

FLINTSHIRE COUNTY COUNCIL
THURSDAY 29TH JULY, 2010

Minutes of the special meeting of Flintshire County Council held at County Hall, Mold on Thursday 29th July, 2010.

PRESENT: Councillor W.O. Thomas (Chairman)

Councillors: Eng. K. Armstrong-Braun, J.B. Attridge, S.R. Baker, D. Barratt, G.H. Bateman, M. Bateman, R.C. Bithell, C.S. Carver, J.C. Cattermoul, D.L. Cox, P.J. Curtis, R. Davies, Q.R.H. Dodd, C.J. Dolphin, B. Dunn, C.A. Ellis, E.F. Evans, J.E. Falshaw, V. Gay, F. Gillmore, R.J.T. Guest, A.M. Halford, R.G. Hampson, G. Hardcastle, P.G. Heesom, C. Hinds, H.T. Howorth, H.D. Hutchinson, H.T. Isherwood, G. James, C.M. Jones, N.M. Jones, R.B. Jones, S. Jones, R.P. Macfarlane, D.I. Mackie, D.L. Mackie, N.M. Matthews, D. McFarlane, A. Minshull, W. Mullin, T. Newhouse, E.W. Owen, M.J. Peers, P.R. Pemberton, N. Phillips, H.G. Roberts, L.A. Sharps, A.P. Shotton, N.R. Steele-Mortimer, D.T. Williams, D.E. Wisinger, A. Woolley and M.G. Wright.

APOLOGIES:

Councillors: L.A. Aldridge, H. Brown, E.G. Cooke, A.J. Davies-Cooke, R. Dolphin, R. Hughes, N. Humphreys, R. Johnson, C. Legg, M.A. Reece, I.B. Roberts and C.A. Thomas.

IN ATTENDANCE:

Director of Environment, Director of Lifelong Learning, Head of Legal and Democratic Services, Head of Finance, Democracy and Governance Manager and Member Engagement Manager.

24. PRAYERS

The meeting was opened with Prayers said by Councillor N. Phillips.

Immediately after prayers, Councillor A.P. Shotton raised concern about a press article which had appeared in the Flintshire Chronicle on the Housing Stock Ballot issue. Councillor Shotton expressed concerns that the comments attributed to a senior Council source were incorrect and sought an urgent statement from the Leader of the Council to clarify this. He also asked the Head of Legal and Democratic Services to confirm whether the press comments were made by a Council officer.

The Head of Legal and Democratic Services reported that an officer of the Council had not made a statement with regard to this article through the Council's Press Office.

25. DECLARATIONS OF INTEREST

Councillors: S.R. Baker, E.G. Cooke, V. Gay, H.J. McGuill, E.W. Owen and N. Phillips declared an interest in agenda item number 5 in relation to Member Champions. All Members present declared an interest in agenda item number 6 in relation to Members Allowances.

26. **CONSTITUTIONAL MATTERS: COMMITTEES**

The Council considered the report of the Head of Legal and Democratic Services, the purpose of which was for the Council to consider whether to make any changes to the appointment and/or size of committees in the light of the recommendations of the Constitution Committee, review political balance and appoint chairs and vice-chairs of Standing Committees.

(A) Appointment of Committees

The Head of Legal and Democratic Services explained that at the Annual Meeting on 11th May, 2010 it was resolved to defer making any changes to the appointment of Committees and determining their size pending further consideration by the Constitution Committee. At its meeting on the 14th July, 2010 the Constitution Committee reconsidered its previous decision to recommend the merger of the two Overview and Scrutiny Committees relating to People and Performance and Corporate Management and resolved to recommend not to do so and keep the status quo.

RESOLVED

- (a) That the Standing Committees and Overview and Scrutiny Committees be confirmed as follows:
- i) Corporate Management Overview and Scrutiny Committee
 - ii) People and Performance Overview and Scrutiny Committee
 - iii) Lifelong Learning Overview and Scrutiny Committee
 - iv) Social and Health Overview and Scrutiny Committee
 - v) Community and Housing Overview and Scrutiny Committee
 - vi) Environment and Regeneration Overview and Scrutiny Committee
 - vii) Overview and Scrutiny Co-ordinating Committee
 - viii) Planning and Development Control Committee
 - ix) Audit Committee
 - x) Constitution Committee
 - xi) Licensing Committee

(B) Determination of the Size of Committees

The Head of Legal and Democratic Services reported that at the Constitution Committee meeting held on 14th July, 2010 it was recommended that there should be a reduction in the size of the Co-ordinating Committee from 21 to 15 Members. There was no proposal to alter the size of any of the other Standing Committees.

