

FLINTSHIRE COUNTY COUNCIL
1 APRIL 2021

Minutes of the meeting of Flintshire County Council held as a remote attendance meeting on Thursday, 1 April 2021

PRESENT: Councillor Marion Bateman (Chair)

Councillors: Mike Allport, Janet Axworthy, Glyn Banks, Haydn Bateman, Sean Bibby, Chris Bithell, Sian Braun, Helen Brown, Clive Carver, Geoff Collett, Bob Connah, Paul Cunningham, Jean Davies, Rob Davies, Ron Davies, Adele Davies-Cooke, Chris Dolphin, Rosetta Dolphin, Ian Dunbar, Andy Dunbobbin, Mared Eastwood, Carol Ellis, David Evans, Veronica Gay, George Hardcastle, David Healey, Gladys Healey, Patrick Heesom, Cindy Hinds, Dave Hughes, Dennis Hutchinson, Joe Johnson, Paul Johnson, Rita Johnson, Christine Jones, Richard Jones, Colin Legg, Brian Lloyd, Mike Lowe, Dave Mackie, Hilary McGuill, Billy Mullin, Mike Peers, Ted Palmer, Michelle Perfect, Vicky Perfect, Neville Phillips, Ian Roberts, Tim Roberts, Kevin Rush, Aaron Shotton, Paul Shotton, Ralph Small, Ian Smith, Carolyn Thomas, Owen Thomas, Andy Williams, David Williams, David Wisinger and Arnold Woolley

APOLOGIES:

Councillors: Bernie Attridge, Derek Butler, Ray Hughes, Tudor Jones, Richard Lloyd and Tony Sharps

Chief Officers for Education and Youth, Social Services and Streetscene & Transportation

IN ATTENDANCE:

Chief Executive, Chief Officer (Governance), Chief Officer (Housing and Assets), Chief Officer (Planning, Environment and Economy), Senior Manager for Human Resources & Organisational Development, Head of Democratic Services, Overview & Scrutiny Facilitators, Democratic Services Team Leader and Democratic Services Officers

71. COMMENTS FROM THE CHAIR

As requested by the Chair, all those present took part in a minute's silence to remember all those who had lost their lives during the emergency situation.

72. RECOGNITION OF 25TH ANNIVERSARY OF THE CURRENT FLINTSHIRE COUNTY COUNCIL

The Chair introduced the item to recognise and celebrate the 25th anniversary of Flintshire County Council. She paid tribute to all 181 elected Members who had served on the Council during this time, in particular those who had sadly passed away.

Councillor Ian Roberts congratulated Councillors Chris Bithell, Ron Davies, Dennis Hutchinson and Neville Phillips who, like himself, had achieved continuous service since 1995. He recognised the contributions of all elected

Members, Chairs, Leaders and Chief Executives, past and present, as well as officers who had represented the Council.

In paying tributes on behalf of their respective groups, Councillors Mike Peers, Clive Carver and Chris Dolphin shared their own reflections on the Council over the years.

The occasion was also recognised by the Chief Executive who spoke on behalf of officers. He thanked all current and former elected Members along with Chairs and Leaders with whom he had served.

73. MINUTES

The minutes of the meeting held on 26 January 2021 were approved as a correct record, as moved and seconded by Councillors David Mackie and Chris Bithell.

The minutes of the meeting held on 16 February 2021 were also approved, as moved and seconded by Councillors Chris Bithell and Carolyn Thomas.

RESOLVED:

That both sets of minutes be approved as a correct record.

74. DECLARATIONS OF INTEREST

None.

75. CHAIR'S COMMUNICATIONS

In presenting her communications, the Chair commended the Advanced Manufacturing Research Centre (AMRC) Cymru building in Broughton for producing life-saving ventilator units for the NHS. On behalf of the Council, she congratulated the three recipients of the Tom Jones Award for Young People's Volunteering and a Flintshire resident who had celebrated her 105th birthday. She also made reference to the service to mark the Centenary of the dedication of the Sychdyn War Memorial.

The Chair took the opportunity to announce that Katie Wilby would be succeeding Steve Jones as the Chief Officer (Streetscene & Transportation) and she wished her well in the role. This was endorsed by the Chief Executive who thanked Members who had taken part in the recruitment panel.

