

# Pecyn Dogfen Gyhoeddus



Swyddog Cyswllt:  
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At: Bob Aelod o'r Cyngor

Dydd Mercher, 12 Mehefin 2019

Annwyl Gyngorydd

Fe'ch gwahoddir i fynychu cyfarfod Cyngor Sir y Fflint a fydd yn cael ei gynnal am 2.00 pm Dydd Mawrth, 18fed Mehefin, 2019 yn Siambr y Cyngor, Neuadd y Sir, Yr Wyddgrug CH7 6NA i ystyried yr eitemau canlynol

## R H A G L E N

### 1 YMDDIHEURIADAU AM ABSENOLDEB

**Pwrpas:** I dderbyn unrhyw ymddiheuriadau.

### 2 COFNODION (Tudalennau 5 - 46)

**Pwrpas:** I gadarnhau, fel cofnod cywir gofnodion y cyfarfodydd ar 19 Chwefror, 28 Chwefror, 9 Ebrill a 7 Mai 2019.

### 3 DATGAN CYSYLLTIAD

**Pwrpas:** I dderbyn unrhyw ddatganiad o gysylltiad a chynghori'r Aelodau yn unol a hynny.

### 4 CYHOEDDIADAU'R CADEIRYDD

**Pwrpas:** Derbyn unrhyw gyhoeddiad fel y'i dosbarthwyd.

### 5 DEISEBAU

**Pwrpas:** Derbyn unrhyw ddeisebau.

### 6 CWESTIYNAU GAN Y CYHOEDD

**Pwrpas:** Derbyn Cwestiynau Cyhoeddus ar gyfer yr eitem hon: doedd dim wedi dod i law erbyn y dyddiad cau.

### 7 CWESTIYNAU

**Pwrpas:** Nodi'r atebion i unrhyw gwestiwn a gyflwynwyd yn unol â Rheol Sefydlog 9.4(A) y Cyngor Sir. 9.4(A): doedd dim wedi dod i law erbyn y dyddiad cau.

## 8 CWESTIYNAU GAN AELODAU AM GOFNODION PWYLLGORAU

**Pwrpas:** Mae'r Llyfr Cofnodion, Rhifyn 1 2019/20, wedi ei ddsbarthu i'r Aelodau. Mae hawl gan yr Aelodau ofyn cwestiynau am y cofnodion hyn, yn amodol ar gyfyngiadau penodol, a bydd yr atebion yn cael eu darparu yn y cyfarfod. Gofynnir i Aelodau ddod â'u copi o'r Llyfr Cofnodion i'r cyfarfod. Mae'n rhaid cyflwyno unrhyw gwestiwn i'r Rheolwr Democratiaeth a Llywodraethu cyn diwedd y diwrnod gwaith ar Dydd Mercher, 12 Mehefin, 2019: doedd dim wedi dod i law erbyn y dyddiad cau.

## 9 RHYBUDD O GYNNIG (Tudalennau 47 - 48)

**Pwrpas:** Derbyn unrhyw Rybuddion o Gynnig: daeth tri i law erbyn y dyddiad cau

Y Cyngorwyr Bernie Attridge, Carol Ellis, Helen Brown a George Hardcastle – Cyfyngu ar y cynnydd yn nhreth y cyngor

Y Cyngorydd David Healey – Seiberfwlio

Y Cyngorydd Andy Dunbobbin – Codi ymwybyddiaeth o drais yn erbyn merched a cham-drin domestig

## 10 CYNLLUN Y CYNGOR 2019/20 (Tudalennau 49 - 98)

Adroddiad Prif Weithredwr

**Pwrpas:** Mabwysiadu Rhan 1 o Gynllun y Cyngor 2019/20 yn unol ag argymhelliad y Cabinet.

## 11 ADOLYGIAD O GOD YMARFER CYNLLUNIO'R CYNGOR (Tudalennau 99 - 120)

Adroddiad Prif Swyddog (Llywodraethu)

**Pwrpas:** Fel rhan o adolygiad treigl y Cyfansoddiad, cymeradwyo diweddariadau i God Ymddygiad Cynllunio.

## 12 ADOLYGIAD O GYDBWYSEDD GWLEIDYDDOL (Tudalennau 121 - 126)

Adroddiad Prif Swyddog (Llywodraethu)

**Pwrpas:** I alluogi'r Cyngor i adolygu'r cydbwysedd gwleidyddol yn dilyn ffurfio grŵp gwleidyddol newydd.

13 **RHESTR O GYDNABYDDIAETHAU ARIANNOL AR GYFER 2019/20**  
(Tudalennau 127 - 142)

Adroddiad Prif Swyddog (Llywodraethu)

**Pwrpas:** I'r Cyngor gymeradwyo'r rhestr o gydnabyddiaethau ariannol ar gyfer Aelodau etholedig a chyfetholedig ar gyfer 2019/20 ar gyfer eu cyhoeddi, gan fod yr holl benodiadau wedi eu gwneud.

14 **COD YMDDYGIAD SWYDDOGION** (Tudalennau 143 - 158)

Adroddiad Prif Swyddog (Llywodraethu)

**Pwrpas:** Fel rhan o'r adolygiad treigl y Cyfansoddiad, mae'r Pwyllgor Safonau wedi argymhell diweddariadau i God Ymddygiad Swyddogion.

Yn ddiffuant,



Robert Robins  
Rheolwr Gwasanaethau Democraidd

**HYSBYSIAD GWEDDARLLEDU**

Bydd y cyfarfod hwn yn cael ei ffilmio a'l ddarlledu'n fyw ar wefan y Cyngor. Bydd y cyfarfod cyfan yn cael ei ffilmio oni bai fod eitemau cyfrinachol neu wedi'u heithrio dan drafodaeth.

Yn gyffredinol ni fydd y manau eistedd cyhoeddus yn cael eu ffilmio. Fodd bynnag wrth i chi ddod i mewn i'r Siambr, byddwch yn cydsynio i gael eich ffilmio ac i'r defnydd posibl o'r delweddau a'r recordiadau sain hynny ar gyfer gweddarlledu a/neu ddibenion hyfforddi.

Os oes gennych chi unrhyw gwestiynau ynglŷn â hyn, ffoniwch aelod o'r Tîm Gwasanaethau Democraidd ar 01352 702345.

Mae'r dudalen hon yn wag yn bwrpasol

# Eitem ar gyfer y Rhaglen 2

## **FLINTSHIRE COUNTY COUNCIL** **19 FEBRUARY 2019**

Minutes of the meeting of Flintshire County Council held in the Council Chamber, County Hall, Mold on Tuesday, 19 February 2019.

### **PRESENT: Councillor Paul Cunningham (Chairman)**

Councillors: Mike Allport, Bernie Attridge, Janet Axworthy, Haydn Bateman, Marion Bateman, Sean Bibby, Chris Bithell, Helen Brown, Derek Butler, Clive Carver, Geoff Collett, David Cox, Jean Davies, Rob Davies, Ron Davies, 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, Kevin Hughes, Ray Hughes, Dennis Hutchinson, Joe Johnson, Paul Johnson, Christine Jones, Tudor Jones, Colin Legg, Brian Lloyd, Richard Lloyd, Mike Lowe, Dave Mackie, 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, Owen Thomas, Martin White, Andy Williams, David Williams, David Wisinger and Arnold Woolley.

### **APOLOGIES:**

Councillors: Glyn Banks, Sian Braun, Bob Connah, Adele Davies-Cooke, Andrew Holgate, Rita Johnson, Richard Jones, Hilary McGuill and Ralph Small

### **IN ATTENDANCE:**

Chief Executive, Chief Officer (Governance), Chief Officer (Housing and Assets), Chief Officer (Planning and Environment), Chief Officer (Education and Youth), Chief Officer (Streetscene and Transportation), Chief Officer (Social Services), Corporate Finance Manager, Finance Managers, Senior Manager Human Resources and Organisational Development, Revenues Manager, Democratic Services Manager, and Democratic Services Officer.

## **96. MINUTES**

The minutes of the meeting held on 29 January 2019 were submitted.

### **Accuracy**

Page 15, item 90 - Flintshire Electoral Review. Councillor Chris Bithell asked that the minutes be amended to record thanks to the Democratic Services Manager and his team for their hard work, in conjunction with Members, to achieve a compromise and agreed outcome to the proposals submitted to the Local Democracy and Boundary Commission for Wales.

### **RESOLVED:**

That subject to the above amendment the minutes be approved and signed by the Chairman as a correct record.

**97. DECLARATIONS OF INTEREST**

Councillor David Healey declared a personal interest in agenda item 9b, Council Fund Capital Programme 2019/20 – 2021/22 as he was a governor of Castell Alun High School. Councillor Gladys Healey also declared a personal interest in item 9b as she was a governor at Castell Alun High School.

The Chief Officer (Governance) advised that a personal interest would be recorded for Members who were school governors in relation to the schools referred to in agenda item 9b – Council Fund Capital Programme 2019/20 – 2021/22.

**98. CHAIRMAN'S COMMUNICATIONS**

A copy of the Chairman's Communications had been circulated to all Members prior to the meeting.

The Chair invited Councillor Kevin Hughes to provide feedback to Members on the visit by individuals from Hope House Hospice to County Hall. Councillor Hughes thanked the Chair and his wife for hosting the event and spoke of the hard work and achievement of individuals which had been inspirational in raising funds for Hope House Hospice through sponsored events and schemes. Councillor Hughes took the opportunity to invite the Chair and his consort, Vice-Chair and her consort, and all Members to visit Hope House to see the dedicated care and support provided.

The Chair thanked the Vice-Chair for attending the recent Lord Mayor of Chester's Banquet on his behalf.

**99. PETITIONS**

None were received.

**100. PUBLIC QUESTION TIME**

None were received by the deadline.

**101. QUESTIONS**

None were received by the deadline.

**102. NOTICES OF MOTION**

None were received by the deadline.

**103. COUNCIL FUND BUDGET 2019/20**

The Chief Executive introduced the report on the Council Fund Budget 2019/20 to receive the recommendations from Cabinet to Council to close the annual budget for 2019/20 following the Council debate on 29 January, and the further review work on corporate finance options and risks undertaken in the interim. The Council report

of 29 January 2019 which included the Cabinet report of 22 January 2019 was appended to the report.

The Chief Executive provided background information and referred to the Senedd delegation which took place on 5 February, to seek improvement to the local government Settlement for 2019/20, and the request made by Members at the Council meeting held on 29 January, for officers to review specific areas of corporate finance and come back with further technical advice and professional opinion. He said the specific areas were:

- the Minimum Revenue Policy (MRP) commitments and the scope for reducing the annual revenue contribution by using capital receipts to reduce total financeable debt;
- the detailed rationale for recommending the retention of the reserves as listed in the table in the report and in the presentation slides; and
- the justification for retaining the earmarked reserves that are forecast to remain at a static level over the next year.

Further explanation was also requested on the scope for debt rescheduling under the Treasury Management Strategy.

The Chief Executive referred to the all-Member budget briefing workshop which was held on 14 January, to address corporate finance in detail. He said that additional technical advice and professional opinion was also being provided in a series of detailed advice notes which were listed as background papers to the report and were available on request.

The Chief Executive, Chief Officer (Governance), Corporate Finance Manager, and Revenues Manager, delivered a presentation which covered the following key areas:

- setting a legal and balanced budget
- summary budget position for 2019/20
- professional (technical) advice
- Minimum Revenue Provision (MRP) – use of capital receipts
- prudent level of reserves
- un-earmarked reserves
- earmarked reserves
- debt rescheduling and cash flow management
- professional opinions
- budget scenarios
- next steps and timelines

The Chief Officer (Governance) advised that it was the collective duty of Council to set a legal and balanced budget. He commented on the importance of adhering to deadlines and explained that residents who paid their Council Tax by direct debit had to be given two weeks notice in advance of an increase in payment, and, therefore the Council budget would need to be approved before end of February for this payment

facility to be offered in good time. He referred to the budget setting process and the technical and professional advice provided to guide Members.

Councillor Aaron Shotton advised that Cabinet, at a meeting held immediately prior to County Council, had recommended a resolution to County Council and asked that the details of the resolution be distributed to Members for consideration at the meeting. Councillor Shotton thanked the Chief Executive and Officers for responding to the specific requests which were raised by Members at the previous meeting of the County Council held on 29 January, to further review and justify the earmarked and un-earmarked reserves. He referred to the recommendation by Cabinet that Council used a further combination of earmarked and un-earmarked reserves and balances of £321k to reduce the remaining budget gap. He continued that a budget requirement of £2.781m remaining was to be met by Council Tax which would require - for the Council services precept - a 8.17% increase. Councillor Shotton explained that when combined with the precepts for the Town and Community Councils and the Police and Crime Commissioner the annual rise would average at 8.38% for a Band D property.

Councillor Shotton commented on the continued local and national challenge of austerity which was a direct result of the underfunding of local government services for over a decade by national government. He referred to the numerous essential services provided by local authorities and commented on the catastrophic effect of the policy of austerity on the services provided by local governments across the United Kingdom and Wales. He said he was proud that the Authority's budget protected and retained services for Flintshire's residents which were no longer in existence in many other local authorities and commented on the additionalities provided in social care and education provision to meet increasing demand. He referred to the shift from national taxation to local council taxation and said this had to be avoided for the future. He spoke of the need to note the professional advice provided by officers and external auditors and the need to maintain the correct balance between drawing further on reserves which would result in increases in Council Tax and reduce services in the future. He asked Members to support the proposals and moved the motion. This was duly seconded.

Councillor Chris Dolphin commented on the failed policies of National and Welsh governments and spoke of the unfairness of the Formula which he said had disadvantages and did not meet public expenditure needs. He stated he could not support a rise in Council Tax to 8.75% as it was not acceptable to Flintshire's residents. Councillor Dolphin supported the proposal to form a cross-party working group and to meet with the Minister for Local Government and Housing to make proposals for a more sustainable and equitable funding system for local government in Wales.

Councillor Mike Peers concurred with the views expressed by Councillor Chris Dolphin and said he could not support an 8.75% increase in Council Tax. He continued that despite being one of the lowest funded Councils in Wales and the delegation to the Senedd to seek an improvement of the Settlement, there had been no indication by the Welsh Government (WG) of any intent to adjust the Settlement for 2019/20 and the revised budget gap remained at £3.102m. He said that the tax burden was being shifted onto the local Council Tax. He acknowledged that the Cabinet had agreed an improvement in the use of reserves to address the issue. He spoke of the increasing burden and worrying trend of council tax rises and the impact on council tax payers by moving the responsibility from WG to the local residents. Councillor Peers referred to



the increases in Council Tax since 2016 and spoke of the need to address this and close the gap and proposed the following amendment to the proposals recommended to Council by the Cabinet:-

That the original proposal to increase Council Tax to 8.5% is reduced to 5.95% for 2019/20. He stated that 5.95% Council Tax contributed £0.948m to the gap and suggested that £1.429m be allocated from un-earmarked reserves. Councillor Peers said that £1.4m was transferred from revenue by Cabinet in September and remained in the contingency reserve and from that same reserve £1.9m had been taken for Stage 1. He continued that there was hardly any movement in the balances of ear marked reserves from year to year. With ear marked reserves at a level of £5.8m a 12.5% reduction would provide a further £0.725m which would leave over £5m in ear marked reserves. In summarising he said that the combined sums of £0.948m, £1.429m and £0.725m amounted to £3.102m which closed the gap and balanced the budget. He asked Members to support the amendment.

Councillor Patrick Heesom seconded the proposal.

In response to a request from Councillor Bernie Attridge, the Chief Executive and Corporate Finance Manager provided clarification and advice on the figures put forward by Councillor Peers. The Corporate Finance Manager referred to the impact on the contingency reserve and said the proposal by Councillor Peers would reduce the reserve by £1.4m which would mean there would be nothing left for future investment to achieve efficiencies or significant corporate risks, such as teachers' pay and redundancy costs. Referring to earmarked reserves the Corporate Finance Manager advised that these needed to be retained for known risks and future commitments, and explained that within the £5.8m there were two significant amounts which covered insurance reserve for known potential future claim liabilities and for grants and contributions where there were legal conditions attached. The Corporate Finance Manager also commented on the impact on 2020/21 which would increase the budget gap by over £2.15m (increasing the £9.4m gap to £11.5m for 20/21). In summary the Corporate Finance Manger advised against the use of further reserves other than those recommended by Cabinet to Council.

The Chief Executive thanked Councillor Peers for his work and his suggestions to improve the Council Tax position through the use of reserves. He commented on the risk exposure to services and said his advice was that the further use of un-earmarked reserves would leave insufficient funds for this year and the future. The Chief Executive referred to the earmarked reserves and said it would overexpose a number of services if they were reduced. He explained why they were needed for the longer term and reiterated that the proposals made would add a further £2.15m to the funding gap for next year and, in the absence of any indication from national or WG of improved funding for next year, the £2.15m from extra reserves for next year without any other form of income would equate to an extra 3.2% on Council Tax. The Chief Executive said that taking into account the financial forecast, the Authority's limited ability to find further savings or raise income, his advice was that the proposals put forward by Councillor Peers would not be a responsible decision for Council to agree to in 2019/20 or 202/21.

Councillor Patrick Heesom spoke on the amendment. He commented on the harmful impact on people's livelihoods caused by an increase in Council Tax and expressed the view that it was an unfair system. He commented that the Authority used Council Tax as a reserve in the budget and said there was a duty to use reserves in a way to diminish the impact of Council Tax on Flintshire's residents. He urged the Authority to limit the impact and reduce council tax to an acceptable level.

Councillor Derek Butler also spoke on the amendment and thanked Councillor Peers for his alternative proposals. He spoke of the need to continue to provide the best services possible for the residents of Flintshire during the worst of times. He said that Officers had advised that the alternative proposals put forward would defer problems for another year and would add a potential 3.2% on Council Tax for next year. He spoke of the need to address difficult challenges here and now.

Councillors Tony Sharps and Ian Roberts spoke on the amendment. Councillor Ian Roberts emphasised the need to retain reserves and gave examples of how reserves had been used to resolve critical circumstances and developments in the past.

Councillor Neville Phillips queried that if the amendment put forward by Councillor Peers was agreed by Council whether the funding taken from reserves in 2019/20 could be repaid in future years on the understanding that lobbying of the WG be continued with an anticipation that there was improvement in the Settlement in the longer-term. In his response the Chief Executive said there was no change in the WG Settlement for this year and at this stage the WG was not able to give a forward forecast of any type for 2020/21 onwards. The budget proposals had to be based on forecasts and knowns. The advice given to Councillor Peers on the proposed amendment was that it would leave the Authority with insufficient reserves and balances to cover in year risks and the medium term. He cautioned on the danger of over balancing by using reserves in the budget which would be unsustainable, unreasonable, and irresponsible.

Councillor Chris Bithell also cautioned against the further use of reserves and referred to their intended purpose and the many "unknowns" yet to be addressed by the Authority. He cited the cost of out of county placements, teachers' pension and pay increases, as examples and said there would be other new additional pressures to be placed on the Authority. He also commented on the uncertainty and impact of Brexit on national and local services. He reiterated the advice given by Officers that to make further use of reserves was neither feasible or sustainable and concluded that the only solution was to increase Council Tax in order to bridge the funding gap.

Councillor Tudor Jones commented on the proportionality of reserves and balances concerning the proposals put forward to Council for consideration. The Chief Executive reported on the use of ear-marked and un-earmarked reserves which had been used safely to reduce the budget gap. He confirmed that there were no other earmarked or un-earmarked reserves that could be released safely, and should Council decide to add further funds from earmarked or un-earmarked reserves an unsustainable and insurmountable budget gap would be created for 2020/21.

Councillor Carol Ellis spoke in support of the comments and suggestion made by Councillor Neville Phillips. The Chief Executive reiterated that the budget could only be based on the current “knowns”, in terms of income received, and said that there was no confirmed additional funding for this year. He explained that the WG would have to better the position for local authorities in 2020/21 and the forecast from WG was that the position would be no better in future years until there was a change in position at UK level.

Councillor Aaron Shotton thanked Councillor Peers for his work to provide an alternative proposal. He commented on the statutory advice which had been given by Officers and the further review which had been undertaken of the level of earmarked and un-earmarked reserves following the request by Members at the last meeting of the County Council. He took the view that it was correct to use reserves to protect services and to ensure that Council Tax was kept as low as possible. He commented on the risks going forward and said there was no commitment from either national or WG around a 7.2% increase in teacher pension employer contributions which would cost £3.5m in one year and which did not feature within the budget. He emphasised the level of risks and the need to maintain reserves and said the Authority was the highest user of reserves in the budget in North Wales this year. He cautioned that the amendment proposed by Councillor Peers would double the recommended use of reserves and gave no indication of how the funds were to be replenished in the revenue budget next year. He said the reserve funds would be used to fund day to day services and would result in further service cuts next year. He summarised that the amendment would create an unsustainable situation next year and asked Members to vote against it.

A recorded vote was taken to the amendment proposed by Councillor Mike Peers. In requesting a recorded vote, the requisite 10 Members stood in support.

The Chief Officer (Governance) advised that the amendment was that Council Tax increase be set at 5.95% which would generate £948k towards the budget gap. That £1.429m be used from un-earmarked reserves and £725k from earmarked reserves to close the gap of £3.182m.

The following Councillors voted for the amendment:

Marion Bateman, Mike Allport, Janet Axworthy, Haydn Bateman, Helen Brown, Clive Carver, David Cox, Rob Davies, Chris Dolphin, Rosetta Dolphin, Carol Ellis, Veronica Gay, George Hardcastle, Patrick Heesom, Ray Hughes, Brian Lloyd, Dave Mackie, Mike Peers, Owen Thomas, David Williams, Arnold Woolley.

The following Councillors voted against the amendment:

Paul Cunningham, Bernie Attridge, Sean Bibby, Chris Bithell, Derek Butler, Geoff Collett, Ron Davies, Ian Dunbar, Andy Dunbobbin, David Evans, David Healey, Gladys Healey, Cindy Hinds, Dave Hughes, Joe Johnson, Paul Johnson, Christine Jones, Richard Lloyd, Mike Lowe, Billy Mullin, Ted Palmer, Michelle Perfect, Vicky Perfect, Mike Reece, Ian Roberts, Tony Sharps, Aaron Shotton, Paul Shotton, Ian Smith, Carolyn Thomas, Martin White, Andy Williams, David Wisinger

The following Councillors abstained:

Jean Davies, Mared Eastwood, Kevin Hughes, Tudor Jones, Colin Legg, Neville Phillips.

The amendment was not carried.

Councillor David Healey spoke in support of the substantive motion. He thanked the Chief Executive and Officers for the advice provided to Members and paid tribute to them for the protection of services during a decade of unprecedented austerity and low funding. He also paid tribute to local communities for their support and work in terms of community asset transfers. In supporting the recommendations proposed by Cabinet Councillor Healey said the opportunity to meet the Minister for Local Government and Housing to make proposals for a more sustainable and equitable funding system for local government in Wales was welcomed and should be accepted. He also supported cross-party working and said it would give an opportunity to raise the problems facing local communities.

Councillors Rosetta Dolphin and Paul Shotton said that local authorities could not continue to accept year on year cuts in funding and spoke of the impact on people's livelihoods and the need for a sustainable and equitable funding system.

Councillor Chris Bithell emphasised that it was not only Flintshire facing Council Tax rises as other authorities were in the same position due to the austerity programme imposed by national government. He continued that the WG also had a £850m cut in funding by national government which had been passed onto local government and said the shift from income taxation to local taxation by stealth was a national policy which was regressive, unfair, and took no account of household income. He commented that funding for local government had to be increased to meet the needs and demands of people.

At this point the meeting was adjourned for a short break.

Councillor Helen Brown referred to the risk management update which was provided to the last meeting of the Audit Committee. She said there were 44 strategic risks within the Council Plan and drew attention to the priority supportive council and risk heading that debt levels would rise if tenants were unable to pay their rent or council tax. She said that comments were made at the Audit Committee that the risks were not only to tenants but to the wider population including private sector home owners. The report stated that during 2018/19 focus had been on early intervention and intervention to prevent problems escalating. She continued that Council Tax collection remained under pressure and that the risk this year had changed from amber to red. Councillor Brown said that the proposed 8.17% increase would only add to the pressure. She asked the question "did the risk rating move from red to black based on the evidence provided". Councillor Brown said she had spoken with many concerned residents county wide who were fearful of a further council tax increase and said many were already financially drained. She said she could not support a 8.75% increase in council tax and said it was unfair to impose this on Flintshire's residents. In summary she reiterated her query on whether the risk rating would change from amber to red to black based on the evidence provided.

In response to Councillor Brown the Revenues Manager referred to the council tax reduction scheme which was in operation in Wales and could provide relief of Council Tax up to 100%. However, he advised that in England there was a requirement that every household made a contribution to council tax regardless of the level of household income. He continued that the Welsh scheme was predominantly funded by the WG with top up from local authorities and said that currently 16% of households in Flintshire would qualify for 100% reduction on Council Tax or a partial reduction. Referring to the support provided to residents he said households were encouraged to increase their payments from 10 to 12 monthly instalments to help with budget planning and explained that the payment options in Flintshire were more flexible and supportive than most other authorities.

Referring to the risk rating which had been queried by Councillor Brown the Chief Executive explained that the risk was a severe red risk.

Councillor Carol Ellis spoke of the genuine hardship endured by people both employed and unemployed and said many were already dependent on foodbanks and clothing banks. She commented that it was not just the year on year increase to Council Tax which impacted on household incomes but also the other accumulated increases in the annual cost of living expenses which left households financially strained. She spoke of the need to ensure that the WG understand that residents cannot afford year on year increases to Council Tax to subsidise national funding. She also spoke of the need to hold WG to account to provide adequate funding for education and social services as examples. Councillor Ellis commented on the responsibilities which were passed from WG to local government without funding to provide the service and cited the Well-Being Act as an example.

Councillor Kevin Hughes said that Flintshire was well below the Welsh average in terms of council tax charges and referred to the higher rates charged in neighbouring local authorities.

Councillor Patrick Heesom said there was a need for a re-evaluation of the rateable value of properties in Flintshire. He emphasised the need for Council Tax not to be used as a substitute for use of reserves.

Councillor Arnold Woolley referred to the five recommendations provided by Cabinet and suggested that they be split and considered as two separate motions, i.e. recommendations 1, 4 and 5 be addressed as a separate motion to recommendation 2 and 3. The Chief Officer (Governance) provided advice and explained that the Chair had discretion to take the vote in any order he chose. The Chair said he would take a single vote on the motion moved by Councillor Aaron Shotton.

As mover of the motion Councillor Aaron Shotton referred to the risk register that was considered at the recent meeting of the Audit Committee. He spoke of the number of significant risks for the Council and cited as examples the risk around sufficient funding to continue to provide subsidised bus services within Flintshire, the risk within social services that demand outstrips supply for residential and nursing home care, and the risk that the rate of increase of adult safeguarding referrals will outstrip resources. Councillor Shotton said to draw any further on reserves would create a shortfall which would have to be made up next year with no change in the

national funding position foreseen for the future. Councillor Shotton cited the example of an additional £1.98 per week increase in council tax on a Band D property (for the council services element of the precept) and said the increase would enable the Authority to continue to meet the needs of Flintshire's residents in terms of education, social care, and other services. He asked Members to support the motion.

A recorded vote was requested on the following recommendations proposed by Councillor Aaron Shotton:

- (a) That Council is advised that the duty to set a legal and balanced budget is a primary duty and one which cannot be deferred or defaulted upon. Council needs to take into account the expenditure requirement for both 2019/20 and the medium term in setting the annual budget. In the absence of any change in position on the local government funding allocation for 2019/20 by Welsh Government, and given the professional advice and opinion provided by statutory officers, the only options which remain open to Council to balance the budget are Council Tax and the proportionate use of reserves and balances;
- (b) That Cabinet recommends to Council the further use of a combination of earmarked (£132k) and un-earmarked (£189k) reserves and balances of £321k to reduce the remaining budget gap. A budget requirement of £2.781m then remains to be met by Council Tax (to include the levy for the North Wales Fire and Rescue Service). An annual rise of 8.75% is recommended to meet this total requirement. Once combined with the precepts of the Town and Community Councils and the Police and Crime Commissioner this annual rise will average out at 8.38% for a Band D property, equal to an additional £10.33 per month;
- (c) That Council notes that a greater reliance on Council Tax to fund local services is inevitable given the funding policies of the UK and Welsh Governments. The UK Government has set a policy of reducing Revenue Support Grant with English Councils expected to be more independent in relying on Council Tax, retained National Non-Domestic Rates and other income to fund the majority of their expenditure, and Welsh Government has made a working assumption that Council Tax will rise by 6.5% on average across Wales in its own budget calculations;
- (d) That Council accepts the invitation of the Minister for Local Government and Housing to make proposals for a more sustainable and equitable funding system for local government in Wales; and
- (e) That Council forms a cross-party working group, to be supported by internal professional advice and external expertise, to make proposals to Welsh Government and the family of local government in Wales to follow (4) above.

In requesting a recorded vote, the requisite 10 Members stood in support.

The following Councillors voted for the proposals:

Paul Cunningham, Bernie Attridge, Sean Bibby, Chris Bithell, Derek Butler, Geoff Collett, David Cox, Ron Davies, Ian Dunbar, Andy Dunbobbin, Mared Eastwood, David

Evans, David Healey, Gladys Healey, Cindy Hinds, Dave Hughes, Kevin Hughes, Joe Johnson, Paul Johnson, Christine Jones, Tudor Jones, Richard Lloyd, Mike Lowe, Billy Mullin, Ted Palmer, Michelle Perfect, Vicky Perfect, Neville Phillips, Mike Reece, Ian Roberts, Tony Sharps, Aaron Shotton, Paul Shotton, Ian Smith, Carolyn Thomas, Martin White, Andy Williams, David Wisinger.

The following Councillors voted against the proposals:

Marion Bateman, Mike Allport, Janet Axworthy, Haydn Bateman, Helen Brown, Clive Carver, Jean Davies, Rob Davies, Chris Dolphin, Rosetta Dolphin, Carol Ellis, Veronica Gay, George Hardcastle, Patrick Heesom, Dennis Hutchinson, Brian Lloyd, Dave Mackie, Mike Peers, Owen Thomas, and Arnold Woolley.

Councillor David Williams abstained.

**RESOLVED:**

That the recommendations be carried.

**104. COUNCIL FUND CAPITAL PROGRAMME 2019/20 – 2021/22**

The Chief Officer (Housing and Assets) introduced the report to approve schemes for inclusion within the Capital Programme over the 3 year period 2019/20 – 2021/22.

The Chief Officer provided background information and presented the main considerations, as detailed in the report, on developing the capital programme 2019/20 and 2021/22. He referred to the £8.216m shortfall in Table 1 - estimated funding 2018/19 – 2020/19, £1.428m shortfall in Table 2 estimated funding 2018/19 – 2020/21, and £26.740m estimated available funding 2019/20 – 2021/22.

The Chief Officer also referred to the General Capital Programme 2019/20 – 2021/22 and statutory/regulatory and retained asset allocations 2019/20 – 2021/22. He reported on the proposed allocations 2019/20 and 2021/22 as detailed in Table 4, the proposed investment schemes 2019/20 – 2021/22 as detailed in Table 5, and the summary (generally funded) capital programme 2019/20 – 2021/22 as detailed in Table 6 of the report which indicated a current shortfall of £0.374m.

