

FLINTSHIRE COUNTY COUNCIL
12 NOVEMBER 2013

Minutes of the meeting of Flintshire County Council held in the Council Chamber, County Hall, Mold on Tuesday, 12 November 2013

PRESENT: Councillor Carolyn Thomas (Chair)

Councillors: Alex Aldridge, Bernie Attridge, Glyn Banks, Haydn Bateman, Chris Bithell, Amanda Bragg, Derek Butler, Clive Carver, David Cox, Peter Curtis, Ron Davies, Adele Davies-Cooke, Glenys Diskin, Ian Dunbar, Andy Dunbobbin, Brian Dunn, Carol Ellis, David Evans, Veronica Gay, Robin Guest, Alison Halford, Ron Hampson, George Hardcastle, Ray Hughes, Hilary Isherwood, Joe Johnson, Rita Johnson, Christine Jones, Kevin Jones, Richard Jones, Stella Jones, Colin Legg, Phil Lightfoot, Brian Lloyd, Richard Lloyd, Mike Lowe, Dave Mackie, Hilary McGuill, Ann Minshull, Billy Mullin, Tim Newhouse, Mike Peers, Neville Phillips, Mike Reece, Gareth Roberts, Tony Sharps, Aaron Shotton, Paul Shotton, Nigel Steele-Mortimer, David Wisinger and Arnold Woolley

APOLOGIES:

Councillors: Marion Bateman, Helen Brown, Chris Dolphin, Rosetta Dolphin, Ted Evans, Jim Falshaw, Dennis Hutchinson, Nancy Matthews, Owen Thomas, David Williams and Matt Wright

IN ATTENDANCE:

Chief Executive, Head of Legal & Democratic Services, Head of Finance, Democracy & Governance Manager, Head of Internal Audit and Team Manager, Committee Services

58. DECLARATIONS OF INTEREST

The Head of Legal and Democratic Services advised that all Members had a personal interest in agenda item number 11 – Consultation by the Independent Remuneration Panel for Wales (IRPW).

On agenda item number 12 – Single Status Implementation Plan, the Head of Legal and Democratic Services said the same declarations of interest would be recorded as those at County Council on 29 October 2013.

59. COUNCIL MINUTES

The minutes of the meeting held on 23 October 2013 were submitted.

Councillor Richard Jones asked if there was a response to the question on collaborative projects and whether there were any new projects where the three stage reporting Protocol which had been adopted had not been followed. The Chief Executive responded that he would follow that up and guidance would be re-issued.

RESOLVED:

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

60. CHAIR'S COMMUNICATIONS

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

61. PETITIONS

No petitions were submitted.

62. NOTICE OF MOTION

The Chair confirmed that no Notices of Motion had been received.

63. QUESTIONS

The following questions had been submitted by Councillor Tony Sharps:

- (1) How many homes could be built on the sites for residential development allocated in the UDP that have not as yet received planning permission?
- (2) How many homes have received planning permission but have not yet been developed?

A copy of the responses to the questions, provided by the Deputy Leader of the Council and Cabinet Member for Environment, was circulated to all Members before the start of the meeting. A copy of the response is attached at Appendix 1 to the minutes.

64. QUESTIONS FROM MEMBERS ON COMMITTEE MINUTES

The Chair confirmed that no questions had been received.

65. UPDATE OF AUDIT COMMITTEE TERMS OF REFERENCE

The Democracy and Governance Manager introduced the report which detailed the proposed changes to the Audit Committee role contained in Article 7 of the Council Constitution.

A review of the Committee's role had taken place and been reported to the Audit Committee on 30 July 2013 and Constitution Committee on 16 October 2013. The revised wording following consideration by those Committees was attached at Appendix A to the report.

The main changes were:

- The role of the Committee was clarified in terms of financial affairs
- The work of the Committee was specified for risk management, corporate governance, treasury management and collaborations
- The review of the Anti Fraud and Corruption Strategy, Fraud Response Plan and Whistleblowing Policy was included
- Reports from other regulatory bodies were included
- Approval of the Internal Audit Charter, the receipt of the Annual Report and the monitoring of performance indicators was included
- A strengthening of reporting on the implementation of audit recommendations
- From the Local Government Measure, the ability of the Committee to require the presence of a Member or officer (previously 'request')
- The frequency of meetings as laid down by the Local Government Measure – at least once a year, but as many as the Committee wanted
- The training requirements for the Committee
- The need for the Committee to act apolitically was stated

Councillor Bernie Attridge proposed that the County Council support the recommendation outlined in the report which was seconded by Councillor Alison Halford.

RESOLVED:

That the changes to Article 7 set out in Appendix A to the report be approved.

66. CONSULTATION BY THE INDEPENDENT REMUNERATION PANEL FOR WALES (IPRW)

The Democracy and Governance Manager introduced the report which outlined a draft response to consultation by the Independent Remuneration Panel for Wales (IPRW) on its draft annual report for 2014/15.

A report on the consultation document was submitted to the Constitution Committee on 16 October 2013 and their views were reflected in the report before Members.

On 1 November 2013 the IRPW issued a supplemental report in respect of payments to co-opted members, details of which were included in Appendix 1 to the report. The determinations in that supplement report were to take effect on 1 January 2014.

It was agreed at the meeting of Constitution Committee that the Democracy and Governance Manager would prepare a draft response to the consultation document which was attached as Appendix 2 to the report.

