

FLINTSHIRE COUNTY COUNCIL
12 MAY 2015

Minutes of the meeting of Flintshire County Council held at Council Chamber, County Hall, Mold on Tuesday, 12 May 2015

PRESENT: Councillor Glenys Diskin (Chairman)

Councillors: Alex Aldridge, Bernie Attridge, Glyn Banks, Haydn Bateman, Marion Bateman, Chris Bithell, Amanda Bragg, Helen Brown, Derek Butler, Clive Carver, David Cox, Paul Cunningham, Peter Curtis, Ron Davies, Adele Davies-Cooke, Alan Diskin, Rosetta Dolphin, Ian Dunbar, Andy Dunbobbin, Brian Dunn, Carol Ellis, Jim Falshaw, Veronica Gay, Robin Guest, Ron Hampson, Cindy Hinds, Ray Hughes (Vice-Chairman), Dennis Hutchinson, Hilary Isherwood, Joe Johnson, Christine Jones, Kevin Jones, Richard Jones, Colin Legg, Brian Lloyd, Richard Lloyd, Mike Lowe, Dave Mackie, Nancy Matthews, Hilary McGill, Ann Minshull, Tim Newhouse, Mike Peers, Vicky Perfect, Neville Phillips, Mike Reece, Gareth Roberts, Ian Roberts, David Roney, Tony Sharps, Aaron Shotton, Paul Shotton, Ian Smith, Nigel Steele-Mortimer, Carolyn Thomas, Owen Thomas, Sharon Williams, David Wisinger, Arnold Woolley and Matt Wright

APOLOGIES:

Councillors: Chris Dolphin, David Evans, Alison Halford, George Hardcastle, Rita Johnson, Phil Lightfoot, Billy Mullin and David Williams.

IN ATTENDANCE:

Chief Executive, Chief Officer (Community and Enterprise), Chief Officer (Governance), Chief Officer (Organisational Change), Chief Officer (Organisational Change), Corporate Finance Manager, Member Engagement Manager and Team Manager – Committee Services

1. DECLARATIONS OF INTEREST

On Agenda Item 10 - Schedule of Member Remuneration, a personal interest would automatically be recorded for all Council Members present.

2. CHAIR'S REVIEW OF THE YEAR 2014/15

In opening the meeting, the Chair welcomed Councillor David Healey who had been elected as the local Member for the Caergwrle ward on 7 May.

The Chair said it had been a great honour to be appointed Chairman of the Council which had provided her with the opportunity to meet people from all walks of life, all of whom had been particularly kind and supportive whilst she was undergoing treatment for cancer. She had done her best to be a good ambassador for the County, particularly in the diverse and dynamic employment opportunities offered, most recently with the Deeside Enterprise Zone.

She commented on the range of opportunities she had been able to be a part of which included the North Wales Armed Forces Day, the White Ribbon

Campaign, the visit by Prince Charles to the Airbus factory and the exchange students that had visited County Hall, including children from Chernobyl.

She paid particular thanks to Reverend Marjorie Quinn who had been her Chaplain for the year and she expressed her gratitude to the Vice-Chair, Councillor Ray Hughes and his Consort for their support, together with that from the Chief Executive and senior officers. She also relayed her thanks to the Civic & Member Services team and the recently retired Arwel Jones for their excellent support throughout the year. In closing, she announced that she had raised £20,350 for her chosen charities, the British Heart Foundation and Prostate Cancer.

On behalf of their respective groups, Councillors Aaron Shotton, Neville Phillips, Mike Peers, Clive Carver and Tony Sharps all paid tribute to the enthusiasm and commitment of the Chair during the year, especially as the role was a demanding one which had been undertaken with determination, particularly during a personally difficult year when she had been unwell.

3. APPOINTMENT OF CHAIRMAN OF THE COUNCIL FOR THE MUNICIPAL YEAR 2015/16, INVESTITURE OF CHAIN OF OFFICE AND SIGNING OF DECLARATION OF ACCEPTANCE OF OFFICE

It was proposed by Councillor Aaron Shotton and seconded by Councillor Bernie Attridge that Councillor Ray Hughes be elected Chair of the Council for the municipal year 2015/16 and on being put to the vote, was carried.

