

FLINTSHIRE COUNTY COUNCIL
22 JULY 2021

Minutes of the remote attendance meeting of Flintshire County Council held on Thursday, 22 July 2021

PRESENT: Councillor Joe Johnson (Chairman)

Councillors: Mike Allport, Janet Axworthy, Glyn Banks, Haydn Bateman, Marion Bateman, Sean Bibby, Chris Bithell, Clive Carver, Geoff Collett, Bob Connah, David Cox, Paul Cunningham, Jean Davies, Rob Davies, Ron Davies, Adele Davies-Cooke, 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, Dave Hughes, Ray Hughes, Dennis Hutchinson, Paul Johnson, Christine Jones, Brian Lloyd, Richard Lloyd, Mike Lowe, Dave Mackie, Hilary McGill, Billy Mullin, Neville Phillips, Ian Roberts, Tim Roberts, Kevin Rush, Tony Sharps, Paul Shotton, Ralph Small, Ian Smith, Carolyn Thomas, Owen Thomas, Martin White, David Williams, David Wisinger and Arnold Woolley

APOLOGIES:

Councillors: Bernie Attridge, Derek Butler, Helen Brown, Rita Johnson, Richard Jones, Tudor Jones, Colin Legg, Ted Palmer, Mike Peers, Michelle Perfect, Vicky Perfect, and Aaron Shotton

IN ATTENDANCE:

Chief Executive; Chief Officer (Governance); Chief Officer (Planning, Environment and Economy); Chief Officer (Streetscene & Transportation); Chief Officer (Housing & Assets); Head of Democratic Services, Democratic Services Officers and Father Daniel Caldwell for prayers

17. MINUTES

The minutes of the meetings held on 1 April and 25 May 2021 were submitted.

The minutes were moved by Councillor Chris Bithell and seconded by Councillor Ralph Small and approved as an accurate record.

RESOLVED

That both sets of minutes be approved as an accurate record.

18. DECLARATIONS OF INTEREST

The Chief Officer (Governance) advised that a personal interest would be recorded for all Members on the Schedule of Remuneration for 2021/22 (agenda item 12).

19. CHAIRMAN'S COMMUNICATIONS/COMMENTS

The Chairman referred to the sad news of the recent death of former Councillors Dennis Parry, John Beard and Eric Owen, who had been Members of the Council. He also referred to the sudden death of Mike Catherall who was a much valued member of the Council's Streetscene and Transportation Team.

In paying tribute the Chairman said Councillor Dennis Parry had represented the Whitford Ward from 1995-1999, and was chair of the Education Committee from 1996-1999. Previously Councillor Parry had been a member of Delyn Borough Council and Clwyd County Council and was Leader of the Council until local government reorganisation in 1996.

Councillor John Beard was a Labour member who represented the Shotton East Ward from 1997. Councillor Beard was a member of the Executive and on leaving this position was appointed Chair of the Economic & Environment Overview & Scrutiny Committee until he retired from the Council following the 2008 elections.

Councillor Eric Owen represented the Connah's Quay Golftyn Ward from 2008-2012 and was a member of the Independent Alliance Group. He served on both the Community & Housing, and Social & Health Overview & Scrutiny Committees.

Mr Mike Catherall was a long standing employee of the Council who worked in the Waste and Recycling Collection Service and Nercwys Household Recycling Centre. Mr Catherall was a highly respected and popular member of the Streetscene and Transportation Team.

The Chairman asked Members to observe a one minute silence in tribute to them.

Councillor Paul Shotton paid tribute to Councillor Dennis Parry.

Councillor Veronica Gay paid tribute to Councillor Eric Owen.

Councillor Ian Roberts, Leader of the Council, paid tribute to Councillors Dennis Parry, John Beard and Eric Owen. He spoke of his association with each and their personal qualities, achievements, and significant contribution to the work of the Council. Councillor Roberts also commented on the sad loss of Mike Catherall and expressed his sincere condolences to the partners, family, and friends of all.

The Chief Executive also extended deep condolences on behalf of officers to the families and friends of the former colleagues.

Councillor Glyn Banks reiterated the sentiments which had been expressed and paid tribute to Councillor Dennis Parry and Mike Catherall. He said they would be missed and expressed his sympathy to their partners and families.

Councillor Ron Davies paid tribute to Councillors John Beard and Dennis Parry. He spoke of his close association with Councillor Beard both as a colleague and friend.

