

FLINTSHIRE COUNTY COUNCIL
30 APRIL 2014

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, Marion Bateman, Helen Brown, Derek Butler, Clive Carver, David Cox, Paul Cunningham, Peter Curtis, Ron Davies, Adele Davies-Cooke, Rosetta Dolphin, Ian Dunbar, Andy Dunbobbin, Brian Dunn, Carol Ellis, Jim Falshaw, Veronica Gay, Robin Guest, Alison Halford, Ron Hampson, George Hardcastle, Ray Hughes, Dennis Hutchinson, Hilary Isherwood, Joe Johnson, Rita Johnson, Kevin Jones, Stella Jones, Colin Legg, Brian Lloyd, Richard Lloyd, Mike Lowe, Dave Mackie, Nancy Matthews, Hilary McGuill, Ann Minshull, Billy Mullin, Tim Newhouse, Mike Reece, Gareth Roberts, Ian Roberts, Tony Sharps, Aaron Shotton, Paul Shotton, Ian Smith, Nigel Steele-Mortimer, Arnold Woolley and Matt Wright

APOLOGIES:

Councillors: Chris Bithell, Amanda Bragg, Alan Diskin, Chris Dolphin, Christine Jones, Richard Jones, Phil Lightfoot, Mike Peers, Neville Phillips, Owen Thomas and David Wisinger

IN ATTENDANCE:

Chief Executive, Director of Environment, Director of Lifelong Learning, Head of Legal & Democratic Services, Head of Finance, Head of Human Resources and Organisational Development, Democracy & Governance Manager, Clwyd Pension Fund Manager, Team Manager, Committee Services and Committee Officer

The Chair welcomed the new Member for Flint Trelawny, Councillor Paul Cunningham.

109. PRESENTATIONS

The Chair welcomed David Jones, Principal of Coleg Cambria, Nick Tyson, Executive Director of Curriculum Engineering and Construction at Coleg Cambria and Gareth Davies, Head of A350 Wing Industrialisation at Airbus.

She congratulated them on the recent achievement of one of 20 universities and further education colleges winning the Queen's prize of highest national honour in education for their vocational training in aircraft production and maintenance for Airbus and UK aerospace.

David Jones thanked Members for the opportunity of addressing the meeting to provide details on the prize which they had been delighted to win. Of the 20 winners, the majority were for universities with only three being for further education colleges. Although the prize had been presented to Coleg Cabria,

David Jones explained that the submission had been as Deeside College and that Deeside College were the only college to have received the award twice.

He stressed the team work that was required for the achievement of such an award including students, apprentices, managers and Governors and thanked all of those involved.

Nick Tyson said he was proud to have been raised in Flintshire and his core business values came from his initial career at Airbus. Those values were echoed through the College's Vision for Excellence document which helped to inspire learners to engage, learn and develop and be innovating in all that they did to ensure their success was a priority for the College.

Four apprentices from the College attended the presentation awards at the Palace along with himself and David Jones which was an extremely rewarding experience. He provided details on the range of apprenticeships that were offered by the College and stressed the importance of being aware of industry requirements to ensure that they were able to provide the appropriate training.

In addition, he emphasised the importance of the key skills that were developed alongside the formal apprenticeships training which were critical in business.

Gareth Davies echoed the importance of life skills, technical skills and being a good ambassador for the company. It was important for Airbus to maintain their current position in the marketplace which was underpinned by the work undertaken with the College.

In conclusion, David Jones added that the next step for Coleg Cambria was to build on its current success and for it to be replicated in the Deeside Enterprise Zone.

Councillor Derek Butler as Cabinet Member for Economic Development said the award was an excellent recognition and a great honour to industry in Flintshire. He said this was an example of what Flintshire did well in relation to partnership working and that it boded well for manufacturing in the future.

Councillors Alex Aldridge, Clive Carver, Matt Wright and Paul Shotton also paid tribute to Coleg Cambria and Airbus on receiving such a prestigious award, stressing the importance of the future being the relationship between education and industry.

110. COUNCIL MINUTES

The minutes of the meeting held on 18 February 2014 were submitted.

Councillor Mike Reece said in the second paragraph of page 8, the name Julie Garman should be replaced with Julie Gorman.

The minutes of the meeting held on 25 March were submitted.

Councillor Robin Guest said he was disappointed that there was not a full record of his proposed amendment to the recommendation on “Review of the Council Operating Model and Senior Management Structure”. The Chief Executive explained that as that part of the meeting was in closed session, the minute by definition was brief however a paragraph would be included to provide further details on his amendment.

RESOLVED:

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

111. DECLARATIONS OF INTEREST

The Head of Legal and Democratic Services advised that all Members had a personal interest in agenda item number 14 – Independent Remuneration Panel Annual.

