

FLINTSHIRE COUNTY COUNCIL
14 NOVEMBER 2017

Minutes of the meeting of Flintshire County Council held in the Council Chamber, County Hall, Mold on Tuesday, 14 November 2017

PRESENT: Councillor Brian Lloyd (Chairman)

Councillors: Bernie Attridge, Janet Axworthy, Glyn Banks, Haydn Bateman, Marion Bateman, Sean Bibby, Chris Bithell, Sian Braun, Derek Butler, Clive Carver, Bob Connah, David Cox, Paul Cunningham, Jean Davies, Rob Davies, Ron Davies, Ian Dunbar, Andy Dunbobbin, Mared Eastwood, Carol Ellis, David Evans, Veronica Gay, George Hardcastle, David Healey, Gladys Healey, Patrick Heesom, Cindy Hinds, Andrew Holgate, Dave Hughes, Kevin Hughes, Ray Hughes, Dennis Hutchinson, Joe Johnson, Paul Johnson, Rita Johnson, Christine Jones, Colin Legg, Mike Lowe, Dave Mackie, Hilary McGuill, Billy Mullin, Ted Palmer, Mike Peers, Michelle Perfect, Vicky Perfect, Neville Phillips, Mike Reece, Ian Roberts, Tony Sharps, Aaron Shotton, Paul Shotton, Ian Smith, Carolyn Thomas, Andy Williams, David Williams, David Wisinger and Arnold Woolley

APOLOGIES:

Councillors: Mike Allport, Helen Brown, Geoff Collett, Adele Davies-Cooke, Chris Dolphin, Rosetta Dolphin, Richard Jones, Tudor Jones, Richard Lloyd, Ralph Small, Owen Thomas and Martin White

IN ATTENDANCE:

Chief Executive; Chief Officer (Governance); Corporate Finance Manager; Chief Officer (Community & Enterprise); Chief Officer (Planning & Environment); Chief Officer (Streetscene & Transportation); Chief Officer (Social Services); Chief Officer (Organisational Change); Interim Chief Officer (Education & Youth); Finance Manager; Democratic Services Manager; Democratic Services Officers; and Rev. Maureen Roberts for prayers

Following prayers, the Chairman asked all those present to join him in a minute's silence to commemorate the late Carl Sergeant AM.

The newly elected Member for Buckley Bistre West, Councillor Andy Williams, was welcomed to his first County Council meeting.

57. DECLARATIONS OF INTEREST

On Agenda Item 7, Council Fund Budget 2018/19 Stage One, a personal interest was declared by Councillor McGuill following her comments on business rates for charities, due to having family members involved in the Scout organisation.

58. PETITIONS

None were received.

59. PUBLIC QUESTION TIME

None were received.

60. QUESTIONS

None were received.

61. NOTICE OF MOTION

Two Notice of Motion had been received from Councillor Aaron Shotton:

- (i) Make Fair Transitional State Pension Arrangements for Women born in the 1950s

'Hundreds of thousands of women had significant pension changes imposed on them by the Pensions Acts of 1995 and 2011 with little or no personal notification of the changes. Some women had less than two years notice of a six-year increase to their state pension age. Some women have had no notice at all.

Many women born in the 1950s are living in hardship. Retirement plans have been shattered with devastating consequences. Many of these women are already out of the labour market, caring for elderly relatives, providing childcare for grandchildren, or suffer discrimination in the workplace and therefore struggle to find employment.

Women born in this decade are suffering financially. These women have worked hard, raised families and paid their tax and national insurance with the expectation that they would be financially secure when reaching 60. It is not the pension age itself that is in dispute - But that the rise in the women's state pension age has been too rapid and has happened without sufficient notice being given to the women affected, leaving women with insufficient time to make alternative arrangements.

Resolution:

That this Council recognises and supports the recent formation of a local Flintshire WASPI (Women against State Pension Inequality) Group and that we as a Council resolve to take action to call upon the Government to make fair transitional state pension arrangements for all women born in the 1950s affected by the changes to the SPA (State Pension Age) and, who have unfairly borne the burden of the increase to the SPA with lack of appropriate notification.'

