered unnecessary if they are already adequately covered by other legislation.
- 7.1.3 When determining an application to grant a premises licence or whether to review a premises licence, regard will be given to
- the proximity of the premises to schools, vulnerable adult centres, or to residential areas with a high concentration of families with children, and
 - the size and scope of the gambling premises concerned.
- 7.1.4 **Each case will be determined on its own merits.** Therefore, if an applicant can effectively demonstrate how they might overcome licensing objective concerns, this will be taken into account.
- 7.1.5 Where there are no **relevant representations** from Responsible Authorities or Interested Parties to an application the licence will be granted provided that the application is made in accordance with the requirements of the Act. For representations to be relevant they must
- relate to the promotion of one of the three licensing objectives;
 - be made by a responsible authority or interested party within the

- prescribed period;
- not been withdrawn; and
- they are not, in the opinion of the relevant licensing authority, frivolous or vexatious.

Where relevant representations on an application are received and the application has been made in accordance with the requirements of the Act, any non-compliance with other statutory requirements may be taken into account in reaching a decision about whether to grant a licence.

7.2 MEDIATION

7.2.1 Where a relevant representation concerning the licensing objectives is made by a responsible authorities or interested party, the licensing section will decide whether the representation is relevant.

7.2.2 Where the licensing authority find the representation to be relevant it may recommend a **mediation meeting** to address and clarify the issues of concern.

7.2.3 This process will not override the right of an applicant or interested party to decline to participate in a mediation meeting.

7.2.4 If this informal process is unsuccessful a hearing before the licensing committee or sub-committee will follow. All relevant parties will be notified.

7.2.5 The determination of the application will be made by the licensing committee or sub-committee and the details of that decision will be circulated to the parties concerned.

7.3 CONDITIONS

- 7.3.1 The Act and regulations provide for specific conditions to be attached to a Premises Licence as either “**mandatory**” or “**default**” conditions.
- 7.3.2 Section 169 of the Act gives licensing authorities the power to impose default conditions on premises licences that they issue.
- 7.3.3 When considering any conditions to be attached to licences, the licensing authority will consider the local circumstances and risks associated with specific premises or class of premises, which might give rise to the need for conditions.

- 7.3.4 The licensing authority will not impose any conditions unless its discretion has been engaged following the making of a relevant representation and it has been satisfied at a hearing of the necessity to impose conditions due to the representations raised. It will then only impose such conditions which are appropriate and proportionate to promote the licensing objectives arising out of the consideration of the representations.
- 7.3.5 Conditions on premises licences will relate only to gambling, as considered appropriate in light of the following principles:
- Must be proportionate to the circumstance which they are seeking to address;
 - Should be relevant to the need to make the proposed building suitable as a gambling facility;
 - Should be directly related to the premises (including the locality and any identified local risks) and the type of licence applied for;
 - Should be fairly and reasonably related to the scale and type of premises;
 - Should be reasonable in all other respects.

7.4 REVIEWS

- 7.4.1 At any time following the grant of a premises licence a **responsible authority** or any **interested party** may ask the licensing authority to review the premises licence because of a matter arising at the premises in connection with any of the three licensing objectives.
- 7.4.2 The review process represents a key protection for the community where problems associated with the licensing objectives occur at a premises.
- 7.4.3 In every case, an application for a review must relate to a particular premises and **must be relevant to the promotion of one or more of the licensing objectives.**

7.4.4 Grounds for a review may be that activities, including the following, are taking place at the premises:

- Use of licensed premises for the sale and distribution of Class A drugs and the laundering of the proceeds of drugs crimes;
- Use of licensed premises for the sale and distribution of illegal firearms;
- Use of licensed premises for prostitution or the sale of unlawful pornography;
- Use of licensed premises as a base for organised criminal activity;
- Use of licensed premises for the organisation of racist, homophobic or sexual abuse or attacks;
- Use of licensed premises for the sale of smuggled tobacco or goods;
- The use of licensed premises for the sale of stolen goods.
- Children and/or vulnerable persons are put at risk.

7.4.5 The licensing authority will reject an application for a review if the applicant fails to provide supporting information and documents that one or more of the licensing objectives are not being met or if the reason for the review does not relate to the licensing objectives.

7.4.6 The licensing authority will also reject an application for a review if

- the grounds are frivolous;
- the grounds are vexatious;
- the grounds are irrelevant;
- the grounds will not cause the Council to revoke or suspend a licence or to remove or attach conditions on the Premises Licence;
- the grounds are substantially the same as the grounds cited in a previous application relating to the same premises; or
- the grounds are substantially the same as representations made at the time the application for a Premises Licence was considered.

7.4.7 The licensing authority considers it good practice for all responsible authorities that have concerns about problems identified at premises to give licence holders early warning of their concern and the need for improvement, and where possible they should advise the licence holder of the steps they need to take to address those concerns.

