

FLINTSHIRE COUNTY COUNCIL
23 OCTOBER 2018

Minutes of the meeting of Flintshire County Council held in the Council Chamber, County Hall, Mold on Tuesday, 23 October 2018

PRESENT: Councillor Paul Cunningham (Chairman)

Councillors: Mike Allport, Bernie Attridge, Janet Axworthy, Glyn Banks, Haydn Bateman, Marion Bateman, Sean Bibby, Chris Bithell, Helen Brown, Derek Butler, Clive Carver, Geoff Collett, Bob Connah, Jean Davies, Rob Davies, Ron Davies, Adele Davies-Cooke, Chris Dolphin, Rosetta Dolphin, Andy Dunbobbin, Mared Eastwood, Carol Ellis, David Evans, Veronica Gay, George Hardcastle, David Healey, Gladys Healey, Patrick Heesom, Cindy Hinds, Andrew Holgate, Dave Hughes, Kevin Hughes, Ray Hughes, Dennis Hutchinson, Paul Johnson, Rita Johnson, Christine Jones, Richard Jones, Colin Legg, Brian Lloyd, Richard Lloyd, Mike Lowe, Dave Mackie, Hilary McGuill, Ted Palmer, Mike Peers, Michelle Perfect, Vicky Perfect, Neville Phillips, Mike Reece, Ian Roberts, Aaron Shotton, Paul Shotton, Ralph Small, Ian Smith, Carolyn Thomas, Martin White, Andy Williams, David Williams, David Wisinger and Arnold Woolley

APOLOGIES:

Councillors: Sian Braun, David Cox, Ian Dunbar, Joe Johnson, Tudor Jones, Billy Mullin, Tony Sharps and Owen Thomas

IN ATTENDANCE:

Chief Executive; Chief Officer (Governance); Chief Officer (Social Services); Chief Officer (Streetscene and Transportation); Chief Officer (Housing and Assets); Senior Manager, Human Resources & Organisational Development; Senior Manager Integrated Services, Lead Adults; Corporate Business and Communications Executive Officer; Democratic Services Manager; Team Leader - Democratic Services; Democratic Services Officers and Councillor Reverend Brian Harvey for prayers

For minute number 51

Theo Joloza - Lead Commissioner, Matt Redmond - Deputy Chief Executive and Tom Jenkins - Review Officer from the Local Democracy and Boundary Commission for Wales

41. PRESENTATIONS

Strategic Housing and Regeneration Programme (SHARP) - Housing and Assets

Finalist in the Municipal Journal Awards 2018, Best Social Housing Initiative category; and Finalist in the Association for Public Service Excellence (APSE) Service Awards 2018, categories of Best Housing, Regeneration or New Build Initiative and Best Public/Private Partnership Working Initiative

Council officers Mel Evans, Denise Naylor and Dawn Kent were in attendance with Dan Poole from Wates Residential to recognise the achievements of the Council's ambitious programme in aiming to deliver 500

much-needed social and affordable homes over five years in conjunction with its development partner, Wates Residential.

As Deputy Leader and Cabinet Member for Housing, Councillor Attridge congratulated the team. He welcomed the national recognition of the initiative which had so far delivered 144 high-quality new homes across the County to meet the needs of local communities, regenerate areas and provide employment opportunities.

Flintshire County Council and North Wales Police - Flintshire Early Help Hub

Runner-up in the North Wales Police Problem Oriented Partnership (POP) Awards 2018

Council officers Craig McLeod, Ann Roberts and Jane Turvey were present with Anna Jones of North Wales Police, to celebrate recognition of the multi-agency service in providing valuable early support to families in need.

As Cabinet Member for Social Services, Councillor Christine Jones expressed her pride in the achievements of the team led by Jane Turvey. At the end of March 2018, a total of 684 families had been referred to the Early Help Hub to receive support in dealing with the impact of adverse childhood experiences.

