

## **FLINTSHIRE COUNTY COUNCIL**

**16 APRIL 2013**

Minutes of the meeting of the Flintshire County Council of Flintshire County Council held at Council Chamber, County Hall, Mold CH7 6NA on Tuesday, 16 April 2013

**PRESENT: Councillor Ann Minshull (Chairman)**

Councillors Alex Aldridge, Glyn Banks, Haydn Bateman, Marion Bateman, Chris Bithell, Amanda Bragg, Helen Brown, Derek Butler, Clive Carver, David Cox, Ron Davies, Adele Davies-Cooke, Rosetta Dolphin, Ian Dunbar, Brian Dunn, Carol Ellis, David Evans, Jim Falshaw, Veronica Gay, Alison Halford, Ron Hampson, George Hardcastle, Patrick Heesom, Cindy Hinds, Hilary Isherwood, Joe Johnson, Rita Johnson, Christine Jones, Kevin Jones, Richard Jones, Stella Jones, Colin Legg, Phil Lightfoot, Brian Lloyd, Richard Lloyd, Mike Lowe, Dave Mackie, Nancy Matthews, Hilary McGuill, Billy Mullin, Tim Newhouse, Mike Peers, Neville Phillips, Mike Reece, Gareth Roberts, Ian Roberts, Tony Sharps, Aaron Shotton, Paul Shotton, Ian Smith, Nigel Steele-Mortimer, Carolyn Thomas, Owen Thomas, Sharon Williams, David Wisinger, Arnold Woolley and Matt Wright

**APOLOGIES:** Councillors Bernie Attridge, Peter Curtis, Alan Diskin, Glenys Diskin, Chris Dolphin, Ted Evans, Robin Guest, Ray Hughes, Dennis Hutchinson, Peter Macfarlane and David Williams.

**IN ATTENDANCE:** Chief Executive, Head of Finance, Head of Legal and Democratic Services, Democracy and Governance Manager, and Committee Officers

### **149. PUBLIC QUESTION TIME**

The Chair confirmed that no questions had been received.

### **150. DECLARATIONS OF INTEREST**

The following Members declared a personal interest in agenda item number 7 – Notice of Motion:

Councillors: H. Brown, R. Dolphin, N. Phillips, A.P. Shotton, and I. Smith.

The following Members declared a personal interest in agenda item number 11– Voluntary Register of Membership of Organisations:

Councillors: C.S. Carver, and A. Minshull

The following Members declared a personal interest in agenda item number 12– Clwyd Pension Fund update:

Councillors: R.C. Bithell, H. Brown, A. Bragg, C.A. Ellis, D. Evans, C. Hinds, J. Johnson, R.K. Jones, S. Jones, N.M. Matthews, H.J. McGuill, N. Phillips, A.P. Shotton, and I. Smith

**151. COUNCIL MINUTES**

**19 February 2013**

Accuracy

Councillor C.A. Thomas said she had not been present at the meeting and asked that the minutes be amended to reflect this.

**1 March 2013**

Councillor P.G. Heesom referred to his comments on page 16 of the minutes. He said it was correct that he had spoken in support of the budget but that as regards the worsening pressures he had specifically stressed the need to balance the Medium Term Financial Strategy with a strategy for base budget controls enabling budget pressures to be cross referenced across directorates. He confirmed that he would be taking the matters forward to the Corporate Services Overview and Scrutiny Committee.

**RESOLVED:**

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

**152. CHAIR'S COMMUNICATIONS**

A copy of the Chair's communication had been circulated to all Members before the meeting.

Councillor P.G. Heesom took the opportunity to pay tribute to Councillor A. Minshull for the exemplary manner in which carried out her role as Civic Leader during her term of office and expressed his thanks to her on behalf of Members.

**153. PETITIONS**

Councillor N.R. Steele-Mortimer submitted a petition on behalf of Ysgol Trelawnyd School Council concerning road safety issues outside the school.

Councillor R. Davies submitted a petition concerning the closure of the Croft Nursery. He stated that he did not support the petition.

**154. NOTICE OF MOTION**

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

"That this Council recommends to the Cabinet that in delivering the emerging Single Status Agreement, later this year, the basic wage for adult

employees should be the current 'Living Wage' rather than the legal Minimum Wage".

Councillor Woolley formally proposed the motion and this was duly seconded. He spoke in detail on his motion and in summing up asked that the Council supported it.

