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Gareth Owens LL.B Barrister/Bargyfreithiwr
Head of Legal and Democratic Services
Pennaeth Gwasanaethau Cyfreithiol a Democraataidd



To: ALL MEMBERS OF THE COUNCIL

CS/NG

24 April 2014

Nicola Gittins on 01352 702345
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Dear Sir / Madam

A meeting of the **FLINTSHIRE COUNTY COUNCIL** will be held in the **COUNCIL CHAMBER, COUNTY HALL, MOLD CH7 6NA** on **WEDNESDAY, 30TH APRIL, 2014** at **10.00 AM** to consider the following items.

Yours faithfully

Democracy & Governance Manager

AGENDA

1 **PRESENTATIONS**

Coleg Cambria and Airbus presentation: In recognition of achieving the Queen's Anniversary Prize for Further and Higher Education

2 **APOLOGIES FOR ABSENCE**

3 **COUNCIL MINUTES** (Pages 1 - 16)

To confirm as a correct record the minutes of the meetings held on 18 February 2014 and 25 March 2014.

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The Council welcomes correspondence in Welsh or English
Mae'r Cyngor yn croesawau gohebiaeth yn y Cymraeg neu'r Saesneg

4 **DECLARATIONS OF INTEREST**

To receive any declarations of interests from Members.

5 **CHAIR'S COMMUNICATIONS**

6 **PETITIONS**

7 **PUBLIC QUESTION TIME**

8 **QUESTIONS**

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**

The Minute Book, Edition 5, 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 Democracy and Governance Manager prior to the close of business on 24 April 2014.

10 **NOTICE OF MOTION**

11 **EMPLOYERS' PROMISE** (Pages 17 - 24)

Report of Director of Lifelong Learning enclosed

12 **COMMUNITY REVIEW UPDATE** (Pages 25 - 90)

Report of Head of Legal and Democratic Services enclosed

13 **LOCAL CHOICE FUNCTION FOR SCHOOLS** (Pages 91 - 94)

Report of Head of Legal and Democratic Services enclosed

14 **INDEPENDENT REMUNERATION PANEL ANNUAL REPORT** (Pages 95 - 100)

Report of Head of Legal and Democratic Services enclosed

15 **SINGLE STATUS**

To receive a verbal update from the Chief Executive

16 **LOCAL GOVERNMENT PENSIONS SCHEME REGULATIONS 2014 - REVIEW OF THE COUNCIL'S EMPLOYMENT POLICIES FOR EARLY RETIREMENT** (Pages 101 - 114)

Report of Head of Human Resources and Organisational Development enclosed

17 **CLWYD PENSION FUND UPDATE** (Pages 115 - 120)

Report of Head of Finance enclosed

18 **CLWYD PENSION FUND GOVERNANCE** (Pages 121 - 138)

Report of Head of Legal and Democratic Services enclosed

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FLINTSHIRE COUNTY COUNCIL
18 FEBRUARY 2014

Minutes of the meeting of the Flintshire County Council of Flintshire County Council held in the Council Chamber, County Hall, Mold CH7 6NA on Tuesday, 18 February 2014

PRESENT: Councillor Carolyn Thomas (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, Chris Dolphin, Ian Dunbar, Andy Dunbobbin, Brian Dunn, Carol Ellis, David Evans, Jim Falshaw, Veronica Gay, Robin Guest, Alison Halford, Ron Hampson, George Hardcastle, Cindy Hinds, Trefor Howorth, Ray Hughes, Dennis Hutchinson, Hilary Isherwood, Joe Johnson, Rita Johnson, Christine Jones, Kevin Jones, Richard Jones, Stella Jones, Colin Legg, Brian Lloyd, Mike Lowe, Dave Mackie, Nancy Matthews, 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, Owen Thomas, David Williams, David Wisinger and Matt Wright

APOLOGIES: Councillors: Rosetta Dolphin, Phil Lightfoot, Richard Lloyd, Hilary McGuill, Ann Minshull, Sharon Williams and Arnold Woolley

IN ATTENDANCE:

Chief Executive, Director of Environment, Director of Lifelong Learning, Head of Finance, Head of Legal and Democratic Services, Head of Human Resources and Organisational Development, Head of Adults Services, Head of Children's Services, Corporate Finance Manager, Finance Manager – Technical Accountancy, Finance Officers and Committee Officers

The Chair indicated that the order of the first six items on the agenda was to change due to them being shown incorrectly on the printed papers. An amended version of the agenda was circulated to those present at the start of the meeting.

88. COUNCIL MINUTES

The minutes of the meeting of Flintshire County Council held on 28 January 2014 had been circulated with the agenda.

Councillor Cindy Hinds indicated that she had submitted an apology but it had not been recorded.

Councillor Colin Legg referred to the third sentence in minute number 75 and suggested that the word 'selfishness' be replaced with the word 'selflessness'.

RESOLVED:

That subject to the suggested amendments, the minutes be approved as a correct record and signed by the Chair.

89. DECLARATIONS OF INTEREST

No declarations of interest were received.

90. CHAIR'S COMMUNICATIONS

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

91. NOTICE OF MOTION

The Head of Legal and Democratic Services confirmed that none had been received.

92. PUBLIC QUESTION TIME

The Head of Legal and Democratic Services confirmed that none had been received.

93. PETITIONS

None were received.

94. QUESTIONS

The following question had been submitted by Councillor Clive Carver:-

"When dealing with planning applications for residential properties adjacent to a railway line, what matters relating to health and safety are required to be taken into account by Planning Officers; bearing in mind that the toilets of two-car class 150 Sprinter trains flush directly onto the track?"

A copy of the response to the question provided by the Cabinet Member for Environment is attached at Appendix 1 to the minutes.

Councillor Carver asked the following supplementary question:-

"Will the Cabinet Member for the Environment take steps to review this issue and at least ensure that this spraying of faecal matter and urine and trackside run-off is taken into account when determining the location of Public Spaces and Children's Play Areas near to existing railway lines?"

The Cabinet Member may wish to note that the electrification of the Wrexham Bidston line would resolve this issue, since modern rolling stock has retention tanks."

The Cabinet Member for Environment responded that steps would not be taken to review the issue.

Councillor Robin Guest asked for clarification on whether a supplementary question was permitted. The Head of Legal and Democratic Services confirmed

that under point 9.6 of the Council's Procedure Rules in the Constitution, a supplementary question in response to the reply was permitted.

95. COUNCIL FUND REVENUE BUDGET 2014/15

The Chief Executive and the Head of Finance jointly introduced a report which provided Members with the recommendations of the Cabinet for the Council Fund Revenue Budget 2014/15.

The Council was informed that at its meeting on 18 February 2014, Cabinet had considered a report of the Head of Finance on the Council Fund Revenue Budget 2014/15 which was attached at Appendix A to the report. The initial budget proposals considered by Cabinet on 21 January 2014 had been referred to Overview and Scrutiny for consideration. A summary of the Overview and Scrutiny Committee's observations and questions, together with responses, was included in the Appendix of the 18 February 2014 Cabinet report.

The Chief Executive and Head of Finance gave a joint presentation and commented upon the following areas:-

- National Context and Local Impact
- Budget Strategy
- Organisational Redesign & Change
- Financial Strategy
- Closing the budget gap – progress, final stages and overview
- Efficiencies in the Budget
- Investment Strategy
- Reserves and Balances
- Risk Assessment & Assurance
- 2015/16 and the Medium Term
- Consultation in 2014 for 2015+

Councillor Aaron Shotton, Leader of the Council and Cabinet Member for Finance expressed his thanks on behalf of the Cabinet Members for the work undertaken on the budget. He referred to the significant and unprecedented challenge faced by the Council due to reductions in funding and increased demand for services and the clear signal of intent set out by the Authority to protect front line services. He spoke of the proposed reductions in senior management and workforce and he praised the workforce for their assistance and ideas of how to achieve savings within the Council as the pressure facing the Authority could have been significantly higher without their help. He welcomed the proposal to retain Council Tax at an increase of 3% and he urged Members to support the budget and the proposals contained within it.

Councillor Mike Peers thanked officers for the report and their work on the budget. He suggested that the numbering of the appendices be replicated throughout the budget process to allow for easy comparison between the documents. He also suggested that the budget consultation meetings with Overview & Scrutiny Committees be reviewed to ensure that sufficient time was allocated to consider the issues. He spoke of the need to recognise the drastic measures that were required to protect frontline services due to the cuts in funding from Welsh Government (WG) of 6% in real terms but also indicated that

it was important for WG to prioritise its funding and distribute it fairly across all Welsh local authorities. The budget proposals in the report were based on an increase of 3% in Council Tax and Councillor Peers welcomed this as raising the rate was one of the possible measures to assist in closing the budget gap. He requested further information on the efficiencies that had been found following the completion of the Overview & Scrutiny budget consultation meetings and proposed that a headcount freeze be put in place once the re-organisation of the Council had taken place.

Councillor Matt Wright recognised the difficult decisions faced by the Council and he approved of the intention to protect frontline services, however, he raised a number of concerns about the changes to the organisation and the structure and queried the cost of the exercise. He felt that the document which set out the changes was opaque and was difficult to follow. Even though a balanced budget had been presented, Councillor Wright did not have any confidence in the structure and the ability of the Council to deliver the intended efficiencies and said that he would abstain from voting on the budget.

In thanking officers and Members for their work on the budget, Councillor Richard Jones spoke of the need to find efficiencies but he felt that the process should be scrutinised. He referred to the Value for Money exercise and said that in his opinion, some of the services had been shoe-horned in to fit the budget. He asked for additional information on the risk and benefits and the details behind the decisions and referred to a risk to vulnerable people who he believed were to be charged to receive financial advice which was currently being provided for free. Councillor Jones also raised concern about the consultation document that had been prepared on the Fleet Efficiency and said that he felt that the opportunity to consider how to change and improve the service had been missed. He spoke of the amount of work outsourced to other companies in the previous 18 months which he felt could have been undertaken internally and asked whether performance levels in future years were expected to be similar or higher than previously reported. He added that he found it difficult to agree with the budget. Councillor Jones also referred to the figure for workforce costs of employment of £0.160m in slide 9 and asked for further information on this.

Councillor Tony Sharps expressed concern that some Members were not able to support the budget proposals and said that most of the criticism seemed to be based on the speed of the reductions in management and workforce, not the financial element. He spoke of the proposals to protect front line services and the difficult choices that had to be made but he thanked the Leader and Deputy Leader for their work on the budget and the Chief Executive and officers for the advice that they had provided. He concluded by saying that he felt that even though this year had been difficult, next year would be even more challenging.

Councillor Gareth Roberts accepted the general theme of the budget and indicated that he would support the proposals but said that losing experienced staff could create problems in the future and could result in the need to employ consultants to fill the gaps. He commented on the need to spend up to the Standard Spending Assessment (SSA) to ensure that Flintshire was not penalised by Welsh Government in future years and suggested that an increase in Council Tax by 4% or 5% would provide much needed funding to retain some of the workforce and reduce the need to make efficiencies. He felt that an

increase would not be unpopular with residents to ensure continuation of services.

Councillor Chris Dolphin praised the Leader and Deputy Leader for the difficult decisions that they had made. He referred to community responsibility and ownership referred to in slide 18 of the presentation and spoke of community facilities that had been neglected and allowed to fall into a state of disrepair. He queried whether funding would be available for communities to refurbish the buildings for use by future generations.

Councillor Alex Aldridge said that this year was unprecedented in local government but that it was the intention of the Council to protect local services which were vital to its residents such as libraries. He said that if SSA had been set in previous years, there would be additional monies available for these services but Members had no alternative but to agree the proposals before them today which included maintaining the level of Council Tax increase at 3%. Councillor Aldridge referred to the challenges of future re-organisation. He asked Members to support the proposals and thanked the Leader, Chief Executive and officers for their work on the budget.

The Leader of the Council, Councillor Shotton, welcomed the fact that no alternative proposals had been put forward. He thanked Members for their comments but raised concern about the proposal to freeze the headcount as he felt that it was not practical, even though it was not expected that additional staff would be employed. He expressed his disappointment at the comment of Councillor Wright and indicated that if the organisational change could have been undertaken over a longer period, then it would have been but this was not possible due to the significant reductions in funding. He asked the Head of Finance to calculate what the budget gap would have been if the organisational change proposals were not carried out. Councillor Shotton also clarified that it was not the intention of the Council to start to charge for providing financial advice to vulnerable people. In referring to the comments of Councillor Dolphin, he spoke of the Community Asset Transfer which he said was a key strand and said that some community assets were in the process of being transferred.

In response to the comments made, the Chief Executive said that the 2015/16 budget process would commence earlier and he added that raising Council Tax was an option but would only be undertaken as a last resort. The £0.160m costs for the workforce were due to terms and conditions outside part 3 and this had been brought forward early due to works undertaken with the Trade Unions. He did not agree with a headcount freeze as some services might increase and some might reduce but he added that each vacancy request would be challenged. The Chief Executive said that he would welcome a discussion with Councillor Wright about the proposed organisational changes but said that it was a consultation exercise and it was anticipated that if the plans were adopted, they would be positively supported. He referred to the positive comments that had been received following the work on the Fleet efficiencies. The Chief Executive added that it was not anticipated that there would be large amount of funds available prior to transfer of buildings to communities. It would be difficult to replicate the level of cuts proposed this year in future years and he concurred that the decisions required in the future would be more difficult.

On the issue of funding, the Head of Finance explained that of the £300m funding received, £230m of this came from Welsh Government in the form of Revenue Support Grants or specific grants. There would be reductions year on year and the 4% for this year did not take account of any anticipated pay award or inflation in some costs. There were also challenges for demands for services that the Council could not control so the overall reduction was between 6 and 8%. It was not known what the level of funding would be in the future so there was a level of uncertainty. If the organisational change proposals were not implemented, the efficiency amount referred to in slide 11 of £3.1m for 2014/15 would be the budget gap faced by the Council at this time.

RESOLVED:

That the County Council approve the recommendation of the Cabinet from its meeting held on 18 February 2014 as set out in section 9 of the Cabinet report attached to the Council report.

96. COUNCIL FUND CAPITAL PROGRAMME 2014/15 AND INDICATIVE FUNDING TO 2017/18

The Head of Finance presented a report which provided Members with the recommendations of the Cabinet for the Council Fund Capital Programme 2014/15 and Indicative Funding to 2017/18.

The Head of Finance and Director of Environment jointly gave a presentation and commented upon the following areas:-

- Capital Programme Context
- Funding
- Core Capital Programme
- Capital Receipts and Core Programme
- Allocating the Core Programme

In moving the recommendation, Councillor Aaron Shotton, the Leader and Cabinet Member for Finance said that it was important that the capital programme was set with a sustainable level of capital receipts.

Councillor Mike Peers queried how rigid the programme was and whether it could be reviewed if capital receipts were realised. Councillor Richard Jones asked if the Single Status/Equal Pay reserve could be used as a one-off to overcome the reduction of £0.720m on repairs and maintenance for schools from the level indicated last year for 2014/15. Councillor Robin Guest asked for an update on the issue of rollovers or deferring capital projects and asked whether the Council's assets were to be revalued. He accepted the prudent and realistic approach being taken on the capital programme.

In response to the questions and comments, the Director of Environment said that capital receipts would be reviewed on an ongoing basis and that rollover requests were challenged. These were for projects that had been allocated funding but had not been delivered and even though requests for rollover could be submitted, they were not always permitted. The Chief Executive said that technically an allocation could be made from the Single Status/Equal Pay reserve

but he advised against it due to the many variables associated with Single Status/Equal Pay. The work on Equal Pay was nearing a conclusion but if any reserve was held following transition to Single Status, it would be held and used for people costs in the organisation.

Councillor Jones sought an amendment to the recommendation to allow funding for repairs and maintenance for schools be increased to at least £2.1m to prevent further issues of disrepair for schools in the future. The Head of Finance advised that the Chief Executive had explained why the Single Status reserve could not be used and that any proposals agreed today to include school maintenance would need to be found from within the £7.403m general funding for 2014/15.

RESOLVED:

That the County Council approve the recommendations of the Cabinet from its meeting held on 18 February 2014 as set out in appendix 1 of the report to Cabinet attached to the Council report.

97. HOUSING REVENUE ACCOUNT 2014/15 & CAPITAL PROGRAMME 2014/15

The Head of Housing presented a report which provided Members with the recommendations of the Cabinet on the revenue budget proposals for the Housing Revenue Account (HRA) for 2014/15 and the Capital Programme for 2014/15.

The Head of Housing provided a detailed presentation which covered the following areas:-

- Welsh Government – Final determinations
- HRA subsidy system
- Approach to HRA budget setting
- 2014-15 HRA efficiencies
- 2014-15 HRA Service Improvements/Pressures
- Funding for HRA Capital Programme 2014-15
- HRA Capital Programme 2014-15
- HRA 30 year business Head of Planning

Councillor Helen Brown, the Cabinet Member for Housing, proposed that the County Council support the recommendations as outlined within the report. She thanked the Head of Housing, her team and the workforce for their hard work which had resulted in significant improvements in the service and she also gave thanks to the Tenants Federation for their role as a key player in the delivery of services. Councillor Brown referred to the In-house Adaptations Team which had become a permanent scheme and she spoke of reductions in the number of days taken to carry out adaptations including level access showers. In praising the work of the Income Management Team, she indicated that rent arrears were £0.025m lower than at the same time in 2012/13 and that 97.2% of rent income had been collected. Councillor Brown also referred to the amount spent on meeting the Welsh Housing Quality Standard (WHQS) and the number of jobs and apprenticeships that would be created during the project.

Councillor Ron Hampson agreed with the proposal and in reflecting on areas of concern in the performance of Housing that had occurred in the past, he said that the changes to turn the department around should be celebrated. He felt that credit should be given to the Head of Housing and thanked her for the work she had undertaken. Councillor George Hardcastle echoed the comments and praised the Head of Housing and her team.

Councillor Alex Aldridge gave thanks to Penny Storr, Julie Garman and Janet Manning for their work with tenants who had been moved to new homes from properties in Flint. He said that they, along with the Cabinet Member for Housing and the Head of Housing and her team, had ensured that their new homes were fit for purpose. Councillor Tony Sharps said that the Housing Department should be identified as a good service and the good practices in place should be replicated across the whole of North Wales. Councillor Marion Bateman also thanked the Cabinet Member for Housing for her work with the Head of Housing and the team. Councillor Hilary Isherwood echoed the comments and welcomed the first class service provided by all those in the department.

RESOLVED:

That the County Council approve the recommendations of the Cabinet from its meeting held on 18 February 2014 as set out in Appendix 1 of the report to Cabinet attached to the Council report.

98. PRUDENTIAL INDICATORS 2014/15 - 2016/17

The Council received the report of the Head of Finance which presented to Council the recommendations of the Cabinet in relation to the setting of a range of prudential indicators.

Councillor Bernie Attridge, Deputy Leader and Cabinet Member for Environment proposed the acceptance of the recommendations as outlined within the report. This was seconded by Councillor Chris Bithell.

RESOLVED:

- (a) That the prudential indicators as detailed in Section 4 of the Cabinet report dated 18 February 2014 be approved; and
- (b) That delegated authority be given for the Head of Finance to effect movements between the separately agreed limits within the authorised limit for external debt and the operational boundary for external debt (section 3.11 and 3.12 of the Cabinet report dated 18 February 2014).

99. MINIMUM REVENUE PROVISION 2014/15

The Council received the report of the Head of Finance which presented to Council the recommendations of the Cabinet in relation to the setting of a prudent minimum revenue provision for the repayment of debt.

Councillor Chris Bithell proposed the acceptance of the recommendations as outlined within the report. This was seconded by Councillor Bernie Attridge.

RESOLVED:

That the Council accept the recommendations of the Cabinet, being that:-

- (a) Option 1 (Regulatory Method) be used for the calculation of the minimum revenue provision in 2014/15 for all supported borrowing.
- (b) Option 3 (Asset Life Method) be used for the calculation of the minimum revenue provision in 2014/15 for all unsupported (prudential) borrowing.

100. TREASURY MANAGEMENT STRATEGY 2014/15

The Council received the report of the Head of Finance which presented to Council the recommendations of the Cabinet in relation to Treasury Management Strategy for 2014/15.

Councillor Aaron Shotton, the Leader and Cabinet Member for Finance proposed the acceptance of the recommendations as outlined within the report. This was seconded by Councillor Kevin Jones.

The Head of Finance detailed the background to the report and drew Members' attention to section 3 of the report to Cabinet and the detailed discussions undertaken at the Audit Committee meeting on 29 January 2014 on Investments and Debt. Cabinet had also discussed options that could be considered on the issue of Treasury Management which the Head of Finance detailed.

In response to a query from Councillor Alison Halford about the level of debt, the Finance Manager – Technical Accountancy said that the actual level of debt was £172m. A legal limit had to be set to allow headroom and whilst it was not anticipated that this level would be reached, it could not be exceeded.

Councillor Mike Peers queried whether a strategy was in place to prevent a reoccurrence of issues such as Landsbanki. The Head of Finance responded that there was always a risk that investments would not be returned but the strategy was in place to limit the risk. The issue of Landsbanki was now closed and Flintshire County Council was no longer a creditor of the bank. In response to a question from Councillor Clive Carver, the Head of Finance advised that the Council had previously recovered £1.9m and £1.4m following the sale of the debt which was 92% of the original investment of £3.7m. It was important to note that this payment had been recovered now rather than having to wait a number of years for its return. Councillor Glyn Banks thanked the Head of Finance, Corporate Finance Manager and Finance Manager – Technical Accountancy for their work on the Landsbanki issue.

RESOLVED:

That the Council's Treasury Management Strategy 2014/15 be approved.

101. COUNCIL TAX SETTING 2014-15

The Council received the report which requested the Council to agree the statutory and other necessary resolutions for the purpose of administering Council Tax and Non-Domestic Rates.

RESOLVED:

That the resolutions within Appendix A of the report be approved.

102. MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE

There were 2 members of the press and no members of the public in attendance.

(The meeting started at 2pm and ended at 4.16pm)

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Chair

QUESTION FROM COUNCILLOR CLIVE CARVER
TO THE CABINET MEMBER FOR ENVIRONMENT

When dealing with planning applications for residential properties adjacent to a railway line, what matters relating to health and safety are required to be taken into account by Planning Officers; bearing in mind that the toilets of two-car class 150 Sprinter trains flush directly onto the track?

Response:

The determination of planning applications is a Council function rather than a part of my portfolio as Cabinet Member for Environment.

The Legal Department have advised that such matters are not material planning considerations to be taken into account in determining planning applications.

