

TO: Councillor: Robin Guest (Chairman)

Councillors: Bernie Attridge, David Barratt, Chris Bithell, Carolyn Cattermoul, Glenys Diskin JP, Quentin Dodd, Veronica Gay, Alison Halford, George Hardcastle, Patrick Heesom, Dennis Hutchinson, Eng. Klaus Armstrong-Braun, Peter Macfarlane, Peter Pemberton, Neville Phillips OBE, Tony Sharps, Aaron Shotton, Nigel Steele-Mortimer, Arnold Woolley

Your Ref /
Eich Cyf

ur Ref / Ein Cyf ^{COO}

Date / Dyddiad 20/01/2010

Ask for /
Gofynner am

Direct Dial /
Rhif Union

Fax / Ffacs

Dear Sir / Madam,

A meeting of the **CONSTITUTION COMMITTEE** will be held in the **DELYN COMMITTEE ROOM, COUNTY HALL, MOLD** on **WEDNESDAY, 27 JANUARY 2010** at **10:00** to consider the following items.

Yours faithfully

Assistant Director (Democratic Services)

AGENDA

1. **APOLOGIES**
2. **DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)**
3. **MINUTES**
To confirm as a correct record the minutes of the meeting held on 17/12/2009 (copy enclosed).
4. **THE COUNCIL'S OWN PLANNING APPLICATIONS**
Report of Head of Legal and Democratic Services and Head of Planning enclosed

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5. **CONSULTATION ON POLITICAL STRUCTURES BY WELSH ASSEMBLY GOVERNMENT**

Report of Head of Legal and Democratic Services enclosed

6. **MEMBERS' COMMUNICATIONS**

Report of Head of Legal and Democratic Services enclosed

CONSTITUTION COMMITTEE
17TH DECEMBER 2009

Minutes of the meeting of the Constitution Committee of Flintshire County Council held in County Hall, Mold on Thursday 17th December 2009.

PRESENT: Councillor R J T Guest (Chairman)

Councillors: Eng K. Armstrong-Braun, J. B. Attridge, R. C. Bithell, Q. R. H .Dodd, V. Gay, A. M. Halford, G. Hardcastle, P. G. Heesom, R. P. Macfarlane, P. R. Pemberton, N. Phillips and A. P. Shotton.

SUBSTITUTES: Councillor: R. Hampson for D. Barratt.

APOLOGIES: Councillors: N. R. Steele-Mortimer, L. A. Sharps and A. Woolley

Councillor C. Thomas was also present.

IN ATTENDANCE:

Chief Executive, Head of Legal and Democratic Services, Assistant Director (Democratic Services), Head of Overview and Scrutiny and Democratic Services Manager.

32. DECLARATIONS OF INTEREST

There were no declarations of interest.

33. MINUTES

(a) Accuracy

The minutes of the meeting held on 28th July 2009 were approved as a correct record.

(b) Update

Councillor P. G. Heesom referred to minute number 26; "Procedure To Reduce The Risk Of Awards Of Costs Against The Council In Planning Appeals" and advised that work had progressed on this issue at the Planning Protocol Working Group, of which he was the Chair, and that he would pass the minutes to members of this Committee.

34. OVERVIEW AND SCRUTINY COMMITTEE STRUCTURE

The Committee considered the report of the Head of Legal and Democratic Services which was presented by the Assistant Director (Democratic Services) the purpose of which was to recommend to the County Council an amended committee structure for Overview and Scrutiny. Prior to the presentation of his report, the Assistant Director of Democratic Services reported upon the receipt of a consultation paper the previous day from the Welsh Assembly Government which included aspects of the Overview and Scrutiny function.

The Assistant Director reported upon the background to the preparation of the report and advised that at its meeting on 28th July 2009 the Committee had considered a report on the results of the Overview and Scrutiny Member Opinion Survey. That questionnaire included a section seeking views on the Overview and Scrutiny Committee structure.

The Member and Officer Survey results supported a revised committee structure which had a close alignment to the Council's organisational structure, avoided duplication and had capacity to engage in external Overview and Scrutiny. Responses to the survey were reported to the meeting of the Overview and Scrutiny Co-ordinating Committee on 16th July 2009. At that meeting the Committee supported the revised committee structure, which was detailed in Appendix 1 to the report, with the proviso that there should be a greater emphasis on outward looking Scrutiny including regional working and the relationship to the Welsh Assembly Government. At that time the Chair of the Co-ordinating Committee suggested that this could possibly be added to the terms of reference of the Co-ordinating Committee.

The survey results and the views of the Co-ordinating Committee were considered at a meeting of this Committee on 28th July 2009. In considering the future committee structure a number of differing views had been expressed which included views both in favour and against combining the existing Community and Housing with the existing Social and Health Committee, combining the existing Community and Housing Committee with the existing Environment and Regeneration Committee and the view that the Co-ordinating Committee should be combined with the Constitution Committee. The Committee decided that all Members should be given an opportunity to make suggestions as to an amended committee structure by the end of August and that consideration should be deferred pending a further report to consider each alternative model. By a letter dated 30th July 2009 all Members were informed of this and a copy of that letter was attached as Appendix 2 to the report.

The Assistant Director reported that the further consultation led to responses being received from Councillors Eng. K. Armstrong-Braun, D. Barratt, C. Carver and T. Newhouse and the report summarised their comments. In continuing the presentation of the report, the Assistant Director referred to the meeting of Group Leaders on 16th September 2009 when the issue of Overview and Scrutiny Committees was considered and it had been decided that Group Leaders should have four weeks to make any suggestions they may wish to make. Following which a meeting be arranged for Overview and Scrutiny Chairs and Vice-Chairs to consider various options. The only Group Leader who made suggestions was Councillor Robin Baker on behalf of the Liberal Democrat Group and advised that only three Members wished to make further comments to those in the Members' Survey and these were detailed in the report. The Committee was informed that a progress report was given to the Co-ordinating Committee on 22nd October 2009 and the main issue arising from consideration of the report was whether the Community and Housing Committee should be combined with the Social and Health Committee in view of their existing workloads. It was decided a small working group of Members should be set up to explore that point further. Immediately after the Co-ordinating Committee meeting the meeting of Chairs and Vice-Chairs was held pursuant to the Group Leaders' meeting and the suggestions made by the Liberal Democrat Group were considered.