INITIATION OF REVIEW BY LICENSING AUTHORITY

7.4.8 A Premises Licence may also be reviewed by the licensing authority on its own volition.

7.4.9 Prior to discharging its power to initiate a review, the licensing authority will attempt to have constructive discussions with the operators about any concerns and may ask the operator to provide the licensing authority with its own **risk assessment** which sets out the controls it has put in place to mitigate risks.

8. LOCAL STANDARDS

8.1 PREMISES LICENCES

8.1.1 Premises Licences can authorise the provision of gambling facilities on

- Casinos;
- Bingo Premises;
- Betting Premises, including Tracks;
- Adult Gaming Centres (AGC); and
- Family Entertainment Centres.

By distinguishing between premises types, the Act makes it clear that gambling activity of the premises should be linked to the premises described. **The Act does not permit premises to be licensed for more than one of the above activities.**

8.1.1 An application for a Premises Licence can only be made by persons (which includes companies or partnerships):

- Who are aged 18 or over, **and**
- Who have the right to occupy the premises and
- Who have an Operating Licence authorising him to carry out the proposed activity **OR** who have applied for an Operating Licence to allow them to carry out the proposed activity.

The premises licence cannot be determined until an operating licence has been issued.

8.1.2 The exception to this is an applicant for a premises licence to allow a track to be used for betting, as these applicants are not required to hold an operating licence if they merely provide space for other people to provide betting (and those other people hold valid betting operating licences).

8.1.3 The licensing authority strongly encourages applicants to discuss proposed applications with a licensing officer and responsible authorities at an early stage and prior to the submission of the application itself. This should identify potential problems and help to build good partnership working. It may also reduce the need for a hearing at a later stage.

8.1.4 Applicants are encouraged to make themselves aware of any relevant planning and transport policies, tourism and cultural strategies and local crime and disorder strategies, and to take these into account, where appropriate, in the formulation of their operating schedules.

8.1.5 The licensing authority will expect all applicants to specify the methods by which

they will promote the three licensing objectives in their operating schedules, having regard to the type of premises, the licensable activity proposed, the operational procedures, the nature of the location and the needs of the local community.

8.1.6 The authority considers that a well-drawn, specific operating schedule indicates that an applicant understands and is prepared to meet the responsibilities of a licence holder under the Act.

8.1.7 The authority considers that a blank or sparsely completed operating schedule may give the impression that the applicant has given inadequate thought to the responsibilities of a licence holder.

8.1.9 Unmet demand is not a criterion that will be taken into consideration when determining an application for a premises licence under the Gambling Act 2005.

CASINOS

8.1.10 There is no resolution to prohibit casinos in Flintshire at present. However, the licensing authority reserves its right to review this situation and may, at some time in the future, resolve not to permit casinos. Currently there are no casinos operating within Flintshire.

8.1.11 Should the licensing authority choose to make such a resolution, this will be a resolution of Full Council following considered debate and the reasons for making the resolution will be provided. There will be no right of appeal against such a resolution.

BINGO PREMISES

8.1.12 Bingo is not given a statutory definition in the Act although two types of bingo are commonly understood:

- Cash bingo, where the stakes paid make up the cash prizes that are won
- Prize bingo, where various forms of prizes are won, not directly related to the stakes paid.

8.1.13 The licensing authority will attach mandatory and default conditions to all Bingo Premises licences.

BETTING PREMISES

8.1.14 The licensing authority is responsible for issuing and monitoring premises licences for all betting premises.

8.1.15 The licensing authority will attach mandatory and default conditions to all Betting Premises licences.

TRACKS

8.1.16 The Act does not give a list of premises that are officially recognised as ‘tracks’ but there are a number of venues where sporting events do or could take place, and accordingly could accommodate the provision of betting facilities. Examples of tracks include

- A horse racecourse
- A greyhound track
- A point-to-point horserace meeting
- Football, cricket and rugby grounds
- A golf course
- Venues hosting darts, bowls or snooker tournaments.

8.1.17 The licensing authority will determine what constitutes a sporting event or race on a case by case basis.

ADULT GAMING CENTRES (AGC)

8.1.18 Applicants for an Adult Gaming Centre Premises Licence must hold a ‘Gaming Machines General Operating Licence (Adult Gaming Centre)’ from the Gambling Commission before the premises licence can be determined.

8.1.19 The licensing authority will attach mandatory conditions to all AGC Premises licences.

FAMILY ENTERTAINMENT CENTRES (FEC)

8.1.20 Applicants for a Family Entertainment Centre Premises Licence must hold a ‘Gaming Machines General Operating Licence (Family Entertainment Centre)’ from the Gambling Commission before the premises licence can be determined.

8.1.21 Licensed Family Entertainment Centres (FECs) are commonly located at seaside resorts, in airports and at motorway service stations, and cater for families, including unaccompanied children and young persons. They are permitted to make available category C and D gaming machines.