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FLINTSHIRE COUNTY COUNCIL
25 MARCH 2014

Minutes of the meeting of Flintshire County Council held in the Council Chamber, County Hall, Mold on Tuesday, 29 October 2013

PRESENT: Councillor Carolyn Thomas (Chair)

Councillors: Bernie Attridge, Glyn Banks, Haydn Bateman, Marion Bateman, Amanda Bragg, Helen Brown, Derek Butler, Clive Carver, David Cox, Peter Curtis, Ron Davies, Adele Davies-Cooke, Glenys Diskin, Chris Dolphin, Ian Dunbar, Andy Dunbobbin, Brian Dunn, Carol Ellis, David Evans, Jim Falshaw, Veronica Gay, Robin Guest, Alison Halford, Ron Hampson, George Hardcastle, Cindy Hinds, Ray Hughes, Dennis Hutchinson, Joe Johnson, Christine Jones, Kevin Jones, Richard Jones, Stella Jones, Colin Legg, Brian Lloyd, Richard Lloyd, Mike Lowe, Dave Mackie, Nancy Matthews, Hilary McGuill, Billy Mullin, Tim Newhouse, Mike Peers, Neville Phillips, Mike Reece, Gareth Roberts, Aaron Shotton, Paul Shotton, Ian Smith, Nigel Steele-Mortimer, Owen Thomas, Sharon Williams, David Wisinger, Arnold Woolley and Matt Wright

APOLOGIES:

Councillors: Alex Aldridge, Chris Bithell, Alan Diskin, Rosetta Dolphin, Hilary Isherwood, Phil Lightfoot, Ann Minshull, Ian Roberts and Tony Sharps,

IN ATTENDANCE:

Chief Executive, Democracy and Governance Manager, Human Resources Manager and Team Manager, Committee Services

Mike Dodd – Hay Consultancy

103. DECLARATIONS OF INTEREST

None were received.

104. PETITIONS

Councillor Colin Legg submitted a petition on behalf of the residents of Berth Ddu on the matter of the wind turbine situated at Rhos Helyg School.

Councillor Ray Hughes submitted a petition on behalf of the residents of County Road, Leeswood for consideration of putting traffic calming measures on the road.

105. PAY POLICY STATEMENT

The Chief Executive and Human Resources Manager introduced the report which sought approval of the Council's Pay Policy Statement to be effective from 1 April 2014.

It was a statutory requirement for the Pay Policy Statement to be produced and published on an annual basis in advance of the beginning of each financial year. It was intended that future Pay Policy Statements would be reported to County Council at the same time as consideration of the Budget.

The policy was a true and fair statement of current policy as approved by Council over previous years and the changes to the current policy were recommended for approval to meet the statutory deadline of being produced and published to meet the statutory deadline of 31 March 2014.

Subject to acceptance of the proposals in the Trade Union ballot, the achievement of a Single Status Agreement for Green Book employees would be effective from 1 June 2014. This would result in a new pay and grading structure and new terms and conditions of employment. There would be robust governance arrangements for maintaining the new pay and grading structure to ensure that there was no pay discrimination and that all pay differentials could be justified. On implementation of Single Status, the Council's Pay Policy for Green Book employees would change and the Pay Policy would need to be republished. If the proposed management structure was approved later in the day, the Pay Policy would be adjusted to reflect the changes to Chief Officers and would be republished once the new structure was in place.

In addition, the Council was developing an Additional Payments Policy, to include Honoraria payments and Market Supplements, to ensure that the Council was able to offer competitive rates to attract and retain talented people where there may be limited availability of particular skills or expertise available in the market place. This Policy would be introduced as part of the Single Status Agreement arrangements during 2014/15 and would be reflected in the updated Pay Policy Statement for 2014/15.

Councillor Billy Mullin, Cabinet Member for Corporate Management, proposed the acceptance of the recommendation within the report. This was seconded by Councillor Bernie Attridge, Deputy Leader and Cabinet Member for Environment.

Councillor Mike Peers made the following comments:

- Page 5 of the Pay Policy Statement says the Council should set a benchmark example – he felt this should be clear that benchmarking comparisons could only be carried out against other Local Authorities
- Page 9 of the Pay Policy Statement says apprentices are paid the current national minimum wage – he felt this should be reviewed and apprentices should not be on the minimum wage

The Chief Executive explained that the Government subsidy scheme was not at the minimum wage but whether the living wage could be paid to apprentices was under review.

RESOLVED:

That the Pay Policy Statement for 2014/2015 be approved noting that the Policy will need to be republished later in the year due to the developments summarised in paragraphs 3.0204 of the report.

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

RESOLVED:

That the press and public be excluded for the remainder of the meeting as the following item contained exempt information on the disclosure of which would not be in the public interest.

107. REVIEW OF THE COUNCIL OPERATING MODEL AND SENIOR MANAGEMENT STRUCTURE

The Chief Executive, Human Resources Manager and the Hay Consultancy representative presented the report, and accompanying PowerPoint presentation, which recommended a final new operating model and senior management structure for the Council following a Cabinet led review and open consultation.

Councillor Aaron Shotton, Leader of the Council and Cabinet Member for Finance, proposed the acceptance of the recommendations as outlined within the report. This was seconded by Councillor Bernie Attridge, Deputy Leader and Cabinet Member for Environment.

Members gave detailed consideration to the proposed new structure during which various points were made, views expressed and questions asked. The officers and the Hay Consultancy representative responded and answered the questions raised.

Details on the independent work on the review of the pay policy for the posts outlined in the report were presented independently by the Hay Consultancy representative.

Following advice from the Chief Executive on an amendment to recommendation 4.03 of the report ((c) below), and following advice from the Democracy and Governance Manager on the inclusion of an additional recommendation, which was accepted by Councillor Shotton as mover of the motion, the recommendations were put to the vote.

RESOLVED:

- (a) That the new corporate operating model and senior management structure as set out in the consultation paper and revised in the report be adopted;
- (b) That the new senior post titles and portfolios as set out in the report be adopted;

- (c) That the principal statutory roles be allocated as set out in the report with the exception of the Monitoring Officer which would be allocated once the senior posts had been filled;
- (d) That the Pay Policy, as independently reviewed and recommended, be adopted;
- (e) That the appointments process as set out in the report be adopted including the non-application of the Council's Assimilation Policy in this case for the reasons given;
- (f) That a Member Appointments Panel of nine Members be appointed to make the new senior appointments;
- (g) That a formal transition and risk plan be developed to guide and manage the transition from the current to the new model and structure; and
- (h) That delegated power be given to the Chief Executive, in consultation with the Leader, to resolve any issues arising from a-g above

108. ATTENDANCE BY MEMBERS OF THE PRESS AND PUBLIC

There was one Member of the press present for agenda item number 4 – Pay Policy Statement.

(The meeting started at 2pm and ended at 4.15pm)

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Chair

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **FLINTSHIRE COUNTY COUNCIL**

DATE: **WEDNESDAY, 30 APRIL 2014**

REPORT BY: **DIRECTOR OF LIFELONG LEARNING**

SUBJECT: **EMPLOYERS' PROMISE**

1.00 PURPOSE OF REPORT

- 1.01 To introduce members to the concept of the Employers' Promise and to:
- endorse the principles of the Employers' Promise and support as an active partner.
 - support the monitoring of impact from implementation of the Employers Promise, to take place in November 2014 and subsequently.

2.00 BACKGROUND

2.01 The County Council alongside other Local Service Board (LSB) partners has signed up to the Employers' Promise because as employers LSB partners are committed to developing a skilled workforce equipped to meet the challenges of the future. As employers, LSB partners are committed to working with other organisations to create additional training, apprenticeships and work opportunities. Partners believe that this will support employees and residents in the County by creating additional opportunities for all residents, however there is a specific focus on improving the routes to employment available to young people.

2.02 Partners have committed to:

1. aspiring to be employers of choice;
2. developing, promoting and supporting a range of lifelong learning opportunities for people at work, at schools, college and universities; and in our communities; and
3. developing, promoting and supporting a broader range of education, employment and training opportunities for all people, with young people aged 16 to 24 years a priority.

2.03 **This will be achieved by:**

- leading by example as employers in Flintshire;
- all LSB Partners committing to the Employers' Promise;
- developing the skills of our workforce;
- encouraging more apprenticeships and work placement opportunities in the County;
- providing opportunities for young people to enter the workforce;
- giving people the opportunity to re-train or re-enter the workforce; and
- growing the skills of the local community to produce the workforce of the future.

2.04 **What we are going to do:**

Partners will develop new ways of delivering public services that have the potential to make a difference to peoples' lives at the same time as making better use of public money. This will be achieved in partnership with our public, private and voluntary sector partners.

In partnership with other organisations, partners will develop new frameworks for the following:

- **Basic Skills**
We will ensure that our employees have high levels of literacy and numeracy.
- **Employee Development**
We will ensure that our employees are developed in their role with on and off the job quality training.
- **Workforce Planning**
We will develop our employees to meet our current and future needs. This will include a renewed approach to work experience and apprenticeships.

We will provide opportunities for progression and career opportunities.
- **Reduce Inequalities in employment**
We will recruit fairly and equitably where possible from within the local labour market in Flintshire.

We will identify and address any inequalities between different protected characteristics
- **Well Being**
The health and well-being of our employees will be protected and promoted in the workplace.

2.05 HOW ARE WE GOING TO DO THIS?

All LSB partners will maximise opportunities to support opportunities in employment, education and training, including:

- increasing the number and range of work based learning opportunities available, for example, apprenticeships, industry / organisation based academies, training, and work experience;
- developing an Entrepreneurship Programme, including support for Enterprise Clubs through, for example, mentoring; training, and; business and financial planning;
- developing an Employability Programme, including Work Clubs, work experience including volunteering, Department of Work and Pensions schemes, etc.
- contributing to a broader range of Pathways to employment by maximising capacity amongst agencies, accessing national and local programmes and securing funding opportunities, making an impact on unemployment;
- developing local labour market information to support public and private sector business planning in relation to education, training, qualifications and vocational skills; and
- developing more innovative approaches to workforce planning.

2.06 Who we will involve

All LSB Partners are committed to this Promise. Furthermore, our ambition is to encourage all our public, private and voluntary sector partners to support the goals associated with this Promise.

Risks to manage include:

- ensuring capacity to support paid work placements and other programmes;
- ensuring that there are resilient arrangements to promote successful outcomes following apprenticeship and traineeship opportunities (including planning ahead with participants); and
- ensuring that we engage with young people at risk of being excluded and not in employment, education or training.

3.00 CONSIDERATIONS

3.01 Summary of main progress/achievements to date: -

Launch the Employer's Promise in the public sector to promote and enhance our roles as employers

- The Employers' Promise has been developed (see Appendix 1) and has been agreed by the LSB. A formal launch of the Employer's Promise took place on 3rd April 2014.
- At its last meeting the Local Service Board commissioned HR representatives from each partner agency to develop a broader joint work programme encompassing joint work on workforce planning and organisational change and this is being progressed.

Development of early key projects

- Key early projects include supporting the development and implementation of the Youth Engagement and Progression Framework, ensuring tracking and support for those vulnerable at transition to training or further education at 16.
- Flintshire County Council has also sponsored development of the BEN network, which encourages creativity in people wanting to start or grow a business, develop entrepreneurial skills needed. Most crucially it supports and enables young people to access opportunities in Flintshire.
- Key early projects also include renewal of our own apprenticeships programme to ensure equity of access to apprenticeships at all appropriate levels. Flintshire County Council has also promoted development of new partnership shared apprenticeship and traineeship programmes, such as those developing in the construction sector and through the Deeside Enterprise Zone.

4.00 RECOMMENDATIONS

4.01 Members to:

- Endorse the principles of the Employers' Promise and support as an active partner.
- Support the monitoring of impact from implementation of the Employers Promise, to take place in November 2014 and subsequently.

5.00 FINANCIAL IMPLICATIONS

5.01 There are no new financial implications arising from this report.

6.00 ANTI POVERTY IMPACT

6.01 There are no anti-poverty implications arising directly from this report.

7.00 ENVIRONMENTAL IMPACT

7.01 There are no environmental impact implications arising directly from this report.

8.00 EQUALITIES IMPACT

8.01 There are no equalities impact implications arising directly from this report.

9.00 PERSONNEL IMPLICATIONS

9.01 The Employee Promise sets out reasonable expectations for progressive and positive employer practice.

10.00 CONSULTATION REQUIRED

10.01 None at this stage.

11.00 CONSULTATION UNDERTAKEN

11.01 Stakeholder consultation including the LSB and partners of the Employment, Skills and Jobs Partnership (formerly known as AEWE)

12.00 APPENDICES

12.01 Appendix 1 Employers Promise

**LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985
BACKGROUND DOCUMENTS**

None.

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Appendix 1



Flintshire LSB Employer's Promise

WHAT IS THE EMPLOYERS PROMISE?

A standard for being a Model Employer in Flintshire.

WHAT IS OUR VISION?

To make Flintshire a county with great opportunities, prospects and employment.

WHAT DO WE WANT TO ACHIEVE?

As employers we are committed to establish a skilled workforce to meet the challenges of the future. We will:

1. Aspire to be employers of choice.
2. Develop, promote and support a range of lifelong learning opportunities for people at work; at schools, college and universities; and in our communities.
3. Develop, promote and support a broader range of education, employment and training opportunities for all people, with young people aged 16 to 24 years a priority.

This will be achieved by:

- Leading by example as employers in Flintshire.
- All LSB Partners committing to the Standard.
- Developing skills of our workforce.
- Encouraging more apprenticeships and work placement opportunities in the County.
- Providing opportunities for young people to enter the workforce.
- Giving people the opportunity to re-train or re-enter the workforce.
- Growing the skills of the local community to produce the workforce of the future.

WHAT WE ARE GOING TO DO

We will develop new ways of delivering public services that have the potential to make a difference to peoples' lives at the same time as making better use of public money. This will be achieved in partnership with our public, private and voluntary sector partners.

In partnership with other organisations, we will develop new frameworks for the following:

- **Basic Skills**
We will ensure that our employees have high levels of literacy and numeracy.
- **Employee Development**
We will ensure that our employees are developed in their role with on and off the job quality training.

Appendix 1 (continued)

- **Workforce Planning**

We will develop our employees to meet our current and future needs. This will include a renewed approach to work experience and apprenticeships.

We will provide opportunities for progression and career opportunities.

- **Reduce Inequalities in employment**

We will recruit fairly and equitably where possible from within the local labour market in Flintshire.

We will identify and address any inequalities between different protected characteristics

- **Well Being**

The health and well-being of our employees will be protected and promoted in the workplace.

HOW ARE WE GOING TO DO THIS?

All LSB partners will maximise opportunities to support the EET agenda including:

- Increasing the number and range of work based learning opportunities available, for example, apprenticeships, industry / organisation based academies, training, ~~work~~ experience.
- Development of an Entrepreneurship Programme including support for Enterprise Clubs through, for example, mentoring; training, and; business and financial planning.
- Development of an Employability Programme including work Clubs, work experience including volunteering, DWP schemes, etc.
- Contributing to a broader range of Pathways to employment by maximising capacity amongst agencies, accessing national and local programmes and securing funding opportunities, making an impact on unemployment.
- Developing local labour market information to support public and private sector business planning in relation to education, training, qualifications and vocational skills.
- Developing more innovative approaches to workforce planning.

WHO WILL WE INVOLVE?

All LSB Partners are committed to this Promise. Furthermore, our ambition is to encourage all our public, private and voluntary sector partners to support the goals associated with this Promise.

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **FLINTSHIRE COUNTY COUNCIL**

DATE: **WEDNESDAY, 30 APRIL 2014**

REPORT BY: **HEAD OF LEGAL AND DEMOCRATIC SERVICES**

SUBJECT: **COMMUNITY REVIEW UPDATE**

1.00 PURPOSE OF REPORT

1.01 To recommend to County Council draft final proposals on the community review.

2.00 BACKGROUND

2.01 The County Council has a statutory duty to keep Town & Community Council boundaries and electoral arrangements for communities within its area under review. The County Council has not previously undertaken a comprehensive community review only limited reviews affecting a small number of Town & Community Councils.

2.02 Following reports to County Council on the 16 April 2013 and to the Cabinet on the 23 April 2013 the guiding principles of the review were agreed, together with the consultation process and for the review to commence.

2.03 The first formal stage of the community review was to seek and obtain proposals from Town & Community Councils and other interested parties. These were considered in preparing draft proposals for the second stage of consultation.

2.04 At a meeting of the County Council on the 23 October 2013 and Cabinet on the 19 November 2013 draft proposals were agreed for consultation. All Town & Community Councils were sent copies of the draft proposals at the end of November seeking observations by the end of January 2014. The draft proposals were also put on the Council's website and sent to other interested parties. Public notice was also given in the press. During November consultation meetings were held hosted by Buckley, Caerwys and Flint Councils.

2.05 Attached as Appendix A to this report is a list of all Town & Community Councils and other interested parties who responded to the consultation on the draft proposals.

2.06 All comments received during the consultation period have been carefully considered by officers in preparing the draft final proposals which are attached as Appendix B. The maps showing changes to ward and community boundaries (appendix 7) have been made available in Member Services and the Group Rooms and for the press and public are available as background papers to the report.

3.00 CONSIDERATIONS

3.01 Of the 34 Town & Community Councils within Flintshire the draft report is proposing no alteration to the current arrangements in respect of the 14 listed in Appendix C. For these Town & Community Councils it is considered that there are no anomalies with the current arrangements that need to be rectified.

3.02 The representations received from a few other Town and Community Councils were advocating no change to the existing arrangements, notwithstanding that, officers had identified anomalies with the current arrangements. Draft proposals were therefore made to correct the current anomaly and the Town or Community Council was consulted on such draft proposals under the previous stage of the review. Where the Town or Community Council has not raised objection to such a draft proposal it has become the final proposal.

3.03 Where a Town or Community Council has during consultation suggested a change to its external ward boundaries there has been consultation with the other Town or Community Council whose boundary would be affected. Where the other Council affected is agreeable the Council has adopted such a proposal. As explained in paragraph 6.02 of Appendix B, if such a final proposal is adopted the County Council would submit a report recommending such change to the Local Democracy & Boundary Commission for Wales. The Commission will then make recommendations to the Welsh Government, including consequential changes to the County Council electoral divisions. Where the other Town or Community Council affected object to the proposed change in the external boundary then it is considered there has to be a good reason to proceed.

3.04 During the various consultation stages some Town or Community Councils or other interested persons have made representations to change Town or Community Council ward boundaries. An important consideration with any such proposals is that any new Town/Community wards should fit wholly within the existing electoral divisions for the County Council. Otherwise as explained in paragraph 6.03 of Appendix B this will cause practical difficulties with the Local Government elections scheduled for 2017. The draft final proposals avoid any such practical difficulties.

3.05 In arriving at the draft final proposals as shown in Appendix B the Council's officers have considered:-

- The need to address any existing anomalies.
- The need to comply with the guiding principles.
- The need to take account of the wishes of the Town & Community Councils and other interested parties.
- The need to avoid practical difficulties with the Local Government elections scheduled for 2017 as detailed in paragraph 6.03 of Appendix B.
- Avoiding any obvious inconsistency of approach between similar Town or Community Councils.

3.06 For 29 Town & Community Councils the draft final proposals have not changed from the draft proposals previously agreed by Council and Cabinet. The consultation on the draft proposals has led to differences in what is proposed for the following 5 Town & Community Councils:-

- Hawarden
- Hope
- Penyffordd
- Mold
- Whitford

The changes for each of these are considered in turn in the following paragraphs.

3.07 During consultation on the draft proposals Hawarden Community Council made detailed representations explaining how the draft proposals to reduce the size of the Council would lead to inconsistencies with other similar towns and communities. It went on to propose that the size of the Community Council should be increased to 20 Councillors. This proposal addressed the current inconsistent ratio of electorate to Councillors between the different wards. During the consultation period there was also consultation with each County Councillor from the Hawarden community. The draft final proposal is to agree with what has been suggested by Hawarden Community Council as set out in paragraph 7.79 of Appendix B.

3.08 During consultation on the draft proposals Penyffordd Community Council reiterated its previous representations that certain properties at the Penyffordd end of the Wrexham Road should be included in its community rather than in the Hope community. Hope Community Council considered this and agreed to this change in its external boundary. This provides the opportunity to alter the internal ward boundaries within the Hope community without causing problems at the Local Government elections scheduled for 2017. The draft final proposal now reflects representations from Hope Community Council that the ward boundaries should be redrawn along the River Alyn. As indicated in paragraph 7.101 of Appendix B.

- 3.09 There is only a minor change in the draft final proposal for Penyffordd from that in the draft proposal previously agreed by Council and Cabinet. This is to add the change to the external boundary with Hope Community Council as a result of that Community Council indicating it had no objection to this change proposed by Penyffordd Community Council.
- 3.10 The draft final proposal for Mold is only slightly different to the draft proposal that County Council and Cabinet previously agreed. The difference is two minor amendments to ward boundaries to reflect the wishes of Mold Town Council. These are detailed in paragraphs 7.124 and 7.125 of Appendix B.
- 3.11 During consultation on the draft proposals Whitford Community Council made representations that it should be de-warded. This proposal was supported by the local County Councillor. The draft final proposal is to agree with the de-warding of Whitford Community Council rather than having 10 Councillors for the Carmel ward and 2 for the Whitford ward as in the draft proposal.
- 3.12 It will be seen from paragraphs 3.07 to 3.11 that the changes from the draft proposals are all a reflection of the representations received from the 5 Town & Community Councils affected.
- 3.13 The next stage of the process is for the Cabinet to consider the draft final proposals contained in Appendix B, together with the observations of County Council on those draft proposals. Once the final proposals have been agreed by the Council's Cabinet the future stages of the review are detailed in paragraphs 6.01 to 6.05 of Appendix B.

4.00 RECOMMENDATIONS

- 4.01 For the Council to consider the draft final proposals contained in Appendix B and make observations on those proposals for consideration by the Cabinet.

5.00 FINANCIAL IMPLICATIONS

- 5.01 There is adequate budget provision for the cost of publicity.

6.00 ANTI POVERTY IMPACT

- 6.01 None as a result of this report.

7.00 ENVIRONMENTAL IMPACT

- 7.01 None as a result of this report.

8.00 EQUALITIES IMPACT

8.01 None as a result of this report.

9.00 PERSONNEL IMPLICATIONS

9.01 The workload arising from the community review can be accommodated within existing resources.

10.00 CONSULTATION REQUIRED

10.01 As previously agreed by Council and Cabinet, including with the Local Democracy & Boundary Commission.

11.00 CONSULTATION UNDERTAKEN

11.01 As previously agreed by Council and Cabinet, including with the Local Democracy & Boundary Commission and with political Group Leaders.

12.00 APPENDICES

12.01 Appendix A - List of responses to consultation.
Appendix B - Draft Final Proposals
Appendix C - List of Town & Community Councils where no alterations proposed

**LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985
BACKGROUND DOCUMENTS**

1. Maps comprising Appendix 7 of Draft Final Proposals.
2. Draft Proposals November 2013

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APPENDIX A

Town / Community Councils
Bagillt Community Council
Broughton and Bretton Community Council
Buckley Town Council
Connah's Quay Town Council
Flint Town Council
Halkyn Community Council
Hawarden Community Council
Holywell Town Council
Llanasa Community Council
Mold Town Council
Mostyn Community Council
Nannerch Community Council
Northop Community Council
Northop Hall Community Council
Penyffordd Community Council
Sealand Community Council
Trelawnyd & Gwaenysgor Community Council
Whitford Community Council
County Councillors
Councillor D. Mackie – Ewloe
Councillor C. Carver – Hawarden
Councillor H. Bateman – Mold Broncoed
Councillor D. Williams – Penyffordd
Councillor N. Steele – Mortimer - Trelawnyd & Gwaenysgor
Residents
K. Young – Flint Mountain
Mrs. G. Harrsion - Greenfield
Mr & Mrs. Thomas – Penyffordd
Mrs. V. Socha – Penyffordd
Mrs. Auty – Greenfield

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**REVIEW OF COMMUNITY AREAS AND THE
COMMUNITY ELECTORAL ARRANGEMENTS FOR THE
COMMUNITIES IN THE COUNTY OF FLINTSHIRE**

**DRAFT
FINAL
PROPOSALS**

17 April 2014

FLINTSHIRE COUNTY COUNCIL FINAL PROPOSALS

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1. INTRODUCTION

- 1.01 Flintshire County Council has a statutory duty to keep all the communities in its area under review.
- 1.02 The review is to ensure the electoral arrangements for each town or community council provide effective and convenient local government.
- 1.03 A review of town or community council areas can include proposals for alterations of boundaries between town or community council areas, amalgamating two or more town or community council areas into one, or separating an existing town or community council area into two or more.
- 1.04 A review of town or community electoral arrangements also include proposals to review ward boundaries within a town or community council area, the warding of a previously unwarded town or community council area, the de-warding of a town or community council area currently separated into wards and changes to councillor numbers.