On agenda item number 17 – Clwyd Pension Fund Update and agenda item number 18 - Clwyd Pension Fund Governance, the Head of Legal and Democratic Services advised that the interest was personal and the following Members declared:

Councillors: Alex Aldridge, Helen Brown, David Cox, Peter Curtis, Ian Dunbar, Brian Dunn, Carol Ellis, George Hardcastle, Joe Johnson, Kevin Jones, Stella Jones, Hilary McGuill, Nancy Matthews, Ann Minshull, Ian Roberts, Aaron Shotton and Ian Smith

112. CHAIR’S COMMUNICATIONS

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

113. PETITIONS

The Chair confirmed that none had been received.

114. QUESTIONS

The Chair confirmed that none had been received.

115. QUESTIONS FROM MEMBERS ON COMMITTEE MINUTES

The Chair confirmed that none had been received.

116. NOTICE OF MOTION

The Chair confirmed that none had been received.

117. EMPLOYERS' PROMISE

The Chief Executive explained the background to the report. The County Council alongside other Local Service Board (LSB) partners had signed up to the Employers' Promise on 3 April 2014 because as employers, LSB partners were committed to developing a skilled workforce equipped to meet the challenges of the future. Earlier that week, the Single Integrated Plan had been submitted to Community Profile and Partnerships Overview and Scrutiny Committee with the first priority being "Leading by example as employers and Community Leaders". Within that priority a commitment had been made to the adoption of the Employers' Promise.

The Director of Lifelong Learning introduced the report and said the LSB partners believed the Employers' Promise would support employees and residents in the County by creating additional opportunities for all residents, however there was a specific focus on improving the routes to employment available to young people. The partners had committed to:

1. be aspiring employers of choice
2. develop, promote and support a range of lifelong learning opportunities for people at work, at schools, college and universities, and in communities; and
3. develop, promote and support a broader range of education, employment and training opportunities for all people, with young people aged 16 to 24 years a priority.

Partners would develop new ways of delivering public services that had the potential to make a difference to peoples' lives at the same time as making better use of public money. This would be achieved in partnership with the public, private and voluntary sector partners. In partnership with other organisations, partners would develop new frameworks for: basic skills; employee development; workforce planning; reducing inequalities in employment; and well being.

The report provided full details on how all partners would maximise chances to support opportunities in employment, education and training.

Progress to date included:

- The launch of the Employer's Promise in the public sector to promote and enhance the roles as employees
- Key early projects which included supporting the development and implementation of the Young Engagement and Progression Framework, ensuring tracking and support for those vulnerable at transition to training or further education at 16
- Flintshire County Council had sponsored development of the BEN network, which encouraged creativity in people wanting to start or grow a business, develop entrepreneurial skills needed. Most crucially it supported and enabled young people to access opportunities in Flintshire

- The renewal of the apprenticeships programme to ensure equity of access to apprenticeships at all appropriate levels. Flintshire County Council had promoted development of new partnership shared apprenticeship and traineeship programmes, such as those developing in the construction sector and through the Deeside Enterprise Zone

Councillor Aaron Shotton, Leader of the Council and Cabinet Member for Finance proposed approval of the recommendation. He welcomed the report and the opportunity to endorse the principles of the Employer's Promise in what was a difficult time ahead for the public sector. This demonstrated a way forward with partners and a public commitment to invest in the workforce. There would be increased opportunities across the county and businesses that employed local people should be recognised.

Councillor Hilary Isherwood supported the principles of the Employer's Promise but felt that the bus services in semi-rural and rural areas needed to be more frequent to enable the opportunities for young people to be county wide and not inhibited by the infrastructure. In response, Councillor Bernie Attridge, Deputy Leader and Cabinet Member for Environment said all such aspects would be considered in the forthcoming Local Development Plan (LDP) process however it was equally important that semi-rural and rural areas absorbed some of the growth in affordable housing required in the county.

RESOLVED:

- (a) That the principles of the Employers' Promise support as an active partner be endorsed; and
- (b) That the monitoring of impact from implementation of the Employer's Promise, to take place in November 2014 and subsequently, be supported.

118. COMMUNITY REVIEW UPDATE

The Democracy and Governance Manager introduced the report which recommended the draft final proposals on the community review.

Following the draft proposals being agreed at County Council on 23 October 2013 and Cabinet on 19 November 2013, all Town and Community Councils were sent copies of the draft proposals at the end of November to seek observations by the end of January 2014. Attached as appendix A to the report was a list of all Town and Community Councils and other interested parties who had responded. All of the comments received had been carefully considered in preparing the draft final proposals which were attached as appendix B to the report.

