

FLINTSHIRE COUNTY COUNCIL

14 MAY 2013

Minutes of the Annual Meeting of Flintshire County Council held in the Council Chamber, County Hall, Mold on Tuesday 14 May, 2013

PRESENT: Councillor Ann Minshull (Chair)

Councillors: Alex Aldridge, Bernie Attridge, Glyn Banks, Haydn Bateman, Marion Bateman, Chris Bithell, Amanda Bragg, Helen Brown, Derek Butler, Clive Carver, David Cox, Peter Curtis, Ron Davies, Adele Davies-Cooke, Alan Diskin, Glenys Diskin, Rosetta Dolphin, Ian Dunbar, Brian Dunn, Carol Ellis, David Evans, Ted Evans, Jim Falshaw, Robin Guest, Alison Halford, Ron Hampson, George Hardcastle, Patrick Heesom, Cindy Hinds, Trefor Howorth, Ray Hughes, Dennis Hutchinson, Hilary Isherwood, Joe 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 and Arnold Woolley

APOLOGIES:

Councillors Chris Dolphin, Veronica Gay, Rita Johnson, Peter Macfarlane, David Williams and Matt Wright.

IN ATTENDANCE:

Chief Executive, Director of Community Services, Director of Environment, Director of Lifelong Learning, Head of Legal and Democratic Services, Head of Customer Services and ICT, Democracy and Governance Manager and Team Manager – Committee Services

1. DECLARATIONS OF INTEREST

Councillor M.J. Peers declared a personal interest in agenda item number 9 – Schedule of Member Remuneration.

2. CHAIR'S REVIEW OF THE YEAR 2012/13

The Chair welcomed Members, guests and officers to the meeting and presented her Chair's review of the year, the role of which she had the honour of for a second time. She thanked her husband Keith who had acted as her consort, Councillor Carolyn Thomas as Vice-Chair and the Reverend Colin Foreman for his assistance.

She thanked the Corporate Management team, the Civic and Member Services Team and all of the Council's employees who she had met when she had toured different establishments.

In closing, she said she was proud to announce that she had raised £12,557 for her chosen charity, Royal British Legion.

3. **ELECTION OF CHAIRMAN OF THE COUNCIL FOR THE MUNICIPAL YEAR 2013/14, INVESTITURE OF CHAIN OF OFFICE AND SIGNING OF DECLARATION OF ACCEPTANCE OF OFFICE**

It was proposed by Councillor P.G. Heesom and seconded by Councillor J.B. Attridge that Councillor C.A. Thomas be elected Chair of the Council for the municipal year 2013/14 and on being put to the vote, was carried. Councillors Heesom and Attridge spoke in support of their nomination.

RESOLVED:

That Councillor C.A. Thomas be elected Chair of the Council for the municipal year 2013/14.

Councillor C.A. Thomas was invested with the Chain of Office by the retiring Chair and signed her Declaration of Acceptance of Office in the presence of the Chief Executive.

(From this point Councillor C.A. Thomas chaired the remainder of the meeting.)

The Chair then presented Councillor A. Minshull with her retiring Chair's Badge of Office and her Consort's retiring Badge of Office.

Councillors M.J. Peers, L. A. Sharps, R.J.T. Guest, C.S. Carver, C. Legg and H.G. Roberts congratulated Councillor C.A. Thomas on her appointment and paid tribute to the out-going Chair.

The Chair responded and thanked Members for their support in electing her as Chair for the year ahead. She took the opportunity to pay tribute to the manner in which Councillor A. Minshull had carried out her role as Civic Leader with the support of her Consort, both of whom had been exemplary ambassadors for the County.

She provided details of her three chosen charities for the year, which were Nightingale House Hospice, Cancer Research UK and Mold Community Hospital.