76. PETITIONS

None were received.

77. REVIEW OF PROTOCOL FOR MEETING CONTRACTORS

The Chief Officer (Governance) presented a report to review the updated Protocol which provided guidance for Members in their dealings with parties

seeking or engaged in contracts with the Council. The report recommended that parts of the Protocol relating to Planning be removed and incorporated into the Planning Code of Guidance. The changes took into account issues raised by the Constitution & Democratic Services Committee during the consultation process.

In response to comments from Councillor Chris Bithell, the Chief Officer said that the Planning Code of Guidance would be updated to include relevant provisions from the Protocol, together with advice for Members on pre-application consultations.

After moving the recommendations, Councillor Ian Roberts urged Members to seek advice from Legal officers if they had any queries. This was seconded by Councillor Carolyn Thomas.

When put to the vote, the recommendations were carried.

RESOLVED:

- (a) That the parts of the Protocol for Members in their Dealings with Contractors/ Developers and Other Third Parties relating to dealings with partners who might be bidding for or seeking a contract with the Council be amended as shown appended to the report; and
- (b) That the parts of the Protocol for Members in their Dealings with Contractors/ Developers and Other Third Parties relating to Planning be transferred to the Planning Code of Guidance (to the extent that they are not already incorporated therein) and that the Planning Code of Guidance be updated.

78. REVIEW OF THE TERMS OF REFERENCE OF THE AUDIT COMMITTEE

The Chief Officer (Governance) presented a report to note the statutory changes to the Audit Committee to be implemented from April 2021. The name would be changed to the Governance & Audit Committee, with additional functions to be included in the Terms of Reference. Further changes to the composition of the renamed Committee would be introduced from May 2022.

The Audit Committee and Constitution & Democratic Services Committee had been consulted on the report. The Chairs of those Committees, Councillors Chris Dolphin and Neville Phillips moved and seconded the recommendation.

In response to a question from Councillor Richard Jones, the Chief Executive and Chief Officer confirmed that there would be no overlap of work arising from the new duties with the existing role of the Overview & Scrutiny Committees. Whilst the role of the Governance & Audit Committee was to assess the effectiveness of systems, the Overview & Scrutiny Committees would continue to explore areas in more depth and monitor performance. Issues of concern raised by the Audit Committee would be referred to the relevant Overview & Scrutiny Committee; a practice reinforced through a co-ordinating group comprising representatives of those Committees.

In response to a query from Councillor Mike Peers on the requirement for a lay member to be appointed as Chair of the renamed Committee, the Chief Officer confirmed that contact details of all co-opted members were available internally. He clarified that the legislation allowed for an elected Member to be appointed as the Vice-Chair of the renamed Committee.

Having been moved and seconded, the recommendation was put to the vote and carried.

RESOLVED:

That the amended name of the Council's Audit Committee be acknowledged and the new functions set out in the Act be included within the current Terms of Reference of the renamed Committee.

79. UPDATE ON THE IMPLEMENTATION OF THE LOCAL GOVERNMENT & ELECTIONS ACT 2021

The Head of Democratic Services presented the report to apprise the Council of ongoing implementation of the Local Government and Elections (Wales) Act 2021 following the item received in January. The report provided an update on the phased implementation of the three Commencement Orders to be introduced by May 2022. Since publication of the report, the Second Commencement Order relating to a new performance and governance regime for principal Councils and the Third Commencement Order bringing into force provisions on attendance for Local Authority meetings and documents had been produced. Further changes arising from the legislation would be reported to the Constitution & Democratic Services Committee and County Council.

The recommendation was moved and seconded by Councillors Ian Roberts and Carolyn Thomas.

In response to a question from Councillor Mike Peers, the Chief Executive provided a brief update on the timetable for the County Boundary Review.

Councillor Richard Jones commented on the discussion in January on other aspects of the legislation and the Council's resolution not to support proposals for Corporate Joint Committees (CJCs) as they currently stood. The Chief Executive said that regional consensus had resulted in delayed implementation to allow for more work on how CJCs would work. An update on the position would be reported to a future meeting.