In arriving at the draft final proposals, officers had considered:

- The need to address any existing anomalies
- The need to comply with the guiding principles

- The need to take account of the wishes of the Town and Community Councils and other interested parties
- The need to avoid practical difficulties with the Local Government elections scheduled for 2017 as detailed in paragraph 6.03 of appendix B
- Avoiding any obvious inconsistency of approach between similar Town or Community Councils

For 29 of the Town and Community Councils, the draft final proposals had not changed from the draft proposals previously agreed by Council and Cabinet. The consultation on the draft proposals had led to differences in what was proposed for the following Town and Community Councils, full details of which were contained in the report:

1. Hawarden
2. Hope
3. Penyffordd
4. Mold
5. Whitford

The next stage of the process was for Cabinet to consider the draft final proposals, together with the observations of County Council. Once agreed by Cabinet, they would appear on the Council's website.

Where the proposals involved changes to external community boundaries, a report would be submitted to the Local Democracy Boundary Commission for Wales recommending them.

Councillor Billy Mullin, Cabinet Member for Corporate Management moved the recommendation and thanked the Democracy and Governance Manager for his thorough work on a complex issue. This was seconded by Councillor Bernie Attridge.

In response to questions from Councillor Nigel Steele-Mortimer and Councillor Richard Lloyd, the Democracy and Governance Manager explained the proposals were to seek to have the same ratio of electors to Councillors across the wards within the same community. There would be differences in this ratio from one community to another according to the size of the electorate in each community.

However, this did not prevent the issues on boundaries raised by Councillor Richard Lloyd and Hilary McGuill being raised with the Local Democracy and Boundary Commission for Wales when it undertook its review of county electorate divisions after the proposed election in 2017.

Councillor Haydn Bateman welcomed the two minor amendments to Mold Broncoed Ward following which followed suggestions made by Mold Town Council.

RESOLVED:

That the draft proposals contained in appendix B be submitted to Cabinet for Consideration.

119. LOCAL CHOICE FUNCTIONS FOR SCHOOLS

The Head of Legal and Democratic Services introduced the report following a recommendation from the Constitution Committee that a new local choice function be an Executive function.

The Welsh Government had recently passed subordinate legislation creating a new local choice function in relation to approvals under Section 51 or a determination under Section 53 of the School Standards Organisation (Wales) Act 2013 (the Act) which related to the new power County Councils had to make decisions about the future of schools following a public consultation.

At its meeting on 26 March 2014 the Constitution Committee considered a report on the local choice function and resolved to recommend to County Council that it become an Executive function.

The Head of Legal and Democratic Services stressed that if Members resolved for it to become an Executive function, the previous arrangements on consultation on proposals for schools would continue as they had previously been of enormous benefit.

RESOLVED:

That the local choice function relating to Sections 51 and 53 of the Schools Standards and Organisation (Wales) Act 2013 be an Executive function and the Constitution updated accordingly.

120. INDEPENDENT REMUNERATION PANEL ANNUAL REPORT

The Head of Legal and Democratic Services informed Members of the contents of the Annual Report issued by the Independent Remuneration Panel for Wales (IRPW) concerning the payment of Members' Allowances for the Council year 2014/15.

The first change in the Annual Report was to increase basic allowance from the current £13,175 p.a. to £13,300 p.a.. Given the modest relaxation in the constraints on public sector pay this year, the Panel had decided to increase the basic allowance by less than 1% from spring 2014.

Notwithstanding the response received to consultation, the IRPW was implementing the proposal to give more local flexibility in relation to payments to the Civic Head and Deputy. The final report would leave it to the choice of Councils as to which of the three bands it would apply, details of which were contained in the report.

Councillor Aaron Shotton moved the recommendation which was seconded by Councillor Kevin Jones.

Councillor Clive Carver asked for clarification on the provision of adequate telephone and email facilities without cost to the individual Member and whether that meant devices should be provided free of charge or whether Members were to submit a claim and be reimbursed. The Head of Legal and Democratic Services said he would seek clarification if the IRPW whether it had a view on this.

RESOLVED:

That the Annual Report of the IRPW be noted.

121. SINGLE STATUS

The Chief Executive provided a verbal update on the progression of single status since it was last reported to County Council on 28 January 2014.

The outcome of the Trade Unions ballot was as follows:

Union	Turnout %	% Voted to Accept the Proposals
Unison	50%	73.5%
Unite	47%	75.5%
GMB	54%	54%

The Collective Agreement was scheduled to be signed by the authority and the Trade Unions the following week.

Project planning and testing of the payroll system were on schedule for the implementation date of 1 June 2014.

There had been 330 appeals and maintenance requests submitted by employees albeit less appeals than was originally anticipated. He was pleased to inform Members that the appeals applications were close to being completed and employees would be informed of the outcomes later in the summer.

RESOLVED:

That the update be noted.

