

FLINTSHIRE COUNTY COUNCIL

20 MAY 2014

Minutes of the Annual Meeting of Flintshire County Council held in the Council Chamber, County Hall, Mold on Tuesday, 20 May 2014

PRESENT: Councillor Carolyn Thomas (Chair)

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

APOLOGIES:

Councillors: Rosetta Dolphin, Alison Halford, Cindy Hinds, Dennis Hutchinson, Phil Lightfoot and Richard Lloyd

IN ATTENDANCE:

Chief Executive, Director of Environment, Director of Lifelong Learning, Head of Legal & Democratic Services, Head of ICT & Customer Services, Democracy & Governance Manager, Member Engagement Manager and Committee Officer

1. DECLARATIONS OF INTEREST

On Agenda Item 10 - Schedule of Member Remuneration, the Head of Legal & Democratic Services said that a personal interest would be automatically recorded for all Council Members present.

2. CHAIR'S REVIEW OF THE YEAR 2013/14

The Chair said that she had done her best to promote Flintshire and spoke of her pride in carrying out the role which had given her the opportunity to support some worthy charities, take part in local community events and visit various establishments to bring back information on what was important to the people of Flintshire. She said that the visits had reinforced positive opportunities in Flintshire in relation to education, sports facilities, apprenticeships and employment and she spoke of various local events and initiatives such as the Council's commitment to the Armed Forces Community Covenant on which she had been proud to participate. She went on to praise the work of the Countryside Coastal department in the Big Dee clean-up. Copies of her latest communication were circulated to Members.

As well as thanking Reverend John Jones, she expressed her gratitude to the Vice-Chair, Councillor Glenys Diskin and her Consort, Councillor Alan Diskin, for their support, together with that from the Chief Executive and senior officers. She also relayed her thanks to the Civic & Member Services team and Arwel Jones for their excellent support throughout the year. In closing, she announced that she had so far raised £20,888 for her chosen charities, Nightingale House Hospice, Mold Community Hospital League of Friends and Cancer Research.

On behalf of their respective groups, Councillors Mike Peers, Robin Guest and Clive Carver all paid tribute to the enthusiasm and commitment of the Chair during the year and for her efforts in supporting local community events. Councillor Peers also read out a message of support from Councillor Dennis Hutchinson, who was unable to attend the meeting.

3. **ELECTION OF CHAIRMAN OF THE COUNCIL FOR THE MUNICIPAL YEAR 2014/15, INVESTITURE OF CHAIN OF OFFICE AND SIGNING OF DECLARATION OF ACCEPTANCE OF OFFICE**

It was proposed by Councillor Aaron Shotton and seconded by Councillor Chris Bithell that Councillor Glenys Diskin be elected Chair of the Council for the municipal year 2014/15 and on being put to the vote, was carried. Both Members spoke in support of their nomination.

RESOLVED:

That Councillor Glenys Diskin be elected Chair of the Council for the municipal year 2014/15.

Councillor Diskin was invested with the Chain of Office by the retiring Chair and signed her Declaration of Acceptance of Office in the presence of the Chief Executive.

(From this point, Councillor Glenys Diskin chaired the remainder of the meeting)

The Chair then presented Councillor Carolyn Thomas with her retiring Chair's Badge of Office and her Consort's retiring Badge of Office.

Councillors Aaron Shotton and Chris Bithell congratulated Councillor Glenys Diskin on her appointment and paid tribute to the out-going Chair for the inspirational manner in which she had carried out her role.

In responding, Councillor Glenys Diskin thanked Members for electing her as Chair for the year ahead and paid tribute to the out-going Chair for the manner in which she and her Consort had acted as model ambassadors for the Council. She proposed a formal vote of thanks to Councillor Thomas for her term of office and provided details of her chosen charities for the year, which were the British Heart Foundation and Prostate Cancer. She went on to thank her Consort, Councillor Alan Diskin and her Chaplain for the coming year, Reverend Marjorie Quinn.

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 2014/15, INVESTITURE OF CHAIN OF OFFICE AND SIGNING OF DECLARATION OF ACCEPTANCE OF OFFICE**

It was proposed by Councillor Carolyn Thomas and seconded by Councillor Aaron Shotton that Councillor Ray Hughes be appointed Vice-Chair for the municipal year 2014/15 and on being put to the vote, was carried. Both Members spoke in support of their nomination.

RESOLVED:

That Councillor Ray Hughes be appointed as Vice-Chair of the Council for the municipal year 2014/15.

Councillor Hughes was invested with the Chain of Office by the Chair and signed his Declaration of Acceptance of Office in the presence of the Chief Executive.

In responding, the Vice-Chair thanked Members for electing him as Vice-Chair for the year ahead for which he felt honoured. He offered his congratulations to the Chair and her Consort and offered his support whenever needed.

