

FLINTSHIRE COUNTY COUNCIL
11 SEPTEMBER 2019

Minutes of the meeting of Flintshire County Council held in the Council Chamber, County Hall, Mold on Wednesday, 11 September 2019

PRESENT: Councillor Marion Bateman (Chair)

Councillors: Janet Axworthy, Glyn Banks, Haydn Bateman, Sean Bibby, Chris Bithell, Sian Braun, Helen Brown, Clive Carver, Geoff Collett, Bob Connah, David Cox, Paul Cunningham, Jean Davies, Rob Davies, Adele Davies-Cooke, Chris Dolphin, Rosetta Dolphin, Ian Dunbar, Mared Eastwood, Carol Ellis, David Evans, Veronica Gay, David Healey, Gladys Healey, Patrick Heesom, Cindy Hinds, Andrew Holgate, Dave Hughes, Kevin Hughes, Ray Hughes, Dennis Hutchinson, Rita Johnson, Paul Johnson, Richard Jones, Tudor Jones, Colin Legg, Brian Lloyd, Mike Lowe, Dave Mackie, Hilary McGuill, Billy Mullin, Ted Palmer, Mike Peers, Michelle Perfect, Vicky Perfect, Neville Phillips, Ian Roberts, Tony Sharps, Aaron Shotton, Paul Shotton, Ralph Small, Ian Smith, Carolyn Thomas, Owen Thomas, Martin White, Andy Williams, David Williams, David Wisinger and Arnold Woolley

APOLOGIES:

Councillors: Mike Allport, Bernie Attridge, Derek Butler, Ron Davies, Andy Dunbobbin, George Hardcastle, and Christine Jones

IN ATTENDANCE:

Chief Executive; Chief Officer (Governance); Chief Officer (Planning, Environment and Economy); Corporate Finance Manager; Strategic Finance Manager, Democratic Services Manager; Team Leader – Electoral Services, Democratic Services Manager, Democratic Services Officers; and Councillor Reverend Daniel Stroud for prayers

33. PRESENTATION

Flintshire apprentice Francesca Sciarrillo – awarded Welsh Learner of the Year at the Urdd Eisteddfod 2019.

The Chair welcomed Francesca to the meeting and referred to her local connections. She congratulated Francesca on her exceptional achievement and invited the Chief Executive and Leader of the Council to express further recognition on behalf of the Council.

The Chief Executive advised that Francesca was a graduate of the Council's apprenticeship scheme and began her Marketing and Public Relations apprenticeship whilst working with Aura Leisure and Libraries last year. He congratulated Francesca on her Award and her determination to continue to develop her welsh language skills through Coleg Cambria and the support and opportunities available with Aura Leisure and Libraries.

Councillor Ian Roberts also congratulated Francesca on her award and said she was an outstanding example of what could be achieved by anyone who wished

to learn the Welsh language and thereby contribute towards the Welsh Government's target of one million Welsh speakers by 2050.

Francesca thanked the Chair, Chief Executive and Councillor Roberts for their kind words. She also thanked Aura Leisure and Libraries and the Learning Development Team for the support and encouragement that had been given to her. Speaking on her personal experience she said that living in Flintshire on the Welsh border was no barrier to learning the Welsh language and described it as a rich, vibrant, and living language which should be embraced in Flintshire.

34. MINUTES

The minutes of the meeting held on 23 July 2019 were submitted.

RESOLVED:

That the minutes be approved and signed by the Chair as a correct record.

35. DECLARATIONS OF INTEREST

The Chief Officer (Governance) referred to Item 8 – Local Democracy & Boundary Commission for Wales and advised that Members did not have a personal interest in the item and would be able to participate fully. He also referred to Item 9 – Local Development Plan: Confirming Renewable Energy Local Areas of Search and explained that as the item was to consider areas of renewable energy search Members would not have to declare an interest unless they were involved in the ownership of a renewable energy company.

There were no declarations of interest.

36. CHAIRMAN'S COMMUNICATIONS

A copy of the Chair's Communications had been circulated to all Members prior to the meeting. The Chair highlighted a number of events and thanked Councillor Glyn Banks for his invitation to attend the 'Planes Over Talacre – World War Two' event; Councillor Sharps for arranging a visit to Westbridge Furniture and Kingspan, Holywell; Councillor Hilary McGuill for the invitation to the opening of the refurbished Mynydd Isa Scout hut; and Councillor Ray Hughes for his invitation to the Civic Service.

