

FLINTSHIRE COUNTY COUNCIL
26 JANUARY 2016

Minutes of the meeting of Flintshire County Council held in the Council Chamber, County Hall, Mold CH7 6NA on Tuesday, 26 January 2016

PRESENT: Councillor Ray Hughes (Chairman)

Councillors: Bernie Attridge, Glyn Banks, Haydn Bateman, Marion Bateman, Chris Bithell, Derek Butler, Clive Carver, David Cox, Paul Cunningham, Peter Curtis, Ron Davies, Adele Davies-Cooke, Rosetta Dolphin, Ian Dunbar, Andy Dunbobbin, Brian Dunn, Carol Ellis, David Evans, Jim Falshaw, Veronica Gay, Robin Guest, Alison Halford, Ron Hampson, George Hardcastle, David Healey, Cindy Hinds, Dennis Hutchinson, Hilary Isherwood, Joe Johnson, Rita Johnson, Christine Jones, Kevin Jones, Richard Jones, Colin Legg, Brian Lloyd, Mike Lowe, Dave Mackie, Nancy Matthews, Hilary McGill, Ann Minshull, Tim Newhouse, Mike Peers, 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, David Williams, Sharon Williams, David Wisinger, Arnold Woolley and Matt Wright

APOLOGIES:

Councillors: Alex Aldridge, Alan Diskin, Glenys Diskin, Chris Dolphin, Phil Lightfoot, Richard Lloyd, Billy Mullin and Vicky Perfect

IN ATTENDANCE:

Chief Executive, Chief Officer (Governance), Corporate Finance Manager, Member Engagement Manager, Licensing Team Leader and Committee Officers

69. PRESENTATION

The Chief Executive welcomed employees from the Council's Learning and Development Section (Heather Johnson, Rob Roose, Paul Johnson, Ciran Allman and Nicole Askey) and congratulated them on reaching the UK finals of the Learning & Performance Institute's Apprentice Programme of the Year 2016. He explained that normally only winners of awards were invited to attend Council meetings but he felt that it was important to recognise the achievement of the team for being shortlisted in this category. The award was open to the public and private sector and the team was the only one from the public sector. He spoke of the partnership with Coleg Cambria and the development of the Council's apprenticeship scheme.

The Chief Executive advised Members that he would circulate a link to a video clip which gave details of the background to the scheme. The awards were due to take place the following week and he wished the team well.

Councillor Chris Bithell welcomed the team and said how pleased he was at the nomination. It was a prestigious award and he felt that it was a tribute to the Council in promoting its apprenticeship scheme which he said had been a major project for the Authority. He welcomed the opportunity to be able to attend the awards ceremony and commented on the fact that Flintshire had low numbers of young people not in education, employment or training.

Councillor Derek Butler said that the apprenticeship scheme was an opportunity to raise awareness of the many career opportunities outside of further or higher education.

70. COUNCIL MINUTES

The minutes of the meeting held on 20 October 2015 had been circulated with the agenda.

RESOLVED:

That the minutes be approved as a correct record and signed by the Chairman.

71. DECLARATIONS OF INTEREST

Councillor Ray Hughes declared a personal interest in minute number 81 (Change of Community Council Name) as he was a member of Leeswood Community Council.

72. CHAIRMAN'S COMMUNICATIONS

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

73. PETITIONS

Councillor Glyn Banks submitted a signed and online petition about keeping Ysgol Mornant open.

74. PUBLIC QUESTION TIME

The Chief Officer (Governance) confirmed that a question had been received but this would be considered at a future meeting.

75. QUESTIONS

The Chief Officer (Governance) confirmed that a question had been submitted but it was after the deadline and would therefore be considered at a future meeting.

76. QUESTIONS FROM MEMBERS ON COMMITTEE MINUTES

The Chief Officer (Governance) confirmed that no questions had been received.

77. NOTICE OF MOTION

The Chief Officer (Governance) confirmed that no notices of motion had been received before the deadline.

78. LOCAL GOVERNMENT (WALES) BILL

The Chief Executive introduced a report on the Local Government (Wales) Bill and invited Council to make a formal response on the Bill to Welsh Government (WG).

