

FLINTSHIRE COUNTY COUNCIL

18 JUNE 2019

Minutes of the meeting of Flintshire County Council held at Council Chamber, County Hall, Mold CH7 6NA on Tuesday, 18 June 2019

PRESENT: Councillor Marion Bateman (Chair)

Councillors: Mike Allport, Bernie Attridge, Janet Axworthy, Glyn Banks, Haydn Bateman, Sean Bibby, Chris Bithell, Sian Braun, Helen Brown, Derek Butler, Clive Carver, Geoff Collett, Bob Connah, David Cox, Paul Cunningham, Jean Davies, Rob Davies, Ron Davies, Chris Dolphin, Rosetta Dolphin, Ian Dunbar, 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, Joe Johnson, Paul Johnson, Christine Jones, Richard Jones, Colin Legg, Brian Lloyd, Richard Lloyd, Dave Mackie, Hilary McGuill, Billy Mullin, Ted Palmer, Mike Peers, Michelle Perfect, Vicky Perfect, Neville Phillips, Mike Reece, Ian Roberts, Tony Sharps, Aaron Shotton, Paul Shotton, Ralph Small, Ian Smith, Carolyn Thomas, Owen Thomas, Martin White, Andy Williams, David Wisinger and Arnold Woolley

APOLOGIES:

Councillors: Adele Davies-Cooke, Dennis Hutchinson, Tudor Jones Rita Johnson, Tudor Jones, Mike Lowe, and David Williams

IN ATTENDANCE:

Chief Executive; Chief Officer (Governance); Chief Officer (Housing and Assets); Chief Officer (Planning, Environment and Economy); Chief Officer (Social Services); Chief Officer (Education and Youth); Chief Officer (Streetscene and Transportation); Corporate Finance Manager; Democratic Services Manager; Corporate Business and Communications Executive Officer, Democratic Services Officers; and Councillor Reverend Hainsworth for prayers

Prior to the start of the meeting Councillor Tony Sharps apologised for his absence at the last two meetings of the Council which had been due to the poor health of himself and his wife. He took the opportunity to congratulate Councillor Ian Roberts on his appointment as Leader of the Council, and thanked Councillor Paul Cunningham for his term of office as Chair of the Council. He also congratulated Councillor Marion Bateman on her appointment as the new Chair of Council.

13. MINUTES

The minutes of the meetings held on 19 February, 28 February, 9 April, and 7 May 2019 were submitted.

Matters arising

7 May 2019, page 38, item 8, Councillor Clive Carver referred to the appointment of the Cabinet by the Leader of the Council and said this was seconded by

Councillor Sean Bibby and then put to the vote. He said this was unusual and the vote had not been minuted and was a change in the constitution.

The Chief Officer (Governance) acknowledged the point made and said that the Leader had informed Council of his choice of Councillors to serve on Cabinet and explained the vote had been taken at the meeting to note the choice of Councillors. He agreed the decision could have been received by Council and said in future this item would be received without taking a vote.

RESOLVED:

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

14. DECLARATIONS OF INTEREST

The Deputy Monitoring Officer advised that a personal interest would be recorded on behalf of all Members present for agenda item 12, Schedule of Remuneration for 2019/20.

Councillor Chris Bithell declared an interest on agenda item 9, Notice of Motion – Raising Awareness of Violence Against Women and Domestic Abuse, as he was a trustee and board member of the Domestic Abuse and Safety Unit.

15. CHAIRMAN'S COMMUNICATIONS

A copy of the Chair's Communications had been circulated to all Members prior to the meeting. The Chair said that she and her consort, Councillor Haydn Bateman, had been delighted to represent the Authority at the various events held during the past month.

Councillor Ian Roberts, referred to the recent bad weather and paid tribute to staff who worked hard to maintain service provision throughout, citing staff in social services, Streetscene operatives, Flintshire Connects centres, as examples, and asked that thanks be expressed on behalf of the Council to all teams who had been involved in helping communities cope with the challenging conditions.

Councillor Carolyn Thomas and Councillor Christine Jones paid tribute to staff who had worked both day and night in unusual difficult weather conditions to maintain services and provide direct support and assistance to residents of Flintshire.

Councillor Paul Shotton suggested that the local media be informed of the work of the Council during the recent bad weather to highlight the services provided by the Authority. The Chief Executive agreed that a statement would be provided to the press which would include the positive comments made by Members.