The Chair took the opportunity to refer to the recent resignation, for personal reasons, of Councillor Mike Reece. She said he had been a respected and valued Member of the Council and would be missed. The Chair extended her best wishes to him and his family.

Councillor Ian Roberts said it was a matter of regret that Councillor Mike Reece had decided to resign as a Member of the Council. He paid tribute to Councillor Reece and said he had been a friend as well as a colleague to many Members and to the local residents in his Ward. He reiterated the sentiments expressed by the Chair that Councillor Reece would be sadly missed.

37. PETITIONS

None were received.

38. STATEMENT OF ACCOUNTS 2018/19 AND SUPPLEMENTARY FINANCIAL INFORMATION TO STATEMENT OF ACCOUNTS 2018/19

The Corporate Finance Manager introduced Richard Harries and Mike Whiteley of the Wales Audit Office, and Liz Thomas, Strategic Finance Manager, Corporate Finance.

The Corporate Finance Manager advised that the final version of the Statement of Accounts 2018/19 was presented for approval following consideration by the Audit Committee prior to the meeting of County Council today. He explained that the Statement of Accounts 2018/19, incorporating those changes agreed with Wales Audit Office (WAO) during the course of the audit for Member approval was attached as appendix 1 to the report. The WAO presentation in connection with the audit of the Statement of Accounts 2018/19 was attached as appendix 2. During the audit, changes agreed with the WAO were made to the draft Statement of Accounts 2018/19 and those which are reportable under ISA 260 are shown in appendix 3. The Flintshire County Council Letter of Representation to the WAO was attached as appendix 4. Supplementary information to the Statement of Accounts 2018/19 on full time equivalent pay, in excess of £60,000, as requested by a notice of motion approved by Council on 29 January 2013, was attached as appendix 5.

The Corporate Finance Manager advised that there were no amendments to report to Council following consideration of the Statement of Accounts and the WAO findings by the Audit Committee at the meeting held prior to Council today. A note on previous questions raised by Members and the response provided had been circulated to Members and there had been opportunity throughout the summer for Members to raise any further issues or questions. No additional questions were received.

The Corporate Finance Manager reported that the overall findings of the WAO were positive and built on the improvements achieved in previous years. The WAO concluded that the financial statements were produced to a good standard and were supported by comprehensive working papers. There were no uncorrected misstatements. The only issue arising from the audit was regarding the process for valuation of assets and the actions planned to address this, in conjunction with the WAO, were accepted by the Audit Committee at the meeting held earlier today.

The Corporate Finance Manager advised that there would be an earlier statutory deadline for the accounts from 2020-21 for the submission of the draft annual financial statements. In conjunction with the WAO the Council would undertake a 'dry-run' in 2019-20 for producing its draft financial statements by 31 May 2020 and conclusion by WAO on 31 July 2020.

The Corporate Finance Manager reported that there was one material amendment regarding pensions arising from the Audit and was a consequence of a

national issue known as the national 'McCloud' legal case judgement which could impact on all public service pension schemes. He explained that there was a potential future impact at the current time on teacher's pay contributions and the Council had to account for the best estimate due to the value, however, there was no immediate impact on the Council's budget and any actuarial impact would be dealt with over the longer term through actuarial variation which determined the pay contributions over a number of years.

Mr Richard Harries, Financial Audit Engagement Lead for Flintshire County Council, reiterated that the overall findings by the WAO had been positive and said the corporate position was good. He spoke of the hard work undertaken to produce the Accounts and commented on the high standard of the comprehensive working papers provided. He also spoke of the positive professional working relationship and constructive dialogue between the WAO team and the Council throughout the audit process. Mr. Harries presented the ISA 260 report by way of a presentation which covered the following main points:

- overall findings
- Auditor General's responsibilities
- audit position
- issues arising from the audit
- independence
- looking ahead

In concluding his presentation Mr. Harries thanked the Corporate Finance Manager, and his Team for their work on the Accounts and the constructive help and support provided throughout the audit process.

The Chief Executive thanked Mr. Harries for his presentation and the Corporate Finance Manager and his Team for their work. He said discussion on how to address the earlier statutory deadline from 2020-21 would take place with the Constitution and Democratic Services Committee and it would be recommended to Council that in future the approval of the Statement of Accounts be delegated to the Audit Committee, with Members being given full access to the information.

The Chief Executive took the opportunity to comment on a local press report on a potential liability arising from the 'McCloud' judgement. He explained this was a national issue and gave a reassurance that if there was a liability to the Council as a contributing employer it would be paid for through employer contributions to the pension fund over a number of years, and would be a relatively small addition to the Council's annual employer contributions. He advised that the Council was completing the current actuarial review which took place every 3 years and that this would be reported at a later date. . In summary he advised that any resolution of the legal case would have no impact on the Council's budget at the present time or in the next financial year.