RESOLVED:

That Councillor Ray Hughes be elected Chair of the Council for the municipal year 2015/16.

Councillor Hughes was invested with the Chain of Office by the retiring Chair and signed his Declaration of Acceptance of Office in the presence of the Chief Executive.

(From this point, Councillor Ray Hughes chaired the remainder of the meeting.)

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

Councillors Aaron Shotton, Robin Guest, Clive Carver, Mike Peers and Tony Sharps congratulated Councillor Ray Hughes on his appointment and paid tribute to the out-going Chair for the inspirational manner in which she had carried out her role.

In responding, Councillor Ray Hughes thanked Members for electing him as Chair for the year ahead and paid tribute to the out-going Chair for the manner in which she and her Consort had acted as model ambassadors for the Council. He provided details of his chosen charities for the year, which were the Leeswood branch of Nightingale Hospice, Clwyd Riding School for the Disabled

and Guide Dogs for the Blind. He went on to thank his Consort, Mrs Gwenda Hughes and his Chaplain for the coming year, Reverend Trevor Pratt.

On behalf of the officers, the Chief Executive congratulated the Chair and thanked the out-going Chair, Vice-Chair and their Consorts.

4. **APPOINTMENT OF VICE-CHAIRMAN OF THE COUNCIL FOR THE MUNICIPAL YEAR 2014/15, INVESTITURE OF CHAIN OF OFFICE AND SIGNING OF DECLARATION OF ACCEPTANCE OF OFFICE**

It was proposed by Councillor Aaron Shotton and seconded by Councillor Bernie Attridge that Councillor Peter Curtis be appointed Vice-Chair for the municipal year 2015/16 and on being put to the vote, was carried.

RESOLVED:

That Councillor Peter Curtis be appointed as Vice-Chair of the Council for the municipal year 2015/16.

Councillor Curtis was invested with the Chain of Office by the Chair and signed his Declaration of Acceptance of Office in the presence of the Chief Executive.

The Vice-Chair thanked Members for electing him as Vice-Chair for the year ahead for which he felt honoured. He offered his congratulations to the Chair and his Consort and offered his support whenever needed.

5. **APPOINTMENT OF LEADER OF THE COUNTY COUNCIL**

It was proposed by Councillor Alex Aldridge and seconded by Councillor Tony Sharps that Councillor Aaron Shotton be appointed Leader of the Council for the municipal year 2015/16 and on being put to the vote, it was carried.

In support of his proposal, Councillor Aldridge praised Councillor Shotton for his work over the previous year as Leader of the Council where he was held in high regard. He commented on the significant challenges ahead including financial and the shaping of local government for the future, both of which required a Member at the highest level to represent Flintshire.

In response, Councillor Aaron Shotton thanked everybody for their support over the past year, he said that the Council faced enormous budget challenges and he was pleased to lead the Council during this time. He added that he would continue to campaign for fiscal devolution to Councils in Wales. In closing, he said he was committed to protecting the most vulnerable people in the county alongside Flintshire remaining an ambitious Council.

RESOLVED:

That Councillor Aaron Shotton be appointed Leader of the Council for the municipal year 2015/16.

6. APPOINTMENT OF THE CABINET BY THE LEADER

The Leader of the Council, Councillor Aaron Shotton, reported on his choice of Councillors to serve on the Cabinet which was to remain unchanged from the previous year.

RESOLVED:

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

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

7. OVERVIEW & SCRUTINY STRUCTURE

The Chief Officer (Governance) introduced the report and explained that at the Annual Meeting the previous year it had been resolved that there was a need for a review of the Council's Overview and Scrutiny Committees.

A politically balanced working group had been established and had met on 4 March and identified a preferred model for which terms of reference were then prepared by officers. A report was then submitted to the Constitution Committee on 15 April which outlined the preferred model and the draft terms of reference for each Committee.

Councillor Robin Guest, as Chair of the Constitution Committee, formally moved approval of the recommendation, which was seconded by Councillor Neville Phillips. Councillor Guest said the proposed structure had been supported unanimously at the Constitution Committee and he thanked the working group and officers for the work undertaken.