8.1.22 Children and young persons are not permitted to use category C machines and it is a requirement that there must be clear segregation between the types of machines so that persons under 18 years of age do not have access to them.

8.1.23 The licensing authority will take into account the policies and procedure proposed by the applicant to protect children and young persons when considering applications for FEC Premises licences.

8.1.24 The licensing authority will attach mandatory conditions to all FEC Premises licences.

8.2 NOTICES

TEMPORARY USE NOTICES (TUN)

- 8.2.1 Temporary use notices allow the use of premises for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. Premises that might be suitable for a temporary use notice, according to the Gambling Commission, would include hotels, conference centres and sporting venues.
- 8.2.2 The licensing authority can only grant a temporary use notice to a person or company holding a relevant operating licence, i.e. a non-remote casino operating licence.
- 8.2.3 There are a number of statutory limits as regards temporary use notices.

- 8.2.4 In considering whether a place falls within the definition of "a set of premises", the licensing authority will look at, amongst other things, the ownership/occupation and control of the premises.
- 8.2.5 This licensing authority expects to object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises, as recommended in the gambling commission's guidance to licensing authorities.

OCCASIONAL USE NOTICES (OUN)

- 8.2.6 The licensing authority has very little discretion as regards these notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. This licensing authority will though consider the definition of a 'track' and whether the applicant is permitted to avail him/herself of the notice.

8.3 PERMITS

- 8.3.1 Permits are designed as a light-touch approach to low level ancillary gambling. The permits regulate gambling and the use of gaming machines in specific premises.
- 8.3.2 The licensing authority are responsible for issuing
- Family Entertainment Centre Gaming Machine Permits;
 - Club Gaming Permits and Club Gaming Machine Permits;
 - Alcohol-licensed premises Gaming Machine Permits;
 - Prize Gaming Permits.
- 8.3.3 The licensing authority will grant or reject an application for a permit. **No conditions may be attached to a permit.**
- 8.3.4 In addition, the licensing authority are responsible for receiving notification from holder of alcohol licences under the Licensing Act 2003 that they intend to exercise their automatic entitlement to 2 gaming machines in their premises.
- 8.3.5 See **Appendix D** for further information regarding the categories of gaming machines allowed by permit and information regarding stakes and prize limits.

8.3.6 When determining applications for permits the licensing authority will consider any convictions held by the applicant that would make them unsuitable to operate the premises plus the suitability of the premises in relation to their location and issues about disorder.

FAMILY ENTERTAINMENT CENTRE GAMING MACHINE PERMIT

- 8.3.7 Unlicensed Family Entertainment Centres are able to offer only category D machines on a gaming machine permit. Any number of category D machines can be made available.
- 8.3.8 An application for a permit can only be made by a person who occupies or plans to occupy the premises to be used as an unlicensed Family Entertainment Centre and, if the applicant is an individual, is aged over 18 years.
- 8.3.9 The permit may be granted only if the licensing authority is satisfied that the premises will be used as an unlicensed Family Entertainment Centre, and if the chief officer of police has been consulted on the application.

8.3.10 There is no prescribed application form for this permit however the licensing authority have created a **local application form** for this purpose. A plan for the unlicensed Family Entertainment Centre must be submitted with each application.

CLUB GAMING PERMITS AND CLUB GAMING MACHINE PERMITS

- 8.3.11 The licensing authority may grant members clubs and miners' welfare institutes (but not commercial clubs) club gaming permits which authorise the provision of gaming machines, equal chance gaming and games of chance as prescribed in regulations.
- 8.3.12 If a members' club or minter's welfare institute does not wish to have the full range of facilities permitted by a club gaming permit, they may apply for a club gaming machine permit using the prescribed form.
- 8.3.13 Holders of club gaming permits and club gaming machine permits are required to comply with the code of practice issued by the Gambling Commission on the location and operation of machines.

ALCOHOL-LICENSED PREMISES GAMING MACHINE PERMITS

- 8.3.14 The licensing authority may issue holders of alcohol licences under the Licensing Act 2003 a gaming machine permit which permits any number of Category C or D machines in licensed premises.
- 8.3.15 The application must be made by the person that holds the alcohol premises licence issued under the Licensing Act 2003.
- 8.3.16 The licensing authority may vary the number and category of gaming machines authorised by the permit if it considers it necessary to promote the licensing objectives.
- 8.3.17 Holders of licensed premises gaming machine permits are required to comply with the code of practice issued by the Gambling Commission on the location and operation of machines.

- 8.3.18 There is no prescribed form for this permit however the licensing authority have created a local application form for this purpose.

PRIZE GAMING PERMITS

- 8.3.19 The licensing authority may issue prize gaming permits to authorise the provision of facilities for gaming with prizes on specific premises.
- 8.3.20 The application must be made by the person who occupies or plans to occupy the premises and if the applicant is an individual, must be aged 18 or over.
- 8.3.21 Applicants are asked to set out the types of gaming that they are intending to offer in their application.