RESOLVED

That the size of the Committees be as follows:

Committee

Number of Seats

Each of the Overview and Scrutiny Committees	15
Co-ordinating Committee	15
Planning and Development Control	21
Audit Committee	7
Licensing Committee	12
Constitution Committee	21

(C) Terms of Reference of Committees

The Head of Legal and Democratic Services reported that with one exception relating to the Regulation of Investigatory Powers Act, the existing terms of reference of committees were approved without amendment at the Annual Meeting. However, the Constitution Committee at its meeting on the 17th December, 2009 recommended that the terms of reference of the Co-ordinating Committee be amended to include responsibility to scrutinise regional working and the Council's relationship with the Welsh Assembly Government.

At the meeting of the Constitution Committee held on 14th July, 2010 Members asked officers to consider a revision to the terms of reference of Overview and Scrutiny Committees. A further report would be submitted to the Constitution Committee in due course.

RESOLVED

That the Terms of Reference of each of the Committees be approved.

(D) Political Balance – Annual Review

The Head of Legal and Democratic Services reported that the Council needed to decide the allocation of seats to political groups in accordance with the Political Balance Rules contained in the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990 as amended.

RESOLVED

That the allocation of seats as detailed in appendices A and B be confirmed.

(E) Appointment of Chairs and Vice-Chairs of Standing Committees

The Head of Legal and Democratic Services reported that the Chairmen and Vice Chairmen of Standing Committees were required to be appointed with the exception of the Standards Committee. It was noted that the Constitution made special arrangements in relation to the Chairs and Vice-Chairs of the Audit and Licensing Committees. In the case of the Audit Committee, the Chair and Vice-Chair were required to be selected from amongst the main opposition group(s) on the Council. In relation to the Licensing Committee, the Chair and Vice-Chair was required to be chosen

from amongst the main opposition group on the Council. Any departure from this practice would accordingly require an amendment to the Constitution.

Circulated at the meeting was a list of nominees for Chairmen and Vice Chairmen. Councillor A. Woolly, Leader of the Council proposed that the order of the list of Committees as shown in the list of nominees for Chairmen and Vice Chairmen should reflect the order shown in Appendix B of the report.

Councillor K. Armstrong-Braun reported that he had requested to be a Member of the Environment and Regeneration Overview and Scrutiny Committee and did not want to sit on the People and Performance Overview and Scrutiny Committee. Councillor T. Newhouse said that he was happy to sit on the Lifelong Learning Overview and Scrutiny Committee and that his seat on the Constitution Committee could be filled by another Member. The Head of Legal and Democratic Services suggested that a further report be considered at the next meeting of the County Council on the allocation of seats for the People and Performance Overview and Scrutiny Committee and the Constitution Committee.

RESOLVED

- (a) That the following Members be appointed Chair and Vice-Chair of the Standing Committees as indicated below:

Community and Housing Overview and Scrutiny Committee

Chairman - Councillor Ron Hampson
Vice Chairman - Councillor George Hardcastle

People and Performance Overview and Scrutiny Committee

Chairman - Councillor Fred Gillmore
Vice Chairman - Councillor Richard Jones

Lifelong Learning Overview and Scrutiny Committee

Chairman - Councillor Peter McFarlane
Vice Chairman - Councillor Carolyn Cattermoul

Environment and Regeneration Overview and Scrutiny Committee

Chairman - Councillor Mike Peers
Vice Chairman - Councillor Norma Jones

Corporate Management Overview and Scrutiny Committee

Chairman - Councillor Brian Dunn
Vice Chairman - Councillor Clive Carver

Social and Health Overview and Scrutiny Committee

Chairman - Councillor Hilary McGill
Vice Chairman - Councillor Adele Davies-Cooke

