

FLINTSHIRE COUNTY COUNCIL
17 JULY, 2012

Minutes of the Meeting of Flintshire County Council held in the Council Chamber, County Hall, Mold on Tuesday 17 July, 2012

PRESENT: Councillor A. Minshull (Chair)

Councillors: J.B. Attridge, G. Banks, G.H. Bateman, M. Bateman, R.C. Bithell, H. Brown, C.S. Carver, D.L. Cox, P.J. Curtis, R. Davies, A. Davies-Cooke, A.G. Diskin, G.D. Diskin, R. Dolphin, I. Dunbar, C.A. Ellis, D. Evans, J.E. Falshaw, V. Gay, A.M. Halford, G. Hardcastle, C. Hinds, H.D. Hutchinson, H.T. Isherwood, J. Johnson, R. Johnson, C.M. Jones, R.K. Jones, R.B. Jones, S. Jones, P. Lightfoot, B. Lloyd, R. Lloyd, M. Lowe, R.P. Macfarlane, D.I. Mackie, N.M. Matthews, H.J. McGill, W. Mullin, M.J. Peers, N. Phillips, M.A. Reece, H.G. Roberts, I.B. Roberts, L.A. Sharps, A.P. Shotton, P. Shotton, I. Smith, N.R. Steele-Mortimer, C.A. Thomas, W.O. Thomas, S. Williams, D.E. Wisinger, A. Woolley and M.G. Wright

APOLOGIES:

Councillors: L.A. Aldridge, A. Bragg, D. Butler, C.J. Dolphin, B. Dunn, P.G. Heesom, R. Hughes, C. Legg and D.T. Williams

IN ATTENDANCE:

Chief Executive, Director of Community Services, Director of Environment, Director of Lifelong Learning, Head of Finance, Planning Strategy Manager, Democracy and Governance Manager and Member Engagement Manger

30. PRESENTATIONS

(i) Louis Thomas, Ysgol Trelogan

The Chief Executive welcomed Louis Thomas, aged 7 of Ysgol Trelogan to the meeting who had recently won first prize at the National Urdd Eisteddfod in the Year 2 or under Recitation category. He said that the adjudicator had commented that the competition in the National Eisteddfod had been of a very high standard but that Louis had stood out in the prelim.

The Director of Lifelong Learning and Councillor R.C. Bithell, Cabinet Member for Education both congratulated Louis on his achievement and looked forward to him receiving greater success in the future.

Councillor N.R. Steele-Mortimer as the Chair of Governors at Ysgol Trelogan congratulated Louis and thanked the Head Teacher and all the staff at Ysgol Trelogan for their hard work.

(ii) Shotton Station Travel Scheme

The Chair welcomed Jamie Sant, Community Rail Officer to the meeting who had been the lead on the Shotton Station Travel Scheme, which had been awarded runner up on the Partnership category during the 2012

Chartered Institute of Logistics National Awards. She commented on the improvements which had been made to Shotton Station which had been welcomed by residents in Deeside.

Councillor J.B. Attridge, Cabinet Member for Environment said that Flintshire County Council had been the only Local Authority in North Wales to receive an award at this national event and outlined the number of improvements that had been made to Shotton Station, including improved cycle lockers and shelter provision. He thanked Jamie Sant for all his hard work.

(iii) Abbey Metal

The Chief Executive welcomed the team from Abbey Metal to the meeting who as part of Flintshire County Council's Learning Disability Service had been named Company of the Year at the National Association for Safety and Health in Care Services Award 2012.

The Director of Community Services and Councillor C.M. Jones, Cabinet Member for Social Services congratulated the team on their success and reported that the team had beat competition from other national UK entries to win the award.

31. PUBLIC QUESTION TIME

The Democracy and Governance Manager confirmed that no questions had been received.