The Chief Officer (Streetscene & Transportation) paid tribute to Mike Catherall and spoke of the shock of the sad news of his sudden death. She said he was a highly valued member of the Service and would be missed by his work colleagues. She thanked Members for their support and condolences which she would pass to his family and the Streetscene & Transportation Team.

The Chairman expressed best wishes for the speedy recovery of Councillors Bernie Attridge and Derek Butler who were unable to be present due to serious illness.

The Chairman announced that Councillor David Williams had tendered his resignation as a Member of the Council to take immediate effect following the meeting. He invited Councillor Williams to speak. Councillor Williams said it was with regret that he tendered his resignation and commented on the reasons for his decision. He paid tribute to Members, officers, and staff in a number of the Council's Services, which had given him valued support during his term of office. The Chief Executive thanked Councillor Williams for his acknowledgements and wished him well for the future on behalf of the Council.

Councillor Dennis Hutchinson thanked Councillor Williams for the personal support he had provided to him and expressed best wishes to him for the future.

20. PETITIONS

There were no petitions.

21. LOCAL DEMOCRACY & BOUNDARY COMMISSION FOR WALES: REVIEW OF FLINTSHIRE WARD BOUNDARIES UPDATE

The Chief Executive introduced the report to give the current position on the review of Flintshire Ward Boundaries. He provided background information and advised that the Minister for Finance & Local Government was expected to pass Orders following a review of the 22 principal councils in Wales in September. He explained that there were 3 reviews where the Minister required further information before making a final decision with Flintshire being one of them. It was expected that the Boundary Commission's final report would be approved by the Minister with few or no amendments.

The Chief Executive said the Council agreed with most of the proposals in the report, however, there was concern that at the final stage, and without prior announcement or consultation, the Commission had introduced a new recommendation for one three Member ward in Flint. He explained this may have gone outside the Boundary Commission's own procedures and conflicted with an objective to try wherever possible to create single member wards. The Chief Executive said this had been raised with the Minister and he suggested that Members may wish to consider amending the recommendation in the report to support that both the Leader of the Council and himself formally ask the Minister, in considering the final contents of the Order, to specifically reverse the new recommendation for one three Member ward in Flint on the basis that it had been introduced at the final stage and there had been no opportunity to discuss or scrutinise beforehand.

Speaking in support of the Chief Executive's concerns Councillor Ian Roberts suggested that the proposal to send a letter to the Minister also included the following summary points: that Boundary Commission reports should not be sent out within a year of the normal cycle of elections for a local authority; that in future the Boundary Commission is asked not to include any new proposals in the final version of its report; and that community ties need to be given greater weight within future Boundary Commission reviews.

The Chief Executive explained that the wider issues referred to by Councillor Ian Roberts had been discussed with the Minister and further to the request by Councillor Roberts, and suggested that the Welsh Local Government Association (WLGA) be formally invited to support the principles outlined above.

The Chief Officer (Governance) summarised that the proposal moved by Councillor Ian Roberts was that a letter be sent to the Minister for Finance & Local Government which challenged the Boundary Commission's proposals for a new three Member ward for Flint for the reasons outlined by the Chief Executive. In addition the letter would include the three summary points raised by Councillor Ian Roberts above and a request to the WLGA to support the principles in general. The proposal was seconded by Councillor Paul Cunningham.

Councillor David Healey referred to the unexpected proposal in the Boundary Commission's final report to merge Caergwrle Ward with the Llanfynydd and Treuddyn Wards. Councillor Healey said this was without any prior indication or opportunity for public consultation and the concerns expressed around the Boundary Commission's proposals for Flint also applied to the Caergwrle, Llanfynydd and Treuddyn Wards. He asked that the proposal made by Councillor Roberts above be amended to include a further challenge on the Commission's proposals for the Caergwrle Ward for the reasons he had outlined. The amendment was agreed by Councillor Ian Roberts and seconded by Councillor Paul Cunningham and became the substantive motion. When put to the vote this was carried.

RESOLVED:

- (a) That a letter be sent to the Minister for Finance & Local Government which challenges the Boundary Commission's proposals for a three Member ward for Flint and the proposal to merge the Caergwrle Ward with Llanfynydd and Treuddyn Wards and asks for them to be reversed;
- (b) That the letter to the Minister also includes the three principles outlined above for future reviews; and
- (c) That the Welsh Local Government Association (WLGA) be formally invited to support the principles outlined above.