Overview and Scrutiny Co-ordinating Committee

Chairman - Councillor Hilary McGill

Vice Chairman - Councillor Jim Falshaw

Planning and Development Control Committee

Chairman - Councillor Alison Halford

Vice Chairman - Councillor Patrick Heesom

Audit Committee

Chairman - Councillor Ian Roberts

Vice Chairman - Councillor Billy Mullin

Licensing Committee

Chairman - Councillor Bernie Attridge

Vice Chairman - Councillor Alan Diskin

Constitution Committee

Chairman - Councillor Robin Guest

Vice Chairman - Councillor Alison Halford

Clwyd Pension Fund

Chairman - Councillor Brian Dunn

Vice Chairman - Councillor Ted Evans

- (b) That a further report be considered at the next meeting of the County Council on the allocation of seats for the People and Performance Overview and Scrutiny Committee and the Constitution Committee.

27. MEMBER CHAMPIONS FOR OVERVIEW & SCRUTINY AND MEMBER SUPPORT & DEVELOPMENT

The Democracy and Governance Manager introduced a report requesting the Council to consider a recommendation from the Constitution Committee to cease to have Member Champions in so far as the recommendation related to Member Champions not appointed by the Executive or by the Leader. There were three such Champions, namely those for Overview and Scrutiny, Member Support and Development and for Supporting People.

The Democracy and Governance Manager reported that the Council had seven Members who act as Members Champions for various areas as detailed in Appendix 1 of the report. At the Constitution Committee meeting on the 17th December, 2009 consideration was given to a report from the Head of Legal and Democratic Services on Member Champions which recommended the setting up of a Task and Finish Group of Members to review the role and make appropriate recommendations to rationalise the present situation. The Task and Finish Group met on the 28th May, 2010 and its recommendations were reported to the Constitution Committee on the 14th July, 2010. The Constitution Committee resolved to recommend that the Council cease to have Member Champions.

Councillor A.P. Shotton proposed acceptance of the recommendation of the Constitution Committee that the practice of appointing Member Champions be discontinued. This was seconded by Councillor J.B. Attridge. Councillor A.M. Halford referred to the meeting of the Constitution Committee and suggested that this matter be deferred pending the approval of the draft minutes from the Constitution Committee meeting held on 14th July, 2010, which had been circulated to all Members.

Councillor R.C. Bithell reported that he had attended the Member Champion Task and Finish Group meeting held on 28th May, 2010. He said that he did not wish to criticise current Member Champions but it was his view that officers should advise Members rather than another Member doing so as a Member Champion. He felt that the Member Champion role should be undertaken by the appropriate Executive Member. Councillor K. Armstrong-Braun also spoke in support of the recommendations of the Constitution Committee and the comments made by Councillor Bithell. He raised concern that Members do not receive regular reports on the work of Member Champions.

Councillor A. Woolley, Leader of the Council spoke in support of Member Champions and explained that the Council had been encouraged to appoint Member Champions who dealt with, in line with other duties, changes in legislation. He felt that Member Champions should be fairly recompensed for the work which they undertake on behalf of the Council and asked the Council not to reject the recommendations of the Constitution Committee.

Councillor Halford raised concern that Councillor Woolley was asking the Council to reject the recommendation of the Constitution Committee where the majority of Members at that meeting had voted for the roles of Member Champions to cease. Councillor Shotton also referred to the comments of Councillor Woolley and said that this was a sensitive issue and commended the work which had been undertaken by the Member Champions. He felt, however that their duties should be undertaken by the Executive Members and raised concern on the comments that they should be recompensed. He felt that the current Members allowance scheme was sufficient to enable Members to be recompensed.

The Head of Legal and Democratic Services referred to Councillor Halford's proposal that the recommendation to cease Member Champions be referred back to the Constitution Committee in order for the minutes of the meeting held on 14th July, 2010 to be approved. He suggested that a further report be submitted to the Constitution Committee outlining the different types of Member Champions.

RESOLVED

That this item be referred back to the next meeting of the Constitution Committee.

28. MEMBERS ALLOWANCES

The Democracy and Governance Manager introduced a report for the County Council to determine the rates of basic co-optees and special responsibility allowances (SRA) for the financial year 2010/11.