Social Services - Creating a place called home: Delivering what matters

Winner in the Social Care Accolades Awards 2018 - Excellent outcomes for people of all ages by investing in the learning and development of staff - Progress for Providers; and Finalist in the APSE Service Awards 2018 - Best Public/Private Partnership Working Initiative, Celebrating outstanding achievement and innovation with UK Government service delivery

Council officers Dawn Holt, Nicki Kenealy, Matt Thomas and Lee Holman were welcomed, along with Claire Roberts (Haulfryn Care Home), following national recognition of this ambitious programme working in partnership with private sector residential care providers.

In highlighting the outstanding success of the project, Councillor Christine Jones thanked Nicki Kenealy and the Contracts and Commissioning team, along with all partners who had worked together on the scheme to improve the quality of life for older people in Flintshire. She said that the development of an innovative approach to person-centred care in residential care homes was making a real difference.

42. APOLOGIES

Whilst noting apologies for the meeting, it was agreed that deepest sympathies would be sent to Councillor Owen Thomas and his family on behalf of the Council. Also that best wishes be extended to Councillor David Cox on his recovery from illness.

43. MINUTES

The minutes of the meeting held on 12 September 2018 were received.

Councillor Hardcastle asked to be recorded as present at the meeting.

On minute number 36, the tenth paragraph to be amended to reflect that Members would be provided with a copy of the working standards that applied to officers.

Councillor Woolley referred to two typographical errors on minute numbers 36 and 37.

On minute number 38, the Chief Executive agreed to follow up the request by Councillor Peers for more information on the salary of an individual employed by a school. Councillor Attridge confirmed that a report on rent arrears would be submitted to the Community and Enterprise Overview & Scrutiny Committee, as requested by Councillor Peers.

On minute number 39, the Chief Executive would ensure that a response to the request for comparison data would be sought from the Fire Authority and circulated to all Members.

RESOLVED:

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

44. DECLARATIONS OF INTEREST

On Agenda Item 10, Councillors Ted Palmer and Martin White both declared a personal interest on the first Notice of Motion as they were Council tenants.

During discussion on the second Notice of Motion, a number of Members declared a personal interest due to their links with local businesses mentioned in the wording. The Chief Officer (Governance) advised that a declaration was not required unless Members deemed otherwise, as the Notice of Motion did not specifically relate to any particular business and those which had been cited were potential examples of the effects of Brexit.

45. CHAIRMAN'S COMMUNICATIONS

A copy of the Chairman's Communications had been circulated prior to the meeting. In particular, the Chairman thanked Councillor Kevin Hughes for bringing to his attention a World War Two veteran whose work for blind veterans was exemplary.

The Chief Executive took the opportunity to thank the Chairman for recognising the work of the Council's team who organised the first Holiday Hunger scheme during the summer.

Councillor Richard Lloyd thanked the Chairman on behalf of Chloe-Ann Brooks for her recent visit to County Hall in recognition of her award.

46. PETITIONS

On behalf of Councillor Joe Johnson, Councillor Ted Palmer presented a petition on behalf of a resident to request a path along the back road of Pen-y-Maes Road to Boot End, due to safety concerns.

In line with the usual process, the petition would be passed on for the relevant Chief Officer to respond to the main proposer. Officers agreed to develop a process to report back to the Council on the outcomes of petitions submitted each year.

Following discussion on the item, Councillor Carver raised a point of order under section 4.10 of the Constitution, in respect of recent press coverage concerning the Leader of the Council, which he considered to be an urgent item of business.

The Chief Officer (Governance) explained that the matter had not yet been fully resolved and that any discussion at this stage could harm the external investigation which had not yet concluded. He therefore advised that this was not an urgent item of business to which the Chairman agreed.

47. PUBLIC QUESTION TIME

None were received.

48. QUESTIONS

None were received.

49. QUESTIONS FROM MEMBERS ON COMMITTEE MINUTES

None were received.