Councillor Tony Sharps congratulated the Corporate Finance Manager and his team on the presentation and high standard of the Statement of Accounts. Councillor Sharps thanked the Chief Executive for the clarification and reassurance given to Council concerning the potential implications of the 'McCloud' judgement. He asked

if the Leader of the Council could provide a press statement to ensure that the residents of Flintshire were given accurate factual information to allay any concerns that may arise as a result of the local press coverage. Councillor Ian Roberts confirmed that a press statement would be provided to inform the general public of the Council's position and give reassurance.

Councillor Chris Dolphin expressed thanks to the Corporate Finance Manager, the Strategic Finance Manager, and the Finance team for their hard work and successful completion of the Statement of Accounts 2018/19 in advance of the statutory deadline. Councillor Dolphin also thanked Mr. Harries and Mr. Whiteley for their work and presentation of the WAO findings. Councillor Dolphin reported that the Audit Committee had considered the Statement of Accounts 2018/19 at a meeting held prior to the meeting of County Council today. Officers from the WAO were in attendance and had presented and explained their audit findings to the Committee. Finance officers had provided a progress update on the draft accounts which had been considered at the previous meeting of the Audit Committee. The amendments to the Statement of Accounts were reviewed and there were no further amendments since the draft was agreed. In conclusion Councillor Dolphin moved the recommendations as detailed in the report.

In seconding the proposal Councillor Glyn Banks paid tribute to the Corporate Finance Manager and his Team for their hard work and expressed best wishes for the success of the 'dry run' planned in 2019-20 for producing the draft financial statements by 31 May 2020. He also thanked the WAO Team for their hard work and support.

The Chair expressed her thanks to all involved in the successful completion of the work on the Statement of Accounts 2018/19. She asked Members to vote on the recommendations in the report and on being put to the vote, the recommendations were carried.

RESOLVED:

- (a) That the final version of the Statement of Accounts 2018/19 be approved;
- (b) That the Letter of Representation – Flintshire County Council; be approved; and
- (c) That the Supplementary Financial Information to the Statement of Accounts 2018/19 be noted.

39. LOCAL DEMOCRACY AND BOUNDARY COMMISSION FOR WALES LOCAL REVIEW

The Chief Executive introduced a report on the Local Democracy & Boundary Commission for Wales local review proposals and to seek the Council's views on what process it would like to follow to prepare and approve a response before the end of November 2019. He advised that the proposals were subject to constructive challenge and change during the review process and had only recently been published. There was a 12 week consultation period and a second response to the

Commission would be provided before the end of November. At the end of the consultation period the Commission would produce recommendations for all 22 authorities in Wales and a Final Proposals Report would be submitted to the Welsh Government to be adopted with or without amendment in readiness for the next local government elections which were scheduled to take place in 2022.

The Chief Executive referred to discussions which had taken place with Group Leaders to consider initial views on the proposals and how best to formulate a response to the Commission. He reported that the view of Group Leaders was that too many multi-Member wards were recommended by the Commission, with too much variation within them. He explained that Group Leaders also challenged why new proposals by the Commission substituted the proposals that the Council had made and which already complied. Group Leaders also challenged the extent to which the Commission had met its own criteria and felt that community 'ties', identity, and names were being lost in some cases. Concerns were raised around the non-alignment of community boundaries, the variance in figures across the total member wards where parity had been the objective, and population growth and its differential impacts on member-elect ratios across the County. The Chief Executive explained that initial views had been shared with the Commissioner by Group Leaders and officers at a meeting earlier today.

The Chief Executive suggested that during the coming weeks a number of informal meetings be offered to Members to consider the proposals in further detail. The Chief Executive also advised that where there was evidence of a strong alignment between the Council's views and that of the local Town or Community Council a joint response could be made to the Commission with greater strength than singular responses. In summary, the Chief Executive emphasised that the Commission had limited flexibility; a recommendation would be made to the WG; and changes to the current arrangement of local electoral wards would take place by 2022.

Councillor Ian Roberts moved that Council received the report and this was duly seconded. He thanked the Chief Executive for his comments and Group Leaders for their initial responses. He felt it was important that Members followed the process as outlined by the Chief Executive and that where there was interest from towns and rural areas that representatives of those Town and Community Councils meet with Officers of the Council to consider the possibility of putting forward a joint proposal to the Boundary Commission. He commented on the importance of local unity and said the Boundary Commission had asked for as much information and detail as possible and that the joint views of the Council, Town and Community Councils and, political bodies around historical ties, community links, and ward names did matter. It was important to make a collective response to the Commission.