At both the Co-ordinating Committee meeting and the meeting of Chair and Vice-Chairs, a number of Members were of the view that reducing the number of formal committees would enable greater use of Task and Finish groups. There was also recognition that as any new committee structure was unlikely before the annual meeting there was now less reason for joint Chairs and Vice-Chairs. There was also recognition that the Co-ordinating Committee was needed to deal with issues common to all Overview and Scrutiny Committees.

The Assistant Director reported that on 2nd November 2009 the Member Working Group met to consider the issue of combining the Community and Housing and Social and Health Committees. Following a wide ranging discussion at that meeting, Councillor McGuill, who chaired the Committee, summarised the factors in favour of the two committees combining and those against. The factors in favour were that the Committee structure would match the Directorate structure and there would be more scope for task and finish groups and workshops resulting in a better use of Officer resources. The factors against were the current review of the Housing Stock Transfer Option and the new Health structure were both issues requiring much time and that the way the two existing committees operated was very different. The report went on to identify the key considerations and detailed the provisions of the Local Government Act 2000 in relation to the Overview and Scrutiny function.

It was noted that Flintshire currently had more Overview and Scrutiny Committees than any other North Wales Council and the number of members of each committee was higher than average. The current structure was based on the Council's previous Directorate structure together with a Co-ordinating Committee. The report then considered each of the existing Overview and Scrutiny Committees and any proposals to change each of them. It was noted that the existing Corporate Management and People and Performance Committees were created at a time when there were two central Directorates. Now there was a central Corporate Services Directorate and it seemed appropriate to combine the two existing committees into one Corporate Committee including the new Crime and Disorder Powers and to scrutinise the Police and Fire Authorities. This had been supported by Officers, Members and the Co-ordinating Committee. With regard to the Lifelong Learning Overview and Scrutiny Committee there had been no suggestions to change the existing terms of reference for the committee. Similarly, there was no support to change the role of the Environment Overview and Scrutiny Committee. It was noted that during the consideration of the committee structure at the last Constitution Committee that Members suggested that the Environment Committee be combined with the existing Community and Housing Committee, the reason given was that this would better reflect the Executive Portfolios. It was acknowledged that Executive Portfolios were in the gift of the Council Leader and changed on a regular basis. Officers believed that the Environment Committee already had a broad remit and did not have capacity to take on the work of the current Community and Housing Committee. The Member and Officer Surveys favoured a committee structure that reflected the existing Directorate structure and this meant combining the existing Social and Health and Community and Housing Committees. This was the aspect of the proposal that had attracted the most Member interest.

In determining a revised Overview and Scrutiny Committee structure it was important to have widespread Member support. The wide ranging consultation following the Member and Officer Surveys did however indicate it would be difficult to

arrive at a structure which had unanimous Member support. Following the wide consultation the recommendation for restructuring was detailed in the report.

Councillor R. C. Bithell commented that it was a good report and highlighted the key issues. He expressed a view that the topics raised had to be discussed and even if the number of committees was reduced it would not necessarily mean a reduction in the time taken in dealing with those issues as the committees may have to sit longer. He thought it was important that all Members of the Council played a role in the process. He felt that until the ballot was undertaken in relation to Housing Stock Options Transfer then the Community and Housing Overview and Scrutiny Committee should remain. Councillor Bithell also felt the Co-ordinating Committee played an important role in the allocation of work but accepted that there could be a reduction in the number of Members on that committee. Councillor P. G. Heesom felt at present there was a democratic deficit. He felt that the only issues addressed by the Overview and Scrutiny Committees were those which were part of the Executive Forward Work Programme. Councillor Heesom felt that Members should be allowed further opportunities to raise matters as part of the Overview and Scrutiny function. He supported the views of Councillor R. C. Bithell in relation to the Housing function. He also felt that the Health Service reform was a significant issue and could be a time consuming item. With regard to task and finish groups, he felt that not all essential work should be put through them as he felt there was a need for wider consultation of the decision making process. He acknowledged that People and Performance and the Corporate Management Overview and Scrutiny Committees could benefit from being combined.

Councillor P. Macfarlane supported the views of Councillors Bithell and Heesom in relation to the Housing function but did not support Councillor Heesom's view on the current Scrutiny arrangements where he felt there had been considerable progress. Councillor Hampson also supported the view of the previous speakers in relation to the Housing function.

Councillor C. Thomas was attending as an observer and was invited to comment by the Chairman. Councillor Thomas very much supported the role of the task and finish groups which she felt undertook a very useful role and suggested it was an ideal forum for Members to be able to contribute. Councillor Thomas identified specific examples of what she felt had proved successful work of the task and finish groups.

Councillor K. Armstrong-Braun reiterated his view in relation to the Co-ordinating Committee which he felt provided no useful purpose and could be deleted from the structure. He felt there was more power required for the Overview and Scrutiny function with regard to Task and Finish groups. He indicated they were always busy and brought back reports to the main Overview and Scrutiny Committees for them to make a decision. He supported the merger of the Social and Community and Housing Overview and Scrutiny Committees.

Councillor A. P. Shotton also acknowledged the thoroughness of the report and referred in particular to the original guidance when the Welsh Assembly Government had set up the Overview and Scrutiny function. He referred in particular to the guidance on the number of Chairs that should be held by the ruling Groups and felt that this may be an issue to be discussed at the annual meeting. Councillor A. P.

Shotton also referred to the current arrangements which had been acknowledged throughout Wales for its effectiveness and a good example of the Scrutiny function. He referred to the reference to the possible expenditure savings referred to in the financial implications and felt that this should not be an issue but about effective Scrutiny. Councillor Shotton felt there was a role for Task and Finish groups within the over all committee structure. Councillor Shotton supported the views in relation to the Housing function and that the appropriate committee should not be merged until after the outcome of the Housing Stock Options Transfer Ballot. He also disagreed with the views of Councillor K. Armstrong-Braun in relation to the role of the Co-ordinating Committee which he felt played a valuable role. In this respect he felt that it could play an important role on national issues such as Health Service Reform. Councillor Shotton was also keen for those Members who did not sit on the Executive to play a role and be guaranteed a place on an Overview and Scrutiny Committee.

Councillor Q. R. H. Dodd expressed a view that the structure currently under examination would be for the next two and a half years. He also referred to the significance of the Boundary Review and the effect that might have on the structure of the Council. He also concurred with the view that the Housing function should remain where it was for the time being, this point was reiterated by Councillors G. Hardcastle and P. Pemberton.

