

## **FLINTSHIRE COUNTY COUNCIL**

**10 MAY 2016**

Minutes of the Annual Meeting of Flintshire County Council held at Council Chamber, County Hall, Mold on Tuesday, 10 May 2016

### **PRESENT: Councillor Ray Hughes (Chair)**

Councillors: Bernie Attridge, Glyn Banks, Haydn Bateman, Marion Bateman, Chris Bithell, Helen Brown, Derek Butler, Clive Carver, David Cox, Paul Cunningham, Peter Curtis (Vice-Chairman), Ron Davies, Adele Davies-Cooke, Alan Diskin, Glenys Diskin, Chris Dolphin, Ian Dunbar, Andy Dunbobbin, Carol Ellis, David Evans, Veronica Gay, Robin Guest, Ron Hampson, George Hardcastle, David Healey, Cindy Hinds, Dennis Hutchinson, Joe Johnson, Christine Jones, Kevin Jones, Richard Jones, Colin Legg, Richard Lloyd, Mike Lowe, Dave Mackie, Hilary McGuill, Ann Minshull, Tim Newhouse, Sara Parker, Mike Peers, Vicky Perfect, Neville Phillips, Gareth Roberts, Ian Roberts, David Roney, Tony Sharps, Aaron Shotton, Paul Shotton, Ian Smith, Nigel Steele-Mortimer, Carolyn Thomas, Sharon Williams, David Wisinger, Arnold Woolley and Matt Wright

### **APOLOGIES:**

Councillors: Alex Aldridge, Rosetta Dolphin, Brian Dunn, Jim Falshaw, Alison Halford, Hilary Isherwood, Rita Johnson, Phil Lightfoot, Brian Lloyd, Nancy Matthews, Billy Mullin, Mike Reece, Owen Thomas and David Williams

### **IN ATTENDANCE:**

Chief Executive, Chief Officer (Community and Enterprise), Chief Officer (Education and Youth), Chief Officer (Governance), Chief Officer (Organisational Change), Chief Officer (Planning and Environment), Chief Officer (Social Services), Chief Officer (Streetscene and Transportation), Member Engagement Manager and Team Manager – Committee Services

## **1. DECLARATIONS OF INTEREST**

The Chief Officer (Governance) explained that for agenda Item 11 - Schedule of Member Remuneration, a personal interest would automatically be recorded for all Council Members present.

## **2. CHAIR'S REVIEW OF THE YEAR 2015/16**

The Chair said it had been a great honour to be appointed Chair of the Council which had provided him with the opportunity to meet people from all walks of life, many of whom he now considered friends of himself and his consort, Gwenda.

He commented on the range of opportunities he had been able to be a part of which included meeting many leaders of industry, being part of Flintshire Business Week, the North Wales Armed Forces Day, the Pride of Flintshire Awards and the Japanese Youth Exchange. He also commented on the number of schools and youth groups that had visited County Hall along with visits to schools by himself. He and his consort had also attended a number of

neighbouring Authorities charity dinners and Civic Services from Powys to Anglesey.

He paid particular thanks to Reverend Pat Christopher who had been his Chaplain for the year and expressed his gratitude to the Vice-Chair, Councillor Peter Curtis and his Consort for their support, together with that from the Chief Executive and Chief Officers. He also relayed her thanks to the Civic & Member Services team for their excellent support throughout the year. In closing, he announced that he had raised over £19,000 for his chosen charities. He had given £5,000 each to Leeswood branch of the Nightingale House Hospice, Clwyd Special Riding Centre and the Guide Dogs for the Blind, Mold with the remainder of the money shared between his numerous local organisations.

On behalf of their respective groups, Councillors Aaron Shotton, Mike Peers, Tony Sharps, Nigel Steele-Mortimer and Chris Dolphin paid tribute to the enthusiasm and commitment of the Chair during the year which he had carried out with great dignity and was a true ambassador for Flintshire. As Cabinet Member for Economic Development, Councillor Derek Butler also paid tribute to the Chair who had been an excellent advocate for Flintshire businesses during his term of office.

**3. APPOINTMENT OF CHAIRMAN OF THE COUNCIL FOR THE MUNICIPAL YEAR 2016/17, INVESTITURE OF CHAIN OF OFFICE AND SIGNING OF DECLARATION OF ACCEPTANCE OF OFFICE**

It was proposed by Councillor Kevin Jones and seconded by Councillor Aaron Shotton that Councillor Peter Curtis be elected Chair of the Council for the municipal year 2016/17 and on being put to the vote, was carried.

**RESOLVED:**

That Councillor Peter Curtis be elected Chair of the Council for the municipal year 2016/17.

Councillor Curtis 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 Peter Curtis chaired the remainder of the meeting.)

The Chair then presented Councillor Hughes with his retiring Chair's Badge of Office and presented Mrs Gwenda Hughes with her retiring Consort's Badge of Office.