Councillor Neville Phillips paid tribute to the Returning Officer and team who had run the European Elections on 26 May 2019, and said it had been a well organised and excellent process. He also expressed thanks on behalf of Councillor Tudor Jones as an elections agent.

16. PETITIONS

Councillor Sian Braun submitted a petition from the residents of Abbey Drive, Gronant, to introduce a 20 miles per hour speed limit along the length of Abbey Drive, Gronant, as soon as possible to reduce the risk from traffic to residents and vulnerable road users.

The Chief Officer (Governance) explained the process for dealing with petitions, and said at the end of the municipal year a report would be provided to Council to explain the actions around all petitions received during the course of the year.

17. PUBLIC QUESTION TIME

None were received.

18. QUESTIONS

None were received.

19. QUESTIONS FROM MEMBERS ON COMMITTEE MINUTES

None were received.

20. NOTICES OF MOTION

Three Notices of Motion were received:

- (i) Limiting Council Tax Increases - Councillors Bernie Attridge, Carol Ellis, Helen Brown and George Hardcastle

'We call upon Flintshire County Council to give a clear mandate to the Cabinet and the senior management team that the Council Tax be capped at 4.5% for the next budget setting process.

We call for this due to representations made by many residents in Flintshire that the 8.75% increase that has been set for 2019/20 is causing hardship and poverty within our County.'

In support of the Motion, Councillor Helen Brown said that the 8.75% rise in Council Tax this year was too much for many residents in Flintshire and people were angry about the rise. She commented that wages had not increased by this level and referred to the rise in daily living costs for fuel, utilities, food, and clothing. She also referred to the potential increase in costs for school transport, and the intention to discontinue with free TV licences for people over the age of 75. Councillor Brown also commented on the rise in child poverty and said it was unfair to increase pressure on the council tax payers of Flintshire to meet the gap in funding for the Authority. She asked Members to support the Motion on behalf of the residents of Flintshire.

The Motion was moved by Councillor Helen Brown and seconded by Councillor Carol Ellis.

Speaking in support of the Motion, Councillor Carol Ellis said there was a need for National and Welsh Governments to provide adequate funding for local authorities. She said the funding formula was not “fit for purpose” and cited the example that the Authority did not receive funding for the significant cost of out of county placements as an example. She continued that the Formula did not take into account that Flintshire had the fastest growing proportionate population of elderly people and the impact on social care costs. She commented that the WG had created the Well Being Act and the services provided by the Authority under the Act had to be funded from existing budgets. She spoke of the real hardship faced by some residents who were living ‘hand to mouth’ and referred to the increased use of foodbanks. Councillor Ellis asked Members to support the Motion on behalf of Flintshire’s residents and reiterated that council tax payers should not be expected to fund the short-fall in funding for local authorities and that it was the responsibility of national government to provide adequate funding to the WG to passport onto local authorities.

Councillor Mike Peers said that to agree to the Motion at this point in time would put increased pressure on the Council due to a number of ‘unknowns’ around the budget setting process. He proposed an amendment to the Motion which was that information be provided to Members at the next available Council meeting of any possible consequences of setting a 5% council tax for the financial year 2020-2021. The Motion was by Councillor Richard Jones.

Councillor Ian Roberts said he was unable to support the amendment to the Motion proposed by Councillor Peers and spoke of the positive collaborative work of the Cross Party Working Group to reach a solution to the issues raised. Councillor Roberts said he wished to propose a further amendment to the Motion.

Councillor Chis Bithell expressed the view that it was premature to agree to the Motion and an amendment at this point in time. He said it was too soon to set the Council Tax rate for next year as the Settlement and the Council’s income grant from UK and WG was unknown.

The Chief Executive gave an outline response to the amendment proposed by Councillor Peers which requested that information be provided to Members on any possible consequences of setting a 5% Council Tax rise for 2020-2021. He explained that in previous years at this time the Council would set a guideline of what the Council Tax might be for the following year. The Council was not able to formally finalise its Council Tax until it knew its budget requirement for the year in question i.e. the level of total income needed to meet planned expenditure after due consideration of all cost pressures, efficiencies and budget reductions/cuts. He advised that to set the Council Tax now would be too early as the exact budget requirement was not known and the Council had no firm indication from national governments on the Local Government Settlement to be expected. He reiterated that it was premature, and would be setting a direction in the absence of knowledge.