Referring to specific grants and borrowing, the Chief Officer reported on the 21 Century Schools Band B programme, and the Strategic Housing and Regeneration Programme (SHARP) loans to NEW Homes for affordable homes. The cost of the specifically funded schemes 2019/20 – 2021/22 were detailed in Table 7 of the report. He also reported on the summary total Council Fund Capital Programme 2019/20 – 2021/22 and advised that the total proposals for the Capital Programme were as detailed in Table 9. In conclusion the Chief Officer reported on potential future schemes as detailed in the report.

Councillor Patrick Heesom suggested that consideration be given to disposing of Theatr Clwyd to release funding to assist budget savings for the Authority. The Chief Executive explained that a feasibility study was currently being undertaken to consider an alternative model in the future which could further reduce the subsidy. He advised

that provincial theatres could not operate without a form of public subsidy: the options were status quo, an alternative model which was more cost effective, or eventual closure.

Councillor Aaron Shotton thanked the Chief Officer and his team for their work on the Capital Programme which he said was a continuation of a 3 year rolling programme with a total investment for infrastructure in county of £49m. He continued that the total capital investments and infrastructure, including the HRA, was in the region of £83m in the next 3 years. Councillor Shotton spoke of the significant investment of £3.7m in highways improvements in the next 3 years and thanked Councillor Carolyn Thomas for her continued lobbying of the WG to achieve additional funding for this. He also spoke of the investment in IT provision in schools to provide much needed improvement regarding connectivity, the continuation of a commitment to fund the completion of work schemes at Castell Alun High School, Ysgol Glan Aber and Connah's Quay High School, and improvements to the Pupil Referral Unit at Plas Derwen. In addition Councillor Shotton said that the Authority would continue with its ambitions and commitment to address risks, as identified in the risk register presented to the recent meeting of the Audit Committee, and cited as an example the need to address bed capacity in residential nursing home care which had been met through an extension to Marleyfield House, Buckley, to provide additional beds. In conclusion Councillor Shotton referred to the £672k commitment to play areas and artificial sports pitches and referred to the replacement of the artificial sports pitch at the Elfed High School, Buckley, as an example.

**RESOLVED:**

- (a) That the allocations in Table 4 (paragraph 1.04.1) of the Cabinet report for Statutory /Regulatory and Retained Assets sections of the Council Fund Capital Programme 201/20 – 2021/22 be approved;
- (b) That the schemes included in Table 5 (paragraph 1.05.1) of the Cabinet report for the Investment section of the Council Fund Capital Programme 2019/20 – 2021/22 be approved;
- (c) That the shortfall in funding of schemes in financial years 2019/20 and 2020/21 (paragraphs 1.06.1) as set out in the Cabinet report be noted. Options including a combination of future capital receipts, alternative grants (if available), prudential borrowing or the re-phasing of schemes will be considered during 2019/20, and updates provided to Members in future capital programme monitoring reports.
- (d) That the schemes included in Table 7 (paragraph 1.07.04) of the Cabinet report for the specifically funded section of the Council Fund Capital Programme which will be funded in part through Prudential Borrowing, be approved

**105. CAPITAL STRATEGY INCLUDING PRUDENTIAL INDICATORS 2019/20 – 2021/22**

The Corporate Finance Manager introduced the report to present for approval the updated Capital Strategy 2019/20 – 2021/22 and a range of Prudential Indicators linked to the Capital Programme over the 3 year period 2019/20 – 2021/22. He



provided background information and reported that the Strategy had been considered at a meeting of the Corporate Resources Overview & Scrutiny Committee held on 14 February 2019. The Corporate Finance Manager advised that there were no specific issues to report to Council.

**RESOLVED:**

- (a) That the Capital Strategy 2019/20 – 2021/22 be approved;
- (b) That Council approved:-
  - The Prudential Indicators for 2019/20 – 2021/22 as detailed within Tables 1, and 4 – 7 inclusive of the Capital Strategy reported to Cabinet.
  - Delegated authority for the Corporate Finance Manager to effect movements between the separately agreed limits within the authorised limit for external debt and the operational boundary for external debt (Table 6 of the Capital Strategy reported to Cabinet)

**106. HOUSING REVENUE ACCOUNT BUDGET 2019/20, HOUSING REVENUE ACCOUNT BUSINESS PLAN AND HOUSING REVENUE ACCOUNT 30 YEAR FINANCIAL BUSINESS PLAN**

The Chief Officer (Housing and Assets) introduced the report to approve the Housing Revenue Account (HRA) Budget for 2019/20, HRA Business Plan and the summary HRA 30 year Financial Business Plan.

The Chief Officer reported on rents, as detailed in the report, and advised that the Minister had agreed that the annual uplift would be set at 2.4%. He explained that where a social landlord's average weekly rent was below their Target Rent Band and was required under the Rent Policy to be within the Target Rent Band the maximum amount they could increase an individual tenant's weekly rent was 2.4% plus £2. The decision would apply for one year only (2019-20) whilst awaiting the outcome of the Affordable Housing Supply review.

The Chief Officer also advised that the Business Plan and associated papers had been presented to the Tenants Federation which had been positive in supporting the programme and specifically around the capital works and the business plan. He continued that the Community & Enterprise Overview & Scrutiny Committee, at a meeting held on 23 January 2019, had also supported the HRA Business Plan and budget, the proposed rent increase of up to 2.4% (plus up to £2), a garage rent increase of £1 per week and a garage plot rent increase of £0.20 per week, and the proposed HRA Capital programme for 2019/20.

**RESOLVED:**

- (a) That the HRA budget and Business Plan for the financial year 2019/20, as set out in the report, be approved;
- (b) That the proposed rent increase of up to 2.4% (plus up to £2) be approved;
- (c) That a garage rent increase of £1 per week and a garage plot rent increase of £0.20 per week be approved; and
- (d) That the proposed HRA Capital programme for 2019/20 as set out in appendix C of the report be approved

**107. MINIMUM REVENUE PROVISION 2019/20 POLICY**

The Corporate Finance Manager introduced the report to seek approval for the Council's policy for Minimum Revenue Provision (repayment of debt) for the financial year 2019/20. He provided background information and advised that the Council was currently using the annuity method for council fund expenditure and said Council was asked to approve a continuation of last year's policy.

**RESOLVED:**

- (a) That the following be approved for Council Fund (CF)
  - Option 3 (Asset Life Method) be used for the calculation of the MRP in financial year 2019/20 for the balance of outstanding capital expenditure funded from supported borrowing fixed as at 31 March 2017. The calculation will be the 'annuity' method over 49 years.
  - Option 3 (Asset Life Method) be used for the calculation of the MRP in 2019/20 for all capital expenditure funded from supported borrowing from 1 April 2016 onwards. The calculation will be the 'annuity' method over an appropriate number of years, dependent on the period of time that the capital expenditure is likely to generate benefits.
  - Option 3 (Asset Life Method) be used for the calculation of the MRP in 2019/20 for all capital expenditure funded from unsupported (prudential) borrowing or credit arrangements.
- (b) That the following be approved for Housing Revenue Account (HRA)
  - Option 2 (Capital Financing Requirement Method) be used for the calculation of the HRA's MRP in 2019/20 for all capital expenditure funded by debt.
- (c) That MRP on loans from the Council to NEW Homes to build affordable homes through the Strategic Housing and Regeneration Programme (SHARP) (which qualify as capital expenditure in accounting terms) be approved as follows:

- no MRP is made during the construction period (of short duration) as the asset has not been brought into use and no benefit is being derived from its use.
- once the assets are brought into use, capital repayments will be made by NEW Homes. The Council's MRP will be equal to the repayments made by NEW Homes. The repayments made by NEW Homes will be classed, in accounting terms, as capital receipts, which can only be used to fund capital expenditure or repay debt. The capital repayment/capital receipt will be set aside to repay debt, and is the Council's MRP policy for repaying the loan.

**108. TREASURY MANAGEMENT STRATEGY 2019/20 AND TREASURY MANAGEMENT POLICY STATEMENT, PRACTICES AND SCHEDULES 2019/20 – 2021/22**

The Corporate Finance Manger introduced the report to approve the Treasury Management Strategy 2019/20, in conjunction with the Treasury Management Policy Statement 2019/20 – 2021/22, and Treasury Management Practices and Schedules 2019/20 – 2021/22.

The Corporate Finance Manager provided background information and advised that the Audit Committee had endorsed the Strategy, Policy, Practices and Schedules, at a meeting held on 15 February 2019. He continued that Cabinet had also considered a detailed report on setting the 2019/20 Treasury Management Strategy included at appendix A to the report, at a meeting held immediately prior to County Council and had recommended to Council for approval.

**RESOLVED:**

That the Treasury Management Strategy 2019/20, the Treasury Management Policy Statement 2019/20 – 2021/22, and the Treasury Management Practices and Schedules 2019/20 – 2021/22, be approved.

**109. MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE**

There was one member of the press and no members of the public in attendance.

(The meeting started at 2.00 p.m. and ended at 5.20 p.m.)

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**Chairman**

Mae'r dudalen hon yn wag yn bwrpasol

**FLINTSHIRE COUNTY COUNCIL**  
**28 FEBRUARY 2019**

Minutes of the meeting of Flintshire County Council held in the Council Chamber, County Hall, Mold on Thursday, 28 February 2019

**PRESENT: Councillor Paul Cunningham (Chairman)**

Councillors: Mike Allport, Bernie Attridge, Janet Axworthy, Glyn Banks, Haydn Bateman, Marion Bateman, Sean Bibby, Chris Bithell, Helen Brown, Derek Butler, Clive Carver, Geoff Collett, Bob Connah, David Cox, Jean Davies, Rob Davies, Ron Davies, Chris Dolphin, Rosetta Dolphin, 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, Dennis Hutchinson, Joe Johnson, Paul Johnson, Christine Jones, Richard Jones, Tudor Jones, Colin Legg, Brian Lloyd, Richard Lloyd, Dave Mackie, Billy Mullin, Mike Peers, Michelle Perfect, Vicky Perfect, Neville Phillips, Mike Reece, Ian Roberts, Aaron Shotton, Paul Shotton, Ralph Small, Ian Smith, Carolyn Thomas, Owen Thomas, Martin White, Andy Williams, David Wisinger and Arnold Woolley

**APOLOGIES:**

Councillors: Sian Braun, Adele Davies-Cooke, Veronica Gay, Andrew Holgate, Rita Johnson, Mike Lowe, Hilary McGuill, Ted Palmer, Tony Sharps and David Williams

**IN ATTENDANCE:**

Chief Executive; Deputy Monitoring Officer; Chief Officer (Housing and Assets); Chief Officer (Planning, Environment and Economy); Revenues Manager; Benefits Manager; Democratic Services Manager; Democratic Services Officers; and Councillor Reverend Brian Harvey for prayers

**110. DECLARATIONS OF INTEREST**

The Deputy Monitoring Officer advised that a personal interest would be recorded on behalf of all Members present for agenda item 8, the Independent Remuneration Panel for Wales (IRPW) Annual Report for 2019.

**111. PETITIONS**

None were received.

Councillor Ron Davies gave notice of a forthcoming petition on the proposed withdrawal of buses 12 and 13, and was advised that the petition could be submitted in advance of the next Council meeting. As Cabinet Member for Streetscene and Countryside, Councillor Carolyn Thomas clarified that the two bus services had been withdrawn by Arriva and that she was due to meet with residents.

## **112. PUBLIC QUESTION TIME**

None were received.

## **113. QUESTIONS**

None were received.

## **114. NOTICE OF MOTION**

Two Notice of Motion were received:

### **(i) Reform of the Council Tax system - Councillor David Healey**

'Flintshire County Council urges Welsh Government (WG) to seize the opportunity provided by the devolution of new powers to undertake a radical reform of the Council Tax system so that a more fair and progressive system can be used for the raising of revenue for local government in Wales.'

The Motion was seconded by Councillor Bernie Attridge.

In support of his Motion, Councillor Healey said that the current system took no account of household income, that it divided communities and was the main reason for a disconnect between residents and local councils in Wales. The assumption by WG for councils to increase Council Tax levels by 6.5% before even considering their individual requirements meant that the burden of austerity was being passed to residents. Whilst a recent WG report on Welsh Tax Policy recognised the possibility of reform, it failed to acknowledge the unfairness of the current system and the need to administer a national system of income tax which could be passported to local level.

As Leader and Cabinet Member for Finance, Councillor Aaron Shotton welcomed the Motion which was about identifying a more progressive and fairer system for residents across Wales. The plea for local tax reform in Wales would accompany representations on the retention of business rates to support local services. He referred to the budget debate at the previous meeting and the position on national funding which had led to the increase in Council Tax for 2019/20. He said that the Council Tax system was particularly unfair to the younger generation many of whom did not own their own homes. If agreed by the Council, he proposed that a formal letter be written to the Welsh Local Government Association (WLGA) and WG working group on local government reform to ask that they consider the Motion.

A number of Members spoke in support such as Councillor Peers who said that the WG Minister was already aware that the system was broken and that the impact was different between North and South Wales. Councillor Chris Bithell said that residents across Wales were equally affected and Councillor Billy Mullin described reform as long overdue. Whilst Councillor Gladys Healey pointed out that the current system did not contribute to the WG's own tax principles, Councillor Carver raised concerns that a different system could be even worse and Councillor Heesom said that Council Tax should be used to address the issues with the funding formula. Councillor Carol Ellis said that the inconsistency of property bandings should be evidenced in the

proposed letter and Councillor Tudor Jones called for the Council to build on the Motion to identify a fairer solution across Wales.

In responding to comments from some Members about the Council Tax increase for 2019/20, Councillor Carolyn Thomas said that the amendment put forward at the previous meeting would have put Council services in jeopardy and that the issue was about the UK Government cutting funding to public services.

Councillor Richard Jones supported the Motion and agreed that the funding formula was the real issue but questioned whether WG would act. Councillor Chris Dolphin spoke about mismanagement of funding by WG.

In response to the points raised, the Chief Executive said that WG was one of the statutory bodies who were required to work together to achieve the objectives of the Well-being and Future Generations (Wales) Act 2015. He said that the Motion would build on the Council's official representations over the past three years on the insufficient funding given to Local Government in Wales and the funding formula per capita which impacted negatively on Flintshire and other Councils across Wales. He said that the Council had a duty to respond to Julie James AM, Minister for Local Government, following the cross-party delegation visit to WG, and that the work being undertaken by the cross-party working group should incorporate the Motion to make the funding case in totality.

Councillor Healey welcomed the proposal by Councillor Shotton. He referred to the Council's projected budget gap for next year despite the achievements on efficiencies and said that the Council could do no more and should provide feedback to WG on the funding formula.

On being put to the vote, the Motion as amended was carried. It was confirmed that a copy of the letter would be shared with all Members and that Group Leaders would shortly be meeting to agree Terms of Reference for the cross-party working group as the next stage of engagement with WG.

(ii) Lucy's Law national campaign - Councillor Bernie Attridge

'This Council supports the Lucy's Law National Campaign to ban the selling of puppies by third parties, and the Council is requested to add its name to the growing list of supporting organisations and will proactively highlight the campaign to our residents across the County.

Removing puppies for sale from their mum often creates sick, traumatised, dysfunctional dogs. Puppies should be seen with their mum in the place they were born. Transporting them to a different place for sale harms their welfare.

Breeding dogs kept in puppy farms are hidden from public view and often suffer from years of physical and psychological trauma. Regulating commercial third-party puppy selling is ineffective in preventing harm to breeding dogs and a third-party ban on puppy selling is therefore necessary for the welfare of breeding dogs.

Puppy farming impacts on the residents of Flintshire with the cost and emotional distress of buying a puppy that may turn out to need expensive vet treatment or which may unfortunately not survive at all.

A ban on the third-party sale of puppies will have a positive impact on breeding dogs, ensuring their visibility and enabling the public to act on best practice advice to view the puppy with the mum where the puppy was born.

Furthermore the Leader will write in support of the campaign to both the First Minister and Prime Minister highlighting Flintshire's support for the introduction of this law in both Wales and England.'

The Motion was seconded by Councillor Andy Dunbobbin who said that although such a ban would not entirely eradicate puppy farming, it was an effective strategy to reduce the scale of the problem.

Speaking in support of the Motion, Councillor Colin Legg commented that there were also a number of very reliable and responsible dog breeders.

On being put to the vote, the Motion was carried.

**RESOLVED:**

- (a) That the Notice of Motion from Councillor David Healey on the reform of the Council Tax system be supported, with the addition that a formal letter be written to the Welsh Local Government Association (WLGA) and Welsh Government working group on local government reform; and
- (b) That the Notice of Motion from Councillor Attridge on Lucy's Law be supported.

**115. COUNCIL TAX SETTING FOR 2019-20**

The Deputy Monitoring Officer introduced the report to formally set the Council Tax charges and associated statutory resolutions for 2019/20 as part of the wider budget strategy on the basis of the decision taken by the Council on 19 February.

The Revenues Manager spoke about the three separate precepts which made up the overall level of Council Tax charges against each property. He advised that the proposed increase in Flintshire's precept was 8.75% (resulting in a charge of £1,280.68 for a Band D property; an annual increase of £103.08). A 7.74% increase was reported on the precept for the Police & Crime Commissioner for North Wales, and the individual precept requirements for the 34 Town and Community Councils across Flintshire (total increase 2.13%) were appended to the report. The overall amount raised by Council Tax consisted of the County Council's total precept of £82,369.496, the North Wales Police & Crime Commissioner's total precept of £17,886,558 and collective precept of £2,929,690 across Town and Community Councils.

In accordance with other procedural matters, Members were asked to endorse the continuation of the Council Tax Premium scheme and the practice for designated officers to lead on legal proceedings on behalf of the Council.



The Chief Executive explained that the resolution was to formally set the Council Tax following closure of the budget process for 2019/20 at the previous meeting. The prescribed figures would be set out in Council Tax bills along with payment instalment options. Due to the statutory limitations on information contained on Council Tax bills, this year they would be accompanied by a budget infographic explaining how the total amount was made up.

In moving the recommendations, Councillor Aaron Shotton referred to the lengthy budget debate which had resulted in a difficult decision, recognising the need to protect services and consider the future impact of austerity. He welcomed the infographic of factual information produced by officers and encouraged Members to share this to help understanding of the situation.

This was seconded by Councillor Bernie Attridge.

Councillor Mike Peers said that the proposed increase in Council Tax was not supported by all Members and that the amount spent to recover outstanding debt could have been better used towards the shortfall in funding. On the report's third recommendation, he spoke about the level of unpaid Council Tax which had been reported to Overview & Scrutiny and asked about actions to improve collection rates.

The Chief Executive clarified that debt was capital borrowing debt only and that a report on Council Tax collection would be scheduled for the Corporate Resources Overview & Scrutiny Committee.

Councillor Richard Jones said that the report provided more detail on the impact of the budget decision and that every valuation band would be set at over £1,000 per year, particularly affecting those with lower incomes. He commented that the proposed 8.75% increase for the Council's precept was the highest set by Flintshire and amongst the highest in Wales for 2019/20. He went on to refer to the scale of the increase over the past seven years which he suggested was attributable to a reduced Revenue Support Grant and also through the approach taken by the Administration to use Council Tax as a means of balancing the budget.

In response, the Chief Executive said that four other Councils in Wales were proposing Council Tax increases of over 9%. He reminded Members of their legal duty to formally set the Council Tax by the approaching statutory deadline.

The Deputy Monitoring Officer advised that the Council should set the Council Tax at the level to reflect the decision made at the previous meeting.

Councillor Clive Carver commented that Council Tax increases were not in line with pay or pension increases.

Councillor Patrick Heesom said that the alternative Motion put forward at the previous meeting would have been more manageable. He said that the Council Tax increase was being used to fill the budget gap and that a review was needed of the Council's financial strategy to prevent a similar situation next year.

Councillor Arnold Woolley read out an extract from a Wales Audit Office letter on a recommended prudent approach to the Minimum Revenue Provision policy on which he raised concerns.

Councillor Derek Butler spoke of the need to make decisions based on fact and that a range of opportunities had been available throughout the budget process for Members to raise specific issues.

Councillor Chris Bithell said that Members had a duty to make decisions based on the professional advice of qualified expert officers, including statutory officers. It was on that basis that the proposed increase in Council Tax had been supported, as opposed to the amendment where increased reliance on reserves would have been too much of a risk.

In response to comments on the Well-being and Future Generations (Wales) Act 2015, Councillor Carolyn Thomas said that unlike some other Authorities, the Council had not proposed cutting services and was instead building Council houses and exploring innovative ways of attracting funding. She pointed out that the average Council Tax paid in England was £1,700 per annum with some Authorities proposing increases to £2,000. This demonstrated that the UK Government was not adequately funding Council services.

For 2020/21, the Corporate Finance Manager advised that with the use of £0.300m of reserves, a budget gap of £9.7m had been calculated, based on projected pressures and without any assumptions on Council Tax or Revenue Support Grant.

Councillor Carol Ellis said that the increase was difficult to justify to residents given the increases proposed by neighbouring Authorities and would have a significant impact on all property owners. The Chief Executive said that Band D was commonly used for illustrative purposes across Wales, acknowledging the differences between bandings.

In recognising the difficult decision which had been made, Councillor Ian Roberts said that the advice of statutory officers must be heard. He said that the projected budget gap for 2020/21 would have increased if Members had agreed to allocate further reserves. As one of a number of significant pressures, he highlighted the increase in teachers' pensions which would affect every school.

In his right of reply, Councillor Aaron Shotton spoke about the need to recognise the work undertaken by the officers, workforce, Trade Union colleagues and Overview & Scrutiny Committees to respond to the challenges of austerity and protect services, which set Flintshire apart from many other Authorities. He said that the point raised on borrowing did not reflect the investment in school buildings and Council house building programme, and that further use of reserves only increased financial pressures for the next year, as acknowledged by the Wales Audit Office.

The Deputy Monitoring Officer said that any decision against setting the Council Tax would be in conflict with the six month rule on the decision taken on 19 February resulting in the Council failing to comply with its legal duty.

As a point of clarity, the Chief Executive provided technical advice on the risks to any delay in Council Tax setting, with resource and cashflow implications as well as the impact on residents.

Councillor Peers requested a recorded vote to which the requisite 10 Members stood in support.

On being put to the vote, the recommendations in the report were carried as follows:

**For the proposal:**

Councillor: Paul Cunningham, Bernie Attridge, Glyn Banks, Sean Bibby, Chris Bithell, Derek Butler, Geoff Collett, David Cox, Ron Davies, Ian Dunbar, Andy Dunbobbin, Mared Eastwood, David Evans, David Healey, Gladys Healey, Cindy Hinds, Dave Hughes, Kevin Hughes, Ray Hughes, Joe Johnson, Paul Johnson, Christine Jones, Tudor Jones, Richard Lloyd, Billy Mullin, Michelle Perfect, Vicky Perfect, Neville Phillips, Mike Reece, Ian Roberts, Aaron Shotton, Paul Shotton, Ian Smith, Carolyn Thomas, Martin White, Andy Williams and David Wisinger

**Against the proposal:**

Councillor: Mike Allport, Janet Axworthy, Haydn Bateman, Marion Bateman, Helen Brown, Clive Carver, Bob Connah, Jean Davies, Rob Davies, Chris Dolphin, Rosetta Dolphin, Carol Ellis, George Hardcastle, Patrick Heesom, Dennis Hutchinson, Richard Jones, Brian Lloyd, Dave Mackie, Mike Peers, Ralph Small, Owen Thomas and Arnold Woolley

**Abstention:**

Councillor Colin Legg

**RESOLVED:**

- (a) That the 2019-20 Council Tax be set as detailed in Appendix 1 to the report;
- (b) That the continuation of the policy of not providing a discount in the level of Council Tax charges for second homes and long-term empty homes be endorsed. Also where exceptions do not apply, to charge the Council Tax Premium rate of 50% above the standard rate of Council Tax for second homes and long-term empty dwellings; and
- (c) That approval be given for designated officers to issue legal proceedings and appear on behalf of the Council in the Magistrates' Court for unpaid taxes.

Following the item, the Chairman called a brief adjournment.

**116. INDEPENDENT REMUNERATION PANEL FOR WALES (IRPW) ANNUAL REPORT FOR 2019**

The Democratic Services Manager presented the Independent Remuneration Panel for Wales (IRPW) Annual report for 2019/20 which determined the rates of payment for elected and co-opted Members of Welsh Local Authorities for the next

financial year. The draft proposals had been considered on 20 November 2018 when Members had opposed the proposed increases as being unjustifiable.

Members were reminded of the obligation to apply the determinations of the IRPW (as set out in the report) unless they chose to independently and voluntarily write to the Democratic Services Manager to forego all or any element of the payment. A further report would be submitted to the County Council in June, once all appointments to senior salary posts had been made following the Annual General Meeting.

The recommendations in the report were proposed by Councillor Bernie Attridge and seconded by Councillor Ian Dunbar.

Councillor Richard Jones asked about the possibility of all Members voting to forego the increase and was advised that such representations must be made in writing (by letter or email) by individual Members.

Councillor Aaron Shotton said it was unfortunate that the timing of the report coincided with the Council Tax setting and that the same level of scrutiny did not apply to appointments to other public bodies across Wales. In reiterating the views expressed at the November meeting, he said that he would not be accepting the proposed increase.

The Chief Executive said that the report was submitted annually to the County Council and that consideration may be given to how this was done in future, given that all the information was published.

In response to a question from Councillor Dunbar, the Chief Executive advised that as the Council was entirely responsible for paying allowances, any decision by Members to refuse their increase would have the effect of reducing this specific budget pressure. Alternatively, Members may wish to pass the increase on to a third party if they wished.

Councillor Carol Ellis proposed an amendment that Members vote on whether to accept the increase in advance of writing to the proper officer, in order to reduce the budget pressure. This was seconded by Councillor Richard Jones.

To assist the debate, the Chief Executive said that such a vote would only be advisory but raised concerns that this could put pressure on Members in considering their individual circumstances.

Councillor Ellis confirmed that she wished her amendment to stand.

On hearing the officer advice, Councillor Jones withdrew his seconding of the amendment.

The amendment was subsequently seconded by Councillor Helen Brown.

Councillor Neville Phillips spoke against the amendment on the basis of the officer advice.

Whilst Councillor Mike Peers understood the rationale behind the amendment, he agreed with the officer advice that Members should not vote and instead make their own decision on whether to opt out of the increase.

Having been proposed and seconded, the Chief Executive summarised the amendment as a third recommendation which was agreed by Councillor Ellis as follows: That the County Council invites all Members to forego the annual increase in salary/allowance on a voluntary basis.

On being put to the vote, the amendment was lost.

The substantive motion, as previously moved and seconded, was put to the vote and carried.

Members were advised that written notification to forego all or any element of the payment must be made to the Democratic Services Manager by 8 March 2019.

**RESOLVED:**

- (a) That the decisions which the Independent Remuneration Panel for Wales has made on Member salaries for 2019/20 be noted; and
- (b) That the County Council notes that a further report will be made to the June meeting, once all appointments to senior salary posts have been made following the Annual General Meeting on 7 May 2019.

**117. PETITIONS RECEIVED AT COUNCIL**

The Democratic Services Manager presented a report on the outcomes and actions of petitions submitted to County Council during 2018/19. As agreed at the October meeting, a similar report would be submitted to the last scheduled County Council meeting of each municipal year.

The recommendations of the report were moved by Councillor Bernie Attridge.

In response to comments from Councillor Clive Carver, the Chief Executive suggested that any Members who needed clarity on the outcomes of specific petitions should contact the Democratic Services Manager.

**RESOLVED:**

That the report be noted.

**118. MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE**

There were seven members of the public and one member of the press in attendance.

(The meeting started at 2pm and ended at 4.25pm)

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**Chairman**

**FLINTSHIRE COUNTY COUNCIL**  
**9<sup>TH</sup> APRIL 2019**

Minutes of the meeting of Flintshire County Council held in the Council Chamber, County Hall, Mold on Tuesday, 9<sup>th</sup> April 2019.

**PRESENT: Councillor Paul Cunningham (Chairman)**

Councillors: Bernie Attridge, Janet Axworthy, Glyn Banks, Haydn Bateman, Marion Bateman, Sean Bibby, Chris Bithell, Helen Brown, Derek Butler, Clive Carver, Geoff Collett, Bob Connah, David Cox, 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, Dave Hughes, Kevin Hughes, Ray Hughes, Dennis Hutchinson, Joe Johnson, Paul Johnson, Christine Jones, Colin Legg, Brian Lloyd, Richard Lloyd, Dave Mackie, Hilary McGuill, Billy Mullin, Ted Palmer, Michelle Perfect, Vicky Perfect, Neville Phillips, Mike Reece, Ian Roberts, Tony Sharps, Aaron Shotton, Paul Shotton, Ralph Small, Ian Smith, Carolyn Thomas, Owen Thomas, Martin White, Andy Williams, David Williams and David Wisinger.

**APOLOGIES:**

Councillors: Mike Allport, Sian Braun, Cindy Hinds, Andrew Holgate, Rita Johnson, Richard Jones, Tudor Jones, Mike Lowe, Mike Peers and Arnold Woolley.

**IN ATTENDANCE:**

Chief Executive, Chief Officer (Governance), Chief Officer (Housing and Assets), Chief Officer (Planning and Environment), Chief Officer (Education and Youth), Chief Officer (Streetscene and Transportation), Chief Officer (Social Services), Corporate Finance Manager, Senior Manager Human Resources and Organisational Development, Deputy Monitoring Officer, Democratic Services Manager and Team Leader – Committee Services.

**118. DECLARATIONS OF INTEREST**

Councillor Aaron Shotton declared a personal and prejudicial interest in agenda item number 4 – Establishment of a Grievance Committee.

**119. ELECTION OF LEADER**

The Chairman of the Council sought nominations for the election of Leader, until the Annual Meeting, given the resignation of the current Leader which would take effect from the date of this meeting. He suggested that any nominations be dealt with by way of a recorded vote, which was supported by the requisite 10 Members.

Councillor Bithell proposed Councillor Ian Roberts as Leader of the Council and provided details into Councillor Roberts' background which he felt gave him the required skills and attributes to undertake the role. Councillor Colin Legg seconded the nomination. Councillor Bithell commented in particular on Councillor Roberts being a well-established and long serving senior Councillor who was born, raised and educated in Flint where he still resided. He had been a Member of Flint Town Council for a number of years where he had served as Mayor on three occasions.

On being put to the vote, the proposal was carried.

**For the proposal:**

Councillors: Bernie Attridge, Janet Axworthy, Glyn Banks, Haydn Bateman, Marion Bateman, Sean Bibby, Chris Bithell, Derek Butler, 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, David Evans, Veronica Gay, David Healey, Gladys Healey, Dave Hughes, Kevin Hughes, Ray Hughes, Dennis Hutchinson, Joe Johnson, Paul Johnson, Christine Jones, Colin Legg, Brian Lloyd, Richard Lloyd, Dave Mackie, Hilary McGuill, Billy Mullin, Ted Palmer, Michelle Perfect, Vicky Perfect, Neville Phillips, Mike Reece, Ian Roberts, Tony Sharps, Aaron Shotton, Paul Shotton, Ralph Small, Ian Smith, Carolyn Thomas, Owen Thomas, Martin White, Andy Williams, David Williams and David Wisinger.

**Against the proposal:**

None.

**Abstentions:**

Councillors: Helen Brown, Carol Ellis, George Hardcastle and Patrick Heesom.

Councillor Roberts thanked Councillors Bithell and Legg for their kind words and the support that had been shown to him. He commented on the importance of the services that were provided to the residents of Flintshire on a daily basis and the need for those services to continue to be provided with a demonstration of unity from Members across the Chamber.