Councillor J. B. Attridge expressed his concern at the number of occasions of the meetings of Overview and Scrutiny Committees when the Executive Member was not present. He felt that they had a distinct responsibility and that it should not always be for the Officers to address the issues. The Assistant Director of Democratic Services explained that when scoping a topic the Committee should determine those it wanted to attend and it may not always be appropriate for an Executive Member to attend. Councillor Attridge commented that it was not for the Officers to determine if the Executive Member should be required to attend an Overview and Scrutiny Committee.

The Chairman suggested that there was a technical aspect to this point and whether it would be appropriate for the Monitoring Officer to come back and report thereon.

Councillor A. Halford referring to the role of the Executive Member and commented specifically on the Housing function where because of existing circumstances there was currently no individual Executive Member responsible for this function. She expressed her surprise at the current arrangements put in place by the Leader. Pursuing the point regarding the attendance of the Executive Members at Overview and Scrutiny Committees, Councillor A. P. Shotton commented that there was a genuine concern and not just from Members of Opposition Groups.

Councillor R. C. Bithell referred to the time when he was an Executive Member and that he used to sit in the public seats at Overview and Scrutiny Committees by way of interest but was always prepared to attend formally when required to do so.

The Chief Executive commented upon issues raised by Members and confirmed that it was not the responsibility of Officers to determine when an Executive Member attended an Overview and Scrutiny Committee. He also confirmed that it was not the remit of this part of the review to save money or resources, it was done

purely on the basis for the best way for the Overview and Scrutiny function to operate. The Chief Executive also referred to the appropriateness of Councillor A. P. Shotton's point regarding the issues on regional matters which could well be addressed by the Overview and Scrutiny Co-ordinating Committee. With regard to the issues of Housing, he accepted the views expressed and that it should be left as it is at present. Similarly, the Social and Health Overview and Scrutiny Committee had a very important task in relation to issues involving the National Health Service. He suggested that these issues could well proceed into the year 2011.

After some discussion the Chairman indicated that he wished to proceed to the vote and it was duly proposed and seconded that the recommendations in the report be agreed subject to the inclusion as (d) that the Community and Housing and Social and Health Committee continue until the result of the Housing Stock ballot was known when their position be reviewed by this Committee. Councillor K. Armstrong-Braun felt that he had not had an opportunity to make all his points and decided to leave the meeting.

RESOLVED:

That the County Council be recommended to accept a revised Overview and Scrutiny Committee as detailed in Appendix 1, subject to:-

- (a) the Co-ordinating Committee being reduced to fifteen members;
- (b) the Co-ordinating Committee having responsibility to scrutinise regional working and the relationship with the Welsh Assembly Government;
- (c) the deletion of references to Joint Chairs and Vice-Chairs;
- (d) that the Community and Housing and Social and Health Committees continue until the result of the Housing Stock ballot is known when their position be reviewed by this Committee.

35. REGULATION OF INVESTIGATORY POWERS ACT (RIPA) AUTHORISING OFFICERS

The Committee considered the report of the Head of Legal and Democratic Services which was presented by the Assistant Director (Democratic Services), the purpose of which was to amend the existing Regulation of Investigatory Powers Act (RIPA) Authorising Officers so as to reflect a recommendation from the Office of Surveillance Commissioners.

The Committee was informed that the Act enabled and regulated the use by Public Authorities, such as the Council, of covert surveillance and covert human intelligence sources. Compliance with the Act was enforced by the Office of Surveillance Commissioners who periodically visited Authorities to check on their arrangements. It was noted that an Assistant Surveillance Commissioner had visited the Council in the summer and issued an Inspection Report containing five recommendations. The Assistant Director confirmed that these recommendations had been or were in the course of being implemented. One of the recommendations which was to reduce the number of those permitted to authorise for the purpose of the Act and compliance with this recommendation required an amendment to the Officer Delegation Scheme in the Constitution. The Committee was informed that at present the Delegation Scheme provided that the Chief Executive, Corporate Directors and

Heads of Service could authorise Officers within their Service to act as Authorised Officers for the purposes of RIPA.

The Office of Surveillance Commissioners was recommending that this be reduced to about five Officers in addition to the Chief Executive and Directors. The Officers delegated would then undertake authorisations more frequently and become more familiar with and expert in the requirements. All such Officers should have received training on RIPA.

Another recommendation of the report was that the Council appoint a RIPA Monitoring Officer with responsibility for record keeping, training, oversight and heightening awareness of RIPA throughout the Council. As part of the Democratic Services Review it was decided that this should be the Governance and Democracy Manager.

The report detailed those areas of the Council which made most use of RIPA. The RIPA Monitoring Officer was consulting with the Heads of Services for those areas to determine the five Officers who could be authorised following which the existing authority of any authorised Officers would be cancelled.

Councillor R. C. Bithell sought further clarification on the number of Officers currently used and the type of work that they undertook in this role. The Assistant Director (Democratic Services) explained that there were currently approximately double the number that was recommended and explained the type of work when RIPA was used.

Councillor J.B. Attridge enquired if there was a need for five officers plus the Chief Executive and Directors. Councillor Heesom also expressed a similar view and felt that there should be a limit of six which would include the Chief Executive, the Monitoring Officer and the Section 151 Officer. The Head of Legal and Democratic Services explained that if the Council accepted this it would go against the recommendation of the Commissioner in his inspection report. He also suggested it would not be appropriate for him in his role as Monitoring Officer to be an Officer for this purpose as it was necessary for him to give independent advice on their usage.

A general discussion ensued and Members accepted the point that this course of action was usually a last resort. Councillor A. Halford enquired if this should be an issue to be addressed by the Standards Committee to illustrate the independence of the process. However, the Monitoring Officer advised that this was not within their remit as the legislation applied to Officers of the Council.

The Head of Legal and Democratic Services explained this was the third inspection that had been undertaken and the current Inspector had taken a more robust view on certain issues and this was the reason for the recommendations. The Chief Executive also explained that since he had been employed by the Council he had never been asked to endorse any investigations under these powers and concurred with the view that it was a rare issue. In view of the explanation given the Committee accepted the recommendation.

RESOLVED:

That the Delegation Scheme is amended to provide that the Chief Executive, Corporate Directors and up to five others, determined by the RIPA Monitoring Officer, be authorised for the purposes of RIPA.