In support of his Motion, Councillor Shotton hoped that the unfairness of the issue was recognised by all and he gave examples of the personal devastation caused to local individuals. He called upon the Council to support the national WASPI campaign which included a local action group, some of whose members were present.

In seconding the Motion, Councillor Kevin Hughes provided background information to the WASPI campaign. He stressed that the focus of the campaign was about the rapid rise in women's state pension age where changes imposed without notification had left many in hardship and unable to plan for retirement.

Also speaking in favour of the Motion were Councillors Mike Peers, Rita Johnson and Paul Shotton.

On being put to the vote, the Motion was unanimously supported.

(ii) An End to UK Government Austerity

'This Council calls upon the Chancellor of the Exchequer to end the UK Government's policy of austerity in his Budget, due to be presented to Parliament on the 22nd November. This Council believes that after seven years of austerity, as a political and economic strategy, it is completely discredited and has inflicted untold damage on our public services and communities across Flintshire and the UK.

This Council believes that the public sector in Flintshire and across the UK can no longer endure the significant year-on-year reductions in funding. Welsh funding has reduced by 7% in real terms since 2010, equating to a staggering £1.2bn.

It is time for the UK Government to recognise the value of public services by delivering the funding levels required to meet rising demand for services.

This Council agrees to:

- Continue to campaign over the coming weeks to communicate the need for an end to austerity.
- Continue to be open about the scale of the financial challenges that the Council faces in the short and medium term if austerity is not ended, and the damage this could do to our local communities and services.
- Request that the Leader of the Council writes to Chancellor of the Exchequer and the Secretary State for Wales to request an end to austerity and for fair funding be delivered to Wales, particularly to enable the council to meet increasing need pressures in Education and Social Care.'

Councillor Shotton said that the public engagement events being held across the county to highlight the impact of funding cuts were generating widespread support for changes to be made at UK Government level.

The Motion was seconded by Councillor Bernie Attridge.

Councillor Peers commented on the approach taken by the Council in previous years. He said that as Flintshire was recognised as a low-funded council in Wales, mention should be made of Welsh Government (WG) on its responsibilities towards the current financial position.

Councillor Heesom spoke in support of the Motion but raised a number of concerns about the impact of outsourcing services, the delivery of equitable services and pre-scrutiny of issues by Overview & Scrutiny which he hoped would be addressed as part of the next stage of the budget process.

As Cabinet Member for Streetscene & Countryside, Councillor Thomas referred to the significant efficiencies achieved in her portfolio and commended the teams involved in maintaining frontline services. In strong support of the Motion and an end to austerity, she expressed concerns about the effect on the workforce and residents, and the lack of financial support to provide vital services and meet statutory obligations.

Also in support, Councillor Bithell said that the UK Government was in a position to provide WG with the funding required to invest and sustain essential services.

Councillor Woolley was unable to support the Motion and remarked on the recognised effects of austerity on the economy and the impact of previous borrowing and spend. He felt that the financial situation could not be resolved without positive alternatives which were not evident.

Councillor Carver commented on the top-slicing of finances by WG to fund unnecessary projects. He proposed an amendment to the third bullet point of the Motion as follows: "Request that the Leader of the Council writes to Chancellor of the Exchequer and the Secretary State for Wales to request an end to austerity and to the First Minister for the fair apportionment of funding be delivered for Wales."

This was seconded by Councillor Axworthy.

Councillor Attridge requested a recorded vote on the substantive Motion and the requisite number of Members indicated their support.

On being put to the vote, the amendment by Councillor Carver was lost.

In his right of reply, Councillor Shotton said that the Council had reached a "tipping point" on the budget process. Whilst the responsibilities of WG formed part of the next agenda item, the Motion was about recognising and supporting the call for a change to UK fiscal policy.