4. **APPOINTMENT OF VICE CHAIRMAN OF THE COUNCIL FOR THE MUNICIPAL YEAR 2013/14, INVESTITURE OF CHAIN OF OFFICE AND SIGNING OF DECLARATION OF ACCEPTANCE OF OFFICE**

It was proposed by Councillor I. Dunbar and seconded by Councillor P. Shotton that Councillor G.D. Diskin be appointed Vice-Chair for the municipal year 2013/14 and on being put to the vote, was carried. Councillors I. Dunbar and P. Shotton spoke in support of their nomination.

RESOLVED:

That Councillor G.D. Diskin be appointed as Vice-Chair of the Council for the municipal year 2013/14.

Councillor G.D. Diskin was invested with the Chain of Office by the Chair and signed her Declaration of Acceptance of Office in the presence of the Chief Executive.

5. PRESENTATION OF LONG SERVICE AWARDS

The Chair explained that this was the first year that long service awards had been presented to Members who had 40 years or more continuous service. The awards recognised the commitment that individuals had made to local government and it was her pleasure to present awards to two Members, Councillors R.C. Bithell and N. Phillips.

Councillors R.C. Bithell and N. Phillips thanked the Chair for the award and the recognition of their time involved in local government. The Chair explained that Councillor H. G. Roberts had 49 years continuous service and would receive an award the following year to recognise 50 years.

6. APPOINTMENT OF LEADER OF THE COUNTY COUNCIL

It was proposed by Councillor L.A. Aldridge and seconded by Councillor L.A. Sharps that Councillor A.P. Shotton be appointed Leader of the Council for the municipal year 2013/14 and on being put to the vote, was carried.

Councillor L.A. Aldridge spoke in support of his proposal and said that he was confident that Councillor A.P. Shotton would continue to provide the leadership needed for a stable Council in the best interests of the residents of Flintshire. Local Government was facing many challenges in the coming years and he was confident that Councillor A.P. Shotton, the youngest Leader of a Council in Wales, could deliver the message, on behalf of the authority, during national debate on the future configuration of public bodies and functions.

Councillor L.A. Sharps said that it was his pleasure to second the proposal as he felt Councillor A.P. Shotton had all of the necessary qualities required for leadership.

RESOLVED:

That Councillor A.P. Shotton be appointed Leader of the Council for the municipal year 2013/14.

7. APPOINTMENT OF THE CABINET BY THE LEADER

The Leader of the Council, Councillor A.P. Shotton, in accordance with the Constitution referred to his choice of Councillors who would serve on the Cabinet which was to remain unchanged from the previous year.

RESOLVED:

That the choice of Councillors to serve on the Cabinet and their portfolios detailed below, be noted.

<u>Cabinet</u>	<u>Portfolio</u>
Aaron Shotton	Leader of the Council & Cabinet Member for Finance
Bernie Attridge	Deputy Leader of the Council & Cabinet Member for Environment
Chris Bithell	Cabinet Member for Education
Helen Brown	Cabinet Member for Housing
Christine Jones	Cabinet Member for Social Services
Kevin Jones	Cabinet Member for Public Protection, Waste & Recycling
Peter Macfarlane	Cabinet Member for Regeneration, Enterprise & Leisure
Billy Mullin	Cabinet Member for Corporate Management

8. **CONSTITUTIONAL MATTERS: COMMITTEES AND OUTSIDE BODIES**

The Council considered the report of the Head of Legal and Democratic Services which dealt with matters that required decisions at the Annual Meeting of the County Council in accordance with Council Procedure Rule 1.1 (vii) – (xiv). Those matters were set out in separate sections of the report.

(A) Appointment of Committees

The Head of Legal and Democratic Services explained that the Council's Procedure Rules required the Annual Meeting to appoint at least one Overview & Scrutiny Committee, a Democratic Services Committee, an Audit Committee, a Planning and Development Control Committee, a Standards Committee, a Licensing Committee and such other Committees as the Council considered appropriate to deal with matters which were neither reserved to the Council nor were Executive functions.

Members were advised that the Democracy Bill, when in force, would permit the Democratic Services Committee to be given other functions so it could be combined with the Constitution Committee at some point in the future.

Councillor A.P. Shotton moved approval that the County Council confirm the appointment of the Committees as outlined in section 2.01 of the report which was seconded by Councillor R.C. Bithell and on being put to the vote, was carried.