The Corporate Finance Manager endorsed the response provided by the Chief Executive and advised that the national position was unclear. It was feared

that there could be a delay in the Settlement due to national political developments.

Following the response and comments from Members to his amendment Councillor Peers clarified that he was not seeking to set Council Tax at 5%. He was asking that when the budget process commenced and the level of reserves, the work of the cross party working group, and the indicative settlement was known, what the consequences might be. The intention was to give the Council notice that Members wished to give early guidance on an intended maximum 5% Council Tax level.

The Chief Executive referred to the budget forecast, options to close the gap, and the Stage 1 and Stage 2 budget setting process, and gave a commitment to continue the usual practice and at each stage of the budget setting process to illustrate and give guidance to Members on the choices and variables including Council Tax.

Councillor Mike Peers said he welcomed the commitment made by the Chief Executive and therefore withdrew his amendment.

Councillor Richard Jones said there was a need for Officers to work towards achieving the possibility of setting Council Tax at 5% throughout consideration of the budget in conjunction with the work of the cross party working group.

Councillor Ian Roberts proposed a further amendment to the Motion which was: "We call upon Flintshire County Council to set an expectation that Council Tax will be limited to the lowest possible level needed as part of budget setting for next year. Further to this we call upon the UK Government to complete a spending review which releases additional funding for public services across the United Kingdom for 2020/21 onwards, and to fully fund both nationally agreed pay awards and the outcomes of public employer pension fund contribution reviews. We call upon the Welsh Government to provide sufficient funding for local government in Wales to be able to avoid an over-dependence on Council Tax in setting their annual budgets from 2020/21."

The amendment was supported by Councillor Carolyn Thomas.

In speaking in support of his amendment, Councillor Ian Roberts said that the setting of Council Tax for 2019/20 had been a difficult decision for Council, however, a choice had to be made around an increase to Council Tax or loss of services. He commented on the hardship and poverty that would arise from loss of services in leisure, education, and social care, as examples. Councillor Roberts reiterated that it had been a difficult choice to raise council tax and he apologised that it had caused hardship but he believed it was the right decision to protect vital services for the residents of Flintshire. Councillor Roberts thanked all involved in the work of the Cross Party Working Group.

Councillor Tony Sharps said he could not support the Notice of Motion as it would be premature and irresponsible to set a council tax rate at this time until the budget setting process had commenced and the Settlement was known.

Councillor Patrick Heesom supported the Motion and argued that Council Tax was an unfair and regressive system and should not be perceived as a 'reserve fund' for the Council to use to balance the budget.

To assist Members the Chief Officer (Governance) summarised the following main points of the amendment proposed by Councillor Ian Roberts: that the Council would set the lowest Council Tax possible; that the UK government should carry out a spending review to enable it to set the funding limits for WG; and the WG provides sufficient funding to avoid an over dependence on Council Tax.

The Chief Executive commented on the recent third meeting of the Cross Party Working Group and said there had been strong consensus in the Group about the risks of an over-dependence on Council Tax in the UK and Wales fiscal planning, and that all had agreed on the need to feed back to both governments as requested in the proposed amendment put forward by Councillor Ian Roberts.

Councillor Clive Carver spoke against the amendment. He said that at the current time a cap on Council Tax could be set at the higher level of 5% and withdrawn later and would demonstrate the seriousness of the issue to the WG. He explained that this would enable a decision to be reached which could be later amended if required, as deferral of the item until September could cause complications due to the six month rule.

Councillor Richard Jones asked if the amendment proposed by Councillor Roberts could be changed so that instead of setting Council Tax at the lowest possible it could be capped at 5%.

The suggested change was not accepted by Councillor Ian Roberts.

Councillor Rosetta Dolphin agreed with the views expressed by Councillor Richard Jones on the need to set the lowest level of council tax possible. However, she did not support the amendment as she felt the proposal could result in an 8.75% or higher increase in Council Tax next year.

Councillor Carol Ellis reiterated that it was the responsibility of national and WG to provide adequate funding to local authorities to enable them to provide services. She asked for clarification on the level of income required from Council Tax to bridge the funding gap in 2020/21. Officers advised that 1% Council Tax equated to circa £700k of income.