He provided a detailed presentation and commented on the following areas:-

- Background
- Passage of the Bill
- Bill Contents
- Bill documents
- Critique of the Bill
- White Paper: Reminder of what we said in response
- Part 1: Local Government Areas, Number of Members and Specific Issues
- Part 2: Power of Competence
- Part 3: Promoting Access
- Part 4: Functions and Members
- Part 5: Improvement
- Part 6: Community Councils
- Part 7: Workforce

The Leader of the Councillor, Councillor Aaron Shotton, thanked the Chief Executive for the detailed presentation on the complex but equally important document. He spoke of the rare opportunity to shape the future of Local Government but felt that the Bill did not provide enough details in a number of areas. However, the foreword in the document from the Minister suggested that he wanted to hear the views of Councillors in creating activist Councils. He suggested that this meeting was not the appropriate forum to discuss possible authority mergers or changes to boundaries but added the views from previous meetings had indicated that Flintshire County Council was open to the prospect of merging. Councillor Shotton felt that further devolution in powers should be called for and that the opportunity to pursue this had been missed from the Bill. He spoke of the comments from Richard Leese from Manchester City Council who insisted that devolution in Wales should go beyond WG if North Wales was to benefit from the Northern Powerhouse. He felt that the response should state that there should be no Council mergers or further reorganisation without local devolution. Previous discussions had been held on the issue of business rates and the importance of ensuring that each Council received its fair share and that business rates fairly reflected how North East Wales contributed to the economy of the area.

Councillor Shotton welcomed the inclusion of the Power of Competence in the Bill which he felt was overdue but he said that many areas were over-centralised and inconsistent of the issue of devolution. He referred to Part 7 of the Bill and the inclusion of new powers over the workforce and sought clarification on how far the powers could be used to be prescriptive over the size, composition and remuneration of Council employees. Some areas of the bill could require increases in investment at a time when the Council was working to

protect front line services. Councillor Shotton proposed that the provision of a final response be delegated to himself and the Chief Executive in full consultation with all Group Leaders as the consultation period did not end until 15 February 2016. The proposal was duly seconded by Councillor Bernie Attridge.

Councillor Hilary Isherwood agreed with the suggestion for an increase in local powers but raised concern about the proposal in the Bill to reduce the number of Members to save costs. She felt that this would result in larger wards which would be reflected in the Independent Remuneration Panel suggesting a larger allowance to Councillors and therefore costing more money to taxpayers. She commented on the issue of remoteness of Welsh Government and queried why some of the proposals were necessary to include in the Bill.

Councillor Mike Peers accepted the Leader's offer to meet to discuss a final response to the consultation. He felt that the Bill was prescriptive and said it raised the issue of delivering high quality accessible public services but did not include any information about adequate funding. On the issue of the proposals for two or three Councils covering North Wales, the Bill looked closely at Denbighshire County Council and suggested that joining with Flintshire and Wrexham could result in the loss of European Union funding for the County. He expressed surprise at another reason given was that Flintshire and Wrexham were border counties which could affect the Welsh Language in communities in Denbighshire. He added that the Bill did not appear to include information on working with North West Councils as part of the Northern Powerhouse. Councillor Peers sought clarification on whether Council Tax for any merged Councils would be fairly apportioned and suggested that there would not be a reduction in Council Tax bills. The Welsh Local Government Association (WLGA) had given support to the proposal in the white paper on Community Councils with Competence but Councillor Peers referred to the proposal in the document that they had to report to the principal authorities; this proposal had not been included in the Bill. Councillor Peers raised concern about Community Area Committees and where they would sit in relation to democratically elected Councils that Members served on. He noted the proposal to remove the provision to hold meetings on licensed premises. The White Paper had proposed that Members of a Principal authority could not also sit on a Town or Community Council but this had been removed from the Bill which Councillor Peers welcomed.