Councillor A.P. Shotton, Leader of the Council, thanked Councillor Woolley for the notice of motion and said he acknowledged the principles of the motion and would support it with the following amendment:-

"That following the Single Status Agreement later this year the Council wishes to work towards a living wage".

Councillor Shotton explained that the Council's current pay and grading structure begins at national pay spinal column point 4 which was above the National Minimum Wage. The Council was in the final stages of developing a new pay and grading structure as part of the Single Status Collective Agreement which would be recommended to County Council for adoption later in 2013. Within the options for the final Pay and Grading structure the Authority had developed solutions to remove low pay. The options to deal with low pay had been worked on with the Trade Unions. The options would bring the lowest level of pay into the range of the Living Wage and would have a positive impact on lower basic pay for the workforce.

Councillor Shotton emphasised that pay proposals must be affordable and sustainable within the Medium Term Financial Strategy for the Council. He advised that the Council would be encouraged later in the year to meet the objective of protecting employees from low pay when presented with a proposed Single Status Collective Agreement.

Councillor Woolley requested that a time limit be stipulated on the terminology 'work towards a living wage' used in the proposed amendment. In his response Councillor Shotton said that stating a timeframe was not practical but the Authority would work towards a due process.

Councillor B. Mullin, Cabinet Member for Corporate Management, spoke in support of the amendment to the notice of motion proposed by Councillor Shotton.

Councillor R.B. Jones referred to the wider implications for local businesses and said he was generally in favour of the minimum wage.

The Chief Executive commented that Members were being asked to consider a proposal on low pay prematurely and in advance of a single pay and grading model for the whole workforce which would need to be legal, acceptable and affordable.

The Chairman asked Members to vote on the amendment to the notice of motion which had been put forward by Councillor A.P. Shotton and when put to the vote this became the resolution of the Council.

**RESOLVED:**

That the Council recommends to Cabinet that following the Single Status Agreement later this year the Council wishes to work towards a living wage.

**155. QUESTIONS**

The Chair confirmed that no Questions had been received.

**156. QUESTIONS FROM MEMBERS ON COMMITTEE MINUTES**

The Chair confirmed that no Questions had been received.

**157. APPOINTMENTS TO THE STANDARDS COMMITTEE**

The Head of Legal and Democratic Services introduced a report concerning appointments to fill existing and forthcoming independent member vacancies on the Standards Committee. He provided background information and context and advised that the Appointments Panel had met to consider the applications for the 3 vacant posts available with effect from May 2013 and a fourth vacancy arising in December 2013. At a meeting of the Standards Committee held on 8 April 2013, the Committee recommended to Council that the four persons selected be appointed as independent members with the start dates and terms of office as detailed in the report.

Councillor B. Mullin, expressed his appreciation to the Monitoring Officer for the work he had undertaken to resolve the vacancies on the Standards Committee.

**RESOLVED:**

- (a) That the four persons selected be appointed as independent members with the start dates and terms of office as detailed in the report;
- (b) That the retiring members be thanked for their invaluable service on the Standards Committee; and
- (c) That the lay member be thanked for his involvement in recruiting the new members.

**158. VOLUNTARY REGISTER OF MEMBERSHIP OF ORGANISATIONS**

The Head of Legal and Democratic Services introduced a report to propose discontinuing the locally adopted requirement to voluntarily register membership of any organisation not open to the public without formal membership. He provided background information and advised that the Council currently had two requirements to register. Compliance with the statutory code of

conduct was mandatory, well publicised, and had a statutorily imposed enforcement regime. The local register was voluntary and not a public document.

In response to the queries and observations raised by Members the Head of Legal and Democratic Services explained that the mandatory register superseded the voluntary register in all important aspects. He also confirmed that standards would not be lowered through the abolition of the voluntary register. He recommended that an advice note be sent to Members to clarify what was covered by the requirement in the statutory code with respect to registration of membership of societies and bodies.

Councillor R.C. Bithell commented on democratic protocol and procedures and proposed that the item be referred to the Constitution Committee for further consideration before submission to County Council. Councillor P.G. Heesom seconded the proposal.

The Head of Legal and Democratic Services advised that the matter had been considered by the Standards Committee at a meeting held on 8 April 2013, and that the Committee had recommended to Council that the voluntary register be discontinued.

Councillor A.P. Shotton said he was satisfied that the matter had been addressed by the Standards Committee and commented that there was unnecessary duplication in maintaining the two registers.