- 8.3.22 There is no prescribed form for this permit however the licensing authority have created a local application form for this purpose.

8.4 REGISTRATIONS

- 8.4.1 The Act denotes 'local authorities' as being responsible for registering societies to run Small Society Lotteries, as opposed to licensing authorities. In the interest of consistency, Flintshire County Council being the local authority defined under Section 25 of the Act will be referred to as the licensing authority in this document.
- 8.4.2 Applications for small society lottery registrations must be in the form prescribed and be accompanied by both the required registration fee and all necessary documents required by the licensing authority.
- 8.4.3 The licensing authority will require applicants to provide a copy of their terms and conditions and their constitution to establish that they are a non-commercial society.

8.5 LOCAL RISK ASSESSMENTS

- 8.5.1 The Gambling Commission's '**Licence Conditions and Codes of Practice**' (LCCP) formalise the need for operators to consider local risks.
- 8.5.2 The Social Responsibility code 10.1.1 requires all premises licensees to assess the local risks to the licensing objectives posed by the provision of gambling facilities at each of their premises, and have policies, procedures and control measures to mitigate those risks. In undertaking a risk assessment, licensees must take into account the matters identified in this statement of policy.
- 8.5.3 A local risk assessment must be undertaken when applying for a new premises licence and must be updated
- When applying for a variation of a premises licence;
 - To take account any significant changes in local risks;
 - When there are significant changes at a licensee's premises that may affect their mitigation of local risks.

- 8.5.4 The licensing authority will expect every risk assessment to cover the following broad headings:
- Reference to any specific local risks
 - How the operator proposes to mitigate these risks
 - How the operator will monitor the risks
- 8.5.5 The **Local risks** identified by the licensing authority include, but are not restricted to:
- The proximity of the premises to sensitive establishments such as schools, vulnerable adult centres, or to residential areas with a high concentration of families with children.
 - The nature of the gambling activities and category of gaming machines made available at the premises.
 - Any age restrictions and segregation requirements at the premises necessary for the protection of children and young persons.
 - The prevalence of vulnerable persons in the locality of the premises.
- 8.5.6 Operators are required to make the Risk Assessment available to licensing authorities when an application is submitted. A copy should be kept on the premises, or otherwise on request. This will form part of the Council's inspection regime, and will be considered during the investigation of complaints.

9. COMPLAINTS AGAINST LICENSED PREMISES

- 9.0.1 The licensing authority will investigate complaints against licensed premises in relation to matters concerning the licensing objectives. In the first instance, complainants are encouraged to raise the complaint directly with the licensee or business concerned to seek a local resolution.
- 9.0.2 Where an interested party has made a complaint about licensed premises, or a valid application for a licence to be reviewed, the Council may initially recommend a conciliation meeting to address and clarify the issues of concern.
- 9.0.3 This process will not override the right of any interested party or for any licence holder to decline to participate in a conciliation meeting.
- 9.0.4 Due consideration will be given to all complaints unless they are considered to be frivolous, vexatious or repetitious.

10. FURTHER INFORMATION

10.1 GAMING MACHINES

- 10.1.1 The licensing authority notes that the term “Gaming Machine” covers all machines on which people can gamble and the term has only been preserved in the Act because it is one that is readily understood.
- 10.1.2 The definition of “gaming machines” is wider in the Gambling Act 2005 than those in previous gaming legislation and covers all types of gambling activities which can take place on a machine, including betting on virtual events.
- 10.1.3 It should be noted however that there still remains a distinction between skill machines and gaming machines plus important exemptions remain for certain equipment that is not considered a gaming machine, even when gambling can be performed on it, for example a home personal computer.
- 10.1.4 In order for a premises to site gaming machines an authorisation is normally required. Typically this is
- An operating licence from the Commission **and** a gambling premises licence from the licensing authority;
 - An alcohol premises licence, or
 - A gaming machine permit.
- 10.1.5 Where the licensing authority is concerned regarding the manufacture, supply, installation, maintenance or repair of gaming machines, or the manner in which they are operating will contact the Commission for guidance.
- 10.1.6 Regulations define four categories of gaming machine: categories A, B, C and D with category B divided into five further sub-categories. The maximum number of machines permitted varies according to the premises type.
- 10.1.7 There is no minimum age for players of Category D gaming machines however players of category A, B and C gaming machines must be aged 18 years or above.
- 10.1.8 See **Appendix D** for further information regarding machine categories and entitlements.

10.2 LICENSING REGISTER

- 10.2.1 Under the Act, every licensing authority is required to keep a **licensing register** containing
- a record of each premises licence, club premises certificate and personal licence issued by it,
 - a record of each temporary event notice received by it,
 - a record of every other applications made to it, notices given to it and any counter notice given by it, and
 - such other information as may be prescribed by regulations.
- 10.2.2 The information contained in the licensing register is available to view online at **www.flintshire.gov.uk**.

