

CONSTITUTION AND DEMOCRATIC SERVICES COMMITTEE
29 SEPTEMBER 2022

Minutes of the meeting of the Constitution and Democratic Services Committee of Flintshire County Council held at Remote attendance meeting on Thursday, 29th September, 2022

PRESENT: Councillor Robert Davies (Chairman)

Councillors: Gillian Brockley, David Coggins Cogan, Steve Copple, Alasdair Ibbotson, Ian Hodge, Paul Johnson, Gina Maddison, Michelle Perfect, Vicky Perfect, Linda Thew, Arnold Woolley, and Antony Wren.

SUBSTITUTION: Councillor Ryan McKeown for Ted Palmer

APOLOGIES: Councillors Jean Davies and Roz Mansell

IN ATTENDANCE: Chief Officer (Governance), Head of Democratic Services, Overview & Scrutiny Facilitator, and Democratic Services Officer

8. DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)

Councillors Gillian Brockley, Rob Davies, Alasdair Ibbotson, Ryan McKeown, Linda Thew and Antony Wren declared a personal interest in agenda item 4: Amendments to Clwyd Pension Fund Constitution.

9. MINUTES

The minutes of the meeting held on 7 July 2022 were submitted.

The minutes were moved as a correct record by Councillor Ian Hodge and seconded by Councillor Vicky Perfect.

RESOLVED:

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

10. AMENDMENTS TO CLWYD PENSION FUND CONSTITUTION

In presenting the report the Chief Officer (Governance) provided background information regarding the Clwyd Pension Fund. He advised that the report outlined the proposed changes to the Constitution and the Pension Board's Protocol to:

- reflect the proposal that the Head of Clwyd Pension Fund is the senior officer with responsibility for operational delivery of the Pension Fund, rather than the Chief Executive; and
- ensure that the Constitution is fully reflective of the status of pension fund management as a non-executive function.

Other incidental changes were included in the Appendix to the report.

Councillor Alasdair Ibbotson expressed concern around the proposal that the Head of Clwyd Pension Fund be the senior officer with responsibility for operational delivery of the Pension Fund, instead of the Chief Executive, as he felt this was delegating authority to a lower level. In response the Chief Officer explained that the Constitution described where responsibilities lay and, referring to page 20 of the report as an example, he said the Constitution also outlined who would hold responsibility for carrying out those functions. The intention of the proposal was to provide greater clarification around operational responsibility.

In response to a further concern raised by Councillor Ibbotson the Chief Officer advised that the Chief Executive retained overall responsibility as Senior Officer of the Council. Delegation to officers did not prevent the Chief Executive from over-ruling a decision if necessary except when an officer had a statutory post and specific responsibilities.

The Chief Officer also responded to the question raised by Councillor Steve Cople regarding workload and capacity and explained that the Head of Clwyd Pension Fund was already undertaking the relevant functions.

The recommendation in the report was moved and seconded by Councillor Antony Wren and Councillor Ian Hodge.

RESOLVED:

That the changes outlined in the Appendix to the Clwyd Pension Fund Constitution and the Pension Board Protocol be recommended to Council.

11. REVIEW OF PROCUREMENT THRESHOLDS FOR QUICK QUOTES/SINGLE SUPPLIER QUOTES

The Chief Officer (Governance) provided background information and explained that due to increased 'Market costs', the Collaborative Procurement Service led by Denbighshire County Council had received requests from multiple service areas to explore the option to raise the threshold for one quote and use of quick quotes. Approval was sought to suspend the current threshold of £10k set within the Contract Procedure Rules (CPRs) to proceed with the purchases of goods, services, or works, following receipt of one quote demonstrating value for money.

Approval was also sought to amend the current thresholds from £10k to £20k set within the Contract Procedure Rules (CPRs) to proceed with the purchases of goods, services, or works, following receipt of one quote and to allow use of the Quick Quotes functionality of the 'Proactis' e-tendering system for quotes up to £20k instead of the current threshold of £10k.

Councillor Alasdair Ibbotson asked what the officer level/grade was at which single quotes for the purchase of goods, services, or works, could be placed up to £20k. The Chief Officer explained that appropriate authority would be delegated to an officer by the Chief Officer for the relevant service which would vary according to the portfolio of responsibility. He advised that there were

specified thresholds at higher levels within the Contractual Procedure Rules (CPRs).

Councillor David Coggins-Cogan sought clarification of the data provided in section 1.04 of the report. He said he was in agreement with the threshold being raised to £20k but queried the need to suspend the current £10k threshold and increase to £20k until the approval and publication of revised CPR's in 12-18 months' time. The Chief Officer responded to the concerns raised.

The recommendations in the report were moved and seconded by Councillor Steve Cople and Councillor Arnold Woolley

RESOLVED:

- (a) That suspension of the current £10k threshold and increase to £20k until a full review of the CPR's were undertaken in line with new Legislation be supported; and
- (b) That use of the Quick Quotes functionality of the Proactis e-tendering system for quotes for goods, services, or works, up to £20k instead of The current threshold of £10k, be approved.

12. OVERVIEW & SCRUTINY TERMS OF REFERENCE

The Overview and Scrutiny Facilitator presented the report on the proposed amendments to the Terms of Reference for each of the Overview & Scrutiny Committees. She provided background information and advised that the current terms of reference and the proposed changes were set out in the appendices to the report.

The recommendation in the report was moved by Councillor Ian Hodge and seconded by Councillor Arnold Woolley

RESOLVED:

That the Committee recommends to Council the proposed amendments to the Terms of Reference for each of the Overview & Scrutiny Committees

13. MEMBERS OF THE PUBLIC AND PRESS IN ATTENDANCE

There were no members of the press in attendance.

(The meeting started at 2.00 pm and ended at 2.40 pm)

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Chairman