36. FORMAT OF MINUTES

The Committee considered the report of the Head of Legal and Democratic Services, the purpose of which was to consider setting up a Task and Finish Group to review the format of Minutes for Council and Committee Minutes. The Committee was informed that the present format of Minutes emanated from a decision of the County Council held on 8th November 2005 and the report identified the relevant resolution. The remainder of the resolution dealt with a new process for the approval of Minutes and arrangements whereby questions on Minutes could be asked at meetings of the County Council following ten clear working days notice in writing of the question. In the original resolution it was the intention for the practice to be reviewed in six to twelve months from the introduction of the new practices. However, it had always been the intention to review those arrangements relating to Minutes but there had been delays for a number of reasons including the development of the Committee Administration System.

However, Councillor Q. R. H. Dodd duly proposed and was seconded by Councillor R. C. Bithell that the status quo for Minutes remain. Councillor A. Halford initially did not agree with this recommendation and spoke on behalf of a member of her Group who had some concerns in this respect. However, the Head of Legal and Democratic Services indicated that he had earlier spoken to the Member concerned who had indicated that the last set of Council Minutes were more balanced in his view and Councillor Halford accepted this. Councillor P. G. Heesom concurred with the view that the Minutes in their current format should remain and that the situation could be reviewed in two years time. The Chief Executive enquired if Members were happy with the Minutes, why it was necessary to seek a review. Members indicated that things could change but accepted that the review could be implemented as and when necessary.

RESOLVED:

That the format of Minutes for Council and Committee meetings remain in their current form.

37. CHAMPIONS

The Committee considered the report of the Head of Legal and Democratic Services, the purpose of which was to consider setting up a Task and Finish Group to review the roles and appointments of Champions. The Committee was informed that at the meeting of the County Council held on 24th August 2009 the Leader of the Council withdrew a Notice of Motion which stated:

“That work as a Member Champion be added to the list of approved duties in the Members’ Allowances Scheme with effect from 1st April 2009.”

The Head of Legal and Democratic Services reported that some research undertaken in connection with the Notice of Motion established that there is no single process for

the appointment of Champions, in addition there was no clear picture as to the reporting or accounting line between Champions and the responsible Executive Member, Committee Chair or Directorate. Requests had been made for this Committee to consider reviewing the position. The role of Champions was considered briefly at the meeting of the Corporate Management Overview and Scrutiny Committee and it was agreed at the suggestion of that Committee that the matter be left with the Constitution Committee to avoid duplication of effort. In the circumstances, the Head of Legal and Democratic Services invited Members to consider setting up a Task and Finish Group. The Group could, at its first meeting, consider those arrangements which had already been put in place and the remit of existing Champions where this had been set out. It was suggested that the Task and Finish Group comprise Members of each of the four political Groups on the Council and report back in due course in relation to those matters set out in paragraph 2.03 of the report.

Councillor P. G. Heesom felt it was a good suggestion and felt that the five Members should be from this Committee. Councillor A. P. Shotton whilst accepting the principle, felt that in the first instance that a report should go to Group Leaders from the Monitoring Officer. He expanded upon the point relative to the Leader having the ability to appoint Champions. Councillor R. C. Bithell, in his previous role as Executive Member for Lifelong Learning, had been a Champion in that area. However, he understood that there appeared to be other Champions in addition to Executive Members and he felt that this was a point that required clarification. The Chairman felt that the points raised illustrated the need to bring it forward to avoid confusion on the role of the Champions. Councillor Q. R. H. Dodd expressed similar views to Councillor Shotton and felt this should come back to this Committee after it had been initially examined by Group Leaders. Councillor N. Phillips concurred with the view that the whole issue required examination. Councillor A. Halford sought clarification on the role of the Champions and if they received any allowances at present. She also expressed support for the views expressed by Councillor Dodd and felt a paper should be prepared accordingly. Councillor V. Gay supported the Task and Finish Group. She expanded on her role as a Champion but felt that it required clarification and particularly in relation to the role of the Executive Member. Councillor P. Pemberton also supported the need for a review because of the role of Champions was not clear and that it would be for Members' benefit if this information was available. Councillor J. B. Attridge felt that there was not a necessity for a Champion because he referred to the situation whereby if a Member wished to become more involved then they could shadow an Executive Member or Group Leaders which had been undertaken by a number of other people. Councillor A. P. Shotton withdrew his previous suggestion of the report going to Group Leaders and supported the principle of a Task and Finish Group. For that Group he felt it was essential for the Leaders intentions to be made known on the role of Champions.

The Head of Legal and Democratic Services felt that it was necessary for work to be undertaken on the role of the Champions because a number of Members understood that they were Champions but had not formally been designated as such and for this reason he wished to undertake research and produce a report to allow Members to consider the issue further. The Chief Executive concurred with the view of the necessity to formally identify Champions because if a Member was of the opinion that they were a Champion and expressed a view in a forum then it would be

accepted that it was the Council's formal view in that area so it was essential for roles to be identified.

Councillor P. G. Heesom also concurred with the view and expressed that there was considerable confusion amongst Members between the roles of Executive Members and those of Champions.

RESOLVED:

That a Task and Finish Group be established consisting of five Members as follows:-
Councillors R. C. Bithell, A. Halford, P. G. Heesom, V. Gay and A. P. Shotton.

38. CORPORATE GOVERNANCE – SELF ASSESSMENT

The Committee considered the report of the Head of Legal and Democratic Services, the purpose of which was to inform Members of the delayed timescale for the annual self assessment of Corporate Governance. The report detailed the background to its preparation and the Head of Legal and Democratic Services advised that, for a number of reasons, the Wales Audit Office work had been delayed and the outcome of the exercise was still awaited although it was hoped that it would be received before the end of the calendar year. In the circumstances and provided the outcome of the Wales Audit Office exercise was received by the end of the year, it was suggested that a provisional timescale should be followed as detailed in the report. The Chief Executive indicated that he was concerned with the delay and was chasing this up with the Wales Audit Office.

RESOLVED:

That the provisional timescale for the self assessment and review of the Code of Corporate Governance as set out in paragraph 3.01 be noted

39. CHANGES TO THE FUNCTIONS AND RESPONSIBILITIES OF THE COUNCIL AND THE EXECUTIVE

The Committee considered the report of the Monitoring Officer, the purpose of which was to inform Members of a number of additional functions which had been designated as County Council rather than Executive functions and others which were local choice functions whereby the Council could decide whether it wished those functions to be exercised by the Executive or by itself through delegated powers granted to Committees and Officers. The report detailed the background and identified the key considerations.