**RESOLVED:**

That Councillor Ian Roberts be elected Leader of the Council until the Annual Meeting.

**LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 – TO CONSIDER THE EXCLUSION OF THE PRESS AND PUBLIC**

**RESOLVED:**

That the press and public be excluded for the remainder of the meeting for the following items by virtue of exempt information under paragraph 16 of Part 4 of Schedule 12A of the Local Government Act 1972 (as amended).

**120. ESTABLISHMENT OF A GRIEVANCE COMMITTEE**

The Chief Officer (Governance) introduced the report which sought approval for a politically balanced Grievance Committee. This was in line with the JNC terms and conditions of employment which applied to the Chief Executive and Chief Officers.

The Committee provided for grievances submitted by senior officers to be heard by Councillors if they could not be resolved by mediation. The Council had received such a grievance and so a Committee needed to be convened.



A number of questions were answered on process, the number of Councillors needed to form a Committee, the possibility of including an independent person, the role of the Standards Committee and possible next stages.

**RESOLVED:**

- (a) That a politically balanced Grievance Committee of 11 Members be formed who can hear the submitted grievance in the event that informal resolution is unsuccessful;
- (b) That members of the Standards Committee be excluded from being on the Grievance Committee;
- (c) That no substitutions be allowed on the Grievance Committee;
- (d) That the Chair to be appointed by the Grievance Committee; and
- (e) That the Chief Officer (Governance) provide advice to Group Leaders about the role of the Committee, its membership and the process which would follow should the grievance not be resolved.

**121. MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE**

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

(The meeting started at 2.00 p.m. and ended at 3.32 p.m.)

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**Chairman**

Mae'r dudalen hon yn wag yn bwrpasol

**FLINTSHIRE COUNTY COUNCIL**  
**TUESDAY, 7 MAY 2019**

Minutes of the Annual Meeting of Flintshire County Council held in the Council Chamber, County Hall, Mold on Tuesday 7 May, 2019

**PRESENT: Councillor Paul Cunningham (Outgoing Chairman)**

Councillors: Mike Allport, Bernie Attridge, Janet Axworthy, Glyn Banks, Haydn Bateman, Marion Bateman, Sean Bibby, Chris Bithell, Sian Braun, Helen Brown, Derek Butler, Clive Carver, Geoff Collett, Bob Connah, David Cox, 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, Kevin Hughes, Dennis Hutchinson, Joe Johnson, Paul Johnson, Rita Johnson, Christine Jones, Richard Jones, Tudor Jones, Colin Legg, Brian Lloyd, Mike Lowe, Dave Mackie, Billy Mullin, Ted Palmer, Mike Peers, Michelle Perfect, Vicky Perfect, Neville Phillips, Mike Reece, Ian Roberts, 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: Ray Hughes, Richard Lloyd, Hilary McGuill and Tony Sharps

**IN ATTENDANCE:**

Chief Executive; Chief Officer (Governance); Chief Officer (Housing and Assets); Chief Officer (Planning, Environment and Economy); Chief Officer (Social Services); Chief Officer (Streetscene and Transportation); Chief Officer (Education & Youth); Democratic Services Manager; Team Leader - Democratic Services; Democratic Services Officer; and Councillor Reverend Brian Harvey for prayers

**For minute number 6**

Lieutenant-Colonel Mark Powell and Janette Williams (Armed Forces Liaison Officer for North East Wales)

**1. DECLARATIONS OF INTEREST**

None.

**2. CHAIR'S REVIEW OF THE YEAR 2018/19**

As the outgoing Chair, Councillor Paul Cunningham presented his review of the year during which he and his Consort Mrs Joan Cunningham had been honoured to represent Flintshire at over 300 civic events. Amongst the highlights were the North Wales Armed Forces Day, the Japanese Youth Exchange (which he hoped would continue) and charity events with neighbouring authorities. In addition, the visits to County Hall undertaken by many local schools and youth clubs were welcomed as was the assistance during Flintshire Business Week provided by Councillor Derek Butler, Kate Catherall and Lord Barry Jones.

Councillor Cunningham thanked everyone for their generosity in helping to raise almost £14,500 mainly for his chosen charities, Macmillan Cancer Support and Nightingale House, with the remainder to be shared amongst local organisations.

In conclusion, he expressed his gratitude to all for supporting him in his year of office, with personal thanks given to the Chief Executive, Councillor Aaron Shotton as Leader of the Council, the Chief Officer Team and Council employees. He also thanked fellow Members for giving him the opportunity to serve as Chairman and to the Civic Member Services team and his Chaplain Councillor Reverend Brian Harvey for all their support during the year. He paid tribute to the Vice-Chair for her support wishing her well in her new role, and to his wife Joan for her contribution as Consort during the year.

On behalf of officers, the Chief Executive thanked Councillor Cunningham and Mrs Cunningham for their work in representing the Council. This was endorsed by a number of Members during the meeting.

**3. ELECTION OF CHAIR OF THE COUNCIL FOR THE MUNICIPAL YEAR 2019/20, INVESTITURE OF CHAIN OF OFFICE AND SIGNING OF DECLARATION OF ACCEPTANCE OF OFFICE**

It was proposed by Councillor Carol Ellis and seconded by Councillor Ian Roberts that Councillor Marion Bateman be elected Chair of the Council for the municipal year 2019/20. No other nominations were received. In support of the proposal, tributes were paid to Councillor Bateman's contributions to various committees and commitment to local issues.

Councillor Bateman thanked Members for electing her as Chair for the year ahead which she described as an honour. She congratulated the outgoing Chair and his Consort on a successful year.

**RESOLVED:**

That Councillor Marion Bateman be elected Chair of the Council for the municipal year 2019/20.

Councillor Bateman was invested with the Chain of Office by the retiring Chairman and signed her Declaration of Acceptance of Office in the presence of the Chief Executive.

(At this point Councillor Bateman chaired the remainder of the meeting.)

The Chair then presented Councillor Cunningham with his retiring Chairman's Badge of Office and his Consort Mrs Joan Cunningham with her retiring Badge of Office. The Chair's Consort, Councillor Haydn Bateman, was invested with his Chain of Office.

4. **APPOINTMENT OF VICE-CHAIR OF THE COUNCIL FOR THE MUNICIPAL YEAR 2019/20, INVESTITURE OF CHAIN OF OFFICE AND SIGNING OF THE DECLARATION OF ACCEPTANCE OF OFFICE**

It was proposed by Councillor Carolyn Thomas and seconded by Councillor Rosetta Dolphin that Councillor Joe Johnson be appointed Vice-Chair for the municipal year 2019/20. No other nominations were received. In support of the proposal, tributes were paid to Councillor Johnson's charitable work and support for local causes.

Councillor Johnson thanked Members and congratulated the Chair whom he looked forward to working with for the year ahead.

**RESOLVED:**

That Councillor Joe Johnson be appointed as Vice-Chair of the Council for the municipal year 2019/20.

Councillor Johnson was invested with the Chain of Office by the Chair and signed the Declaration of Acceptance of Office in the presence of the Chief Executive. Councillor Johnson's Consort, Mrs Sue Johnson, was invested with her Chain of Office.

5. **VARIATION IN ORDER OF BUSINESS**

The Chair indicated that there would be a slight change in the order of business to bring forward agenda item 10 on the Armed Forces Covenant. The remainder of the items would be considered in the order shown on the agenda.

6. **REFRESHING FLINTSHIRE COUNTY COUNCIL'S COMMITMENT TO THE ARMED FORCES COVENANT**

The Chief Executive introduced Lieutenant-Colonel Mark Powell and Janette Williams (Armed Forces Liaison Officer for North East Wales) to refresh the Council's commitment in supporting the Armed Forces community by re-signing the Armed Forces Covenant originally signed in 2013. Presentation slides outlined the purpose of the Covenant and the Council's achievements and future ambitions.

As the Council's Armed Forces Champion, Councillor Andy Dunbobbin proposed that the Covenant be re-signed to re-affirm the Council's commitment in ensuring that members of the Armed Forces community should not be unfairly disadvantaged in the provision of services and that special consideration be given where necessary. This commitment recognised the value of serving personnel, both regular and reservist, veterans and military families and their contributions to the nation. Good progress had been made by the steering group to promote the Covenant leading to the Council achieving the Silver Award in the Ministry of Defence Employer Recognition Scheme. Councillor Dunbobbin thanked all officers involved, in particular Janette Williams and Stephen Townley. The proposal was seconded by Councillor Joe Johnson.

The Covenant was formally signed by Lieutenant-Colonel Powell and Councillor Dunbobbin.

On behalf of the Brigade Commander, Lieutenant-Colonel Powell thanked the Council for its support which was greatly valued.

Councillor Glyn Banks took the opportunity to pay tribute to Armed Forces personnel, past and present, as well as all those who worked on the Covenant, particularly Councillor Dunbobbin.

**RESOLVED:**

That the Council's commitment to the Armed Forces community be refreshed by re-signing the Covenant.

**7. ELECTION OF THE LEADER OF THE COUNCIL**

It was proposed by Councillor Paul Cunningham and seconded by Councillor Neville Phillips that Councillor Ian Roberts be appointed Leader of the Council for the municipal year 2019/20. No other nominations were received. In support of the proposal, tributes were paid to Councillor Roberts' achievements in local government and his commitment to deliver quality services for Flintshire residents.

**RESOLVED:**

That Councillor Ian Roberts be appointed Leader of the Council for the municipal year 2019/20.

**8. APPOINTMENT OF THE CABINET BY THE LEADER**

Councillor Ian Roberts thanked Members for electing him as Leader of the Council which he described as a genuine honour. In accordance with the Constitution, he set out his choice of Councillors to serve on the Cabinet. This was seconded by Councillor Sean Bibby who wished Councillor Roberts and the Cabinet the best for the coming year.

**RESOLVED:**

That the choice of Councillors to serve on the Cabinet and their portfolios detailed below, be noted.

<b><u>Cabinet Member</u></b>	<b><u>Portfolio</u></b>
Ian Roberts	Leader of the Council and Cabinet Member for Education & Youth
Carolyn Thomas	Deputy Leader and Cabinet Member for Streetscene
Glyn Banks	Cabinet Member for Finance
Chris Bithell	Cabinet Member for Planning
Derek Butler	Cabinet Member for Economic Development

Dave Hughes	Cabinet Member for Housing
Christine Jones	Cabinet Member for Social Services
Billy Mullin	Cabinet Member for Corporate Management

## 9. **CONSTITUTIONAL MATTERS: COMMITTEES AND INTERNAL BODIES**

The Council considered the report of the Chief Officer (Governance) which dealt with matters that required decision at the Annual Meeting of the County Council in accordance with Council Procedure Rule 1.1 (vii) - (xiv). The report was split into sections, each one dealing with one decision that needed to be made and the relevant issues for consideration. Each section was considered and voted on in turn.

### (i) **Appointment of Committees**

The Chief Officer (Governance) explained that the Constitution provided for the appointment of the following: Audit Committee; Clwyd Pension Fund Committee; Constitution & Democratic Services Committee; Joint Governance Committee (for Pensions); Licensing Committee; Planning Committee; Standards Committee; and the six Overview & Scrutiny Committees. The Grievance Committee and Investigation & Disciplinary Committee were also to be appointed as agreed at the previous meeting.

Councillor Patrick Heesom asked for clarification on the need to appoint an Investigation & Disciplinary Committee when the Standards Committee was already in place. The Chief Officer advised that whilst the Standards Committee considered any breaches of the Code of Conduct by councillors, a separate committee was required to be established to consider disciplinary matters relating to officers, specifically the named statutory officers as set out in legislation. Councillor Heesom requested details of the officers to whom this would apply. The Chief Officer agreed to supply the names of the officers whose posts were indicated on the report.

Councillor Chris Bithell moved approval of the recommendation in the report which was seconded by Councillor Ian Roberts.

### **RESOLVED:**

That Council appoints the following Committees:

Audit Committee

Clwyd Pension Fund Committee

Constitution and Democratic Services Committee

Joint Governance Committee (for Pensions)

Licensing Committee

Planning Committee

Standards Committee

The six Overview & Scrutiny Committees listed in paragraph 1.01

Grievance Committee (appointed on 9 April 2019)

Investigation and Disciplinary Committee

**(ii) Determination of the size of Committees**

The Chief Officer explained that the size of each committee must be decided at the Annual Meeting. Details of the provision for the size of the Committees were set out in the report, including a recommendation from the Audit Committee to increase its size to allow for an additional lay member.

In referring to the importance of the Audit Committee, Councillor Heesom called for further consideration on the size of its membership to include wider Member representation, particularly if there was an increase in the number of lay members. He asked whether the Leader would consider deferring a decision on that particular committee to allow for more discussion.

The Chief Officer explained that such a decision would result in the postponement of the next Audit Committee meeting to enable the item to be decided at the next Council meeting in June.

On the legislative restrictions on membership of the Planning Committee, Councillor Mike Peers drew attention to the rules on multiple Member ward representation as set out in the Political Balance section of the report.

In response to Councillor Heesom, Councillor Roberts acknowledged the benefits of lay members serving on Committees and proposed that the number of councillors on the Audit Committee remain unchanged and to start the process to recruit an additional lay member. He proposed that Councillor Heesom's suggestion be considered as part of a wider review of Committees (including membership sizes) to be undertaken during the year, with recommendations made by the Constitution & Democratic Services Committee submitted to Council. This was seconded by Councillor Carolyn Thomas.

The Chief Officer sought clarification on whether Councillor Heesom's suggestion had been a formal proposal and whether he was satisfied with the response given by Councillor Roberts.

Councillor Heesom said that whilst he appreciated the response, the value of the Audit Committee was under-estimated and moved that his proposal be dealt with urgently whilst not impeding the recruitment process for a second lay member. This was seconded by Councillor Carol Ellis.

The Chief Officer advised that Councillor Roberts' amendment, which had been formally proposed and seconded, now became the substantive Motion. On being put to the vote, it was carried.

**RESOLVED:**

- (a) That the size of each committee be as set out in paragraph 1.04 of the report and that an additional lay Member be recruited to the Audit Committee as set out in the report; and



- (b) That a review of committees be undertaken in the next 12 months including the number of elected Members and lay members on the Audit Committee membership.

**(iii) Terms of Reference of Committees**

The Chief Officer explained that the Annual Meeting was required to decide the terms of reference of the committees that it appointed. This included the terms of reference for existing committees as set out in the Constitution and terms of reference for the Grievance Committee agreed at the previous meeting.

Councillor Chris Bithell moved approval of the recommendation in the report which was seconded by Councillor Glyn Banks.

**RESOLVED:**

That the terms of reference for each Committee in the Constitution be approved with the addition of the Grievance Committee appointed at the last meeting and the Investigation and Disciplinary Committee as set out in the report.

**(iv) Political Balance**

The Chief Officer (Governance) explained that at, or as soon as practicable after the Annual Meeting, the Council was required to decide the allocation of seats to political groups in accordance with the Political Balance Rules contained in the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990 as amended.

There were 179 seats in total for Councillors across all of the committees based on the current group membership. The entitlement of each group to seats was shown in the revised spreadsheet circulated which reflected changes to group sizes since publication of the report. The political balance seat calculations set out for consideration were one of a number of possible solutions and included provision for the Grievance Committee and Investigation & Disciplinary Committee to have representation from all political groups.

Councillor Ian Roberts moved approval of the recommendation in the report which was seconded by Councillor Carolyn Thomas.

**RESOLVED:**

That the seats be allocated in accordance with political balance (and the rules on membership of the Planning Committee) as set out in the revised spreadsheet.

**(v) Appointment of Chairs of Standing Committees**

The Chief Officer (Governance) explained that Committee Chairs were appointed by different bodies, some of which were subject to restrictions. A table in paragraph 1.20 of the report outlined which body appointed which Chair and what restrictions (if any) applied. As it had been agreed at the previous meeting that the

Grievance Committee would appoint its own Chair, it was assumed that the same would apply to the Investigation & Disciplinary Committee.

Councillor Ian Roberts moved the following, which was seconded by Councillor Carolyn Thomas:

- That Councillor Wisinger be appointed as Chair of Planning Committee;
- That Councillor Aaron Shotton be appointed as Chair of the Clwyd Pension Fund Committee;
- That Councillor Ted Palmer be appointed as Chair of the Constitution & Democratic Services Committee;
- That Councillor Sharps be appointed as Chair of the Licensing Committee.

Councillor Patrick Heesom moved an amendment that the Leader consider deferring the appointment of the Chair of Clwyd Pension Fund to allow for further consideration and brought back to the next Council meeting. This was seconded by Councillor Helen Brown.

In highlighting the key role of the Chair of the Clwyd Pension Fund Committee, Councillor Roberts considered that this was not a substantial reason for deferral.

Councillor Mike Peers proposed a further amendment that Councillor Haydn Bateman be appointed as Chair of the Clwyd Pension Fund Committee on which he had served for a number of years and that this would be a natural progression from his role as Vice-Chair. This was seconded by Councillor Dennis Hutchinson.

Councillor Heesom subsequently withdrew his proposal.

The amendment put forward by Councillor Peers became the substantive Motion. He requested a recorded vote to which the requisite ten Members stood in support.

Councillor Chris Bithell referred to the political balance spreadsheet on which the Independent group (to which Councillor Bateman belonged) had not been allocated any seats on the Clwyd Pension Fund Committee. The Chief Officer said that groups decided their own nominations to committees and that other groups may wish to consider allocating a seat to the Independent group in order that Councillor Bateman may take up the position of Chair.

On being put to the vote, Councillor Peers' amendment was lost as follows:

**For the amendment:**

Councillor: Mike Allport, Bernie Attridge, Janet Axworthy, Haydn Bateman, Marion Bateman, Sian Braun, Helen Brown, Clive Carver, Bob Connah, Jean Davies, Rob Davies, Adele Davies-Cooke, Rosetta Dolphin, Carol Ellis, Veronica Gay, George Hardcastle, Patrick Heesom, Dennis Hutchinson, Rita Johnson, Richard Jones, Colin Legg, Brian Lloyd, Dave Mackie, Mike Peers, Ralph Small, Owen Thomas, David Williams and Arnold Woolley

**Against the amendment:**

Councillor: Glyn Banks, Sean Bibby, Chris Bithell, Derek Butler, Geoff Collett, David Cox, Paul Cunningham, Ron Davies, Ian Dunbar, Andy Dunbobbin, David Evans, David Healey, Gladys Healey, Cindy Hinds, Dave Hughes, Kevin Hughes, Joe Johnson, Paul Johnson, Christine Jones, Mike Lowe, Billy Mullin, Ted Palmer, Michelle Perfect, Vicky Perfect, Mike Reece, Ian Roberts, Aaron Shotton, Paul Shotton, Ian Smith, Carolyn Thomas, Andy Williams and David Wisinger

**Abstentions:**

Councillors: Chris Dolphin, Mared Eastwood, Tudor Jones and Neville Phillips

The substantive Motion, as moved by Councillor Ian Roberts, was put to the vote and carried.

The recommendation for the Grievance Committee and Investigation & Disciplinary Committee to appoint their own Chairs from their memberships was also put to the vote and carried.

The Chief Officer explained that the chairs of Overview & Scrutiny Committees were chosen by the political groups based on the strength of the various groups and which had seats on the Cabinet. Chairs were allocated to groups with a place on Cabinet first and any entitlement was rounded down to the nearest whole number. The remaining Chairs were then allocated to groups without a seat on Cabinet, rounding up to the nearest whole number.

Councillor Roberts moved the following, which was seconded by Councillor Carolyn Thomas:

<b>Overview &amp; Scrutiny Committee</b>	<b>Group to Choose Chair</b>
Community & Enterprise	Labour (Councillor Ian Dunbar)
Education & Youth	Labour (Councillor David Healey)
Corporate Resources	Conservative
Environment	New Independent
Organisational Change	Independent Alliance
Social & Health Care	Liberal Democrat (swap with Independent)

On being put to the vote, this was carried.

**RESOLVED:**

- (a) That the Chairs of the following Committees be appointed (noting any restrictions on eligibility):
- Clwyd Pension Fund Committee - Councillor Aaron Shotton
  - Constitution and Democratic Services Committee - Councillor Ted Palmer
  - Licensing Committee - Councillor Tony Sharps
  - Planning Committee - Councillor David Wisinger
- (b) That the Grievance Committee and Investigation & Disciplinary Committee should each appoint its own Chair from amongst its membership; and

- (c) That the following groups be allocated the chair of the Overview & Scrutiny Committees as outlined:

Community and Enterprise	-	Labour Group
Corporate Resources	-	Conservative Group
Education and Youth	-	Labour Group
Environment	-	New Independents Group
Organisational Change	-	Independent Alliance Group
Social & Health Care	-	Liberal Democrats Group

**(vi) Local Choice Functions**

The Chief Officer explained that the Council was required to agree such part of the Scheme of Delegation as the Council determined it was for the Council to agree. This related to local choice functions which could be decided either by the Council or the Cabinet and/or delegated to officers.

Councillor Roberts moved approval that the existing Local Choice functions be confirmed, which was duly seconded.

**RESOLVED:**

That the Local Choice functions as set out in the Constitution be approved.

**(vii) Nominations to Internal Bodies**

The Chief Officer explained that the existing Scheme of Delegation provided for an Appointments Committee for first and second tier officers, comprising seven Members. This was not a standing committee and was convened when required by seeking nominations from Group Leaders. It was recommended that the make-up of the Committee continue, as set out in the report.

Councillor Chris Bithell moved approval of the recommendation in the report which was seconded by Councillor Roberts.

**RESOLVED:**

That the make-up of the Appointments Committee be approved.

**(viii) Standards Committee and Appointments to Outside Bodies**

The Chief Officer explained the composition and membership of the Standards Committee which Members were requested to note along with the appointment of Members to Outside Bodies for the whole term of the Council.

Councillor Roberts moved both recommendations which were seconded by Councillor Bithell.

**RESOLVED:**

- (a) That the composition and membership of the Standards Committee be noted; and
- (b) That Council notes that nominees to Outside Bodies have been appointed for the whole Council term and the Chief Executive's power to vary those nominations (in consultation with Group Leaders).

**10. STANDARDS COMMITTEE INDEPENDENT MEMBERS**

The Chief Officer (Governance) presented a report on the membership of the Standards Committee as the terms of office of two of the independent members had recently expired. Both members were eligible to be reappointed for a second term and their valued contributions to the Committee were recognised. Whilst Phillipa Earlam was willing to serve again, it was suggested that a letter of thanks be sent to Edward Hughes who wished to step down.

The Chief Officer outlined the rules on appointing independent members and advised that a potential joint recruitment process with Wrexham County Borough Council would be beneficial.

In welcoming the contributions of independent members on the Standards Committee, Councillor Paul Johnson moved the recommendations in the report which were seconded by Councillor Woolley.

**RESOLVED:**

- (a) That Council reappoints Phillipa Ann Earlam to the Standards Committee for four years and advertises the vacancy for the remaining position jointly with Wrexham County Borough Council; and
- (b) That the Chair of the Council write to Edward Hughes thanking him for his hard work on the Committee during his term.

**11. SCHEDULE OF MEETINGS**

The Democratic Services Manager presented the schedule of meetings for 2019/20 following consultation. Whilst every effort was made to avoid meeting clashes, he suggested that the Organisational Change Overview & Scrutiny Committee meeting on 21 October be moved to 28 October to avoid a clash with a meeting of the Fire Authority. He also suggested that the Annual General Meeting (AGM) be moved from 5 May 2020 to allow time after the Bank Holiday.

On the latter point, the Chief Executive agreed with Councillor Mike Peers' suggestion that the AGM be moved to 7 May 2020 and that the Corporate Resources Overview & Scrutiny Committee meeting be rescheduled.

Councillor David Healey asked that the Schedule include a joint meeting between the Education & Youth and Social & Health Care Overview & Scrutiny Committees to consider items spanning both remits.

The Chief Executive suggested that the frequency of such joint meetings could be agreed by the Chairs of both Committees once the appointments had been made.

**RESOLVED:**

That the draft schedule of meetings for 2019/20 be approved, subject to the proposed changes.

**12. ATTENDANCE BY MEMBERS OF THE PRESS AND PUBLIC**

There was one member of the press and 16 members of the public in attendance.

(The meeting started at 10am and ended at 12.10pm)

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**Chair**

# Eitem ar gyfer y Rhaglen 9

## **Notices of Motion** **Flintshire County Council – 18 June 2019**

- (i) **Councillors Bernie Attridge, Carol Ellis, Helen Brown and George Hardcastle**

### Limiting Council Tax Increases

We call upon Flintshire County Council to give a clear mandate to the Cabinet and the senior management team that the Council Tax be capped at 4.5% for the next budget setting process.

We call for this due to representations made by many residents in Flintshire that the 8.75% increase that has been set for the 2019/20 is causing hardship and poverty within our County.

- (ii) **Councillor David Healey**

### Cyber bullying

Council notes concerns about the impact of cyber bullying on the mental health of young people.

Council also recognises that this is a national problem and that adults, as well as young people often bully others on social media.

Council also believes that the vast majority of young people, within the County, are responsible in the way in which they engage with social media and do not engage in cyber bullying.

Council also notes that all members of the Education and Youth Overview & Scrutiny Committee and Officers stood, in the Council Chamber, on 20 May 2019, in order to pledge that they would not, themselves, engage in social media in ways which denigrate other individuals.

Members of this Council now rise to take a similar pledge so that Flintshire County Council, as a whole, can be seen to be leading the way in setting an example itself with regard to the shameful activity of cyber bullying.

Council calls upon Flintshire residents to make a similar commitment with regard to their engagement with social media so that, in the sixth largest county in Wales, we can all work together to stem the tide of toxic abuse which is causing mental health problems for others, young and old.

Council further requests the Officers to draw up an appropriate report to committees so that this expectation can be embedded in future practice within the Council.

(iii) **Councillor Andy Dunbobbin**

Raising Awareness of Violence Against Women and Domestic Abuse

Members may recall that the Welsh Government has developed an e-learning package, to raise awareness of violence against women and domestic abuse. All staff are undertaking this e-learning, which we applaud

The package had been adapted to be available to Members. It would show our support for this worthy initiative if all Members were to do this training, which only takes about 40 minutes.

Can we all commit to giving 40 minutes to acquiring learning which may help all of us to deal more effectively with such issues which we may encounter in our wards?



# Eitem ar gyfer y Rhaglen 10



## COUNTY COUNCIL

<b>Date of Meeting</b>	Tuesday, 18 <sup>th</sup> June 2019
<b>Report Subject</b>	Council Plan 2019/20
<b>Cabinet Member</b>	Leader of the Council
<b>Report Author</b>	Chief Executive
<b>Type of Report</b>	Strategic

### **EXECUTIVE SUMMARY**

The Council Plan for 2017-23 was adopted to set priorities of the Council for the current five-year term of the Council. The Plan is subject to annual review and is led by Cabinet.

The 2019/20 Plan has been reviewed and refreshed for structure and content. The super-structure of the Plan remains the same as previous years with the introduction of an additional seventh theme.

The final version of the Council Plan will be published in a similar format to previous years.

The Council Plan is published as two documents. Part 1 sets out our intent. Part 2 sets out the performance measures, targets and milestones against which achievement will be measured and evaluated.

Internal member workshops and the Corporate Resources Overview and Scrutiny Committee have provided feedback on the structure, format and content of the draft Plan.

Part 1 of the Plan is presented in final form for approval. Part 2 will be presented to Cabinet and Corporate Resources Overview and Scrutiny Committee in July.

The published Plan will be available on the Council's website by the end of July.

## RECOMMENDATIONS

1	To approve Part 1 of the Council Plan 2019/20 as recommended by Cabinet.
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## REPORT DETAILS

<b>1.00</b>	<b>COUNCIL PLAN 2019/20</b>
1.01	It is a statutory requirement for the County Council to adopt an Improvement Plan which we call our Council Plan.
1.02	For 2019/20 a review of the current themes and priorities has been undertaken and the Plan from 2018/19 updated and amended. Priorities have also been set to take into account of both local and national expectations.
1.03	<p>The main changes from the review are:-</p> <ul style="list-style-type: none"><li>- the introduction of a seventh theme around – <i>Safe and Clean Council</i></li><li>- a change of theme name from <i>Supportive Council</i> to <i>Caring Council</i></li><li>- the introduction of longer term goals for the sub-priorities; and the expansion of the <i>Ambitious Council</i> theme to include our major capital projects which make a positive impact on local communities and the local economy.</li></ul>
1.04	<p>The Council Plan for 2019/20 retains the super structure of six themes with the additional theme - <i>Safe and Clean Council</i> - and supporting priorities as follows:</p> <p><b>Theme: Caring Council (previously Supportive Council)</b> Priorities:</p> <ul style="list-style-type: none"><li>- Adult Services</li><li>- Children's Services</li><li>- Adult and Children's Services</li><li>- Housing</li><li>- Protecting People from Poverty</li></ul> <p><b>Theme: Ambitious Council</b> Priority:</p> <ul style="list-style-type: none"><li>- Business Sector Growth and Regeneration</li><li>- Investing in our Communities</li></ul> <p><b>Theme: Learning Council</b> Priority:</p> <ul style="list-style-type: none"><li>- Education and Skills</li></ul> <p><b>Theme: Green Council</b> Priorities:</p> <ul style="list-style-type: none"><li>- Sustainable Development &amp; Environmental Management</li><li>- Safe and sustainable Travel Services</li></ul>

	<p><b>Theme: Connected Council</b> Priority:</p> <ul style="list-style-type: none"> <li>- Resilient Communities</li> <li>- Customer Journey</li> </ul> <p><b>Theme: Serving Council</b> Priority:</p> <ul style="list-style-type: none"> <li>- Effective Resource Management – Workforce</li> <li>- Effective Resource Management – Finance / Assets</li> <li>- Effective Resource Management – Collaboration</li> <li>- Effective Resource Management – Digital</li> </ul> <p><b>Theme: Safe and Clean Council (New)</b> Priority:</p> <ul style="list-style-type: none"> <li>- Safe and Clean Communities</li> </ul>
1.05	The Plan presentation will remain largely unchanged. National policy issues will enable or limit our ability to achieve will be updated.
1.06	<p>The Council Plan is published as two documents. Part 1 sets out our intent. Part 2 sets out the performance measures, targets and milestones against which achievement will be measured and evaluated.</p> <p>Part 1 of the Plan is attached as Appendix 1.</p>
1.07	<p>The main outcomes from the recent member workshops were:-</p> <ul style="list-style-type: none"> <li>- The revised seven theme format was supported to be retained for the life of the Plan in this current Council term</li> <li>- A 'tracker' document noting the changes between the 2018/19 Plan and the draft 2019/20 Plan to be shared (attached as Appendix 2)</li> <li>- Amend Part 1 of the Plan with the following sub priority additions: <ul style="list-style-type: none"> <li>o Re-instate 'Independent Living' under Caring Council</li> <li>o Broaden the carbon reduction/plastic-free sub priorities into a fuller Climate Change sub priority</li> <li>o Introduce Child Poverty under Caring Council</li> </ul> </li> </ul> <p>Other more specific suggestions were made to inform the content of the Plan. Where agreed at the workshops these have been incorporated in the redrafting.</p>
1.08	Part 1 of the Plan is presented in final form for approval. Part 2 will be presented to Cabinet and Corporate Resources Overview and Scrutiny Committee in July. The published Plan will be available on the Council's website by the end of July.