The Chair thanked Members for electing him as Chair for the year ahead and paid tribute to the outgoing Chair, Councillor Ray Hughes for the manner in which he and his consort had acted as ambassadors for the Council.

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 2016/17, INVESTITURE OF CHAIN OF OFFICE AND SIGNING O DECLARATION OF ACCEPTANCE OF OFFICE**

It was proposed by Councillor Hughes and seconded by Councillor Aaron Shotton that Councillor Brian Lloyd be appointed Vice-Chair for the municipal year 2016/17 and on being put to the vote, was carried. Unfortunately Councillor Lloyd was unable to be at the meeting as he was attending the Queen's Garden Party.

The Chief Officer (Governance) explained that Councillor Lloyd would sign his Declaration of Acceptance of Office in the presence of the Chief Executive the following day which would be repeated formally at the next County Council meeting on 14 June 2016.

**RESOLVED:**

That Councillor Brian Lloyd be appointed as Vice-Chair of the Council for the municipal year 2016/17.

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

It was proposed by Councillor Ian Roberts and seconded by Councillor Tony Sharps that Councillor Aaron Shotton be appointed Leader of the Council for the municipal year 2016/17 and on being put to the vote, it was carried.

In support of his proposal, Councillor Roberts praised Councillor Shotton for his work over the previous year in the current difficult economic climate, including the difficult challenges ahead. He commented on the required skills of leader, all of which Councillor Shotton had.

In seconding the proposal, Councillor Sharps commented on the excellent work undertaken by Councillor Shotton in the previous year as a Leader who was widely respected in Welsh government.

In response, Councillor Shotton thanked all Members for their renewed trust and confidence in him as Leader of the Council. He said that the Council continued to face enormous budget challenges and he was pleased to lead the Council during this time. In closing he added that he would continue the lobbying campaign to Welsh Government, following the election, with the aim of protecting local services.

**RESOLVED:**

That Councillor Aaron Shotton be appointed Leader of the Council for the municipal year 2016/17.

6. **APPOINTMENT OF THE CABINET BY THE LEADER OF THE COUNCIL**

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.

<b><u>Cabinet</u></b>	<b><u>Portfolio</u></b>
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. CONSTITUTIONAL MATTERS: COMMITTEES**

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

In addition, there were six Overview and Scrutiny Committees:

- Community and Enterprise
- Corporate Resources
- Education and Youth
- Environment
- Organisational Change
- Social and Health Care

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

**RESOLVED:**

That the County Council confirm the appointment of the Committees as outlined in section 1 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 Attridge moved approval that the County Council confirm the size of the Committees as detailed in the report and above which was seconded by Councillor Kevin Jones and on being put to the vote, was carried.

**RESOLVED:**

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

**(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.

Councillor Attridge moved approval that the County Council confirm the current Terms of Reference of the Committees which was seconded by Councillor Kevin Jones and on being put to the vote, was carried.

**RESOLVED:**

That the terms of reference for each Committee in Part 2 of the Constitution 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. Appended to the report was an option that met the Rules contained in the Act.

Councillor Attridge proposed that the County Council confirm the allocation of seats and political balance as outlined in Appendix 1. This was seconded by Councillor Christine Jones.

Councillor Mike Peers moved an amendment and proposed an alternative option that was handed out to Members, Option 2. Councillor Peers said his proposal did not make any significant changes but would result in the Independent Alliance Group having three Members on both Constitution Committee and Democratic Services Committee, which was one less on Constitution Committee as shown on Option 1, and one more place on Corporate Resources Overview and Scrutiny Committee. It was his proposal that the New Independents lose one place on Corporate Resources Overview and Scrutiny Committee and gain one place on Constitution Committee. This had been suggested with the support of the New Independents Group Leader. On being put to the vote this was lost.

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

**RESOLVED:**

That the allocation of seats and political balance for each Committee be agreed as Appendix 1 (Option 1).

**(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. The two groups with seats on the Cabinet comprised 57.14% of the total number of Councillors and were entitled to three of the six seats. The remaining three seats must be allocated between the other four groups. The larger sizes of the Independent Alliance and Conservative groups meant they were entitled to one seat. The Liberal Democrat group and New Independent group were the same size and had the same entitlement. Therefore Council must decide which group was to be allocated the remaining chair.

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

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

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

**Community and Enterprise Overview & Scrutiny Committee**  
Councillor Ron Hampson

**Education and Youth Overview & Scrutiny Committee**  
Councillor Ian Roberts

Councillor Sharps provided the name of the Independent group member for the following:

**Social & Healthcare Overview & Scrutiny Committee**  
Councillor Carol Ellis

**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
Education and Youth	Labour
Social and Health	Independent
Organisational Change	Independent Alliance
Environment	New Independents
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.

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.

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) 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 or a Cabinet Member). 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.