On being put to the vote, the substantive Notice of Motion was carried as follows:

For the proposal:

Councillors: Brian Lloyd, Paul Cunningham, Bernie Attridge, Glyn Banks, Haydn Bateman, Marion Bateman, Sean Bibby, Chris Bithell, Derek Butler, David Cox, Jean Davies, Ron Davies, Ian Dunbar, Andy Dunbobbin, Mared Eastwood, Carol Ellis, David Evans, George Hardcastle, David Healey, Gladys Healey, Patrick Heesom, Cindy Hinds, Dave Hughes, Kevin Hughes, Ray Hughes, Joe Johnson, Paul Johnson, Rita Johnson, Christine Jones, Colin Legg, Mike Lowe, Hilary McGuill, Billy Mullin, Ted Palmer, Michelle Perfect, Vicky Perfect, Neville Phillips, Mike Reece, Ian Roberts, Tony Sharps, Aaron Shotton, Paul Shotton, Ian Smith, Carolyn Thomas, Andy Williams, David Williams and David Wisinger

Against the proposal:

Councillors: Janet Axworthy, Sian Braun, Clive Carver, Bob Connah, Rob Davies, Veronica Gay, Andrew Holgate, Dennis Hutchinson, Dave Mackie, Mike Peers and Arnold Woolley

RESOLVED:

- (a) That the Notice of Motion from Councillor Aaron Shotton be supported as follows: ‘That this Council recognises and supports the recent formation of a local Flintshire WASPI (Women against State Pension Inequality) Group and that we as a Council resolve to take action to call upon the Government to make fair transitional state pension arrangements for all women born in the 1950s affected by the changes to the SPA (State Pension Age) and, who have unfairly borne the burden of the increase to the SPA with lack of appropriate notification’; and
- (b) That the Notice of Motion from Councillor Aaron Shotton be supported as follows: ‘This Council calls upon the Chancellor of the Exchequer to end the UK Government’s policy of austerity in his Budget, due to be presented to Parliament on the 22nd November. This Council believes that after seven years of austerity, as a political and economic strategy, it is completely discredited and has inflicted untold damage on our public services and communities across Flintshire and the UK. This Council believes that the public sector in Flintshire and across the UK can no longer endure the significant year-on-year reductions in funding. Welsh funding has reduced by 7% in real terms since 2010, equating to a staggering £1.2bn. It is time for the UK Government to recognise the value of public services by delivering the funding levels required to meet rising demand for services. This Council agrees to:
- Continue to campaign over the coming weeks to communicate the need for an end to austerity.
 - Continue to be open about the scale of the financial challenges that the Council faces in the short and medium term if austerity is not ended, and the damage this could do to our local communities and services.
 - Request that the Leader of the Council writes to Chancellor of the Exchequer and the Secretary State for Wales to request an end to austerity and for fair funding be delivered to Wales, particularly to enable

the council to meet increasing need pressures in Education and Social Care.'

62. COUNCIL FUND BUDGET 2018/19 STAGE ONE

The Chief Executive and Corporate Finance Manager presented an update on the Council Fund Budget forecast for 2018/19 following the Provisional Welsh Local Government Settlement announced by Welsh Government (WG). Members' views were sought on a response to WG and to the Council's portfolio business plan proposals which were presented for formal adoption.

Amongst the key outcomes from the announcement, it was reported that a number of specific grants were now included in the Settlement and the impact of a new responsibility for homelessness prevention was being assessed for which no additional base funding had been provided. Further information received since the Provisional Settlement highlighted a reduction in the Education Improvement Grant and Single Environment Grant as areas of concern. The overall effect had increased the previously forecasted £11.7m budget gap to £13.6m and could be further impacted by a projected £1.1m Council Fund overspend in 2017/18.

The portfolio business plan options with a value of £3.1m had been endorsed by Cabinet and reviewed by the respective Overview & Scrutiny committees with no objections raised. The main topic of public interest was the proposed introduction of charges for garden waste collection which was not one of the Council's statutory services. Details were available in the report to the forthcoming Environment Overview & Scrutiny Committee meeting. Resilience statements for each portfolio showed the majority of service areas at an Amber risk rating, reflecting the risk of failure prior to entering Stage 2 of the process.

Timescales for the budget process were set out to enable the Council to approve a balanced budget to meet its statutory duty. More challenging options for Stage 2 totalling around £6m-8m would be considered by Members at an informal workshop prior to seeking approval at the next meeting, to allow for early implementation and focus on remaining options at Stage 3 in the New Year.

Whilst some informal representations had already been made to WG on the Provisional Settlement, Members were asked to agree a corporate response to make the case that both WG and UK Government should recognise their own responsibilities for better funding to meet the needs of local government in protecting services, as was the case for the Health service. As a reminder of the representations made to WG, copies of a letter previously sent to Mark Drakeford AM were circulated, highlighting the national impact, the importance of making a collective case and the need for Flintshire to receive sufficient funding to deliver its mandatory services.