RESOLVED:

That the County Council confirm the appointment of the Committees as outlined in section 2.01 of the report.

(B) Determination of the size of Committees

The Head of Legal and Democratic Services reported that the Annual Meeting must decide upon the size of each of the Committees it had appointed. The Constitution made provision for the size of the Committees which were detailed in the report.

Councillor A.P. Shotton moved approval that the County Council confirm the size of the Committees as outlined in section 3.02 of the report which was seconded by Councillor J.B. Attridge and on being put to the vote, was carried.

RESOLVED:

That the County Council confirm the size of the Committees as outlined in section 3.01 of the report.

(C) Terms of Reference of Committees

The Head of Legal and Democratic Services reported that the Annual Meeting was required to decide the Terms of Reference of the Committees that it had appointed. The existing Terms of Reference of the Committees were set out in Part 2 of the Constitution and there were no proposed changes.

Councillor A.P. Shotton moved approval that the County Council confirm the current Terms of Reference of the Committees it had appointed which was seconded by Councillor J.B. Attridge and on being put to the vote, was carried.

RESOLVED:

That the existing terms of reference for all Committees be confirmed.

(D) Political Balance – Annual Review

The Head of Legal and Democratic Services reported that the Annual Meeting was required 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.

Since the agenda had been despatched, there had been a change in the composition of the political groups with Councillors T. Newhouse and D.M.T. Williams joining the New Independent Group. Therefore, the political balance table shown as appendix A to the report had been updated and copies of a number of options, C – G, had been circulated to Members.

Councillor A.P. Shotton proposed that the County Council confirm the allocation of seats as outlined in Option G of the papers. The proposal was seconded by Councillor J.B. Attridge.

Councillor R.J.T. Guest said option G was not acceptable to his group as the Independent group, with 6 members, would be allocated one place on Audit Committee with the Liberal Democrat group, with 7 members, not having any places on Audit Committee. He proposed an amendment of option D which was seconded by Councillor R. Jones.

In response, Councillor A.P. Shotton said the same principle applied to the amendment of option D in that the New Independents, with 8 members of the group, would have no place allocated for Audit Committee with the Liberal Democrats having one place on the Audit Committee despite them having one less member in their group.

The amendment was put to the vote and lost.

Councillor C.S. Carver said that both the Labour and Conservative group numbers were unchanged but in option G, the Conservatives would lose seats. He proposed an amendment of option C.

The amendment was put to the vote and lost.

Councillor R.J.T. Guest said in view of the Leader's comments he proposed a further amendment of option F.

The amendment was put to the vote and lost.

The substantive motion of option G was put to the vote and carried.

RESOLVED:

That the political balance of committee seats be agreed as option G which is detailed at the end of this document.

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

The Head of Legal and Democratic Services reported that Council Procedure Rule 1.1(x) required County Council to appoint the Chairs of standing committees with the exception of the Standards, Overview and Scrutiny and Audit Committees. The table in the report provided details of which body was to appoint which Chair.

For the Committees that the County Council was responsible for appointing the Chair, Councillor A.P. Shotton moved the following, which was seconded by Councillor J.B. Attridge and on being put to the vote, was carried:

Constitution Committee – Councillor R.J.T. Guest
Democratic Services Committee – Councillor R.J.T. Guest
Licensing Committee – Councillor L.A. Sharps
Planning & Development Control Committee – Councillor D.E. Wisinger

The Chairs of Overview and Scrutiny were chosen by the political groups and were dependent on the strength of the various groups and which had seats on the Cabinet.