Councillor Richard Jones expressed disappointment on the draft proposals published by the Commission for Flintshire and referred to the earlier proposal put forward by the Commission for a single member to represent each ward. He said the proposal to create three member wards, of which there were none in Flintshire at present, departed from the initial thinking by the Commission and created practical difficulties in terms of representing a ward. He said three member wards did not

benefit people who worked, were disabled, or were independent councillors. He said that creating larger geographical areas and electoral numbers, for example up to 7000 people, was easier for a larger political group to manage than for an independent councillor. Councillor Jones reiterated that larger ward areas and electoral numbers would not benefit residents or councillors. He expressed the view that the proposals were not fair or equitable for many reasons and did not provide parity.

The Chief Executive advised that the Commissioner had acknowledged the points which had been raised around practicalities, however, the Commission had limited criteria by law and explained that to achieve parity it was the member/elector ratio across a County that was used as the basis. The Chief Executive commented that the solution might be to move away from 3 member wards by having more 2 or 1 member wards.

The Chief Officer (Governance) explained that Town and Community Councils could have their own separate ward arrangements beneath the County Council ward. The Chief Officer went on to explain that Town and Community Council wards would not straddle the boundary of Council wards and provided further detail around the arrangements for Town and Community Council wards.

Councillor Mike Peers said he had asked the Commission for a written definition of the term 'electoral parity' which was used in the draft proposals and referred to by the Commission in the meeting held today. He referred to the proposals which had been put forward by Town and Community Councils which were understood to meet the parity and said representations had been put forward to the Commission on that basis. However, when referring to the draft proposals it appeared that they did not appear to have been considered. He referred to appendices 2 and 3 of the draft proposals and said there was clearly no electoral parity, and that there should be no confusion between ratio and variance. He said the Boundary Commission had been asked to reissue the guidelines on the variance to provide clarity going forward. He continued that appendices 2 and 3 also referred to variance from a county average and the Commission had been asked to confirm the relevant figures for the county average figure currently and for 2023 and the proposed arrangement on appendix 3. In summary Councillor Peers said he supported the Council's approach to try to get an agreement and provide evidence where necessary to make the changes required, as detailed in the report.

The Chief Executive advised that if the Council was to move to a proposed model of 65 members it would result in a county average ratio of 1,836 electors per member. He explained that the Commission's aim using the model as a guideline was that no Member would be above or below a 10% variation on that ratio figure. The maximum for tolerance was 25% and, therefore, anything above this variance would not be acceptable to the Commission.

The Chief Executive reiterated that Members would be offered small cluster sessions by area to work through the options and bring back to Council before the end of November for approval.

RESOLVED:

That the report be received.

40. DEPOSIT FLINTSHIRE LOCAL DEVELOPMENT PLAN: CONFIRMING RENEWABLE ENERGY LOCAL AREAS OF SEARCH

The Chair introduced a report to confirm the extent of the Flintshire Deposit Local Development Plan renewable energy local Areas of Search on the proposals map, to form part of the public consultation on the Plan commencing on 30 September 2019.

Councillor Chris Bithell referred to the endorsement of the draft Deposit Flintshire Local Development Plan (LDP) at the meeting of County Council on 23 July 2019, which was to go out for public consultation at the end of September. He said that, as reported at the meeting, the section of the LDP on Renewable Energy Local Areas of Search had not been included at the July Council meeting as the work was yet to be completed. He explained that the Council was required by Welsh Government (WG) to produce a section in the LDP on this important issue to assist the Government in meeting its target of producing 70% of electricity generation in Wales from renewable sources by 2030. This element of the LDP has now been completed and is presented for endorsement following a comprehensive search to identify land within the County to provide for large scale wind farms or solar farms to produce renewable energy. Councillor Bithell commented on Flintshire's location and the natural constraints around the allocation of land for large wind farms, but said there was more opportunity for allocation of land for solar farms and referred to the existing provision in Flintshire and new developments. Councillor Bithell moved the recommendations in the report.