Having been moved and seconded, the recommendation was put to the vote and carried.

RESOLVED:

That Council notes the implementation timetable and acknowledges that further reports will be brought in due course.

80. APPOINTMENTS OF INDEPENDENT MEMBERS TO THE STANDARDS COMMITTEE

The Chief Officer (Governance) presented the report on the outcome of the recruitment process for the two Independent Member vacancies on the Standards Committee. Following interviews, the report recommended the appointment of the preferred candidate (Gill Murgatroyd) with the remaining vacancy to be re-advertised.

The recommendation was moved and seconded by the Chair and Councillor Paul Johnson, both of whom had participated on the interview panel.

As requested by Councillor Ian Dunbar, the Chief Officer (Governance) provided clarification on the process for appointing a Town/Community Council representative on the Council's Standards Committee.

The recommendation was put to the vote and carried.

RESOLVED:

That Gill Murgatroyd be appointed to the Standards Committee until 31 March 2027.

81. PETITIONS RECEIVED AT COUNCIL

The Head of Democratic Services presented the annual report on outcomes and actions arising from petitions submitted to Council during the year. The report included portfolio responses to the two petitions received during 2020/21. It was noted that the Council was working with colleagues across Wales on a consistent approach to electronic petitions.

The recommendation was moved and seconded by Councillors Billy Mullin and Paul Cunningham who welcomed work on the petitions and encouraged elected Members to raise awareness amongst communities.

Councillor Veronica Gay said that road safety concerns in Saltney raised within a petition submitted in 2019 had not yet been addressed. The Head of Democratic Services would respond to Councillor Gay following the meeting.

On being put to the vote, the recommendation was carried.

RESOLVED:

That the report be noted.

82. FAMILY ABSENCE FOR MEMBERS OF LOCAL AUTHORITIES (WALES) (AMENDMENT) REGULATIONS 2021

The Head of Democratic Services presented a report on the Family Absence for Members of Local Authorities (Wales) (Amendment) Regulations 2021 which increased the adoption absence period for local authority members from two weeks to 26 weeks. The changes would result in the same periods of

maternity and adopter's absence being available to Members of principal Councils and provide for similar arrangements for adopter's absence as are already in place for maternity absence.

As Chair and Vice-Chair of the Constitution & Democratic Services Committee, Councillors Neville Phillips and Michelle Perfect moved and seconded the recommendation. On being put to the vote, this was carried.

RESOLVED:

That Council notes that Welsh Government have made the Family Absence for Members of Local Authorities (Wales) (Amendment) Regulations 2021, and incorporates the changes into the standing orders on family absence within the Constitution.

83. PUBLIC QUESTION TIME

None were received.

84. QUESTIONS

None were received.

85. NOTICE OF MOTION

None were received.

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

The exclusion of the press and public for the remaining item was moved and seconded by Councillors Chris Bithell and Ian Dunbar.

RESOLVED:

That the press and public be excluded from the meeting as the following item was considered to be exempt by virtue of paragraph 12 of Part 4 of Schedule 12A of the Local Government Act 1972 (as amended).

At this point in the meeting, there was a brief adjournment before the remaining item.

87. RECRUITMENT OF CHIEF EXECUTIVE

The Senior Manager for Human Resources & Organisational Development presented a report to seek approval to recruit to the role of Chief Executive following the recent notice of intention to resign given by the current post holder, and to agree the recruitment package and process.

Following a suggestion by Councillor Richard Jones, it was agreed that the tenth bullet point in the Job Description would be expanded to more clearly reflect that advice and support was provided to elected Members in an apolitical way.

With that amendment, the recommendations were moved and seconded by Councillors Ian Roberts and Mike Peers. The final wording would be shared with the interview panel.

RESOLVED:

- (a) That the recruitment of a new Chief Executive be agreed;
- (b) That the proposed remuneration package, which is unchanged, be agreed; and
- (c) That the proposed recruitment process and timetable be agreed, incorporating the amendment to the Job Description.

88. MEMBERS OF THE PRESS IN ATTENDANCE

There were no members of the press in attendance.

(The meeting started at 2pm and ended at 4pm)

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Chair