RESOLVED:

- 1) That the Highway functions set out in Regulation 4 of Appendix 1 be local choice functions exercised by the Executive in accordance with the existing delegation scheme.
- 2) That the Wildlife and Countryside functions set out in Regulation 4 of Appendix 1 be local choice functions exercised by the Executive in accordance with the existing delegation scheme.

- 3) That the functions set out in Regulation 4 of Appendix 1 relating to Gambling Act functions be local choice functions exercised by the Council through the existing delegation scheme to the Licensing Committee, Sub Committees and Officers.
- 4) That the following functions are Council functions:-
 - a) approval of the Single Education Plan;
 - b) the Right of Way Improvement Plan.
- 5) That the Electoral functions set out in the National Assembly for Wales (Representation of People) Order 2003 becomes an Executive function.
- 6) That the Monitoring Officer accordingly makes appropriate amendments to the Constitution reflecting these decisions and the content of the Regulations.

40. CHAIR/VICE-CHAIR OF PLANNING AND DEVELOPMENT CONTROL COMMITTEE

The Chairman referred to the fact that Councillor Klaus Armstrong-Braun who had left the meeting had originally raised this issue and enquired if Members wished for the item to be deferred to allow him to be present when it was discussed.

RESOLVED:

That a decision on this report be deferred accordingly.

41. PLANNING PROTOCOL WORKING GROUP 11TH DECEMBER 2009

The Assistant Director of Democratic Services reported upon the following recommendation to this Committee arising from the meeting of the Planning Protocol Working Group held on 11th December 2009:-

The Working Group recommended that the Planning Code at Best Practice be amended to remove the requirement that all planning applications made by the Council itself should be considered by the Planning and Development Control Committee

Councillor A. P. Shotton had some concerns with this proposal. Whilst accepting the point about the time taken by the Committee to discuss such applications he felt it was important for the Council and its Members to be safeguarded and they should be seen to be transparent. Councillor Q. R. H. Dodd supported this view. It was suggested that the Planning Protocol Working Group should look at the impact of different types of planning applications submitted by the Council. Councillor P. G. Heesom felt that there should be no real concerns as the Planning Protocol Working Group had taken considerable time in dealing with these issues. If there were significant objections to the application it would be reported to the Committee in any case. Councillor P. Pemberton also had concerns in relation to issues dealt with under delegated powers particularly when Town and Community Councils have expressed concerns on applications which had been determined without going to Committee. After some discussion it was felt that a deferment was appropriate.

RESOLVED:

That the decision on this matter be deferred.

42. DURATION OF MEETING

The meeting commenced at 10 am and finished at 12.20 pm.

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Chairman

SUMMARY OF DECLARATIONS MADE BY MEMBERS
IN ACCORDANCE WITH FLINTSHIRE COUNTY COUNCIL'S
CODE OF CONDUCT

CONSTITUTION COMMITTEE	DATE: 17TH DECEMBER 2009
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MEMBER	ITEM	MIN. NO. REFERS
NO DECLARATIONS WERE MADE		

FLINTSHIRE COUNTY COUNCIL

AGENDA ITEM NUMBER: 4

REPORT TO: **CONSTITUTION COMMITTEE**
DATE : **27 JANUARY 2010**
REPORT BY: **HEAD OF LEGAL AND DEMOCRATIC SERVICES AND HEAD**
 OF PLANNING
SUBJECT : **THE COUNCIL'S OWN PLANNING APPLICATIONS**

1.00 PURPOSE OF REPORT

- 1.01 To consider a recommendation from the Planning Protocol Working Group in relation to the Council's own planning applications.

2.00 BACKGROUND

- 2.01 At a meeting of the Planning Protocol Working Group on the 6 November it received a presentation from Trevor Roberts Associates on the Scheme of Delegation for planning. One of the issues arising from this workshop was that whilst the Scheme of Delegation allows planning applications submitted by the County Council to be determined under the delegated powers of the Head of Planning, the Planning Code of Practice requires all such applications to be considered by the Planning and Development Control Committee.
- 2.02 The Head of Planning submitted a report on the Scheme of Delegation to the Planning Protocol Working Group meeting of the 11 December to follow up issues identified at the 6 November meeting. The report to that meeting included a recommendation that the Code of Practice be relaxed to allow County Council schemes to be determined under delegated powers where appropriate. The Working Group agreed that this recommendation should be made to the Constitution Committee.
- 2.03 At its meeting on the 17 December the Constitution Committee considered this recommendation and decided to defer consideration until its next meeting.

3.00 CONSIDERATIONS

- 3.01 The Council's Code of Best Practice contains a section on applications submitted by the Council itself and the current wording is attached as **Appendix 1**. Whilst paragraph 7.1 of this wording says it is important that the Council treats its own applications on an equal footing with all other applications, paragraph 7.3 states that the Council's own applications should be reported to Committee rather than being dealt with under delegated powers to ensure transparency and openness.

Date: 20/01/2010

- 3.02 Compliance with the Code of Best Practice has resulted in very simple County Council applications, where no objections have been received and which comply with planning policy and other material planning considerations being determined by the Planning and Development Control Committee. There has been little debate at the Committee as matters of more strategic importance are considered in greater depth.
- 3.03 The recommendation of the Planning Protocol Working Group is to treat the Council's own applications in the same manner as all other applications and to therefore delete paragraph 7.3 from the Planning Code of Practice. The other provisions of the Scheme of Delegation will still apply to the Council's applications such as the Local Member being able to require that the application is considered by Committee or reference to Committee because the application constitutes a departure from the Development Plan. There is also the provision whereby if objections are received to an application recommended for permission it is considered at a meeting of the Chairman and Vice Chairman and either of them can require that the application be referred to Committee for determination.
- 3.04 Whilst the intention behind all the Council's planning applications going to Committee for determination is one of transparency and openness, the public may be suspicious of a process that treats Council applications different to all other applications. The documentation relating to the Council's planning applications is available to the public in the same way that non Council applications are available.

4.00 RECOMMENDATIONS

- 4.01 The recommendation of the Planning Protocol Working Group is accepted and paragraph 7.3 is deleted from the Planning Code of Best Practice.

5.00 FINANCIAL IMPLICATIONS

- 5.01 None as a result of this report.

6.00 ANTI POVERTY IMPACT

- 6.01 None as a result of this report.