5. **PRESENTATION OF LONG SERVICE AWARD**

The Chair announced the presentation of a long service award to Councillor Gareth Roberts in recognition of his continuous 50 year service, starting at Holywell Urban District Council.

Councillor Roberts congratulated the Chair on her appointment and expressed his gratitude for the award, paying tribute to the supportive role of spouses/partners of all Council Members.

Councillors Chris Bithell, Mike Peers and Hilary Isherwood all offered their congratulations and spoke in support of Councillor Roberts being honoured with this award.

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

It was proposed by Councillor Alex Aldridge and seconded by Councillor Tony Sharps that Councillor Aaron Shotton be appointed Leader of the Council for the municipal year 2014/15 and on being put to the vote, it was carried.

In support of his proposal, Councillor Aldridge praised Councillor Shotton and Councillor Attridge, along with Cabinet Members and senior officers for their achievements over the last municipal year to protect core services of the Council during significant financial challenges and for decision-making which had led to the Council being placed in a stable position to face further challenges ahead. He paid tribute to the demanding role of Leader to which Councillor Shotton was best placed to continue through the transition, supported by Councillor Attridge.

In seconding the proposal, Councillor Sharps also paid tribute to Councillors Shotton and Attridge. He recognised the achievement in reaching a

balanced budget with agreement from across the Council and hoped that the same level of support would be forthcoming during next year's budget process.

RESOLVED:

That Councillor Aaron Shotton be appointed Leader of the Council for the municipal year 2014/15.

7. APPOINTMENT OF THE CABINET BY THE LEADER

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. In thanking everyone for their support over the past year, he said that the Council had strived to meet the ambitions of communities it served, for example, in delivering extra care and specialised care for complex needs, and was at the forefront in advocating funding for new build Council housing. In view of the forthcoming senior management restructure, he indicated that he may need to review Cabinet portfolios and that if so, all Members would be updated accordingly.

RESOLVED:

That the choice of Councillors to serve on the Cabinet and their portfolios detailed below, be noted.

<u>Cabinet</u>	<u>Portfolio</u>
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	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

8. CONSTITUTIONAL MATTERS: COMMITTEES AND OUTSIDE BODIES

The Council considered the report of the Head of Legal & Democratic Services 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 Head of Legal & Democratic Services explained the requirement within Council Procedure Rules for certain committees to be appointed at the Annual Meeting, as indicated in the report. In addition to the twelve committees currently provided for within the Constitution, the creation and terms of reference of the Clwyd Pension Fund Committee had been approved at the County Council meeting on 30 April 2014, with its scheme of delegation to be considered later in this item.

Following approval of the new operating model, including a new senior management structure, by the Council on 25 March 2014, it was recommended that a review of the Overview & Scrutiny committee structure should be carried out, with a report submitted to the Constitution Committee by the Chief Executive on how the review would be conducted.

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

RESOLVED:

- (a) That the County Council confirm the appointment of the Committees as outlined in section 2 of the report; and
- (b) That the need for a review of the Overview & Scrutiny Committees be endorsed and that the Chief Executive bring a scoping paper for that review to the Constitution Committee.

(B) Determination of the size of Committees

The Head of Legal & Democratic Services 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 detailed in the report.

Councillor Aaron Shotton moved approval that the County Council confirm the size of the Committees as outlined in section 3.01 of the report which was seconded by Councillor Bernie Attridge and on being put to the vote, was carried.

RESOLVED:

That the County Council confirm the size of the Committees as outlined in section 3.01 of the report.

(C) Terms of Reference of Committees and Pension Delegations

The Head of Legal & Democratic Services 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. There were no proposed changes, unless Members agreed that changes were needed

to the proposed scheme of delegation to officers for the Clwyd Pension Fund Committee, shown in Appendix 1 to the report.

Councillor Aaron Shotton moved approval that the County Council confirm the current Terms of Reference of the Committees and the proposed scheme of delegation to officers for pension functions. This was seconded by Councillor Bernie Attridge and on being put to the vote, was carried.

RESOLVED:

- (a) That the delegation to officers in relation to the Clwyd Pension Fund be approved; and
- (b) That the existing terms of reference for the committees be confirmed.

(D) Political Balance

The Head of Legal & Democratic Services 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. The calculations for political balance were based on the current number of 68 County Councillors and may be subject to change following the by-election on 22 May 2014.

The Head of Legal & Democratic Services explained that since the inclusion of Option A in the report, an alternative Option F had been submitted in which there was an additional Liberal Democrat seat on Corporate Resources Overview & Scrutiny Committee taken from the Independent allocation, in return for an Independent seat on the Pensions Committee taken from the Liberal Democrats. Copies of Option F were circulated, with the changes highlighted in red.