Councillor Glyn Banks spoke in support of the amendment. He referred to the positive work undertaken in the Cross Party Working Group by all political groups and said it remained the Council's intention to set the lowest possible level of Council Tax whilst protecting services, citing education and social services in particular. Councillor Banks cited some of the pressures for this year and referred to non-school pressures of £4.4m which included £2.1m for NJC pay awards, £6.5m school pressures for pay awards and teacher pensions, service demands which included £2.8m for Out of County placements and children's services, and £0.5m for legislative changes. In summarising, Councillor Banks said the pressures added up to more than £13m in total.

Councillor Derek Butler emphasised that there was no indication as yet from UK or WG government of the Settlement and it was too premature to set a figure for Council Tax at this point in time.

Councillor Chris Bithell commented on the shift from national funding to local taxation to fund the services provided by local authorities.

Speaking on the amendment, Councillor Bernie Attridge said the Notice of Motion brought by the Flintshire Independent Group was intended to send a clear message to both national and WG that the Authority would not bridge the funding gap through an 8.75% rise in Council Tax as it would cause hardship for the residents of Flintshire.

Councillor Mike Peers spoke on the amendment and said setting the lowest possible level of Council Tax, given the “unknowns” around income and expenditure, could result in a Council Tax rise which was higher than last year and could not support the amendment for this reason. He confirmed he had withdrawn his amendment to the Notice of Motion following the commitment given by the Chief Executive and Corporate Finance Manager to provide further information.

Councillor Helen Brown said she could not support the amendment proposed by Councillor Ian Roberts as the level of Council Tax setting was unknown and would not be safe.

The Chief Executive reminded Members that it was Cabinet’s responsibility to lead the budget process and officers’ responsibility to advise Cabinet and Members. It was the Council’s responsibility to set a legal budget and set the Council Tax alone - as part of the budget process. These decisions were reserved matters.

A recorded vote was taken on the amendment proposed by Councillor Ian Roberts. In requesting a recorded vote the requisite 10 Members stood in support.

The Chief Officer (Governance) summarised that the amendment was that council tax be set at the lowest level possible; the UK Government completes the spending review to inform the WG; and the WG provides sufficient funding to local authorities to avoid the over dependence on raising income through council tax. The Chief Executive added that in referring to the spending review the amendment also asked that the UK Government fully funded both nationally agreed pay awards and outcomes of public employer pension fund contribution reviews.

The following Councillors voted for the amendment:

Councillors: Janet Axworthy, Glyn Banks, Haydn Bateman, Sean Bibby, Chris Bithell, Derek Butler, Geoff Collett, David Cox, Paul Cunningham, Jean Davies, Ron Davies, Chris Dolphin, Ian Dunbar, Mared Eastwood, David Evans, David Healey, Gladys Healey, Cindy Hinds, Dave Hughes, Kevin Hughes, Joe Johnson, Paul Johnson, Christine Jones, Colin Legg, Richard Lloyd, Hilary McGuill, Billy Mullin, Ted Palmer, Michelle Perfect, Vicky Perfect, Neville Phillips,

Ian Roberts, Tony Sharps, Aaron Shotton, Paul Shotton, Ian Smith, Carolyn Thomas, Martin White, Andy Williams, and David Wisinger

The following Councillors voted against the amendment:

Councillors: Mike Allport, Bernie Attridge, Sian Braun, Helen Brown, Clive Carver, Bob Connah, Rob Davies, Rosetta Dolphin, Carol Ellis, Veronica Gay, George Hardcastle, Patrick Heesom, Andrew Holgate, Richard Jones, Brian Lloyd, Dave Mackie, Mike Peers, Ralph Small, Owen Thomas, and Arnold Woolley

The following Councillor abstained: Councillor Marion Bateman

The amendment was carried.

The Chief Officer (Governance) advised that the amendment would become the substantive notice of motion if there were no further amendments from Members.

Councillor Richard Jones proposed that the amendment be amended to include reference to 5% as an indicative guideline for setting Council Tax. In acknowledging the points raised by Councillor Richard Jones, the Chief Officer (Governance) suggested that Members may wish to consider that the Notice of Motion be reworded to read: "we call upon the UK Government and WG to fund local authorities to a level where the Council Tax increase could be kept at below 5%". Councillor Richard Jones moved this as a proposal and this was duly seconded.