The Chief Officer (Planning, Environment, and Economy) provided background information and explained the methodology used to identify an Area of Search. He gave a presentation on the process which covered the following main points:

- purpose
- what are Areas of Search and what they are not?
- potential for wind farms
- potential for solar farms
- Solar PV Local areas of search

Councillor Mike Peers thanked the Chief Officer and his team for their commitment and hard work to meet the LDP deadline and for a comprehensive and informative report which demonstrated a thorough search of the County. Councillor Peers seconded the proposal by Councillor Bithell

In response to comments from Councillor Patrick Heesom, the Chief Officer confirmed that the consultation period for the LDP was from 30 September to 11 November 2019.

In response to the concerns raised by Councillor Paul Johnson around the Holway Levels and SSI and his request that they be removed from the proposed LDP, the Chief Officer agreed to discuss the matters with Councillor Johnson prior to the LDP going out to formal consultation.

Councillor David Williams asked if hydro-electric power had been investigated for producing renewable energy. The Chief Officer explained that the directive was towards wind and solar power, however, the Authority was always looking at the potential for other renewable resources and advised that a small scale hydroelectric scheme was planned at Connah's Quay.

RESOLVED:

- (a) That the Indicative Local Search Areas for renewable energy to be shown on the proposals map and associated policy be included as part of the Deposit LDP public consultation be approved;
- (b) That the amendments to deposit LDP policy EN13 Renewable and Low Carbon Energy Development highlighted in this report be approved; and
- (c) That the Chief Officer (Planning, Economy and Environment) be authorised to make any additional minor wording, grammar, editorial, or cartographic changes to the Deposit LDP which may arise or be necessary prior to formal consultation to ensure consistency with the ongoing LDP evidence base and to assist final presentation of the Plan.

41. APPOINTMENT OF A LAY MEMBER TO THE AUDIT COMMITTEE

The Chair introduced a report to ask Council to consider appointing the preferred candidate for the Lay Member vacancy on the Audit Committee.

The Chief Officer (Governance) advised that at the Annual Meeting, Council had decided to appoint an extra lay member to the Audit Committee. There had been four applicants and, following interview, it was recommended that Allan Rainford be appointed. He provided background information and referred to the pen portrait of Allan Rainford which was appended to the report.

Councillor Chris Dolphin, Chair of the Audit Committee, said that the Committee would benefit greatly from Mr Rainford's skills and experience and strongly recommended that he be appointed as the new lay member to the Audit Committee. Councillor Marion Bateman seconded the proposal. On being put to the vote the recommendation was carried.

RESOLVED:

That Allan Rainford be appointed to the Audit Committee until the end of December 2023.

42. PUBLIC QUESTION TIME

None were received.

43. QUESTIONS

None were received.

44. NOTICES OF MOTION

The following Notice of Motion was received:

#IPledge2Talksuicide prevention campaign – Councillor Ian Roberts

‘This Authority supports the #IPledge2Talk suicide prevention campaign and will work to support positive mental health across Flintshire communities, in local schools, neighbourhoods and workplaces.

As a local authority, we acknowledge our crucial role in promoting awareness of this issue.

Encouraging mental well-being should be a priority across all the Local Authority’s areas of responsibility, including housing, education, and community safety and planning.

Throughout its work the Authority will champion mental health on an individual and strategic basis.

For your information the: #IPledge2Talk campaign was launched at the Senedd a couple of months ago by Eluned Morgan in collaboration with Mind Cymru’.

In moving the Motion, Councillor Ian Roberts, spoke of the anguish and regret of families who had experienced the death of a family member through suicide. He commented on the lasting and devastating impact on those families and the pain and sadness felt and said it was difficult to imagine the suffering and despair of individuals who saw suicide as the only course of action for them.

Councillor Roberts said that Jack Sargeant, Assembly Member, and his family, fully supported the campaign and urged others to pledge their support also. Councillor Roberts read out the commitments to provide help and support in the Pledge and asked Members to support the Motion.

Councillor Glyn Banks said he fully supported the campaign and thanked Councillor Roberts for bringing the Motion to Council. He encouraged people who were in difficulty to “speak out” and seek help and spoke of the need to be a ‘friend’ to others and to offer help and support where needed. Councillor Banks seconded the Motion.

Councillor Kevin Hughes also spoke in support of the campaign and emphasised the importance of seeking early help and support to prevent mental health issues developing into suicide.

The Chief Executive said that he and fellow officers fully supported the campaign, and referred to the Authority’s duty of care to employees and said initiatives were in place to support employees.

The Motion was carried.

RESOLVED:

That the Notice of Motion from Councillor Ian Roberts on #IPledge2Talk Suicide Prevention Campaign be supported.

45. MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE

There were no members of the press in attendance.

(The meeting started at 2.00 pm and ended at 3.30pm)

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Chairman