The Democracy and Governance Manager reported that the Independent Remuneration Panel had determined that for 2010/11 the basic allowance be reset at a maximum of £13,868 per annum. The co-opted Members on the Standards and Lifelong Learning Overview and Scrutiny Committees were eligible for co-optees allowance and for 2010/11 the Panel had determined that the maximum should be £1,200 and £2,230 for the Chairman of the Standards Committee. The Panel also determined that from the 1st April, 2010 Vice Chairs would not normally be eligible for SRA and neither would Chairs of other Council Committees beyond Overview and Scrutiny, Audit, Planning and Licensing Committees. It was open to Councils to apply to the Panel for other posts to receive a SRA and this had led to Flintshire's application for the Chair of the Pensions Panel being approved. The revised framework of posts eligible for SRA was detailed in Appendix 1.

Councillor A. Woolley, Leader of the Council proposed acceptance of the recommendations as outlined within the report and also proposed that Members receive a pay freeze, therefore, that there be no increase in their basic or special responsibility allowances this financial year. Councillor Shotton supported the proposal to impose a pay freeze on Members allowances. He also welcomed the proposed measure recently announced by the Welsh Assembly Government that decisions on Members allowances would be made by the Panel.

Councillor H.D. Hutchinson paid tribute to Councillor L.A. Aldridge who, when Leader of the Council, had ensured that Members allowances were set at lower levels.

RESOLVED

- (a) That the rate of basic and special responsibility allowances remain at the current rate and not be increased for the current financial year.
- (b) That the Chairman of the Standards Committee co-opted allowance increases to £2,230 and other co-optees allowance increase to £1,200 for the current financial year.

29. NOTICES OF MOTION

- (i) **Increase in VAT from 17.5% to 20%**

The following Notice of Motion had been submitted by Councillor A.P. Shotton:-

“That this Council notes:

That the increase in VAT from 17.5% to 20% announced in the Government’s June Budget will fall hardest on those least able to afford it.

That the Increase in VAT will lead to higher prices for goods and services; will have a disproportionate impact on pensioners and other low income groups; and will have a severe impact on businesses, charities and community groups in Flintshire.

That the effect of the increase in VAT, when taken with other measures in the Budget, will be unfair to pensioners, who have not had a compensatory increase in other benefits and allowance.

That the way the VAT increase will affect pensioners and other low income groups runs counter to the Government’s Coalition Agreement statement on 20 May 2010 that it would “ensure that fairness is at the heart of those decisions so that all those most in need are protected”.

That the Institute of Fiscal Studies has stated the VAT increase was not “unavoidable”, as the Chancellor of the Exchequer said in his Budget speech.

That this Council resolves:

To write to the Chancellor of the Exchequer raising concerns about the impact of the proposed VAT increase on pensioners, other vulnerable groups and businesses in Flintshire.

To call on the Members of Parliament representing Flintshire to stand up for local pensioners, businesses and the wider community, to voice their opposition to this unfair increase in VAT and to vote against it in Parliament”.

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

In speaking to his motion, Councillor A.P. Shotton outlined his concerns at the unfairness of the proposed VAT increase and felt that vulnerable people in Flintshire would be worst affected. He made reference to the findings of the Institute of Fiscal Studies in describing the VAT increase as being avoidable and explained that the costs of the National Government’s tax cuts in national insurance, corporation tax and council tax freezes in England were almost equal to the income which would be generated from the increase in VAT. Therefore, he accused the National Government of providing tax cuts for the rich paid for by a VAT increase which would adversely affect the poor. He informed Members that the local Members of Parliament had voted against the VAT increase and urged Members of the Council to support his motion.

Councillor S.R. Baker proposed an amendment to the Notice of Motion to read as follows:-

“That this Council notes:

That the increase in VAT from 17.5% to 20% announced by the Government’s June Budget and other tax changes may not be universally welcome, but are necessary to save the United Kingdom from the indignity of seeing the Country’s credit rating plummet, with the consequent difficulties this would pose in staging a financial recovery over the next few years.