Councillor Aaron Shotton proposed that the County Council confirm the allocation of seats as outlined in Option F. This was duly seconded by Councillor Bernie Attridge and on being put to the vote, was carried.

RESOLVED:

That the political balance of committee seats be agreed as Option F which is appended to this document.

(E) Appointment of Chairs of Standing Committees

The Head of Legal & Democratic Services reported that Council Procedure Rule 1.1(x) required the Council to appoint the Chairs of standing committees with the exception of the Standards, Overview & Scrutiny and Audit Committees. The 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

Councillor Aaron Shotton's proposal that Councillor Haydn Bateman be appointed Vice-Chair of the Clwyd Pension Fund Committee was seconded by Councillor Attridge and on being put to the vote, was carried.

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. As the New Independent and Liberal Democratic groups were the same size, both were equally entitled to chair one Overview & Scrutiny committee between them which was to be determined by the Council. That committee would then be required to select a Chair at its next meeting.

Councillor Aaron Shotton moved the following, which was seconded by Councillor Bernie Attridge and on being put to the vote, was carried:

Overview & Scrutiny Committee	Group to Choose Chair
Community Profile & Partnerships	Independent Alliance
Environment	Conservative
Housing	Labour/Independent
Lifelong Learning	Labour/Independent
Social & Health Care	Independent/Labour

Councillor Aaron Shotton then provided names of the following Members to be appointed as Chairs:

Housing Overview & Scrutiny Committee - Councillor Ron Hampson
Lifelong Learning Overview & Scrutiny Committee - Councillor Ian Roberts
Social & Healthcare Overview & Scrutiny Committee - Councillor Carol Ellis

In relation to requirements for the Chair of Corporate Resources Overview & Scrutiny Committee to be appointed from the Liberal Democrat or New Independent groups, Councillor Clive Carver asked it if was possible for this to be shared by the two groups or from the group with the lowest number of Chairs. Councillor Robin Guest asked if the legislation allowed for the two groups to share the chairmanship of this Committee on a six month or annual basis. The Head of Legal & Democratic Services advised that the Local Government Measure (Wales) 2011 required that the Chair must be chosen by the Committee and not Council.

Councillor Aaron Shotton moved approval that the Corporate Resources Overview & Scrutiny Committee choose its Chair from the Liberal Democrat or New Independent groups. This was seconded by Councillor Bernie Attridge and on being put to the vote, was carried.

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 Councillor Haydn Bateman be appointed as the Vice-Chair of the Clwyd Pension Fund Committee.

- (c) That the Chairs of the Overview & Scrutiny Committees be allocated to the following groups:

Community Profile & Partnerships	Independent Alliance	
Corporate Resources	Liberal Democrat	or New Independent
Environment	Conservative	
Housing	Labour/Independent	
Lifelong Learning	Labour/Independent	
Social & Health Care	Independent/Labour	

- (d) That the Chair of the Corporate Resources Overview & Scrutiny Committee be appointed from either the Liberal Democrat or New Independent groups by the Committee.

(F) Local Choice Functions

The Head of Legal & Democratic Services 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.

Councillor Aaron Shotton proposed that the existing table of Local Choice Functions included in Part 3, Section A, Table 3 of the Constitution, be confirmed. This was duly seconded by Councillor Bernie Attridge and on being put to the vote, was carried.

RESOLVED:

That the existing Local Choice Issues be confirmed.

(G) Nominations to Internal Bodies

The Head of Legal & Democratic Services 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.

Councillor Aaron Shotton proposed that the previous practice should continue. This was seconded by Councillor Bernie Attridge and 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) Nominations to Outside Bodies

The Head of Legal & Democratic Services explained that the list of outside bodies to which the Council made appointments, and the current appointments, was appended to the report. The Council was recommended to delegate to the Chief Executive, in consultation with Group Leaders and non-aligned Members, any changes to the appointments to these bodies.

Councillor Aaron Shotton moved approval that the appointment of outside bodies be delegated to the Chief Executive, in consultation with Group Leaders and non-aligned Members. This was seconded by Councillor Bernie Attridge and on being put to the vote, was carried.

RESOLVED:

That the appointment of outside bodies be delegated to the Chief Executive in consultation with Group Leaders and non-aligned Members.

(I) New Model Constitution

The Head of Legal & Democratic Services reported that a review of the national model of the Constitution for all councils in Wales had resulted in a new model with an improved layout. As it was important for the Council to determine whether to adopt the new model, which differed to the Council's own Constitution, it was recommended that Members consider proposals on how this would be approached.

Councillor Aaron Shotton proposed that the Council note that the Chief Executive would bring forward proposals for how this process would be managed.

RESOLVED:

That it be noted that the Chief Executive would bring forward proposals on how the process would be managed.