Draft response to the Provisional Settlement

The Chief Executive asked Members to support the following draft response to WG which had been informed by discussions throughout the budget process:

That:

- the Settlement is inadequate for the Council's needs;
- the Council re-supports the case made on 22 August as set out in the letter to Mark Drakeford AM;
- the Council supports the three specific asks under consideration in Stage 2 - ICF funding ringfenced for the next three years, the £100 per week domiciliary care cap and 50% of the Apprentice Tax Levy paid by the Council to be returned to sustain the existing scheme;
- the latterly announced reductions to specific grants - Education Improvement Grant and Single Environment Grant - be reversed by WG irrespective of the UK Settlement;
- additional funding is needed for the whole of local government as per the WLGA and Flintshire case made in the letter to WG;
- Flintshire is at particular risk due to its low funding base as shown by the set of resilience statements;
- WG Ministers and senior officials are invited to meet with Flintshire urgently to review our special case - to be facilitated by the WLGA;
- if additional funding is not to be given to local government at a sufficient level for Flintshire under the distribution formula, then a strong evidenced based case be made for Flintshire, as a high performing Council with social responsibilities, to be awarded a specific supplementary funding package to assist in reaching a balanced budget for 2018/19 due to the risks to Council services and governance.

The Chief Executive thanked Members for contributing to the campaign to raise awareness of the complexities of the financial position and conveying the significance of the matter to the public. Public engagement events currently being undertaken across the County had been well received although turnout had been low. In responding to councillors and officers asking what they could do personally to help make the Council's case for fair and adequate funding, he asked for care in campaigning. Whilst initiating/supporting local campaigns and petitions was one way to help, if the campaign or petition aligned to the Council's position then colleagues (including officers) should be free to make a personal decision to lend their support. Their support was for the campaign message and not necessarily for the initiator. So if the initiator was, for example, a political party or a trade union, where support was simply given for the campaign, this should not be read as endorsement for the party or the union. It was important that this distinction be made clear in campaigning to protect impartiality - particularly for officers.

In moving the recommendations put forward by the Chief Executive, Councillor Aaron Shotton spoke about alignment with the objectives of the Council Plan and the challenges in identifying proposals to balance the budget. Whilst every attempt was being made to protect services, it was inevitable that the pressures would result in real impacts.

This was seconded by Councillor Attridge.

Councillor Heesom said that he conditionally supported the Stage 1 proposals but raised strong concerns about the prospect of Stage 2 and the impact of any further increase to the budget gap. He said that resources were not evenly distributed and that the impact of structural plan elements on communities, which had previously been raised, had not yet been acknowledged. He felt that there were critical issues in the resilience statements which had not been adequately addressed through the Overview & Scrutiny process, for example investment for the Youth Service and small rural schools.

The Chief Executive gave a reminder that Overview & Scrutiny committees reviewed their own work programmes which enabled them to take an active role on issues within their remit, for example the item on garden waste charges. In response to further comments by Councillor Heesom, he clarified that the Council would continue to provide the large majority of its current services directly, provided that performance and value for money were maintained.

Clarification was given to Councillor Peers on the Waste Strategy and the restructuring of teams in Corporate Property Maintenance and Design & Project Management Services. On the suggestion to merge Organisational Change into one portfolio to achieve savings, the importance of retaining these as two separate work projects was highlighted to support the digital and building strategies.

On Flintshire Connects, the Chief Officer (Community & Enterprise) provided details of plans to re-designate posts and review opening hours, particularly in Mold and Buckley as the facilities with the lowest footfall, to achieve efficiencies.

The Interim Chief Officer (Education & Youth) said that the proposal to reduce the Council's funding for nursery education provision to the statutory minimum would achieve minor savings and present a cost pressure for schools.

Councillor McGuill raised concerns about the impact of 20% business rates imposed on charities and groups such as the Scout organisation, which could also affect groups with Community Asset Transfers. Whilst the Chief Executive shared the concerns, he said that if the Council was to meet this cost, this would result in an additional budget pressure. A hardship fund was available to help with specific cases.