32. DECLARATIONS OF INTEREST

The following Members declared a personal interest as School Governors for Agenda item number 14 - School Modernisation Update:-

Councillors: J.B. Attridge, G.H. Bateman, M. Bateman, H. Brown, D.L. Cox, P.J. Curtis, R. Davies, A. Davies-Cooke, G.D. Diskin, R. Dolphin, I. Dunbar, C.A. Ellis, J.E. Falshaw, V. Gay, A.M. Halford, G. Hardcastle, C. Hinds, H.D. Hutchinson, H.T. Isherwood, J. Johnson, C.M. Jones, R.K. Jones, R.B. Jones, S. Jones, R. Lloyd, M. Lowe, R.P. Macfarlane, D.I. Mackie, N.M. Matthews, H.J. McGuill, W. Mullin, M.J. Peers, N. Phillips, M.A. Reece, H.G. Roberts, I.B. Roberts, A.P. Shotton, I. Smith, N.R. Steele-Mortimer, C.A. Thomas, W.O. Thomas, D.E. Wisinger, A. Woolley and M.G. Wright

33. COUNCIL MINUTES

The minutes of the meeting of Flintshire County Council held on 19 June, 2012 had been circulated with the agenda.

Accuracy

The Democracy and Governance Manager reported that the minutes should be amended to include the names of Councillors C. Legg and M.J. Peers under the heading 'Apologies'.

Councillor R.B. Jones referred to paragraph 3, page 5 of the minutes and said that the word 'complaint' should be amended to 'compliant'.

RESOLVED:

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

34. CHAIR'S COMMUNICATIONS

The Chair explained that details of her communications would be made available in the Members room.

She commented on the Record of Achievement Awards Ceremony held at Ysgol Maes Hyfryd, Flint that she had recently attended with the Chief Executive. She said that it had been a pleasure to attend the ceremony and commented on the achievements of the pupils.

Councillor J.B. Attridge congratulated the Leader of the Council who had recently been appointed Deputy Leader of the Welsh Local Government Association (WLGA) and would hold the portfolio for finance. The Chief Executive on behalf of the Corporate Management Team also congratulated the Leader.

35. PETITIONS

No petitions were submitted.

36. NOTICE OF MOTION

The Democracy and Governance Manager confirmed that no Notices of Motion had been received.

37. QUESTIONS

The Democracy and Governance Manager confirmed that no questions had been received.

38. APPOINTMENTS TO OUTSIDE BODIES

The Democracy and Governance Manager introduced a report to inform County Council of the Council's representatives on outside bodies. The report also sought the appointment of the Chair and Vice-Chair of the Clwyd Pension Panel.

The Council determined at the annual meeting held on 15 May, 2012 that the representatives on outside bodies should be decided by the Chief Executive in consultation with political Group Leaders and the three non-aligned Members had been consulted to ascertain any outside bodies they wished to be considered for. The constitution of the Clwyd Pension Panel gave Flintshire three Member representatives and agreement had been reached on these three Members, together with named substitutes. The constitution of the Clwyd Pension Panel also made clear that the Chair and Vice-Chair were to be Flintshire Members.

It had also been suggested that the representatives for the Food Waste Joint Committee be appointed from the Cabinet; that Councillor R.P. Macfarlane be appointed to the Mold Town Partnership and that Councillor L.A. Sharps be appointed to the Shadow Board of proposed Further Education College for North East Wales, given his current role as Governor at Deeside College.

Councillor A.P. Shotton, Leader of the Council proposed the following, which were duly seconded by Councillor J.B. Attridge:-

- That Councillor A.G. Diskin be appointed Chair of the Clwyd Pension Panel;
- That Councillor G.H. Bateman be appointed Vice-Chair of the Clwyd Pension Panel;
- That the representatives for the Food Waste Joint Committee be appointed from the Cabinet;
- That Councillor R.P. Macfarlane be appointed to the Mold Town Partnership; and
- That Councillor L.A. Sharps be appointed to the Shadow Board of proposed Further Education College for North East Wales.

Councillor Shotton thanked the Chief Executive, Head of Legal and Democratic Services and Democracy and Governance Manager for their efforts in determining the Member representation on each of the outside bodies.

Councillor R.P. Macfarlane asked why the Groundwork Trust had not been included on the list of outside bodies. The Democracy and Governance Manager said that he would investigate whether the Council should have representatives on Groundwork Trust.