50. NOTICE OF MOTION

Two Notice of Motion were received:

- (i) Rental Exchange scheme - Councillor Andy Dunbobbin

'I would like the Council to consider the introduction of a service known as the Rental Exchange which is a national scheme being adopted by an increasing number of social landlords as a way of supporting tenants to be able to improve their credit rating.

It has come to my attention that Council tenants who pay rent on time do not have their payments recognised on their credit reference report. I think there is an inequality here because those who have a mortgaged property and make that payment on time, see it reflected on their credit file.

By participating in the service and working with credit reference agencies, the Council would be able to offer tenants the opportunity to build a positive credit history and also be rewarded for paying their rent on time - I believe it also has major benefits for things like applying for goods and services, including responsible and affordable financial services, online shopping or even helping a tenant who wants to apply for a mortgage as part of a transition into buying their own home.

This is a scheme that would help to support our Council tenants and as a progressive and forward thinking Council, could I ask for this scheme to be considered and implemented?’

As Deputy Leader and Cabinet Member for Housing, Councillor Attridge thanked Councillor Dunbobbin for his Notice of Motion. He said that the mechanism for social housing landlords to sign up to the scheme would help tenants to access affordable credit and offer long-term financial benefits. It would create an incentive for tenants to keep rental payments up-to-date, as well as supporting Council’s strategies. He requested that Cabinet consider a report on the feasibility of implementing the scheme in Flintshire with information on setting-up costs and timescales.

The Motion was seconded by Councillor Gladys Healey.

Councillor Peers proposed a minor change to the wording in the third paragraph of the Motion to replace the word ‘rewarded’ with ‘recognised’ to provide greater clarity. Councillor Dunbobbin indicated that he was satisfied with the amendment. On being put to the vote, the amended Notice of Motion was unanimously supported.

The Chief Executive said that he and the Chief Officer (Housing and Assets) both welcomed the scheme in principle and that a report to Cabinet would be prioritised.

(ii) Brexit Referendum - Councillor Kevin Hughes

‘On June 23rd 2016 the British people voted to leave the European Union through the Brexit Referendum. Of the votes cast 51.89% voted to leave with 48.11% voting to remain. In Flintshire 56.4% voted to leave with 43.6% wishing to remain. The Westminster Government invoked Article 50 on the Treaty of European Union by the Prime Minister signing a letter on March 28th 2017. That letter was delivered to the European Council President Donald Tusk by the British Ambassador to the European Union the following day. Since then negotiations have been ongoing with no sign of a deal that can be agreed in Parliament or one that is acceptable to the British people.

Meanwhile the CEO of Airbus has warned that the company could leave the UK if it exits the European single market and customs union without a transitional deal. This would have a devastating effect on the countless Flintshire workers who are employed by Airbus and the thousands of smaller companies that supply it with goods, equipment and services.

Further, the Executive Vice President of Toyota, Didier Leroy, is on record as saying that uncertainty over Brexit could jeopardise the company's future investment in the UK which would again have a negative impact on Flintshire workers and the county's on-going prosperity.

Hazel Wright, the senior policy officer of the Farmers' Union of Wales, is advising Welsh farmers, including those that farm in Flintshire that the Basic Payment Scheme under the EU's Common Agricultural Policy will end after Brexit and in 2021 move to a Welsh Government scheme based on environmental factors.

This would mean Flintshire farmers would be treated differently to their competitors in Northern Ireland, Scotland, England and the rest of Europe and leaves many in fear of their livelihoods and that their farms will no longer be financially viable.

Now we know the true facts and consequences of Brexit and its likely effect on Flintshire's economy, jobs and prosperity coupled with Westminster's inability to negotiate a suitable deal is it not time to give the electorate a second opportunity to have their say on the final Brexit outcome? To not allow the British people a say on the final negotiated deal, now we know the full consequences, would be grossly unfair and an affront to democracy.

This council therefore calls upon the Westminster Government to allow the public to vote on the final Brexit deal that will see the UK leave the European Union. And that vote should have three elements:

- 1) To accept the final deal negotiated by the Government.
- 2) To leave the European Union, its customs union and the single market without a negotiated deal.
- 3) To remain a full member of the European Union, its customs union and the single market.'