Following the change in the composition of the political groups since the despatch of the agenda, with Councillors T. Newhouse and D.T.M. Williams joining the New Independent Group, Councillor A.P. Shotton moved the following, which was seconded by Councillor J.B. Attridge and on being put to the vote, was carried:

Overview & Scrutiny Committee	Group to Choose Chair
Community Profile & Partnerships	Independent Alliance
Corporate Resources	New Independents
Environment	Conservative
Housing	Labour
Lifelong Learning	Labour
Social & Health Care	Independent

The following names of Chairs that the Labour group were to appoint were provided by Councillor A.P. Shotton:

Housing Overview & Scrutiny – Councillor R.G. Hampson
Lifelong Learning Overview & Scrutiny – Councillor I.B. Roberts

Councillor L.A. Sharps advised that the Chair of Social & Health Care Overview & Scrutiny Committee would be Councillor C.A. Ellis.

RESOLVED:

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

- Constitution Committee – Councillor R.J.T. Guest
- Democratic Services Committee – Councillor R.J.T. Guest
- Licensing Committee – Councillor L.A. Sharps
- Planning & Development Control Committee – Councillor D.E. Wisinger

(b) That the Chairs of the Overview & Scrutiny Committees be allocated to the following groups:

Community Profile & Partnerships	Independent Alliance
Corporate Resources	New Independents
Environment	Conservative
Housing	Labour
Lifelong Learning	Labour
Social & Health Care	Independent

(c) That the following Members be noted as Chair to the following Overview & Scrutiny Committees with the remaining names to be confirmed by the Independent Alliance, New Independents and Conservative groups:

- Housing Overview & Scrutiny – Councillor R.G. Hampson
- Lifelong Learning Overview & Scrutiny – Councillor I.B. Roberts
- Social & Health Care Overview & Scrutiny – Councillor C.A. Ellis

(F) Local Choice Issues

The Head of Legal and Democratic Services reported that the Council was required to agree such parts of the Scheme of Delegation which related to those local choice functions which could be decided either by the Council or the Cabinet and/or delegated to officers.

Councillor A.P. Shotton proposed that the existing Local Choice Issues as detailed in the table of Local Choice Functions as included in Part 3, Section A, Table 3 of the Constitution, be confirmed which was seconded by Councillor J.B. Attridge and on being put to the vote, was carried.

RESOLVED:

That the existing Local Choice Issues as detailed in the report be confirmed.

(G) Nominations to Internal Bodies

The Head of Legal and Democratic Services reported that the existing Scheme of Delegation provided for an Appointments Committee for first and second tier officers comprising of seven Members. This was not a Standing Committee and was convened when required by seeking nominations from Group Leaders. Previously it had been usual for Committee Members to be politically balanced including the relevant Cabinet Member. The Council had previously agreed that the Chair or Vice Chair of the relevant Overview & Scrutiny Committee be one of the Members of the Committee. It was recommended that the Council continue the previous practice.

Councillor A.P. Shotton proposed that the previous practice should continue which was seconded by Councillor J.B. Attridge and on being put to the vote, was carried.

RESOLVED:

That the appointment of an Appointments Committee, as detailed in section 8.01 of the report, be agreed.

(H) Nominations to Outside Bodies

The Head of Legal and Democratic Services reported that the list of outside bodies to which the Council made appointments, and the current appointments, was appended to the report. The Council was recommended to delegate to the Chief Executive in consultation with Group Leaders the appointments to these bodies.

Councillor A.P. Shotton proposed that the appointment of outside bodies be delegated to the Chief Executive in consultation with Group Leaders which

was seconded by Councillor J.B. Attridge and on being put to the vote, was carried.

RESOLVED:

That the appointment of outside bodies be delegated to the Chief Executive in consultation with Group Leaders.

(I) Standards Committee

The Head of Legal and Democratic Services reported that the Standards Committee included five independent members, a Community Council member and three Councillors not to be the Council Leader or Cabinet Members. The three Members had been appointed at the last AGM for four years.

RESOLVED:

That it be noted that the three Members of the Standards Committee were appointed at the last AGM for four years.

(J) Programme of Ordinary Meetings

The Head of Legal and Democratic Services advised that a draft programme of meetings was an item on the agenda for consideration.

RESOLVED:

That it be noted that the draft programme of meetings was on the agenda for consideration.

Political Balance Options - C-G

9. SCHEDULE OF MEMBER REMUNERATION

The Democracy and Governance Manager provided details of the proposed Council Schedule of Member Remuneration for 2013/14.