7.00 ENVIRONMENTAL IMPACT

- 7.01 None as a result of this report.

8.00 EQUALITIES IMPACT

- 8.01 None as a result of this report.

9.00 PERSONNEL IMPLICATIONS

9.01 None as a result of this report.

10.00 CONSULTATION REQUIRED

10.01 This is a recommendation from the Planning Protocol Working Group.

11.00 CONSULTATION UNDERTAKEN

11.01 This is a recommendation from the Planning Protocol Working Group.

12.00 APPENDICES

12.01 Appendix 1 - Section 7 of the Council's Code of Best Practice.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985
BACKGROUND DOCUMENTS

Report to Planning Protocol Working Group meeting 11 December 2009

Contact Officer: Peter J Evans
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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 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.
- 7.3 In order to ensure transparency and openness in dealing with such applications Council proposals (save for discharge of conditions) will be determined by the Planning and Development Control Committee and not by the Chief Planning Services Officer under delegated powers.

FLINTSHIRE COUNTY COUNCIL

AGENDA ITEM NUMBER: 5

REPORT TO: **CONSTITUTION COMMITTEE**
DATE : **27 JANUARY 2010**
REPORT BY: **HEAD OF LEGAL AND DEMOCRATIC SERVICES**
SUBJECT : **CONSULTATION ON POLITICAL STRUCTURES BY WELSH
ASSEMBLY GOVERNMENT**

1.00 PURPOSE OF REPORT

- 1.01 To consider a consultation paper issued by the Welsh Assembly Government which relates to scrutiny and political structures and to determine a response to the provisions relating to political structures.

2.00 BACKGROUND

- 2.01 On the 16 December the Council received a consultation paper issued by the Welsh Assembly Government relating to scrutiny and political structures in local government. Using the framework powers granted to the National Assembly for Wales in the Local Democracy, Economic Development and Construction Act 2009, the Welsh Assembly Government intends to introduce a Measure on scrutiny and political structures. The policy issues which the Measure could address are discussed in the consultation paper. The consultation period ends on the 17 March 2010.
- 2.02 The provisions in the consultation paper relating to scrutiny were reported to the Co-ordinating Committee meeting on the 14 January 2010 and that committee determined the Council's response to those parts of the consultation paper. Attached as Appendix 1 is the part of the consultation paper relating to political structures for this committee to determine the Council's response to those aspects of the consultation paper.
- 2.03 A copy of the covering letter from Brian Gibbons, the then Minister for Social Justice and Local Government and the consultation paper itself have been deposited in the members' library and in the group rooms.

3.00 CONSIDERATIONS

- 3.01 The first issue relating to political structures is that the Assembly Government proposes to remove the "Mayor and Council Manager" political structure which has not been used in Wales and to make it easier for local authorities to change their political models and for greater flexibility in the establishment of area committees.
- 3.02 The second issue is contained in paragraph 11 of the consultation paper. The Assembly Government intends to simplify by reference to fields of

Date: 20/01/2010

activity functions that are not appropriate for Executive responsibility and allow more functions to be the subject of local choice. Welsh Ministers would have a fall-back power of direction in relation to this matter.

- 3.03 Paragraph 12 of the consultation paper proposes that local authorities will be able to delegate decision making powers to Executive members representing them on local service boards or other partnerships. Any such decisions needing to be recorded and published in the same way as other Executive decisions.
- 3.04 Paragraph 13 of the consultation paper indicates that the Assembly Government proposes to make it a requirement that Executives should publish forward plans on their websites. These should be rolling documents covering the period of six months ahead and subject to quarterly update. Guidance would make reference to the extent of detail required in the forward plans.
- 3.05 Paragraph 14 of the consultation paper indicates a proposal to make the establishment of audit committees a requirement and the appointment of members of such committees to be a function of the full Council. It is also proposed that the chair of the audit committee be a lay person, as with standards committees, and that a maximum of one third of the membership also be lay appointees.
- 3.06 Paragraph 15 of the consultation paper proposes that Welsh Ministers be empowered to intervene in the operation of a local authority when there is an actual or perceived threat to the effective discharge of functions as identified in the report of an inspector/ regulator. At present such powers of intervention are mostly confined to where there is a threat to the delivery of essential public services with limited powers in the event of political impasse.
- 3.07 Paragraph 16 relates to Scrutiny Committees and like the other proposals relating to Scrutiny was considered by the Co-ordinating Committee at its meeting on 14 January 2010.
- 3.08 Paragraph 17 of the consultation paper contains a proposal to introduce provisions for councillor calls for action in policy areas beyond the existing one of crime and disorder. Such provisions would be supported by guidance as to how to deal with frivolous or repetitive bids. Local authorities would be empowered to provide for functions and budgets to be delegated to councillors for use within their local community area.
- 3.09 Paragraph 18 of the consultation paper indicated a proposal by the Assembly Government to bring into effect provisions contained in the Local Democracy, Economic Development and Construction Act 2009 which at present only apply to England. In brief, the provisions place a duty on local authorities to promote understanding of their functions, their democratic arrangements and how members of the public can take part and what taking part is likely to

involve. There is also a duty on principal local authorities to promote understanding of public bodies in the authority's area. The Act also places duties on the Council in relation to petitions signed by those who live, work or study in the local area. The Assembly Government proposes to consult separately on guidance on the promotion of democracy, petitions and whether other local authorities (Community Councils, National Parks, Fire & Rescue authorities) should also be subject to requirements concerning petitions.

4.00 RECOMMENDATIONS

4.01 For the committee to consider the political structure aspects of the consultation paper with a view of formulating a response to the Welsh Assembly Government.

5.00 FINANCIAL IMPLICATIONS

5.01 None as a result of this report.

6.00 ANTI POVERTY IMPACT

6.01 None as a result of this report.

7.00 ENVIRONMENTAL IMPACT

7.01 None as a result of this report.

8.00 EQUALITIES IMPACT

8.01 None as a result of this report.

9.00 PERSONNEL IMPLICATIONS

9.01 None as a result of this report.

10.00 CONSULTATION REQUIRED

10.01 Copies of the consultation paper have been provided in the group rooms and in the members' library.

11.00 CONSULTATION UNDERTAKEN

11.01 Copies of the consultation paper have been provided in the group rooms and in the members' library.

12.00 APPENDICES

12.01 Appendix 1 - The part of the consultation paper relating to political

structures.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985
BACKGROUND DOCUMENTS

Consultation paper issued by the Welsh Assembly Government on
scrutiny and political structures.