22. BOUNDARY COMMISSION FOR WALES; 2023 REVIEW OF PARLIAMENTARY CONSTITUENCIES

The Chief Officer (Governance) presented a report on the process for the forthcoming review of Welsh Parliamentary constituencies. He provided background

information and commented that there was an expected increase in the size of local constituencies and that the overall review should result in a significant reduction in the number of constituencies in Wales (from 40 to 32 constituencies).

Councillor Ian Roberts moved the recommendation and this was seconded by Councillor Patrick Heesom. When put to the vote the recommendation was carried.

RESOLVED:

That the process to be followed during the Boundary Commission for Wales 2023 Review of Parliamentary Constituencies be noted.

23. DECLARATION OF DIVERSITY IN DEMOCRACY

The Head of Democratic Services presented a report to invite the Council to support in principle the making of a Declaration of Diversity in Democracy. He provided background information and advised that each of the 22 principal councils in Wales was being asked to make a Diversity in Democracy Declaration.

The County Council was invited to recognise the importance of this and to commit to developing an action plan to improve diversity in democracy in Flintshire. Should Council agree, a Declaration of Diversity in Democracy would be made in principle and thereafter the detailed work in creating the Flintshire Diversity in Democracy Action Plan would be undertaken by the Constitution & Democratic Services Committee.

Speaking in support of a Flintshire Declaration of Diversity in Democracy, Councillor Christine Jones moved the recommendations in the report and this was seconded by Councillor Billy Mullin.

Councillor Neville Phillips expressed concerns around the Welsh Local Government Association's proposals to introduce 'resettlement grants' to councillors should they lose their seat at an election. The Head of Democratic Services explained that the proposal was 'aspirational' at the current time and had not been confirmed.

Councillor Ron Davies commented on the need for councillors who were in employment to be allowed to take time off work to attend meetings during their public service. The Chief Officer (Governance) explained there was already provision to enable employers to allow councillors reasonable time off work to attend meetings. However, he acknowledged that some employers were more accommodating in their approach to this than others.

Councillor Ian Roberts suggested that the Council should prompt the WLGA to ask for a declaration to be signed by employers, consenting to their employees having paid time off for public service. He also suggested that the Council's own practices be reviewed to consider if the arrangements for meetings/workshops could be improved for councillors who were in employment.

Councillor Gladys Healey spoke in support of the comments made by Councillor Roberts.

Councillors Christine Jones and Billy Mullin accepted the suggestion to write to the WLGA as an addition to the substantive motion and when put to the vote this was carried.

RESOLVED:

- (a) That Council recognises the importance of diversity in democracy, and commits to developing an action plan to improve diversity;
- b) That the detailed work creating the Flintshire Diversity in Democracy Action Plan be undertaken by the Constitution & Democratic Services Committee; and
- (c) That that the Council writes to the WLGA, seeking a declaration to be signed by employers to consent to releasing employees for public service.

24. PROTOCOL ON ACTING OUTSIDE THE WARD

The Chief Officer (Governance) presented a report to consider the revised Member Protocol on Involvement in Other Wards. He provided background information and explained that the existing protocol was thought by statutory officers and Group Leaders to be in need of revision. An amended version agreed for formal consultation was appended to the report which had been approved by the Constitution & Democratic Services Committee at a meeting held on 30 June 2021.

The recommendation was moved by Councillor Neville Phillips and seconded by Councillor Chris Bithell.

Councillor Owen Thomas commented on Members being contacted regarding planning matters in other wards. The Chief Officer acknowledged the points made by Councillor Thomas and explained that this was covered within Section 2 - Exceptions to the Protocol, paragraph (f), which was appended to the report. He also cautioned that, when replying to correspondence or representations, members of the Planning Committee should be careful not to create the impression that they had reached a final decision on a planning application prior to it being considered at a meeting of the Planning Committee.

Councillor Chris Bithell commented on guidance in the Planning Code of Conduct around adjacent ward members and asked if similar guidance should also be included in Section 2 of the Protocol. In response the Chief Officer provided advice concerning Member involvement in planning matters in an adjacent ward which had an impact on their own ward. He advised that whilst representing the interests of residents in their own ward the Member would not be in breach of the Protocol in these circumstances, but agreed that this could be stated within the Protocol for clarity.

Referring to Section 3, paragraph 3.2, of the Protocol, Councillor Paul Shotton said Members should declare their own ward for transparency.

Having been moved and seconded, Councillors Neville Phillips and Chris Bithell accepted the suggestion that the Protocol be amended as above as an addition to the substantive motion. When put to the vote this was carried.