2. BACKGROUND

- 2.01 At its meeting on the 28 February 2013 the County Forum received a report on the proposed Community Review including a draft timetable showing the various stages of a Community Review and an indicative timescale for each stage. On the 12 March 2013 all Town and Community Councils were written to seeking their views on the draft guiding principles for the review.
- 2.02 Following reports to County Council on 16 April 2013 and to the Cabinet on 23 April the Guiding Principles of the Review were agreed (see Appendix 1), together with the consultation process for the first formal stage of the review and for the review to commence. The review commenced on 1 May 2013.
- 2.03 The first formal stage of the Community Review was to seek and obtain proposals from Town and Community Councils and other interested parties. A letter, questionnaire and the Guiding Principles were sent to Town and Community Councils, County Councillors and other interested parties on the 3 May 2013. Public notice was also given in local newspapers and information was also published on the Council's website. In addition a series of meetings were co-hosted with Town Councils across the County on the first stage of the review. The consultation period ended on 2 July 2013. The proposals received under the first stage were carefully considered in preparing Flintshire's Draft Proposals. A list of those who submitted a proposal is attached at Appendix 2.
- 2.04 Flintshire's Draft Proposals were considered and agreed by the County Council and Cabinet prior to consultation on them commencing in November 2013. There was a nine week consultation period until the end of January 2014. The Draft Proposals were advertised in the press by giving public

notice and on the Council's web site. The Draft Proposals were also sent individually to each Town and Community Council, County Councillors and other interested parties.

3. GUIDING PRINCIPLES

- 3.01 The Guiding Principles are shown in Appendix 1. The seventh and eighth principles were subsequently clarified to explain that the objective was to have approximately the same ratio of electors to councillors across the wards that a town or community council may be divided into. As long as this is achieved there does not need to be the same number of councillors in each ward.

4. TIMETABLE FOR THE REVIEW

- 4.01 The timetable for the review set out below allows sufficient time for thorough public consultation at each stage of the process.

12/3/13	All Town and Community Councils sent a copy of Draft Guiding Principles for comments.
6/4/13	Report to County Council when Guiding Principles and consultation process for first stage agreed.
23/4/13	Report to Cabinet when Guiding Principles, first stage consultation process and commencement of Community Review agreed.
1/5/13 to 2/7/13	Formal start of Community Review. Consultation seeking proposals from Town and Community Councils and other interested parties.
Summer 2013	Proposals received carefully considered and Officers prepare Draft Proposals.
23/10/13	County Council considers and agrees Draft Proposals for consultation.
19/11/13	Cabinet considers and agrees Draft Proposals for consultation.
29/11/13 to 31/1/14	Consultation on Draft Proposals.
Spring 2014	Consideration of representations received on Draft Proposals. Reports to County Council and Cabinet to agree Final Proposals.

5. CURRENT STAGE OF THE REVIEW

- 5.01 This document comprises the proposed Final Proposals for consideration initially by the County Council and then by the Council's Cabinet.

6. FUTURE STAGES OF THE REVIEW

- 6.01 Once Final Proposals have been agreed by the Council's Cabinet they will be published in the press and on the Council's website.
- 6.02 Where the Final Proposals involve changes to external community boundaries, Flintshire County Council will submit a report recommending them to the Local Democracy and Boundary Commission for Wales. For such communities all representations concerning the final proposals should be submitted to the Commission. In such situations the Commission considers all the changes to that community including the warding and number of Community Councillors in each ward. The Commission also considers any consequential changes that the changes to the ward boundaries would have on the County electoral divisions and makes proposals for such changes. These are then submitted to Welsh Government who, if approved by the Minister, prepare an Order for the community including consequential changes to the County electoral divisions.
- 6.03 Where no change to an external community boundary is made, the Town/Community wards arising from this review should fit wholly within the existing electoral divisions for County Councillors. If as a result of any proposed changes to Town/Community council wards, this would not be the case, it would cause practical difficulties for the local government elections scheduled for May 2017. There would have to be different electoral lists for the County Council and Town/Community Council elections being held on the same day. Electors affected would have to attend different polling stations when they vote for County Councillors than when voting for Town/Community Councillors. There would be unnecessary duplication of paperwork and potential for confusion amongst the electorate. The Council is keen to avoid such practical difficulties and for this reason has not agreed with some proposals received that would cause such problems.
- 6.04 The Local Democracy and Boundary Commission for Wales will make proposals to amend the County electoral divisions in their future electoral review which will not be until after the 2017 local government elections. That review could include recommendations to change both the County electoral divisions and the community ward boundaries to give effect to proposals rejected as part of this review.
- 6.05 Where the Final Proposals do not change external boundaries the changes to community electoral arrangements will be given effect by a legally binding Order made by the County Council.

7. FLINTSHIRE COUNTY COUNCIL'S DRAFT FINAL PROPOSALS

- 7.01 The County Council's Final Proposals include a number of changes to external boundaries, changes to internal boundaries, changes to the number of town and community councillors representing wards and giving names to new wards created. The Final Proposals aim to redress current anomalies wherever desirable in the interests of effective and convenient local government. All representations received on the Draft Proposals have received detailed consideration in formulating the Final Proposals.
- 7.02 The following parts of this document consider each town or community council area in turn alphabetically. In each case the current arrangements are summarised, any current anomalies, any proposals received, the County Council's Draft Proposal and any response to that Draft Proposal before indicating the County Council's Final Proposal.

Draft

ARGOED COMMUNITY COUNCIL

- 7.03 The community of Argoed is currently divided into four wards. The East Ward elects 5 councillors, the New Brighton Ward elects 3 councillors, the South Ward elects 2 councillors and the West Ward elects 6 councillors. The overall membership of the Council is 16.
- 7.04 As part of the review process Flintshire identified as an anomaly that the West Ward elected more councillors than the East Ward even though it had a smaller electorate.
- 7.05 At the start of the review Argoed Community Council made the following proposal:
- To amend the external boundary so that the properties in the village of Llong that are part of Leeswood Community Council should be part of Argoed Community Council. The village is currently split between the two Community Councils and Argoed felt it would be better represented by just one community council. It also identified one property that was split from the rest of the village which would be better served by Argoed Community Council. The Community Council also proposed that it should be de-warded and still have an overall membership of 16 councillors. No other proposals were received from interested parties.
- 7.06 Flintshire's Draft Proposal was that the East and South Wards should be amalgamated (this would then be coterminous with the County electoral division of Argoed). The New Brighton and West Wards should be amalgamated (this would then be coterminous with the County electoral division of New Brighton). As explained in paragraph 6.03 town/community wards arising from this review should fit wholly within a single County Council electoral division. Flintshire's proposal is therefore the nearest the review can implement the Community Council's proposal without creating the practical difficulties referred to in that paragraph. The membership should be reduced from 16 to 14 as no valid reason has been given for departure from the first guiding principle. The external boundary not to be altered as Leeswood Community Council objected to Argoed's proposal and it does not form an easily identifiable boundary as required by guiding principle 5.
- 7.07 Argoed Community Council responded to consultation on Flintshire's Draft Proposal to indicate that it supports the reduction to 14 in the total membership of the Council. No other representations were received from interested parties.
- 7.08 *Flintshire's Final Proposal is therefore the same as its draft proposal as indicated in paragraph 7.06 above. A Map showing proposed new ward boundaries is in Appendix 7.*

BAGILLT COMMUNITY COUNCIL

- 7.09 The community of Bagillt is presently divided into two wards. The East Ward elects 7 councillors and the West Ward elects 7 councillors. The overall membership of the Council is 14.
- 7.10 As part of the review process Flintshire identified no anomalies. In 2000 a review of warding arrangements was undertaken. The number of wards was reduced from 4 to 2 making the wards coterminous with the two County Council electoral divisions of Bagillt East and Bagillt West. The councillors for the Central and Merllyn Wards were redistributed between the two wards, so that there was an equal number of councillors.
- 7.11 Under the first stage of the Community Review, Bagillt Community Council proposed that the current arrangements were satisfactory and there should be no changes. No other proposals were received from interested parties.
- 7.12 Flintshire's Draft Proposal was to agree with the Community Council as it considered the current arrangements provided effective and convenient local government.
- 7.13 In response to consultation on the Draft Proposal Bagillt Community Council responded to indicate that it supports the Draft Proposal. No other representations were received from interested parties.
- 7.14 *Flintshire's Final Proposal is the same as its Draft Proposal to make no alteration to the current arrangements.*

BROUGHTON AND BRETTON COMMUNITY COUNCIL

- 7.15 The community of Broughton and Bretton is presently divided into three wards. The East Ward elects 2 councillors, the North Ward elects 4 councillors and the South Ward elects 8 councillors. The overall membership of the Council is 14.
- 7.16 As part of the review process Flintshire identified an inconsistent ratio of electorate to councillors across the wards under the present arrangements.
- 7.17 At the start of the Community Review, Broughton and Bretton Community Council proposed changes to the external boundary. Firstly that properties west of Cherry Orchard Lane known as 'Old Warren' currently in Penyffordd Community Council area would be better served by Broughton and Bretton Community Council. Because of the stopping up of the 'Old Warren' this area cannot be accessed without going through Broughton and Bretton Community Council's area. It also suggested that the A55 be used as a southern boundary and Stoney Hill as the western boundary. The Community Council also proposed that the number of councillors for the North Ward should be reduced from 4 to 3 and the number of councillors for the South Ward should be increased from 8 to 9. No other proposals were received from interested parties.
- 7.18 Flintshire's Draft Proposal was to agree with the proposal regarding the external boundary and properties in the 'Old Warren' being transferred from Penyffordd Community Council to Broughton and Bretton Community Council. Whilst Penyffordd objected to the proposal, the 'Old Warren' can now only be accessed from Broughton. As explained in paragraph 6.02 where the Final Proposals involve changes to the external boundary, this will be referred to the Local Democracy and Boundary Commission for Wales. If the Commission considers the changes to be in the interests of effective and convenient local government, they will make recommendations to Welsh Government to make the boundary changes, including consequential amendments to any County electoral divisions affected. Flintshire's Draft Proposal to address the inconsistent ratio of electorate to councillors was that the Wards of North and East should be amalgamated and named North East Ward and elect 5 councillors and the South Ward elects 9 councillors. The overall membership of the Council would remain at 14.
- 7.19 In response to consultation on the Draft Proposals Broughton and Bretton Community Council supported the Draft Proposal. Penyffordd Community Council responded to consultation indicating that it did not agree with the 'Old Warren' being included within Broughton.
- 7.20 *Flintshire's Final Proposal is the same as its draft proposal indicated in paragraph 7.18 above. A Map showing the new external boundary is in Appendix 7.*

BRYNFORD COMMUNITY COUNCIL

- 7.21 The community of Brynford has a membership of 10 councillors and is not divided into wards.
- 7.22 As part of the review process Flintshire identified no anomalies with the current arrangements.
- 7.23 At the start of the Community Review, Brynford Community Council proposed that the current arrangements were satisfactory and that there should be no changes. No other proposals were received from interested parties.
- 7.24 Flintshire's Draft Proposal was to agree with the Community Council as it is considered the current arrangements provide effective and convenient local government.
- 7.25 No representations were received in relation to consultation on the draft proposals.
- 7.26 *Flintshire's final proposal is as with the draft proposal to make no changes to the current arrangements.*

BUCKLEY TOWN COUNCIL

- 7.27 The Town of Buckley is presently divided into four wards. The Bistre East Ward elects 5 councillors, the Bistre West Ward elects 6 councillors, the Mountain Ward elects 2 councillors and the Pentrobin Ward elects 5 councillors. The overall membership of the Council is 18.
- 7.28 As part of the review process Flintshire identified an inconsistent ratio of electorate to councillors for the Mountain and Pentrobin Wards with the current arrangements.
- 7.29 At the start of the Community Review, Buckley Town Council made the following proposal to address the inconsistent ratio of electorate to councillors. Taking into account the projected electorate and the number of major developments over the next five years, the overall membership of the Council should be increased to 20 and the number of councillors to be elected for the wards should be as follows:

Bistre East Ward	-	elect 5 councillors
Bistre West Ward	-	elect 5 councillors
Mountain Ward	-	elect 4 councillors
Pentrobin	-	elect 6 councillors

No other proposals were received from interested parties.

- 7.30 Flintshire's Draft Proposal was to agree with the proposal made by the Town Council as it addresses the inconsistent ratio of electorate to councillors across the Mountain and Pentrobin Wards. The overall membership of the Council would increase from 18 to 20.
- 7.31 Buckley Town Council responded to consultation on the Draft Proposal to indicate it was pleased that Flintshire supported its proposal.
- 7.32 *Flintshire's Final Proposal is as the Draft Proposal to increase the size of the Council from 18 to 20. The Bistre East Ward would elect 5 councillors, the Bistre West Ward elect 5 councillors, the Mountain Ward elect 4 councillors and the Pentrobin Ward elect 6 councillors.*

CAERWYS TOWN COUNCIL

- 7.33 The town of Caerwys has a membership of 11 councillors. There are no wards.
- 7.34 Flintshire identified no anomalies with the current arrangements.
- 7.35 At the start of the Community Review, Caerwys Town Council proposed that the current arrangements were satisfactory and there should be no changes. No other proposals were received from interested parties.
- 7.36 Flintshire's Draft Proposal was to agree with the Town Council as it is considered the current arrangement provide effective and convenient local government.
- 7.37 In response to consultation on the Draft Proposal Caerwys Town Council indicated it had no observations.
- 7.38 *Flintshire's Final Proposal is the same as its Draft Proposal to make no change to the existing arrangements.*

CILCAIN COMMUNITY COUNCIL

- 7.39 The community of Cilcain is presently divided into two wards. The Cilcain Ward elects 6 councillors and the Rhydymwyn Ward elects 6 councillors. The overall membership of the Council is 12.
- 7.40 As part of the review process Flintshire identified no anomalies with the current arrangements. In 2008 Flintshire had made an order to increase the number of councillors for the Rhydymwyn Ward from 5 to 6.
- 7.41 At the start of the Community Review no proposals were received from the Community Council or from other interested parties.
- 7.42 Flintshire's Draft Proposal was to make no change to the current arrangements as they provided effective and convenient local government.
- 7.43 No representations were received from the Community Council or other interested parties in relation to Flintshire's Draft Proposal.
- 7.44 *Flintshire's Final Proposal is to make no change to the current arrangements.*

CONNAH'S QUAY TOWN COUNCIL

7.45 The Town of Connah's Quay is presently divided into four wards. The Central Ward elects 5 councillors, the Golftyn Ward elects 5 councillors, the South Ward elects 6 councillors and the Wepre Ward elects 4 councillors. The overall membership of the Council is 20.

7.46 As part of the review process Flintshire identified an inconsistent ratio of electorate to councillors across the wards with the present arrangements.

7.47 At the start of the Community Review Connah's Quay Town Council made the following proposal to address the inconsistent ratio of electorate to councillors. To redraw the internal boundary between the Central, Golftyn and South Wards. It would involve transferring approximately 900 electors from the South Ward and 200 from the Golftyn Ward to the Central Ward. The Council also proposed that the overall membership of the Council should be increased to 22 and the number of councillors to be elected to the wards should be as follows:-

Central Ward	-	elect 6 councillors
Golftyn Ward	-	elect 6 councillors
South Ward	-	elect 6 councillors
Wepre Ward	-	elect 4 councillors

No other proposals were received from interested parties.

7.48 As explained in paragraph 6.03 above, implementing the proposal of Connah's Quay Town Council would result in practical difficulties for the 2017 local government elections. Until the County electoral divisions are reviewed by the Local Democracy and Boundary Commission for Wales, Flintshire's Draft Proposal was to address the inconsistent ratio of electorate to town councillors by altering the number of councillors to be elected across the wards as follows:-

Central Ward	-	elect 4 councillors
Golftyn Ward	-	elect 6 councillors
South Ward	-	elect 7 councillors
Wepre Ward	-	elect 3 councillors

The overall membership of the Town Council would remain at 20.

7.49 Connah's Quay Town Council responded to consultation on the Draft Proposals indicating it had no observations.

7.50 *Flintshire's Final Proposal is as its Draft Proposal set out in paragraph 7.48 above.*

FLINT TOWN COUNCIL

- 7.51 The town of Flint is presently divided into four wards. The Castle Ward elects 4 councillors, the Coleshill Ward elects 5 councillors, the Oakenholt Ward elects 4 councillors and the Trelawny Ward elects 5 councillors. The overall membership of the Council is 18.
- 7.52 As part of the review process Flintshire identified an inconsistent ratio of electorate to councillors across the wards with the present arrangements.
- 7.53 At the start of the Community Review, Flint Town Council made three proposals. The first was that it was the view of the Town Council that it was not appropriate to embark on any review at this particular time. The second was there should be no change to the current arrangements. The third, and notwithstanding the representations made in the first two proposals, was to redraw the boundaries to transfer an area from Coleshill Ward to Castle Ward and reduce the number of councillors to 16. No other proposals were received from interested parties.
- 7.54 Flintshire's Draft Proposal was to partly agree with the third proposal made by the Town Council as it addresses the inconsistent ratio of electorate to councillors. Redrawing the ward boundaries would however result in the practical problems explained in paragraph 6.03 for the local government elections scheduled for 2017. Flintshire's Draft Proposal was that the number of councillors elected from the Castle Ward would be reduced from 4 to 3 and the overall membership for the Council reduced from 18 to 17.
- 7.55 In response to consultation on the Draft Proposal Flint Town Council resolved to support the Draft Proposal. No representations were received from other interested parties.
- 7.56 *Flintshire's Final Proposal is the same as its Draft Proposal as set out in paragraph 7.54 above.*

GWERNAFFIELD COMMUNITY COUNCIL

- 7.57 The community of Gwernaffield is presently divided into two wards. The Gwernaffield Ward elects 6 councillors and the Pantymwyn Ward elects 6 councillors. The overall membership of the Council is 12.
- 7.58 As part of the review process Flintshire identified no anomalies with the current arrangements.
- 7.59 At the start of the Community Review, Gwernaffield Community Council proposed that the current arrangements were satisfactory and that there should be no changes. No other proposals were received from interested parties.
- 7.60 Flintshire's Draft Proposal was to agree with the Community Council as it is considered that the current arrangements are effective and convenient local government.
- 7.61 No representations were received in relation to the Draft Proposal during the consultation period.
- 7.62 *Flintshire's Final Proposal is the same as its Draft Proposal to make no changes to the current arrangements.*

GWERNYMYNYDD COMMUNITY COUNCIL

- 7.63 The community of Gwernymynydd has a membership of 11 councillors. There are no wards.
- 7.64 As part of the review process Flintshire identified no anomalies with the current arrangements.
- 7.65 At the start of the Community Review, Gwernymynydd Community Council proposed that the current arrangements were satisfactory and that there should be no changes. The local County Councillor, Councillor Nancy Matthews made the same proposal. No other proposals were received from interested parties.
- 7.66 Flintshire's Draft Proposal was to agree with the Community Council and the local County Councillor as it considered that current arrangements provided effective and convenient local government.
- 7.67 During consultation on the Draft Proposals the Community Councillor and local County Councillor supported the Draft Proposal.
- 7.68 *Flintshire's Final Proposal is the same as its Draft Proposal to make no change to the current arrangements which provide effective and convenient local government.*

HALKYN COMMUNITY COUNCIL

- 7.69 The community of Halkyn is presently divided into four wards. The Halkyn Ward elects 3 councillors, the Pentre Halkyn Ward elects 4 councillors, the Rhos y Cae Ward elects 2 councillors and the Rhosesmor Ward elects 4 councillors. The overall membership of the Council is 13.
- 7.70 As part of the review process Flintshire identified an inconsistent ratio of electorate to councillors across the wards with the current arrangements.
- 7.71 At the start of the Community Review, Halkyn Community Council were unable to agree any recommendations to Flintshire. It was agreed by members to wait for the County Council's Draft Proposals to be published on how to address the inconsistent ratio of electorate to councillors across the wards. No other proposals were received from interested parties.
- 7.72 Flintshire's Draft Proposal to address the inconsistent ratio of electorate to councillors was that the Wards of Halkyn, Rhos y Cae and Rhosesmor be merged to create a new ward and elect 8 councillors (this would then be coterminous with the County electoral division of Halkyn). The Ward of Pentre Halkyn (which is part of the County electoral division of Brynford) would elect 5 councillors. The overall membership of the Council would remain at 13. As explained in paragraph 7.121, it is also proposed to alter the external boundary with Mold.
- 7.73 In response to consultation on the Draft Proposals, Halkyn Community Council made the following observations:-
- a) The members appreciate that the review is necessary.
 - b) The members' concerns are that by amalgamating the three wards of Halkyn, Rhosesmor and Rhos y Cae, that during an election there will be more electorate voting, say in the Rhosesmor area which could leave both Halkyn and Rhos y Cae without a councillor who resides in each of the villages. The Council area is one of scattered communities. One longstanding member of the Council recalls that this situation used to occur before the Council was placed in four wards.
 - c) The Council suggests that the new ward name is Halkyn Mountain.
- 7.74 *Flintshire's Final Proposal is as its Draft Proposal with the new Ward being named Halkyn Mountain as suggested by Halkyn Community Council. As the Final Proposal involves changing the electoral boundary it will be considered by the Local Democracy and Boundary Commission for Wales. If the Commission considers the changes to be in the interests of effective and convenient local government it will make recommendations to Welsh Government to make the boundary changes including consequential amendments to any County electoral divisions affected. A Map of the new boundaries is in Appendix 7*