Contact Officer: Peter J Evans
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Review of political structures and council organisation

10. Options for political structures

We have now had more than 7 years of formal experience of the political structures introduced through the Local Government Act 2000. There has been little support for mayoral models in Wales and none expressed for the option of elected mayor plus council manager, recently removed as an option in England by the Local Government and Public Involvement in Health Act 2007.

The Fourth Option (“alternative arrangements”) has operated in three councils since the introduction of the option in 2002. Although, as yet, no formal approach has been made to the Assembly Government by any of the three councils to change, the structure has not always been comfortable. Difficulties have arisen at various times in 6 relation to the creation of coherent leaderships, the relationship between the board and full council and the relationship between boards and area committees. The Assembly Government is not convinced that the Fourth Option has clearly demonstrated an improvement in transparency and effectiveness and it seeks to provide for the possibility of executive models being made sufficiently flexible to suit all principal councils. For instance, the current restrictions on the maximum size of area committees under executive arrangements, (that they must not represent more than 40 percent of either the area or the populations of an area) could be revisited.

The Assembly Government proposes to remove the “mayor and council manager” option. We will make it easier for local authorities to change their political models (subject to this not happening more than once every four years. All political models will need to include a leader or elected mayor plus a cabinet/executive, though this may include the possibility of a politically balanced cabinet. *(Note: In this case, the executive would reflect the balance immediately following the four-yearly full council elections and be in place for the full term of the council)*

It is proposed to introduce greater flexibility in the rules governing the establishment of area committees compared to existing executive models.

11. Functions and responsibilities

At present, complex regulations¹ specify the statutory functions of local authorities which must not, or may not, be the responsibility of executives or boards. The general principle is that core council functions should be the responsibility of the executive or board and responsibility for functions should also be transparent.

The Assembly Government intends to simplify the current system, so that “fields” of activity would be stipulated which would not be appropriate for executive responsibility, allowing authorities themselves to decide on fine detail and allowing more functions to be subject to local choice. Welsh Ministers would have a fall-back power of direction in relation to this matter.

12. Delegation of functions

The introduction of Local Service Boards opens the way by which decisions might be reached by those boards. There are already arrangements available which allow local authorities to form joint committees with other local authorities and delegate decision-making functions to those committees. The same does not apply, however, to committees formed with other public bodies which are not county or county borough councils.

It is proposed that local authorities will be able to delegate decision-making powers to executive members representing them on Local Service Boards or other partnerships. Any such decisions will need to be recorded and published in the same way as other executive decisions.

13. Forward planning

The research report on the Role and Functions of Elected Members recommended that executives should be obliged to publish forward plans of their work programme for the period ahead. This would enable the more efficient organisation of scrutiny as well as enabling greater public transparency.

The Assembly Government proposes to make it a requirement that executives should publish forward plans on their websites. These should be rolling documents covering a period of six months ahead and subject to quarterly update. Guidance would make reference to the extent of detail required.

14. Audit committees

The Assembly Government has endorsed CIPFA’s 2005 guidance to local authorities on the establishment of audit committees, as distinct bodies from the executive or scrutiny function. This recognises the complexity of local authorities as multi-million pound service delivery organisations. Audit committees are seen as an essential check on financial propriety and may also identify opportunities for efficiencies.

We propose to make the establishment of audit committees a requirement and that the arrangements for appointment of members should be a function of the full council. It is proposed that the Chair of the audit committee be a lay person, as in the case of standards committees, and that a maximum of one third of the membership also be lay appointees.

15. Welsh Ministers' powers

The Welsh Ministers' powers of intervention in the operation of a local authority are largely confined to instances where there is a threat to the delivery of essential public services. There are very limited powers in the event of political impasse or breakdown.

There may be circumstances in which political impasse prevents the authority from making decisions or otherwise making effective governance possible.

It is proposed that Welsh Ministers be empowered to intervene in the operation of a local authority when there is an actual or perceived threat to the effective discharge of functions, as identified within a report of an inspector/regulator.

Strengthening the links with the Community

16. Duty to consult

Following the recommendation of "Beyond Boundaries: Citizen-Centred Local Services for Wales" to develop citizen-centred scrutiny, a number of options for involving the citizen in the scrutiny process have been discussed and piloted in 8 various councils. Local authorities are already under obligations to consult as part of the development of their strategic plans.

It is proposed that scrutiny committees should be placed under an obligation to provide the public an opportunity to contribute to policy reviews by scrutiny committees.

17. Councillor/community calls for action

The Local Government and Public Involvement in Health Act 2007 introduced the provisions necessary for the operation of community, or councillor, calls for action (CCfAs) in England.

A further form of CCfA was introduced for the scrutiny of crime and disorder matters, under the provisions of sections 19 and 20 of the Police and Justice Act 2006 in April 2009 for England and in October 2009 for Wales. In essence, CCfAs under the Police and Justice Act 2006 empower local communities and local councillors. Should a local community feel they have a crime and disorder problem which falls within the responsibility of their local authority, they may raise it with their local member. The local member could be empowered, through a delegation of budgets and responsibility, to remedy the problem themselves if practical to do so. If that is not practical, he could ensure that the matter was discussed at the relevant scrutiny committee, who, in turn, could require the executive/board to investigate and produce a report on the matter. This would be fed back to the community through the local member.

The Assembly Government proposes to introduce the provisions enabling CCfAs in policy areas beyond that of crime and disorder. Such provisions would be supported by guidance as to how to deal with frivolous or repetitive bids. Local authorities would be empowered to provide for functions and budgets to be delegated to councillors for use within their local community area.

18. Promotion of democracy and petitions

The 2009 Act includes provisions in relation to Petitions and the Promotion of Democracy. It imposes duties on local authorities to promote understanding of the opportunities for members of the public to influence the work of local authorities and other local public bodies. The provisions apply to England and Wales but Welsh Ministers have discretion as to when they are commenced in Wales.

In brief, the provisions place a duty on local authorities to promote understanding of their functions, their democratic arrangements and how members of the public can take part and what taking part is likely to involve.

In addition, there is a duty on principal local authorities to promote understanding of public bodies (referred to as 'connected authorities') which cover the authority's area, explaining what they do and their democratic arrangements, and how members of the public can take part and what this is likely to involve. Allied to this is a duty to promote understanding among local people of courts boards, independent monitoring boards for prisons and immigration removal centres, Youth Offending Teams and lay justices and how local people might play a role in these.