<b>2.00</b>	<b>RESOURCE IMPLICATIONS</b>
2.01	The Council Plan ambitions are reflected in the Medium Term Financial Strategy and the annual budget setting process.

<b>3.00</b>	<b>CONSULTATIONS REQUIRED / CARRIED OUT</b>
3.01	All Members have had the opportunity to consider and review the content of the draft Plan themes and priorities through the two workshops and a survey.

<b>4.00</b>	<b>RISK MANAGEMENT</b>
4.01	<p>Progression of the Plan objectives is risk managed with reports made quarterly to Cabinet and the Overview and Scrutiny Committees.</p> <p>The risks to the statutory requirements of the Plan include not publishing the plan within statutory timescales and, not adhering to the prerequisite content. These risks are managed through adherence to well established procedures for publishing the Plan and ensuring that the content of the Plan reflects the requirements of the law.</p>

<b>5.00</b>	<b>APPENDICES</b>
5.01	<p>Appendix 1: Council Plan (Part 1) 2019-20.</p> <p>Appendix 2: Copy of Corporate Resources Overview &amp; Scrutiny Report from 13<sup>th</sup> June 2019.</p>

<b>6.00</b>	<b>LIST OF ACCESSIBLE BACKGROUND DOCUMENTS</b>
6.01	<p><b>Contact Officer:</b> Karen Armstrong, Corporate Business and Communications Executive Officer  <b>Telephone:</b> 01352 702740  <b>E-mail:</b> <a href="mailto:Karen.armstrong@flintshire.gov.uk">Karen.armstrong@flintshire.gov.uk</a></p>

<b>7.00</b>	<b>GLOSSARY OF TERMS</b>
7.01	<b>Council Plan:</b> the document which sets out the annual priorities of the Council. It is a requirement of the Local Government (Wales) Measure 2009 to set Objectives and publish a Plan.
7.02	<b>Medium Term Financial Strategy:</b> a written strategy which gives a forecast of the financial resources which will be available to a Council for a given period, and sets out plans for how best to deploy those resources to meet its priorities, duties and obligations.

# COUNCIL PLAN 2019-2023

## In-year priorities for 2019/20

Theme	In-year Priority	Page number
Caring Council	Adult Services	2
	Children Services	4
	Adult and Children's Services	5
	Housing	6
	Protecting People from Poverty	8
Ambitious Council	Business Sector Growth and Regeneration	11
	Investing in our Communities	14
Learning Council	Education and Skills	16
Green Council	Sustainable Development and Environmental Management	18
	Safe and sustainable Travel Services	19
Connected Council	Resilient Communities	21
	Customer Journey	22
Serving Council	Effective Resource Management – Workforce	23
	Effective Resource Management – Finance / Assets	24
	Effective Resource Management – Collaboration	25
	Effective Resource Management – Digital	25
Safe and Clean Council	Safe and Clean Communities	26

## Theme: Caring Council

Priority	Sub - Priority	Definition
Adult Services	Extra Care Strategy	Providing a service to fill the gap between traditional care in the home and long term residential care
Longer term outcome / impact		Meeting the forecast demand through a sufficient and sustainable supply of quality and adaptable provision Developing the provider market to meet demand with innovation and flexibility
<b>Achievement will be measured through:</b>		
<ul style="list-style-type: none"> <li>Opening of the Holywell Extra Care Scheme to extend supply in another community area</li> <li>Agreement of a preferred option to further extend supply in a further community area with Buckley as the priority area</li> </ul>		

Priority	Sub - Priority	Definition
Adult Services	Domiciliary Care	Care services delivered to individuals in their own home
Longer term outcome / impact		Increasing the provision and adapting the models of domiciliary care to meet demand
<b>Achievement will be measured through:</b>		
<ul style="list-style-type: none"> <li>Implementing Microcare services at community level</li> <li>Recruitment to populate domiciliary care workforce</li> </ul>		

Priority	Sub - Priority	Definition
Adult Services	Independent Living	Supporting greater independence for individuals with a frailty and / or disability
Longer term outcome / impact		Supporting people to regain their independence, reduce reliance on the statutory sector and access care closer to home.
<b>Achievement will be measured through:</b>		
<ul style="list-style-type: none"> <li>Effective access to the social prescribing / 3<sup>rd</sup> sector service through the Single Point of Access.</li> <li>Effective management of admissions to step up / step down beds.</li> <li>Achievement of in house and independent sector domiciliary providers working towards the silver standard for Progress for Providers.</li> </ul>		

Priority	Sub - Priority	Definition
Adult Services	Safeguarding Adults	Measures to protect the health, well-being and rights of individuals and allow them to live free from abuse, harm and neglect
<b>Longer term outcome / impact</b>		Protecting adults who have needs for care and support and are at risk of abuse or neglect, and preventing those adults from becoming at risk
<b>Achievement will be measured through:</b>		
<ul style="list-style-type: none"> <li>• Effective evaluation systems for families attending adult case conferences</li> <li>• Strategy meeting recommendations being appropriate, measurable and effectively managed</li> <li>• High quality adult safeguarding referrals</li> </ul>		

Priority	Sub - Priority	Definition
Adult Services	Strategic Review of Care needs	Proving care and support within available resources
<b>Longer term outcome / impact</b>		Ensuring that the Council's duty to provide care and support is met within available resources
<b>Achievement will be measured through:</b>		
<ul style="list-style-type: none"> <li>• Meeting the annual inflationary costs of care providers</li> <li>• Effective and cost-efficient commissioning practices (including digital mapping of domiciliary care needs)</li> <li>• Completing the planning and design of the 32 bed expansion of Marleyfield House Care Home ready for the build phase</li> <li>• Introduction of an online financial self-assessment to give people the opportunity to arrange their own self-funded care</li> </ul>		

Priority	Sub - Priority	Definition
Adult Services	Dementia Friendly Council	Award accredited by the Alzheimer's Society to recognise Councils leading and inspiring a change that will transform the lives of people with dementia
<b>Longer term outcome / impact</b>		Flexibility in the delivery of all services to better support the needs of those living with dementia
<b>Achievement will be measured through:</b>		
<ul style="list-style-type: none"> <li>• Agreement of an action plan as a step towards achieving the award criteria</li> <li>• Successful application to become a Dementia Friendly Council</li> </ul>		

Priority	Sub - Priority	Definition
Children's Services	Improving local placements for Children	Working with placement providers to enhance the local provision for children in Flintshire.
<b>Longer term outcome / impact</b>		Meeting the forecast demand with supply Developing the children's placement market to flexibly meet demand
<b>Achievement will be measured through:</b>		
<ul style="list-style-type: none"> <li>Implementing an agreed Placement Strategy along with new local models to meet the rising demand for placements</li> <li>Testing and agreeing new regional models of support to extend and complement local provision</li> </ul>		

Priority	Sub - Priority	Definition
Children's Services	Safeguarding Children	Measures to protect the health, well-being and human rights of children and allow them to live free from abuse, harm and neglect
<b>Longer term outcome / impact</b>		Protecting children who are at risk of abuse and neglect, and preventing children from becoming at risk
<b>Achievement will be measured through:</b>		
<ul style="list-style-type: none"> <li>Compliance with the regional Pre-Birth Pathway to ensure that the risk to unborn children is effectively managed</li> <li>All children who are reported as having run away or go missing from home or care having a return interview with case management follow-up as needed</li> </ul>		

Priority	Sub - Priority	Definition
Children's Services	Fostering Service Models	Foster carers provide a home for children whose family are unable to look after them
<b>Longer term outcome / impact</b>		Ensuring a resilient pool of in-house foster carers to provide care for local children with a variety of needs
<b>Achievement will be measured through:</b>		
<ul style="list-style-type: none"> <li>Test and evaluate the <i>Mockingbird Model</i> of Fostering in 2019/2020 with the aim to have a proposed model ready for full implementation in 2020/2021</li> <li>Maintenance of a resilient regional market for foster care</li> </ul>		



Priority	Sub - Priority	Definition
Children's Services	Looked After Children	A looked after child is a child in the care of the local authority
<b>Longer term outcome / impact</b>		Reducing the numbers of children entering care and improving outcomes for those in care
<b>Achievement will be measured through:</b>		
<ul style="list-style-type: none"> <li>• Agree with Welsh Government a local strategy for effective and cost-efficient <i>edge of care</i> services</li> <li>• Set an affordable commissioning strategy for Out of County Placements for the medium to longer-term</li> <li>• Achievement of the actions and targets within our Corporate Parenting Strategy</li> </ul>		

Priority	Sub - Priority	Definition
Adult and Children's Services	Learning Disability Service	Providing support to adults and children with a learning disability to become more independent
<b>Longer term outcome / impact</b>		Transforming the service for people with a learning disability, in line with the Social Services and Wellbeing Act, to give people the opportunity to live independently and have more control over their lives
<b>Achievement will be measured through:</b>		
<ul style="list-style-type: none"> <li>• Opening of Hwb Cyfle, the new learning disability day service in Deeside on time, on budget and to standard</li> <li>• Achievement of the actions and targets for the regional learning disability service transformation project both regionally (as the lead authority) and locally</li> </ul>		

Priority	Sub - Priority	Definition
Housing	Homelessness Strategy and Local Action Strategy	A strategy that sets out a regional approach to tackling homelessness in all its forms
Longer term outcome / impact		Increase early intervention and support to prevent homelessness and offer a range of options to cater for all needs when relieving homelessness
<b>Achievement will be measured through:</b>		
<ul style="list-style-type: none"> <li>• Delivery of key aims and goals as set out within the Local Action Plan covering the period 2019/20 specifically:- <ul style="list-style-type: none"> <li>○ Establishing a permanent emergency bed provision in Flintshire;</li> <li>○ Supporting rough sleepers through the employment of an Outreach Worker;</li> <li>○ Completion of a feasibility study for short term emergency provision for young people with follow-up actions; and</li> <li>○ Completion of a feasibility study for a Housing First approach in Flintshire for people with complex needs with follow up actions</li> </ul> </li> <li>• Increasing the number of available rented properties in the Private Rented Sector to provide housing solutions</li> </ul>		

Priority	Sub - Priority	Definition
Housing	Welsh Housing Quality Standard (WHQS)	The WHQS is a national standard of quality for homes set by Welsh Government
Longer term outcome / impact		Meet the requirements of the Welsh Housing Quality Standard which will ensure that Council tenants live in good quality homes which as far as possible suit the specific requirements of the household (e.g. specific disabilities)
<b>Achievement will be measured through:</b>		
<ul style="list-style-type: none"> <li>• Meeting the targets within the comprehensive capital delivery programme of modernisation and refurbishment work to our housing stock for 2019/20</li> <li>• Achieving WHQS for the total stock by 2020/21</li> </ul>		

Priority	Sub - Priority	Definition
Housing	Housing Strategy	The strategy which enables an increase in the delivery of affordable quality housing, as well as the right support for our residents to enable them to remain independent in their own home
Longer term outcome / impact		Ensuring the supply of affordable and quality housing of all tenures
<b>Achievement will be measured through:</b>		
<ul style="list-style-type: none"> <li>• Meeting the in-year aims and targets of the Housing Strategy and Action Plan for 2019-2024</li> </ul>		

Priority	Sub - Priority	Definition
Housing	Provision of new social and affordable homes	To increase the supply of new build provision of affordable housing
Longer term outcome / impact		Ensuring a supply of affordable and quality housing of all tenures
<b>Achievement will be measured through:</b>		
<ul style="list-style-type: none"> <li>• Providing new social and affordable housing (1) as set out in the Housing Revenue Account (2) through NEW Homes Development Plans and (3) through the commitments of our Housing Association partners drawing on Welsh Government funding where possible</li> <li>• Maximising the provision of affordable housing through market led schemes and developer obligations in line with planning policy requirements</li> </ul>		

Priority	Sub - Priority	Definition
Housing	Housing needs of vulnerable groups	Suitable housing and support which meets the needs of vulnerable people
Longer term outcome / impact		Housing which provides a range of options to enable people to be suitably housed Provision of appropriate interventions (i.e. support or adaptations) to assist people to remain in their homes wherever possible
<b>Achievement will be measured through:</b>		
<ul style="list-style-type: none"> <li>• The availability of suitable housing through new build social housing developments and other supported housing provision</li> <li>• Effective implementation of the Welsh Government's recommended Service Standards for delivery of Housing Adaptations</li> <li>• Supporting people to remain in their homes through the provision of housing support and advice</li> <li>• Adoption of a renewed strategy for our sheltered and supported housing schemes following review</li> <li>• Effective management of the Specialist Housing register in partnership with Housing Associations to ensure the housing needs of vulnerable households are met</li> </ul>		

Priority	Sub - Priority	Definition
Protecting People from Poverty	Food Poverty	Inability to afford, or to have access to, food to make up a healthy diet. It is not just about hunger, but also about being appropriately nourished to attain and maintain health and wellbeing
Longer term outcome / impact		Reducing food poverty and food insecurity in Flintshire
<b>Achievement will be measured through:</b>		
<ul style="list-style-type: none"> <li>Forming a new social food enterprise with short and medium term objectives and targets</li> <li>Mapping / detailing areas where there are gaps in provision and then developing solutions</li> <li>Setting a food insecurity / food poverty action plan for Flintshire with partners with short and medium term objectives and targets</li> </ul>		

Priority	Sub - Priority	Definition
Protecting People from Poverty	Fuel Poverty	When a household spends more than 10% of its income on heating their home
Longer term outcome / impact		Increasing the level of funding and work/schemes to reduce fuel poverty in our communities
<b>Achievement will be measured through:</b>		
<ul style="list-style-type: none"> <li>Agreeing a funded action plan to support those in greatest fuel poverty</li> <li>Improvement of the energy efficiency ratings of current housing in Flintshire</li> <li>Solutions to extend gas supplies to those communities with no gas service</li> <li>Increasing the take up of solar, water and electricity systems</li> </ul>		

Priority	Sub - Priority	Definition
Protecting People from Poverty	Child Poverty	A child is considered to be growing up in poverty if they are living in a household where the income is below 60% of the median income.
Longer term outcome / impact		Reduction in the impacts of poverty on children across Flintshire
<b>Achievement will be measured through:</b>		
<ul style="list-style-type: none"> <li>In-year mapping and assessment of child poverty to inform future programme and strategy development</li> <li>Outline our commitments working with partner agencies to target interventions to reduce levels of child poverty</li> <li>Effective planning, performance and implementation as the 'Delivery Authority' for the Childcare Offer for Flintshire, Wrexham and Denbighshire and of its supporting capital programme</li> </ul>		

Priority	Sub - Priority	Definition
Protecting People from Poverty	Period Poverty	Equal and fair access to sanitary products is prohibited by financial constraints
Longer term outcome / impact		Equal and ready access to sanitary products
<b>Achievement will be measured through:</b>		
<ul style="list-style-type: none"> <li>Access to sanitary products in schools to support wellbeing and school attendance</li> </ul>		

Priority	Sub - Priority	Definition
Protecting People from Poverty	Universal Credit / Welfare Reforms	Major reform and changes to the benefits system such as the bedroom tax, Universal Credit and the benefit cap
Longer term outcome / impact		Creating a sustainable and stable environment where tenants can continue to remain in their properties through ongoing support and management of their current tenancies
<b>Achievement will be measured through:</b>		
<ul style="list-style-type: none"> <li>Residents being supported to sustain their tenancies, pay their rent and remain in their property</li> <li>Timely and supportive services to applicants for/recipients of Universal Credit in partnership with providers including the Department for Work and Pensions</li> </ul>		

Priority	Sub - Priority	Definition
Protecting People from Poverty	Flexible Funding Programme	Welsh Government grant regime which aims to deliver a wide range of support services for the most vulnerable people in our communities. The grant includes Housing Support Grant (including Supporting People and the Homelessness Prevention Grant) and Children's and Communities Grant (Social Services).
Longer term outcome / impact		Achieve the best possible outcomes for the most vulnerable people in our communities through the most flexible use of the funding
<b>Achievement will be measured through:</b>		
<ul style="list-style-type: none"> <li>Effective deployment of these two new grants under new governance and management arrangements</li> <li>Meeting need through streamlining services and developing new methods of delivery and commissioning</li> <li>Successful engagement of stakeholders to inform choices on new service models</li> <li>Measured performance using new and meaningful performance measures</li> </ul>		

Priority	Sub - Priority	Definition
<b>Protecting People from Poverty</b>	<b>Becoming Work-ready</b>	Integrated employability programme that provides support for people in or at risk of poverty throughout Flintshire
<b>Longer term outcome / impact</b>		Continued provision of an employability mentor service that covers the whole of Flintshire and focuses on the most deprived areas
<b>Achievement will be measured through:</b>		
<ul style="list-style-type: none"> <li>Achievement of targets for supporting individuals to enter employment, learning or volunteering</li> </ul>		

## Theme: Ambitious Council

Priority	Sub - Priority	Definition
Business Sector Growth and Regeneration	Growth Deal and Infrastructure	The collaborative strategy between Governments, councils and public sector partners and the business community for (1) investment in regional infrastructure - digital, transport, and sites and premises (2) priority economic sector support and growth (3) foundation sector support and growth and (4) skills and employment
<b>Longer term outcome / impact</b>		<p>Sustaining economic growth through local and regional business development, employment and training support</p> <p>Developing the transport infrastructure and employment sites and transport services, widening access to employment and training sites</p> <p>Meeting demand for business and housing growth through a ready supply of sites</p> <p>Skills and employment support enables individuals to take advantage of economic opportunities</p>
<b>Achievement will be measured through:</b>		
<ul style="list-style-type: none"> <li>• Playing our part in agreement of a Heads of Terms with the governments of UK and Wales to unlock a Growth Deal for the region and for Flintshire</li> <li>• Assessment of the priority needs of Flintshire for improved digital connectivity</li> <li>• Agreement and the first stage of implementation of a digital strategy for the region which improves connectivity (access and processing capacity / speed) for businesses, public sector partners and communities in Flintshire)</li> </ul>		

Priority	Sub - Priority	Definition
Business Sector Growth and Regeneration	Regional Business Growth	A co-ordinated approach to inward investment and the demands of businesses
<b>Longer term outcome / impact</b>		An environment and infrastructure where business is sustained and grown
<b>Achievement will be measured through:</b>		
<ul style="list-style-type: none"> <li>• The introduction of a regional hub to co-ordinate inward investment and respond to the demands of businesses</li> <li>• Planning of new infrastructure schemes to provide business growth in Flintshire (Deeside Enterprise Zone (DEZ) etc.) for the medium-term</li> <li>• Provision of a new Park and ride facility within Deeside Industrial Park</li> <li>• Preparation of a support plan for businesses to manage the eventuality of a transition out from the European Union (Brexit)</li> </ul>		

Priority	Sub - Priority	Definition
Business Sector Growth and Regeneration	Production of the Local Development Plan (LDP)	15 year plan to guide development within the County whilst protecting and enhancing the built and natural environments
<b>Longer term outcome / impact</b>		<p>Identification of a portfolio of sites and policies to meet ambitions in relation to growth in the residential, commercial and industrial sectors</p> <p>Identification of a portfolio of sites and policies to protect and enhance the built and natural environments</p>
<b>Achievement will be measured through:</b>		
<ul style="list-style-type: none"> <li>Placing the LDP on deposit on time in September for consultation with stakeholders and the public as the next step towards adoption of the Plan</li> <li>Final preparation of the Plan for submission to Welsh Government</li> </ul>		

Priority	Sub - Priority	Definition
Business Sector Growth and Regeneration	Future of Town Centres	Clarification of the role which the County Council will take in its long term support for our Town Centres
<b>Longer term outcome / impact</b>		Town centres and their businesses which can thrive whilst adapting to changing economic circumstances
<b>Achievement will be measured through:</b>		
<ul style="list-style-type: none"> <li>Adoption of a strategy to ensure long term sustainability of town centres leading to updated bespoke local town plans</li> <li>Testing of the model of a Business Improvement District for Mold (through a local ballot of rate paying businesses) as a pilot exercise</li> </ul>		



Priority	Sub - Priority	Definition
Business Sector Growth and Regeneration	Integrated Transport Strategy	A long term sustainable transport solution which successfully integrates all modes of transport whilst maintaining and promoting at its heart, a sustainable, affordable and environmentally friendly Public Transport Service
<b>Longer term outcome / impact</b>		Developing the transport infrastructure and employment sites, and transport services, widening access to employment and training sites
<b>Achievement will be measured through:</b>		
<ul style="list-style-type: none"> <li>• Key interventions for cycleways, active travel, highway improvements, bus network and rail improvements</li> <li>• Key interventions for accessing employment, health, leisure and education facilities by accessing national funds with winning business cases</li> <li>• The LDP Deposit Plan making provision for local growth which will be supported by new or improved infrastructure</li> </ul>		

Priority	Sub - Priority	Definition
Business Sector Growth and Regeneration	Social Enterprises	Businesses that have a clear social or environmental mission.
<b>Longer term outcome / impact</b>		Supporting local communities to be resilient and self-supporting with resilient service models to sustain local public services
<b>Achievement will be measured through:</b>		
<ul style="list-style-type: none"> <li>• Sustainability of the social enterprises supported/created by the Council</li> <li>• Implement Project Search with our partner HFT, to achieve real jobs for people with a learning disability</li> </ul>		

Priority	Sub - Priority	Definition
Investing in our Communities	Theatre Capital Plan	Investment in the Theatr Clwyd site in support of a sustainable business plan and operating model for the Theatr as a primary arts industry hub and provider in the region and in Wales
<b>Longer term outcome / impact</b>		The theatre continues to be sustainable and high performing
<b>Achievement will be measured through:</b>		
<ul style="list-style-type: none"> <li>National support secured for the business case for major capital investment for refurbishment of Theatr Clwyd</li> <li>Reaching an agreement between the Board of Theatr Clwyd, the County Council and the Arts Council of Wales on the most sustainable, legal, governance and financial / commercial model for the Theatr for the future from 2021/22</li> </ul>		

Priority	Sub - Priority	Definition
Investing in our Communities	Future of County Hall Campus / Civic Estate	Developing a Masterplan for the Mold Campus
<b>Longer term outcome / impact</b>		A sustainable and deliverable plan for the long term future of the campus which supports public sector partners' ambitions
<b>Achievement will be measured through:</b>		
<ul style="list-style-type: none"> <li>Agreement of a Masterplan for the County Hall campus, recognising the needs of existing and future occupiers, with agreed aims and objectives, timelines and financing</li> <li>Agreement of a solution for a future civic hub with or without public sector partner co-investment</li> </ul>		

Priority	Sub - Priority	Definition
Investing in our Communities	Implementation of major capital Education Programmes: 21 <sup>st</sup> Century Schools - Band B Welsh Medium Capital Investment	Investment in high quality school buildings for the future
<b>Longer term outcome / impact</b>		Providing high quality learning opportunities and learning environments for learners of all ages

**Achievement will be measured through:**

- Complete construction projects at Connah’s Quay High School (Phase 2) and Ysgol Penyffordd on time, to budget and to standard
- Commencement of investment projects at Ysgol Glan Aber, Ysgol Castell Alun, Queensferry CP (linked to the Plas Derwen project) and Ysgol Glanrafon, Mold (Welsh Government Welsh Medium Grant)
- Successful navigation of the proposed remaining Band B through both Council democratic process and Welsh Government Business case process

Priority	Sub - Priority	Definition
Investing in our Communities	Sustainable and Modern Archive Services	Development of a North East Wales Archive Service and a new purpose-built archive facility
<b>Longer term outcome / impact</b>		Providing high quality, accessible, responsive and cost effective public archive services

**Achievement will be measured through:**

- Creation of a single joint service between Flintshire and Denbighshire County Councils
- Securing national support from the Heritage Lottery Fund for capital funding for a new regional facility

Priority	Sub - Priority	Definition
Investing in our Communities	New Pupil Referral Unit – Plas Derwen	Specialist educational provision for vulnerable learners
<b>Longer term outcome / impact</b>		Providing high quality learning opportunities and learning environments for learners of all ages

**Achievement will be measured through:**

- Entering a framework agreement and beginning the design and development phase of a new combined educational facility at Shotton
- Obtain cost certainty and submit a Full Business Case to Welsh Government to release capital funding

## Theme: Learning Council

Priority	Sub - Priority	Definition
Education and Skills	Core Education Offer and Performance	Providing high quality learning opportunities for learners of all ages
<b>Longer term outcome / impact</b>		Supporting learners from 3 to 18 years of age to aspire to high levels of educational attainment and achievement
<b>Achievement will be measured through:</b>		
<ul style="list-style-type: none"> <li>Pupil performance in 2019 assessment/examination outcomes at ages 7, 11, 14, 16 and 18 years exceeding the Wales national average</li> <li>Agreement of an action plan to follow the Estyn inspection of the local authority due to be held in the first quarter of the year and effective implementation of those actions</li> </ul>		

Priority	Sub - Priority	Definition
Education and Skills	Implementation of the new National Curriculum	National education policy change with a revised national curriculum which will provide a continuum of learning from 3-16 years
<b>Longer term outcome / impact</b>		By 2026, all pupils from 3-16 will be taught the new curriculum which better prepares them for their future lives and employment
<b>Achievement will be measured through:</b>		
<ul style="list-style-type: none"> <li>Schools making suitable preparations for the transition to the new curriculum</li> <li>Teaching staff receiving quality professional development through the self-evaluation system</li> </ul>		

Priority	Sub - Priority	Definition
Education and Skills	Additional Learning Needs (ALN) Tribunal Act	National legislative change to support children / young people with Additional Learning Needs
<b>Longer term outcome / impact</b>		A reform of the current legislative framework by providing a new statutory approach for supporting children with learning needs from birth to age 25 years. Implementation over three years, commencing September 2020
<b>Achievement will be measured through:</b>		
<ul style="list-style-type: none"> <li>Effective implementation of the new corporate and schools system to support pupils with Additional Learning Needs</li> <li>Training completed for all key employees as part of the implementation</li> <li>Effective implementation of the Communications Strategy as part of the implementation</li> </ul>		

Priority	Sub - Priority	Definition
Education and Skills	Post 16 Transport Policy	Review of Council policy for transportation of post 16 learners
Longer term outcome / impact		To have in place an affordable and sustainable model for post 16 transport
<b>Achievement will be measured through:</b>		
<ul style="list-style-type: none"> <li>• Agreement and implementation of a new and sustainable policy following the consultation exercise</li> </ul>		

## Theme: Green Council

Priority	Sub - Priority	Definition
Sustainable Development and Environmental Management	Climate Change	Calculating the Council's total carbon footprint (inclusive of all sources and sinks of carbon emissions) across all Council activities to support an action plan to reduce carbon emissions, and reducing single use plastic consumption
Longer term outcome / impact		Carbon emissions are reduced across all council activities mitigating climate change Making adaptations to our ways of working to become a plastic free Council
<b>Achievement will be measured through:</b>		
<ul style="list-style-type: none"> <li>• Completion of a 'state of play analysis' of current Council activities on carbon reduction underpinned by the mapping of existing activity data</li> <li>• Completion of a greenhouse gas inventory covering scope 1, 2 and 3 emissions and greenhouse gas sequestration across the Council's land assets</li> <li>• An agreed plan to design and resource further energy efficiency and sustainable energy schemes such as the ground mounted solar PV schemes in Flint and Connah's Quay</li> <li>• Completing the renewable energy assessment through the Local Delivery Plan process in support of the future strategy</li> <li>• Agreement of a strategy for fleet conversion, away from diesel and petrol vehicles, for the medium and longer-term</li> <li>• Developing a local plan to meet the need access to E- charging points across the county network</li> <li>• The adoption of a strategy to reduce the Council's reliance on single use plastics</li> </ul>		

Priority	Sub - Priority	Definition
Sustainable Development and Environmental Management	Affordable and sustainable collection and treatment services for recyclable, compostable and residual waste	Increase the rates and quality of recyclable and compostable waste whilst reducing residual waste
Longer term outcome / impact		Maximising the recovery and rates of recyclable, re-usable and compostable waste, and reduce landfilled waste Treatment of residual waste at the regional Parc Adfer facility as a sustainable and cost-effective solution
<b>Achievement will be measured through:</b>		
<ul style="list-style-type: none"> <li>• Increasing the recovery of recyclable, re-usable and compostable waste to set targets</li> <li>• Re-adopting a Waste Management Strategy for the medium-term with aims, objectives and targets</li> <li>• Parc Adfer opened on time and to operational requirements with the diversion of regional and local non-recyclable domestic waste to the new facility</li> <li>• The impact of a public relations campaign on community behaviour to reduce plastic production and use</li> </ul>		

Priority	Sub - Priority	Definition
Sustainable Development and Environmental Management	Natural Environment	Optimising the role in which the natural environment can play in meeting our communities' needs
Longer term outcome / impact		A vibrant natural environment which promotes access to open and green spaces and their value in contributing to well-being
<b>Achievement will be measured through:</b>		
<ul style="list-style-type: none"> <li>• Effective management of our natural environment and accessible green space networks to deliver health, well-being and resilience goals</li> <li>• Protecting the resilience of our natural environment by increasing the biodiversity value of council owned or managed land</li> </ul>		

Priority	Sub - Priority	Definition
Sustainable Development and Environmental Management	Local Development Plan (LDP)	15 year plan to guide development within the County whilst protecting and enhancing the built and natural environments
Longer term outcome / impact		Identification of a portfolio of sites and policies to meet ambitions for growth in the residential, commercial and industrial sectors, and to protect and enhance the built and natural environments
<b>Achievement will be measured through:</b>		
<ul style="list-style-type: none"> <li>• The success of measures to protect the built and environmental assets through the LDP process</li> </ul>		

Priority	Sub - Priority	Definition
Safe and sustainable Travel Services	Alternative local transport arrangements	Alternative transport services in local communities where no public transport services exist
Longer term outcome / impact		Connecting passengers to key destination hubs and enable access to education, employment, retails, health, social and leisure destinations
<b>Achievement will be measured through:</b>		
<ul style="list-style-type: none"> <li>• The effective introduction of an in-house minibus service as an innovative and sustainable based transport scheme to meet need and demand</li> </ul>		

Priority	Sub - Priority	Definition
Safe and sustainable Travel Services	Core Bus Network	Core bus network is characterised by a number of key destinations across the County (hubs), such as main towns or public transport interchanges/railway stations with direct, high frequency bus services operating between the hubs and on some cross-boundary corridors
Longer term outcome / impact		Connecting passengers to key destination hubs and enable access to education, employment, retails, health, social and leisure destinations
<b>Achievement will be measured through:</b>		
<ul style="list-style-type: none"> <li>The range, quality, reliability and frequency of services on the core bus network either through commercially viable services, partnership arrangements or contracted services</li> </ul>		

Priority	Sub - Priority	Definition
Safe and sustainable Travel Services	Highway Network	Prioritising the Council's road infrastructure
Longer term outcome / impact		Improved travel connectivity across the road transport network
<b>Achievement will be measured through:</b>		
<ul style="list-style-type: none"> <li>Maintaining the infrastructure on the highway network to ensure the resilience, efficiency and reliability of road transport</li> </ul>		

Priority	Sub - Priority	Definition
Safe and sustainable Travel Services	Active Travel	Provide opportunities for increasing levels of walking and cycling (active travel) and enable access to sustainable and alternative methods of travel
Longer term outcome / impact		Developing and increase active travel infrastructure; improve connectivity and enable access to education, jobs and services
<b>Achievement will be measured through:</b>		
<ul style="list-style-type: none"> <li>Meeting the statutory requirements of the Active Travel Act</li> </ul>		