In presenting his Notice of Motion, Councillor Hughes said that the aim of his Notice of Motion was not to generate discussion on how individuals voted or to encourage them to change their minds. Instead the Motion took into consideration the current position on whether the deal was what people wanted and the implications for younger generations in Flintshire.

The Motion was seconded by Councillor Bithell who felt that the EU referendum was a complex matter that could not be resolved by a 'yes' or 'no' answer. He referred to issues such as immigration, jobs and tourism which were not known at the time of the EU referendum and highlighted concerns about local industry and the economy.

Councillor Legg spoke in favour of the Motion and highlighted the duty on individuals to exercise their right to vote. Councillor Phillips also spoke in support. His proposed amendment to remove the three options within the Motion was rejected by Councillor Hughes. Councillor Phillips subsequently withdrew his amendment. The Chief Executive said that the framing of the question of any referendum was the responsibility of the Electoral Commission.

Councillor Carver spoke against the Motion as he said that people had been clear in their minds when voting in the first referendum. Councillor Woolley also spoke against the Motion and Councillor Rita Johnson questioned whether the Council's voice would be heard.

Councillor Peers said that the terms of the final deal on Brexit should be subject to consultation before a public vote to accept or reject.

A similar view was shared by Councillor Butler who felt that such major constitutional matters should be determined on a minimum 70% of electorate votes.

In welcoming the debate, Councillor Heesom said that he was unable to support the Motion as it was important to recognise the will of the people who had voted.

Councillor Ellis said that elected Members did not have the mandate of Flintshire residents to change their vote.

Councillor Aaron Shotton said that the Labour group Members were undertaking a free vote on this matter. Whilst acknowledging the principles of the Motion, he felt that making such representations at this crucial stage of negotiations was a risk.

Councillor Paul Johnson, who had taken part in the recent People's Vote march on the Brexit referendum, spoke in support of the Motion.

Councillor Paul Shotton referred to the financial cost of Brexit and Councillor Ian Roberts was in favour of a vote on the actuality of leaving Brexit.

On being put to the vote, the Motion was lost.

The Chief Executive said that whilst the Council had no formal position on Brexit, work was underway on preparing for the risks of transition to be reported to a future meeting of Cabinet and Corporate Resources Overview & Scrutiny Committee. He circulated a hand-out as a background paper.

RESOLVED:

- (a) That the Notice of Motion from Councillor Dunbobbin, as amended by Councillor Peers, be supported. The third paragraph to read: 'By participating in the service and working with credit reference agencies, the Council would be able to offer tenants the opportunity to build a positive credit history and also be recognised for paying their rent on time - I believe it also has major benefits for things like applying for goods and services, including responsible and affordable financial services, online shopping or even helping a tenant who wants to apply for a mortgage as part of a transition into buying their own home.'; and
- (b) That the Notice of Motion from Councillor Hughes on the Brexit referendum be rejected.

Following the item, the Chairman called a brief adjournment.

51. **LOCAL DEMOCRACY AND BOUNDARY COMMISSION FOR WALES PRESENTATION**

The Chief Executive introduced Theo Joloza (Lead Commissioner), Matt Redmond (Deputy Chief Executive) and Tom Jenkins (Review Officer) from the Local Democracy and Boundary Commission for Wales and invited them to give their presentation on the Flintshire Electoral Review. The presentation covered:

- Who are we?
- Purpose of our presentation
- Legislation
- Scope of the review
- Statutory criteria
- Council size policy - defined - applied
- Electoral ward building blocks
- Single/Multi member
- What we will consider
- Areas of concern
- What will not be considered
- Effective representations
- Where can the Council help?
- Timetable

Changes in Welsh Government (WG) meant that the start of the Boundary Commission's 10 year programme of reviews had been delayed until January 2017. Recommendations made from the current review of electoral arrangements would need to be reported to WG by Spring 2021 to allow sufficient time for the ward changes to be implemented before the 2022 Local Government elections. Members were given copies of the republished Policy and Practice document reflecting the shorter 5 year programme.