Councillor Aaron Shotton said the new Organisational Change Overview and Scrutiny Committee would be a critical Committee due to the challenges faced by the Council and suggested that when nominations were considered by political groups for membership of this Committee, that the Members selected had an interest in change, efficiency and modernisation.

RESOLVED:

- (a) That the Overview and Scrutiny Committee structure shown in Appendix 1 be adopted with immediate effect; and
- (b) That the terms of reference shown in Appendix 2 be approved.

8. CONSTITUTIONAL MATTERS: COMMITTEES AND OUTSIDE BODIES

The Chief Officer (Governance) introduced the report which dealt with matters requiring decisions at the Annual Meeting of the County Council in accordance with Council Procedure Rule 1.1 (vii) – (xiv). Those matters were set out in separate sections of the report.

(A) Appointment of Committees

The Chief Officer (Governance) explained the requirement within Council Procedure Rules for certain committees to be appointed at the Annual Meeting, which were:

- Audit
- Clwyd Pension Fund
- Constitution
- Democratic Services
- Licensing
- Planning and Development
- Standards

In addition, there were six Overview and Scrutiny Committees.

Councillor Tony Sharps moved approval that the County Council confirm the appointment of the Committees as outlined in the report. This was seconded by Councillor Bernie Attridge and on being put to the vote, was carried.

RESOLVED:

That the County Council confirm the appointment of the Committees as outlined in section 2 of the report and above.

(B) Determination of the size of Committees

The Chief Officer (Governance) reported that the Annual Meeting must decide upon the size of each of the Committees it had appointed. The Constitution made provision for the size of the Committees which were:

Audit Committee	7
Constitution Committee	21
Democratic Services Committee	21
Licensing Committee	12
Each Overview and Scrutiny Committee	15

Pensions Committee * (in addition to the places listed there are 4 places for co-optees)	5
Planning & Development Control Committee	21

Councillor Aaron Shotton moved approval that the County Council confirm the size of the Committees as detailed above which was seconded by Councillor Bernie Attridge and on being put to the vote, was carried.

RESOLVED:

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

(C) Terms of Reference of Committees and Pension Delegations

The Chief Officer (Governance) reported that the Annual Meeting was required to decide the Terms of Reference of the Committees that it had appointed and that these were set out in Part 2 of the Constitution. The terms of reference for the Overview and Scrutiny Committees, considered earlier in the meeting as part of the Overview and Committee Structure item, would take immediate effect and be incorporated into the Constitution.

Councillor Aaron Shotton moved approval that the County Council confirm the current Terms of Reference of the Committees This was seconded by Councillor Bernie Attridge and on being put to the vote, was carried.

RESOLVED:

That the terms of reference for each Committee in Part 2 of the Constitution, including the terms of reference for the new Overview and Scrutiny Committees, be approved.

(D) Political Balance

The Chief Officer (Governance) reported that at, or as soon as practicable after the Annual Meeting, Members were required to decide the allocation of seats to political groups in accordance with the Political Balance Rules contained in the Local Government & Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990 as amended.

It was a statutory requirement that Committee seats should be allocated to political groups in so far as practicable in the same proportion as those groups had to the total membership of the County Council. The agenda for the Annual Meeting was despatched before the by election in the Caergwrle Ward which had taken place on 7 May and following that by election, a recommended allocation of seats, shown as Appendix 1, and political balance for each Committee, shown as Appendix 2, were circulated.

He explained that the largest group, Labour, needed to have the majority on one of the Committees based on the allocation rules and it was proposed that this be on the Social and Health Overview and Scrutiny Committee. It could however be on any Committee.

Councillor Aaron Shotton proposed that the County Council confirm the allocation of seats and political balance as outlined in Appendices 1 and 2. This was seconded by Councillor Bernie Attridge.

Councillor Carver said that the number of seats allocated to the Conservative group had reduced over time despite the size of their group not changing. The Chief Officer (Governance) explained that each time the allocation was calculated it was done on a proportionate basis so if the Council had not been at its full complement when the political balance was considered, the Conservative group would have had a higher proportion of Members. Now that the Council had its full complement of 70 Members the Conservative group represented a smaller proportion of the Council as a whole.