The Chief Executive referred to the assumption in the WG Green (Budget) Book this year of a 6.5% Council Tax requirement across Wales and commented on the work of the Cross Party Working Group to seek more decision making around this at a Wales level.

Speaking on the amendment proposed by Councillor Richard Jones, Councillor Ian Roberts said it would not be wise to commit the Council to a specified figure for setting a level which the Council Tax increase could be kept below at this point in time and he could not support the amendment.

The Chief Officer (Governance) summarised the proposed amendment put forward by Councillor Richard Jones and said that the Council called upon the UK Government to fund the WG and the WG to properly fund local government to a level which means local authorities do not have an over reliance on Council Tax so that the Council does not have to set a Tax increase at more than 5%.

Councillor Ian Roberts read out the proposed substantive notice of motion which was: "We call upon Flintshire County Council to set an expectation that council tax will be limited to the lowest possible level needed as part of the budget setting for next year. We call upon the UK Government to complete a spending review which releases additional funding for public services across the United Kingdom for 2020/21 onwards, and to fully fund both nationally agreed pay awards and the outcomes of public employer pension fund contribution reviews. We call upon the Welsh Government to provide sufficient funding for

local government in Wales to be able to avoid an over-dependence on Council Tax in setting their annual budgets from 2020/21.”

The Chief Officer (Governance) advised that the proposed amendment would add the following words to the proposed substantive notice of motion “and in any event WG to fund local government to a level where it does not have to set the council tax increase above 5%”.

A recorded vote was taken to the amendment proposed by Councillor Richard Jones. In requesting a recorded vote the requisite 10 Members stood in support.

The following Councillors voted for the amendment:

Councillors: Mike Allport, Bernie Attridge, Janet Axworthy, Sian Braun, Helen Brown, Clive Carver, Bob Connah, Rob Davies, Rosetta Dolphin, Carol Ellis, Veronica Gay, George Hardcastle, Patrick Heesom, Andrew Holgate, Richard Jones, Brian Lloyd, Dave Mackie, Hilary McGuill, Mike Peers, Ralph Small, Owen Thomas, and Arnold Woolley

The following Councillors voted against the amendment:

Councillors: Glyn Banks, Haydn Bateman, Sean Bibby, Chris Bithell, Derek Butler, Geoff Collett, David Cox, Paul Cunningham, Jean Davies, Ron Davies, Chris Dolphin, Ian Dunbar, Mared Eastwood, David Evans, David Healey, Gladys Healey, Cindy Hinds, Dave Hughes, Kevin Hughes, Joe Johnson, Paul Johnson, Christine Jones, Richard Lloyd, Billy Mullin, Ted Palmer, Michelle Perfect, Vicky Perfect, Neville Phillips, Ian Roberts, Tony Sharps, Aaron Shotton, Paul Shotton, Ian Smith, Carolyn Thomas, Martin White, Andy Williams, and David Wisinger.

The following Councillors abstained:

Councillors Marion Bateman and Colin Legg

The amendment was not carried.

The Chief Officer (Governance) advised that the amendment moved by Councillor Ian Roberts stood as the substantive notice of motion.

On being put to the vote the Motion was carried.

(ii) Cyber-Bullying – Councillor David Healey

‘Council notes concerns about the impact of cyber bullying on the mental health of young people.

Council also recognises that this is a national problem and that adults, as well as young people often bully others on social media.

Council also believes that the vast majority of young people, within the County, are responsible in the way in which they engage with social media and do not engage in cyber bullying.

Council also notes that all members of the Education and Youth Overview & Scrutiny Committee and Officers stood, in the Council Chamber, on 20 May 2019, in order to pledge that they would not, themselves, engage in social media in ways which denigrate other individuals.

Members of this Council now rise to take a similar pledge so that Flintshire County Council, as a whole, can be seen to be leading the way in setting an example itself with regard to the shameful activity of cyber bullying.

Council calls upon Flintshire residents to make a similar commitment with regard to their engagement with social media so that, in the sixth largest county in Wales, we can all work together to stem the tide of toxic abuse which is causing mental health problems for others, young and old.