Councillor R.C. Bithell asked why the Daniel Owen Community Association had not been included on the list of outside bodies. He reported that together with Councillor R.J.T. Guest he had been the representative of this association and would like this to continue. Councillor J.B. Attridge proposed that Councillor Bithell and Councillor Guest be the nominated representatives on the Daniel Owen Community Association. This was seconded by Councillor Shotton.

Councillor M.G. Wright commented on the work of the North Wales Economic Ambition Board and suggested that the Cabinet Member for Regeneration, Enterprise and Leisure should be invited to attend meetings of the board. The Chief Executive said that this was a relatively new board and would be represented by each of the appropriate Cabinet Members across all six North Wales Local Authorities.

Councillor M.J. Peers said that Councillors V. Gay and D.I. Mackie would be the representatives of the Independent Alliance Group on the Clwyd Theatr Cymru Board of Governors. And that Councillor D.I. Mackie would be the Independent Alliance Group representative on SACRE.

Councillor C.A. Ellis said that Councillor M. Bateman would be the representative of the Independent Group on the Clwyd Theatr Cymru Board of Governors.

RESOLVED:

- (a) That the Member representatives on the outside bodies listed in Appendix 1 be noted;
- (b) That Councillor A.G. Diskin be appointed Chair of the Clwyd Pension Panel;
- (c) That Councillor G.H. Bateman be appointed Vice-Chair of the Clwyd Pension Panel;
- (d) That Councillors L.A. Sharps be appointed to the Shadow Board of proposed Further Education College for North East Wales;
- (e) That Councillor R.P. Macfarlane be appointed to the Mold Town Partnership;
- (f) That the representatives for the Food Waste Joint Committee be appointed from the Cabinet; and
- (d) That Councillors R.C. Bithell and R.J.T. Guest be the nominated representatives on the Daniel Owen Community Association.

39. ANNUAL TREASURY MANAGEMENT REPORT FOR 2011/12

The Head of Finance introduced the draft Annual Treasury Management Report for 2011/12. The draft report had been presented and approved at both the Audit Committee and Cabinet meetings held on 25 June, 2012 and 10 July, 2012 respectively.

In summary, the Annual Report concluded the following:-

- Confirmed that the treasury function operated within the limits detailed within the Treasury Management Policy & Strategy Statement 2011/12;

- The financial environment within which the treasury function operated remained challenging and this was likely to continue for the foreseeable future; and
- The Policy had been implemented in a pro-active manner with security and liquidity as the focus.

Councillor A.M. Halford, as Chair of the Audit Committee proposed that County Council approve the draft Treasury Management Annual Report for 2011/12. This proposed was seconded by Councillor W. Mullin who thanked the Head of Finance and the Treasury Management Team for the work undertaken in preparing the Annual Report.

Councillor M.J. Peers welcomed the report and asked how much the amount paid per annum by way of interest on the debt of £173.6M was and what action was being taken to reduce the debt. Councillor C.S. Carver asked if details on how much money the Council had borrowed since 2008 could be provided to Members.

The Head of Finance reported that the average interest rate payable on the £173.6M debt was 5.4%. The debt consisted of a number of capital expenditure loans which were payable over a number of years with the majority of them being supported by the Welsh Government (WG) through supported borrowing. The treasury management team continued to monitor opportunities to reduce the level of debt. The amount paid per annum by way of interest on the debt together with details on how much money the Council had borrowed since 2008 would be provided to Members following the meeting.

RESOLVED:

That the draft Treasury Management Annual Report for 2011/12 be approved.

40. LOCAL PLANNING GUIDANCE NOTE NO. 23 – DEVELOPERS CONTRIBUTIONS TO EDUCATION

Councillor J.B. Attridge, Cabinet Member for Environment introduced a report to seek the approval of members for the adoption of the Local Planning Guidance Note (LPG) No. 23 ‘Developer Contributions to Education’ for use as Supplementary Planning Guidance alongside the UDP. The recent internal audit review of Section 106 Agreements identified that a LPG on this subject was required to be approved as a policy statement, as a matter of priority.