10.2.3 Any person wishing to view the licensing register in person should contact the licensing authority by email **Licensing@Flintshire.gov.uk** or via telephone 01352 703030 to arrange an appointment.

10.2.4 To ensure that the information contained in the register is presented in an appropriate format, any person wishing to view the register in person will be requested to clarify which part of the register they wish to have available during the appointment.

10.3 DATABASE OF PREMISES RECORDS

- 10.3.1 A database of premises licences is available on the Commission's website and consists of information submitted by licensing authorities. The Commission's website address is **www.gamblingcommission.gov.uk**.

**Sir y Fflint
Flintshire**

The map displays the following features:

- Geographical Features:** Afon Dyfrdwy (Dee Estuary), Wirral, Liverpool, Chester, Wrexham, Denbighshire, Cheshire.
- Towns and Villages:** Prestatyn, Grogant, Gwespyr, Frynogrovyn, Llanasa, Trelawnyd, Whitford, Lloc, Greenfield, Carmel, Treffynon, Holywell, Gorsedd, Calcoed, Brynordd, Babel, Caerwys, Amonwen, Ysceifiog, Lixwm, Halkyn, Flint Mountain, Cei Connah, Connah's Quay, Northop Hall, Shotton, Garden City, Sealand, Queensferry, Sandycroft, Ewloe, Hawarden, Broughton, Higher Kinnerton, Penryfodd, Hope, Frith, Cein Y Bedd, Caergwrle, Coed Talon, Treuddyn, Leeswood, Nercwys, Yr Wyddgrug, Mold, Gwernaffield, Pantymwyn, Cilcaen, Rhuthun, Ruthin, Llandegla, Llandymog, Bodfari, Nannerch, Rhes-y-Cae, Hendre, Rhydymwyn, Sychdyn, Rhosesmor, Northop, Flint, Y Fflint, Bagillt, A5026, A5025, A5024, A5023, A5022, A5021, A5020, A5019, A5018, A5017, A5016, A5015, A5014, A5013, A5012, A5011, A5010, A5009, A5008, A5007, A5006, A5005, A5004, A5003, A5002, A5001, A5000, A4999, A4998, A4997, A4996, A4995, A4994, A4993, A4992, A4991, A4990, A4989, A4988, A4987, A4986, A4985, A4984, A4983, A4982, A4981, A4980, A4979, A4978, A4977, A4976, A4975, A4974, A4973, A4972, A4971, A4970, A4969, A4968, A4967, A4966, A4965, A4964, A4963, A4962, A4961, A4960, A4959, A4958, A4957, A4956, A4955, A4954, A4953, A4952, A4951, A4950, A4949, A4948, A4947, A4946, A4945, A4944, A4943, A4942, A4941, A4940, A4939, A4938, A4937, A4936, A4935, A4934, A4933, A4932, A4931, A4930, A4929, A4928, A4927, A4926, A4925, A4924, A4923, A4922, A4921, A4920, A4919, A4918, A4917, A4916, A4915, A4914, A4913, A4912, A4911, A4910, A4909, A4908, A4907, A4906, A4905, A4904, A4903, A4902, A4901, A4900, A4899, A4898, A4897, A4896, A4895, A4894, A4893, A4892, A4891, A4890, A4889, A4888, A4887, A4886, A4885, A4884, A4883, A4882, A4881, A4880, A4879, A4878, A4877, A4876, A4875, A4874, A4873, A4872, A4871, A4870, A4869, A4868, A4867, A4866, A4865, A4864, A4863, A4862, A4861, A4860, A4859, A4858, A4857, A4856, A4855, A4854, A4853, A4852, A4851, A4850, A4849, A4848, A4847, A4846, A4845, A4844, A4843, A4842, A4841, A4840, A4839, A4838, A4837, A4836, A4835, A4834, A4833, A4832, A4831, A4830, A4829, A4828, A4827, A4826, A4825, A4824, A4823, A4822, A4821, A4820, A4819, A4818, A4817, A4816, A4815, A4814, A4813, A4812, A4811, A4810, A4809, A4808, A4807, A4806, A4805, A4804, A4803, A4802, A4801, A4800, A4799, A4798, A4797, A4796, A4795, A4794, A4793, A4792, A4791, A4790, A4789, A4788, A4787, A4786, A4785, A4784, A4783, A4782, A4781, A4780, A4779, A4778, A4777, A4776, A4775, A4774, A4773, A4772, A4771, A4770, A4769, A4768, A4767, A4766, A4765, A4764, A4763, A4762, A4761, A4760, A4759, A4758, A4757, A4756, A4755, A4754, A4753, A4752, A4751, A4750, A4749, A4748, A4747, A4746, A4745, A4744, A4743, A4742, A4741, A4740, A4739, A4738, A4737, A4736, A4735, A4734, A4733, A4732, A4731, A4730, A4729, A4728, A4727, A4726, A4725, A4724, A4723, A4722, A4721, A4720, A4719, A4718, A4717, A4716, A4715, A4714, A4713, A4712, A4711, A4710, A4709, A4708, A4707, A4706, A4705, A4704, A4703, A4702, A4701, A4700, A4699, A4698, A4697, A4696, A4695, A4694, A4693, A4692, A4691, A4690, A4689, A4688, A4687, A4686, A4685, A4684, A4683, A4682, A4681, A4680, A4679, A4678, A4677, A4676, A4675, A4674, A4673, A4672, A4671, A4670, A4669, A4668, A4667, A4666, A4665, A4664, A4663, A4662, A4661, A4660, A4659, A4658, A4657, A4656, A4655, A4654, A4653, A4652, A4651, A4650, A4649, A4648, A4647, A4646, A4645, A4644, A4643, A4642, A4641, A4640, A4639, A4638, A4637, A4636, A4635, A4634, A4633, A4632, A4631, A4630, A4629, A4628, A4627, A4626, A4625, A4624, A4623, A4622, A4621, A4620, A4619, A4618, A4617, A4616, A4615, A4614, A4613, A4612, A4611, A4610, A4609, A4608, A4607, A4606, A4605, A4604, A4603, A4602, A4601, A4600, A4599, A4598, A4597, A4596, A4595, A4594, A4593, A4592, A4591, A4590, A4589, A4588, A4587, A4586, A4585, A4584, A4583, A4582, A4581, A4580, A4579, A4578, A4577, A4576, A4575, A4574, A4573, A4572, A4571, A4570, A4569, A4568, A4567, A4566, A4565, A4564, A4563, A4562, A4561, A4560, A4559, A4558, A4557, A4556, A4555, A4554, A4553, A4552, A4551, A4550, A4549, A4548, A4547, A4546, A4545, A4544, A4543, A4542, A4541, A4540, A4539, A4538, A4537, A4536, A4535, A4534, A4533, A4532, A4531, A4530, A4529, A4528, A4527, A4526, A4525, A4524, A4523, A4522, A4521, A4520, A4519, A4518, A4517, A4516, A4515, A4514, A4513, A4512, A4511, A4510, A4509, A4508, A4507, A4506, A4505, A4504, A4503, A4502, A4501, A4500, A4499, A4498, A4497, A4496, A4495, A4494, A4493, A4492, A4491, A4490, A4489, A4488, A4487, A4486, A4485, A4484, A4483, A4482, A4481, A4480, A4479, A4478, A4477, A4476, A4475, A4474, A4473, A4472, A4471, A4470, A4469, A4468, A4467, A4466, A4465, A4464, A4463, A4462, A4461, A4460, A4459, A4458, A4457, A4456, A4455, A4454, A4453, A4452, A4451, A4450, A4449, A4448, A4447, A4446, A4445, A4444, A4443, A4442, A4441, A4440, A4439, A4438, A4437, A4436, A4435, A4434, A4433, A4432, A4431, A4430, A4429, A4428, A4427, A4426, A4425, A4424, A4423, A4422, A4421, A4420, A4419, A4418, A4417, A4416, A4415, A4414, A4413, A4412, A4411, A4410,