## Theme: Connected Council

Priority	Sub - Priority	Definition
<b>Resilient Communities</b>	<b>Community Resilience</b>	Working with communities to help them to develop skills and resources to be able to deal with challenging and difficult situations which exist or when they occur
<b>Longer term outcome / impact</b>		Supporting local communities to be resilient and self-supporting
<b>Achievement will be measured through:</b>		
<ul style="list-style-type: none"> <li>• Achievement of the aims, objectives and targets for the four priority projects               <ul style="list-style-type: none"> <li>○ The Holway, Holywell – community-led regeneration</li> <li>○ Social Value – a social value framework to maximise local investment in communities</li> <li>○ Social Prescribing – a model for participation by local people with improvements in personal well-being</li> <li>○ Get Flintshire Moving – participation by local people with improvements in personal health</li> </ul> </li> </ul>		

Priority	Sub - Priority	Definition
<b>Resilient Communities</b>	<b>Community Health</b>	Supporting our services and partners to further develop programmes of Social Value
<b>Longer term outcome / impact</b>		Improving the health of communities through our social value programmes
<b>Achievement will be measured through:</b>		
<ul style="list-style-type: none"> <li>• Aura Leisure and Libraries activities to add social value through their community activities commissioned by the Council through our Service Agreement</li> </ul>		

Priority	Sub - Priority	Definition
<b>Resilient Communities</b>	<b>Social Value</b>	Establishing a framework to collaborate directly with contractors and suppliers to support additional social value investment in communities, directly linked to PSB identified, corporate and community priorities Building sustainable partnerships between the public sector supply chain and local communities
<b>Longer term outcome / impact</b>		Securing community benefits through social value investments
<b>Achievement will be measured through:</b>		
<ul style="list-style-type: none"> <li>• Adopting a Social Value Framework with an action plan with aims, objectives and targets</li> <li>• Progressive impact in the following areas:-               <ul style="list-style-type: none"> <li>○ the value of investment by contractors and suppliers</li> <li>○ the value of non-monetary investments by contractors and suppliers</li> <li>○ the geographic spread of social value investment across communities</li> <li>○ Positive contributions to the social policy priorities of the Council and its partners</li> </ul> </li> </ul>		

Priority	Sub - Priority	Definition
Customer Journey	Single Integrated Contact Centre	Combining customer contact teams from services across Flintshire County Council with parallel redesign of digital self-serve capabilities via <i>My Account</i>
Longer term outcome / impact		Widening digital access to public services Provide a single, resilient, consistent point of contact for the customer
<b>Achievement will be measured through:</b>		
<ul style="list-style-type: none"> <li>• A seamless and successful transition to an Integrated Contact Centre</li> <li>• Improvements in customer service</li> <li>• Extension of the range of digitised services in Social Services, Education and Revenues and Benefits</li> <li>• Rates of transference of customers to digital self-service via <i>My Account</i></li> </ul>		

Priority	Sub - Priority	Definition
Customer Journey	Customer Strategy	A strategy setting out how the Council will provide services for customers
Longer term outcome / impact		Providing high quality, accessible, responsive and cost effective public services
<b>Achievement will be measured through:</b>		
<ul style="list-style-type: none"> <li>• Meeting the aims, objectives and targets of the adopted Strategy</li> <li>• Meeting the set customer standards</li> </ul>		

## Theme: Serving Council

Priority	Sub - Priority	Definition
Effective Resource Management – Workforce	Sustainable Pay Policy	Agreement of a new pay model to effect the implementation of the second year (2019) of the two year National Joint Council (NJC) pay agreement (2018/19 – 2019/20)
<b>Longer term outcome / impact</b>		Continuing to be a high performing and innovative public sector organisation with ethical and social values
<b>Achievement will be measured through:</b>		
<ul style="list-style-type: none"> <li>• Implementation of a compliant and sustainable new pay model within 2019/20</li> <li>• Reductions in the local gender pay gap</li> <li>• Retention rates of key personnel through offering competitive pay and reward</li> </ul>		

Priority	Sub - Priority	Definition
Effective Resource Management – Workforce	Health and Well-being Workforce Plan	Measures to support and maintain a safe and healthy working environment
<b>Longer term outcome / impact</b>		Continuing to be a high performing and innovative public sector organisation with ethical and social values
<b>Achievement will be measured through:</b>		
<ul style="list-style-type: none"> <li>• Adoption of a Well Being Strategy for the workforce with aims, objectives and targets</li> <li>• Workforce retention and attendance rates</li> <li>• Rates of referrals Occupational Health on mental health grounds and rates of case resolution success</li> <li>• Effective in-work poverty services for employees at risk</li> </ul>		

Priority	Sub - Priority	Definition
Effective Resource Management – Workforce	People Strategy	Enables the Council to attract and retain the most talented individuals to drive forward the Council’s challenging agenda
<b>Longer term outcome / impact</b>		Continuing to be a high performing and innovative public sector organisation with ethical and social values
<b>Achievement will be measured through:</b>		
<ul style="list-style-type: none"> <li>• Effective succession planning for senior and supporting management positions</li> <li>• Maintaining competitive pay and reward, and terms and conditions of employment</li> <li>• Increasing the number of apprenticeships which result in a positive outcome</li> </ul>		

Priority	Sub - Priority	Definition
Effective Resource Management – Finance / Assets	Sustainable Annual Budgeting	Ensuring that spending requirements are able to be met by estimated funding levels over the medium/long term
Longer term outcome / impact		Continuing to be a high performing and innovative public sector organisation with ethical and social values
<b>Achievement will be measured through:</b>		
<ul style="list-style-type: none"> <li>Performance against the set of adopted Medium Term Financial Strategy key performance indicators</li> <li>Achieving balanced annual budgets which support the policy aims of the Council</li> </ul>		

Priority	Sub - Priority	Definition
Effective Resource Management – Finance / Assets	Housing Revenue Account Business Plan	An account in which the Councils housing revenue (rent) and housing costs (property management and maintenance) are held. The business plan sets out the strategic direction for activity within the Housing Revenue Account
Longer term outcome / impact		Provision of high quality social housing and support services to our tenants through effective business planning
<b>Achievement will be measured through:</b>		
<ul style="list-style-type: none"> <li>A cost-effective Housing Revenue Account Business Plan</li> <li>Maintaining affordable service charges which achieve income targets</li> <li>Effective management of rent arrears to maintain income targets</li> </ul>		

Priority	Sub - Priority	Definition
Effective Resource Management – Finance / Assets	Income and Concessions / Commercialisation	Ensuring that the Council's approach to raising income is maximised in an ethical way
Longer term outcome / impact		Providing high quality, accessible, responsive and cost effective public services
<b>Achievement will be measured through:</b>		
<ul style="list-style-type: none"> <li>Achievement of income target</li> <li>Agreement and implementation of a programme of cost recovery and commercial set models</li> </ul>		

Priority	Sub - Priority	Definition
Effective Resource Management – Collaboration	Collaboration – Best Use of Resources	Reviewing further opportunities for collaboration where the business models suit all parties and value for money is optimised
<b>Longer term outcome / impact</b>		Continuing to be a high performing and innovative public sector organisation with social values Providing high quality, accessible, responsive and cost effective public services as sustainable models
<b>Achievement will be measured through:</b>		
<ul style="list-style-type: none"> <li>• Maintaining the effective and cost-efficient performance of all existing regional, sub-regional and local collaborative services</li> <li>• Successful transition to a combined CCTV monitoring service hosted by Wrexham County Borough Council</li> <li>• Agreement to implement a sub-regional sustainable urban drainage system approval body as a new statutory service</li> <li>• Successful transition to a new service model for enforcement services</li> <li>• Agreement of the scope and objectives of the next phase of Alternative Delivery Models for Council managed services</li> </ul>		

Priority	Sub - Priority	Definition
Effective Resource Management – Digital	Digital Strategy	Re-designing services to use technology to improve digital access to services for customers and improved ways of working for employees
<b>Longer term outcome / impact</b>		More people have digital access to public services and make use of digital
<b>Achievement will be measured through:</b>		
<ul style="list-style-type: none"> <li>• Successful implementation of priority projects within the digital programme plan</li> <li>• Agreement of a programme for skilling at risk sections of the community in digital, in partnership with other public and third sector partners, for the medium and longer-term</li> </ul>		

## Theme: Safe and Clean Council

Priority	Sub - Priority	Definition
Safe and Clean Communities	Community Safety	Adopting a consistent and collaborative approach to address community safety across Flintshire and the region
Longer term outcome / impact		Reduced crime and re-offending, plus lower levels of anti-social behavior within our communities
<b>Achievement will be measured through:</b>		
<ul style="list-style-type: none"> <li>Achievement against the actions and targets of the Regional Community Safety Plan and the Flintshire Well-Being Plan</li> <li>The performance of North Wales Police in partnership with the Council as statutory Community Safety partners</li> <li>Meeting our responsibilities under the Violence Against Women, Domestic Abuse and Sexual Violence (VAWDASV) programme</li> </ul>		

Priority	Sub - Priority	Definition
Safe and Clean Communities	Corporate Safeguarding	Making safeguarding part of all Council services' business
Longer term outcome / impact		Protecting people from the risk of any form of abuse
<b>Achievement will be measured through:</b>		
<ul style="list-style-type: none"> <li>Achievement against the actions and targets of the Corporate Safeguarding Action Plan</li> </ul>		

Priority	Sub - Priority	Definition
Safe and Clean Communities	Public Protection (Food Safety and Standards)	Protecting public health by providing services in Food Safety and Standards and Food Hygiene
Longer term outcome / impact		Providing high quality, accessible, responsive and cost effective public Services
<b>Achievement will be measured through:</b>		
<ul style="list-style-type: none"> <li>Maintaining the percentage of broadly compliant establishments within the County for public protection</li> </ul>		

Priority	Sub - Priority	Definition
Safe and Clean Communities	Streetscene and Transportation Standards	A range of service standards and performance measures for the provision and management of Streetscene Services
<b>Longer term outcome / impact</b>		An agreed set of standards for Streetscene services which can be monitored and provide assurance about performance of the “visible” public realm services
<b>Achievement will be measured through:</b>		
<ul style="list-style-type: none"> <li>• Performance against current performance standards for front-line Streetscene and Transportation</li> <li>• Completion of a review and of performance standards for front-line Streetscene and Transportation Services for future years</li> </ul>		

Priority	Sub - Priority	Definition
Safe and Clean Communities	Environmental Improvement and Enforcement	Service performance measures for the provision and management of Environmental Improvement and Enforcement
<b>Longer term outcome / impact</b>		An agreed set of standards for Environmental services which can be monitored and provide assurance about performance of the “visible” public realm services
<b>Achievement will be measured through:</b>		
<ul style="list-style-type: none"> <li>• Levels of enforcement against our standards for car parking, litter and dog fouling</li> </ul>		

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## CORPORATE RESOURCES AND OVERVIEW SCRUTINY COMMITTEE

<b>Date of Meeting</b>	Thursday, 13 <sup>th</sup> June 2019
<b>Report Subject</b>	Council Plan 2019/20
<b>Cabinet Member</b>	Cabinet Member for Corporate Management and Assets
<b>Report Author</b>	Chief Executive
<b>Type of Report</b>	Strategic

### EXECUTIVE SUMMARY

The Council Plan for 2017-23 was adopted by the County Council to show the key priorities of the Council for the current five year term of the Council. The Plan is subject to annual review and is led by Cabinet.

The 2019/20 Plan has been reviewed and updated on structure and content. Two internal member workshops have been held to invite contributions to the review, and a survey was circulated to all members to canvass views and opinion.

### RECOMMENDATIONS

1	To update on the actions to complete the review of the Council Plan 2019/20 in readiness for the recommendation of the Plan to Council for adoption.
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## REPORT DETAILS

1.00	COUNCIL PLAN REVIEW
1.01	<p>Two Member workshops were held (30 May and 5 June) as part of the annual process of Plan review.</p> <p>The main outcomes were:-</p> <ul style="list-style-type: none"><li>- The revised seven theme format was supported to be retained for the life of the Plan in this current Council term</li><li>- A 'tracker' document noting the changes between the 2018/19 Plan and the draft 2019/20 Plan to be shared (attached as Appendix 1)</li><li>- Amend Part 1 of the Plan with the following sub priority additions:<ul style="list-style-type: none"><li>o Re-instate 'Independent Living' under Caring Council</li><li>o Broaden the carbon reduction/plastic-free sub priorities into a fuller Climate Change sub priority</li><li>o Introduce Child Poverty under Caring Council</li></ul></li></ul> <p>Other more specific suggestions were made to inform the content of the Plan. Where agreed at the workshops these have been incorporated in the redrafting. Members have received follow-up information from the workshops by circular email.</p>
1.02	<p>County Council will be asked to adopt Part 1 of the Council Plan in June on the recommendation of Cabinet. Part 2 of the Plan, with the detail of the performance measures, will follow in July and will be reported to Cabinet and Corporate Resources Overview and Scrutiny Committee.</p> <p>The published Part 1 of the Plan will be in graphic format for presentation and readability. It will contain a review of the pre-existing narrative of current plans, and overview of risks to achievement, and a summary of our adopted Well-being Objectives.</p> <p>Quarterly reporting on performance against the Plan will follow as normal.</p>
1.03	<p>To widen participation in the review and use of the Plan for the future it is proposed:-</p> <ul style="list-style-type: none"><li>• that contributions to the review of the Plan for 2020/21 be invited in the third quarter from the Overview and Scrutiny Committees</li><li>• that the initial review of the Plan is aligned in timing to the annual budget setting process</li><li>• that Parts 1 and 2 of future Plans be made available at the same time</li><li>• that the seven theme format be retained for the current Council term</li><li>• that the Overview and Scrutiny Committees be invited to make fuller use of the themes of the Plan in planning their forward work programmes using a simple guide to show which themes and priorities fall under which Committee</li></ul>

<b>2.00</b>	<b>RESOURCE IMPLICATIONS</b>
2.01	The Council budget and the Council Plan are aligned. Where budget decisions on new initiatives within the Plan, reports will be presented for review and approval at points in the year as normal.

<b>3.00</b>	<b>CONSULTATIONS REQUIRED / CARRIED OUT</b>
3.01	Consultation has been carried out with portfolio management teams, Members, and key partners.

<b>4.00</b>	<b>RISK MANAGEMENT</b>
4.01	<p>Actions to achieve Council Plan outcomes and impacts are risk assessed to understand and manage the impact that certain activities can have.</p> <p>Risks will be identified within the development of Part 2 of the Plan and published within the public Part 1 version.</p>

<b>5.00</b>	<b>APPENDICES</b>
5.01	Appendix 1: Tracker of changes made between the Council Plans of 2018/19 and the draft 2019/20.

<b>6.00</b>	<b>LIST OF ACCESSIBLE BACKGROUND DOCUMENTS</b>
6.01	<p><b>Contact Officer:</b> Karen Armstrong, Corporate Business and Communications Executive Officer  <b>Telephone:</b> 01352 702740  <b>E-mail:</b> <a href="mailto:Karen.armstrong@flintshire.gov.uk">Karen.armstrong@flintshire.gov.uk</a></p>

<b>7.00</b>	<b>GLOSSARY OF TERMS</b>
7.01	<b>Council Plan:</b> the document which sets out the annual priorities of the Council. It is a requirement of the Local Government (Wales) Measure 2009 to set Objectives and publish a Plan.

# Council Plan Tracker – Changes between 2018/19 and 2019/20

**KEY:**

1 = Completed or removed (as now embedded as business as usual)

2 = Continued in a new phase of work

3 = New to the Plan

4 = Moved within the Plan for a better fit with another Priority or Sub-Priority

5 = No significant change

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2018/19 Theme: Supportive Council			2019/20 Theme: Caring Council		
2018/19 Priority	2018/19 “What we will do”	Subject / Topic	2019/20 Priority	2019/20 Sub Priority (and page number)	Key
Appropriate and Affordable Homes	Provide new social and affordable homes (p14)	Social and affordable homes	Housing	Provision of new social and affordable homes (p7)	5
	Welsh Housing Quality Standard (WHQS) investment plan targets achieved.(p14)	WHQS	Housing	Welsh Housing Quality Standard (p6)	5
	Address the increasing frequency of unauthorised Gypsy and Traveller encampments and improve the Council’s own permanent site by i) effective use of the protocol with partners for management of unauthorised encampments; ii) improve the Council’s permanent Riverside site with support of Welsh Government funding; iii) explore options to identify a transit site through the Local Development Plan (p14)	Gypsy and Traveller Encampments	Not referenced		i) 1 ii) 1 iii) 1
Modern, Efficient and	Improving the quality of private sector housing (p 16)	Private sector housing quality	Housing ‘Quality’ not referenced, but ‘quantity’ is	Quantity of private rented sector (p6)	2

**KEY:**

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5 = No significant change

2018/19 Theme: Supportive Council			2019/20 Theme: Caring Council		
2018/19 Priority	2018/19 “What we will do”	Subject / Topic	2019/20 Priority	2019/20 Sub Priority (and page number)	Key
Adapted Homes	Delivering the council’s housing growth needs (p16)	Housing growth	Housing	Housing Strategy (p6) Provision of new social and affordable homes (p7)	4
	Meeting the housing needs of vulnerable groups (p16)	Housing Vulnerable Groups	Housing	Housing needs of vulnerable groups (p7)	5
	N/A	N/A	Housing	Homelessness Strategy and Local Access Strategy (p5)	3 <i>(Homelessness was previously a KPI, not a sub priority in its own right)</i>
Protecting People from Poverty	Support Flintshire residents to better manage their financial commitments (p18)	Universal Credit / Welfare Reform	Protecting people from poverty	Universal Credit/Welfare Reforms (p9)	2
	Working collaboratively to minimise Universal Credit (UC) risks (p18)	Universal Credit Risks	Housing	Homelessness Strategy and Local Action Strategy (p5)	1 <i>(Personal Support (budgeting and digital) now delivered nationally)</i>
	Develop skills programmes and delivery mechanism for North Wales Growth Deal (p18)	Growth Deal	Business Sector Growth and Regeneration	Growth Deal / Infrastructure investment incl. digital (p11)	2, 4
	Develop and deliver programmes to improve domestic energy efficiency to reduce Co2 emissions and fuel poverty (p18)	Fuel Poverty	Protecting people from poverty	Fuel Poverty (p8)	4

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- 5 = No significant change

2018/19 Theme: Supportive Council			2019/20 Theme: Caring Council		
2018/19 Priority	2018/19 "What we will do"	Subject / Topic	2019/20 Priority	2019/20 Sub Priority (and page number)	Key
	Develop a strategy to address food poverty (p19)	Food Poverty	Protecting people from poverty	Food Poverty (p8)	2, 4
	N/A	N/A	Protecting people from poverty	Period Poverty (p8)	3
	N/A	N/A	Protecting people from poverty	Flexible Funding Programme (p9)	3
	N/A	N/A	Protecting people from poverty	Childcare Offer (p9)	3
	N/A	N/A	Protecting people from poverty	Becoming Work-ready (p10)	3
Independent Living	Expand and support the care sector to enable people to live well and have a good quality of life (p20)	Care Sector	Adult Services	Split into separate sub Priorities: Extra Care Strategy (p2) Domiciliary Care (p2)  Strategic Review of care needs and the Council response (p3)	2, 4
	Support greater independence for individuals with a frailty and / or disability, and for people at risk of isolation. (p20)	Independence for individuals	Children's Services Adult and children's Services	Improving local Placements for Children (p4)  Split into separate sub Priorities:  Strategic Review of care needs and the Council response (p3)	2, 4 2, 4

**KEY:**

**1** = Completed or removed (as now embedded as business as usual)

**2** = Continued in a new phase of work

**3** = New to the Plan

**4** = Moved within the Plan for a better fit with another Priority or Sub-Priority

**5** = No significant change

2018/19 Theme: Supportive Council			2019/20 Theme: Caring Council		
2018/19 Priority	2018/19 "What we will do"	Subject / Topic	2019/20 Priority	2019/20 Sub Priority (and page number)	Key
				Dementia Friendly council (p3) Learning Disability Service (p4)	
	Improve outcomes for Looked After Children	Looked After Children	Children's Services	Looked After Children (p5) Improving local placements for Children (p4)	2
Integrated Community Social and Health Services	Develop and integrate services for carers with our commissioned providers	Care Providers	N/A	N/A	1 ( <i>Business as usual</i> )
	Embed the long term use of the Integrated Care Fund (ICF) to meet local needs and demands	Integrated Care Fund	N/A	N/A	1 ( <i>ICF is realigned with local priorities every year - Business as usual</i> )
	Embed the Early Help Hub into everyday practice by working with statutory partners and the third sector	Early Help Hub	N/A	N/A	1 ( <i>Business as usual</i> )
	Working with the new Wales Programme to recognise Adverse Childhood Experiences (ACES)	Adverse Childhood Experiences	N/A	N/A	1 ( <i>Business as usual – links with Early Help Hub</i> )
Safeguarding	All Council portfolios to understand and act on their responsibilities to address safeguarding.	Corporate safeguarding	Safe and Clean	Corporate Safeguarding (p29)	2, 4
	Identify and address the signs and symptoms of domestic abuse and sexual violence.	Domestic Abuse and	Safe and Clean	Community Safety (p29)	2, 4

Tudalen 87

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- 5 = No significant change

2018/19 Theme: Supportive Council			2019/20 Theme: Caring Council		
2018/19 Priority	2018/19 “What we will do”	Subject / Topic	2019/20 Priority	2019/20 Sub Priority (and page number)	Key
		Sexual Violence			
	Strengthen regional community safety through collaboration and partnership arrangements.	Regional Safety	Safe and Clean	Community Safety (p29)	2, 4
	N/A	N/A	Children’s Services	Safeguarding Children (p4)	3
	N/A	N/A	Children’s Services	Fostering Service Models (p4)	3

Tudalen 88

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- 5 = No significant change



2018/19 Theme: Ambitious Council			2019/20 Theme: Ambitious Council		
Priority	2018/19 “What we will do”	Subject / Topic	2019/20 Priority	2019/20 Sub Priority (and page number)	Key
Business Sector Growth and Regeneration	The Regional Economic Growth Deal will be developed to final approval stages with UK and Welsh Governments this year, including agreement of funding allocations and formal governance arrangements.	Growth Deal	Business Sector Growth and Regeneration	Growth Deal / Infrastructure investment incl. digital (p11)	2
	Guide the development of the Deeside Enterprise Zone (DEZ), Northern Gateway and Warren Hall mixed use development site. Propose that the developments maximise economic and social value for the County and that they deliver the commitments made in the Regional Economic Growth Deal.	Regional Economic Growth Deal	Business Sector Growth and Regeneration	Regional Business Growth (p11)	2
	Develop long term strategic approach to Council's economic estate and land.	Economic estate	N/A	N/A	1 <i>(completed)</i>
	Protecting the scale and quality of apprenticeships both regionally and locally	Apprenticeships	Business Sector Growth and Regeneration	Regional Business Growth (p11)	4
	Develop a more strategic approach to regenerating and supporting town centres in partnership with Town Councils.	Town Centres	Business Sector Growth and Regeneration	Future of Town Centres (p12)	2
	Targeted Regeneration Investment Programme (TRIP) – developing Flintshire's role and its local programme	WG targeted investment programme	N/A	N/A	1
	Propose that the development of regional and local transport strategy and initiatives maximises the potential	Transport	Business Sector Growth	Integrated Transport Strategy (p13)	2

Tudalen 89

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2018/19 Theme: Ambitious Council			2019/20 Theme: Ambitious Council		
Priority	2018/19 “What we will do”	Subject / Topic	2019/20 Priority	2019/20 Sub Priority (and page number)	Key
	for economic benefits and improve access to employment and tourism destinations.		and Regeneration		
	N/A	N/A	Investing in our Communities	Theatre Capital Plan (p12)	3
	N/A	N/A	Investing in our Communities	Sustainable and Modern Archive Services (p15)	3
	N/A	N/A	Investing in our Communities	New Pupil Referral Unity – Plas Derwen (p16)	3

Tudalen 90

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- 5 = No significant change

## 2018/19 Theme: Learning Council

## 2019/20 Theme: Learning Council

Priority	2018/19 "What we will do"	Subject / Topic	2019/20 Priority	2019/20 Sub Priority (and page number)	Key
High Performing Education	Provide effective learning opportunities and quality learning environments for all pupils aged 3-18 to achieve their potential and high levels of educational attainment.	Education Offer	Education and Skills	Core Education Offer and Performance (p17)	2
	Provide effective support to schools identified as causing concern to quickly re-establish good educational standards	Performance	Education and skills	Core education offer and performance	2
	Prepare for national reform on curriculum and inclusion.	Education – National Curriculum	Education and Skills	Implementation of the new National Curriculum (p17)  Additional Learning Needs (ALN) Transformation Bill (p17)	2
	Continue substantial investment in the school estate through the School Modernisation Strategy and maximising use of Welsh Government funding streams e.g. 21 <sup>st</sup> Century Schools Programme, Welsh Medium Education Grant, Infant Class Size Grant & Early Years Grant. Continue programme of capital works and repairs and maintenance across Flintshire schools.	School Modernisation	Investing in our Communities	Implementation of major capital Education Programmes: 21 <sup>st</sup> Century Schools - Band B Welsh Medium Capital Investment (p15)	2, 4
	Maintain low levels of young people/adults 'Not in Education, Employment or Training' and increase opportunities for apprenticeship and employment.	NEETs	Education and skills	Core education offer and performance (will be included as a measure)	2
	Fully embed Flintshire's Youth Council to ensure that young people across the	Flintshire youth council	N/A	N/A	1 (completed)

Tudalen 91

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**5** = No significant change

**2018/19 Theme: Learning Council**

**2019/20 Theme: Learning Council**

Priority	2018/19 “What we will do”	Subject / Topic	2019/20 Priority	2019/20 Sub Priority (and page number)	Key
	authority are involved in the evaluation and delivery of services that impact on them				
	N/A	N/A	Education and Skills	Post 16 Transport Policy (p18)	3

Tudalen 92

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## 2018/19 Theme: Green Council

## 2019/20 Theme: Green Council

Priority	2018/19 “What we will do”	Subject / Topic	2019/20 Priority	2019/20 Sub Priority (and page number)	Key
<b>Sustainable Development and Environmental Management</b>	Improving, protecting and enhancing the built environment	Local Heritage	N/A	N/A	1 ( <i>Completed Actions – now business as usual</i> )
	Managing our natural environment and accessible green space networks to deliver health, well-being and resilience goals.	Natural Environment	Sustainable Development and Environmental Management	Natural Environment (p20)	2
	Maximising the potential of Council assets for energy efficiency: control/reduction of Council energy consumption and thereby cost.	Energy Efficiency	Sustainable Development and Environmental Management	Carbon Footprint (p19)	2
	Maximising the recovery and recycling of waste with a view to reducing the reliance on landfill.	Waste & Recycling	Sustainable Development and Environmental Management	Affordable and sustainable collection and treatment services for recyclable, compostable and residual waste (p19)	2
	Strengthening regional air quality collaboration to help promote better health and well-being outcomes.	Air Quality	Sustainable Development and Environmental Management	Natural Environment (p20)	2
	Publication of the Deposit version of the Local Development Plan preferred strategy.	Local Development Plan	Business Sector Growth and Regeneration	Production of the Local Development Plan (LDP) (p21)	2, 4
			Sustainable Development and Environmental Management	Local Development Plan (LDP) (p21)	2

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## 2018/19 Theme: Green Council

## 2019/20 Theme: Green Council

Priority	2018/19 "What we will do"	Subject / Topic	2019/20 Priority	2019/20 Sub Priority (and page number)	Key
<b>Safe and sustainable Travel Services</b>	Accessing and using available grant funding to support Council priorities for accessing employment, health, leisure and education.	Accessibility	Safe and sustainable Travel Services	Alternative local transport arrangements (p21)  Active Travel (p22)	2
	Prioritising the Council's road infrastructure for repairs and maintenance and implement programmes of work within available funding in order to improve the resilience, efficiency and reliability of the transport network.	Highway Condition	Safe and sustainable Travel Services	Highway Network (p22)	2
	Supporting isolated communities to develop innovative and sustainable area based transport schemes.	Transport Schemes	Safe and sustainable Travel Services	Alternative Local Transport Arrangements (p21)  Core Bus Network (p21)	2
	Delivering a compliant, safe and integrated transport service.	Transport Service compliance	N/A	N/A	1 ( <i>now business as usual</i> )

Tudalen 94

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- 5 = No significant change

**2018/19 Theme: Connected Council**

**2019/20 Theme: Connected Council**

Tudalen 95

Priority	2018/19 “What we will do”	Subject / Topic	2019/20 Priority	2019/20 Sub Priority (and page number)	Key
<b>Resilient Communities</b>	Build stronger social enterprises with the sector itself leading development of the sector.	Social Enterprises	Business Sector Growth and Regeneration	Social Enterprises (p13)	2, 4
	Grow the capacity of the social enterprise sector and Alternative Delivery Models (ADMs) to become more self-sustaining.	Alternative Delivery Models	Resilient Communities	Social Value (p23)	2
	Ensuring and delivering community benefits.	Social Value – Previously Community Benefits	Resilient Communities	Social Value (p23)	2
	Enabling the third sector to maximise their contribution towards developing community resilience	Community Resilience	Resilient Communities	Social Value (p23) Community Resilience (p23)	2 2
	Ensure that the Council maximises its contribution to achieving the priorities of the Public Services Board’s Well-being Plan	Well-being Plan	N/A	N/A	1 ( <i>now business as usual</i> )
	Ensure our Armed Forces Community and their families are not disadvantaged when accessing Council Services.	Armed Forces	N/A	N/A	1 ( <i>now business as usual</i> )
	N/A	N/A	Resilient Communities	Community Health (p23)	3
	N/A	Contact Centre	Customer Journey	Single Integrated Contact Centre (p24)	4

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## 2018/19 Theme: Serving Council

## 2019/20 Theme: Serving Council

Tudalen 96

Priority	2018/19 "What we will do"	Subject / Topic	2019/20 Priority	2019/20 Sub Priority (and page number)	Key
<b>Effective Resource Management – Workforce</b>	Develop and implement a renewed five year financial plan that reflects anticipated funding, costs and efficiencies to support strategic decision making over the life of the Council.	Financial Plan	Effective Resource Management – Finance / Assets	Sustainable Annual Budgeting (p26)	2
	Through the People Strategy we aim to operate effectively as a smaller organisation.	People Strategy	Effective Resource Management – HR and OD	People Strategy (p25)	2
	Delivery of key annualised objectives from the Digital Strategy and Customer Strategies.	Strategies – Digital & Customer	Effective Resource Management – Digital	Digital Strategy (p28)	2
				Customer Journey	Customer Strategy (p24)
	Delivery of key annualised objectives from the Capital and Asset Management Strategy.	Capital and Asset Management Strategy	Investing in our Communities	Theatre Capital Plan (p14) Future of County Hall Campus / Civic Estate (p14) Capital Education Programmes / 21 <sup>st</sup> Century Schools / Welsh Medium Capital Investment (p15) Sustainable and modern archive services (p15) New pupil referral unit – Plas Derwen (p16)	Theatre (3) Campus / Civic Estate (2) Capital Education Programmes (2) Archive Services (3) Plas Derwen (3)
	Maximising the generation of the Council's income streams	Income Generation	Effective Resource Management – Finance / Assets	Income and Concessions / Commercialisation (p27)	2

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**5** = No significant change



**2018/19 Theme: Serving Council**

**2019/20 Theme: Serving Council**

<b>Priority</b>	<b>2018/19 “What we will do”</b>	<b>Subject / Topic</b>	<b>2019/20 Priority</b>	<b>2019/20 Sub Priority (and page number)</b>	<b>Key</b>
Tudalen 97	Adopting the Ethical Code for the Procurement of Supply Chains	Procurement	N/A	N/A	1 <i>(completed)</i>
	Delivering the highest possible standards of Information Security	Information Security	N/A	N/A	1 <i>(completed)</i>
	N/A	N/A	Effective Resource Management – HR and OD	Sustainable Pay Policy (p25)	3
	N/A	N/A	Effective Resource Management – HR and OD	Health and Well-being Workforce Plan	3
	N/A	N/A	Effective Resource Management – Finance / Assets	Housing Revenue Account Business Plan (p26)	3
	N/A	N/A	Effective Resource Management – Collaboration	Collaboration – Best Use of Resources (p27)	3

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2018/19 Theme: N/A		2019/20 Theme: Safe and Clean Council (New Theme)			
Priority	2018/19 “What we will do”	Subject / Topic	2019/20 Priority	2019/20 Sub Priority (and page number)	Key
	<b>Supportive Council / Safeguarding</b> Identify and address the signs and symptoms of domestic abuse and sexual violence. Strengthen regional community safety through collaboration and partnership arrangements	Community Safety	Safe and Clean Communities	Community Safeguarding	2, 4
	<b>Supportive Council / Safeguarding</b> All Council portfolios to understand and act on their responsibilities to address safeguarding.	Safeguarding	Safe and Clean Communities	Corporate Safeguarding	2, 4
	N/A	N/A	Safe and Clean Communities	Public Protection (Food Safety and Standards)	3
	N/A	N/A	Safe and Clean Communities	Streetscene and Transportation Standards	3
	N/A	N/A	Safe and Clean Communities	Environmental Improvement and Enforcement	3

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# Eitem ar gyfer y Rhaglen 11



## FLINTSHIRE COUNTY COUNCIL

<b>Date of Meeting</b>	Tuesday 18 <sup>th</sup> June 2019
<b>Report Subject</b>	The Council's Planning Code of Practice
<b>Report Author</b>	Deputy Monitoring Officer

### **EXECUTIVE SUMMARY**

The Council's Planning Code of Practice (PCP) forms part of the Council's Constitution and covers a wide range of matters relating to the Council's planning functions. As part of the Standards Committee's role to review the operation of the Members' Code of Conduct and to promote and maintain high standards of conduct by Councillors, the PCP was taken to that Committee to ensure that it provides appropriate and clear advice to Members in respect of their conduct as it relates to planning matters, and to recommend revision to the PCP where it can be improved in this regard. The Standard's Committee recommended some amendments to the PCP as detailed in this report and as shown in tracked changes to the PCP in the appendix to this report. Those amendments were endorsed by the Constitution Committee who recommended the PCP, as amended, be adopted by the Council.