In the Independent Remuneration Panel for Wales report, it had been decided that the amounts of what it referred to as “basic salaries” and “senior salaries” and the number of “senior salaries” would remain the same for 2013/14. It did, however, determine that a “senior salary” must be paid to the leader of the largest opposition group where that opposition group comprised at least 10% of the Council membership.

At present, the Schedule of Member Remuneration did not include the leader of the largest opposition group among the 18 posts entitled to receive a “senior salary”. Therefore, the County Council was required to determine which of the existing posts should no longer receive a “senior salary”. Details of the existing posts in receipt of a “senior salary” were appended to the report.

On co-opted members, the Panel’s annual report made two changes. Firstly, it was recognised that time spent on attending authorised training events,

conferences and pre-meetings with officers qualified for payment to a co-optee of the co-optee's allowance. Secondly, the Panel's annual report removed the limit of 10 days which was currently the maximum number of days for which a co-opted member could be paid in any one year. It was for County Council to determine the maximum number of days for which a co-opted member should receive payments in any one year. As nearly all committee meetings, training, events, conferences and pre-meetings only lasted half a day, it was believed that 20 half days would be sufficient.

Councillor A.P. Shotton moved that the leader of the largest opposition group should receive a "senior salary" and the post to no longer receive a "senior salary" should be the Chair of the Clwyd Pensions Panel which was seconded by Councillor J.B. Attridge and on being put to the vote, was carried.

Councillor A.P. Shotton moved that 20 half days be the maximum for which a co-opted member could be paid in any one year which was seconded by Councillor J.B. Attridge and on being put to the vote, was carried.

RESOLVED:

- (a) That the leader of the largest opposition group should receive a "senior salary" and the post to no longer receive a "senior salary" be the Chair of the Clwyd Pensions Panel;
- (b) That 20 half days be the maximum for which a co-opted member could be paid in any one year; and
- (c) That the Democracy & Governance Manager amend the Council's Schedule of Member Remuneration to reflect the decisions taken and arising from the Panel's annual report for 2013/14.

10. SOCIAL MEDIA PROTOCOL

The Chief Executive presented the proposed Social Media Protocol and emphasised the importance of embracing social media such as Twitter and Facebook, the use of which would make the Council's meetings more accessible and would show the Council as a modern and open organisation.

In explaining the background to the report, the Chief Executive said there had been a lot of discussion in the press recently about whether the use of social media such as tweeting should be permitted at meetings. It had therefore been agreed that all North Wales authorities would consider the adoption of a social media protocol at their annual general meetings.

The Protocol was intended to cover social media such as Twitter and Facebook where communication was to an open audience. In response to a question from Councillor C.S. Carver, the Chief Executive explained that it was not intended to cover sending emails or texts, which, by their nature, were to a "closed" or pre-selected group of recipients. It was agreed that a paragraph would be included in the Protocol on texting.

The Protocol did not cover the broadcasting or recording of meetings which at present was at the discretion of the Chair, though it was not normally allowed.

A grant had been received from the Welsh Government (WG) in order to web cast meetings and work was underway on the most cost effective way to achieve that. Should the Council start web casting meetings, then supplementary rules, over and above those already in the Constitution, would be needed.

Councillor J.B. Attridge moved approval of the Social Media Protocol which was seconded by Councillor A.P. Shotton and on being put to the vote, was carried.

RESOLVED:

That the Social Media Protocol be approved.

11. COUNTY COUNCIL DIARY OF MEETINGS 2013/14

The Chief Executive presented the draft diary of meetings for 2013/14.

In response to a question by Councillor R.J.T. Guest, the Chief Executive explained that the whole of the budget timetable had been brought forward which was more in line with when other local authorities set their budgets and would allow more time to prevent any deferment being a risk.

RESOLVED:

That the draft diary of meetings for 2013/14 be approved.

12. MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE

There were three members of the press and ten members of the public present.

(The meeting started at 11.00 am and ended at 12.30 pm)

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Chairman