APPENDIX B: GLOSSARY OF TERMS

Adult Gaming Centre: licensed gambling premises which can provide gaming machines. Only adults (persons 18 years old or over) can enter an Adult Gaming Centre.

Betting premises: licensed gambling premises which can provide betting facilities and gaming machines. Only adults (persons 18 years old or over) can enter Betting Premises unless the premises are on a track.

Bingo: there are two types of bingo

High Turnover Bingo - Bingo where the aggregate of stakes and prizes in any 7 day period exceeds £2000. High turnover bingo can only take place in casinos and bingo halls.

Low Turnover Bingo - (sometimes described as non-high turnover bingo) Bingo where the aggregate of stakes and prizes in any 7 day period is less than £2000. Low turnover bingo can take place in pubs and clubs, and in premises that hold a Prize Gaming Permit or Unlicensed Family Entertainment Centre Gaming Machine Permit.

Bingo Premises: licensed gambling premises which can provide high turnover bingo and gaming machines.

Casino: there are 3 types of casino that can exist in England and Wales: large, small, or “tiny” (casinos that existed under the old law and have retained their licences under the new law). The differences are based on overall size and the number of machines and gaming tables that can be provided. Casinos can provide casino games (games which are not equal chance gaming and may involve playing against a bank) and bingo as well as gaming machines.

Child: For the purposes of the Gambling Act 2005, anyone under the age of 16 years.