### **RECOMMENDATIONS**

1	That the PCP is fit for purpose regarding the advice relating to the Members' Code of Conduct, the Protocol on Officer/Member relations, and the procedural advice relating to planning matters, subject to the proposed amendments referred to in paragraph 1.05 of this report and the other amendments shown in tracked changes in the appendix to this report.
2	That the amended PCP (with the amendments referred to at recommendation 1 above) be adopted by the Council.

### **REPORT DETAILS**

1.00	BACKGROUND
1.01	<p>The PCP covers a wide range of matters relating to planning applications and other planning issues, including providing advice to Councillors on how to best ensure that their involvement in such matters is in accordance with the Members' Code of Conduct and the Protocol on Officer/Member relations.</p>
1.02	<p>As set out at paragraph 1.2 of the PCP, the PCP is supplementary to the Members' and Officers' respective Codes of Conduct and the Protocol on Officer/Member relations, and these aspects of the PCP were reviewed by the Standards Committee to make sure it is fit for purpose in this regard. The PCP should provide clear advice to Members on how to deal with planning issues in accordance with the Members' Code of Conduct and the Protocol on Officer/Member relations.</p>
1.03	<p>The main areas of the PCP that relate to these matters are Part 2 (Role of Members and Officers), Part 4 (Registration and declaration of Interests), Part 5 (Lobbying) and Part 6 (Applications Submitted by Members and officers). However, the advice relating to the Members' Code of Conduct also pervade the PCP. For example, Part 9 of the PCP relates to Site Visits and at paragraph 9.3.2 the PCP states "Any Member with a personal and prejudicial interest must not take part in the site visit".</p>
1.04	<p>The PCP is a clear document which gives detailed advice on personal and prejudicial interests and other rules contained in the Members' Code of Conduct, such as avoiding the perception of predetermination in respect of planning applications, including how to deal with both representations received directly from applicants or objectors to a development proposal. In terms of the Protocol on Officer/Member relations the PCP provides clear advice in this regard, including advice on the respective roles of Officers and Members. For example, at paragraph 2.4.4 it is made clear that Members should never put officers under pressure to make a particular recommendation and this advice accords with paragraph 4(d) of the Members' Code of Conduct.</p>
1.05	<p>The Chief Officer of Planning, Environment and Economy, the Executive Member for Planning, Environment and Economy and the Chair of the Council's Planning Committee were asked to provide comments on how, if at all, the PCP may be improved in their view. The main concern that has been raised is that it is not sufficiently clear in the PCP whether or not applications that have some connection with Members' Portfolio as Cabinet Members may give rise to personal or personal and prejudicial interests in respect of planning decisions. As a potential conflict of interests for County Councillors only arise where their interests as a County Councillor coincide with their interests outside of the Council, there would not be a personal interest arising by virtue of a Members' Cabinet position. However, this situation may, in certain circumstances, give rise to a perception of predetermination. In the circumstances, it may be appropriate to add a new paragraph to the PCP to make the position clear in this regard. A proposed additional paragraph for the PCP is shown in tracked changes as a new paragraph 4.7 to the PCP in the appendix to this report. The Standards</p>

1.06	<p>Committee agreed that this paragraph should be added and resolved to recommend the same to the Constitution Committee and the Constitution Committee endorsed the proposed amendment and recommended the amendment be proposed to full Council.</p> <p>In addition to this amendment the Standards Committee also recommended some additional corrections be made, as shown in tracked changes to the PCP in the appendix to this report, and the Constitution Committee resolved to recommend these amendments to full Council. Perhaps the most substantive additional proposed change is that where Members were previously advised, under the PCP, that they “should” or “should not” engage in certain conduct, the Standards Committee considered, and the Constitution Committee agreed, that this advice should be altered to state that Members “must” or “must not” engage in such conduct. The Standards Committee considered, and the Constitution Committee agreed, that this change emphasises the importance of this advice.</p>
1.07	<p>Subject to the above addition and amendments the PCP appears fit for purpose in respect of the advice to Members regarding the Members’ Code of Conduct, the Protocol on Officer/Member relations and the general procedural advice in respect of how planning matters are dealt with by the Council.</p>

<b>2.00</b>	<b>RESOURCE IMPLICATIONS</b>
2.01	N/A

<b>3.00</b>	<b>CONSULTATIONS REQUIRED / CARRIED OUT</b>
3.01	The Chief Officer (Planning, Environment and Economy), Executive Member for Planning Environment and Economy, the Chair of the Planning Committee, the Standards Committee and the Constitution Committee have been consulted on the PCP.

<b>4.00</b>	<b>RISK MANAGEMENT</b>
4.01	N/A

<b>5.00</b>	<b>APPENDICES</b>
5.01	The PCP with proposed amendments shown in tracked changes.

<b>6.00</b>	<b>LIST OF ACCESSIBLE BACKGROUND DOCUMENTS</b>
6.01	Members’ Code of Conduct and the Protocol on Officer/Member relations.

6.02	<b>Contact Officer:</b> Matthew Georgiou, Deputy Monitoring Officer <b>Telephone:</b> 01352 702330 <b>E-mail:</b> <a href="mailto:matthew.georgiou@flintshire.gov.uk">matthew.georgiou@flintshire.gov.uk</a>
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<b>7.00</b>	<b>GLOSSARY OF TERMS</b>
7.01	N/A

## **SECTION 23**

### **23. PLANNING CODE OF PRACTICE**

#### **HOW WE DEAL WITH PLANNING APPLICATIONS AND OTHER PLANNING ISSUES**

##### **CONTENTS**

1. INTRODUCTION
2. ROLE OF MEMBERS AND OFFICERS
  - 2.1 General
  - 2.2 Role of Officers
  - 2.3 Role of Members
  - 2.4 Member / Officer Contact
3. TRAINING
4. REGISTRATION AND DECLARATION OF INTERESTS
  - 4.1 Code of Conduct
  - 4.2 Personal Interests
  - 4.3 Declaration
  - 4.4 Pre-determination
  - 4.5 Register
  - 4.6 Dual Community / Town Council Membership
5. LOBBYING
6. APPLICATIONS SUBMITTED BY MEMBERS AND OFFICERS
7. APPLICATIONS SUBMITTED BY THE COUNCIL
8. PRE-APPLICATION AND ENFORCEMENT DISCUSSIONS
9. PLANNING COMMITTEE SITE VISITS
  - 9.1 Purpose
  - 9.2 Request for a Site Visit
  - 9.3 Format and Conduct at the Site Visit
10. PROCEDURE AT PLANNING & DEVELOPMENT CONTROL COMMITTEE
11. DECISIONS CONTRARY TO OFFICER RECOMMENDATION
12. APPEALS AGAINST COUNCIL DECISIONS

13. PLANNING OBLIGATIONS
14. REGULAR REVIEW OF DECISIONS
15. COMPLAINTS



## 1. **INTRODUCTION**

1.1 The Planning system involves taking decisions about the use and development of land in the wider public interest having regard to the Development Plan, national Planning Guidance and other material considerations. Planning can be contentious because its decisions affect the daily lives of individuals, landowners and developers.

It is important therefore that the process is open and transparent. In other words the system **should must** not only be fair but it **should must** be seen to be fair. The

Nolan Committee's report on Standards in Public Life gave close consideration to these issues and its recommendations feature significantly in the Local Government Association's revised 2002 guidance for Members and Officers in dealing with planning matters. Members are advised to read the LGA guidance as it provides useful background to the Code of Practice.

1.2 This Code of Practice provides guidance to elected Members, officers and developers on the planning process. It is supplementary to the Flintshire Member and Officer Codes of Conduct and the Protocol on Member/officer relations all of which are contained in the Council Constitution.

1.3 Whilst the principles set out in this document apply primarily to the manner in which individual planning applications should be dealt with, they also apply to the decision-making process relating to any aspect of the planning function.

## 2. **ROLE OF MEMBERS AND OFFICERS**

### 2.1 **General**

2.1.1 Members and officers have different but complementary roles. Both serve the public but Members are responsible to the electorate, whilst officers are responsible to the Council as a whole. Officers advise Members and the Council and carry out the Council's work. They are employed by the Council, not individual Members, and Members instructions **may must** only be given to officers through a decision of the Council, its Cabinet or a Committee.

2.1.2 It is important that a good relationship exists between Members and officers and that this is based on mutual trust and understanding of each others positions. This relationship and trust must never be abused or compromised.

### 2.2 **Role of Officers**

2.2.1 The officer's function is to advise and assist Members in the formulation of planning policies, in the determination of planning applications and, deciding whether or not to take enforcement action for breaches of planning control. officers **should must**:-

- Provide impartial and professional advice.
- Make sure that all accurate information necessary for the decision to be made is given.
- Provide a clear and accurate analysis of the issues.
- Set applications and enforcement issues against the broader Development Plan policies and all other material considerations.
- Give a clear recommendation based on the above requirements.
- Carry out the decisions made by Members in committee or through the delegated authority of the Chief Officer, Planning and Environment
- Update Members on new legislation and guidance.
- Provide appropriate training and briefings for Members.

### 2.3 **Role of Members**

2.3.1 The full Council is responsible for setting the Council's formal planning policy framework through the Development Plan(s). As a general principle there is an expectation that Members will uphold the Council's planning policies.

2.3.2 When Members come to make a decision they must:-

- Be clear as to whether or not they have an interest which needs to be declared if not already done so.
- Act fairly and openly.
- Approach each application with an open mind.
- Carefully weigh up all relevant issues.
- Determine each application on its own merits.
- Avoid giving the impression that the Member has made her / his mind up prior to the application being determined.
- Ensure that there are clear and substantial reasons for their decisions, and that those reasons are clearly stated.

2.3.3 Where a planning application relates to a Member's ward the views of the local Member are important to the Chief Officer, Planning & Environment and to the Chair and Members of the Planning and Development Control Committee. Ward Members should not become too closely identified with special interest groups if they wish to vote in the Planning and Development Control Committee. Whilst Members have a responsibility to their constituents their overriding duty is to the whole County and therefore need to consider proposed developments in the interests of the wider community.

2.3.4 Members ~~should~~must not decide how to vote on any application at any formal political group meeting. Political group meetings ~~should~~must never dictate how Members ~~should~~must vote on a planning issue.

### 2.4 **Member / Officer Contact**

2.4.1 The officer / Member relationship is extremely important for good decision making and an effective planning service. The mutual understanding of their respective roles and respect for each other's position is vital for good relations.

2.4.2 In making enquiries regarding individual applications Members should make contact with the Case Officer or Line Manager and make an appointment if necessary. Whilst Members may wish to seek advice or information from the Chief Officer, Planning & Environment or the Development Manager, Members should in the first instance seek information from the Case Officer. Information can be sought and provided by e-mail.

2.4.3 Officers will provide every reasonable help to Members in the carrying out of their duties. Meetings between officers and Members may sometimes be helpful, but are only likely to be of value if prior arrangements have been made. This allows the officer to have all relevant documents available at the meeting. Prior arrangements may be made by telephoning the relevant Officer or the Planning Services Reception staff. Members rooms can be utilised and suitable rooms can be made available by mutual agreement if privacy is required.

2.4.4 It is acknowledged that Members and officers may well have differing views on a proposal but Members ~~should~~**must** on no account interfere with or put pressure on officers to make a particular recommendation.

### 3. **TRAINING**

3.1 All members of the Council are required to have received core planning training covering planning policies, procedures, law and this Code.

3.2 Other training will be arranged by officers in consultation with members in the form of additional sessions, seminars and workshops on topical issues and to keep members up to date on new procedures, advice and guidance.

3.3 Members of the Planning & Development Control Committee (including substitute members) are required at all times between ordinary County Council elections to attend at least 75% of the planning training topics covered during their membership of the Committee.

3.4 Attendance at planning training will be monitored and reported to the Planning Strategy Group who may grant an exception to the requirements of paragraph 3.3 where there is good reason for a member temporarily failing to meet this requirement.

### 4. **REGISTRATION AND DECLARATION OF INTERESTS**

#### 4.1 **Code of Conduct**

4.1.1 Members ~~should~~must follow scrupulously the County Council's **Members' Code of Conduct** in relation to registration and declaration of interests and, if an interest is declared, in deciding whether the Member should participate in the consideration of an application. Not only ~~should~~must impropriety be avoided but also any appearance or grounds for suspicion of improper conduct. If a Member considers he/she may have a personal interest they should consult the Monitoring Officer or a Senior Officer of Legal ~~& Democratic~~ Services for advice on their position ideally in advance of the meeting.

#### 4.2 **Personal Interests**

4.2.1 The principles about the disclosure of interests ~~should~~must be applied, not only to formal meetings, but also to any of a Member's dealings with Council officers, or with other Members. Where a Member has a personal interest, as defined by the Code, it must always be declared. It does not necessarily follow that the Member is debarred from participation in the discussion. The responsibility for declaring an interest lies with the Member, but the Monitoring Officer is there to advise. If there is any doubt in a Member's mind, he / she should seek early advice from the Monitoring Officer or other Senior Officer of Legal ~~& Democratic~~ Services on their position. Members should err on the side of declaring an interest when they are not sure.

4.2.2 Members who have substantial property, professional or other interests relating to the planning function which would prevent them from voting on a regular basis, should avoid serving on the Planning and Development Control Committee.

4.2.3 Where a Local Member has decided he / she has a personal interest making it inappropriate for that Member to be involved in the processing and determination of a planning application in his / her ward such a Member may arrange for another Member to act as local Member instead to represent constituents views. In such a situation the local Member should inform the Monitoring Officer and the Chief Officer, Planning & Environment of the arrangement made and take no further part in the processing and determination of the planning application other than referring any representations or communications received to the Member who is acting as local Member.

#### 4.3 **Declaration**

4.3.1 When declaring an interest at committee, this should be done at the beginning of the meeting. Members should be clear and specific in identifying the item on the agenda in which they have an interest, and the nature of that interest.

#### 4.4 **Predetermination**

4.4.1 A Member has predetermined a planning application where the Member shows (e.g. in local press) he/she has made their mind up on the merits of the

application prior to it being considered at committee. A predisposition is where a Member has an inclination or preliminary view on the merits of the application.

4.4.2. A Member who has predetermined the merits of a planning application in advance of it being considered at committee should not be a Member of the committee that considers that application. A Member of the committee may have a predisposition or a preliminary view. If in doubt a Committee Member should seek advice prior to the Committee meeting from either the Monitoring Officer or the Solicitor who attends committee meetings.

4.4.3 Those Members who do not sit on the Planning & Development Control Committee may predetermine their stance on an application but should respect the fact that Planning Committee Members cannot do the same.

#### 4.5 **Register**

4.5.1 A register of Members' interests is maintained by the Council's Monitoring Officer. It is available for public inspection. Each Member has a responsibility to provide the Monitoring Officer with up to date written details of relevant interests.

#### 4.6 **Dual Community / Town and County Council Membership**

4.6.1 Membership of a Town / Community Council which has expressed a view on a planning matter does not in itself mean that the Member cannot take part in the determination of the matter when it comes before the Planning and Development Control Committee provided that the Member has kept an open mind and not committed himself / herself to a final view on the matter until all the arguments for and against have been aired at committee. The Member can enter into discussion and ask questions, but should make clear that a view in favour or against the proposal is on the basis of knowledge and information known at that time.

4.6.2 Where an application submitted by a Community or Town Council is being considered then a Member of that Council ~~may~~**must** not vote on the proposal to determine the application unless the Member has obtained dispensation from the Standards Committee.

#### 4.7 **Cabinet Members who also sit as members of the Planning Committee**

Where a Member of the Planning Committee is also a Cabinet Member, there are likely to be occasions where an application for planning permission is being considered by the Planning Committee that also relates to a Cabinet Members' Portfolio. For example, there may be a planning application for a new school and the Cabinet Member responsible for Education may also sit as a Member of the Planning Committee. This does not give rise to a personal and prejudicial interest, as the Councillor is acting as a County Councillor both as a Cabinet Member and as a Planning Committee Member. However, it may be the case

[that if the planning application is very closely related to a specific decision made by a Cabinet Member they may be perceived to have predetermined their stance. If a Member is unsure of their position in this regard they should contact the Monitoring Officer or a Senior Officer of Legal Services for advice on their position, ideally in advance of the meeting.](#)

## 5. **LOBBYING**

5.1 Lobbying is a part of the political process and it is quite common for applicants or other interested parties to wish to discuss a proposed development with Members before a planning application is determined. This can help Members' understanding of the issues and concerns associated with an application. Officers should be made aware of any lobbying correspondence Members receive.

5.2 However, Members of the Planning & Development Control Committee are under an obligation to determine matters on their merits. That means that they should not take a firm view on a planning matter before receiving and reading the officer's report or receiving any new information reported to the committee. Whilst Members of the committee may form an initial view or opinion, and indicate their view that an application is contrary to policy, they should not openly declare which way they intend to vote in advance of the Planning and Development Control Committee meeting. To avoid compromising their position before they have received all the relevant information, committee Members are advised that they should:-

- > **Refer** applicants / developers who approach them for planning or procedural advice to the appropriate Planning Officer.
- > **Avoid** making it known in advance whether they support or oppose the proposal.
- > **Avoid** campaigning actively in support of a particular outcome.
- > **Direct** lobbyists or objectors to the appropriate Planning Officer, who will include reference to their opinions where relevant in their report.

5.3 Members should declare at the appropriate part of the committee meeting significant contact with applicants and objectors. Significant contact is where a Member has been contacted on four or more occasions by the applicant or the same objector (either orally or in writing).

5.4 Members must advise the Ward Member as a courtesy in cases where they are seeking to be involved in a development proposal or enforcement issue outside of their own Ward. It is accepted that where a planning application has a significant effect on another ward the Member(s) for that ward is (are) entitled to become involved in the development proposal.

5.5 Members of the Planning & Development Control Committee must avoid organising support for or against a planning application. Where such a Member does organise support for or against a planning application then that

Member must ~~not sit as a member of stand down from~~ the Planning and Development Control Committee on such a planning application. Where a Member is in doubt about such issues the Member should seek advice from the Monitoring Officer or other Senior Officer in Legal & Democratic Services ideally in advance of the meeting.

5.6 If a Planning & Development Control Committee Member expresses support for, or opposition to, a proposal before the matter is formally considered at the relevant meeting, whether or not there has been lobbying, he / she could have some difficulty in being able to claim to retain an open mind on the issue and to be prepared to determine the application on its merits. If such a Member does express an opinion, then it should make it clear that it is a preliminary opinion and that he / she will only be in a position to take a final decision when all the evidence and arguments have been considered.

5.7 Where a member of the committee has not complied with 5.2, 5.5 or 5.6 above and has predetermined the merits of the application, they must not participate in the decision making on that application.

## 6. **APPLICATIONS SUBMITTED BY MEMBERS AND OFFICERS**

6.1 Planning applications submitted by or on behalf of Members, or officers involved in the planning application process, or the close relatives\* of Members or such officers where the officer or Member knows of the application shall be decided by the Planning and Development Control Committee and not by the Chief Officer, Planning & Environment under delegated powers.

[\* Close relative is defined as spouse, partner, parent, child or sibling].

6.2 A Member affected by clause 6.1 shall declare the personal and prejudicial interest at any meeting of the Planning and Development Control Committee to determine the application, take no part in the decision and leave the meeting place unless granted a dispensation by the Standards Committee.

6.3 The affected officer shall take no part in the processing of the application and its determination.

## 7. **APPLICATIONS SUBMITTED BY THE COUNCIL**

7.1 It is important that the Council is seen to be treating applications for its own development (or a development involving the Council and another party) on an equal footing with all other applications as well as actually doing so.

7.2 Subject to any legislative restrictions all such proposals will be subject to the same administration processes, including consultation, as private applications with

consideration being made in accordance with policy and any other material planning considerations.

## 8. **PRE-APPLICATION AND ENFORCEMENT DISCUSSIONS**

8.1 Pre-application meetings between officers and potential applicants and negotiations regarding breaches of planning control are encouraged. The aim of such meetings is to ensure beneficial development and to resolve matters that might otherwise lead to the refusal of planning permission. Such discussions will normally take place at officer level and Members should refer requests for such advice to the officers. If Members become involved in such discussions they should make it clear that their views are personal and provisional. To avoid such meetings being misunderstood:-

- > **It will be made clear** prior to and at such meetings that only personal and provisional views based upon the Development Plan and other material considerations can be given and no commitments can be made which would bind or otherwise compromise the Planning & Development Control Committee or any member of the committee.
- > **A note** of the discussion will be taken and placed on file and made available for public inspection once an application has been made.
- > **Where** exceptionally meetings are to involve Members the meetings will be arranged by and attended by officers.

## 9. **PLANNING COMMITTEE SITE VISITS**

### 9.1 **Purpose**

9.1.1 Planning and Development Control Committee site visits are not meetings where decisions are made and neither are they public meetings. They are essentially fact finding exercises held for the benefit of Members where a proposed development may be difficult to visualise from the plans and supporting material. They may be necessary for careful consideration of relationships to adjoining property or the general character of the area due to the scale or design of the development.

### 9.2 **Request for a Site Visit**

9.2.1 A request for a site visit is normally made by the local Ward Member in response to being consulted on the proposed development. The request must be in writing (e.g. e-mail) and should clearly indicate the planning reasons for the visit which will appear on the agenda for site visits. Site visits can be costly and cause delay so it is important that they are only held where necessary and prior to committee. Site visits are held pursuant to a decision of the Chair of the Planning and Development Control Committee or pursuant to a request from a local Member including another Ward Member consulted because the application significantly affects the other ward. All local Members will be advised when a site visit has been arranged.



9.2.2 Examples where a site visit would not normally be appropriate include where;

- purely policy matters or issues of principle are at issue
- the Member wishes to consider boundary or neighbour disputes
- issues of competition
- loss of property values
- any other issues which are not material planning considerations
- where Members have already visited the site within the last 12 months, except in exceptional circumstances

Where no planning reason is given for the site visit or the reason for the site visit is any of the above the Chair should not convene the site visit.

### 9.3 **Format and Conduct at the Site Visit**

9.3.1 Members of the Planning and Development Control Committee and the Local Ward Member(s) will be notified in advance of any visit. Such visits are not formal meetings of the Committee and there is no right of public attendance at the visit itself. If the public in lobbying Members on their way to or from a site visit seek to present documentation they should be advised to send it to the Planning Department instead

9.3.2 Advance notice of the site visit will also be sent to the applicant or agent requesting that access to the site for Members/officers be provided at the specified time/date and pointing out that the applicant/agent will not be allowed to participate in the site visit. Any Member with a personal and prejudicial interest must not take part in the site visit.

9.3.3 The Chair will invite the Planning Officer to briefly outline the proposal and point out the key issues raised by the application and of any vantage points from which the site should be viewed then the local ward Member will be invited to speak, followed by other Members of the Committee who may ask questions and seek clarification from officers who will respond. Any statement or discussion concerning the principles and policies applicable to the development should not be allowed by the Chairman.

9.3.4 Although site visits are not part of the formal committee consideration of the application, the Code of Conduct still applies to site visits and Members ~~should~~must have regard to the guidance on declarations of personal interest.

9.3.5 A file record will be kept of those attending the site visit, together with a brief note of any points raised.

9.3.6 For the avoidance of doubt references in this section to Local Member(s) includes adjacent ward Members where the application significantly affects their ward.

9.3.7 Occasionally the applicant/agent/owner of the site to be visited may not permit Members and officers onto the site. There may be good reason for this, for example, if someone was injured they could have a claim against the landowner. Where access is refused to one or more of the elected Members, the Chairman will be advised that none of the Members and officers should enter onto the land. In such circumstances the site should be viewed from the nearest public land such as the public highway.

9.3.8. In summary site visits are:- >

**Fact** finding exercise.

- > **Not part** of the formal committee meeting and therefore public rights of attendance do not apply.
- > **To enable** officers to point out relevant features.
- > **To enable** questions to be asked on site for clarification. However, discussions on the application will only take place at the subsequent committee.

## 10. PROCEDURE AT PLANNING & DEVELOPMENT CONTROL COMMITTEE

10.1 The majority of planning applications are determined by the Chief Officer, Planning & Environment under the Council's delegation scheme. This is necessary to ensure that most decisions are made in a timely manner. Whilst Members have a right to request that applications, affecting their ward be determined by the Planning and Development Control Committee such requests should be justified by clearly identifying in writing why a committee decision is required. This is generally done on the return notification form sent out to Members.

10.2 Officers will produce written reports on all planning applications reported to committee. In respect of each proposal the report will include, amongst other matters;

- description of the proposal
- description of the site
- responses to consultations and officer observations thereon.
- summary of objections and / or support received
- relevant site history
- relevant Development Plan policies
- relevant planning guidance where appropriate
- any other material planning consideration
- an appraisal by the Case Officer which will include the relevant views of other consulted officers within the Planning Division
- a clear recommendation
- brief details of the substance of any conditions to be imposed or;
- full details of reasons for refusal.

- 10.3 Late observations received by 5.00 p.m. the day before a committee meeting will be summarised and reported separately and circulated to Members immediately prior to the start of the meeting.
- 10.4 The Planning Officer will briefly introduce each item highlighting the key issues for Members consideration.
- 10.5 Where an application is being reported to committee, the Chair will allow oral representations to be made in accordance with the protocol on public speaking prior to the committee debating the application.
- 10.6 Where a Member seeks and obtains a majority for a deferment for a specific purpose then there will be no further debate on that matter until such time as the proposal is re-presented.
- 10.7 Members who read out at committee, or refer to, communications they have received should provide an advance copy to officers

11. **DECISIONS CONTRARY TO OFFICER RECOMMENDATION**

- 11.1 From time to time members of the Planning & Development Control Committee will disagree with the professional advice given by the Chief Officer, Planning & Environment. The committee's decisions must be in accordance with the provisions of the Development Plan unless material considerations indicate otherwise. If Members propose to make a decision contrary to the officer recommendation (whether for approval or refusal), the proposer should set out clearly the reasons for doing so. The Chairperson will ensure that the officer is given the opportunity to explain the implications of the contrary decision, before a vote is taken.
- 11.2 In cases where the Planning and Development Control Committee decides for good and valid reasons to depart from the Chief Officer, Planning & Environment recommendation, the committee must always define the reasons for rejecting the officer's recommendation and those reasons must be recorded in the minutes of the meeting.
- 11.3 In the case of conditions which the committee has resolved to add or amend the precise wording is delegated to the Chief Officer, Planning & Environment and, if appropriate, in consultation with the Chair of committee.
- 11.4 In cases of refusal the reasons shall be clearly stated and agreed by Members. There may be occasions when officers need to clarify the reasons for refusal either at the meeting itself or by a report to a subsequent meeting.
- 11.5 A legal advisor present at the committee meeting may subsequently prevent a decision notice being issued until a report by the Chief Officer Governance has

been considered at the subsequent committee meeting. The reason for this report may be concerns of a legal nature or that at the committee meeting the Chief Officer, Planning and Environment indicated the proposed decision represents a significant departure from planning policy and the legal officer subsequently agreed.

## **12. PLANNING APPEALS**

- 12.1 There are a wide variety of different factual situations relating to appeals. There can be appeals against non determination or against a refusal made under officers' delegated powers or by the Planning & Development Control Committee, either in accordance with the officer recommendation or contrary to the officer recommendation. Appeals can be heard by way of written representations, informal hearing or at an inquiry. The appeal may relate to a major or a minor planning proposal, a development that has attracted a lot of interest from Members and the public or a proposal that is of limited interest. Because of the range of circumstances, the way the Council responds to an appeal will be individual to the circumstances of that appeal. The following principles will guide the Council's response to each specific appeal.
- 12.2 The Council recognises the importance of complying with the timescales within the appeal process as a failure to meet these timescales can lead to an award of costs against the Council.
- 12.3 The Council will adopt a team approach to appeals whereby Members and officers work together in the best interest of the Council, irrespective of how the decision appealed against was arrived at.
- 12.4 The decision whether an appeal is determined by way of written representations, informal hearing or public inquiry is a matter for the Planning Inspectorate but the Council is given the opportunity of making representations as to the appropriate format. The Chief Officer, Planning & Environment will make representations on behalf of the Council as to its preferred format where possible following consultation with the local Member(s).
- 12.5 In the case of Informal Hearings and inquiries, the Chief Officer, Planning & Environment will determine who shall present the case on behalf of the Council following consultation with the Chair and Vice Chair of the Planning and Development Control Committee.
- 12.6 Where the decision appealed against was made by officers under delegated powers or was pursuant to an officer recommendation, the case will normally be presented by the Council's officers.

12.7 Where the decision was made by Members contrary to officer recommendation, attendance by one or more Members would assist the Council's case and relevant Members will be approached by the Chief Officer, Planning & Environment to ascertain their availability. Officers will assist any such Member in preparing for the appeal.