If adopted, the LPG would only apply to planning applications received following the 17 July, 2012. Councillor Attridge proposed that the County Council support the recommendations outlined within the report.

In seconding the proposal Councillor R.C. Bithell welcomed the report and asked whether consideration could be given for contributions from a development to be passed to all schools within close proximity to the development rather than the closest school. Councillor W. Mullin agreed with

his comments and said that there was a need to ensure that the contributions were also provided for High Schools to enable all education needs of children to be met. Councillor H.J. McGuill raised concern on the comments and said that the contributions should only be paid to the nearest school to any development as this would be the only school affected.

The Director of Environment explained that the contributions from developers would be ringfenced and provided to the nearest school which would be impacted as a result of the development and should be spent in a prioritised manner. The contributions could not be pooled and shared across Schools in Flintshire.

A number of Members raised concerns around the continued use of temporary classrooms. Councillor A.M. Halford asked the Cabinet to commit to closing temporary classrooms. In response, the Director of Environment said that a review of temporary classrooms would be carried out as part of the School Modernisation Strategy in line with the Capital Programme. A Workshop for all Members would be held to consider the Capital Programme prior to a draft report being submitted to Cabinet in December, 2012.

In response to concerns on Members who were school governors declaring a prejudicial interest at planning committee meetings, the Democracy and Governance Manager explained that in line with the Members' Code of Conduct, Members who were school governors should declare a prejudicial interest at a Planning Committee if there would be financial benefit to the school to which they were a governor. In order to speak and vote at a meeting of the Planning Committee such Members should seek dispensation from the Standards Committee prior to the meeting.

Councillor M.J. Peers welcomed the report. He proposed an amendment to the recommendations that Section 3.6 of the LPG be amended to ensure that the school benefiting would be identified in the future. Councillor J.B. Attridge supported this amendment.

The Planning Strategy Manager supported the proposed amendment. He also responded to a number of questions on how the LPG would affect large proposed development, such as, the Northern Gateway, explaining that the impact of such a development on the community would be considered in conjunction with the developer. In response to further questions, he added that the new method of calculating the level of contribution uses a higher figure for secondary schools than for primary schools and that the contributions must be used within 10 years to enable improvements to be made to schools sooner rather than later.

RESOLVED:

- (a) That Section 3.6 of the Local Planning Guidance Note, as shown in Appendix 1 of the report, be amended to ensure that the school benefiting would be identified;

- (b) Subject to the amendment listed above, the Local Planning Guidance Note, be approved as Supplementary Planning Guidance to the UDP and be used for Development Management purposes in negotiating appropriate contributions from developers; and
- (c) That the Local Planning Guidance Note be applied to all planning applications received after 17 July, 2012.

41. CONSULTATION BY LOCAL GOVERNMENT BOUNDARY COMMISSION FOR WALES ON COUNCIL SIZE POLICY

The Chief Executive introduced a report to enable the County Council to agree a response to the consultation paper from the Local Government Boundary Commission for Wales on Council Size.

The consultation paper submitted by the Commission was attached at Appendix 1 of the report and explained that the Commission proposed to adopt a banding approach to group similar authorities together. Flintshire had been placed into the 'Other' band of Authorities with a mixture of rural and urban characteristics. A draft response to the specific consultation questions was attached at Appendix 3 and the Chief Executive commented on additional areas of concern the County Council may want to include in a formal response, including the lack of flexibility over the proposed number of seats identified in the initial stage of the process and the lack of evidence as to how the ratios in the consultation paper had been arrived at.

Councillor A.P. Shotton, Leader of the Council supported the comments made by the Chief Executive and the suggested response. He said that there was a need to reflect Community ties and raised concern on the lack of evidence to support the different Member elected ratios identified by the Commission. He proposed that the Council support the draft response to the specific consultation questions and that the Chief Executive, in conjunction with himself, include the concerns he raised during his presentation of the report. This proposal was seconded by Councillor R.C. Bithell who commented that the proposed Member elected ratios would deter future election candidates.

In response to a question on the possibility of a judicial review, the Chief Executive explained that a judicial review had not been necessary as the previous proposals had been withdrawn.