Councillor Tim Newhouse proposed an amendment to Appendix 2 so that the Conservatives had two places on Environment Overview and Scrutiny Committee with the New Independents reducing to one place, and the New Independents had two places on Organisational Change Overview and Scrutiny Committee with the Conservatives reducing to one place. This was seconded by Councillor Clive Carver.

A vote was taken on the amendment and was lost.

Following a number of concerns expressed on the lack of time Members had to consider the proposals, the Chair adjourned the meeting for 15 minutes to allow political groups to consider Appendices 1 and 2 which had been circulated at the start of the meeting.

On returning to the meeting, a vote was taken on the substantive motion and this was carried.

RESOLVED:

That the allocation of seats and political balance for each Committee be agreed as Appendices 1 and 2 respectively.

(E) Appointment of Chairs of Standing Committees

The Chief Officer (Governance) reported that Committee Chairs were appointed by different bodies with some being subject to restrictions. A table in the report provided details of which body was to appoint which Chair.

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

- Clwyd Pension Fund Committee - Councillor Alan Diskin
- Constitution Committee - Councillor Robin Guest
- Democratic Services Committee - Councillor Robin Guest
- Licensing Committee - Councillor Tony Sharps
- Planning & Development Control Committee - Councillor David Wisinger

It was reported that the Chairs of Overview & Scrutiny committees were chosen by the political groups and were dependent on the strength of the various groups and which groups had seats on the Cabinet. Following the by election, it was proposed that the Labour and Independent Groups had three Overview and Scrutiny chairs with the other three between the remaining largest political groups which were Independent Alliance, Conservative and New Independents.

Councillor Aaron Shotton moved the following, which was seconded by Councillor Bernie Attridge:

Overview & Scrutiny Committee	Group to Choose Chair
Community and Enterprise	Labour/Independent
Education and Youth	Labour/Independent
Social and Health	Labour/Independent
Organisational Change	New Independents
Environment	Independent Alliance
Corporate Resources	Conservative

Councillor Aaron Shotton then provided names of the following Members to be appointed as Chairs which was seconded by Councillor Bernie Attridge:

Community and Enterprise Overview & Scrutiny Committee
Councillor Ron Hampson

Education and Youth Overview & Scrutiny Committee
Councillor Ian Roberts

Social & Healthcare Overview & Scrutiny Committee
Councillor Carol Ellis

Councillor Mike Peers moved an amendment that the Organisational Change Overview and Scrutiny Chair be allocated to the Independent Alliance group with the Environment Overview and Scrutiny Chair being allocated to the New Independents group which was seconded by Councillor Gareth Roberts.

On being put to the vote the amendment was lost.

A vote was taken on the substantive motion which was carried.

RESOLVED:

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

Constitution Committee - Councillor Robin Guest

Clwyd Pension Fund Committee - Councillor Alan Diskin

Democratic Services Committee - Councillor Robin Guest

Licensing Committee - Councillor Tony Sharps

Planning & Development Control Committee - Councillor David Wisinger

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

Community and Enterprise	Labour/Independent
Education and Youth	Labour/Independent
Social and Health	Labour/Independent
Organisational Change	New Independents
Environment	Independent Alliance
Corporate Resources	Conservative

(F) Local Choice Functions

The Chief Officer (Governance) reported that the Council was required to agree such parts of the Scheme of Delegation relating to those local choice functions which could be decided either by the Council or the Cabinet and/ or delegated to officers.

Councillor Aaron Shotton proposed that the existing table of Local Choice Functions included in Part 3, Section A, Table 3 of the Constitution, be confirmed. This was seconded by Councillor Bernie Attridge and on being put to the vote, was carried.

RESOLVED:

That the existing Local Choice Issues be confirmed.

(G) Nominations to Internal Bodies

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

Councillor Aaron Shotton proposed that the previous practice should continue. This was seconded by Councillor Bernie Attridge and on being put to the vote, was carried.