Club: the 2005 Act recognises 2 types of club: **members clubs** (at least 25 members and established for purposes other than gaming unless it is a bridge or whist club, including Miners Welfare Institutes); and **commercial clubs**. Equal chance gaming can take place without any further permit provided the limits on stakes and prizes are not exceeded. In addition low turnover bingo can take place and if it is a bridge or whist club then bridge or whist can be played.

Club Gaming Permit: a permit to enable the premises to provide gaming machines (three machines of Categories B3A, B4, C or D), equal chance gaming and games of chance (limited to pontoon and chemin de fer).

Club Machine Permit: a permit to enable the premises to provide gaming machines (three machines of Categories B3A, B4, C or D).

Conditions: there are two types of conditions

1. **Default Conditions** – are prescribed in regulations and will be attached to all classes of premises licence, unless excluded by the licensing authority.
2. **Mandatory Conditions** – are conditions set by the Secretary of State (some are set out in the Act and some will be prescribed by regulations) which will be automatically attached to a specific type of premises licence. The licensing authority will have no discretion to alter or remove these conditions.

Crane grab machine: a non-money prize machine in respect of which every prize which can be won consists of an individual physical object (such as a stuffed toy) won by a person's success in manipulating a machine to separate one or more physical objects from another.

Equal Chance Gaming: games that do not involve playing or staking against a bank and where the chances are equally favourable to all participants.

Exempting gambling: certain specified low-level gambling can take place in private premises, workplaces, pubs and clubs without any requirements for licensing or registration.

Exempt Lotteries: certain types of lottery can be run without either a licence from the Gambling Commission or registration with the local authority. They are Incidental Non Commercial Lotteries, Private Lotteries and Customer Lotteries.

Family Entertainment Centre: there are 2 types of Family Entertainment Centres: licensed and unlicensed. In both cases children and young persons can enter the premises unaccompanied by adults and use category D machines. Licensed Family Entertainment Centre can provide category C and D machines, but only persons aged 18 or over can use the category C machines. An Unlicensed Family Entertainment Centre can only provide category D machines.

Fixed Odds Betting: if a gambler is able to establish what the return on a bet will be when it is placed, (and the activity is not 'gaming'), then it is likely to be betting at fixed odds.

Fixed Odds Betting Terminals (FOBTs): FOBTs are a type of gaming machines which generally appear in licensed betting shops. FOBTs have 'touch-screen' displays and look similar to quiz machines familiar in pubs and clubs. They normally offer a number of games, roulette being the most popular.

Gaming: playing a game of chance for a prize. This includes games of pure chance (or luck), games that have an element of skill and chance combined, and games where "superlative skill" can eliminate the element of chance. Sports are excluded from the definition of Games of Chance.

Gaming Machine: a machine used for gambling. There are divided into 8 categories, (A, B1, B2, B3A, B3, B4, C & D) depending on the maximum stakes and maximum prizes. Different categories of machines can be used in different types of licensed gambling premises and under different permits.

Guidance to Licensing Authorities: guidance issued by the Gambling Commission.

Incidental non-commercial lottery: see Exempt Lotteries above.

Large Lottery: where the total value of tickets in any one lottery exceeds £20,000 or £250,000 in separate lotteries over one calendar year. This type of lottery requires an operating Licence from the Gambling Commission.

Licensed premises Gaming Machine Permit: allows pubs to have more than 2 gaming machines, provided the main purpose of the premises is to remain a pub, rather than an Entertainment Centre with a bar.

Licensing authority: the district, borough or unitary authority responsible for licensing gambling and other activities in the area.

Licensing Objectives: there are three objectives

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime;
- Ensuring that gambling is conducted in a fair and open way; and
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

Lottery: the 2005 Act recognises 2 types of lottery, a simple lottery or a complex lottery. In both cases players pay to take part and prizes are allocated. In the case of a simple lottery, that allocation is wholly by chance, but in the case of a complex lottery there can be further steps which are not dependent upon chance. Some lotteries are exempt from regulation (see above).

Occasional Use Notice: a notice that may only be issued in respect of a track (see below) that permits betting on a track without the need for a Premises Licence.

Prize Gaming: gaming in which the nature and size of the prize is not determined by the number of players or stakes, e.g. bingo with non-cash prizes.

Prize Gaming Permit: a permit issued by the Licensing Authority allowing prize gaming to take place.

Pub: premises that have a premises licence under the Licensing Act 2003 to sell alcohol for consumption on the premises in a bar at which alcohol is served to customers. Pubs can have 2 category C or D gaming machines. If a pub has a Licensed Premises Gaming Machine Permit (see above) it can have more gaming machines.

Risk Assessments: the requirement under the Social Responsibility code 10.1.1 for operators to assess the local risks to the licensing objectives posed by the provision of gambling facilities at their premises and have policies, procedures and control measures to mitigate those risks.