HAWARDEN COMMUNITY COUNCIL

- 7.75 The community of Hawarden is presently divided into four wards. The Aston Ward elects 5 councillors, the Ewloe Ward elects 4 councillors, the Hawarden elects 3 councillors and the Mancot Ward elects 5 councillors. The overall membership of the Council is 17.
- 7.76 As part of the review process Flintshire identified an anomaly with the current arrangements with an inconsistent ratio of electorate to councillors making the Ewloe Ward under represented.
- 7.77 At the commencement of the review Hawarden Community Council proposed that the number of councillors for the Ewloe Ward should be increased from 4 to 6. The Community Council did not believe the inconsistent ratio of electorate to councillors could be solved by redistributing the current allocation from the other wards without adversely affecting their representational role. The overall membership of the Council would then be increased from 17 to 19. A proposal was also received from Councillor C Carver as local County Councillor that the internal boundary between the Hawarden and Mancot Wards should be redrawn. As explained in paragraph 6.03 above, amending the ward boundaries in the way proposed by the local County Councillor would lead to anomalies at the 2017 elections and would therefore be inappropriate at this time.
- 7.78 Flintshire's Draft Proposal to address the inconsistent ratio of electorate to councillors was for the Aston Ward to elect 4 councillors, the Ewloe Ward to elect 6 councillors, the Hawarden Ward to elect 2 councillors and the Mancot Ward to elect 4 councillors. The overall membership of the Council would be reduced from 17 to 16.
- 7.79 In response to consultation on the Draft Proposal, Hawarden Community Council made detailed representations explaining how reducing the size of the Council would lead to inconsistencies with other towns and communities. It went on to propose that the size of the Community Council should be increased to 20 councillors made up as follows:-
- | | | |
|---------------|---|---------------|
| Aston Ward | - | 5 councillors |
| Ewloe Ward | - | 7 councillors |
| Hawarden Ward | - | 3 councillors |
| Mancot Ward | - | 5 councillors |
- There were representations against the Draft Proposal from all the County Councillors on the Community Council.
- 7.80 *The response to consultation from Hawarden Community Council addresses the current inconsistent ratio of electorate to councillors across the wards. It also makes the size of the Community Council more consistent with other large towns and communities within Flintshire. Flintshire's Final Proposal is to agree with the proposal from Hawarden Community Council set out in paragraph 7.79.*

HIGHER KINNERTON COMMUNITY COUNCIL

- 7.81 Higher Kinnerton Community Council has a membership of 9 councillors. There are no wards.
- 7.82. As part of the review process Flintshire identified no anomalies. In 2008 Flintshire made an order to reduce the overall membership of the Council from 11 to 9.
- 7.83 At the start of the Community Review Higher Kinnerton Community Council proposed that the current arrangements were satisfactory and that there should be no changes. No other proposals were received from interested parties. The Community Council raised no objection to Penyffordd's external boundary altering to include properties in Lower Mountain Road.
- 7.84 Flintshire's Draft Proposal was to agree with the Community Council except to change the external boundary with Penyffordd (see paragraph 7.159).
- 7.85 Higher Kinnerton Community Council responded to consultation on the Draft Proposal to indicate they had no additional comments to make. Councillor David Williams from Penyffordd made representations that part of Higher Kinnerton should be included in Penyffordd Community Council.
- 7.86 *Flintshire's Final Proposal is as the Draft Proposal with the only change being to the external boundary with Penyffordd. As the Final Proposal involves changing the external boundary it will be considered by the Local Democracy and Boundary Commission for Wales. If the Commission considers the changes to be in the interests of effective and convenient local government it will make recommendations to Welsh Government to make the boundary changes including consequential amendments to any County electoral divisions affected. A Map of the proposed new external boundary is in Appendix 7*

HOLYWELL TOWN COUNCIL

- 7.87 The town of Holywell is presently divided into four wards. The Central Ward elects 4 councillors, the East Ward elects 4 councillors, the Greenfield Ward elects 5 councillors and the West Ward elects 4 councillors. The overall membership of the Council is 17.
- 7.88 As part of the Review process Flintshire identified an insistent ratio of electorate to Councillors across the wards with the current arrangements.
- 7.89 At the start of the Community Review Holywell Town Council proposed that the current arrangements were satisfactory and there should be no changes. The Council felt that they would not be able to provide the same level of representation on community groups etc if the number of councillors was reduced. A local resident proposed that their property “Chipwood Cottage” should be moved from the East to Greenfield Ward because she and her husband felt they had no association with the East Ward. No other proposals were received from interested parties.
- 7.90 Flintshire’s Draft Proposal was that to address the inconsistent ratio of electorate to Councillors across the Wards the Central Ward should elect 3 councillors, the East Ward 3 councillors, the Greenfield Ward 5 councillors and the West Ward 4 councillors. The overall membership of the Council would reduce from 17 to 15 in line with the first guiding principle.
- 7.91 In response to consultation on the Draft Proposal the Town Council indicated that it wished its initial proposal to stand and for there to be no changes. It went on to submit an alternative proposal based on projected electorate, whereby the size of the Town Council would increase to 18 with 4 Members for the Central Ward, 4 for the East Ward, 5 for the Greenfield Ward and 5 for the West Ward.
- 7.92 Representations were also received from the resident of Chipwood Cottage reiterating her wish to be moved from the East Ward to the Greenfield Ward and this was supported by Holywell Town Council.
- 7.93 There is a need to address the current anomaly but the Town Council’s stance of there being no changes would continue the existing anomaly. Its alternative proposal is based on estimated increased electorate rather than on the current known electorate. Whilst the third principle does indicate that likely changes in electorate should be taken into account, the consistent approach taken to the Community Review is to give more weight to the known current electorate than estimated future electorate. The estimated future electorate sometimes being used to choose between two options arrived at on the basis of the known electorate. The first guiding principle indicates that the appropriate number of councillors for Holywell is 15 and an increase to 18 would be inconsistent with the size of other larger towns or

communities such as Flint and Mold. It has been the consistent approach of the Community Review to avoid having town or community wards that do not fit wholly within county electoral divisions where no change is being made to the external community boundary. To do otherwise will lead to the practical difficulties with the County and Town and Community elections scheduled for 2017 indicated in paragraph 6.03. For this reason Chipwood Cottage should at present remain in the East Ward but may change when the Local Democracy & Boundary Commission review County electoral divisions after the 2017 elections.

- 7.94 *For the reasons indicated in the preceding paragraph, Flintshire's Final Proposal is the same as its Draft Proposal in paragraph 7.90 notwithstanding the representations it has received.*

Draft

HOPE COMMUNITY COUNCIL

- 7.95 The community of Hope is presently divided into two wards. The Caergwrle Ward elects 6 councillors and the Hope Ward elects 8 councillors. The overall membership of the Council is 14.
- 7.96 As part of the review process Flintshire identified an inconsistent ratio of electorate to councillors across the wards with the current arrangements.
- 7.97 At the start of the Community Review, Hope Community Council made the following proposal regarding internal ward boundaries. In an effort to equalise the electorate across the two wards, the boundary should be the river Alyn as a natural boundary. The community area west of the river would form the Caergwrle Ward and the community area east of the river would form the Hope Ward. The Caergwrle Ward would elect 7 councillors and the Hope Ward would elect 7 councillors. The local County Councillor for Hope also made a proposal that the internal boundary should be redrawn by either the railway line or the river Alyn.
- 7.98 As explained in paragraph 6.03 above to alter the ward boundaries in the way that the Community Council and the local County Councillor proposed would lead to anomalies at the local government elections scheduled for 2017. Flintshire's Draft Proposal therefore to address the inconsistent ratio of electorate to councillors across the wards pending the outcome of the Local Democracy and Boundary Commission Review of County Electoral Divisions was that the Councillors from the Caergwrle Ward be reduced from 6 to 5 and that the overall membership of the Council would therefore reduce from 14 to 13 in line with the first Guiding Principle.
- 7.99 During the consultation period on the Draft Proposals Penyffordd Community Council reiterated its previous representations that certain properties at the Penyffordd end of Wrexham Road should be included in Penyffordd. Hope Community Council were consulted on this and agreed to the external boundary being altered in this way. It went on to indicate that this would lead to the Local Democracy and Boundary Commission for Wales reviewing the ward boundaries and when doing so, it could align them with County electoral divisions. It therefore reiterated its previous proposal that the river Alyn should be used as the boundary between the two wards with 7 councillors in each ward. During the consultation period representations were also received from residents affected by the proposed change of external boundary, both supporting their properties being within the Penyffordd rather than Hope community.
- 7.100 As it is now agreed between Hope and Penyffordd Community Councils that the external boundaries can be altered, there is the opportunity to alter the Hope internal ward boundaries without causing problems at the local government elections scheduled for 2017.

7.101 *Flintshire's Final Proposal is therefore to agree with Hope Community Council that the external boundary with Penyffordd is altered and that the ward boundaries are redrawn along the river Alyn. The Caergwrle ward electing 6 councillors and the Hope ward 8 as at present. As the Final Proposal involves changing the external boundary it will be considered by the Local Democracy and Boundary Commission for Wales. If the Commission considers the changes to be in the interests of effective and convenient local government it will make recommendations to Welsh Government to make the boundary changes including consequential amendments to any County electoral divisions affected. A map of the proposed new boundaries is in Appendix 7*

Draft

LEESWOOD COMMUNITY COUNCIL

- 7.102 The community of Leeswood is divided into 2 wards. The Leeswood Ward elects 11 councillors and the Pontblyddyn Ward elects 2 councillors. The overall membership of the Council is 13.
- 7.103 As part of the review process Flintshire identified no anomalies.
- 7.104 At the start of the Community Review, Leeswood Community Council proposed that the current arrangements were satisfactory and that there should be no changes. No other proposals were received from interested parties.
- 7.105 Flintshire's Draft Proposal was to agree with the Community Council and to make no changes to the current arrangements except to change the external boundary with Penyffordd (see paragraph 7.159).
- 7.106 No representations were received during consultation on the Draft Proposals.
- 7.107 *Flintshire's Final Proposal is the same as the Draft Proposal to make no change to the current arrangements which provide effective and convenient local government. As the external boundary with Penyffordd is proposed to change it will be considered by the Local Democracy and Boundary Commission for Wales. If the Commission considers the changes to be in the interests of effective and convenient local government it will make recommendations to Welsh Government to make the boundary changes including consequential amendments to any County electoral divisions affected. A Map of the proposed external boundary is in Appendix 7.*

LLANASA COMMUNITY COUNCIL

- 7.108 The community of Llanasa is presently divided into 3 wards. The Axton Ward elects 4 councillors, the Ffynnongroyw Ward elects 6 councillors and the Gronant Ward elects 5 councillors. The overall membership of the Council is 15.
- 7.109 As part of the review process Flintshire identified an inconsistent ratio of electorate to councillors across the wards with the present arrangements.
- 7.110 At the start of the Community Review, Llanasa Community Council proposed that the current arrangements were satisfactory and there should be no changes because of the rural nature of the area. No other proposals were received from interested parties.
- 7.111 Flintshire's Draft Proposal was that to address the inconsistent ratio of electorate to councillors across the wards, the Axton Ward elect 3 councillors, the Ffynnongroyw Ward elects 6 councillors and the Gronant Ward elects 5 councillors. The overall membership of the Council would reduce from 15 to 14.
- 7.112 In response to consultation on the Draft Proposals Llanasa Community Council indicated that it had no observations to make. The local County Councillor, Councillor Steele-Mortimer made representations against the proposed change.
- 7.113 *Flintshire's Final Proposal is the same as its draft proposal as indicated in paragraph 7.111 above.*

LLANFYNYDD COMMUNITY COUNCIL

- 7.114 The community of Llanfynydd is presently divided into 4 wards. The Cefn y Bedd Ward elects 4 councillors, the Cymau Ward elects 2 councillors, the Ffrith Ward elects 4 councillors and the Pontybodkin Ward elects 2 councillors. The overall membership of the Council is 12.
- 7.115 As part of the review process Flintshire identified an inconsistent ratio of electorate to councillors across the wards. In particular the Cefn y Bedd and Cymau Wards have a similar electorate but Cymau only elects 2 councillors, half the number of councillors elected in Cefn y Bedd.
- 7.116 At the start of the Community Review, Llanfynydd Community Council proposed that to address the inconsistent ratio of electorate to councillors, the Cefn y Bedd Ward elect 3 councillors, that Cymau Ward elect 3 councillors, the Ffrith Ward elect 3 councillor and the Pontybodkin Ward elect 3 councillors. Also the external boundary between Llanfynydd and Treuddyn Councils be redrawn so that four properties currently along Ffordd-y-Blaenau be transferred to the settlement of Treuddyn. No other proposals were received from interested parties.
- 7.117 Flintshire's Draft Proposal was that to address the inconsistent ratio of electorate to councillors across the wards the Cefn y Bedd Ward elect 4 councillors, the Cymau Ward elect 3 councillors, the Ffrith Ward elect 3 councillors and the Pontybodkin Ward elect 2 councillors. The overall membership remaining at 12. The external boundary should not be altered.
- 7.118 Llanfynydd Community Council did not make any representations during the consultation period on the Draft Proposals.
- 7.119 *Flintshire's Final Proposal is the same as its Draft Proposed in paragraph 7.117 above.*

MOLD TOWN COUNCIL

- 7.120 The town of Mold is presently divided into 4 wards. The Broncoed Ward elects 4 councillors, the East Ward elects 4 councillors, the South Ward elects 4 councillors and the West Ward elects 4 councillors. The overall membership of the Council is 16.
- 7.121 As part of the review process Flintshire identified an inconsistent ratio of electorate to councillors across the wards with the present arrangements. In particular the East Ward is over represented when considering the ratio of electorate to councillors. At the start of the Community Review Mold Town Council proposed that the internal boundaries should be redrawn and gave two options. It also proposed that the overall membership remain at 16. It also made a proposal regarding the external boundary with Halkyn that properties on the east side of Black Brook Lane currently in Halkyn have a close identity with the Town Council and this would form a more natural boundary.
- 7.122 Representations were also received from Councillor H Bateman and from two local residents who believed that the current arrangements were satisfactory and there should be no changes.
- 7.123 Flintshire's Draft Proposal was to agree to the external boundary being redrawn to include the 13 properties from Halkyn Community Council as no objections were received from Halkyn Council and it formed an easily identifiable boundary in accordance with the guiding principle. Flintshire proposed that the internal ward boundaries be changed based on the second of the two options produced by the Town Council but retaining the Bromfield Park Estate within Broncoed Ward. The Mold East Ward would then have the highest electorate per councillor. The future growth proposals for Mold are in the other three wards. It agreed with Mold Council that the overall membership of the Council should remain at 16.
- 7.124 During consultation on the draft proposal, Mold Town Council agreed in principle to the draft proposal subject to two minor amendments involving nine properties on Ruthin Road remaining within the Broncoed Ward and the Bowling Green, Clayton Road forming part of the Broncoed Ward. Councillor H Bateman made representations to retain the same properties in the Broncoed Ward.
- 7.125 *Flintshire's Final Proposal is to agree with amending its Draft Proposal in 7.123 to reflect the representations received from Mold Town Council and Councillor H Bateman in 7.124. Plans of the new ward boundaries are shown in Appendix 7 to this report. As the Final Proposal involves altering the external boundary it will be considered by the Local Democracy and Boundary Commission for Wales. If the Commission considers the changes to be in the interests of effective and convenient local government it will make recommendations to Welsh Government to make the boundary changes*

including consequential amendments to any County electoral divisions affected.

Draft

MOSTYN COMMUNITY COUNCIL

- 7.126 The community of Mostyn is presently divided into 2 wards. The Mostyn Ward elects 9 councillors and the Rhewl Ward elects 3 councillors. The overall membership of the Council is 12.
- 7.127 As part of the review process Flintshire identified an inconsistent ratio of electorate to councillors across the wards with the current arrangements.
- 7.128 At the start of the Community Review Mostyn Community Council proposed that the current arrangements were satisfactory and that there should be no changes because of the Council members' involvement in community groups. The Community Council has strong views that the two wards have separate identities. No other proposals were received from interested parties.
- 7.129 Flintshire's Draft Proposal was to agree with the Community Council not to remove the warding arrangements. To address the inconsistent ratio of electorate to councillors across the wards the Draft Proposal was for the Mostyn Ward to elect 8 councillors and Rhewl Ward 3 councillors. The overall membership of the Council would therefore reduce from 12 to 11.
- 7.130 In response to consultation the Community Council stood by its original view that the existing arrangements should remain with the same boundaries and level of representation.
- 7.131 *The wishes of Mostyn Community Council would continue the existing anomaly of the inconsistent ratio of electorate to councillors across the wards. Flintshire's Final Proposal is therefore the same as its draft proposal as indicated in paragraph 7.129 above.*

NANNERCH COMMUNITY COUNCIL

- 7.132 The community of Nannerch has a membership of 8 councillors. There are no wards.
- 7.133 As part of the review process Flintshire identified no anomalies.
- 7.134 At the start of the Community Review no proposals were received from Nannerch Community Council or any other interested parties.
- 7.135 Flintshire's Draft Proposal was that the current arrangements provide effective and convenient local government and should not be changed.
- 7.136 In response to consultation Nannerch Community Council supported the Draft Proposals.
- 7.137 *Flintshire's Final Proposal is the same as the Draft Proposal that there should be no change to the current arrangements.*

NERCWYS COMMUNITY COUNCIL

- 7.138 The community of Nercwys has a membership of 9 councillors. There are no wards.
- 7.139 As part of the review process Flintshire identified no anomalies.
- 7.140 At the start of the Community Review no proposals were received from the Community Council. The local County Councillor, Councillor Nancy Matthews proposed that the current arrangements should continue.
- 7.141 Flintshire's Draft Proposal was that the current arrangements provide effective and convenient local government and should not change.
- 7.142 No representations were received during consultation on the Draft Proposal.
- 7.143 *Flintshire's Final Proposal is the same as the Draft Proposal that there should be no change to the current arrangements which provide effective and convenient local government.*

NORTHOP COMMUNITY COUNCIL

- 7.144 The community of Northop is presently divided into 2 wards. The Northop Ward elects 6 councillors and the Sychdyn Ward elects 7 councillors. The overall membership of the Council is 13.
- 7.145 As part of the review process Flintshire identified no anomalies.
- 7.146 At the start of the Community Review Northop Community Council proposed that the current arrangements were satisfactory and there should be no changes. No other proposals were received from interested parties.
- 7.147 Flintshire's Draft Proposal was to agree with the Community Council as it is considered that the current arrangements provide effective and convenient local government.
- 7.148 In response to consultation on the Draft Proposals, Northop Community Council made representations to make no changes and indicated it was content with the Draft Proposal.
- 7.149 *The Final Proposal is the same as the draft proposal to make no changes to the current arrangements.*

NORTHOP HALL COMMUNITY COUNCIL

- 7.150 The community of Northop Hall has a membership of 11 councillors. There are no wards.
- 7.151 As part of the review process Flintshire identified no anomalies.
- 7.152 At the start of the Community Review no proposals were received from the Community Council or from other interested parties.
- 7.153 Flintshire's Draft Proposal was that the current arrangements provide effective and convenient local government and should not be changed.
- 7.154 In response to consultation on the Draft Proposal the Northop Hall Community Council indicated it had no comment to make.
- 7.155 *Flintshire's Final Proposal is the same as the Draft Proposal to make no changes to the current arrangements which provide effective and convenient local government.*

PENYFFORDD COMMUNITY COUNCIL

- 7.156 Penyffordd Community Council has 10 councillors and is not divided into wards.
- 7.157 As part of the review process Flintshire identified no anomalies with the current arrangements.
- 7.158 At the start of the Community Review Penyffordd Community Council made five proposals regarding changes to the external boundary. The local County Councillors have also made similar proposals. They also proposed that the overall membership of the Council should increase from 10 to 13.
- 7.159 Flintshire's Draft Proposal was to agree with that from the local County Councillors that the overall membership should be increased from 10 to 13 in line with the first guiding principle. The County Council also agreed with two of the proposals to change the external boundary as the Leeswood and Higher Kinnerton Councils affected had no objections. As explained in paragraph 7.18 above the Draft Proposal also included changing the external boundary so that all of the 'Old Warren' should be in the Broughton and Bretton community.
- 7.160 During the consultation period on the Draft Proposal County Councillor David Williams made representations reiterating the changes to external boundaries previously proposed by the Penyffordd Community Council.
- 7.161 *Flintshire's Final Proposal is to add to the Draft Proposal a further change to the external boundary as Hope Community Council have now indicated they have no objections to it. There would therefore be a total of four changes to the external boundary of the Community Council as shown in the plan in Appendix 7. As the Final Proposal involves changes to the external boundary, these will be considered by the Local Democracy and Boundary Commission for Wales. If the Commission considers the changes to be in the interests of effective and convenient local government it will make recommendations to Welsh Government to make the boundary changes including consequential amendments to any county electoral divisions affected.*

QUEENSFERRY COMMUNITY COUNCIL

- 7.162 The community of Queensferry is presently divided into 3 wards. The Pentre Ward elects 2 councillors, the Queensferry Ward elects 4 councillors and Sandycroft Ward elects 7 councillors. The overall membership of the Council is 13.
- 7.163 As part of the review process Flintshire identified an inconsistent ratio of electorate to councillors across the wards with the current arrangements.
- 7.164 At the start of the Community Review, Queensferry Community Council proposed to amend the external boundary with Hawarden Community Council. Councillor David Wisinger, the local County Councillor, proposed that the current arrangements were satisfactory and there should be no changes. No other proposals were received from interested parties.
- 7.165 Flintshire's Draft Proposal was that the external boundary should not be altered as Hawarden Community Council objected to Queensferry's proposal and it did not satisfy principle five of being easily identifiable. To address the inconsistent ratio of electorate to councillors across the wards, the Wards of Pentre and Queensferry should be merged to form a new Ward to be named Queensferry. The new Ward would elect 5 councillors and the Sandycroft Ward would elect 7 councillors. The overall membership of the Council would reduce from 13 to 12.
- 7.166 In response to consultation on the Draft Proposal, Queensferry Community Council reiterated its previous proposal to amend the external boundary with Hawarden Community Council.
- 7.167 *The Final Proposal is as the Draft Proposal set out in paragraph 7.165 above.*

SALTNEY TOWN COUNCIL

- 7.168 The town of Saltney is presently divided into 2 wards. The Mold Junction Ward elects 5 councillors and the Stonebridge Ward elects 9 councillors. The overall membership of the Council is 14.
- 7.169 As part of the review process Flintshire identified an inconsistent ratio of electorate to councillors across the wards with the present arrangements.
- 7.170 At the start of the Community Review, Saltney Town Council proposed altering the internal ward boundaries. At present the boundary divides the town along the High Street in a north/south divide. The Town Council proposed following the line of the Balderton Brook in an east/west direction. As explained in paragraph 6.03 above it is the view of the County Council that to amend ward boundaries in the way proposed as part of the Community Review would lead to practical difficulties with the local government elections scheduled for 2017.
- 7.171 Flintshire's Draft Proposal was that pending the Local Democracy and Boundary Commission for Wales reviewing the County electoral divisions, the inconsistent ratio of electorate to councillors should be addressed by amending the number of councillors elected from each ward. The Draft Proposal was that the number of councillors for Mold Junction should be reduced from 5 to 4 and the number from Stonebridge Ward increase by 1 from 9 to 10. The overall membership of the Council would remain at 14.
- 7.172 In response to consultation on the Draft Proposal, Saltney Town Council reiterated its previous proposal.
- 7.173 *Flintshire's Final Proposal is the same as its Draft Proposal in paragraph 7.171 above. In addition it will ask the Local Democracy and Boundary Commission for Wales to consider the ward boundaries when it is reviewing the County electoral divisions.*