Council further requests the Officers to draw up an appropriate report to committees so that this expectation can be embedded in future practice within the Council.'

The Notice of Motion was seconded.

Speaking in support of the Motion, Councillor David Healey, said cyber bullying was a matter of great concern. He referred to a recent meeting of the Education & Youth Overview and Scrutiny Committee which had considered a report that included information on a survey taken across Flintshire schools and included in the report was information that around 25% of students had been victims of cyber bullying. He commented on the need to set an example to young people and said all members of the Education & Youth Overview and Scrutiny Committee had stood to pledge that they would not themselves engage in the inappropriate use of social media in ways which denigrate other individuals. He commented on the increase in mental health problems amongst young people in schools and said online bullying was a contributing factor.

In conclusion, Councillor Healey suggested that Members and Officers may wish to take a similar stand as that taken by members of the Education & Youth Committee against the issue of cyber bullying. He also asked that Town and Community Councils in Flintshire, places of work, and the local press, be asked to join the campaign to bring about a cultural change in behaviour.

Councillor Billy Mullin gave the following response from the Council: 'As a Council we accept that at times people will have different views and the right of free speech. Expression must stop short of abusive or aggressive behaviour, the use of foul language, or harassment in any form. Through the ongoing development of our cyber bullying policy the Council will take positive action to lead by example and invite and encourage others to do the same. We ask all Councillors and Officers to themselves set the highest standards of behaviour at all times.'

Councillor Owen Thomas spoke in support of the Motion and said that any form of bullying needed to be stopped.

Councillor Richard Jones commented that cyber bullying took place 24 hours a day. He supported the stance against cyber bullying but said there was a need to describe how the Council was supporting action against it. In response the Chief Officer referred to the final paragraph of the Notice of Motion which stated that the 'Council further requests Officers to draw up a report to Committees so that this expectation can be embedded in future practice within the Council' and said he expected the report to define what the Council would do in practical terms to end bullying behaviour.

The Chief Executive commented on the positive actions taken by the Council, within its power, to safeguard young people in education and care against bullying and said detailed information could be provided in a report to both the Education & Youth and Corporate Resources Overview and Scrutiny Committees.

Councillor Mike Peers said he supported the Motion and asked if the information provided in the report could be shared with all schools in Flintshire.

Councillor Clive Carver commented that bullying behaviour also occurred against adults as well as young people.

Councillor Paul Cunningham said bullying in any form was deplorable and Members should lead by example.

In response to a request by the Chair, all Members and Officers stood in support of the Notice of Motion and to pledge that they would not themselves engage in bullying or in social media in ways which denigrate other individuals.

The Motion was carried.

- (iii) Raising Awareness of Violence Against Women and Domestic Abuse –
Councillor Andy Dunbobbin

As Councillor Andy Dunbobbin had left the meeting and was unable to move the Notice of Motion it was agreed that it would be deferred to the next meeting. The Chief Executive commented on the ongoing work in the Council around raising awareness of violence against women and domestic abuse.

RESOLVED:

- (a) That the Notice of Motion from Councillor Ian Roberts on limiting Council Tax increases be supported;
- (b) That the Notice of Motion from Councillor David Healey on Cyber Bullying be supported: and
- (c) That the Notice of Motion from Councillor Andy Dunbobbin on Raising Awareness of Violence Against Women and Domestic Abuse, be deferred

21. COUNCIL PLAN 2019/20

The Chief Executive introduced a report to adopt the recommendations of the Cabinet on Part 1 of the Council Plan 2019/20. He provided background information, as detailed in the report, and advised that the Council Plan was a statutory Plan which had to be approved by end of June. Feedback on the draft Plan had been received from internal Member workshops, a survey, and the Corporate Resources Overview & Scrutiny Committee. The Chief Executive thanked Members for their contribution and positive suggestions which had been incorporated where they were significant, were made on a Council function, and could be practically applied in year. He said Part 1 of the Plan was presented in final form for approval, as recommended by Cabinet without amendment.

The Corporate Business and Communications Executive Officer referred to the core priorities, ambitions and objectives which formed Part 1 of the Plan, and if agreed at Council, would lead to Part 2 which would develop the progress, and performance of the Plan. She advised that Part 2 would be presented to Cabinet and Corporate Resources Overview & Scrutiny Committee in July. Once endorsed Part 1 and Part 2 would be incorporated into a digital graphical document and published on the Council's website at the end of July.