The aim of the review was to propose a pattern of electoral wards for the entire council area and not just where there were levels of electoral inequality, although some areas may require no changes. Detailed explanation was given on the different elements for the Commission to consider in creating the new arrangements. Under the Council Size Policy, Flintshire had been placed in the third of four categories of council which had been designed to harmonise the number of population per Member. After the necessary constraints had been applied, it was reported that the review of Flintshire would aim for 63 Members, noting that a slight variance may be considered if supported by evidence. Although the Commission's preference was for single Member wards, consideration would be given to representations for up-to-three member wards. Examples of community ties were shared which could be provided amongst supporting evidence.

Existing community areas and wards had been used as the primary building blocks for each electoral ward. The Commission had been granted powers to make changes to those boundaries as a result of creating electoral wards, however, this would only be considered during the draft consultation stage

where specific proposals were supported by local Members and the relevant town/community council.

On the timetable for the review, the Council was encouraged to use local knowledge to submit an appropriate scheme at an early stage, within the rules of the legislation and policies, to help the Commission to identify an appropriate solution to the new arrangements.

The Chief Executive thanked the Commission team for the presentation which would also be delivered to the County Forum that evening. He gave a reminder that a review of community ward boundaries had been completed in 2014 and that there was scope to review again as part of this review. In acknowledging the complexities involved, he spoke about the need to develop the best approach to enable officers and Members to work together to develop a workable scheme prioritising those areas of the map with the greatest variances from the proposed County average.

Councillor Kevin Hughes raised concerns that the potential loss of seven Members could lead to an unbalanced solution. He was told that the Commission could only work within the parameters of the legislation.

In response to comments from Councillor Bithell about 'man-made' boundaries, it was explained that the review would take in the existing road network and that each ward would be considered on its own merits.

Councillor McGuill asked if the figures for Flintshire took into consideration any future changes arising from the Local Development Plan. It was explained that the legislation primarily required electoral parity on the existing number of electors per Member in the area. Secondary factors such as five year projection figures (to be shared with Members) could form part of the Council's proposals and may be considered within a reasonable tolerance.

In response to remarks by Councillors Palmer and Banks, it was clarified that variances in respect of Members' workload and tourism statistics were not part of the considerations.

Following a query by Councillor Paul Johnson, explanation was given on the calculations which determined that Flintshire was currently over-represented.

More clarity was sought by Councillor Peers on the accuracy of figures and how five year projections would be used. An example was given where an option could be put forward to re-draw a boundary using evidence of future developments. Any areas of significant future growth would be addressed through future reviews as part of the rolling programme.

Councillor Carver suggested the possibility of changing ward boundaries to achieve all single-member wards. It was explained that it was the Council's decision whether to submit evidence in support of this approach. Representations could also be made about the distances travelled by Members to engage with their constituents, as expressed by Councillor Ray Hughes.

The Chairman thanked the representatives for the detailed presentation and responding to Members' questions.

The Chief Executive said that work would commence on developing a process to enable maximum engagement on a scheme.

RESOLVED:

That the presentation be noted.

In line with the Council Procedure Rules, the Chairman moved Standing Orders to extend the meeting beyond 5.00 p.m.

52. PARLIAMENTARY CONSTITUENCIES REVIEW OUTCOME

The Chief Executive presented a report, for information, which set out the final recommendations of the Boundary Commission for Wales on the 2018 Review of Parliamentary Constituencies in Wales.

The recommendation to note the report was moved by Councillor Butler and duly seconded. On being put to the vote, this was carried.

RESOLVED:

That the report be noted.

53. ANNUAL PERFORMANCE REPORT 2017/18

The Chief Executive introduced the report to endorse the 2017/18 Annual Performance Report prior to publication by the deadline. This was a statutory report providing a retrospective overview of performance in achieving the priorities in the 2017/18 Council Plan.