SEALAND COMMUNITY COUNCIL

- 7.174 The community of Sealand is presently divided into 2 wards. The East Ward elects 4 councillors and the West Ward elects 8 councillors. The overall membership of the Council is 12.
- 7.175 As part of the review process Flintshire identified an inconsistent ratio of electorate to councillors across the wards with the present arrangements.
- 7.176 At the start of the Community Review, Sealand Community Council proposed that it should be de-warded and the overall membership of the Council increased from 12 to 13 councillors. The local County Councillor, Councillor Christine Jones also made the same proposal. No other proposals were received from interested parties.
- 7.177 Flintshire's Draft Proposal was to agree with the Community Council and local County Councillor that it should be de-warded and the membership increased from 12 to 13 councillors as indicated by the first guiding principle.
- 7.178 In response to consultation on the Draft Proposal, Sealand indicated it had no further comments to make.
- 7.179 *Flintshire's Final Proposal is the same as its Draft Proposal in paragraph 7.177 above.*

SHOTTON TOWN COUNCIL

- 7.180 The town of Shotton is divided into 3 wards. The East Ward elects 4 councillors, the Higher Ward elects 6 councillors and the West Ward elects 4 councillors. The overall membership of the Council is 14.
- 7.181 As part of the review process Flintshire identified no anomalies.
- 7.182 At the start of the Community Review no proposals were received from the Town Council or from other interested parties.
- 7.183 Flintshire's Draft Proposal was that the current arrangements provide effective and convenient local government and should not be changed.
- 7.184 In response to consultation Shotton Town Council indicated it had no comments to make on the Draft Proposal.
- 7.185 *Flintshire's Final Proposal is the same as its Draft Proposal that there should be no changes as the current arrangements provide effective and convenient local government.*

TRELAWNYD AND GWAENYSGOR COMMUNITY COUNCIL

- 7.186 The community of Trelawnyd and Gwaenysgor is currently divided into 2 wards. The Gwaenysgor Ward elects 3 councillors and the Trelawnyd Ward elects 6 councillors. The overall membership of the Council is 9.
- 7.187 As part of the review process Flintshire identified no anomalies.
- 7.188 At the start of the Community Review no proposals were received from the Community Council or other interested parties.
- 7.189 Flintshire's Draft Proposal was that the current arrangements provide effective and convenient local government and should not be changed. Trelawnyd and Gwaenysgor responded to consultation indicating that they were in favour of the Draft Proposal. Representations were also received from Councillor Steele-Mortimer as local County Councillor opposed to the Draft Proposal.
- 7.190 *Flintshire's Final Proposal is the same as the Draft Proposal that there should be no change to the current arrangements.*

TREUDDYN COMMUNITY COUNCIL

- 7.191 The community of Treuddyn has a membership of 11 councillors and is not divided into wards.
- 7.192 As part of the review process Flintshire identified no anomalies with the current arrangements.
- 7.193 At the start of the Community Review, Treuddyn Community Council proposed to alter the external boundary with Llanfynydd. No other proposals were received from interested parties.
- 7.194 Flintshire's Draft Proposal was that the external boundary should not be altered as it does not satisfy guiding principle 5. The Draft Proposal was to make no change to the existing arrangements.
- 7.195 No representations were received during the consultation period on the Draft Proposals.
- 7.196 *Flintshire's Final Proposal is to make no change to the current arrangements which provide effective and convenient local government.*

WHITFORD COMMUNITY COUNCIL

- 7.197 The community of Whitford is divided into 2 wards. The Carmel Ward elects 10 councillors and Whitford Ward elects 3 councillors. The overall membership of the Council is 13.
- 7.198 As part of the review process Flintshire identified an inconsistent ratio of electorate to councillors across the wards with the present arrangements.
- 7.199 At the start of the Community Review no proposals were received from the Community Council or from other interested parties.
- 7.200 Flintshire's Draft Proposal addresses the inconsistent ratio of electorate to councillors by having 10 councillors from Carmel Ward and 2 from Whitford Ward. The overall membership of the Council would reduce from 13 to 12.
- 7.201 During the consultation on the Draft Proposal Whitford Community Council made representations that it should be de-warded. This was supported by Councillor Chris Dolphin as the local County Councillor.
- 7.202 *Flintshire's Final Proposal is to agree with Whitford Community Council that it be de-warded and that the overall membership be 12 in accordance with the first Guiding Principle.*

YSGEIFIOG COMMUNITY COUNCIL

- 7.203 Ysgeifiog Community Council has a membership of 10 councillors with no wards.
- 7.204 As part of the review process Flintshire identified no anomalies.
- 7.205 At the start of the Community Review, Ysgeifiog Community Council proposed that the current arrangements were satisfactory and there should be no changes. No other proposals were received from interested parties.
- 7.206 Flintshire's Draft Proposal was to agree with the Community Council.
- 7.207 No representations were received during consultation on the Draft Proposal.
- 7.208 *Flintshire's Final Proposal is the same as the Draft Proposals that there should be no change as the current arrangements provide effective and convenient local government.*

GUIDING PRINCIPLES

First Principle

To provide effective and convenient local government [Sec 54(1) of the Local Government Act 1972].

In considering this principle it is believed that local Town & Community Councils need to have a membership between seven as a minimum and twenty as a maximum and the following table to be used as a flexible guide.

Electorate	Suggested Councillor Allocation
0 -299	7
300 – 499	8
500 – 749	9
750 – 999	10
1000 – 1499	11
1500 – 1999	12
2000 – 3999	13
4000 – 5999	14
6000 – 8999	15
9000 – 11,999	16
12,000 +	17 - 20

Second Principle

To recognise that the different demands and issues between urban and rural communities will mean different levels of representation being appropriate.

This is reflected in the above table having an increased Councillor allocation for smaller electorates.

Third Principle

To consider the number and distribution of the local government electors in each community including any change in either, which is likely to take place within 5 years [Sch 11, para 4(3)(a) of the Local Government Act 1972]

For example, if a large residential development is likely to be implemented within 5 years it is likely to lead to an increase in the number of electors in that community.

Fourth Principle

In considering whether any town or community is to be divided into wards regard should be had to the questions whether [Sch 11, para 4(2) of the Local Government Act 1972] –

- a) ***The number or distribution of the local government electors for the town or community is such as to make a single election of town or community councillors impractical or inconvenient/***

If it is impractical or inconvenient to have a single election of the town or community council that would support having separate wards within that town or community council.

- b) ***It is desirable that any area or areas of the town or community should be separately represented on the town or community council.***

It may, for example, be desirable because a particular part of the town or community has a separate identity which should be reflected by it being a separate ward.

Fifth Principle

Where a town or community is being divided into wards regard will be had to the desirability of fixing boundaries which are and will remain easily identifiable [Sch 11, para 4(3)(b) of the Local Government Act 1972].

Examples of such boundaries are the course of a river or the route of a road.

Sixth Principle

Where a town or community is divided into wards regard should be had to any local ties which will be broken by the fixing of any particular boundaries [Sch 11, para 4(3)(c) of the Local Government Act 1972].

In fixing ward boundaries identifiable local ties should not be broken wherever this is practical.

Seventh Principle

Where a town or community is divided into wards to equalise as far as practical the number of electors in each ward.

This is to ensure fair representation on the Council.

Eighth Principle

Where a town or community is divided into wards for each ward to elect the same number of Councillors as far as practical.

This is to ensure fair representation on the Council.

"Please note that the objective of the 7th & 8th principles is to have approximately the same ratio of electors to Councillors across the different wards that a Town or Community may be divided into. As long as this is achieved there does not need to be the same number of electors and Councillors in each ward".

List of who made a proposal during the first stage of the review	
Town / Community Councils	County Councillors
Argoed Community Council	Councillor N. Matthews, Gwernymynydd
Bagillt Community Council	Councillor C. Carver, Hawarden
Broughton & Bretton Community Council	Councillor T. Newhouse, Hope
Brynford Community Council	Councillor H. Bateman, Mold Broncoed
Buckley Town Council	Councillor C. Hinds, Penyffordd
Caerwys Town Council	Councillor D. Williams, Penyffordd
Cilcain Community Council	Councillor D. Wisinger, Penyffordd
Connah's Quay Town Council	Councillor C. Jones, Sealand
Flint Town Council	
Gwernaffield Community Council	Local Residents
Gwernymynydd Community Council	
Halkyn Community Council	Mr & Mrs. Harrison, Holywell
Hawarden Community Council	Mr. K. Corbett, Mold
Higher Kinnerton Community Council	Mr. J. Ellis, Mold
Holywell Town Council	
Hope Community Council	
Leeswood Community Council	
Llanasa Community Council	
Llanfynydd Community Council	
Mold Town Council	
Mostyn Community Council	
Nannerch Community Council	
Nercwys Community Council	
Northop Community Council	
Northop Hall Community Council	
Penyffordd Community Council	
Queensferry Community Council	
Saltney Town Council	
Sealand Community Council	
Shotton Town Council	
Trelawnyd & Gwaenysgor Community Council	
Treuddyn Community Council	
Whitford Community Council	
Ysceifiog Community Council	

TABLE OF CURRENT ARRANGEMENTS

Town / Community	Ward	Electorate (as at 1 May 2013)	Current No. of Seats (ward)	Current No. of Seats (Council)
Argoed	East	1,647	5	16
	New Brighton	885	3	
	South	552	2	
	West	1,525	6	
Bagillt	East	1,501	7	14
	West	1,643	7	
Broughton and Bretton	East	858	2	14
	North	891	4	
	South	2,845	8	
Brynford		853	10	10
Buckley	Bistre East	2,729	5	18
	Bistre West	3,370	6	
	Mountain	2,342	2	
	Pentrobïn	3,736	5	
Caerwys		1,025	11	11
Cilcain	Cilcain	580	6	12
	Rhydymwyn	565	6	
Connah's Quay	Central	2,523	5	20
	Golftyn	4,041	5	
	South	4,443	6	
	Wepre	1,760	4	
Flint	Castle	1,579	4	18
	Coleshill	3,130	5	
	Oakenholt	2,165	4	
	Trelawny	2,767	5	
Gwernaffield	Gwernaffield	784	6	12
	Pantymwyn	832	6	
Gwernymynydd		925	11	11
Halkyn	Halkyn	422	3	13
	Pentre Halkyn	931	4	
	Rhesycae	297	2	
	Rhosesmor	685	4	
Hawarden	Aston	2,559	5	17
	Ewloe	4,218	4	
	Hawarden	1,532	3	
	Mancot	2,718	5	
Higher Kinnerton		1,283	9	9

Holywell	Central	1,485	4	
	East	1,408	4	
	Greenfield	2,114	5	
	West	1,858	4	17
Hope	Caergwrle	1,289	6	
	Hope	1,997	8	14
Leeswood	Leeswood	1,365	11	
	Pontblyddyn	239	2	13
Llanasa	Axton	826	4	
	Ffynnongroyw	1,542	6	
	Gronant	1,249	5	15
Llanfynydd	Cefn y Bedd	409	4	
	Cymau	392	2	
	Ffrith	469	4	
	Pontybodkin	204	2	12
Mold	Broncoed	1,987	4	
	East	1,520	4	
	South	2,126	4	
	West	2,029	4	16
Mostyn	Mostyn	1,011	9	
	Rhewl	454	3	12
Nannerch		409	8	8
Nercwys		461	9	9
Northop	Northop	1,027	6	
	Sychdyn	1,468	7	13
Northop Hall		1,274	11	11
Penyffordd		3,035	10	10
Queensferry	Pentre	132	2	
	Queensferry	438	4	
	Sandycroft	953	7	13
Saltney	Mold Junction	972	5	
	Stonebridge	2,759	9	14
Sealand	East	900	4	
	West	1,303	8	12
Shotton	East	1,436	4	
	Higher	1,836	6	
	West	1,599	4	14
Trelawnyd & Gwaenysgor	Gwaenysgor	219	3	
	Trelawnyd	498	6	9
Treuddyn		1,306	11	11
Whitford	Carmel	1,534	10	
	Whitford	356	3	13
Ysceifiog		1,032	10	10
Totals		118,061	441	441

Table of Draft Proposals

Town / Community	Ward	Electorate (1 May 2013)	Current No of Seats	Av. No of Electors per Cllr	Current No. of Seats per Council	Summary of Draft Proposals	Ward	Electorate (1 May 2013) amended	Proposed No of Seats	Av. No of Electors per Cllr	Proposed No. of Seats per Council	
Argoed	East	1,647	5	329.4		Removal of the warding arrangement Reduction in Councillor numbers						
	New Brighton	885	3	295.0								
	South	552	2	276.0								
	West	1,525	6	254.2	16				4,609	14	329.2	14
Bagillt	East	1,501	7	214.4		No changes	East	1,501	7	214.4		
	West	1,643	7	234.7	14		West	1,643	7	234.7		14
Broughton and Breton	East	858	2	429.0		Transfer properties in the Old Warren that is currently part of Penyffordd Community Council Alteration to the warding arrangements	North East	1,749	5	349.8		
	North	891	4	222.8			South	2,914	9	323.8		14
	South	2,845	8	355.6	14							
Brynford		853	10	85.3	10	No changes		853	10	85.3	10	
Buckley	Bistre East	2,729	5	545.8		C	Bistre East	2,729	5	545.8		
	Bistre West	3,370	6	561.7			Bistre West	3,370	5	674.0		
	Mountain	2,342	2	1171.0			Mountain	2,342	4	585.5		
	Pentrobïn	3,736	5	747.2	18		Pentrobïn	3,736	6	622.7		20
		1,025	11	93.2	11		No changes	Cilcaïn	580	6	96.7	
Cilcaïn		565	6	94.2	12	No changes	Rhydymwyn	565	6	94.2		12
Connah's Quay	Central	2,523	5	504.6		Alteration to the warding arrangements Transfer properties from Gofftyn and South wards to Central ward Redistribution of councillors across the wards Reduction in Councillor numbers	Central	3,678	6	613.0		
	Gofftyn	4,041	5	808.2			Gofftyn	3,815	6	635.8		
	South	4,443	6	740.5			South	3,514	5	702.8		
	Wepre	1,760	4	440.0	20		Wepre	1,760	3	586.7		20
	Castle	1,579	4	394.8			Casle	1,579	3	526.3		
	Coleshill	3,130	5	626.0			Coleshill	3,130	5	626.0		
Flint	Oakenholt	2,165	4	541.3		No changes	Oakenholt	2,165	4	541.3		
	Trelawny	2,767	5	553.4	18		Trelawny	2,767	5	553.4		17
	Gwernaffield	784	6	130.7			Gwernaffield	784	6	130.7		
	Pantymwyn	832	6	138.7	12		Pantymwyn	832	6	138.7		12
		925	11	84.1	11		No changes		925	11	84.1	
Halkyn	Halkyn	422	3	140.7		Alteration to the warding arrangements The new ward will need to be renamed	Halkyn					
	Pentre Halkyn	931	4	232.8			Rhesycae					
	Rhesycae	297	2	148.5			Rhosmor	1404	8	175.5		
	Rhosmor	685	4	171.3	13		Pentre Halkyn	931	5	186.2		13
Hawarden	Aston	2,559	5	511.8		Alteration to the warding arrangements Transfer properties along Cross Tree Lane, Glynn Way and two properties on Moor Lane currently in Mancot ward. Reduction in Councillor numbers	Aston	2,559	4	639.8		
	Ewloe	4,218	4	1054.5			Ewloe	4,218	6	703.0		
	Hawarden	1,532	3	510.7			Hawarden	1,560	2	780.0		
		2,718	5	543.6	17		Mancot	2,690	4	672.5		16
		1,283	9	142.6	9		No changes		1,271	9	141.2	
Higher Kinnerton		1,485	4	371.3		Central	1,485	3	495.0			
Holywell	East	1,408	4	352.0		Reduction in Councillor numbers	East	1,408	3	469.3		
	Greenfield	2,114	5	422.8			Greenfield	2,114	5	422.8		
	West	1,858	4	464.5	17		West	1,858	4	464.5		15

Hope	Caergwrie	1,289	6	214.8		Alteration to the warding arrangements	Caergwrie	1,447	6	241.2	
	Hope	1,997	8	249.6	14	Reduction in Councillor numbers	Hope	1,865	7	266.4	13
Leeswood	Leeswood	1,365	11	124.1		No changes	Leeswood	1,365	11	124.1	
	Pontblyddyn	239	2	119.5	13		Pontblyddyn	239	2	119.5	13
Llanasa	Axton	826	4	206.5		Reduction in Councillor numbers	Axton	826	3	275.3	
	Ffynonngroyw	1,542	6	257.0			Ffynonngroyw	1,542	6	257.0	
	Gronant	1,249	5	249.8	15		Gronant	1,249	5	249.8	14
Llanfynydd	Cefn y Bedd	409	4	102.3		Redistribution of Councillors across the wards	Cefn y Bedd	409	4	102.3	
	Cymau	392	2	196.0			Cymau	392	3	130.7	
	Ffrith	469	4	117.3			Ffrith	469	3	156.3	
	Pontybodkin	204	2	102.0	12		Pontybodkin	204	2	102.0	12
Mold	Broncoed	1,987	4	496.8		Alteration to the warding arrangements	Broncoed	1,880	4	470.0	
	East	1,520	4	380.0		Transfer properties from West to East ward,	East	2,047	4	511.8	
	South	2,126	4	531.5		South to West ward and Broncoed to South ward	South	1,935	4	483.8	
	West	2,029	4	507.3	16	Amendment to external boundary transfer 13 properties from Halwyn Community Council	West	1,822	4	455.5	16
Mostyn	Mostyn	1,011	9	112.3		Reduction in Councillor numbers	Mostyn	1,011	8	126.4	
	Rhewl	454	3	151.3	12		Rhewl	454	3	151.3	11
Nannerch		409	8	51.1	8	No changes		409	8	51.1	8
Nercwys		461	9	51.2	9	No changes		461	9	51.2	9
Northop	Northop	1,027	6	171.2		No changes	Northop	1,027	6	171.2	
	Sychdyn	1,468	7	209.7	13		Sychdyn	1,468	7	209.7	13
Northop Hall		1,274	11	115.8	11	No changes		1,274	11	115.8	11
		3,035				Amendment to external boundary transfer 26 properties from Penyffordd Community Council to Broughton and Bretton Community Council. Transfer 6 properties from Higher Kinnerton Community Council to Penyffordd Community Council and transfer 1 property from Leeswood Community Council to Penyffordd Community Council. Increase the Councillor numbers.					
Penyffordd			10	303.5	10			2,980	13	229.2	13
Queensferry	Pentre	132	2	66.0		Alteration to the warding arrangements	Pentre				
	Queensferry	438	4	109.5		The new ward will need to be renamed	Queensferry	570	5	114.0	
	Sandycroft	953	7	136.1	13	Reduction in Councillor numbers	Sandycroft	953	7	136.1	12
Saltney	Mold Junction	972	5	194.4		Alteration to the warding arrangements	East	1,786	6	297.7	
	Stonebridge	2,759	9	306.6	14	Reduction in Councillor numbers	West	2,095	7	299.3	13
Sealand	East	900	4	225.0		Removal of the warding arrangement					
	West	1,303	8	162.9	12	Increase the Councillor numbers	East	2,203	13	169.5	13
Shotton	East	1,436	4	359.0		No changes	Higher	1,436	4	359.0	
	West	1,836	6	306.0			West	1,836	6	306.0	
		1,599	4	399.8	14			1,599	4	399.8	14
Trelawnyd & Gwaenysgor	Gwaenysgor	219	3	73.0		No changes	Gwaenysgor	219	3	73.0	
	Trelawnyd	498	6	83.0	9		Trelawnyd	498	6	83.0	9
Treuddyn		1,306	11	118.7	11	No changes		1,306	11	118.7	11
Whitford	Carmel	1,534	10	153.4		Reduction in Councillor numbers	Carmel	1,534	10	153.4	
	Whitford	356	3	118.7	13		Whitford	356	2	178.0	12
Ysceifog		1,032	10	103.2	10	No changes		1,032	10	103.2	10
		118,061	441		441			118,261	435		435

Table of Draft Final Proposals

Town / Community	Ward	Electorate (1 May 2013)	Current No of Seats	Av. No of Electors per Cllr	Current No. of Seats per Council	Summary of Draft Final Proposals	Ward	Electorate (1 May 2013) amended	Proposed No of Seats	Av. No of Electors per Cllr	Proposed No. of Seats per Council	
Argoed	East	1,647	5	329.4	Alteration to the warding arrangements. The new wards to be renamed Argoed and New Brighton.	Alteration to the warding arrangements. The new wards to be renamed Argoed and New Brighton.	Argoed	2,199	7	314.1	7	
	New Brighton	885	3	295.0								
	South	552	2	276.0								
	West	1,525	6	254.2								
Bagillt	East	1,501	7	214.4	No changes.	No changes.	East	1,501	7	214.4	7	
	West	1,643	7	234.7			West	1,643	7	234.7		
Broughton and Bretton	East	858	2	429.0	Transfer properties in the Old Warren that is currently part of Penyffordd Community Council.	Transfer properties in the Old Warren that is currently part of Penyffordd Community Council.	North East	1,749	5	349.8	5	
	North	891	4	222.8								
	South	2,845	8	355.6								
	South	853	10	85.3								
Brynford					No changes.	No changes.		853	10	85.3	10	
Buckley	Bistre East	2,729	5	545.8	Increase the Councillor numbers by 2.	Increase the Councillor numbers by 2.	Bistre East	2,729	5	545.8	5	
	Bistre West	3,370	6	561.7			Bistre West	3,370	5	674.0		
	Mountain	2,342	2	1171.0			Mountain	2,342	4	585.5		
	Pentrobri	3,736	5	747.2			Pentrobri	3,736	6	622.7		
		1,025	11	93.2				1,025	11	93.2		
Caerwys					No changes.	No changes.	Cilcain	580	6	96.7	6	
							Rhydymwyn	565	6	94.2		
Connah's Quay	Central	2,523	5	504.6	Redistribution of councillors across the wards	Redistribution of councillors across the wards	Central	2,523	4	630.8	4	
	Gofflyn	4,041	5	808.2			Gofflyn	4,041	6	673.5		
	South	4,443	6	740.5			South	4,443	7	634.7		
	Wepre	1,760	4	440.0			Wepre	1,760	3	586.7		
	Castle	1,579	4	394.8			Castle	1,579	3	526.3		
	Coleshill	3,130	5	626.0			Coleshill	3,130	5	626.0		
Flint	Oakenholt	2,165	4	541.3	Reduction from 4 to 3 Councillors for the Castle ward.	Reduction from 4 to 3 Councillors for the Castle ward.	Oakenholt	2,165	4	541.3	4	
	Trelawny	2,767	5	553.4			Trelawny	2,767	5	553.4		
	Gwernaffield	784	6	130.7			Gwernaffield	784	6	130.7		
	Pantymwyn	832	6	138.7			Pantymwyn	832	6	138.7		
Gwernaffield					No changes.	No changes.		784	6	130.7	6	
								832	6	138.7		
Halkyn					Alteration to the warding arrangements. The new ward being named Halkyn Mountain.	Alteration to the warding arrangements. The new ward being named Halkyn Mountain.		925	11	84.1	11	
								925	11	84.1		
Hawarden					Alteration to external boundary with Mold.	Alteration to external boundary with Mold.		1378	8	172.3	8	
								931	5	186.2		
Higher Kinnerton					Increase the Councillor numbers in the Ewloe Ward by 3.	Increase the Councillor numbers in the Ewloe Ward by 3.		2,559	5	511.8	5	
								4,218	7	602.6		
								1,532	3	510.7		
								2,718	5	543.6		
								1,283	9	142.6		
Holywell					Alteration to the external boundary.	Alteration to the external boundary.		1,485	3	495.0	3	
								1,408	3	469.3		
								2,114	5	422.8		
								1,858	4	464.5		
Hope					Alteration to the external boundary.	Alteration to the external boundary.		1,447	6	241.2	6	
								1,447	6	241.2		