The Chief Executive advised that the Plan was broadly structured to cover 5 years but would change year on year, however, if there was a need for fundamental change or a WG request received it could be added to. He suggested that when Quarter 2 performance was considered around November this year an early debate took place around the priorities for next year and any significant adjustments could be suggested alongside the budget setting process. He also suggested that Overview and Scrutiny Committees may find it helpful to include parts of the Plan within their forward work programmes.

Councillor Ian Roberts moved the recommendation in the report to approve Part 1 of the Council Plan 2019/20. He thanked all those who had attended and had input in the workshops and expressed thanks for the work of the Cross Party Working Group. He asked Members to support approval of Part 1 of the Plan. This was seconded by Councillor Billy Mullin.

Councillor Patrick Heesom said he could not support approval of the Plan and referred to the commitment to the development of the traffic infrastructure and strategic transport plan. He outlined a number of concerns and referred to the commitment to the 'red route' and commented on the need for a new approach to a highway corridor which leads from the back of the Deeside Industrial Park. He asked that further work be done to provide a road transport infrastructure which enabled access from the west end of the County and Denbighshire across the river to the back of the Deeside Industrial Park. The Chief Executive noted the views expressed by Councillor Heesom and explained that the issues raised around trunk roads were not in the Council Plan as it was not a Council function. He commented on how the Council worked with WG on its functions and decisions.

Councillor Mike Peers commented that the workshop on the Council Plan had been helpful and suggested that it be followed up by a report on matters discussed and agreed and the actions arising. He referred to implementation of

the digital strategy under the theme Ambitious Council and reference to the regional digital strategy and the digital strategy itself. He also referred to page 63 of the report and the growth deal infrastructure including digital strategy, and suggested it might be useful to link in the timescales to the Growth Deal.

Councillor Peers referred to the Council Plan tracker report and the theme Supportive Council - sub priority quantity of private rented sector, and said he could not find a cross reference to this on page 58 in the report under the in-year priorities for 2019/20 or under Housing. He continued that under the sub priority fuel poverty on page 60 of the report it had originally referred to reducing Carbon Reduction (CO2) emissions in 2018/19 - but there was no reference to this and it had been moved within the Council Plan to another priority and was not cross referenced.

Councillor Richard Jones suggested that the Council Plan themes should revert back to the portfolio names to make the Council Plan easier to understand and challenge. The Chief Executive acknowledged the point and said some information was themed and some portfolio and cut across. He said there would be a user guide to help navigate the Plan.

RESOLVED:

That Part 1 of the Council Plan 2019/20 be approved.

22. REVIEW OF THE COUNCIL'S PLANNING CODE OF PRACTICE

The Chief Officer (Governance) presented a report on the Council's Planning Code of Practice (PCP). He explained that as part of the Standards Committee's role to review operation of the Members' Code of Conduct and promote and maintain high standards of conduct by Councillors, the PCP was taken to the Committee to ensure it provided appropriate and clear advice to Members in respect of their conduct in relation to planning matters and to recommend revision to the PCP where it could be improved. The Standards Committee recommended some amendments to the PCP as detailed in the report and shown in the appendix to the report. The amendments had been endorsed by the Constitution Committee which recommended the PCP, as amended, be adopted by the Council.

Councillor Mike Peers referred to Lobbying and section 5.1 of the PCP and the wording in the final sentence that "Officers should be made aware of any lobbying correspondence Members receive". He said that in a number of recent applications, and cited the Penyffordd area in particular, every Member of the Planning Committee had received the same correspondence and attachments, and as a result the Planning department would be sent a significant amount of duplicate information in accordance with the wording of section 5.1. He suggested that to assist with administration it may be helpful that when correspondence was sent to all members of the Planning Committee that the Chair of the Committee sent a copy of the lobbying correspondence that all Members had received to the Planning Officer. .