That the international credit rating agencies responded favourably to the Chancellor’s Emergency Budget with Moody’s saying the proposals were ‘supportive’ of Britain keeping its coveted, top-notch AAA rating and comments by Fitch’s that, if delivered upon, the budget would “materially strengthen confidence in UK public finances and its AAA status”. Moody’s described the budget as “a key step towards reversing the significant deterioration in the government’s financial position that occurred over the past two years”. Moody’s senior credit officer Kenneth Orchard said “The budget confirmed the UK government’s intention to eliminate the structural current deficit by 2015-16. Successful implementation would return the government’s finances to a more sustainable trend”.

That whilst the increase in VAT will lead to higher prices for some goods and services the effect on this will be mitigated by the increase in personal tax allowances which will take 880,000 lower paid workers out of tax altogether, and by the guaranteed uprating of pensions by either the highest of earnings, inflation or 2.5%.

That whilst the Institute of Fiscal Studies had expressed criticism of the VAT increase other economists claim that we should rate how rich or poor families are by what they spend instead of what they earn. The IFS considered this argument and produced figures to show that – on such a basis – the VAT rise was a fair tax after all.

That the previous Government effectively wrote “dud cheques” for promises it could not hope to honour had they won the election and presided over a period of fiscal irresponsibility which could have crippled the United Kingdom economy.

That this Council resolves:

To write to the Members of Parliament representing Flintshire expressing the Council’s disappointment that, after the General Election, the only apology for years of poor financial management and for the crisis now facing the new Government and the people of the United Kingdom came from Liam Byrne, former Chief Secretary to the Treasury in a note to his successor saying: “Dear Chief Secretary, I’m afraid to tell you there’s no money left”. The Council’s correspondence should make it clear that if this was intended as a joke it was in poor taste but it is noted that the comment accurately reflects the position that the United Kingdom now faces”.

In speaking to his amendment, Councillor S.R Baker said that the motion put forward by Councillor Shotton was a template from the National

Labour Party and should not have been submitted to this meeting. He referred to separate comments by the Institute of Fiscal Studies which had examined reports from other economists that had stated that the rise in VAT would not affect lower earners because we should rate how rich or poor families were by what they spend instead of what they earn. He also referred to comments made by the former Chancellor that he would also have introduced an increase in VAT. Councillor M. Wright seconded the amendment and also felt that the motion had been distributed by the Labour central office. He outlined the need to increase VAT due to the large deficit left by the previous Government and the risk to the UK's credit rating if the National Government had not taken action to deal with the deficit. He referred to the former Chief Secretary's note, as outlined within the amendment, which he felt had been in poor taste.

A number of Members spoke in support of the amendment. Councillor Armstrong-Braun felt that it was hypocritical of the Labour Party to criticise the National Government for the increase in VAT as they had no alternative proposals to reduce the deficit. Councillor A. Woolley supported these comments and referred to a number of reports made by different economists which supported the need to increase VAT for sustainable economic growth.

Councillor H.G. Roberts referred to concerns he had of the effect of VAT on poorer people given that it was a form of indirect taxation. Councillor R.P. McFarlane referred to Members concerns on the current deficit and explained that in 1945 the National Government had introduced the National Health Service despite the national deficit being five times the size of the Gross Domestic Product. He also raised concern on the affect the VAT rise would have on the cost of Council services. Councillor P.J. Curtis said that the causes of the national debt were due to a world wide economic problem and blamed the greed of the banks. He felt that if the previous National Government had not taken action, then people would have lost their savings and industry would have collapsed.

Councillor R.C. Bithell and Councillor P.G. Heesom both spoke in support of Councillor Shotton's motion as they felt that the rise in VAT was a regressive tax and would affect the most vulnerable people in Flintshire.

Councillor P. Pemberton outlined his concerns about the national debt and felt that the rise in VAT would only affect the highest spenders. Councillor C.S. Carver felt that Councillor Shotton had failed to concentrate on the VAT issue during his opening comments and also referred to local press comments which he felt was a form of scaremongering as many items, including children's clothes and food, were VAT exempt.

Councillor Shotton reiterated his concerns that local businesses, charities and the most vulnerable people in Flintshire, in particular, young families would be adversely affected by the rise in VAT. He appealed to all Members to take the opportunity to support his motion and stand up for the people of Flintshire.