Agenda Item 8 - Option F - Political Balance

9. CONSTITUTIONAL CHANGES FOR NEW SENIOR MANAGEMENT STRUCTURE

The Chief Executive presented the report to seek approval of changes to references in the Council's Constitution to reflect the proposed new senior management structure adopted by the Council on 25 March 2014.

The Chief Executive explained that a realignment of the officer delegation scheme, within Part 3 of the Council's Constitution, was necessary to reflect the new senior management structure due to be implemented on 1 June 2014. Changes in the new structure meant that some delegated powers currently retained by the Head of Finance would need to transfer to the Corporate Finance Manager. In addition, as a temporary arrangement, the Head of Legal & Democratic Services and Head of ICT & Customer Services would retain their existing delegated powers whilst they remained in their posts.

Councillor Aaron Shotton moved approval of the recommendations in the report, which was seconded by Councillor Chris Bithell and on being put to the vote, was carried.

RESOLVED:

- (a) That as the new senior management structure comes into effect, the delegation scheme be updated to reflect the changes shown in Appendix 1;
- (b) That delegated power be given to the Chief Executive, in consultation with the Leader and the Chair of the Constitution Committee, to make other changes to the designated post holder for any existing delegated powers should the need arise; and
- (c) That delegated power be given to the Chief Executive, in consultation with the Leader and the Chair of the Constitution Committee, to make changes to the posts referred to in the Constitution to reflect the new senior management structure.

10. SCHEDULE OF MEMBER REMUNERATION

The Democracy & Governance Manager presented the report to seek approval of the Council's proposed Schedule of Member Remuneration for 2014/15. He explained the requirement for the changes within the Annual Report of the Independent Remuneration Panel for Wales (IRPW), which had been made available to Members, to be implemented from the date of the Council's Annual General Meeting.

As detailed in the report and at the Council's meeting on 30 April 2014, there were small increases in the 'basic salary' for Members and for Member 'senior salaries' whilst agreement needed to be reached on which of the three payment bands should apply to the Civic Head and Deputy. The Democracy & Governance Manager gave a reminder of the widening of the meetings eligible for co-optees allowance that had taken effect on 1 January 2014. As a result, one co-opted member had reached the annual maximum payment of ten full days. Members were requested to consider whether to increase the annual maximum to 15 full days.

Councillor Aaron Shotton proposed that the Chair and Vice-Chair of the Council receive the payments in band (b). He moved approval that 15 days be the maximum for which a co-opted member could be paid in any one year and that the Democracy & Governance Manager be authorised to amend the Schedule of Member Remuneration to reflect these changes. This was seconded by Councillor Bernie Attridge and on being put to the vote, was carried.

RESOLVED:

- (a) That band (b) be the agreed payment to the Council Chair and Vice-Chair;
- (b) That the maximum number of days eligible for payment of co-optees allowance be increased from 10 to 15 days in each Council year; and
- (c) That the Democracy & Governance Manager be authorised to amend the Council's Schedule of Member Remuneration to reflect the above decisions and the changes arising from the IRPW's Annual Report.

11. COUNTY COUNCIL DIARY OF MEETINGS 2014/15

The Chief Executive presented the draft Diary of Meetings for 2014/15 and highlighted the meetings scheduled for budget setting on 17 February 2015 and 3 March 2015 for setting the Council Tax.

Councillor Bernie Attridge moved approval of the draft Diary of Meetings 2014/15 which was seconded by Councillor Chris Bithell and agreed.

Councillor Robin Guest asked that the start time of the Annual General Meeting be noted as 11am in Members' Diaries.

RESOLVED:

That the draft Diary of Meetings for 2014/15 be approved.

12. MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE

There was one member of the press and 14 members of the public present.

(The meeting started at 11.00 am and ended at 12.40 pm)

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Chair

POLITICAL BALANCE - MAY 2014

OPTION F

	Labour 30 Members	Independent Alliance 10 Members	Conservatives 8 Members	New Independents 7 Members	Liberal Democrats 7 Members	Independents 6 Members	Total On Committee
Lifelong Learning OSC	6	2	2	2	2	1	15
Housing OSC	7	2	2	2	1	1	15
Corporate Resources OSC	7	2	1	2	2	1	15
Social & Health OSC	7	2	2	1	1	2	15
Environment OSC	7	2	1	2	2	1	15
Community Profile & Partnership OSC	7	3	1	1	2	1	15
Planning	9	3	3	2	2	2	21
Licensing	5	2	1	1	2	1	12
Audit	3	1	1	1	0	1	7
Constitution	9	3	3	2	2	2	21
Democratic	9	3	3	2	2	2	21
Pensions	2	1	1	0	0	1	5
Total to Group	78	26	21	18	18	16	177