## **8. CHANGES TO THE NATIONAL CODE OF CONDUCT FOR COUNCILLORS**

The Chief Officer (Governance) introduced the report which provided details of the changes to the National Model Code of Conduct for Councillors. The changes were set out in the appendix to the report and had been reported to both Standards Committee and Constitution Committee.

Any changes to the Code of Conduct must be advertised as soon as reasonably practical with the advert being in a local newspaper stating where a copy of the Code could be inspected.

To save Town and Community Councils the cost of advertising, they had been invited to share the County Council's advert. To do so they had to notify officers no later than 31 May 2016 that they had adopted the national model or revised their Code, and provide a copy of it for inspection.

On the amendment "permitting a Councillor with a prejudicial interest to make written representations to a Committee on a matter provided the public have a right to speak at that Committee", Councillor Clive Carver asked if those written representations would be read out. The Chief Officer (Governance) explained that the Code did not state that and this was something that could be considered at Planning Strategy Group. Councillor Carver then moved an amendment to include the following along with the recommendations as printed "That if a Councillor exercises the right to make written representations then those should be read out by an officer at the Committee". On being put to the vote, the amendment was lost.

Councillor Attridge moved the substantive motion which was seconded by Councillor Aaron Shotton and on being put to the vote, was carried.

### **RESOLVED:**

- (a) That the changes to the national model Code of Conduct for Councillors as part of the Flintshire County Council Code of Conduct with effect from the Annual Meeting on 10 May 2016 be adopted; and
- (b) That it be noted that the County Council will place a joint advert announcing changes to the code on behalf of Town and Community Councils (subject to certain conditions).

## **9. OUTSIDE BODIES**

The Chief Officer (Governance) introduced the report on outside bodies which detailed those that the Council made appointments to, together with the nominees and the term of office.

The Council was recommended to delegate to the Chief Executive, in consultation with Group Leaders, the ability to make any changes to those nominations. The terms of office for all outside bodies was until May 2017.

Councillor Aaron Shotton moved approval of the recommendations which was seconded by Councillor Attridge.

**RESOLVED:**

- (a) That the current Outside Bodies list be noted; and
- (b) That the Chief Executive, in consultation with Group Leaders, be authorised to make any changes to the Council's nominations which may become necessary.

**10. SCHEDULE OF MEMBER REMUNERATION**

The Member Engagement Manager presented on the Schedule of Member Remuneration for 2016/17.

Consultation had been carried out on the proposals with the final report being published in February 2016 which provided for the levels of payment to Members to remain as they were for 2015/16, with the basic allowance payable to all elected Members remaining at £13,300 p.a., The levels of payment to the Leader, Deputy Leader, Chair of the Council, Vice Chair and leader of the largest opposition group were also to remain the same as they were for 2015/16. The maximum number of senior salaries payable by local authorities had also not been changed with the maximum number for Flintshire remaining at 18.

In the draft proposals there were two tiers of Cabinet Member and Committee Chair payments which the Council was opposed to at the meeting on 20 October 2015. Following the consultation and meetings between Independent Remuneration Panel for Wales (IRPW) representatives and Heads of Democratic Services across Wales, the two tier approach had not been made mandatory but was now available as a 'flexible approach'. Level 1 for Executive (Cabinet) Members was £29,000 and level 2 was £26,100. For Committee Chairs, level 1 was £22,000 and level 2 was £20,000 but given that the Council was opposed to that the previous autumn, it was considered unlikely that there would be any support for that now so it was not recommended for implementation.

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. For the last two years the Council had determined that the middle band 'b' was the appropriate one for Flintshire with the remuneration for the civic head at £21,500 and the deputy civic head at £16,000.

Councillor Attridge moved the recommendations of the report which was seconded by Councillor Dunbar and on being put to the vote, was carried.

**RESOLVED:**

- (a) That level 1 be paid to all Cabinet Members and Committee Chairs;
- (b) That band b be approved as the level of payment for the Chair and Vice-Chair of the Council; and
- (c) That the Schedule of Member Remuneration shown in Appendix 1 be approved for 2016/17.

**11. COUNTY COUNCIL DIARY OF MEETINGS 2016/17**

The Chief Officer (Governance) presented the draft Diary of Meetings for 2016/17.

A survey had recently been undertaken amongst Members to ascertain their preferences for when formal meetings should be held. The Democratic Services Committee recommended, following consideration of the survey, that the status quo be maintained for the life of this Council. The new Council elected in May 2017 would be invited to review its meeting arrangements.

Councillor Attridge moved approval of the draft Diary of Meetings 2015/16 which was seconded by Councillor Aaron Shotton.

**RESOLVED:**

That the draft Diary of Meetings for 2016/17 be approved.

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

There was one member of the press and 10 members of the public present.

(The meeting started at 11.00 am and ended at 12.32 pm)

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**Chairman**