Councillor A. Aldridge said the clarification provided by the Head of Legal and Democratic Services outlined to Members that they should declare anything which could be in conflict with their role as Members of the Council. He reminded Members of the significant role of the Standards Committee.

Councillor M. Peers asked if any discrepancies existed between the mandatory and voluntary registers and suggested that Members could list their interests and submit them to the Head of Legal and Democratic Services for advice.

During discussion Councillors A.M. Halford, H.J. McGuill and R.K. Jones expressed their views in support of discontinuing the register as it had become surplus to requirements.

Councillor H.G. Roberts proposed that the County Council support the recommendations outlined in the report and this was seconded.

The Chairman asked Members to vote on the proposal put forward by Councillor R.C. Bithell. When put to the vote the proposal was lost.

**RESOLVED:**

- (a) That the voluntary register set up in 1997 be discontinued;
- (b) That the recommendation of the Standards Committee made at its meeting on 8 April 2013, to discontinue the locally adopted requirement to

voluntarily register membership of any organisation not open to the public without formal membership be approved; and

- (c) That the Monitoring Officer issues an advice note about what is covered by the requirement in the statutory code with respect to registration of membership of societies and bodies.

#### **159. CLWYD PENSION FUND UPDATE**

The Head of Finance introduced an update on the following issues relating to the Clwyd Pension Fund:-

- Local Government Pension Scheme (LGPS) 2014
- Welsh Pension Fund collaboration
- Financial Update
- New Investment update
- Other information

The Head of Finance advised that consultation on the future of the Councillors Pension Scheme had now been published but applied to England only. The matter of whether Members Allowances were pensionable was a devolved matter for Welsh Government. She referred to the work undertaken by the Society of Welsh Treasurer's (Pensions Sub Group) which was considering the opportunities for collaborative working amongst the eight pension funds in Wales. Consultation had taken place during March on a report "Working Together" which set out the work undertaken to date. She advised that there was no proposal for the merger of funds at this stage, but of enhanced collaboration and that this would be explored in the full business case.

#### **RESOLVED:**

That the update be noted.

#### **160. COMMUNITY REVIEW**

The Democracy and Governance Manager introduced a report to consider and recommend to Cabinet :-

- (a) The guiding principles for the proposed community review  
(b) That the community review be commenced  
(c) The consultation process for this phase of the review

The Democracy and Governance Manager provided background information and outlined the key considerations in the report. He gave an update on the responses received from Town and Community Councils to the proposed draft guiding principles and advised that the Council's views on the draft principles would be reported to the meeting of the Cabinet to be held on 23 April 2013.

Members were informed that all information obtained during the consultation period would be collated, analysed and considered so that a report with proposals for change, or no change, could be submitted to the Council and Cabinet during Autumn.

Councillor B. Mullin welcomed the report and the involvement of Local Town and Community Councils, the Police and Crime Commissioner for North Wales and the Boundary Commission. He proposed that the County Council support the recommendations outlined in the report.

In response to the queries and comments made by Members the Democracy and Governance Manager advised that one of the purposes of the Community Review was to consider the issue of ward boundaries. He also explained that the guiding principles were just that, and that a similar Community Review was being undertaken by Wrexham and other authorities this year.

**RESOLVED:**

That the Council recommends to Cabinet:-

- (a) That the community review be commenced;
- (b) That the guiding principles of the review be as in appendix 2 of the report subject to any amendments Council felt appropriate; and
- (c) That the consultation on the first formal stage be as indicated in paragraphs 3.02 and 3.03 of the report.

**161. FLINTSHIRE'S ARMED FORCES COMMUNITY COVENANT, NORTH WALES  
ARMED FORCES DAY AND FREEDOM OF THE COUNTY PARADE**

Councillor A.P. Shotton, Leader of the Council, was invited to introduce the report which provided details of the planning arrangements for each of the above events. He said that the Authority would be hosting an Armed Forces Day and a Freedom of the County event during the year which would provide an opportunity for local communities to show their support for the United Kingdom's Armed Forces. It was also proposed to hold a formal "signing" and launch ceremony of Flintshire's Armed Services Community Covenant alongside the celebrations for the Freedom of the County parade on 27 July 2013.

The Chief Executive requested that Group Leaders be kept fully informed about the "stakeholder" event which was being arranged for Friday 3 May 2013.

**RESOLVED:**

That the report and the positive involvement of the Council in the above events be noted.

**162. MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE**

There were two members of the press and five members of the public in attendance.

(The meeting started at 2.00 p.m. and ended at 3.30 p.m.)

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**Chairman**