Councillor Chris Bithell thanked the Chief Executive for his presentation on the Bill. He referred to the issue of financing any reorganisation, which did not appear in the Bill, and queried how savings would be made as the Council was already in the process of undergoing a restructure. He suggested that there was a lack of trust by WG to allow Councils the freedom to progress matters for local people in their communities. Councillor Bithell commented on the issue of financing Town & Community Councils and said that they were being asked to take over services and facilities, that the Council could no longer afford to provide, by way of a Community Asset Transfer (CAT). This had presented significant challenges for the setting of precepts for the forthcoming year and Councillor Bithell suggested that consideration needed to be given to how Town & Community Councils were funded in the future if assets or the delivery of services were to be transferred. He felt that WG should lead by example and review themselves before issuing standards to local Government that they themselves did not comply with. He welcomed the proposal in the Bill to not

include a restriction on the maximum number of Councillors but suggested that there were other areas that required consideration.

On the issue of Local Government finance, Councillor Gareth Roberts commented on a suggestion to introduce local income tax which he felt would be effective, easy to administer and fairer than the current proposals in place. He spoke about the size of wards and the number of Councillors and expressed concern about the possibility of larger wards which would be a significant challenge and would result in increases in responsibilities for Members. Councillor Roberts referred to Betsi Cadwaladr University Health Board (BCUHB) which he felt had been proven to be too large and commented that Powys Council had subdivided itself into three parts for the planning service. He suggested that service provision had reduced following a previous reorganisation of Councils and indicated that he would welcome the return to Unitary Authorities.

Councillor Derek Butler expressed concern that the Bill would be approved in its current form as he felt that issues about Flintshire and the alliances that could be formed cross-border were not reflected in the document. He talked about economics and collaborations that could exist as part of the Northern Powerhouse and suggested that Flintshire would be left behind if this issue was not included in the Bill. Councillor Butler commented on Town & Community Councils and said that it was vital that funding was in place to ensure that they could continue.

Councillor Tony Sharps welcomed the opportunity to meet with the Leader of the Council to discuss a response in more detail. He expressed significant concern at the content of the Bill particularly on the issue of amalgamation with Wrexham County Borough Council which he disagreed with. He commented on the proposal for area boards which he felt was not the way to progress issues and suggested that local residents did not agree with a reorganisation. Councillor Sharps spoke about unitary authorities and commented about the large number of staff that worked for Flintshire County Council which the previous reorganisation had intended to reduce.

Councillor Colin Legg spoke of his honour at representing Flintshire in 2010 in the Houses of Parliament to talk about Flintshire's history and geography. He felt that this was an important issue along with the strong industrial base of the area and expressed his pride at being able to represent Flintshire. He commented on the motto and shield of Flintshire, which was displayed in the Council Chamber, and expressed his concern that both could be lost if the Council was to merge with another authority.

In referring to Town & Community Councils, Councillor Peter Curtis commented on a meeting of North and Mid Wales Town & Community Councils that he had attended the previous week where the issues highlighted in the Bill had been raised. A request had been submitted to the Minister for a meeting to discuss the issues but the request had been declined. Significant concern had been expressed by Councillors from North and Mid Wales due to lack of funding on issues such as CAT but they had been unable to raise their concerns with the Minister.

Councillor Neville Phillips indicated that he had sought clarification at a previous meeting of the cost of carrying out an election, which was approximately £200,000. He commented on the timetable referred to in the document and expressed significant concern at the set up costs that could be incurred by Councils in Wales up to the point of the first election for the new County Councils in May 2019 and asked that this be borne in mind when responding to the consultation. Councillor Phillips also referred to a possible proposal to retain the current Council administration to 2019 rather than holding County Council elections in 2017 which would save money for local authorities.

Councillor Carol Ellis said that several comments had reflected on the costs involved and she reminded Members of the cost incurred in the establishment of BCUHB, which had not been a success. She referred to the lack of provision of staff at hospitals in North Wales despite the recent comments by the First Minister that more doctors and nurses were employed in Wales than ten years ago. She had highlighted the issue by way of comparison to indicate that to join with other Councils may not result in better service provision for residents.

