

CONSTITUTION COMMITTEE
8 JANUARY 2014

Minutes of the meeting of the Constitution Committee of Flintshire County Council held at Delyn Committee Room, County Hall, Mold CH7 6NA on Wednesday, 8 January 2014

PRESENT: **Councillor Robin Guest (Chairman)**

Councillors Chris Bithell, David Cox, Ian Dunbar, David Evans, Veronica Gay, George Hardcastle, Joe Johnson (Vice-Chairman), Dave Mackie, Tim Newhouse, Neville Phillips, Paul Shotton, Nigel Steele-Mortimer and Arnold Woolley

SUBSTITUTION: Councillor Jim Falshaw (for Clive Carver)

APOLOGIES: Councillors Derek Butler, Glenys Diskin, Ian Roberts and Owen Thomas.

ALSO PRESENT: Councillor Aaron Shotton

IN ATTENDANCE: Head of Legal and Democratic Services, Democracy and Governance Manager, Member Engagement Manager, and Committee Officer

20. DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)

There were no declarations of interest.

21. MINUTES

The minutes of the meeting of the Committee held on 16 October 2013, were submitted.

Matters arising

Audit Committee Terms of Reference

Page 2: The Head of Legal and Democratic Services advised that the statutory guidance from the Welsh Government on the Local Government Measure 2011 stated that lay members on the Audit Committee should serve no more than 2 terms of office.

RESOLVED:

That the minutes be received, approved and signed by the Chairman as a correct record.

22. WALES AUDIT OFFICE NATIONAL SCRUTINY IMPROVEMENT STUDY UPDATE

The Member Engagement Manager introduced a progress report on the Wales Audit Office (WAO) National Scrutiny Improvement Study. He provided

background information and referred to the Peer Review Action Plan which was appended to the report. He advised that the action plan be updated once the WAO final report and the 'Characteristics of Effective Scrutiny' were published.

The Member Engagement Manager asked Members to consider a proposal within the action plan to create an 'Overview and Scrutiny Chairs and Vice-Chairs' Steering Group which could meet to discuss good practice with the officer support team. Councillor Paul Shotton referred to the informal meetings which were currently held between the Overview & Scrutiny Chairs and Vice Chairs and the Audit Committee, and commented on the need to avoid duplication.

Councillor Dave Mackie provided brief feedback on the 'Scrutiny in the spotlight: Investing to maximise its impact' conference held in Cardiff in November. Councillor Chris Bithell referred to the subject of collaborative scrutiny which was addressed during the Conference and expressed concern regarding how this could be undertaken effectively with external partners.

In response to the comments made by Councillor Veronica Gay concerning the need for wider public engagement, the Member Engagement Manager advised that a Centre for Public Scrutiny workshop relating to public engagement was to be held in Llandudno in March 2014.

RESOLVED:

- (a) That the Committee endorse the proposed approach towards the development of the action plan; and
- (b) That the Committee endorse the creation of the Overview & Scrutiny Chairs and Vice-Chairs Steering Group.

23. PLANNING COMMITTEE QUORUM

The Democracy and Governance Manager introduced a report to consider a recommendation from the Planning Strategy Group that the quorum of Planning and Development Control Committee meetings should be increased to 50% of the membership. He advised that the current quorum allowed decisions to be made by as few as six members and a larger quorum was likely to result in a greater consistency of decision making and would not create any practical difficulties.

RESOLVED:

That the Constitution be amended so that the quorum for meetings of the Planning and Development Control Committee be 50% of its membership.

24. FAMILY ABSENCE FOR MEMBERS

The Democracy and Governance Manager introduced a report on the legislation relating to the family absence for Members and to put in place appropriate standing orders.

The Democracy and Governance Manager provided background information and advised that the provisions for family absence gave similar entitlements to elected members as other legislation gave to those in employment and was seen by the Welsh Government as an important equal opportunities initiative.

The Democracy and Governance Manager explained that the regulations required standing orders to make provision as to the extent of duties, if any, which remained applicable to Members during a period of family absence. He advised that draft standing orders relating to family absence were appended to the report for Members consideration.

During discussion Members referred to the views they had previously expressed in response to the consultation on the draft regulations. Councillor Chris Bithell proposed that a letter be sent to the Welsh Government which reiterated Members views that there was no need for the regulations.

RESOLVED:

- (a) That the provisions relating to family absence for Members be noted;
- (b) That the Committee approved the draft standing orders relating to Family Absence for Members as set out in Appendix 2;
- (c) That the Committee endorsed the suggestions in paragraphs 3.08, 3.09 and 3.13 of the report;
- (d) That the Head of Legal and Democratic Services has delegated power to make amendments to Democratic Services Committee terms of reference to give effect to the Committee's decision subject to consultation with Group Leaders; and
- (e) That the Democracy and Governance Manager writes to the Welsh Government to reiterate the Committee's views in relation to the regulations on Family Absence for Members.

25. MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE

There were no members of the public or press in attendance.

(The meeting started at 2.15 pm and ended at 2.55 pm)

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Chairman