The Notice of Motion as amended was put to the meeting. A recorded vote was requested and the requisite number of Members stood in support of this. On being put to the vote the

For the amendment:-

Councillors: Eng K. Armstrong-Braun, S.R. Baker, G.H. Bateman, M. Bateman, C.S. Carver, J.C. Cattermoul, C.J. Dolphin, B. Dunn, C.A. Ellis, J.E. Falshaw, V. Gay, F. Gillmore, R.J.T. Guest, A.M. Halford, G. Hardcastle, H.T. Isherwood, G. James, N.M. Jones, R.B. Jones, D.I. Mackie, D.L. Mackie, N.M. Matthews, H.J. McGuill, T. Newhouse, E.W. Owen, P.R. Pemberton, N. Phillips, L.A. Sharps, N.R. Steele-Mortimer, W.O. Thomas, A. Woolley and M.G. Wright.

Against the amendment:-

Councillors: J.B. Attridge, D. Barratt, R.C. Bithell, D.L. Cox, P.J. Curtis, R. Davies, E.F. Evans, R.G. Hampson, P.G. Heesom, C. Hinds, H.T. Howorth, C.M. Jones, S. Jones, R.P. Macfarlane, D. McFarlane, A. Minshull, W. Mullin, M.J. Peers, H.G. Roberts, A.P. Shotton and D.E. Wisinger.

Abstentions:-

Councillors: Q.R.H. Dodd, H.D. Hutchinson and D.T. Williams.

RESOLVED

That the Council write to the Members of Parliament representing Flintshire expressing the Council's disappointment that, after the General Election, the only apology for years of poor financial management and for the crisis now facing the new Government and the people of the United Kingdom came from Liam Byrne, former Chief Secretary to the Treasury in a note to his successor saying: "Dear Chief Secretary, I'm afraid to tell you there's no money left". The Council's correspondence should make it clear that if this was intended as a joke it was in poor taste but it is noted that the comment accurately reflects the position that the United Kingdom now faces".

(ii) **Subsistence Allowance**

The following Notice of Motion had been submitted by Councillor C.J. Dolphin:-

"That Members not be entitled to claim subsistence allowance for approved duties within the Flintshire area and the scheme of allowances be amended accordingly".

Councillor S.R. Baker gave notice of an amendment to the notice of motion as follows:-

“That for the current financial year travelling and subsistence allowances remain at their current rates but that the rate of subsistence allowance for undertaking approved duties in Flintshire be zero from 1st April, 2011’

In accepting the amendment to the motion, Councillor C.J. Dolphin outlined his disappointment that a Member of the Council had claimed, in his view, excessive subsistence allowances. He said that members of staff were not able to claim reimbursement for their lunch and felt it unnecessary and inappropriate for Members to be able to claim for their lunch.

In response to a question on whether the amended notice of motion could be introduced retrospectively, the Democracy and Governance Manager explained that difficulties could be encountered in claiming the money back from Members and advised that changes to the subsistence allowance should be introduced at the Annual Meeting in 2011 and it was for Members to personally decide whether or not to claim subsistence allowance in this financial year.

Councillor Armstrong-Braun did not accept the comments made by Councillor Dolphin and outlined his workload as a Member which he felt encompassed the whole of the Flintshire area.

Councillor C.A. Ellis suggested that Members who had claimed subsistence allowance for the current financial year should voluntarily pay this money back to the Council. This suggestion was supported by a number of Members.

Councillor Q.R.H. Dodd proposed a further amendment ‘that for the current financial year travelling and subsistence allowances remain at their current rates except that the rate of subsistence allowance for undertaking approved duties in Flintshire be zero from 1st April, 2010’. Councillor R.J.T. Guest referred to this amendment and said that whilst he supported the principle of the notice of motion he could not support this further amendment, as he had concerns over the retrospective element of it.

The amendment was then put to the meeting and was agreed.

RESOLVED

That for the current financial year travelling and subsistence allowances remain at their current rates except that the rate of subsistence allowance for undertaking approved duties in Flintshire be zero from the 1st April, 2010.

30. FLINTSHIRE FUTURES PROGRAMME AND BUDGET 2011/12

Prior to consideration of this item, Councillor P.G Heesom proposed that this item be deferred to the next County Council meeting. He said that this was a significant issue facing the Council and felt that the Chief Executive should be in attendance to answer Members concerns and questions. This proposal was seconded by Councillor J.C. Cattermoul.