Presentation slides were circulated as a reference paper and covered the following:

- Annual Performance Report
- Council Plan 2017-23
- Format and content
- Performance Overview 2017/18
- Progress Overview
- Highlights
- Areas for Improvement
- Performance Overview - Council Plan
- Summary Overview
- Next Steps

Councillor Attridge said that the information had been shared with Overview & Scrutiny Members. He moved the recommendation in the report, which was seconded by Councillor Butler.

Councillor Peers had a number of queries to raise with the Corporate Business and Communications Executive Officer following the meeting. On progress against risks, it was reported that the 69.6% of risks remaining the same during the period were detailed in the Risk Register (Appendix 2 to the report).

RESOLVED:

That the Annual Performance Report 2017/18 be adopted for publication.

54. ECONOMIC AMBITION BOARD AND THE PROPOSITION DOCUMENT

The Chief Executive presented a report on the development of the Growth Deal bid for North Wales, following adoption of the first stage Governance Agreement in June. At this stage, all regional partners were required to endorse the Proposition Document (setting out programmes and projects to be considered for inclusion in the Growth Deal) to give a mandate to their respective leaders to enter into a Heads of Terms Agreement with the UK and Welsh Governments in the Autumn.

The development of the strategy had involved complex work across the region, with the aim of accessing capital funds from both Governments to benefit business growth and employment. The second Governance Agreement at a later stage would specify risks and financial implications for the collective partnership and for individual partners.

As the Cabinet Member for Economic Development, Councillor Butler paid tribute to the Chief Executive and Leader for their part in achieving regional agreement in a timely manner. He said that the strategy for economic growth would give councils a regional voice to ensure that Welsh Government (WG) delivered on their promises.

The Leader of the Council, Councillor Aaron Shotton said that progress to date was the result of collaborative working to develop a Growth Bid to meet the needs of the region. In calling for the support of Members, he spoke about the expectations of local businesses for a regional Growth Deal.

Councillor Peers referred to discussion at the June meeting indicating that the Proposition Document was to be shared in September and a possible workshop to address a number of outstanding issues. He proposed that the report be deferred to allow time to consider the issues in detail. This was seconded by Councillor Heesom who spoke about the implications of the Growth Bid on the highways infrastructure.

In response, the Chief Executive confirmed that the document had been provided in accordance with the reported timescale of September/October as set out in the minutes of the last meeting. He clarified that no financial or contractual commitments were being made at this stage.

Councillor Richard Jones spoke in support of a deferral due to his concerns about equitable benefits across the County which he felt should have been addressed. He said that the Deeside Plan was informing the economic board and that it should have been a Flintshire Plan.

On being put the vote, the proposal to defer the report was lost.

In moving the recommendations in the report, Councillor Aaron Shotton said that the decision was crucial in achieving regional agreement to move to the next stage of negotiations. This was seconded by Councillor Attridge.

On being put to the vote, this was carried.

The Chief Executive agreed to organise an internal workshop, to brief Members in more detail, in due course.

RESOLVED:

- (a) That Council adopts the *Proposition Document* as (1) the basis of a longer-term regional strategy for economic growth and (2) the regional bid for the priority programmes and projects from which the content of a Growth Deal will be drawn at the Heads of Terms Agreement stage with Governments. Adoption does not commit the Council to any financial investment of its own at this stage and is subject to the financial risks and benefits of the final Growth Deal being set out in detail, for full consideration, when the final Deal is presented for approval at a later date; and
- (b) That Council notes that the Leader is authorised by the Executive Board/Cabinet to commit the Council to entering Heads of Terms with Governments alongside the political and professional leaders from the nine other statutory partners represented on the North Wales Economic Ambition Board, and the North Wales Mersey Dee Business Council, with the *Proposition Document* setting out the parameters for the Heads of Terms agreement.

55. MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE

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

(The meeting started at 2pm and ended at 5.45pm)

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Chairman