12.8 External legal representation and/or consultants will be engaged where the Chief Officer, Planning & Environment, following consultation with the Local

Member(s) and the Chair and Vice Chair of the Planning and Development Control Committee, believes this to be appropriate in all the circumstances. One relevant circumstance is the need for Planning Officers who are members of The Royal Town Planning Institute to comply with its Code of Professional Conduct and not make statements purporting to be their own which are contrary to their bona fide professional opinion.

### 13. **PLANNING OBLIGATIONS**

13.1 The Planning and Development Control Committee may, when considering the merits of an individual planning application, consider any planning obligation which has been raised with the applicant or agent but should form a view solely on the basis of the contents of the application and should take into account offered planning obligations only to the extent that they are necessary to make a proposal acceptable in land use planning terms.

13.2 Members should avoid becoming involved in discussions with applicants, prospective applicants, their agents, landowners or other interested parties regarding benefits, which may be offered to the Council, or benefits which the Council itself wishes to obtain.

### 14. **REGULAR REVIEW OF DECISIONS**

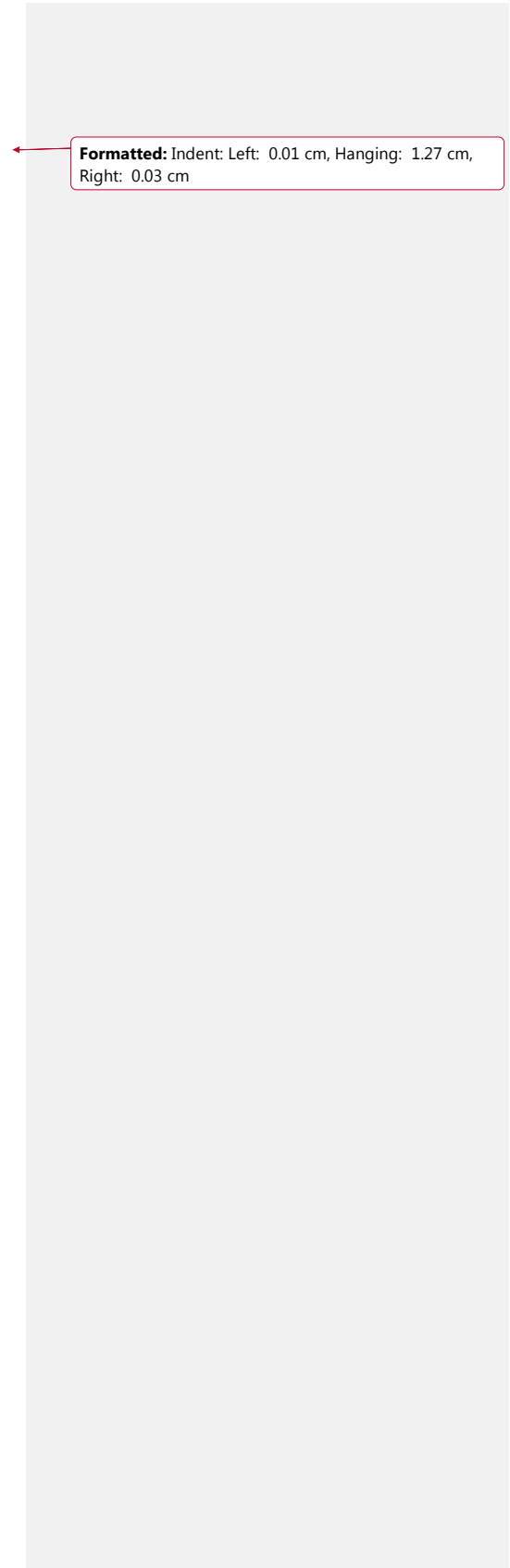
14.1 As part of the aim to continually improve the quality of planning decisions Members will have the opportunity to revisit a sample of implemented planning decisions. Such reviews will be a positive step to improve the quality and consistency of decision-making, not only strengthening public confidence in the planning system but also assist with the review of planning policy.

14.2 Such a review will take place annually and briefing notes will be prepared for each case. The Planning Strategy Group will formally consider the review and decide whether it gives rise to the need to reconsider any policies or practices.

### 15. **COMPLAINTS**

15.1 Any issues or concern arising from this Code of Practice can be raised with the Chairperson of the Planning and Development Control Committee, the Monitoring Officer, the Chief Officer, Planning & Environment or the Legal Officer present at committee. (The Council also has a formal complaints system in operation, which can be used if necessary).

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# Eitem ar gyfer y Rhaglen 12

## FLINTSHIRE COUNTY COUNCIL

<b>Date of Meeting</b>	Tuesday, 18 June 2019
<b>Report Subject</b>	Review of Political Balance
<b>Report Author</b>	Chief Officer (Governance)

### EXECUTIVE SUMMARY

The Council is required under the Political Balance Rules contained in the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990 (as amended) to review the Council's political balance calculations following the formation of the Flintshire Independents by four Members of the New Independent group and one Member changing political group.

### RECOMMENDATIONS

1	That seats on committees be allocated in accordance with political balance as shown in appendix A.
2	That any changes to nominees for committee places be notified to the Democratic Services Manager as soon as possible.

### REPORT DETAILS

<b>1.00</b>	<b>CALCULATION OF POLITICAL BALANCE</b>
1.01	The Council is required, as soon as practicable, after a change in the composition of political groups to recalculate political balance in accordance with the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990. As a new political group – the Flintshire Independents- was formed on 17th May 2019, and one Member moved political group on 5 <sup>th</sup> June, it is necessary to review the political balance calculations.
1.02	The basis of the statutory requirement is that Committee seats should be allocated to political groups (so far as is practicable) in the same proportion as those groups have to the total membership of the County Council.

	<p>The allocation of seats on Committees to the political groups must recognise that:-</p> <p>(i) There must be no Committees whereby only one group has all the seats;</p> <p>(ii) Where there is a majority group it is entitled to a majority upon every Committee. (This does not apply where the largest group does not have an overall majority);</p> <p>(iii) The total number of seats allocated to each political group should be (in so far as is practicable) in the same proportion as those groups' strengths upon the full Council;</p> <p>(iv) Each Committee should (so far as is practicable) have the same proportional division between political groups as is represented upon the full Council.</p> <p>Thus if a group holds 25% of the total number of Councillors it should have:</p> <ol style="list-style-type: none"> <li>1) 25% of the overall number of seats on the Council; and</li> <li>2) 25% seats on each Committee.</li> </ol> <p>These rules are applied in hierarchical order so it is more important to allocate the correct number of seats overall than it is to allocate the correct number of seats on a particular committee.</p> <p>NB: Under the legislation these rules do not apply to either the Cabinet or the Standards Committee.</p>
1.03	The political balance calculation is attached as Appendix A. This is one possible lawful allocation seats and other possible lawful allocations may exist.
1.04	At the Annual Meeting, Council determined which political groups would nominate Overview and Scrutiny Committee chairs for the municipal year. For the avoidance of doubt, a review of the allocation of such chairs would only be reviewed if a group were to be given seats on the Cabinet (where it did not have any before). A review is not triggered by a change in size of political groups nor by the formation of a new political group.

<b>2.00</b>	<b>RESOURCE IMPLICATIONS</b>
2.01	None as a result of this report.

<b>3.00</b>	<b>CONSULTATIONS REQUIRED / CARRIED OUT</b>
3.01	Group leaders and deputies were consulted on the political balance calculation by email.

<b>4.00</b>	<b>RISK MANAGEMENT</b>
4.01	None as a result of this report.

<b>5.00</b>	<b>APPENDICES</b>
5.01	Appendix A – Political Balance table 19th June 2019

<b>6.00</b>	<b>LIST OF ACCESSIBLE BACKGROUND DOCUMENTS</b>
6.01	<p>None.</p> <p><b>Contact Officer:</b> Robert Robins, Democratic Services Manager  <b>Telephone:</b> 01352 702320  <b>E-mail:</b> <a href="mailto:Robert.robins@flintshire.gov.uk">Robert.robins@flintshire.gov.uk</a></p>

<b>7.00</b>	<b>GLOSSARY OF TERMS</b>
7.01	None.

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Political Balance June 2019 V3

TABLE 1

	Labour	Independent Alliance	Conservatives	Liberal Democrats	New Independents	Flintshire Independents	Independents	Total Council	Cross check
No. of councillors	34	13	6	6	4	4	3	70	70
% of entitlement	48.57%	18.57%	8.57%	8.57%	5.71%	5.71%	4.29%	Total	179.00
Notional entitlement	86.94	33.24	15.34	15.34	10.23	10.23	7.67	Seats	179.00
Allocation of seats	87	34	15	15	10	10	8		
Community and Enterprise OSC	8	3	1	1	1	1	0	15	15.00
Corporate Resources OSC	7	3	1	1	1	1	1	15	15.00
Education and Youth OSC	7	3	1	2	1	1	0	15	15.00
Environment OSC	8	3	1	1	1	1	0	15	15.00
Organisational Change OSC	8	2	1	1	1	1	1	15	15.00
Social Services and Health OSC	8	3	1	1	0	1	1	15	15.00
Planning	10	4	2	2	1	1	1	21	21.00
Licensing	6	3	1	1	0	0	1	12	12.00
Audit	3	1	1	1	1	0	0	7	7.00
Constitution and Democratic	11	4	2	1	1	1	1	21	21.00
Pensions	2	1	1	1	0	0	0	5	5.00
Joint Pensions	1	0	0	0	0	0	0	1	1.00
Grievance Committee	4	2	1	1	1	1	1	11	11.00
Investigation and Disciplinary	4	2	1	1	1	1	1	11	11.00
Total to Group	87	34	15	15	10	10	8	179	179

If the allocations come to a total that is too high/low then the numbers along the bottom/on the right change colour

TABLE 2

	Labour	Independent Alliance	Conservatives	Liberal Democrats	New Independents	Flintshire Independents	Independents
Scrutiny chairs							
National	2.91	1.11	0.51	0.51	0.34	0.34	0.26
Actual	2	1	1	1	1		0
	Round Down				Round Up		

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# Eitem ar gyfer y Rhaglen 13



## FLINTSHIRE COUNTY COUNCIL

<b>Date of Meeting</b>	Tuesday, 18 June 2019
<b>Report Subject</b>	Schedule of Remuneration for 2019/20
<b>Report Author</b>	Chief Officer (Governance)

### EXECUTIVE SUMMARY

Each year, the Council is required to produce a Schedule of Remuneration for elected and co-opted members. Now that all appointments have been made to 'senior salary posts', the Schedule of Remuneration for 2019/20, which must be published before 31<sup>st</sup> July 2019 has been completed and is attached for formal approval.

There are co-optee nomination vacancies for the Audit Committee, the Standards Committee and the Education & Youth Overview & Scrutiny Committee: the Council is requested to authorise the Democratic Services Manager to add the names to the schedule when appointed and before publication.

This report also deals with an issue relating to the payment of co-opted Members of the Clwyd Pension Fund Committee.

### RECOMMENDATIONS

1	That the completed Schedule of Remuneration for 2019/20 as attached be approved for publication.
2	That the Democratic Services Manager be authorised to add the names of co-opted members who fill the vacancies on the Audit Committee, Standards Committee and the Education & Youth Overview & Scrutiny Committee.
3	That the cessation of co-optee payments to the Clwyd Pension Fund Committee from the start of the 2019/20 municipal year be noted.

## REPORT DETAILS

<b>1.00</b>	<b>EXPLAINING THE SCHEDULE OF REMUNERATION AND MEMBER PAYMENTS</b>
1.01	As reported at the 28 <sup>th</sup> February meeting, the Independent Remuneration Panel for Wales (IRPW) issued its Annual Report for 2018/19 in February. That report determines what payments can and must be made to both elected and co-opted members for 2019/20.
1.02	For 2019/20, the IRPW has increased the basic salary from £13,600 to £13,868, an increase of £268 or 1.97%. For Cabinet Members, the IRPW has increased the senior salary payable by £800 (effectively £532 in addition to the basic £268). Some Members have decided not to accept the increases this year.
1.03	Council must publish the payments it will make during the municipal year 19/20 in a schedule of remuneration. That schedule is attached at Appendix 1.
1.04	Now that all appointments to senior salary posts have been made, the completed schedule is submitted to Council for approval before formal publication, which is by 31 <sup>st</sup> July 2019.
1.05	There is still a vacancy for a parent governor co-optee on the Education & Youth Overview & Scrutiny Committee. If a parent governor is elected to fill the vacancy, the schedule will need to be amended. Therefore, delegated authority is sought for the Democratic Services Manager to make such a change.
1.06	At the Annual Meeting of Council, the recommendation from the Audit Committee that a second lay Member be co-opted was agreed. Following an appointment process, the second lay member will join the Audit committee. Therefore, the schedule will need to be amended to include the name of the co-opted person. On that basis, delegated authority is sought for the Democratic Services Manager to make such a change.
1.07	Council has previously agreed on the reappointment of a Standards Committee member who was eligible for a further term. In addition, it was agreed that one vacancy be advertised. When an appointment has been made to that vacant position, the schedule will need to be amended to include the name of the co-opted person. On that basis, delegated authority is sought for the Democratic Services Manager to make such a change.
1.08	In December 2017, Council resolved to make a payment, which is equivalent to a committee chair senior salary, to the Chair of the Clwyd Pension Fund. This is in recognition of the joint role chairing the Clwyd Pension Fund Committee and membership of the Wales Pension Partnership Joint Governance Committee. This payment of £8,700 is outside the remit of the IRPW, which is why it is shown as a note on the template schedule. It will also be shown in the schedule of all payments



	made to Members from public bodies for the last financial year which will be published in September.
1.09	When arrangements were being made to set up the current Clwyd Pension Fund Committee in 2014, guidance was given that the four co-opted members of the committee (one each from Denbighshire County Council and Wrexham County Borough Council, one from another scheme employer (mainly community /town councils or educational establishments) would be entitled to an allowance of £99 per half day meeting.
1.10	Recent discussions with other Pension Funds in Wales have revealed that they do not make payments to co-optees to their respective Committee on the basis that they already in a councillor role which is remunerated. The Pension Fund regulations, which have been revisited, make no provision for such payments.
1.11	Subsequently, the Democratic Services Manager has been in dialogue with the IRPW. The IRPW was formed and their terms of reference set before changes to the Pension Fund regulations required Funds to set up committees. The IRPW has no jurisdiction for Pension Fund Committees. However, recognising their knowledge of member payments, they were asked for an opinion. Their advice is that notwithstanding that Pensions Funds are outside their remit they could not see any justification for such payments to co-optees who are serving members of a principal council.
1.12	Therefore, co-optee payments will need to be discontinued. The co-optees have been informed of this.

<b>2.00</b>	<b>RESOURCE IMPLICATIONS</b>
2.01	The amounts paid to Members in salaries has been budgeted for on the basis of the proposals in the draft IRPW report which was published in October 2018.

<b>3.00</b>	<b>CONSULTATIONS REQUIRED / CARRIED OUT</b>
3.01	The Council was consulted on the IRPW reports at previous meetings.

<b>4.00</b>	<b>RISK MANAGEMENT</b>
4.01	No risk management issues have been identified during the preparation of this report.

<b>5.00</b>	<b>APPENDICES</b>
5.01	Schedule of Member Payments for 2091/20

<b>6.00</b>	<b>LIST OF ACCESSIBLE BACKGROUND DOCUMENTS</b>
6.01	<p>1. Constitution Committee, 26th March 2014, Report of the Head of Finance (as Treasurer and Administrator to the Fund) <i>Clwyd Pension Fund Governance</i> and resultant minute.</p> <p>2. Council, 30<sup>th</sup> April 2014, Report of the Head of Legal &amp; Democratic services: <i>Clwyd Pension Fund Governance</i> and resultant minute.</p> <p>3. Council, December 12<sup>th</sup> 2017 Report of the Chief Officer (Governance): <i>Recommendations of the Clwyd Pension Fund</i> and resultant minute no 78.</p> <p>4. Council, 28<sup>th</sup> March, Report of the Chief Officer (Governance): <i>Annual Report of the Independent Remuneration Panel for Wales (IRPW) for 2019</i> and resultant minute.</p> <p><b>Contact Officer:</b> Robert Robins, Democratic Services Manager  <b>Telephone:</b> 01352 702320  <b>E-mail:</b> <a href="mailto:Robert.robins@flintshire.gov.uk">Robert.robins@flintshire.gov.uk</a></p>

<b>7.00</b>	<b>GLOSSARY OF TERMS</b>
7.01	<p>IRPW- Independent Remuneration Panel for Wales</p> <p>CPF- Clwyd Pension Fund</p>

## FLINTSHIRE COUNTY COUNCIL

### MEMBERS' SCHEDULE OF REMUNERATION

This Scheme is made under the Local Government (Wales) Measure 2011 with regard to Independent Remuneration Panel for Wales (IRPW) Regulations which apply to payments made to members and co-opted members of local authorities.

#### 1. Basic Salary

- 1.1 A Basic Salary shall be paid to each elected Member of the Authority.
- 1.2 In accordance with the Regulations, the rate of the Basic Salary shall be reviewed annually as determined by the Independent Remuneration Panel for Wales.
- 1.3 Where the term of office of a Member begins or ends other than at the beginning or end of a year, their entitlement to the Basic Salary will be pro-rata.
- 1.4 No more than one Basic Salary is payable to a Member of the Authority.

#### 2. Senior Salaries & Civic Salaries

- 2.1 Members occupying specific posts shall be paid a Senior Salary as set out in **Schedule 1**.
- 2.2 In accordance with the Regulations, the rates of Senior Salaries and Civic Salaries shall be reviewed annually as determined by the Annual or Supplementary Report of the Independent Remuneration Panel for Wales.
- 2.3 Only one Senior Salary or Civic Salary is payable to a Member of the Authority.
- 2.4 A Member of the Authority cannot be paid a Senior Salary and a Civic Salary.
- 2.5 All Senior and Civic Salaries are paid inclusive of Basic Salary.
- 2.6 A Senior Salary may not be paid to more than the number of members specified by the Independent Remuneration Panel for Wales in its Annual Report and cannot exceed fifty percent of the total membership of the authority, except to include a temporary Senior Salary office holder providing temporary cover for the family absence of the appointed office holder.
- 2.7 A Member of the Authority in receipt of a Senior Salary **cannot** receive a salary from any National Park Authority (NPA) or Fire and Rescue Authority (FRA) for which they have been nominated.
- 2.8 Where the term of Senior Salary or Civic Salary of a Member begins or ends other than at the beginning or end of a year, their entitlement to the Salary will be pro-rata.

#### 3. Election to Forgo Entitlement to Allowance

- 3.1 A Member may, by notice in writing delivered to the Proper Officer of the authority, personally elect to forgo any part of their entitlement to any salary, allowance or fee payable under this Scheme from the date set out in the notice.

#### **4. Suspension of a Member**

- 4.1 Where a Member of the Authority is suspended or partially suspended from their responsibilities or duties as a Member of the Authority in accordance with Part III of the Local Government Act 2000 (Conduct of Members), or regulations made under the Act, the part of the Basic Salary payable to them in respect of that period for which they are suspended will be withheld by the Authority (Section 155 (1) of the Measure).
- 4.2 Where a Member in receipt of a Senior Salary is suspended or partially suspended from being a Member of the Authority in accordance with Part III of the Local Government Act 2000 (Conduct of Members), or regulations made under the Act, the Authority must not make payments of the Member's Senior Salary for the duration of the suspension (Section 155 (1) of the Measure). If the partial suspension relates only to the specific responsibility element of the payment, the Member may retain the Basic Salary.

#### **5. Repayment of salaries, allowances or fees**

- 5.1 Where payment of any salary, allowance or fee has been made to a Member of the Authority or Co-opted Member in respect of any period during which the Member concerned:
- (a) is suspended or partially suspended from that Member's/Co-opted Member's duties or responsibilities in accordance with Part 3 of the 2000 Act or regulations made under that Act;
  - (b) ceases to be a Member of the Authority or Co-opted Member; or
  - (c) is in any other way not entitled to receive a salary, allowance or fee in respect of that period,

the Authority will require that such part of the allowance as relates to any such period be repaid.

#### **6. Payments**

- 6.1 Payments of all allowances will be made by the Employment Services Manager by Bank Credit in instalments of one-twelfth of the Member's annual entitlement on 28<sup>th</sup> of the Month, or nearest Friday if the 28<sup>th</sup> falls on a Saturday or Sunday.
- 6.2 Where payment has resulted in a Member receiving more than their entitlement to salaries, allowances or fees the Authority will require that such part that is overpayment be repaid.
- 6.3 All payments are subject to the appropriate tax and National Insurance deductions.

#### **7. Reimbursement of Costs of Care**

- 7.1 Reimbursement of costs of care shall be paid to a Member or Co-opted Member, who has caring responsibility for dependent children or adults, or a personal care requirement, provided the Member incurs expenses in the provision of such care whilst undertaking 'approved' council duties.
- 7.2 Reimbursement of costs of care applies in respect of children who are aged 15 or under and other persons for whom the Member or Co-opted Member can show that care is required. If a Member or Co-opted Member has more than one dependent the Member may claim more than one allowance, provided the Member can demonstrate a need to make separate arrangements for care.

7.3 Eligible Members may claim reimbursement of costs of care for actual and receipted costs up to a maximum amount not exceeding that determined by the Independent Remuneration Panel for Wales as set out in **Schedule 1**. All claims for reimbursement of costs of care should be made in writing to Democratic Services detailing times, dates and reasons for claim. Receipts are required for both informal and formal care arrangements.

## **8. Family Absence**

8.1 Members are entitled under the provisions of the Family Absence for Members of Local Authorities (Wales) Regulations 2013 to a period of family absence, during which if they satisfy the prescribed conditions they are entitled to be absent from authority meetings.

8.2 When taking family absence Members are entitled to retain a basic salary irrespective of their attendance record immediately preceding the commencement of the family absence.

8.3 Should a senior salary holder be eligible for family absence they will be able to continue to receive their senior salary for the duration of the absence.

8.4 If the authority agrees that it is necessary to make a substitute appointment to cover the family absence of a senior salary holder the Member substituting will be eligible if the authority so decides to be paid a senior salary.

8.5 If the paid substitution results in the authority exceeding its maximum number of senior salaries, an addition to the maximum will be allowed for the duration of the substitution.

## **9. Co-optees' payments**

9.1 A Co-optees' daily fee (with a provision for half day payments) shall be paid to Co-optees, provided they are statutory Co-optees with voting rights.

9.2 Co-optees' payments will be capped at a maximum of the equivalent of 15 full days a year for each committee to which an individual may be co-opted.

9.3 Payments will take into consideration travelling time to and from the place of the meeting, reasonable time for pre meeting preparation and length of meeting (up to the maximum of the daily rate).

9.4 The Democratic Services Manager is designated as the "appropriate officer" and will determine preparation time, travelling time and length of meeting, the fee will be paid on the basis of this determination.

9.5 The Democratic Services Manager can determine in advance whether a meeting is programmed for a full day and the fee will be paid on the basis of this determination even if the meeting finishes before four hours has elapsed.

9.6 A half day meeting is defined as up to 4 hours.

9.7 A full day meeting is defined as over 4 hours.

9.8 The daily and half day fee for the Chairpersons of the Standards Committee and Audit Committee, as determined by the Independent Remuneration Panel for Wales, is set out in **Schedule 1**.

9.9 The daily and half day fee for other statutory Co-optees with voting rights, as determined by the Independent Remuneration Panel for Wales, is set out in **Schedule 1**.

## **10. Travel and Subsistence Allowances**

### **10.1 General Principles**

10.2 Members and Co-opted Members are entitled to claim travelling expenses when travelling on the Authority's business for 'approved duties' as set out in **Schedule 2**. Where Members travel on the Authority's business they are expected to travel by the most cost effective means. In assessing cost effectiveness regard will be given to journey time. A Member who does not travel by the most cost effective means may have their claim abated by an appropriate amount.

10.3 Where possible Members should share transport.

10.4 The distance claimed for mileage should be the shortest reasonable journey by road from the point of departure to the point at which the duty is performed, and similarly from the duty point to the place of return.

10.5 The rates of Members' Travel and Subsistence Allowances are set out in **Schedule 3** and are subject to annual review by the Independent Remuneration Panel for Wales.

10.6 Where a Member is suspended or partially suspended from their responsibilities or duties as a Member of the Authority in accordance with Part III of the Local Government Act 2000 (Conduct of Members), or regulations made under the Act, any travel and subsistence allowances payable to them in respect of that period for which they are suspended or partially suspended must be withheld by the Authority.

## **11. Travel by Private Vehicle**

11.1 The Independent Remuneration Panel for Wales has determined that the maximum travel rates payable should be the rates set out by Her Majesty's Revenue & Customs for the use of private cars, motor cycles and pedal cycles plus any passenger supplement.

11.2 The mileage rates for private vehicles as determined by the Independent Remuneration Panel for Wales are set out in **Schedule 3**.

11.3 Where a Member makes use of their private vehicle for approved duty purposes, the vehicle must be insured for business use. Proof of appropriate insurance must be provided to the Authority on request.

## **12. Travel by Public Transport**

### **12.1 Rail/Coach Travel**

Unless otherwise authorised rail tickets will be second-class.

Civic & Members' Services will purchase requisite rail and coach tickets for Members in advance of journeys. In the unlikely event that a Member needs to purchase a ticket directly, payment will be reimbursed upon production of the used ticket and/or a receipt.

### **12.2 Taxi Fares**

Taxi fares will only be reimbursed where their use has been authorised for cases of urgency, where no public transport is reasonably available, or a Member has a particular personal need. Re-imbursement will be upon receipt only.

### 12.3 **Travel Abroad**

Travel abroad on the Authority's business will only be permitted where authorised by the Chief Executive, Chief Officer (Governance) or Corporate Finance Manager. Civic & Members' Services will arrange travel and accommodation.

### 12.4 **Other Travel Expenses**

Members are entitled to reimbursement of toll fees, parking fees, overnight garaging and other necessary travel associated expenses. Re-imbusement will be upon receipt only.

## 13. **Overnight Accommodation**

13.1 Overnight stays will only be permitted where the Authority's business extends to two days or more, or the venue is at such a distance that early morning or late night travel would be unreasonable. All overnight stays must receive prior authorisation from the Chief Executive, Chief Officer (Governance) or Corporate Finance Manager.

13.2 Overnight accommodation will be booked by Civic & Members' Services. Wherever possible the overnight accommodation will be pre-paid or invoiced.

13.3 Direct booking of overnight accommodation by a Member will only be permitted in the event of an emergency. Reimbursement will only be made upon the production of a receipt and will be at a level deemed reasonable and not in excess of the rates set out in **Schedule 3**.

## 14 **Subsistence Allowance**

14.1 The day subsistence rate to meet the costs of meals and refreshments in connection with approved duties (including breakfast when not provided as part of overnight accommodation) is set out in **Schedule 3**. The maximum daily rate covers a 24 hour period and can be claimed for any meal that is relevant, providing such a claim is supported by receipt(s)

14.2 No provision is made for subsistence claims within the County .

## 15. **Claims and Payments**

15.1 A claim for travel and subsistence allowances must be made in writing within 4 months of the date on which entitlement became due, at the end of the calendar month in which entitlement to allowances arises and must be accompanied by the relevant receipts.

15.2 Allowances will be paid by the Employment Services Manager by direct bank credit. .

## 16. **Pensions**

16.1 The Authority shall enable its Members who are eligible to join the Local Government Pension Scheme.

## 17 **Supporting the work of Authority Members**

17.1 The Independent Remuneration Panel for Wales expects Members to be provided with adequate support to carry out their duties and that the support provided should take account of the specific needs of individual Members. The Authority's Democratic Services Committee is required to review the level of support provided to Members and should take proposals for reasonable support to the full council.

- 17.2 All elected Members & Co-opted Members should be provided with adequate telephone, email and internet facilities to give electronic access to appropriate information.
- 17.3 Such support should be without cost to any Member. Deductions must not be made from Members' salaries as a contribution towards the cost of support which the Authority has decided is necessary for the effectiveness and or efficiency of Members.

## 18 Compliance

- 18.1 In accordance with the Regulations, the Authority must comply with the requirements of Independent Remuneration Panel for Wales in respect of the monitoring and publication of payments made to Members and Co-opted Members as set out in **Schedule 4**.

**Members & Co-opted Members are reminded that expense claims are subject to both internal and external audit.**

### SCHEDULE 1

#### SCHEDULE OF REMUNERATION 2019/20/19

<b>MEMBERS ENTITLED TO BASIC SALARY</b>		<b>ANNUAL AMOUNT OF BASIC SALARY ACCEPTED</b>
1.	Mike Allport	£13,868
2.	Bernie Attridge	£13,600
3.	Janet Axworthy	£13,600
4.	Glyn Banks	£13,600
5.	Haydn Bateman	£13,868
6.	Marion Bateman	£13,868
7.	Sean Bibby	£12,240 (10% reduction)
8.	Chris Bithell	£13,600
9.	Sian Braun	£13,868
10.	Helen Brown	£13,600
11.	Derek Butler	£13,600
12.	Clive Carver	£13,868
13.	Geoff Collett	£13,868
14.	Bob Connah	£13,600
15.	David Cox	£13,868
16.	Paul Cunningham	£13,600
17.	Jean Davies	£13,600
18.	Rob Davies	£13,868
19.	Ron Davies	£13,600
20.	Adele Davies-Cooke	£13,868
21.	Chris Dolphin	£13,868
22.	Rosetta Dolphin	£13,868
23.	Ian Dunbar	£13,600
24.	Andy Dunbobbin	£13,868
25.	Mared Eastwood	£13,600
26.	Carol Ellis	£13,600
27.	David Evans	£13,868



28.	Veronica Gay	£13,868
29.	George Hardcastle	£13,600
30.	David Healey	£13,868
31.	Gladys Healey	£13,868
32.	Patrick Heesom	£13,868
33.	Cindy Hinds	£13,600
34.	Andrew Holgate	£13,868
35.	Dave Hughes	£13,600
36.	Kevin Hughes	£13,600
37.	Ray Hughes	£13,868
38.	Dennis Hutchinson	£13,600
39.	Joe Johnson	£13,868
40.	Paul Johnson	£13,868
41.	Rita Johnson	£13,600
42.	Christine Jones	£13,600
43.	Richard Jones	£13,600
44.	Tudor Jones	£13,600
45.	Colin Legg	£13,868
46.	Brian Lloyd	£13,868
47.	Richard Lloyd	£13,868
48.	Mike Lowe	£13,600
49.	Dave Mackie	£13,868
50.	Hilary McGuill	£13,868
51.	Billy Mullin	£13,600
52.	Ted Palmer	£13,868
53.	Mike Peers	£13,600
54.	Michelle Perfect	£13,600
55.	Vicky Perfect	£13,600
56.	Neville Phillips	£13,600
57.	Mike Reece	£13,868
58.	Ian Roberts	£13,600
59.	Tony Sharps	£13,868
60.	Aaron Shotton	£13,600
61.	Paul Shotton	£13,868
62.	Ralph Small	£13,868
63.	Ian Smith	£13,600
64.	Carolyn Thomas	£13,600
65.	Owen Thomas	£13,868
66.	Martin White	£13,600
67.	Andy Williams	£13,600
68.	David Williams	£13,868
69.	David Wisinger	£13,868
70.	Arnold Woolley	£13,868

	<b>SENIOR SALARIES ENTITLEMENTS (includes basic salary)</b>		<b>ANNUAL AMOUNT OF SENIOR SALARY</b>
	<b>ROLE</b>	<b>MEMBER</b>	
1.	Leader & Cabinet member for Education	Ian Roberts	£48,300
2.	Deputy leader & Cabinet Member for Streetscene & Countryside	Carolyn Thomas	£33,800

3.	Cabinet Member for Planning & Public Protection	Chris Bithell	£29,300
4.	Cabinet Member for Economic Development	Derek Butler	£29,300
5.	Cabinet Member for Social Services	Christine Jones	£29,300
6.	Cabinet Member for Corporate Management & Assets	Billy Mullin	£29,300
7.	Cabinet Member for Finance	Glyn Banks	£29,300
8.	Cabinet Member for Housing	Dave Hughes	£29,300
9.	Chair of Audit Committee	Chris Dolphin	£22, 568
10.	Chair of Community & Enterprise O&SC	Ian Dunbar	£22,300
11.	Chair of Corporate Resources O&SC	Clive Carver	£22,568
12.	Chair of Education & Youth O&SC	Dave Healey	£22,300
13.	Chair of Environment O&SC	Patrick Heesom	£22,568
14.	Chair of Organisational Change O&SC	Dave Mackie	£22,568
15.	Chair of Social & Healthcare O&SC	Hilary McGuill	£22,568
16.	Leader of the largest opposition group	Mike Peers	£22,300
17.	Chair of Planning Committee	David Wisinger	£22,568
18.	Chair of Licensing Committee	Tony Sharps	£22,568

A maximum of 18 senior salaries for Flintshire County Council may be paid and this has not been exceeded.