Relevant representations: are representations made by responsible authorities or interested parties within the prescribed period, which relate to the promotion of at least one of the three

licensing objectives, have not been withdrawn; and, in the opinion of the licensing authority, are not frivolous or vexatious.

Responsible authority: public bodies that must be notified of applications and are entitled to make representations to the licensing authority. They include

- the licensing authority in whose area the premises is wholly or partly situated,
- the Gambling Commission,
- the chief officer of police or chief constable for the area in which the premises is wholly or partly situated,
- the fire and rescue authority for the same area,
- the local planning authority for the area in which the premises is wholly or partly situated,
- the relevant authority which has functions in relation to pollution to the environment or harm to human health for the area in which the premises is wholly or partly situated,
- a body, designated by the licensing authority, as competent to advise about the protection of children from harm,
- HM Revenue and Customs
- Any other person prescribed in regulations by the Secretary of State.

Review: following the grant of a premises licence a responsible authority or interested party may ask the licensing authority to review the licence because of a matter arising at the premises in connection with any of the three licensing objectives.

Skills with Prizes machine: a machine on which the winning of a prize is determined only by the player's skill and there is no element of chance. These are unregulated.

Small Society Lottery: these are for non-commercial societies (a society established and conducted for charitable purposes; for the purpose of enabling participation in, or of supporting, sport athletics or a cultural activity; or for any other non-commercial purpose other than that of private gain) who must register their lotteries with the local authority.

Temporary Use Notice: a notice that allows limited types of gambling to take place for a limited period on premises that do not have a premises licence.

Track: a site where races or other sporting events take place e.g. horse racing, dog racing, athletics, football, motor racing etc.

Travelling Fair: a fair that 'wholly or principally' provides amusements and must be on a site used for fairs for no more than 27 days per calendar year. Fairs can provide prize gaming and category D gaming machines.

Young Person: for the purposes of the Gambling Act 2005, anyone who is not a child but is aged under 18.

APPENDIX C: TABLE OF DELEGATION

Matter to be Dealt With	Full Council	Licensing Sub-Committee	Officers
Three year licensing policy	X		
Policy not to permit casinos	X		
Fee Setting – when appropriate			X
Application for premises licences		Where representations have been received and not withdrawn	Where no representations received / representations have been withdrawn
Application for a variation to a licence.		Where representations have been received and not withdrawn	Where no representations received / representations have been withdrawn
Application for transfer of a licence		Where representations have been received from the Commission	Where no representations received from the Commission
Application for a provision statement		Where representations have been received and not withdrawn	Where no representations received / representations have been withdrawn
Review of a premises licence		X	
Application for club gaming / club machine permits		Where representations have been received and not withdrawn	Where no representations received / representations have been withdrawn
Cancellation of club gaming / club machine permits		X	
Applications for other permits			X
Cancellation of licensed premises gaming machine permits			X
Consideration of temporary use notice			X

Decision to give a counter notice to a temporary use notice		X	
Determination as to whether a person is an Interested Party			X
Determination as to whether representations are relevant			X
Determination as to whether a representation is frivolous, vexatious or repetitive			X

APPENDIX D: GAMING MACHINE SUMMARY

SUMMARY OF MACHINE PROVISION BY PREMISES

Premises Type	A	B1	B2	B3	B4	C	D
Large casino (machine/table ratio of 5-1 up to maximum)		Maximum of 150 machines Any combination of machines in categories B to D (except B3A machines), within the total limit of 150 (subject to machine/table ratio)					
Small casino (machine/table ratio of 2-1 up to maximum)		Maximum of 80 machines Any combination of machines in categories B to D (except B3A machines), within the total limit of 80 (subject to machine/table ratio)					
Pre-2005 Act casino (no machine/table ratio)		Maximum of 20 machines categories B to D (except B3A machines), or any number of C or D machines instead					
Betting premises and tracks occupied by Pool betting			Maximum of 4 machines categories B2 to D (except B3A Machines)				
Bingo premises				Maximum of 20% of the total number of gaming machines which are available for use on the premises categories B3 or B4	No limit on category C or D machines		
Adult gaming centre				Maximum of 20% of the total number of gaming machines which are available for use on the premises categories B3 or B4	No limit on category C or D machines		
Licensed family entertainment centre						No limit on category C or D machines	
Family entertainment centre (with permit)							No limit on category D machines
Clubs or miners' welfare institute (with permits)				Maximum of 3 machines in categories B3A or B4 to D			
Qualifying alcohol-Licensed premises						1 or 2 machines of category C or D automatic upon notification	
Qualifying alcohol-licensed premises (with licensed premises gaming machine permit)						Number of category C-D machines as specified on permit	
Travelling fair							No limit on category D machines

SUMMARY OF GAMING MACHINE CATEGORIES AND ENTITLEMENTS

A full summary can be found at www.gamblingcommission.gov.uk