The Chief Executive explained that the Bill suggested that the current number of councillors in Wales would reduce from 1200+ to 700+ with councillors having more responsibility for bigger wards in fewer Councils. He clarified that Welsh Government was seeking to protect eligibility for European Funding in the reorganisation of councils and that through Council Tax harmonisation it was not intended that the gross level of Council Tax income available across the new councils would be increased. He explained that there was an assumption in the Bill that area committees would have some functions delegated to them. Councillor Bithell had referred to cost but there was an assumption that there would not be any new monies available and that Councils would fund the mergers through efficiencies. This could be a concern that all projected efficiencies would be achieved and as it was expected that there would be a requirement to pay redundancy costs and incur costs to rebrand a new Council, both of which would be costs at the start of the process; there was no indication of how this would be funded. The Chief Executive commented on the staffing assumptions referred to by Councillor Roberts but welcomed the recognition in the bill that some service areas were staffed on a proportionate basis. The estimated cost of Shadow Authority elections across Wales in 2019 would be over £10m with the first full election in 2021 anticipated to cost about £1.5m.

In summing up, Councillor Shotton said that he recognised the strong feelings across the Chamber but he felt that careful consideration needed to be given to the response to the Bill. He understood the concerns raised on the issue of a merger but reiterated his earlier comments that the Council was open to the prospect of a merger if there were benefits for the people represented. In referring to the economy of the area and that across the border in England and the support expressed from Leaders of North West Councils, he reiterated his comment that no reorganisations should take place without further devolution.

RESOLVED:

- (a) That the presentation be received; and

- (b) That delegated powers be given to the Leader of the Council and the Chief Executive in consultation with all Group Leaders to discuss and sign off a final response to the consultation on the Local Government (Wales) Bill.

79. COUNCIL TAX REDUCTION SCHEME 2016-17

The Chief Executive introduced a report on the Council Tax Reduction Scheme 2016-17 and explained that it had been recommended to Council by Cabinet.

The Council had a statutory duty to adopt a scheme each year and the Chief Executive explained that the proposals were for the same scheme as for 2015-16. He advised that details of the discretions exercised in the current scheme were reported in paragraph 1.10.

Councillor Bernie Attridge proposed the recommendation in the report and this was duly seconded.

RESOLVED:

That the Council Tax Reduction Scheme be adopted and the current discretionary elements for 2016-17 be maintained.

80. LICENSING ACT 2003 STATEMENT OF LICENSING POLICY

The Chairman of the Licensing Committee, Councillor Tony Sharps, introduced the report to request that Members consider and approve the next Flintshire County Council Statement of Licensing Policy.

He explained that the Licensing Team Leader was in attendance to answer any questions from Members. The report had been considered by the Licensing Committee and Councillor Sharps reminded Members that the Licensing Act required the Licensing Policy to be reviewed every five years. He proposed the recommendation in the report which was duly seconded.

RESOLVED:

- (a) That Council adopt the Licensing Act 2003 Statement of Licensing Policy effective from January 2016 for a five year period; and
- (b) That any decision to make changes to this policy during the five year period is delegated to the Licensing Committee.

81. CHANGE OF COMMUNITY COUNCIL NAME

The Chief Officer (Governance) introduced the report for Council to consider a request from Leeswood Community Council to change its name to Leeswood and Pontblyddyn Community Council.

The request had been made to reflect the area it served and the Chief Officer (Governance) advised that this was a similar request to that from Gwernaffield Community Council that had been approved by Council. The cost

of advertising for this change would be incurred by the County Council on this occasion as it was felt that it was unfair to apply a retrospective charge to the request from Leeswood Community Council. Any future Town or Community Council name changes would be paid by that Council.

Councillor Bernie Attridge proposed the recommendation in the report and this was duly seconded.

The Chairman commented that the meetings of Leeswood Community Council were well supported by those from Pontblyddyn and it was felt that the name change would reflect that the Council served both villages.

RESOLVED:

- (a) That the Council approves the change in the name of Leeswood Community Council to Leeswood and Pontblyddyn Community Council; and
- (b) That the costs of advertising future Town or Community Council name changes be paid by that Council.

82. MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE

There were two members of the press and one member of the public present.

(The meeting started at 2.00 pm and ended at 3.37 pm)

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Chairman