Note: A senior salary equivalent of £8,700 is paid to the Chair of the Clwyd Pension Fund Committee, Cllr Aaron Shotton. This payment is at the Council's discretion and is outside the remit of the Independent Remuneration Panel for Wales, which is why it is not shown in the table above..

ENTITLEMENT TO CIVIC SALARIES		ANNUAL AMOUNT OF CIVIC SALARY
ROLE	MEMBER	
Civic Head ( Chair of Council)	Marion Bateman	£22,568
Deputy Civic Head (Vice-chair of Council)	Joe Johnson	£17,568

ENTITLEMENT AS STATUTORY CO-OPTTEES		AMOUNT OF CO-OPTTEES ALLOWANCES
ROLE	MEMBER	
Chair of Standards committee	Robert Dewey	£256 Daily Fee £128 ½ Day Fee

<b>ENTITLEMENT AS STATUTORY CO-OPTees</b>		<b>AMOUNT OF CO-OPTees ALLOWANCES</b>
<b>ROLE</b>	<b>MEMBER</b>	
Member of Standards Committee	Jonathan Duggan-Keen	£198 Daily Fee £99 ½ Day Fee
Member of Standards Committee	Philippa Earlam	£198 Daily Fee £99 ½ Day Fee
Member of Standards Committee	Julia Hughes	£198 Daily Fee £99 ½ Day Fee
Member of Standards Committee	Kenneth Molyneux	£198 Daily Fee £99 ½ Day Fee
Member of Standards Committee	Vacancy	£198 Daily Fee £99 ½ Day Fee
Member of Education & Youth Overview & Scrutiny Committee	Lynn Bartlett	£198 Daily Fee £99 ½ Day Fee
Member of Education & Youth Overview & Scrutiny Committee	David Hytch	£198 Daily Fee £99 ½ Day Fee
Member of Education & Youth Overview & Scrutiny Committee	Rita Price	£198 Daily Fee £99 ½ Day Fee
Member of Education & Youth Overview & Scrutiny Committee	Rebecca Stark	£198 Daily Fee £99 ½ Day Fee
Member of Education & Youth Overview & Scrutiny Committee	Vacant	£198 Daily Fee £99 ½ Day Fee
Member of the Audit Committee	Sally Ellis	£198 Daily Fee £99 ½ Day Fee
Member of the Audit committee	Vacancy	£198 Daily Fee £99 ½ Day Fee

<b>Reimbursement of costs of care</b>	
All Members	Up to a maximum of £403 per month

<b>Members Support – what is provided in terms of telephone, internet or email (see Determination 6)</b>	
Telephone Support for Executive Members	Mobile phones provided to Cabinet members
Telephone Support for Chairs of Committees	Mobile phones provided to 4 out of the 9 committee chairs
Telephone Support for all other Members	Not personally, but available in Group Rooms
Access to Email for Executive Members	Yes

Access to Email for Chairs of Committees	Yes
Access to Email for all other Members	Yes
Internet Support for Executive Members	IPads issued to Cabinet Members are wi fi enabled
Internet Support for Chairs of Committees	Not personally, but available in Group Rooms computer terminals
Internet Support for all other Members	Not personally, but available in Group Rooms computer terminals

## SCHEDULE 2

### Approved duties: -

- attendance at a meeting of the Authority or of any committee of the Authority or of any body to which the Authority makes appointments or nominations or of any committee of such a body;
- attendance at a meeting of any association of authorities of which the Authority is a member;
- attendance at any other meeting the holding of which is authorised by the Authority or by a committee of the Authority or by a joint committee of the Authority and one or more other Authorities;
- a duty undertaken for the purpose of or in connection with the discharge of the functions of Cabinet;
- a duty undertaken in pursuance of a standing order which requires a Member or Members to be present when tender documents are opened;
- a duty undertaken in connection with the discharge of any function of the Authority which empowers or requires the Authority to inspect or authorise the inspection of premises;
- attendance at any training or developmental event approved by the Authority or its Cabinet;
- the following duties which have been approved by Council:

a) Attendance at any training or developmental event approved by a Committee of the Council or by the Chief Executive or appropriate Chief Officer in consultation with the Chair or Vice Chair of the Council.

b) Any attendance required by financial regulations or Contract Standing Orders.

c) Any attendance authorised/required by the Council's Scheme of Delegation (e.g. attendances for consultation purposes).

d) Attendance upon an Officer of the Council upon Ward business.

e) Attendance upon an Officer of the Council upon Council business.

f) Attendance to inspect background documents under Section 100D Local Government Act 1972.

g) Any other attendances expressly authorised by Committee, Executive or Council.

**Where the above official business is carried out within the Council area, this will not entitle payment of a subsistence allowance except where it relates to a co-opted Member living outside the Council area.**

## SCHEDULE 3

### Mileage Rates

All sizes of private motor vehicle Up to 10,000 miles Over 10,000 miles	45 pence per mile 25 pence per mile
Private Motor Cycles Pedal Cycles	24 pence per mile 20 pence per mile

Passenger supplement	05 pence per mile
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### **Subsistence Allowance**

The day subsistence rate is up to a maximum of £28 and covers a 24 hour period and can be claimed for any meal if relevant provided such a claim is supported by receipts.

Re-imbusement of alcoholic drinks is not permitted.

### **Overnight Stay**

The maximum allowances for an overnight stay are £200 for London and £95 for elsewhere. A maximum of £30 is available for an overnight stay with friends or relatives whilst on approved duty.

## **SCHEDULE 4**

### **Compliance**

- The Authority will arrange for the publication on the council's website the total sum paid by it to each Member and Co-opted Member in respect of salary, allowances, fees and reimbursements not later than 30 September following the close of the year to which it relates. In the interests of transparency this will include remuneration from all public service appointments held by elected Members.
- The Authority will publish on the council's website a statement of the basic responsibility of a councillor and role descriptors for senior salary office holders, which clearly identify the duties expected.
- The Authority will publish on the council's website the annual schedule of Member Remuneration not later than 31 July of the year to which the schedule refers.
- The authority will send a copy of the schedule to the Independent Remuneration Panel for Wales not later than 31 July of the year to which the schedule refers.
- The Authority will maintain records of Member/Co-opted Members attendance at meetings of council, cabinet and committees and other approved duties for which a Member/Co-opted Member submits a claim for reimbursement.
- The Authority will arrange for the publication on the council's website of annual reports prepared by Members.
- When the Authority agrees a paid substitution for family absence it will notify the Independent Remuneration Panel for Wales within 14 days of the date of the decision of the details including the particular post and the duration of the substitution.

# Eitem ar gyfer y Rhaglen 14



## FLINTSHIRE COUNTY COUNCIL

<b>Date of Meeting</b>	Tuesday 18 <sup>th</sup> June 2019
<b>Report Subject</b>	Officers' Code of Conduct
<b>Report Author</b>	Chief Officer Governance

### EXECUTIVE SUMMARY

The Standards Committee is responsible for reviewing all the Codes and Protocols in the Constitution once every Council term. The purpose is to ensure that each remains pertinent and up to date. It has reviewed the Officers' Code of Conduct and has made recommendations for updating it.

The Officers' Code of Conduct is based on the prescribed national model issued by Welsh Government under the Local Government Act 2000. The parts of the Code that are in bold text are drawn from the national model and are mandatory. These cannot be changed. The remaining text is supplementary guidance added by way of further explanation. The supplementary guidance can be changed.

A number of changes are suggested to the document in order to -

1. Expand the guidance on when it is necessary to declare an interest;
2. Refer to newly created standardised forms for recording interests and gifts;
3. Expand the guidance on outside employment; and
4. Update posts and service references where these have changed.

### RECOMMENDATIONS

1	Approve the proposed changes to the explanatory guidance in the Officers' Code of Conduct
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## REPORT DETAILS

1.00	EXPLAINING THE CODE OF CONDUCT AND PROPOSED CHANGES
1.01	This report is part of the ongoing rolling review of the Constitution. The Standards Committee is reviewing all Codes and Protocols (relating to behaviour) in the Constitution once per Council term to ensure that they remain pertinent and up to date.
1.02	The Local Government Act 2000 contains powers for ministers to prepare a mandatory model Code of Conduct for officers. The Code of Conduct (Qualifying Local Government Employees) (Wales) Order 2001 lays down a national model Code that must be adopted. The Code can be supplemented but may not be made less onerous.
1.03	The Council adopted the prescribed national model code. It has supplemented the Code's requirements with further explanatory text or more detailed instructions e.g. on how to record interests. The mandatory text is in bold and cannot be changed. The supplementary text is in normal font and can be changed.
1.04	The Council has recently improved its processes for officer declarations of interest. It has produced new forms and guidance for the task which have been rolled out across all portfolios. As a result the supplementary guidance within the Code has been changed to match the guidance in the forms and to more clearly explain what is required.
1.05	<p>In addition, it has become apparent that clearer guidance is required on when an employee should declare an interest because of a role they hold outside the Council. All employees need the consent of their manager to undertake any extra paid work because:</p> <ul style="list-style-type: none"> <li>• the additional role may be incompatible with their Council duties;</li> <li>• it is possible that running a family business or working in a voluntary capacity might lead to a perception of a conflict of interest e.g. a licensing officer running a pub which she/he might need to inspect or might be inspected by his/her colleagues; or</li> <li>• the employee may end up working extremely long hours or being distracted by the outside job to the detriment of their Council duties; or</li> <li>• the employee might breach statutory limits e.g. maximum driving hours, or working time limits.</li> </ul> <p>I have therefore proposed amendments to the Code to clarify this possibility.</p>
1.06	Finally, there have been a number of organisational restructures since the Code was last reviewed. There are references to posts and services within the Code that need to be updated to reflect new titles.



<b>2.00</b>	<b>RESOURCE IMPLICATIONS</b>
2.01	Assuming the amendments are approved, then the Code will need to be brought to the attention of all officers. This can be accommodated within existing resources.

<b>3.00</b>	<b>CONSULTATIONS REQUIRED / CARRIED OUT</b>
3.01	The Head of Paid Service and the Human Resources and Organisational Development Manager have been consulted on whether amendments are needed in light of any management issues they have encountered.
3.02	The Standards Committee wanted the Unions to be consulted on the proposed changes and, subject to their comments, recommended the changes be adopted.
3.03	The Unions welcomed the improvements in the process for reporting interests and fully supported the changes to the code.
3.04	This report was considered by the Constitution and Democratic Services Committee on 11 <sup>th</sup> April 2019.

<b>4.00</b>	<b>RISK MANAGEMENT</b>
4.01	The process of keeping Codes and Protocols up to date is a form of risk mitigation. These proposed amendments to the Code of Conduct, along with the improvements to the process for declaring interests, strengthen the integrity of council decision making, thereby reducing the risk of dissatisfaction and challenge.

<b>5.00</b>	<b>APPENDICES</b>
5.01	Appendix 1 - Proposed amendments to the Code in tracked changes.

<b>6.00</b>	<b>LIST OF ACCESSIBLE BACKGROUND DOCUMENTS</b>
6.01	Forms and guidance for declaring interests and gifts  <b>Contact Officer:</b> Gareth Owens, Chief Officer Governance <b>Telephone:</b> 01352 70344 <b>E-mail:</b> <a href="mailto:Gareth.Legal@flintshire.gov.uk">Gareth.Legal@flintshire.gov.uk</a>

<b>7.00</b>	<b>GLOSSARY OF TERMS</b>
7.01	None.

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**Proposed Amendments to  
OfficerEmployees' Code of Conduct**

Item 5

The words in italics comprise the statutory OfficerEmployees' Code of Conduct which is automatically incorporated into OfficerEmployees' Contracts of Employment and will prevail in circumstances where there is any contradictory provision elsewhere in the Code.

**General Principles**

1. ***The public is entitled to expect the highest standards of conduct from all qualifying employees of relevant authorities. The role of such employees is to serve their employing Authority in providing advice, implementing its policies, and delivering services to the local community. In performing their duties, they must act with integrity, honesty, impartiality and objectivity.***
- 1.1 Local government employees are expected to give the highest possible standard of service to the public and, where it is part of their duties, to provide appropriate advice to Councillors and fellow employees with impartiality. Flintshire employees are expected to show respect and courtesy in their dealings with the public, Councillors and fellow employees providing them with impartial and appropriate advice.

**Accountability**

2. ***Qualifying employees of relevant authorities work for their employing Authority and serve the whole of that Authority. Qualifying employees are defined as all employees of a relevant Authority unless exempted by statutory regulation, e.g. Teachers and Officers of Fire Authorities. They are accountable to, and owe a duty to that Authority. They must act in accordance with the principles set out in this Code, recognising the duty of all public sector employees to discharge public functions reasonably and according to the law.***
- 2.1 Employees must report any impropriety or breach of procedure to their immediate manager, except where that relates to the conduct of the manager when it must be reported to the manager's manager. Managers should, in turn, report breaches to their manager. The Chief Officer shall notify the Head of Legal & Democratic Services of the occurrence.
- 2.2 All employees are required to familiarise themselves with and comply with the Council's Financial Procedure Rules. Any employee who fails to observe Financial Procedure Rules may be subject to disciplinary action.
- 2.3 Orders and contracts must be awarded on merit and no special favour

should be shown in the procurement process to businesses run by, for example, friends, partners or relatives. No part of the local community should be discriminated against.

- 2.4 Employees involved in the procurement process and dealing with Contractors should be clear on the separation of client and Contractor roles within the Authority. Senior employees who have both a client and Contractor responsibility must be aware of the need for accountability.
- 2.5 Employees in Contractor or client units must exercise fairness and impartiality when dealing with all customers, suppliers, other Contractors and sub-Contractors.
- 2.6 Employees who are privy to confidential information on Tenders or costs for either internal or external Contractors must not disclose that information to any unauthorised party or organisation.
- 2.7 Employees contemplating a management buyout must, as soon as they have formed a definite intent, inform their manager and withdraw from the contract awarding processes.
- 2.8 Employees must ensure that no special favour is shown to current or recent former employees or their partners, close relatives or associates in awarding contracts to businesses run by them or employing them in a senior or relevant managerial capacity.
- 2.9 Employees must be aware that it is a serious criminal offence for them corruptly to receive or give any gift, loan, fee, reward or advantage for doing, or not doing, anything or showing favour, or disfavour, to any person in their official capacity. If an allegation is made it is for the employee to demonstrate that any such rewards have not been corruptly obtained.
- 2.10 Local Government Act 1972 117 - Pecuniary Interests - provides that if officers know that a contract in which they have a pecuniary interest is before the local Authority, they must give notice of their interest to the Authority. This does not, of course, apply to a contract with them in their own name because the Authority will then know of their interest. Section 117(2) forbids any officer "under colour of" their office or employment to accept "any fee or reward" whatsoever other than proper remuneration.
- 2.11 *The Bribery Act 2010*

The Bribery Act 2010 creates criminal offences for any individual who either offers or receives a financial or other advantage intending the advantage to be rewarded by the improper performance of a function or activity. The Act also creates an offence of directly or indirectly offering, promising or giving a bribe to a foreign public official so as to

influence the actions of the foreign public official. Any individual found guilty of any of these offences is liable to imprisonment for up to a maximum period of 10 years.

- 2.12 Where an outside organisation wishes to sponsor or is seeking to sponsor a local government activity, whether by invitation, Tender, negotiation or voluntarily, the basic conventions concerning acceptance of gifts or hospitality apply. Any offer of sponsorship should only be accepted if the appropriate Chief Officer has so decided. Particular care must be taken when dealing with Contractors or potential Contractors.
- 2.13 Any offers of sponsorship received by employees should be referred to their Chief Officer for decision
- 2.14 Where the Authority wishes to sponsor an event or service neither an employee nor any partner, spouse or relative must benefit from such sponsorship in a direct way without there being full disclosure to an appropriate manager of any such interest. Similarly, where the Authority through sponsorship, grant aid, financial or other means, gives support in the community, employees must ensure that impartial advice is given and that there is no conflict of interest involved.

### **Political Neutrality**

3. ***Qualifying employees of relevant authorities, whether or not politically restricted, must follow every lawfully expressed policy of the Authority and must not allow their own personal or political opinions to interfere with their work. Where qualifying employees are politically restricted (by reason of the post they hold or the nature of the work they do), they must comply with any statutory restrictions on their political activities.***
- 3.1 Employees serve the Authority as a whole. It follows they must serve all Councillors and not just those of the controlling group, and must ensure that the individual rights of all Councillors are respected.
- 3.2 Subject to the Authority's conventions, employees may be required to advise political groups. They must do so in ways which do not compromise their political neutrality.
- 3.3 Employees, whether or not politically restricted, must follow every lawful expressed policy of the Authority and must not allow their own personal or political opinions to interfere with their work.
- 3.4 Political assistants appointed on fixed term contracts in accordance with the local Government and Housing Act 1989 are exempt from the standards set in paragraphs 3.1 to 3.3.
- 3.5 The Local Government and Housing Act 1989, Pt 1 contains provisions

to stop 'twin-tracking' (where a senior local Authority employee is also an elected Member of another local Authority) and to restrict the political activity of senior employees. Local Authority employees holding politically restricted posts are disqualified from membership of any local Authority, other than a parish or community Council (sl(1)), from being an MP, AM or MEP and are subject to prescribed restrictions on their political activity (sl(5),(6)).

3.6 The Local Government & Housing Act 1989 requires each Council to maintain a list of its politically restricted posts. These are posts which are:-

- (a) specified in the legislation, such as the Head of Paid Service, Chief Officers and their Deputies.
- (b) those posts which have delegated powers to make decisions on behalf of the Council.
- (c) those posts that regularly provide advice at Council, Cabinet or formal Committee or sub Committee meetings.
- (d) those posts that speak on behalf of the authority on a regular basis to journalists and broadcasters.

3.7 The political restrictions are deemed to be incorporated in the contract of employment of every local Authority employee who holds a politically restricted post. If you are uncertain as to whether your post is politically restricted you should seek clarification from your immediate manager and, if uncertainty remains, contact the Democracy and Governance Manager.

#### ***Relations with members, the public and other employees***

- 4. ***Mutual respect between qualifying employees and members is essential to good local government, and working relationships should be kept on a professional basis.***
- 5. ***Qualifying employees of relevant authorities should deal with the public, members and other employees sympathetically, efficiently, and without bias.***

#### 5.1 Councillors

Employees are responsible to the Authority through its senior managers. For some their role is to give advice to Councillors and senior managers, and all are there to carry out the Authority's work. Mutual respect between employees and Councillors is essential to good local government. Close personal familiarity between employees and individual Councillors can damage the relationship and prove embarrassing to other employees and Councillors and should therefore be avoided.

## 5.2 The Local Community and Service Users

Employees should always remember their responsibilities to the community they serve and ensure courteous, efficient and impartial service delivery to all groups and individuals within that community as defined by the policies of the Authority.

## 5.3 Contractors

Orders and contracts must be awarded on merit, by fair competition and no special favour should be shown to businesses run by, for example, friends, partners or relatives in the procurement process. No part of the local community should be discriminated against.

If during the course of your work you are dealing with an external Contractor with whom you have, or have had within the last 12 months, a business or private relationship you must immediately make your manager aware of that relationship.

### **Equality**

**6. *Qualifying employees of relevant authorities must comply with policies relating to equality issues, as agreed by the Authority, in addition to the requirements of the law.***

6.1 All local government employees must ensure that policies relating to equality issues as agreed by the Authority are complied with in addition to the requirements of the law. All members of the local community, customers and other employees have a right to be treated with fairness and equity.

### **Stewardship**

**7. *Qualifying employees of relevant authorities must ensure that they use public funds entrusted to them in a responsible and lawful manner, and must not utilise property, vehicles or other facilities of the Authority for personal use unless authorised to do so.***

7.1 All employees are required to familiarise themselves with the Council's Financial Procedure Rules and Contract Procedure Rules and know where they can inspect a copy of them. Any doubt concerning Financial Procedure Rules and Contract Procedure Rules should be raised with your immediate manager and, if the doubt continues, with the Finance Department

7.2 Employees must ensure that they use public funds entrusted to them in a responsible and lawful manner. They should strive to ensure value

for money to the local community and to avoid legal challenge to the Authority.

### **Personal Interests**

**8. Whilst qualifying employees' private lives are their own concern, they must not allow their private interests to conflict with their public duty. They must not misuse their official position or information acquired in the course of their employment to further their private interests, or the interests of others. In particular, they must comply with:**

- (1) any rules of their relevant Authority on the registration and declaration by employees of financial and non - financial interests,**
- (2) any rules of their relevant Authority on the declaration by employees of hospitality or gifts offered to or received by them, from any person or organisation doing or seeking to do business, or otherwise benefiting or seeking to benefit from a relationship with the Authority. Qualifying employees must not accept benefits from a third party unless authorised to do so by their relevant Authority.**

8.1 In addition to the criminal offence under Section 117 of the Local Government Act 1972 concerning pecuniary interests (see paragraph 2.10 above) there are the following rules concerning personal interests.

8.2 Employees have a personal interest whenever a reasonable person would perceive a conflict between the employee's private [interests affairs](#) and the work the employee does for the authority. [A personal interest can arise in a range of different circumstances as set out in the following paragraphs, including \(but not limited to\) the matters listed below:](#)

- [Dealing with friends, family or an organisation with which the employee is associated](#)
- [Gifts or hospitality](#)
- [Outside work including paid and non-paid roles](#)

8.3 -There would be a personal interest under 8.2 if in the course of the employee's Council work he/she would normally deal with a matter that would affect him/her, their family, a close personal associate, their property, or an organisation they are associated with. For instance, if in the course of the employee's work they would normally deal with a planning application affecting a relative's property or where the employee is involved in processing a payment to an organisation with which the employee is associated.

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8.4 Wherever the employee has such a personal interest they should immediately draw it to the attention of their Line Manager who would normally decide that the employee should not be involved in dealing with that matter. This does not mean that the employee can not be trusted but is to protect both the Council's reputation and the employee's reputation against allegations of favouritism. In exceptional circumstances where the employee's skills can not be replicated the Manager may allow the employee to undertake the work but put in place other controls such as being copied into all communications.

8.5 The arrangements must be recorded in writing and communicated to all other employees who need to know what the arrangements are. Each Chief Officer should have a register to record all such declarations of interest and any consequential working arrangements promptly in it. It is the employee's responsibility to ensure their declaration of interest is recorded.

[8.6 The Council has approved forms which may be used for the reporting and recording of interests, and which give guidance on when to declare an interest and how managers should handle such interests once declared.](#)

#### 8.67 Intellectual property

Intellectual property is a generic term that includes inventions, creative writings and drawings. If these are created by the employee during the course of employment then, as a general rule, they belong to the employer. However, various Acts of Parliament cover different types of intellectual property.

#### 8.78 Inventions and Patents

Inventions made before 1st June 1978 are the property of the employer if made in the course of that employer's employment. However, the Patents Act 1977 states that after the 1st June 1978 inventions are only the property of the employer if:-

- \* they have been made in the course of the employee's normal duties; or
- \* they have been made in the course of duties specifically assigned to the employee and where invention might be reasonably expected; or
- \* it was made in the course of the employee's duties and at the time the employee had (because of the nature of his or her duties and particular responsibilities arising from them) a special obligation to further the interests of the employer.

8.89 Chief Officers, those Managers reporting directly to them and employees with delegated powers will be asked to voluntarily register their membership of all clubs, societies and organisations.

### Section 9 – Gifts & Hospitality

- 9.1 In addition to the criminal offences covered by the Bribery Act 2010 referred to in paragraph 2.11 above there are the following rules concerning gifts and hospitality.
- 9.2 Employees must not retain personal gifts obtained, whether directly or indirectly, as a result of their work for the authority. The only gifts that employees are entitled to retain are insignificant items of token value such as pens and diaries. With any other gifts the employee should draw this to the attention of their Line Manager who may decide that rather than the gift being returned it should be forwarded to the [civic office/Member Support Office](#) as a donation to the Chair's charity. All offers of gifts should be recorded in the register maintained by the Chief Officers.
- 9.3 Offers of hospitality can only be accepted when authorised by Chief Officers or where covered by paragraph 9.4 below.
- 9.4 Unless specifically authorised by the Chief Officer hospitality can only be accepted when an employee is attending conferences or courses, launch events, award ceremonies and other events/functions organised by Council, partners or other public bodies at which the Council needs to be represented where it is clear the hospitality is being offered indiscriminately and the value of any such hospitality does not exceed £10.
- 9.5 When gifts or hospitality are declined those making the offer should be courteous but firmly informed of the procedures and standards operating within the authority that require it to be declined.
- 9.6 It is the employee's responsibility to ensure that offers of gifts and hospitality are recorded in the appropriate departmental register.

## Section 10 – Employees' Outside Work

- 10.1 All employees have conditions of service which require them to obtain written consent before they take on any outside employment. [This includes:](#)
- [running a business that is related to an employee's work for the council e.g. a lawyer running a private law firm ; or](#)
  - [having any other work or employment outside of the Council that is related to the work carried out for the Council e.g. a licensing officer running licensed premises](#)
- 10.2 Employees must not undertake outside work if their official work for the authority overlaps in any way with such outside work. It is irrelevant whether or not the outside work is paid for or not.
- 10.3 No outside work of any sort can be undertaken on Council premises or

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use Council facilities such as telephones or IT. Incoming ~~ec~~correspondence or telephone calls relating to outside work are also not allowed.

10.4 Whilst an employee's right to a private life is respected that does not justify conduct which could reasonably be regarded as bringing the authority into disrepute or significantly and fundamentally affect the employee's ability to work for the Council.

10.5 There would be a breach of paragraph 10.4, for example:

- if an employee ~~were to act~~s in such a way that when other employees or service users became aware of it they reasonably refuse to work or communicate with the employee ~~concerned~~;
- the employee works extremely long hours across both jobs to the detriment of their work for the Council; or
- the employee is distracted in the performance of Council duties by the outside job.

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## Section 11 – Disclosure of Information

11.1 Flintshire supports the principles of open government and encourages employees to assist the public in obtaining public documentation in accordance with the rights contained in the Local Government Act 1972, the Freedom of Information Act 2000 and Environmental Information Regulations 2004.

11.2 The Council's Constitution, available on the Infonet, contains Access to Information Procedure Rules explaining the legislation relating to these information rights. If an employee is uncertain as to whether information being sought should be disclosed the employee must seek advice from his/her Manager and, if uncertainty remains, the Manager can seek guidance from the ~~Democracy & Governance~~Information Governance Manager.

11.3 Only employees with specific delegated authority may disclose to members of the public any information arising, documentation considered or events occurring at a time when a Council, Cabinet, Committee or sub-Committee meeting has decided to exclude the press and public from that part of its meeting.

11.4 Employees must not disclose personal ~~information data~~ where this is not permitted under the ~~Data Protection Act 1998~~General Data Protection Regulation. If in doubt seek advice from your Manager and explain to the person requesting the information the importance of complying with the ~~Data Protection Act~~data protection legislation. If the Manager is uncertain, advice is available from the appropriate member of the Council's ~~Data Protection~~Information Governance Team.

- 11.5 These rules apply not only to the press and public but also to requests ~~from Councillors and~~ from partner agencies or external bodies. [Requests for information from councillors must be handled in accordance with the Council's Information Sharing Rules that are in the Constitution.](#)
- 11.6 Where enforcing authorities such as the Police, Wales Audit Office or Health & Safety Executive are seeking information they may be doing so pursuant to statutory powers which they would quote. It is important to ensure that the request is being made by the regulatory body not an impostor. Legitimate bodies accept the need to produce written authority. If in doubt advice is available from the Council's Legal Department. Where such bodies are not using their statutory powers to obtain information then personal information should not be disclosed without ensuring it would not breach the ~~Data Protection Act~~[General Data Protection Regulation](#).
- 11.7 Employees must not use any information obtained in the course of their employment for personal gain or benefit, nor pass it on to others who might use it in such a way. Any particular information received by an employee from a Councillor which is personal to that Councillor and does not belong to the Authority must not be divulged by the employee without the prior approval of that Councillor, except where such disclosure is required or sanctioned by the law.

### **Whistleblowing**

12. ***In the event that a qualifying employee becomes aware of activities which that employee believes to be illegal, improper, unethical or otherwise inconsistent with this Code, the employee should report the matter, acting in accordance with the employee's rights under the Public Interest Disclosure Act 1998, and with the relevant Authority's confidential reporting procedure, or any other procedure designed for this purpose.***

### **Appointment of Employees**

13. ***Qualifying employees of relevant authorities involved in the recruitment and appointment of employees must ensure that appointments are made on the basis of merit. In order to avoid any possible accusation of bias, such employees must not be involved in any appointment, or any other decisions relating to discipline, promotion or pay and conditions for any other employee, or prospective employee, to whom they are related, or with whom they have a close personal relationship outside work.***
- 13.1 Employees involved in appointments must ensure that these are made

on the basis of merit. It would be unlawful for an employee to make an appointment which was based on anything other than the ability of the candidate to undertake the duties of the post. In order to avoid any possible accusation of bias, employees must not be involved in an appointment where they are related to an applicant, or have a close personal relationship outside work with him or her.

- 13.2 Similarly, employees must not be involved in decisions relating to discipline, promotion or pay adjustments for any other employee who is a relative, partner or close personal friend.
- 13.3 All candidates for any appointment under Flintshire County Council shall, when making an application, disclose in writing to the Authority whether to their knowledge they are related to any Member of the Authority or to a holder of any senior office under the Authority. Deliberate omission to make such a disclosure will disqualify the candidate and, if the omission is discovered after appointment, he/she shall be liable to dismissal. Every senior officer of the Authority shall similarly disclose to the Authority any relationship known to him/her to exist between himself/herself and a candidate for an appointment of which he/she is aware. The Chief Executive's office will keep a record of any such disclosure made.

#### ***Investigations by Monitoring Officers***

14. Where a Monitoring Officer is undertaking an investigation in accordance with regulations made under section 73(1) of the Local Government Act 2000 a qualifying employee must comply with any requirement made by that Monitoring Officer in connection with such an investigation.

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