Councillor Peers also referred to section 5.2 of the PCP and the advice that Planning Committee members should avoid campaigning actively in support

of a particular outcome. He said Members may be asked to attend a public meeting in their Ward and the meeting might be advertised as an objection against a particular application. By attending the meeting there may be an assumption that the Member was also against the application although attendance by the Member was usually to help understanding of the issues raised. He suggested that with reference to the information in section 5.3 of the PCP, it would be useful if Members were able to make a declaration to Planning officers that they had attended a public meeting against an application in their role as a Ward Member to seek an understanding around the objections raised. In agreement with the points raised by Councillor Peers the Chief Officer (Governance) provided advice and agreed to amend the PCP to provide further clarification around campaigning and attendance by Members at public meetings to discuss an application.

Councillor Clive Carver commented that there were a number of inconsistencies in section 5 of the PCP in terms of the references made to Members and also to Members of the Planning Committee. The Chief Officer suggested that as there were no substitutions on the Planning Committee it would be helpful if reference was made to 'Members of the Planning Committee' at the beginning of the PCP and the wording was changed to 'Members' throughout the remainder of the document which would then be understood to mean Members of the Planning Committee.

Councillor Patrick Heesom thanked the Chief Officer (Governance) and Officers for their work to review the Council's Planning Code of Practice

Councillor David Wisinger moved the recommendation and this was duly seconded.

RESOLVED:

- (a) That the PCP is fit for purpose regarding the advice relating to the Members' Code of Conduct, the Protocol on Officer/Member relations, and the procedural advice relating to planning matters, subject to the proposed amendments referred to in paragraph 1.05 of the report, the other amendments shown in tracked changes in the appendix to the report, and the further amendment agreed by County Council; and
- (b) That the amended PCP (with the amendments referred to at recommendation (a) above be adopted by the Council.

23. REVIEW OF POLITICAL BALANCE

The Chief Officer (Governance) introduced a report to enable the Council to review the political balance following the formation of a new political group. He advised that the Council was required under the Political Balance Rules contained in the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990 (as amended) to review the Council's political balance calculations following the formation of the Flintshire Independents on 17 May 2019 by four Members of the New Independent Group, and one Member changing political group on 5 June 2019.

The Chief Officer (Governance) reported on the calculation of political balance and the determination of the correct number of seats to Groups, as detailed in the report, and shown in appendix A to the report.

RESOLVED:

- (a) That seats on Committees be allocated in accordance with the political balance as shown in Appendix A to the report; and
- (b) That any changes to nominees for Committee places be notified to the Democratic Services Manager as soon as possible.

24. SCHEDULE OF REMUNERATION FOR 2019/20

The Chief Officer (Governance) explained that each year, the Council was required to produce a Schedule of Remuneration for elected and co-opted members. Now that all appointments had been made to 'senior salary posts' the Schedule of Remuneration for 2019/20, which must be published before 31 July 2019, had been completed and was attached for approval.

The Chief Officer advised that there are co-optee nomination vacancies for the Audit Committee, Standards Committee, and the Education & Youth Overview and Scrutiny Committee, and the Council was requested to authorise the Democratic Services Manager to add the names to the schedule when appointed and before publication. He continued that the report also dealt with an issue regarding the payment of co-opted Members of the Clwyd Pension Fund Committee.

RESOLVED:

- (a) That the completed Schedule of Remuneration for 2019/20 as attached be approved for publication;
- (b) That the Democratic Services Manager be authorised to add the names of co-opted members who fill the vacancies on the Audit Committee, Standards Committee, and the Education & Youth Overview and Scrutiny Committee; and
- (c) That the cessation of co-optee payments to the Clwyd Pension Fund Committee from the start of the 2019/20 municipal year be noted.

25. OFFICERS CODE OF CONDUCT

The Chief Officer (Governance) introduced a report to approve the updates to the Officer Code of Conduct as part of the rolling review of the Constitution. He explained that the Standards Committee was responsible for reviewing all Codes and Protocols (relating to behaviour) in the Constitution once per Council term to ensure they remained pertinent and up to date. The Committee had reviewed the Officers' Code of Conduct and had made recommendations for updating it. A number of changes were suggested, as detailed in the report, in order to expand the guidance on when it was necessary to declare an interest; refer to newly created standardised forms for recording

interests and gifts; expand the guidance on outside employment; and update posts and service references where these have changed. The proposed amendments to the Code were appended to the report.

RESOLVED:

That the proposed changes to the explanatory guidance in the Officer Code of Conduct be approved.

26. MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE

There was one member of the press in attendance.

(The meeting started at 2.00 pm and ended at 5.00 pm)

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Chairman