	Hope	1,997	8	249.6	14	Redrawing the internal boundary.	Hope	1,865	8	233.1	14
Leeswood	Leeswood	1,365	11	124.1		Alteration to the external boundary.	Leeswood	1,365	11	124.1	
	Pontblyddyn	239	2	119.5	13		Pontblyddyn	239	2	119.5	13
Llanasa	Axton	826	4	206.5		Reduction in Councillor numbers by 1.	Axton	826	3	275.3	
	Ffynnongroyw	1,542	6	257.0			Ffynnongroyw	1,542	6	257.0	
	Gronant	1,249	5	249.8	15		Gronant	1,249	5	249.8	14
Llanfynydd	Cefn y Bedd	409	4	102.3		Redistribution of Councillors across the wards.	Cefn y Bedd	409	4	102.3	
	Cymau	392	2	196.0			Cymau	392	3	130.7	
	Ffrith	469	4	117.3			Ffrith	469	3	156.3	
	Pontybodkin	204	2	102.0	12		Pontybodkin	204	2	102.0	12
Mold	Broncoed	1,987	4	496.8		Alteration to the warding arrangements.	Broncoed	1,880	4	470.0	
	East	1,520	4	380.0		Transfer properties from West to East ward,	East	2,047	4	511.8	
	South	2,126	4	531.5		South to West ward and Broncoed to South ward	South	1,935	4	483.8	
	West	2,029	4	507.3	16	Amendment to external boundary transfer 13 properties from Halwyn Community Council.	West	1,822	4	455.5	16
Mostyn	Mostyn	1,011	9	112.3		Reduction in Councillor numbers by 1.	Mostyn	1,011	8	126.4	
	Rhewl	454	3	151.3	12		Rhewl	454	3	151.3	11
Nannerch		409	8	51.1	8	No changes.		409	8	51.1	8
Nercwys		461	9	51.2	9	No changes.		461	9	51.2	9
Northop	Northop	1,027	6	171.2		No changes.	Northop	1,027	6	171.2	
	Sychdyn	1,468	7	209.7	13		Sychdyn	1,468	7	209.7	13
Northop Hall		1,274	11	115.8	11	No changes.		1,274	11	115.8	11
		3,035				Amendment to external boundary transfer 26 properties from Penyffordd Community Council to Broughton and Bretton Community Council. Transfer 6 properties from Higher Kinnerton Community Council to Penyffordd Community Council and transfer 1 property from Leeswood Community Council to Penyffordd Community Council and several properties from Hope Community Council. Increase the Councillor numbers by 3.					
Penyffordd			10	303.5	10			2,980	13	229.2	13
Queensferry	Pentre	132	2	66.0		Alteration to the warding arrangements.					
	Queensferry	438	4	109.5		The new ward will be renamed Queensferry.	Queensferry	570	5	114.0	
	Sandycroft	953	7	136.1	13	Reduction in Councillor numbers by 1.	Sandycroft	953	7	136.1	12
Saltney	Mold Junction	972	5	194.4		Redistribution of councillors across the wards.	Mold Junction	972	4	243.0	
	Stonebridge	2,759	9	306.6	14		Stonebridge	2,759	10	275.9	14
Sealand	East	900	4	225.0		Removal of the warding arrangements.					
	West	1,303	8	162.9	12	Increase the Councillor numbers by 1.		2,203	13	169.5	13
Shotton	East	1,436	4	359.0		No changes.	East	1,436	4	359.0	
	Higher	1,836	6	306.0			Higher	1,836	6	306.0	
	West	1,599	4	399.8	14		West	1,599	4	399.8	14
Trelawnyd & Gwaenysgor	Gwaenysgor	219	3	73.0		No changes.	Gwaenysgor	219	3	73.0	
	Trelawnyd	498	6	83.0	9		Trelawnyd	498	6	83.0	9
Treuddyn		1,306	11	118.7	11	No changes.		1,306	11	118.7	11
Whitford	Carmel	1,534	10	153.4		Removal of the warding arrangements.					
	Whitford	356	3	118.7	13	Reduction in Councillor numbers by 1.		1,890	12	157.5	12
Ysceifiog		1,032	10	103.2	10	No changes.		1,032	10	103.2	10
		118,061	441		441			117,333	441		441

Town / Community Councils
Bagillt Community Council
Broughton and Bretton Community Council
Buckley Town Council
Connah's Quay Town Council
Flint Town Council
Halkyn Community Council
Hawarden Community Council
Holywell Town Council
Llanasa Community Council
Mold Town Council
Mostyn Community Council
Nannerch Community Council
Northop Community Council
Northop Hall Community Council
Penyffordd Community Council
Sealand Community Council
Trelawnyd & Gwaenysgor Community Council
Whitford Community Council
County Councillors
Councillor D. Mackie – Ewloe
Councillor C. Carver – Hawarden
Councillor H. Bateman – Mold Broncoed
Councillor D. Williams – Penyffordd
Councillor N. Steele – Mortimer - Trelawnyd & Gwaenysgor
Residents
K. Young – Flint Mountain
Mrs. G. Harrsion - Greenfield
Mr & Mrs. Thomas – Penyffordd
Mrs. V. Socha – Penyffordd
Mrs. Auty – Greenfield

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**Town & Community Council where proposing no alterations
to current arrangements**

Bagillt

Brynford

Caerwys

Cilcain

Gwernaffield

Gwernmynydd

Nannerch

Nercwys

Northop

Northop Hall

Shotton

Trelawnyd & Gwaenysgor

Treuddyn

Ysceifiog

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FLINTSHIRE COUNTY COUNCIL

REPORT TO: **FLINTSHIRE COUNTY COUNCIL**
DATE: **WEDNESDAY, 30 APRIL 2014**
REPORT BY: **HEAD OF LEGAL AND DEMOCRATIC SERVICES**
SUBJECT: **LOCAL CHOICE FUNCTION FOR SCHOOLS**

1.00 PURPOSE OF REPORT

1.01 For Council to consider a recommendation from the Constitution Committee that a new local choice function be an Executive function.

2.00 BACKGROUND

2.01 The Local Government Act 2000 introduced three categories of function undertaken by County Councils:-

- Council functions
- Local choice functions
- Executive functions

All functions that are neither Council nor local choice functions are automatically Executive functions.

2.02 Council functions are those where the final member decision rests with the County Council. Executive functions are where the final member decision rests with Flintshire's Cabinet. Local choice functions are where each County Council can choose whether that function should be a Council or Executive function.

2.03 The Welsh Government has recently passed subordinate legislation creating a new local choice function in relation to approvals under Section 51 or a determination under Section 53 of the School Standards Organisation (Wales) Act 2013 (the Act). This relates to the new power County Councils have to make decisions about the future of schools following a public consultation.

2.04 At its meeting on the 26 March 2014 the Constitution Committee considered a report on this new local choice function and decided to recommend to County Council that it be an Executive function.

3.00 CONSIDERATIONS

3.01 Until the passing of the Act making proposals to reorganise a school was an Executive function. However, if any objections were received to the proposals then the final decision could only be made by Ministers. The Act now gives that power to the authority.

3.02 Previously, the Overview and Scrutiny Committee and County Council have been consulted over proposals for schools. That arrangement was of enormous benefit and although it is proposed that the new power should be an Executive function, would be adopted again in similar circumstances. Lifelong Learning Overview & Scrutiny members also have the right to consider the future of schools as part of their forward work programme whenever they wish to do so.

4.00 RECOMMENDATIONS

4.01 That the local choice function relating to Sections 51 and 53 of the School Standards and Organisation (Wales) Act 2013 be an Executive function and the Constitution updated accordingly.

5.00 FINANCIAL IMPLICATIONS

5.01 None as a result of this report.

6.00 ANTI POVERTY IMPACT

6.01 None as a result of this report.

7.00 ENVIRONMENTAL IMPACT

7.01 None as a result of this report.

8.00 EQUALITIES IMPACT

8.01 None as a result of this report.

9.00 PERSONNEL IMPLICATIONS

9.01 None as a result of this report.

10.00 CONSULTATION REQUIRED

10.01 With the Constitution Committee.

11.00 CONSULTATION UNDERTAKEN

11.01 With the Constitution Committee

12.00 APPENDICES

12.01 None

LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985
BACKGROUND DOCUMENTS

None

Contact Officer: Peter Evans
Telephone: 01352 702304
Email: peter.j.evans@flintshire.gov.uk

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FLINTSHIRE COUNTY COUNCIL

REPORT TO: FLINTSHIRE COUNTY COUNCIL

DATE: WEDNESDAY, 30 APRIL 2014

REPORT BY: HEAD OF LEGAL & DEMOCRATIC SERVICES

SUBJECT: ANNUAL REPORT OF THE INDEPENDENT
REMUNERATION PANEL FOR WALES (IRPW)

1.00 PURPOSE OF REPORT

1.01 To inform Members of the contents of the Annual Report issued by the IRPW concerning the payment of Members' Allowances for the Council year 2014/15

2.00 BACKGROUND

2.01 The IRPW determines the allowances payable to Members. It consults on its proposed Annual Report prior to issuing each year's report.

2.02 On the 1st October 2013 the Council received the IRPW draft Annual Report for 2014/15 for consultation purposes. At its meeting on the 12th of November 2013 the Council determined its response to that Consultation which led to the response in Appendix 1 being sent.

2.03 On the 12th of February the IRPW issued the final version of its Annual Report. A copy that report has been placed in the Members' Library and in the Group rooms. The new payments will take effect at the Council's Annual Meeting when a further report will be submitted.

3.00 CONSIDERATIONS

3.01 The Annual Report follows the IRPW visiting each of the 22 principal authorities to discuss how its determinations are working in practice and what matters it should consider for this Annual Report and for the future. The IRPW spent the 25th of April 2013 meeting various groups of Members and Officers of Flintshire.

3.02 The first change contained in the Annual Report is to increase basic allowance from the current £13,175 p.a. to £13,300 p.a. The IRPW had not increased the overall amount of payments since it established the current levels in its 2011 Annual Report. Given the modest relaxation in the constraints on public sector pay this year the Panel has decided to increase the basic allowance by less than 1% from spring 2014.

- 3.03 In relation to what the IRPW describes as “Senior Salaries” it has decided that the differentials between different sized authorities should be narrowed. For Flintshire this will mean the following changes:-
- Leader – increase of £500 p.a.
 - Deputy Leader – increase of £40 p.a.
 - Cabinet Members – increase of £220 p.a.
 - Committee Chairs – increase of £90 p.a.
 - Leader of largest Opposition Group – increase of £90 p.a.
 - This would be an overall increase of £2,760 p.a.
- 3.04 In its draft report which was the subject of consultation the IRPW was proposing that more local choice is given to each County Council to choose which of three annual payments to make to each individual Committee Chair. The response the IRPW received to this proposal was overwhelmingly against such greater flexibility and it has therefore not been introduced in relation to Committee Chairs.
- 3.05 Notwithstanding the response received to Consultation the IRPW has decided to implement the proposal to give more local flexibility in relation to payments to the Civic Head and Deputy. The final report leaves it to the local choice of Councils as to which of three bands it wishes to apply. The middle band is the nearest to Flintshire’s existing payments and would lead to an increase of £125 for the Chair but a decrease of £625 for the Vice Chair. The highest band would lead to an increase for the Chair of £2625 p.a. and an increase for the Vice Chair of £1375 p.a. If the Council was to decide at its Annual Meeting to pay the lowest band this would lead to the Chair’s payment going down by £2375 p.a. and the Vice Chair going down by £2625 p.a.
- 3.06 Despite the representations Flintshire made in response to Consultation the Annual Report does not increase the number of Councillors who can be paid for having special responsibilities. This continues to be limited to 18 (excluding the Civic Chair and Vice Chair).
- 3.07 The IRPW’s report makes clear that all Members should be provided with adequate telephone and email facilities and electronic access to appropriate information without cost to the individual member.
- 3.08 The only change to travel and subsistence allowances is to remove the previous maximum for an overnight stay in Cardiff (previously £120) so that for everywhere except London the maximum is now £95 per night. The report recommends that overnight accommodation should usually be reserved and paid for on behalf of Members by the relevant authority and this is reflected in Flintshire’s existing Schedule of Member Remuneration

3.09 In accordance with Flintshire's normal practice a report will be submitted to the Annual Meeting in May for it to agree the revised schedule of Member Remuneration for the Council Year 2014/15.

4.00 RECOMMENDATIONS

4.01 For Council to note the Annual Report of the IRPW.

5.00 FINANCIAL IMPLICATIONS

5.01 The minimum impact on the budget of these changes in allowances is £6,510, with the maximum impact standing at £15,510 and either of these increases could be accommodated within the existing budget provision for Members Allowances. This budget currently accommodates a mileage allowance for Members which is rarely utilised in full and in year underspends in 2013/14 have been declared in the monthly budget monitoring report.

6.00 ANTI POVERTY IMPACT

6.01 None as a result of this report

7.00 ENVIRONMENTAL IMPACT

7.01 None as a result of this report

8.00 EQUALITIES IMPACT

8.01 None as a result of this report

9.00 PERSONNEL IMPLICATIONS

9.01 None as a result of this report

10.00 CONSULTATION REQUIRED

10.01 None

11.00 CONSULTATION UNDERTAKEN

11.01 With Group Leaders

12.00 APPENDICES

12.01 Appendix 1 – Response to the IRPW Annual Report

**LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985
BACKGROUND DOCUMENTS**

None

Contact Officer: Peter Evans
Telephone: 01352 702304
Email: peter.j.evans@flintshire.gov.uk

Consultation on Draft Annual Report for 2014/15

Lavinia M Stockham

to IRPMailbox

14/11/2013 10:22

Cc Kayleigh.Williams27

I refer to the consultation on the above due to end on the 26 November. The draft report of the IRPW was considered at a meeting of Flintshire County Council on the 12 November. At that meeting it was decided that the following representations should be made.

1. The Council expresses concern about the two proposed changes to introduce more local choice in relation to the payments to be made to Committee Chairs, Civic Heads and Deputy Civic Heads (determinations 3 and 6 in the draft annual report). One of the most important features of the Councillors' allowances system in Wales is that it is independent of those who receive those allowances. Greater local choice on the level of allowances could therefore give rise to the appearance of a conflict of interest and should be rejected.
2. In relation to the first and second determinations in the draft report relating to increases in basic allowance/salary and the payments to the Leader, Deputy Leader and other Cabinet members, the Council believes it would be inequitable for Members to receive a greater increase in their pay than the majority of Council staff and would only favour these increases if those staff on NJC terms and conditions were receiving at least a 1% increase in their pay.
3. The Council agrees with the proposal of removing the maximum reimbursement for an overnight stay in Cardiff so that for all overnight stays outside of London the maximum reimbursement would be £95.
4. The draft annual report does not propose any increase in the number of Councillors who can be paid for having special responsibilities and therefore does not address the discrepancy between those Councils who have a larger number of Councillors (such as Flintshire) and those that do not (such as Isle of Anglesey). Only 25.7% of Flintshire's membership can receive payments for their special responsibilities whereas in Anglesey it is 50% and there is no good reason for this discrepancy.

Please acknowledge receipt of this e-mail.

Regards,

Peter Evans

Democracy & Governance Manager | Rheolwr Democratiaeth a Llywodraethu
Democratic Services | Gwasanaethau Democraidaidd
Flintshire County Council | Cyngor Sir Y Fflint
County Hall | Neuadd y Sir
Mold | Yr Wyddgrug
CH7 6NA

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FLINTSHIRE COUNTY COUNCIL

REPORT TO: FLINTSHIRE COUNTY COUNCIL

DATE: WEDNESDAY, 30 APRIL 2014

REPORT BY: HEAD OF HUMAN RESOURCES AND ORGANISATIONAL DEVELOPMENT

SUBJECT: LOCAL GOVERNMENT PENSION SCHEME REGULATIONS 2014 - REVIEW OF THE COUNCIL'S EMPLOYMENT POLICIES FOR EARLY RETIREMENT

1.00 PURPOSE OF REPORT

- 1.01 To advise members of the main changes to the Local Government Pension Scheme (LGPS) regulations for 2014.
- 1.02 To recommend a revised Early Retirement Policy, setting out how the Council will apply the new 2014 discretions for employees.

2.00 BACKGROUND

- 2.01 Following recommendations made by the Public Service Pension Commission, the UK Government has reformed the Local Government Pension Scheme (LGPS), along with other public service schemes. (Further background information on Pensions Reform can be found at Appendix 1 of this report).
- 2.02 From 1 April 2014, 'normal pension age' for the purposes of the LGPS is linked to 'state pension age' and will not normally be before age 65. Under the new scheme, employees can opt to retire at aged 55 without the consent of their employer, and can gain access to their LGPS pension. The pension will be reduced by a set amount depending on how many years before 'normal pension age' an employee wishes to retire (known as an actuarial reduction). The reduction in pension will be equivalent to the cost of early payment of the pension and lump sum before 'normal pension age'. There is an option for the employer to waive all or part of the actuarial reduction as set out below.
- 2.03 The new scheme will be based on 'career average re-valued earnings' (CARE) from 1 April 2014. All previous contributions built up before April 2014 will be protected and will still be based on final salary at retirement and the current 'normal pension age'.
- 2.04 The introduction of the new LGPS also requires scheme employers to review their existing discretionary pension policy arrangements and

set out how the new discretions will be applied in relation to specific provisions in the scheme. These discretions are set out under section 3 of this report. There are no changes to provisions in relation to Early Retirement on the Grounds of Redundancy or Early Retirement in the Interests of Efficiency which are normally initiated by the organisation / employer.

- 2.05 Under the regulations, all scheme employers must agree and publish their new pension policies by 30 June 2014. The new policies must be published and copied to the administering authority (Clwyd Pension Fund) within one month of the date of the change in policy and can only be implemented from that date. This means that subject to the approval of the new Early Retirement Policy at County Council, Flintshire Council will be able to apply the new policy provisions from 1 June 2014.

3.00 CONSIDERATIONS

- 3.01 Under the 2013 regulations, the discretions are set out in four categories. All these discretions are ones that would be initiated by a request from the employee. These are:

- a. Award of additional pension (at whole cost to the employer);
- b. Voluntary funding of additional pension via a Shared Cost Additional Pension Contribution (SCAPC) contract either by regular ongoing contribution or one-off sum;
- c. Flexible Retirement;
- d. Waiving all or part of any actuarial reduction (linked to circumstances described in paragraph 2.02 only).

- 3.02 Discretions a. (Award of additional pension) and b. (Voluntary funding of additional pension via a Shared Cost Additional Pension Contribution) are both discretions that have been available under the previous LGPS regulations and have been replaced with identical or similar provisions under the 2014 scheme. Previously, the Council have made the decision not to apply either of these discretions on the basis of affordability. The intention would be that this original decision stands and that these discretions are not applied.

- 3.03 In relation to Discretion c. (Flexible Retirement), the Council already operates a Flexible Retirement policy. The intention would be to continue to operate a similar policy in future, subject to a set criteria being met prior to approval. It is proposed that some modifications are made to the existing policy that ensure that flexible retirements are only approved where (1) there is at least a 20% reduction in working hours with no backfill and (2) future full retirement plans are discussed so that there is a planned transition including the transfer of knowledge and skills. This will be considered by Cabinet in June 2014.

- 3.04 Discretion d. (Waiving all or part of any actuarial reduction), will result in a change being required in the Council's Early Retirement Policy. As set out in 2.02 of this report, employees will be able to opt to retire with their pension benefits at age 55 without the employer's agreement but will see a reduction in their pension benefits. However there are discretions available to the Council to waive all or part of any actuarial reduction. In such case the cost of any amount waived would be a direct cost to the Council

Under this discretion, employees who are eligible can request that the employer applies the '85 Year Rule' (i.e. where the employee's age, together with their pensionable service, equates to 85 years or more). Requests would be considered where it would lead to an organisational efficiency, for example, improved performance and productivity, the requirement for new skills or the need to work differently. The discretion would be applied on a 'case by case' basis.

The '85 Year Rule' no longer forms part of the LGPS provisions but for longer standing members of the scheme, there is an on-going protection under the current arrangements. The option to apply this discretion could be helpful in the context of on-going organisational change where an employee wished to leave but where there were no other exit options available (for example, redundancy). This discretion would apply to a diminishing number of employees.

- 3.05 Discretion d. would also apply to other employees who do not meet the '85 Year Rule' but who request the employer to waive the actuarial reduction. Requests would be considered on the same grounds as above.
- 3.06 Under Discretion d., the Council's current policy allows early payment of pension benefits to former employees where there is no cost to the Council. Under the new scheme, the Council can decide to continue to adopt a discretionary provision where former employees may request the early release of pension benefits from their 50th or 55th birthday (depending on which LGPS regulations they are governed by) and onwards and request the Council to waive the actuarial reduction on their pension benefits.
- 3.07 The Council has only approved one or two such cases over the last few years, for example, where the former employee is experiencing extreme ill health and is suffering extreme financial hardship. Any future requests would only be considered in exceptional circumstances, on a 'case by case' basis.
- 3.08 In the scenarios described in paragraphs 3.04 to 3.06, the Council would have the option under the new discretions to consider waiving the actuarial reduction in full or in part depending on the circumstances of the case. In all cases, requests would be considered corporately prior to any final decisions being made, ensuring that

outcomes were fair, consistent and justifiable and represented a cost effective approach for the Council.

4.00 RECOMMENDATIONS

- 4.01 That members note the changes to the Local Government Pension Scheme (LGPS) regulations for 2014.
- 4.02 That members note and approve the Council's intended approach to the discretions under the LGPS 2014 and the revised Early Retirement Policy attached at Appendix 2.
- 4.03 That members endorse the Council's intention to revise the current Flexible Retirement policy as described in paragraph 3.03 which will be considered by Cabinet in June 2014.

5.00 FINANCIAL IMPLICATIONS

- 5.01 The approval of all early and flexible retirements will be undertaken corporately following careful consideration of the financial implications and affordability. In all cases, the expectation would be that there is a resultant efficiency and that any costs are met within a three year period.

6.00 ANTI POVERTY IMPACT

- 6.01 The LGPS 2014 provisions are designed to be fairer and more accessible for lower paid employees with the introduction of a 50/50 option where employees can make partial contributions at 50% if they wish but can gain the benefits of an occupational pension. All employees are now entitled to join the pension scheme if they have a contract for three months or more and will be enrolled automatically.

7.00 ENVIRONMENTAL IMPACT

- 7.01 None arising from this report.

8.00 EQUALITIES IMPACT

- 8.01 All decisions relating to early retirements and the application of discretionary provisions will be made transparently and fairly, in accordance with the Council's policy, and a clear audit trail kept. A detailed Equality Impact Assessment has already been undertaken of the LGPS 2014 regulation changes.