RESOLVED:

That subject to the amendment above, Council adopts the 2021 revised Member Protocol on Involvement in Other Wards.

25. AMENDMENTS TO THE RULES OF PROCEDURE

The Chief Officer (Governance) presented the report to consider the revised Protocol on the Rules of Procedure. He advised that at the Annual Meeting of the Council held on 9th September, the Chair agreed to the temporary changes to some of the Rules, which were circulated. Remote Attendance Meetings would continue as the Council moved towards the 'multi-location meetings' required by the Local Government & Elections (Wales) Act 2021. What were originally temporary changes now needed to be formally adopted by Council whilst the Council developed a policy on multi-location meetings. Making the temporary changes to the Rules of Procedure permanent was supported by the Constitution & Democratic Services Committee at its meeting on 30th June 2021.

The Chief Officer advised that the Act required that the Council should develop and publish its policy on which meetings would take place in person, remotely, or as a hybrid, and the rules that would apply to each. The Council would need to develop its own 'multi-location meetings' policy before May 2022. Further reports would be submitted to the Constitution & Democratic Services Committee, and to Council. Appended to the report were the changes which needed to be incorporated into the Rules of Procedure to make them applicable to multi-location meetings.

The recommendations were moved by Councillor Neville Phillips and seconded by Councillor Rob Davies, and when put to the vote were carried.

RESOLVED:

- (a) That the Council considers and approves the changes to the Rules Of Procedure as shown in appendix 1; and
- (b) That further work be undertaken to develop a Flintshire policy on multi-location meetings.

26. APPOINTMENT OF AN INDEPENDENT MEMBER TO THE STANDARDS COMMITTEE

The Chief Officer (Governance) presented a report to give details of the preferred candidate for the Independent Member vacancy on the Standards Committee.

The Chief Officer provided background information and referred to the vacancy for an Independent Member (co-optee) on the Standards Committee. He reported that an advertisement had been placed in the local press and online. There were four applicants, of whom three were shortlisted and interviewed. Two candidates were

suitable for appointment and it was recommended that Jacqueline Guest and David Davies be appointed. Jacqueline Guest would commence her appointment immediately, filling the current vacancy on the Committee. David Davies' appointment would be effective from 1st January 2022 when an existing Independent Member had indicated their intention to stand down.

In moving the recommendations, Councillor Paul Johnson said the new appointments would bring important skills and personal qualities to the Standards Committee. He expressed thanks for the work and valuable contribution made by Rob Dewey and Phillipa Earlam to the Committee. Councillor Marion Bateman seconded the recommendation and commented that the new members would be an asset. She also took the opportunity to thank Councillor Paul Johnson for his work on the Committee.

On being put to the vote the recommendations were carried.

RESOLVED:

- (a) That Jacqueline Guest be appointed to the Standards Committee until the 21st July 2027;
- (b) That David Davies be appointed to the Standards Committee from 1st January 2022 until the 31st December 2027;
- (c) That Noela Jones be thanked for acting as Lay Person on the Committee
- (d) That Phillipa Earlam be thanked for her work on the Committee.

27. SCHEDULE OF REMUNERATION 2021/22

The Head of Democratic Services introduced a report on the Schedule of Remuneration for elected and co-opted Members for 2021/22. He advised that the Council was required to produce the Schedule of Remuneration annually and the Schedule for 2021/22 was appended to the report. It had to be published and sent to the Independent Remuneration Panel for Wales by 31st July.

The Head of Democratic Services explained there were currently three co-optee vacancies for parent governors on the Education, Youth & Culture Overview & Scrutiny Committee. Nominations had been sought and an election would be held in due course.

The Council was requested to authorise the Head of Democratic Services to add the names of the co-optees to the Schedule and republish as necessary, and make any further necessary changes to the Schedule as they arose.

Councillor Billy Mullin moved the recommendations which were seconded by Councillor Paul Shotton. On being put to the vote the recommendations were carried.

RESOLVED:

- (a) That the completed Schedule of Remuneration for 2021/22 as attached be approved for publication; and
- (b) That the Head of Democratic Services be authorised to add the names of the co-optees to the Schedule and republish as necessary and make any further necessary changes to the Schedule as they arise.

28. PUBLIC QUESTION TIME

None were received.

29. QUESTIONS

None were received.

30. NOTICE OF MOTION

None were received.

31. MEMBERS OF THE PRESS IN ATTENDANCE

There was one member of the press in attendance.

(The meeting started at 10.00 am and ended at 11.42 am)

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Chair