122. LOCAL GOVERNMENT PENSIONS SCHEME REGULATIONS 2014 – REVIEW OF THE COUNCIL’S EMPLOYMENT POLICIES FOR EARLY RETIREMENT

The Head of Human Resources and Organisational Development advised Members of the main changes to the Local Government Pension Scheme (LGPS) regulations for 2014 and recommended a revised Early Retirement Policy which set out how the Council as an employer within the Clwyd Pension Fund could apply the new 2014 discretions for employees.

From 1 April 2014, 'normal pension age' for the purposes of the LGPS was linked to 'state pension age' and would not normally be before age 65. Under the new scheme, employees could opt to retire at aged 55 without the consent of their employer and could gain access to their LGPS pension. The pension would be reduced by a set amount depending on how many years before 'normal pension age' an employee wished to retire. The reduction in pension would be equivalent to the cost of early payment of the pension and lump sum before 'normal pension age'. There was an option for the employer to waive all or part of the actuarial reduction which was detailed in the report.

The introduction of the new LGPS also required scheme employers to review their existing discretionary pension policy arrangements and set out how the new discretions would be applied in relation to specific provisions in the scheme which were listed in the report. There were no changes to provisions in relation to Early Retirement on the Grounds of Redundancy or Early Retirement in the Interests of Efficiency which were normally initiated by the organisation/employer. This meant that the pension benefits available for employees under the current Change Programme and the recent Voluntary Redundancy Scheme (2014) would not be impacted by these changes to the regulations.

In the scenarios on discretions outlined in the report, the Council would have the option under the new discretions to consider waiving the actuarial reduction in full or in part following consideration under defined criteria as set out in the revised Early Retirement Policy, on a 'case by case' basis. In all cases, requests would be considered corporately prior to any final decisions being made, ensuring that outcomes were fair, consistent and justifiable and represented a cost effective approach for the Council.

Councillor Billy Mullin, Cabinet Member for Corporate Management recommended approval of the report which was seconded by Councillor Bernie Attridge.

RESOLVED:

- (a) That the changes to the Local Government Pension Scheme (LGPS) regulations for 2014 be noted;
- (b) That the Council's intended approach to the discretions under the LGPS 2014 and the revised Early Retirement Policy be noted and approved; and
- (c) That the Council's intention to revise the current Flexible Retirement policy which would be considered by Cabinet in June 2014 be endorsed.

123. CLWYD PENSION FUND UPDATE

The Head of Finance provided Members with a half yearly update on current issues relating to the Clwyd Pension Fund ("the Fund").

The report covered the items discussed at the Pension Fund Panel at the meetings on 27 November 2013 and 25 February 2014.

On the Management of the Local Government Pension Scheme, the Head of Finance explained that the announcement by the Local Government Minister, Brandon Lewis, as detailed in paragraph 3.04 of the report was now thought likely to be received after the European Parliamentary Elections on 22 May.

Councillor Billy Mullin, Cabinet Member for Corporate Management recommended approval of the report which was seconded by Councillor Brian Dunn.

RESOLVED:

That the report be noted.

124. CLWYD PENSION FUND GOVERNANCE

The Democracy and Governance Manager introduced the report which proposed changes to the governance arrangements for the Clwyd Pension Fund as recommended by the Council's Constitution Committee. He referred to the amended Appendix 2 to the report which had been circulated to Members and was available on the Council's website.

The new governance structure reflected guidance given by the Secretary of State on best practice and whilst the recommendations in the report received overwhelming support at the Constitution Committee, two considerations were raised on the composition of the Committee, full details of which were in the report.

Councillor Alison Halford asked for clarification on the roles within Finance following the departure of the Head of Finance in June 2014. The Chief Executive explained that the Corporate Finance Manager would be the Council's Chief Finance (S.151) Officer who would be line managed by the Chief Officer – People and Resources but with a reporting line also to the Chief Executive for Strategic Finance. The Chief Executive would have the overall key strategic role for Finance along with the Chief Officer People and Resources and the Corporate Finance Manager.

As the S.151 Officer to the Council, the Corporate Finance Manager would be the S.151 Officer to the Clwyd Pension Fund. In addition to the officers previously mentioned, the Clwyd Pension Fund Manager would also provide Pension Fund advice.

Councillor Bernie Attridge, Deputy Leader and Cabinet Member for Environment recommended approval of the recommendation in the report which was seconded by Councillor George Hardcastle.

RESOLVED:

That the creation of the Clwyd Pension Fund Committee as outlined in appendix 2 to the report with effect from the annual meeting on 20 May 2014 be approved.

125. ATTENDANCE BY MEMBERS OF THE PRESS AND PUBLIC

There was one member of the press in attendance.

(The meeting started at 10.00a.m. and ended at 12.03p.m.)

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Chair