The Chief Executive reported that a meeting had been arranged between the Welsh Local Government Association (WLGA) Leadership and the Boundary Commission on Friday 20 July, 2012 following concerns expressed at the WLGA meeting held on 29 June, 2012.

RESOLVED:

- (a) That the draft response to the specific consultation questions, as shown in Appendix 3 of the report, be supported; and

- (b) That the Chief Executive, in conjunction with the Leader of the Council, include in the response, seeking more flexibility over the proposed number of seats identified at the initial stage of the process and more evidence as to how the ratios in the consultation paper had been arrived at.

42. SCHOOL MODERNIATION UPDATE

The Chief Executive provided a verbal update on the School Modernisation Area Reviews. He explained that a special Cabinet meeting would be held on the rise of County Council to consider a report, copies of which had been circulated to all Members.

The Cabinet report dated 17 July, 2012 had been considered during a meeting of the Lifelong Learning Overview and Scrutiny Committee where Members of the Committee had unanimously endorsed its recommendations. The report detailed the preferred options for further consultation on the areas of Holywell, Connah's Quay/Queensferry/ Shotton, and Buckley/Mynydd Isa/Mold which would allow sufficient time for decision making processes to be completed by the summer of 2013.

Councillor A.P. Shotton, Leader of the Council said that there was a need for quick and decisive action to bring certainty for schools prior to the summer recess. He also commented on the importance of reviewing the outcomes of the consultation and the need for further consultation of the preferred options alongside business case planning for capital projects.

A number of Members spoke in support of the report with Councillor N.R. Steele-Mortimer commenting on the consultation events which he had attended during his time as Executive Member for Education. He said that they had been well attended with a number of young people engaging in the consultation process.

Councillor R. Dolphin said that she was disappointed that the preferred option for the Holywell area did not include a post 16 education provision even though the majority of children and young people during the consultation process had preferred for there to be an 11-18 education provision in Holywell. Councillor C.A. Ellis also raised concern around the future post 16 provision in Buckley and how the provision would meet the needs of children following future developments in the town.

The Chief Executive and Director of Lifelong Learning responded to the concerns around post 16 provision explaining that there was a need for a holistic and sustainable approach to the post 16 provision which would provide a basis for further development in the area. There would be a range of post 16 opportunities available including a post 16 centre at Connah's Quay, sustainable school sixth forms and other further education provision through Deeside and Yale Colleges.

RESOLVED:

That the recommendations shown in the Cabinet report of the 17 July, 2012 be supported.

43. DURATION OF MEETING

The meeting commenced at 2.00 p.m. and ended at 4.25 p.m.

44. ATTENDANCE BY MEMBERS OF THE PRESS AND PUBLIC

There were three members of the press present.

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Chair

**SUMMARY OF DECLARATIONS MADE BY MEMBERS
IN ACCORDANCE WITH FLINTSHIRE COUNTY COUNCIL'S
CODE OF CONDUCT**

FLINTSHIRE COUNTY COUNCIL	17 JULY, 2012
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MEMBER	ITEM	MIN. NO. REFERS
<p>Councillor: J.B. Attridge, G.H. Bateman, M. Bateman, H. Brown, D.L. Cox, P.J. Curtis, R. Davies, A. Davies-Cooke, G.D. Diskin, R. Dolphin, I. Dunbar, C.A. Ellis, J.E. Falshaw, V. Gay, A.M. Halford, G. Hardcastle, C. Hinds, H.D. Hutchinson, H.T. Isherwood, J. Johnson, C.M. Jones, R.K. Jones, R.B. Jones, S. Jones, R. Lloyd, M. Lowe, R.P. Macfarlane, D.I. Mackie, N.M. Matthews, H.J. McGuill, W. Mullin, M.J. Peers, N. Phillips, M.A. Reece, H.G. Roberts, I.B. Roberts, A.P. Shotton, I. Smith, N.R. Steele- Mortimer, C.A. Thomas, W.O. Thomas, D.E. Wisinger, A. Woolley and M.G. Wright</p>	<p>Secondary Modernisation Update</p>	42.