Details of the proposed changes of the IRPW were outlined by the Democracy and Governance Manager as:

- An increase of basic allowance for Members in 2014/15 from £13,175 to £13,300 p.a.
- An increase in payment to the Leader by £500 p.a.
- An increase in payment to the Deputy Leader by £40 p.a.
- An increase in payment to Cabinet Members by £220 p.a.
- Local choice to be given to each County Council to choose which of three salary bands to pay each individual Committee Chair. It was proposed it would be either £8,700, £6,700 or £4,700 p.a. At present, all Committee Chairs received the same extra payment of £8,735 for their added responsibility

On paragraph 3.05 of the report which detailed the proposed increase to the amount paid to the Leader of the largest so called opposition group, the Democracy and Governance manager apologised for an error contained in the report which read that that post would receive an increase from £3,745 p.a. to £8,700 p.a. This was incorrect and the allowance for that post would decrease slightly. He therefore suggested that paragraph 3 of the proposed response should be excluded.

Also proposed by the IRPW was:

- Local choice in payments to Civic Heads and deputy Civic Heads
- Removal of the current maximum reimbursement for an overnight stay in Cardiff (£120) – the maximum for all such overnight stays outside of London to be £95

The draft annual report made no proposals to change the limit of 18 on a number of 'senior salaries' which Flintshire could pay its members who had special responsibilities. This represented 25.7% of the Council membership when for other Councils it could be as high as 50%.

On co-opted members, Members were asked to agree that the Democracy and Governance Manager be the appropriate officer for the purposes of the determinations outlined in 4(i) and 4(iii) of Appendix 1.

Councillor Bernie Attridge proposed that the County Council support the recommendation outlined in the report which was seconded by Councillor Robin Guest.

Councillor Aaron Shotton moved an amendment to the proposed Council's response for point 1 to read "The Council expresses concern about the two proposed changes to introduce more local choice in relation to the payments to be made to Committee Chairs, Civic Heads and Deputy Civic Heads. One of the most important features of the Councillors' allowance system in Wales is that it is independent of those who receive those allowances. Greater local choice on the level of allowances could therefore give rise to the appearance of a conflict of interest and should be rejected". He felt it was not appropriate for Council to determine what should be paid to such postholders. This was seconded by Councillor Alex Aldridge.

Councillor Attridge wished to withdraw his original proposal of the recommendation. Councillor Guest, who had seconded the proposal, however did not withdraw and it therefore remained.

A number of Members spoke in support of the amendment proposed by Councillor Shotton.

As Chairman of the Constitution Committee, Councillor Guest explained that the Committee strongly supported the proposal and he felt the IRPW had got the balance right of allowing local choice where it was needed, for example, being aware of the workload of individual Chairs. He emphasised that the IRPW would make the final decision and what was before Members was a response to consultation.

On being put to the vote, the amendment was CARRIED and became the substantive motion.

Councillor Clive Carver asked if there happened to be two groups with the same number of members would the increase on basic allowance be shared. The Democracy and Governance Manager said that if that arose he would seek clarification from the IRPW.

On being put to the vote, the substantive motion was CARRIED.

RESOLVED:

- (a) That the Council's response to consultation on the draft annual report for 2014/15 be as follows:
1. The Council expresses concern about the two proposed changes to introduce more local choice in relation to the payments to be made to Committee Chairs, Civic Heads and Deputy Civic Heads (determinations 3 and 6 in the draft annual report). One of the most important features of the Councillors' allowance in Wales is that it is independent of those who receive those allowances. Greater local choice on the level of allowances could therefore give rise to the appearance of a conflict of interest and should be rejected.
 2. In relation to the first and second determinations in the draft report relating to increases in basic allowances/salary and the payments to the Leader, Deputy Leader and other Cabinet members, the Council believes it would be inequitable for Members to receive a greater increase in their pay than the majority of Council staff and would only favour these increases if those staff on NJC terms and conditions were receiving at least a 1% increase in their pay.
 3. The Council agrees with the proposal of removing the maximum reimbursement for an overnight stay in Cardiff so that for all overnight stays outside of London the maximum reimbursement would be £95.
 4. The draft annual report does not propose any increase in the number of Councillors who can be paid for having special responsibilities and therefore does not address the discrepancy between those Councils who

have a larger number of Councillors (such as Flintshire) and those that do not (such as Isle of Anglesey). Only 25.7% of Flintshire's membership can receive payments for their special responsibilities whereas in Anglesey it is 50% and there is no good reason for this discrepancy.

- (b) That the Democracy and Governance Manager be the appropriate officer for the purposes of the determinations in paragraph 4(i) and (iii) of Appendix 1

67. SINGLE STATUS IMPLEMENTATION PLAN

The Chief Executive updated the situation following the recent Special Meeting (29 October 2013).

The Trade Unions were requesting permission from their national offices to ballot their members on the proposals and it was hoped approval would be given shortly which would enable the ballot to take place in early 2014.

The target date for employees receiving their individual letters was week commencing 2 December 2013 and a staff communication update had been sent out that day. The implementation date of Single Status was 1 April 2014.

Members would be kept informed of the exact date that the letters would be sent to employees and would receive information on how to deal with any queries and details of where employees should be signposted to.

Managers had attended meetings to provide them with details on how to deal with any queries from employees following receipt of the letters.

RESOLVED:

That the verbal update be received.

68. ATTENDANCE BY MEMBERS OF THE PRESS AND PUBLIC

There was one member of the press in attendance.

The meeting commenced at 2.00p.m. and finished at 2.45p.m.

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Chair

FLINTSHIRE COUNTY COUNCIL

12th November 2013

Question by Councillor Tony Sharps

In preparation for the Local Development Plan please could the following information be provided :-

1. How many homes could be built on sites for residential development allocated in the UDP that have not as yet received planning permission?

Answer

1,638 based on the indicative yields shown in the UDP.

2. How many homes have received planning permission but have not yet been developed?

Answer

Number of dwellings with planning permission but **not started** April 2013 :-

a) Large sites – 3,467

b) Small sites – 323

Total - **3,790**