The Head of Finance explained that the presentation which had been prepared for this meeting would provide Members with information on the budget preparations for 2011/12. Further on-going consultation with Members would take place.

RESOLVED

That this item be deferred to the next meeting of the County Council.

31. FOOD SERVICE PLAN 2010/11

The Director of Environment introduced a report to seek Members approval for the Food Service Plan for Flintshire County Council which detailed the service delivery programme for the period 1st April 2010 to the 31st March 2011. This plan included a review of the Service Plan 2009 and therefore could not be finalised until all the statistical data and all other information was compiled and reviewed for the previous year.

Councillor H.D. Hutchinson wished to thank the Head of Public Protection and the staff within the service area for their hard work in producing the Food Service Plan 2010/11.

RESOLVED

That the Food Service Plan 2010/11 be approved.

32. ADOPTION OF CONTROLS OVER SEXUAL ENTERTAINMENT VENUES

The Director of Environment introduced a report to request approval of the adoption of new powers to regulate sexual entertainment venues, confirm that the number of sex establishments venues in the relevant locality shall be nil, confirm the fees that would be payable for licences, approve proposed standard conditions and approve policy guidelines relating to applications.

Councillor R.C. Bithell referred to the report which stated that the number of sex establishment venues be nil and asked what controls were in place to ensure that venues advertised in the local press were operating in accordance with the Licensing Act. Councillor J.B. Attridge reported that during the Licensing Committee meeting held on 15th June, 2010, the Community Protection Manager had reported that the appropriate number of sex establishment venues should be nil but if an application was received this would need to be considered by the Licensing Sub-Committee in order for there to be an open and transparent process.

The Head of Legal and Democratic Services advised Members that if they were aware of establishments which were operating illegally then this should be reported to the Police.

- (a) That the amendments made by Section 27 of the Policing and Crime Act 2009 to Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 shall apply in the area of Flintshire County Council and shall come into force on 13th August, 2010.
- (b) That the number of sex establishments in the relevant locality be nil.
- (c) That the following fees be applicable to sex establishment (including sexual entertainment venue) licences:-
- Application for the grant of a sex establishment licence - £800
 - Application to vary a sex establishment licence - £800
 - Application to transfer a sex establishment licence - £200
- (d) That the standard conditions prescribed by regulations made by Flintshire County Council under paragraph 13 of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 shall apply to sex establishment (including sexual entertainment venue) licences, as shown in Appendix 1 of the report.
- (e) That the Policy Guidelines relating to any applications made as shown in Appendix 2 of the report be approved.

33. REGULATION OF ACUPUNCTURE, TATTOOING, SEMI-PERMANENT SKIN COLOURING, COSMETIC PIERCING & ELECTROLYSIS

The Director of Environment introduced a report in respect of the adoption of Model Byelaws for acupuncture, tattooing, semi-permanent skin colouring, cosmetic skin piercing and electrolysis. The Model Byelaws attached as Appendix 1 of the report were based on a model provided by the Welsh Assembly Government.

RESOLVED

- (a) That Officers be authorised to affix the Common Seal to the two sets of byelaws attached at appendix 1 of the report.
- (b) That Officers be authorised to carry out the necessary procedure and apply to the Welsh Assembly Government for confirmation.

34. DURATION OF MEETING

The meeting commenced at 2.00 p.m. and ended at 4.40 p.m.

35. ATTENDANCE BY MEMBERS OF THE PRESS AND PUBLIC

There were four members of the press present.

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Chairman

SUMMARY OF DECLARATIONS MADE BY MEMBERS
IN ACCORDANCE WITH FLINTSHIRE COUNTY COUNCIL'S
CODE OF CONDUCT

FLINTSHIRE COUNTY COUNCIL	29TH JULY, 2010
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MEMBER	ITEM	MIN. NO. REFERS
Councillors: S.R. Baker, E.G. Cooke, V. Gay, H.J. McGuill, E.W. Owen and N. Phillips	Member Champions for Overview & Scrutiny and Member Support & Development	27
All Members of the Council present for the item on Members allowances	Members Allowances	28