RESOLVED:

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

(H) Nominations to Outside Bodies

The Chief Officer (Governance) explained that the list of outside bodies to which the Council made appointments, and the current appointments, was appended to the report. The Council was recommended to delegate to the Chief

Executive, in consultation with Group Leaders and non-aligned Members, any changes to the appointments to these bodies.

Councillor Aaron Shotton moved approval that the appointment of outside bodies be delegated to the Chief Executive, in consultation with Group Leaders and non-aligned Members. This was seconded by Councillor Bernie Attridge and on being put to the vote, was carried.

RESOLVED:

That the appointment of outside bodies be delegated to the Chief Executive in consultation with Group Leaders and non-aligned Members.

(I) Standards Committee

The Chief Officer (Governance) explained that the Standards Committee included five independent members, a Community Council member and three County Councillors (not to be the Leader of Cabinet Members). The three County Council Members were appointed at the last Annual Meeting for a period of four years.

RESOLVED:

That the three County Councillors on the Standards Committee be noted.

Political Balance - Appendix 1

9. SCHEDULE OF MEMBER REMUNERATION

The Chief Officer (Governance) presented the report to seek approval of the Council's proposed Schedule of Member Remuneration for 2015/16.

The Independent Remuneration Panel for Wales (IRPW) had decided that for 2015/16 there should be no changes to any of the amounts paid, with the basic allowance payable to all elected Members remaining at £13,300 p.a. Appendix 1 to the report provided details of the amounts payable to those Members who had additional responsibilities resulting from posts they held.

On payments to the Civic Head and Deputy the IRPW gave local choice to Councils as to which of the three bands outlined in the report it wished to apply.

A proforma had recently been issued by the IRPW for use when drafting schedules of Member remuneration and although not mandatory, Councils were encouraged to use the proforma to suit the authority's particular circumstances. It was recommended that the Council approve the existing format of the schedule of Member remuneration, amending the year to which it related, with a report being submitted to the Democratic Services Committee in July on the IRPW's suggested proforma adapted to suit Flintshire's particular circumstances.

Councillor Aaron Shotton proposed that the Chair and Vice-Chair of the Council receive the payments in band (b). He also moved that the schedule of Member remuneration shown in Appendix 2 be updated to apply to 2015/16, and

that further reports be submitted to Democratic Services Committee in relation to the details provided in paragraphs 3.03 and 3.04 of the report. This was seconded by Councillor Bernie Attridge and on being put to the vote, was carried.

RESOLVED:

- (a) That band (b) be the agreed payment to the Council Chair and Vice-Chair;
- (b) That the schedule of Member remuneration shown in Appendix 2 be updated to apply to 2015/16; and
- (c) That further reports be submitted to Democratic Services Committee in relation to the details provided in paragraphs 3.03 and 3.04 of the report.

10. NEW MODEL CONSTITUTION

The Chief Officer (Governance) presented the new model Constitution which was considered at the Constitution Committee on 15 April 2015.

A copy of the new model Constitution had been placed in Members' Services and if approved, would be made available on the Infonet and website.

Councillor Robin Guest, as Chair of the Constitution Committee, moved approval of the new model Constitution which was seconded. He thanked the working group and officers for their work on this.

RESOLVED:

That the new format of the Constitution as recommended by the Constitution Committee be agreed and adopted.

11. COUNTY COUNCIL DIARY OF MEETINGS 2015/16

The Chief Executive presented the draft Diary of Meetings for 2015/16 which included the newly named Overview and Scrutiny Committee meetings.

Councillor Bernie Attridge moved approval of the draft Diary of Meetings 2015/16 which was seconded by Councillor Chris Bithell.

Councillor Neville Phillips said that the meeting of County Council scheduled for 12 July would clash with the 160th Buckley Jubilee so it was agreed that the meeting be removed from the draft diary.

RESOLVED:

That, subject to the meeting of Flintshire County Council on 12 July being removed, the draft Diary of Meetings for 2015/16 be approved.

12. MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE

There was one member of the press and 16 members of the public in attendance.

(The meeting started at 11.00 am and ended at 12.57 pm)

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Chairman