9.00 PERSONNEL IMPLICATIONS

- 9.01 The Clwyd Pension Fund will ensure that all employees who are members of the LGPS are fully informed of the 2014 changes. Flintshire Council's Early Retirement Policy will be widely circulated across the Council once agreed. Managers will have access to 'user

friendly' guidance material on the new regulations and on the Council's revised policy to address employee enquiries.

10.00 CONSULTATION REQUIRED

10.01 Please see below.

11.00 CONSULTATION UNDERTAKEN

11.01 Trade Union colleagues have been consulted on the changes and application of the new LGPS discretions.

12.00 APPENDICES

- 12.01
- Background guidance on Pension Reform attached at Appendix 1.
 - Early Retirement Policy 2014 attached at Appendix 2.

**LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985
BACKGROUND DOCUMENTS**

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Appendix 1

Reform of Public Sector Pensions and Arrangements in Flintshire County Council

Introduction

Following recommendations made by the Public Service Pension Commission, the Government is reforming the Local Government Pension Scheme (LGPS), along with other public service schemes.

As people are living longer, and drawing a pension for longer, the Government is proposing that changes should be made to the LGPS to ensure that:

- there is a fairer balance between what employees pay and the cost to employers and taxpayers, and
- the cost of providing pensions under public service pension schemes is affordable, not just now but in the decades to come.

The LGPS 2014 changes are designed to support the above aims and are summarised as follows:

Retirement Age Linked to State Pension Age

Future costs will also be managed by the link between the Scheme's Normal Pension Age and State Pension Age for all membership in the LGPS 2014. This link between longer life and pension age will negate a significant degree of the risk (and potential future cost) currently associated with increasing longevity.

Optional Retirement at Age 55

Employees will be able to retire from the age of 55 under the new regulations but would suffer an actuarial reduction (equivalent to the cost of early payment of pension and lump sum).

Career Average

The change to a career average or CARE basis for calculating benefits rather being based on final salary. Career average pensions are calculated each year then revalued rather than being based on the final year's pensionable pay.

The 50/50 Option

LGPS 2014 includes the option for members to pay 50% of the contributions for a 50% pension whilst retaining the full value of other benefits of the scheme. This is intended to attract non-members on low pay to the scheme and retain members who suffer periods of financial difficulty.

Contributions based on Actual Pay for Part Time Employees

In LGPS 2014, all members are proposed to have contribution rates determined by reference to their actual – rather than full time equivalent - pay which is not the case in the current scheme. This will mean that some part-time workers will pay a lower

Appendix 1

contribution rate than in LGPS 2008.

Managing Early Retirement Applications in Flintshire

Business As Usual

The Council currently operates an Early Retirement Policy and Flexible Retirement Policy which meet the provisions set out under the Local Government Pension Scheme (subject to approval of revised policy to reflect the 2014 changes).

Given the extent of organisational change via Service Reviews over the last 3-4 years, the majority of Early Retirements approved have been on the grounds of redundancy. The close monitoring of the Council's workforce establishment, together with other controls such as the Vacancy Management arrangements, have been successful in ensuring that redundant positions are deleted and that a similar role is not subsequently created or filled.

The requests for Early Retirement on other grounds (e.g. with Employer's Consent) have been minimal with no requests being made over the last 12 months.

In all cases, applications are closely scrutinised to ensure that the policy requirements are met, that the business case for release meets the organisational needs, costs are affordable and justifiable and can be fully met within a set payback period of three years.

Recent VR Scheme and Future Approach

The Council recently operated a Voluntary Redundancy / Early Voluntary Retirement Scheme. The Council were keen to ensure that decisions on applications were made on a sustainable basis with no significant impact on service continuity and performance. To achieve this, 'rolling' panels were held involving senior managers, HR, Finance and Trade Union representatives to enable effective decisions to be made.

The panels will have an on-going role in reviewing any further applications either as part of a further phase of the VR Scheme or any applications that arise from other programmes, such as the Value for Money Reviews. The key objective is to consider applications in the context of the range of changes that are happening including the Senior Management Review, Service Reviews, Value for Money Reviews etc, to ensure that the overall Organisational Design and workforce planning requirements for the Council are fully considered and likely impacts and outcomes still meet the Council's overall objectives.

The LGPS 2014 Changes

The LGPS changes will not impact directly on the progress of the Council's proactive Change Programme as the provisions for Early Retirement on grounds of redundancy are not affected.

The provisions will provide some additional options for employees who no longer wish to be part of the future at Flintshire, but where the deletion of their post is not currently an option, as individuals will be able to retire without consent at age 55.



FLINTSHIRE COUNTY COUNCIL

Early Retirement Policy

Policy owner for review	Head of HR and OD
Date implemented	1 June 2014
Date last reviewed	April 2014
Date of last amendment	April 2014
Date of next review	April 2015

1. Introduction

This Policy outlines Flintshire County Council's approach to Early Retirement for employees who are members of the Local Government Pension Scheme and are aged 55 and over and sets out the use of the discretions available to the Council under the terms of the Local Government (Early Termination of Employment) (Discretionary Compensation) Regulations 2006 and the 2014 Local Government Pension Scheme Regulations for active employees. 1995, 1997, and 2007 Local Government Pension Scheme Regulations for ex-employees with a deferred benefit in the pension scheme. (referred to hereafter as the Regulations).

2. Aims of the Policy

The aims of this policy are to:

- State the options available to employees who are aged 55 and over,
- State how Flintshire County Council will apply their discretionary powers in relation to specific provisions in the scheme,
- Ensure fair and equal treatment of all employees,
- Comply with the Employment Equality (Age) Regulation 2006

3. Scope

This policy applies to all employees of the Council who are members of the Local Government Pension Scheme (LGPS). Members of the LGPS are entitled to receive a pension at their Normal Pension Age, which from 1 April 2014 is directly linked to an employee's State Pension Age. Arrangements relating to Ill Health Retirement and Flexible Retirement are set out in the Council's Attendance Management Policy and the Flexible Retirement Policy.

4. Definitions

Normal Pension Age (NPA) is linked to 'current' state pension Age (SPA). As the State Pension Age is changed by Government, Normal Pension Age will also change.

Optional Retirement – Age 55 – employees may choose to retire from age 55 onwards and access their pension benefits but would normally suffer an actuarial reduction (the reduction being the cost of early payment of pension and lump sum before normal retirement age).

The '85' year rule is when an employee's membership of the LGPS and their age equals 85 years or more.

5. Policy

Decisions to release employees on Early Retirement must be management led and should not be perceived by employees as either an entitlement or a reward for long service. This course of action should not be used by management as an alternative to taking appropriate action to deal with performance issues.

In formulating and reviewing this policy on Early retirement and discretionary provisions, the Council is required by the Regulations to:

- Be satisfied that the policy is workable, affordable and reasonable, having regard to the foreseeable costs.
- Consider the potential for the application of its discretionary powers (unless properly limited) to lead to a loss of confidence in the public service.

From 1st April 2014, Normal Pension Age is linked to State Pension Age and will not normally be before age 65. From 1st April 2014, an employee can choose to retire from their 55th birthday without the consent of the employer but with an actuarial reduction.

The Council has a responsibility to ensure that early retirement costs and their effects on the Pension Scheme are fully justified and sustainable.

CRITERIA FOR EARLY RETIREMENT AND EMPLOYEE PENSION BENEFITS

On the Grounds of Redundancy

Redundancy is initiated by the management and is undertaken in line with the Redundancy Procedure. All redundancy pay will be met by the Council and not from the Pension Fund. The pension strain costs will be met by the Council. For the calculation of redundancy payments, please refer to the Council's Discretionary Compensation Policy and Organisational Change and Redundancy Policy.

In the Interests of Efficiency

This will be initiated by management where an individual is unable to adjust to change, adapt to a new organisation structure and/or new ways of delivering the service and where retraining or redeployment would not assist the individual in adapting to those new methods or ways of working. In all cases of retirement on efficiency grounds all alternatives to early retirement will have been explored. The pension strain costs will be met by the Council.

Employer's Consent

A - to apply the '85 year rule' for active employees voluntarily drawing their benefits on or after age 55 and before age 60 :

Active employees who wish to retire from their 55th Birthday onwards can request that the 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.

If it is agreed to apply the '85 year rule', the employer may waive the actuarial reduction in full or in part.

If it is not agreed to apply the '85 year rule' following consideration under the above criteria, but the employee is eligible to meet the '85 year rule' then the pension benefits will be reduced by the date the benefits are brought into payment and the age when they would meet Rule of 85 (their critical retirement age).

If the employee is not eligible for the '85 year rule' at the date of drawing benefits, the benefits will be reduced to either the date when the employee would meet the 85 year rule or normal pension age, whichever is the sooner.

B – to waive an actuarial reduction on pension benefits:

Employees who do not meet the '85 year rule' can request that the Council waive the actuarial reduction in full or in part.

For both categories A and B above, the request made will be considered against the following criteria:

1. The cost to the Council;
2. The future requirements of the service including required levels of performance and productivity, new skills;
3. The need to adapt to new and modernised ways of working;
4. The needs of the employee including any compassionate grounds (where employees are responsible for caring for a dependent due to illness, frailty or disability)

C - early release of benefits for former employees with a deferred benefit:

Former employees may request the early release of their deferred pension benefits from their 50th or 55th birthday and onwards, depending on which LGPS Regulations they are governed by. Further information can be provided by Human Resources on request.

A request to waive an actuarial reduction, either in full or in part, will be considered in exceptional circumstances (except if the member is covered by 1995 regulations

Early Retirement Draft v3

+Note - the current job titles of Head of HR and OD and Head of Finance in the policy will be updated following the implementation of the Senior Management structure.

whereby the waiving of any reductions is mandatory - benefits can only be released on compassionate grounds).

In all options set out in A, B and C, consideration will be made on a 'case by case' basis.

Application of Discretions under the 2014 LGPS Regulations

Other than the discretions set out above in A, B and C, the Council has decided not to apply the following discretions under the 2014 regulations for reasons of affordability:

- Voluntary funding of additional pension via a Shared Cost Additional Pension Contribution (SCAPC) contract, either by regular ongoing contribution or one-off lump sum;
- Award of pension (at whole cost to the employer).

Cost Of Early Retirement

In cases of Early Retirement on grounds of redundancy or in the interests of efficiency, where a post has been deleted which offsets the costs incurred, no similar post will be created.

Re-Employment following Early Retirement on Ill Health Grounds

Ill-Health retirement is granted to an employee who is declared by a medical physician to be permanently unfit to perform duties of their post on grounds of ill-health. As a result, an employee who has received premature retirement on ill-health grounds should not be re-employed unless declared fit by a medical physician.

Re-Employment or Re-engagement following Early Retirement

Where the Council approves an Early Retirement on Grounds of Redundancy, in the Interests of Efficiency or with Employer's Consent (i.e. where the employer has met the costs of the pension strain / waived the actuarial reduction) the Council will not normally re-employ or re-engage except in highly exceptional circumstances. On rare occasions where this is unavoidable, approval will be sought in advance from the Head of HR and OD and the Chief Executive.

Consideration and Approval of Applications

All applications and requests will be considered initially by the Head of Service / Senior Management and subsequently by the Head of Human Resources and Organisational Development, Head of Finance and where appropriate, the Chief Executive who will have authority to approve or refuse such requests in the interests of the Council.

Monitoring and Evaluation

This policy will be subject to an annual review to ensure that the policy and the discretions are being applied fairly and equitably, the policy is supporting the aims of the Council and the provisions are affordable in relation to the Clwyd Pension Fund.

Training and Development

Operational guidance will be available to managers to ensure that there is a good level of awareness and working knowledge of the LGPS regulations, the Council's Early Retirement policy and the application of the discretions. Advice and assistance is readily available to managers from the Employment Services and Business Partner teams in HR and OD.

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **FLINTSHIRE COUNTY COUNCIL**

DATE: **WEDNESDAY, 30 APRIL 2014**

REPORT BY: **HEAD OF FINANCE**

SUBJECT: **CLWYD PENSION FUND UPDATE**

1.00 PURPOSE OF REPORT

1.01 To provide Members with a half yearly update on current issues relating to the Clwyd Pension Fund ("the Fund").

2.00 BACKGROUND

2.01 As set out in previous reports to Council, the Clwyd Pension Fund is a defined benefit scheme under which the benefits are specified in the governing legislation (the Local Government Pension Scheme Regulations). The required levels of employee contributions are also specified in the Regulations. Employer contributions are determined in accordance with the Regulations which require that an actuarial valuation is completed every three years.

2.02 The Fund is administered by Flintshire County Council on a "lead authority" basis. Flintshire County Council is a member of the Fund along with Wrexham County Borough Council, Denbighshire County Council and a range of other scheduled and admitted bodies.

2.03 Pension Fund matters are a Council rather than Executive function. Currently, authority to manage the Clwyd Pension Fund has been delegated to the Head of Finance who is Treasurer and Administrator to the Fund. The Clwyd Pension Fund Panel, made up of elected Members from Flintshire, Wrexham and Denbighshire, is an advisory body on pension fund issues. The Panel also has a Staff/Union Observer nominated by Trade Unions and is advised by an Independent Adviser/Consultant. See Section 3.00 below for proposed future arrangements.

2.04 The Pension Fund Panel holds quarterly meetings, the minutes of which are available from the Contact Officer. The Council is updated twice a year and the previous update was to County Council on 10th September 2013. This report covers the items discussed at the 27th November 2013 Panel and 25th February 2014 Panel.

The Panel members and substitutes were:-

Panel Member	Position/ Authority	Substitute
Cllr Alan Diskin	Chair	Cllr Ron Hampson
Cllr Hadyn Bateman	Vice Chair	Cllr Brian Dunn
Cllr Huw Llewelyn Jones	Denbighshire CC	Cllr Julian Thompson – Hill
Cllr Steve Wilson	Wrexham CBC	Cllr Dana Davies

2.05 The Fund invites all employers and active member and pensioner representatives to an Annual Meeting (AJCM) to receive presentations from the Fund’s officers and advisers. The last AJCM was held on 27th November 2013 with the focus on the presentation from the Fund Actuary on the Actuarial Valuation.

3.00 UPDATE

FUND GOVERNANCE

3.01 There is a recommendation from the Constitution Committee on this Council agenda to change the governance arrangements for the Clwyd Pension Fund which will create a Pensions Committee in place of the Pensions Panel. The new committee will have responsibility for the Clwyd Pension Fund and it will be advised by an Advisory Panel. If approved by Council, there will be minutes available for the newly constituted Pension Fund Committee, hence these six monthly updates to Council will cease. However, where there are significant items relating to the LGPS in general or the Clwyd Pension Fund, these will still be brought to the attention of the Council.

3.02 The Fund has made two key appointments both of whom will be part of the new Advisory Panel. John Finch, Investment Consultant, JLT and Karen McWilliam, Independent Adviser, Aon Hewitt. They were selected through the Fund’s framework for pension fund advisers and their contracts commenced from 1st April 2014.

3.03 The Pension Fund is required by Regulation to publish an Annual Report which must include the Fund’s statutory documents on governance, funding and investment and this will continue. The latest Annual Report (2012/13) can be found at clwydpensionfund.org.uk.

MANAGEMENT OF THE LGPS

3.04 As previously reported, The Department for Communities and Local Government (DCLG) and Local Government Association (LGA) issued a call for evidence on the future structure of the Local Government Pension Scheme last year. This includes the consideration of the merger of the 89 local government pension funds into a smaller number of larger funds and the use of collective investment vehicles. The Council responded to the call for evidence and it was expected

that, following the analysis of the submissions, a formal consultation on the options for change would be published by the DCLG last autumn. This did not materialise but an announcement by the Local Government Minister, Brandon Lewis, is expected in the near future.

- 3.05 The Public Service Pension Act 2013 included several key provisions relating to the administration and governance of the new pension service pension schemes. The DCLG issued a Discussion Paper on the Local Government Pension Scheme (England and Wales) new governance arrangements last year to which the Fund responded. It is expected that there will be formal consultation in the near future.

WELSH PENSION FUNDS 'WORKING TOGETHER'

- 3.06 As previously reported, The Society of Welsh Treasurers (Pensions Sub-Group) had commissioned work to look at collaboration opportunities across the eight Funds in Wales. The main recommendation from the project was not to merge the eight pension funds but for a full business case to be created for a common investment vehicle. This business case is on hold until the Government's decision on the management of the LGPS as described in 3.04 above is known.

PENSION ADMINISTRATION

- 3.07 The new scheme was implemented from 1st April 2014. The benefits under the scheme are based on a Career Average Re-valued Earnings (CARE) from 1st April 2014. The Pension Fund Panel was provided with a summary of the new scheme at the 27th November 2013 Panel. The Fund had prepared for this major change by training officers, updating computer software, changing procedures and updating forms and other literature.
- 3.08 The Fund has been active in explaining the new scheme to employers and the membership. There is a short guide on the Fund's web-site which was written in collaboration with the 7 other Welsh Funds.
- 3.09 In terms of improvements to the pension administration service, the Service Plan for the Fund in 2014/15 includes the continuation of working with employers on the quality of new data received, updating historic data and reviewing service standards for pension administration in collaboration with other Welsh Funds.

FINANCIAL UPDATE

- 3.10 As required by LGPS Investment Regulations, investments are monitored quarterly and performance reported in detail to each Clwyd Pension Fund Panel. The report of the 25th February 2014 highlighted a market value as at 31st December 2013 of £1.195bn (£1.178bn, as at 30th June 2013) and an estimated funding level of 70%. The Clwyd

Pension Fund Panel receive presentations from the four largest fund managers each quarter and investment performance statistics from all the fund managers. There are no changes planned to fund managers as a result of performance.

3.11 The Panel agreed the Funding Strategy Statement on 25th February 2014 after consultation with employers. This enabled the Actuary to sign off the 2013 Actuarial Valuation which includes the amounts to be paid by employers over the next three financial years. The Actuary's Valuation report has been issued to all the employers and the DCLG as required by Regulation. The report will also be on the Pension Fund web-site but in terms of the headline results as at 31st March 2013:-

- The assets were valued at £1,181m and liabilities at £1,733m which is a deficit of £552m or a funding level of 68%.
- The total normal contribution rate for retirement and death benefits is 19.9% of pensionable pay (£228m). This is made up of an average member contribution rate of 6.1% and an average employer contribution rate of 13.8%.
- The average deficit recovery period for the Fund is 18 years. On this basis the deficit could be eliminated by a deficit contribution of £32m per annum increasing by 4.1% per annum.

INVESTMENT UPDATE

3.12 The main project for the last year has been the implementation of the 'Funding Flight-path' strategy. This is a risk management framework for managing interest rate and inflation risks. This framework enables the Fund to efficiently reduce risk when market conditions are favourable. Over time, assets will be moved from the growth portfolio (risk assets e.g. equities) to a liability matching portfolio (mainly government bonds). This framework should provide an investment and funding strategy that can be achieved with a higher degree of confidence and, with good market conditions, close the deficit gap in 10-12 years rather than the current 18 year average across the Fund for employer deficit contributions. Although, the theory is relatively straightforward to understand, the practical implementation is very complex. The Fund has been advised by the Fund Actuary who will continue to monitor and report progress as a member of the Advisory Panel. A fund manager, Insight, has been appointed to manage the assets in the liability matching portfolio following an EU procurement process. The Panel have received several training sessions and the theory was explained to employers at the AJCM in November 2013. The framework was implemented from 1st April 2014.

- 3.13 The Panel receive a detailed report each quarter from the Fund's Independent Adviser/Consultant on Alpha Seeking Alternative Investments and Real Assets. In line with the Fund's Medium Term Plan and previously agreed priorities, approximately £20m has been committed to three alpha seeking private equity funds and £9m to two real asset property funds.
- 3.14 The 2014/15 Service Plan includes a fundamental review of the Fund's investment strategy which will be undertaken with the Fund's new investment consultant.

OTHER INFORMATION

- 3.15 A number of other items have been reported to the Panel for information or agreement:
- Quarterly update on progress with the implementation of the Fund's Sustainability Policy.
 - A presentation from the Wales Audit Office on their 2012/13 audit findings.
 - An update on the AVC funds managed by Prudential.
 - An explanation on the new role for the Pensions Regulator in the LGPS from 2015.
 - Staffing updates for pensions administration and business cases for additional permanent and temporary resource, including for pensions payroll.
- 3.16 The training of Panel Members in line with the CIPFA Code of Practice is being progressed. The training received during the year is published in the Fund's Annual Report and Accounts. In this period Panel members attended a conference which focused on challenges ahead for the LGPS and a private equity and infrastructure training session.

4.00 RECOMMENDATIONS

- 4.01 Members are asked to note the report.

5.00 FINANCIAL IMPLICATIONS

- 5.01 None directly as a result of this report

6.00 ANTI POVERTY IMPACT

- 6.01 None directly as a result of this report

7.00 ENVIRONMENTAL IMPACT

- 7.01 None directly as a result of this report

8.00 EQUALITIES IMPACT

8.01 None directly as a result of this report

9.00 PERSONNEL IMPLICATIONS

9.01 None directly as a result of this report

10.00 CONSULTATION REQUIRED

10.01 None directly as a result of this report

11.00 CONSULTATION UNDERTAKEN

11.01 None directly as a result of this report.

12.00 APPENDICES

12.01 None.

**LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985
BACKGROUND DOCUMENTS**

Pension Fund Panel Minutes for 27th November 2013 and 25th February 2014

Funding Report of the Actuarial Valuation as at 31st March 31st March 2013

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FLINTSHIRE COUNTY COUNCIL

REPORT TO: **FLINTSHIRE COUNTY COUNCIL**
DATE: **WEDNESDAY, 30 APRIL 2014**
REPORT BY: **HEAD OF LEGAL AND DEMOCRATIC SERVICES**
SUBJECT: **CLWYD PENSION FUND GOVERNANCE**

1.00 PURPOSE OF REPORT

1.01 For County Council to agree changes to the governance arrangements for the Clwyd Pension Fund recommended by the Council's Constitution Committee.

2.00 BACKGROUND

2.01 At its meeting on the 26 March 2014 the Constitution Committee considered a report from the Head of Finance proposing changes to the governance arrangements to the Clwyd Pension Fund. A copy of that report is attached as Appendix A. Appendix 2 sets out the proposed changes to the Constitution. The main change is the creation of a Pensions Committee. There are also changes to officer delegated powers and minor changes to the Financial Procedure Rules.

3.00 CONSIDERATIONS

3.01 As explained in paragraphs 2.05 and 2.06 of Appendix A, the new governance structure reflects guidance given by the Secretary of State on best practice. Whilst a governance health check had recommended such changes in 2010, paragraphs 2.07 and 2.08 of Appendix A explain why it was not previously the right time to implement such changes.

3.02 Whilst the recommendations in the report received overwhelming support at the Constitution Committee two considerations were raised on the composition of the committee.

3.03 A Member raised why Flintshire would be represented by five members of the committee with Wrexham and Denbighshire only having one representative each. This is a reflection of Flintshire's position as the administering authority for the Clwyd Pension Fund first established by the Local Government Reorganisation legislation in 1996. The proposed committee is a Flintshire committee not a joint committee with Wrexham and Denbighshire, albeit it is recognised

best practice for Pension Fund Committees to include some employer representation whilst not taking away the overall responsibility of the administering authority. The four members of the committee that are not Flintshire Councillors are technically co-opted members of the committee with voting rights.