In response to a question from Councillor Carver, the Chief Officer (Community & Enterprise) provided information on options being developed for 2019/20 to offer a broader range of services as part of the Registration Service.

On being put to the vote, the recommendations were carried.

The Chief Executive confirmed that a copy of the response to the Cabinet Secretary would be shared with Members, together with his response to the previous letter of the Council (22 August).

RESOLVED:

- (a) That the details of the Provisional Local Government Settlement and the impact on the budget forecast for 2018/19 be noted;
- (b) That the Stage One Budget proposals as set out in Appendix A be approved;
- (c) That the remaining stages of the budget process and timescales be noted; and
- (d) That the approach to the Provisional Settlement consultation be approved in accordance with the outline response to WG suggested in the presentation.

63. 2018 REVIEW OF PARLIAMENTARY CONSTITUENCIES

The Chief Executive presented a report to seek views on the revised proposals made by the Boundary Commission for Wales on the 2018 review of Parliamentary Constituencies of Flint & Rhuddlan and Alyn & Deeside.

Councillor Peers spoke in support of the report and highlighted an error in the wording for Alyn & Deeside in section 3.3 of the Assistant Commissioner's report.

Concerns were raised by Councillor Bithell on the impact of the review on Wales.

On the naming of constituencies, Councillor Neville Phillips asked if the Council could make representations for Alyn & Deeside to be changed to East Flintshire. Following officer advice, this was proposed as an amendment and duly seconded.

Councillor Evans questioned whether such a request could be made at this stage of the process. The Chief Executive advised that whilst it may be a belated request, it could be submitted on the basis that it was a more recognisable name than Alyn & Deeside.

On being put the vote, the amendment was carried.

The recommendations of the report were proposed by Councillor Bithell and duly seconded. On being put to the vote, they were carried.

RESOLVED:

- (a) That there be a formal response seeking a change to the name Alyn & Deeside to East Flintshire;
- (b) That the revised proposals made by the Boundary Commission for Wales on the 2018 review of the Parliamentary Constituencies of Flint & Rhuddlan and Alyn & Deeside be noted; and
- (b) That the Chief Executive be authorised to make a response on behalf of the Council.

64. COMMUNITY REVIEW GUIDANCE AND BOUNDARY COMMISSION CONSULTATION ON COMMUNITY REVIEWS

The Chief Executive presented a report to seek views on updated draft guidance on the conduct of community reviews by principal councils which had been produced by the Local Democracy and Boundary Commission for Wales.

The report contained the key findings from the guidance and the consultation process ending on 21 December 2017. Details were shared on the community review carried out in Flintshire in 2013.

Following a query by Councillor Bithell, the Chief Officer (Governance) explained that proposals previously recommended by town/community councils, which would have resulted in differing boundaries at town/community and ward level, had not been implemented as part of the County Council's most recent community review. Those proposals had been forwarded to the Boundary Commission with a request that they be considered as part of the County Council ward boundary review in late 2018.

RESOLVED:

- (a) That the comments on the guidance document for principal councils on the review of communities be noted; and
- (b) That the Chief Executive be authorised to make a response on behalf of the Council.

65. OVERVIEW & SCRUTINY ANNUAL REPORT 2016/17

The Democratic Services Manager presented the Annual Report for 2016/17 to give assurance that the Overview & Scrutiny function was fulfilling its constitutional role. Minor changes had been made to the report following consideration by the Constitution and Democratic Services Committee, including a foreword in tribute to the late Councillor Ron Hampson.

Councillor Heesom referred to capacity issues which had been mentioned in an audit report and he asked if consideration could be given to additional administrative support for Overview & Scrutiny to assist Members.

The Democratic Services Manager agreed to check committee membership dates which had been queried by Councillor Bithell at an earlier stage.

Councillor Peers asked about the outcome of recent discussion groups between Members and Wales Audit Office colleagues. The Chief Executive expected that a report on the findings of this national exercise was likely to be published and that feedback would be shared with Members once this work had concluded.

RESOLVED:

That the Overview & Scrutiny Annual Report 2016/17 be received.

66. MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE

There was one member of the press and three members of the public in attendance.

(The meeting started at 2.00pm and ended at 4.05pm)

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Chairman