3.04 The second consideration raised at the Constitution Committee was in relation to the availability of substitutes for the five Flintshire members of the committee. Provided such members have had the requisite training on pension matters it had always been the intention to allow such substitutes. This is now reflected in paragraph 1.2 (a) (vi) of appendix 2.

3.05 Section 3.01 of the report refers to delegation of responsibilities to the Head of Finance. The report to the Constitution Committee was written prior to the Council agreeing its new organisational model and senior management structure. A report seeking approval to revised delegations across all Council functions will be presented to Council on 20th May. This will include revised delegations for the Pension Fund to reflect the roles of the Chief Officer for People and Resources and the Corporate Finance Manager as the Council's Chief Finance (S151) Officer, which are currently being worked through. Once approved, the revised officer delegations will be reflected in the governance arrangements for the Clwyd Pension Fund .

4.00 RECOMMENDATIONS

4.01 That Council agrees the creation of the Clwyd Pension Fund Committee as outlined in appendix 2 with effect from the annual meeting on the 20 May 2014.

5.00 FINANCIAL IMPLICATIONS

5.01 The four co-opted members on the committee will be entitled to an allowance of £99 per half day meeting. These costs will be met from the Clwyd Pension Fund.

6.00 ANTI POVERTY IMPACT

6.01 None as a result of this report.

7.00 ENVIRONMENTAL IMPACT

7.01 None as a result of this report.

8.00 EQUALITIES IMPACT

8.01 None as a result of this report.

9.00 PERSONNEL IMPLICATIONS

9.01 None as a result of this report.

10.00 CONSULTATION REQUIRED

10.01 As outlined in paragraph 2.10 of Appendix A.

11.00 CONSULTATION UNDERTAKEN

11.01 As outlined in paragraph 2.10 of Appendix A.

12.00 APPENDICES

12.01 Appendix A - Report to the Constitution Committee 26 March 2014

**LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985
BACKGROUND DOCUMENTS**

CIPFA Health Check for Clwyd Pension Fund
Clwyd Pension Fund Panel Report 25 February 2014
Local Government Pension Scheme Regulations 2013

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FLINTSHIRE COUNTY COUNCIL

REPORT TO: **CONSTITUTION COMMITTEE**

DATE: **WEDNESDAY, 26 MARCH 2014**

REPORT BY: **HEAD OF FINANCE (TREASURER AND
ADMINISTRATOR TO THE FUND)**

SUBJECT: **CLWYD PENSION FUND GOVERNANCE**

1.00 PURPOSE OF REPORT

- 1.01 To provide Members with a proposal to change the governance arrangements for the Clwyd Pension Fund, and hence, the Council's Constitution.
- 2.02 To seek agreement for a recommendation to Council for the creation of a newly constituted Clwyd Pension Fund Committee.

2.00 BACKGROUND

- 2.01 The Clwyd Pension Fund is administered by Flintshire County Council as the Administering Authority on a "lead authority" basis which is set out in statute following LGR in 1996. The Clwyd Pension Fund is a £1bn Local Government Pension Fund which provides death and retirement benefits for local government employees in North East Wales and other qualifying contributors from 30 contributing employers and 15,000 retired members, widows and deferred members.
- 2.02 In terms of governance, Local Government Pension Scheme matters are a Council rather than Executive function.
- 2.03 Local Government Pension Scheme Regulations (LGPS) state that an administering authority must prepare a written statement setting out whether the authority delegates its functions to a Committee, a sub-committee or an officer of the authority. However, these Regulations then go on to refer to guidance given by the Secretary of State and a requirement to explain where the delegation does not comply with this guidance.

- 2.04 The Council's Constitution delegates responsibility for the management of pension issues to the Head of Finance under Part 3 Responsibility for Council Functions. There is a Clwyd Pension Fund Panel, made up of elected Members from Flintshire, Wrexham and Denbighshire, which is an advisory body on pension fund issues. The Panel also has a Staff/Union Observer nominated by Trade Unions and is advised by an Independent Adviser/Consultant.
- 2.05 This governance structure is not compliant with guidance given by the Secretary of State relating to best practice as explained below.
- 2.06 A Governance Health Check of the Clwyd Pension Fund was carried out by a senior advisor from the Chartered Institute of Public Finance and Accountancy (CIPFA) Pensions Network in 2010. Although, the report concluded that the governance of the Fund was 'very good', a weakness in relation to the governance structure was identified and the following two key recommendations were made to comply:
1. Responsibility for the management of the Clwyd Pension Fund should be transferred from the Head of Finance to a newly constituted Pension Fund Committee which should meet quarterly in Mold.

The Department for Communities & Local Government (DCLG) guidance states *'the management of the administration of benefits and the strategic management of fund assets should clearly rest with a committee established by the appointing Council'*. It is not considered to be best practice or appropriate to delegate management of a pension fund, with all its associated complexities and responsibilities to an officer. The view of the Chartered Institute of Public Finance and Accountancy (CIPFA) is that it is unfair to place the burden on the shoulders of a single officer.
 2. There should be wider representation of stakeholders on the newly constituted committee to include a representative from a scheme employer, other than from the unitary authorities, and a member representative with voting rights.

The DCLG guidance states *'representatives of participating LGPS employers, admitted bodies and scheme members (including pensioner and deferred members) should be members of the committee'*.
- 2.07 Although these findings were accepted in principle by the Head of Finance and the Clwyd Pension Fund Panel, it was considered then that the time was not right to make these changes as the work on the potential for merger and collaboration across the eight Funds in Wales was about to commence.

2.08 However, the time has now come to consider implementing these changes for the following prime reasons:

- To comply with statutory guidance now the outcome of the work of the eight Funds in Wales has recommended collaboration between Funds and not merger.
- The Public Service Pensions Act 2013 requires an administering authority to establish a new and separate 'Local' Pension Board whose role will include securing compliance with legislation relating to governance and administration. Although, it will not be in place until 2015, the current structural flaw in the Clwyd Fund's governance structure may lead to criticism from this new Board in the future.
- In addition, a new National Scheme Advisory Board is required under the Act which will also be 'advising' administering authorities on compliance, although the terms of reference are not fully known at this time.

2.09 Based on the above, the Head of Finance received agreement from the Clwyd Pension Fund Panel on 25th February 2014 to recommend a new Clwyd Pension Fund Committee to the Constitution Committee for consideration, and then the Council.

2.10 As required under the LGPS 2013 Regulations (Para 55 (3)), when revising governance arrangements, the administering authority must consult with 'such persons as it considers appropriate'. The Head of Finance has consulted with employers in the Fund and the joint trade unions. The consultation closed on the 10th March 2014 and no response was received which was against this change. A positive response was received from the joint trade unions.

3.00 CONSIDERATIONS

3.01 The proposed new structure which is in line with CIPFA recommendations is shown in diagram form in Appendix 1 and demonstrates that under these arrangements:

- The County Council would delegate, in its constitution, all decisions relating to its statutory duty to administer the Clwyd Pension Fund to the Clwyd Pension Fund Committee, instead of the Head of Finance.
- The Clwyd Pension Fund Committee would be representative of its stakeholders with representation as follows:
 - five from Flintshire County Council as the administering authority

- one from each of the two unitary authorities (Wrexham County Borough Council and Denbighshire County Council)
- one from another scheme employer who are required to participate in the Fund (these are mainly Town Councils or educational establishments), and
- a scheme member representative (i.e. representing all the active, deferred, pensioner and dependant members who participate or receive benefits from the Clwyd Pension Fund).

All representatives would have voting rights. The only direct stakeholders of the Fund not having representation on the Committee are admission bodies which make up a very small proportion of the liabilities of the Clwyd Pension Fund and have joined voluntarily, so it is not considered appropriate at this time. Alternative arrangements are in place to engage with admission bodies.

- The recommended role and function of the Committee is as set out in Appendix 2.
- To enable a flexible and efficient decision making process the Pension Fund Committee will be able to delegate specific responsibilities including to the Head of Finance.
- Further, the Council will delegate specific responsibilities to the Head of Finance including the day to day management of the Fund and establishing and chairing a Pension Fund Advisory Panel to provide advice and propose recommendations to the Pension Fund Committee. The Pension Fund Advisory Panel would include Council Officer(s) and Fund advisors (including the Investment Consultant, Fund Actuary and Independent Adviser), as appropriate.

3.02 Legal and Democratic Services have provided advice and support and will continue to assist with documenting Terms of Reference and Scheme of Delegation based on 3.01 above, along with other administrative matters.

3.03 Subject to the approval of this Committee the new governance structure and representation can then be recommended for approval to the Council with the new structure becoming effective at the Council's Annual Meeting in May.

4.00 RECOMMENDATIONS

- 4.01 That Members recommend to Council a change to its Constitution as outlined in Appendix 2 so that the Council, as administering authority for the Clwyd Pension Fund, delegates its functions, under the Local Government Scheme Regulations 2013, to a newly constituted Clwyd Pension Fund Committee.

5.00 FINANCIAL IMPLICATIONS

- 5.01 The four co-opted members on the committee will be entitled to an allowance of £99 per half day meeting. These costs will be met from the Clwyd Pension Fund.

6.00 ANTI POVERTY IMPACT

- 6.01 None directly as a result of this report.

7.00 ENVIRONMENTAL IMPACT

- 7.01 None directly as a result of this report.

8.00 EQUALITIES IMPACT

- 8.01 None directly as a result of this report.

9.00 PERSONNEL IMPLICATIONS

- 9.01 None directly as a result of this report.

10.00 CONSULTATION REQUIRED

- 10.01 As outlined paragraph 2.10 of this Report.

11.00 CONSULTATION UNDERTAKEN

- 11.01 As outlined paragraph 2.10 of this Report.

12.00 APPENDICES

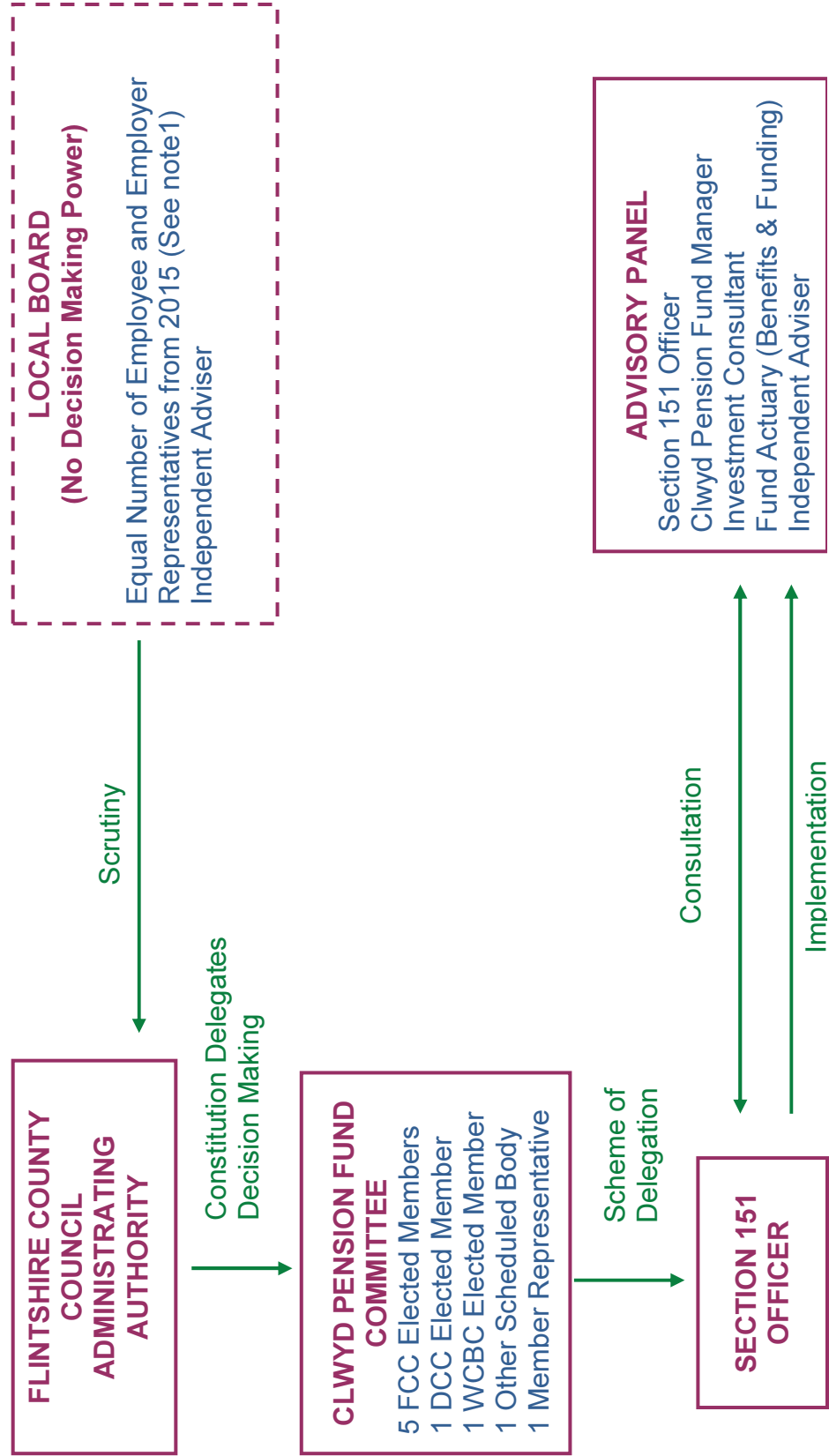
- 12.01 Appendix 1 - Clwyd Pension Fund Proposed Governance Structure
Appendix 2 - Recommended changes to the Constitution relating to the Clwyd Pension Fund

LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985 BACKGROUND DOCUMENTS

CIPFA Health Check for Clwyd Pension Fund
Clwyd Pension Fund Panel Report 25th February 2014
Local Government Pension Scheme Regulations 2013

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CLWYD PENSION FUND
PROPOSED GOVERNANCE STRUCTURE



Note:

1. The Public Services Pensions Act requires a new body, a Local Board, to 'scrutinise' the administering authority. Not expected to be implemented until 2015.

Recommended changes to the Constitution relating to the Clwyd Pension Fund

1) Addition to PART 2 – ARTICLES OF THE CONSTITUTION

The following article shall be added:

Article XX – The Pension Fund Committee

1.1 Pension Fund Committee

The Council will establish a Pension Fund Committee.

1.2 Composition

(a) **Membership.** The Pension Fund Committee will be composed of 9 members. Its membership will include:

- i) 5 Councillors of Flintshire County Council, determined by the Council.

Four co-opted members comprising:-

- ii) 1 Councillor of Wrexham County Borough Council, determined by that Council.
- iii) 1 Councillor of Denbighshire County Council, determined by that Council.
- iv) 1 Representative of the other Scheme Employers (not admission bodies) in the Clwyd Pension Fund as defined by Schedule 2 of the Local Government Pension Scheme 2013, as amended from time to time, appointed in accordance with procedures agreed by the Head of Finance in consultation with the members of the Pension Fund Advisory Panel*.
- v) 1 Representative of the scheme members of the Clwyd Pension Fund, appointed in accordance with procedures agreed by the Head of Finance in consultation with the members of the Pension Fund Advisory Panel.

*The Pension Fund Advisory Panel is a group of officers and advisers to the Clwyd Pension Fund, currently consisting of:

- The Head of Finance of Flintshire County Council
- The Clwyd Pension Fund Manager
- Investment Consultant
- Fund Actuary
- Independent Adviser

(b) **Term of office.**

- i) The representative members (for other scheme employers and scheme members) are appointed for a period of no more than six years and may be reappointed for further terms.
- ii) Councillors of Flintshire County Council will be appointed annually and may be reappointed for further terms.
- ii) Councillors of other local authorities who are members of the Pension Fund Committee will have a term of office to the next ordinary local government election following their appointment. They may be reappointed for further terms.

(c) **Quorum.** A meeting of the Pension Fund Committee shall only be quorate when:

- i) At least five members are present, and
- ii) At least three of the members present are councillors of Flintshire County Council

(d) **Voting.** The Councillors from Wrexham County Borough Council and Denbighshire County Council and the representative members will be entitled to vote at meetings as well as Councillors of Flintshire County Council;

(f) **Chairing the Committee.**

- i) Only Councillors of Flintshire County Council may be the Chair and Vice-Chair.
- ii) The Chair and Vice- Chair will be elected annually by members of Flintshire County Council.

(h) The Council Procedure Rules should apply to this Committee in the same way as they apply to other Committees unless different provision is made in this article.

- (i) Location. The Pension Fund Committee may occasionally meet outside of the Flintshire County Council area.

1.3 Role and Function

The Pension Fund Committee's principal aim is to carry out the functions of Flintshire County Council as the Scheme Manager and Administering Authority for the Clwyd Pension Fund in accordance with Local Government Pension Scheme legislation.

The Pension Fund Committee will have the following specific roles and functions, taking account of advice from the Head of Finance and the Fund's professional advisers:

- a) Ensuring the Clwyd Pension Fund is managed and pension payments are made in compliance with the extant Local Government Pension Scheme Regulations, Her Majesty's Revenue & Customs requirements for UK registered pension schemes and all other relevant statutory provisions.
- b) Ensuring robust risk management arrangements are in place.
- c) Ensuring the Council operates with due regard and in the spirit of all relevant statutory and non statutory best practice guidance in relation to its management of the Clwyd Pension Fund.
- d) Determining the Pension Fund's aims and objectives, strategies, statutory compliance statements, policies and procedures for the overall management of the Fund, including in relation to the following areas:
 - i) Governance – approving the Fund's Governance Policy and Compliance Statement for the Fund within the framework as determined by Flintshire County Council and making recommendations to Flintshire County Council about any changes to that framework.
 - ii) Funding Strategy – approving the Fund's Funding Strategy Statement including ongoing monitoring and management of the liabilities, ensuring appropriate funding plans are in place for all employers in the Fund, overseeing the triennial valuation and interim valuations, and working with the actuary in determining the appropriate level of employer contributions for each employer.
 - iii) Investment strategy - approving the Fund's investment strategy, Statement of Investment Principles and Myners Compliance Statement including setting investment targets and ensuring these are aligned with the Fund's specific liability profile and risk appetite.

- iv) Administration Strategy – approving the Fund's Administration Strategy determining how the Council will the administer the Fund including collecting payments due, calculating and paying benefits, gathering information from and providing information to scheme members and employers.
 - v) Communications Strategy – approving the Fund's Communication Strategy, determining the methods of communications with the various stakeholders including scheme members and employers.
 - vi) Discretions – determining how the various administering authority discretions are operated for the Fund.
- e) Monitoring the implementation of these policies and strategies on an ongoing basis.
 - f) Considering the Fund's financial statements prior to approval by the Council and agreeing the Fund's annual report.
 - g) Selection, appointment and dismissal of the Fund's advisers, including actuary, benefits consultants, investment consultants, global custodian, fund managers, lawyers, pension funds administrator, and independent professional advisers.
 - h) Making decisions relating to employers joining and leaving the Fund. This includes which employers are entitled to join the Fund, any requirements relating to their entry, ongoing monitoring and the basis for leaving the Fund.
 - i) Agreeing the terms and payment of bulk transfers into and out of the Fund.
 - j) Agreeing Pension Fund business plans and monitoring progress against them.
 - k) Agreeing the Fund's Knowledge and Skills Policy for all Pension Fund Committee members and for all officers of the Fund, including determining the Fund's knowledge and skills framework, identifying training requirements, developing training plans and monitoring compliance with the policy.
 - l) Agreeing the Administering Authority responses to consultations on LGPS matters and other matters where they may impact on the Fund or its stakeholders.
 - m) Receiving ongoing reports from the Head of Finance and Pensions Advisory Panel in relation to delegated functions.

No matters relating to Flintshire County Council's responsibilities as an employer participating within the Clwyd Pension Fund are delegated to the Pension Fund Committee.

1.4 Sub-Committees, Task and Finish Groups and Officers

The Committee may delegate a limited range of its functions to one or more officers of the Authority. The Pension Fund Committee will be responsible for outlining expectations in relation to reporting progress of delegated functions back to the Pension Fund Committee.

2) Change to PART 2 – ARTICLES OF THE CONSTITUTION

The following provision shall be deleted:

Committee (Membership)		Non-Executive Functions	Provision of Act or Statutory Instrument	Delegation of functions
H. Functions relating to pensions etc	1	Functions relating to local government pensions, etc	Regulations under Sections 7, 12 or 24 of the Superannuation Act 1972 (c11) [44]	Head of Finance
	3	Functions under existing pension schemes as respects persons employed by the fire and rescue authorities pursuant to Section 1 of the Fire and Rescue Services Act 2004	Sections 34 and 36 of the Fire and Rescue Services Act 2004	Head of Finance

The following provision shall be added:

Committee (Membership)		Non-Executive Functions	Provision of Act or Statutory Instrument	Delegation of functions
Pension Fund Committee 5 Councillors of Flintshire County Council, 1 Councillor of Wrexham County Borough Council, 1		In accordance with Article X, to carry out the functions of Flintshire County Council as the Scheme Manager and Administering Authority for the Clwyd Pension Fund.	Regulations under Sections 7, 12 or 24 of the Superannuation Act 1972 (c11) [44] and the Public Service Pensions Act 2013.	Head of Finance

Councillor of Denbighshire County Council, 1 Representative of the other Scheme Employers (not admission bodies) in the Clwyd Pension Fund and 1 Representative of the scheme members of the Clwyd Pension Fund.			
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3) Change to PART 3 – RESPONSIBILITY FOR FUNCTIONS

The following provisions shall be deleted:

Head of Finance & Section 151 Officer	
FS9	To accept nominations of admitted bodies to participate in the Superannuation Fund.
FS14	In accordance with any policy or strategy decided by the Authority to approve decisions relating to the management of the Pension Fund and the administration of pension benefits.
FS15	To carry out functions relating to local government pensions etc pursuant to Regulations under Section 7, 12 or 24 of the Superannuation Act 1972; and functions relating to pensions, allowances and gratuities pursuant to Regulations under Section 18(3A) of the Local Government and Housing Act 1989.
FS16	To determine matters involving the exercise of a discretion under provisions relating to or arising from the Local Government Pension Scheme following consultation with the Discretions Panel consisting of the Head of Pensions/Funds, the Pensions Manager and Principal Solicitor (Litigation).

The following provisions shall be added:

Head of Finance & Section 151 Officer	
FSn	The day to day management of Clwyd Pension Fund matters including ensuring arrangements for investments of assets and administration of contributions and benefits, excluding matters delegated to the Pensions Fund Committee.
FSn	Establish and chair a Clwyd Pension Fund Advisory Panel consisting of officers of the Council and adviser to the Clwyd Pension Fund to provide advice and propose recommendations to the Pension Fund Committee, and carry out such matters as delegated to it from time to time by the Pension Fund Committee.

3) Change to PART 4 – RULES OF PROCEDURE Financial Procedure Rules

The following provisions shall be amended:

In:

- Clause 18.5 (b) relating to Chief Finance Officer or Head of Human Resources and Organisational Development, and
- Clause 18.5 (d) relating to Directors and Heads of Service the words "superannuation" shall be replaced by "pension".