The 2009 Act places duties on councils in relation to electronic petitions signed by those who live, work or study in the local area. They must make, publicise and comply with a scheme for handling both paper and electronic petitions, so that local decision-making about petitions is more transparent, by requiring them to publicly respond to petitions which meet certain criteria.

The provisions give an automatic right for the matter raised in a petition to be debated by the full council if more than a specified number of people have signed it. Welsh Ministers have the power to issue guidance as to the threshold figure which is appropriate and to specify by order a threshold figure applicable to all principal authorities, or to direct a principal authority to amend its petitions scheme, including the threshold specified in it.

Under the 2009 Act, certain senior council officers could, as a result of a petition, be called to account at a scrutiny meeting, though councils could determine which of their officers are liable to be called to account.

The Welsh Ministers have power to issue guidance in relation to the petition function. This includes a power to create a model petitions scheme which authorities will be able to adopt and a power to direct an individual authority to amend its petition scheme.

The Assembly Government proposes to commence these provisions so as to come into force at the same time as provisions in the Assembly Measure. We will consult on guidance on the promotion of democracy and on petitions. We will also consult on whether other local authorities (community councils, national parks, fire and rescue authorities) should be subject to petition schemes.

FLINTSHIRE COUNTY COUNCIL

AGENDA ITEM NUMBER: 6

REPORT TO: **CONSTITUTION COMMITTEE**
DATE : **27 JANUARY 2010**
REPORT BY: **HEAD OF LEGAL AND DEMOCRATIC SERVICES**
SUBJECT : **MEMBERS' COMMUNICATIONS**

1.00 PURPOSE OF REPORT

1.01 To consider a protocol for dealing with Members' correspondence.

2.00 BACKGROUND

2.01 At a meeting of the County Council held on the 16 December, 2009 Councillor Q R H Dodd sought to defer a notice of motion that he had submitted concerning "the answering of letters and e-mails and telephone calls" by staff following certain assurances that he had received that the Corporate Management Team and Leader's Strategy Group had recognised that there was a problem and that it was intended to raise awareness amongst staff concerning the requirements of existing processes.

2.02 Following some discussion, the County Council accepted Councillor A Shotton's amendment and resolved:

"That the Council calls upon the Executive to bring forward a protocol of dealing with correspondence, including letters and e-mails and reports to the Constitution Committee."

3.00 CONSIDERATIONS

3.01 Following the County Council meeting the attached discussion paper has been considered by the Corporate Management Team. It acknowledges that there is an inconsistent approach to dealing with Members' enquiries and proposes processes to address those inconsistencies. The discussion paper draws a distinction between service enquiries and more complex matters. With regards to service enquiries, it is intended to offer Members a variety of methods of contact with appropriate Officers. It is intended to produce a Useful Contact List for circulation amongst Members and to provide a main contact officer for each Directorate or Division. In addition, the Customer Services Team can be contacted in circumstances where Members are unclear as to which service to contact initially. Enquiries received will be recorded on a virtual contact centre.

3.02 In relation to complex matters, it is intended that the details will be logged on the mail logging system and in relation to telephone calls and e-mails on the virtual contact centre if appropriate. Each Director or Head of Service will

Date: 20/01/2010

nominate a person who will be the main point of contact for each matter and that person will be responsible for providing updates and progress reports.

- 3.03 A guidance document will be produced for staff to ensure that they are aware of the system and a survey will be undertaken to obtain a better understanding of the present position and assist in making further improvements.

4.00 RECOMMENDATIONS

- 4.01 That Members consider the proposals set out in the discussion paper to enable the Corporate Management Team to implement the proposals set out.

5.00 FINANCIAL IMPLICATIONS

- 5.01 None

6.00 ANTI POVERTY IMPACT

- 6.01 None

7.00 ENVIRONMENTAL IMPACT

- 7.01 None

8.00 EQUALITIES IMPACT

- 8.01 None

9.00 PERSONNEL IMPLICATIONS

- 9.01 None

10.00 CONSULTATION REQUIRED

- 10.01 All Members will have received a copy of this report and will be given the opportunity to comment upon their experiences of the process by way of a questionnaire.

11.00 CONSULTATION UNDERTAKEN

- 11.01 Discussion with Corporate Management Team.

12.00 APPENDICES

- 12.01 CMT Discussion Paper - 18 January 2010

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985
BACKGROUND DOCUMENTS

As referred to in the report.

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CMT Discussion Paper - 18th January, 2010

Member Enquiries

It is recognised that there is an inconsistent approach to dealing with Members' enquiries whether in writing (letter or email), by telephone or face to face. The purpose of this paper is to propose processes to address these inconsistencies and ensure that Members have the relevant information and contact details to hand to deal with all enquiries.

Service Enquiries *(these include requests for service, information requests and progress updates, and in the main be telephone or email contact)*

- Some Members have their 'regular' contacts in service areas for various purposes and have built up a working relationship over many years. There is no reason why this method of contacting officers cannot continue however there are other Members who choose not to use this approach or may not have built that network of 'regular' contacts.
- It is proposed that arrangements are implemented which offers all Members a variety of methods to make contact with the appropriate officers.
- A Useful Contact List will be produced and issued to all Members. This will contain the contact details (name, phone, e-mail and location) of the regularly used services and associated officer(s). The list will be produced alphabetically by service and alphabetically by officer name. Members may also choose to continue with their regular contact officers if different.
- In addition a main contact officer for each directorate or division will be identified who Members can contact with their enquiry if they have difficulty in contacting the relevant service, the enquiry is of a complex nature or they are not satisfied with the initial contact and/or response. The contact details of this person will be included in the Useful Contact List.
- The contact details for the Customer Services Team will be included in the Useful Contact List and can be contacted when Members are unsure about which service to contact or if they have difficulty in contacting the relevant service or contact officer.
- Enquiries received from Members by the directorate contact officer or by the Customer Services team will be recorded on the virtual contact centre. This is a record of enquires made to the Council which is regularly monitored to ensure that enquiries are not overlooked and are dealt with within the published standard of 10 working days.

Complex Matters *(these may not relate to a specific service or directorate but cut across a number of areas and tend to be of a more complex or contentious and tend to be received by the Chief Executive, Directors and Heads of Service)*

- In the case of letters, details must be logged initially on the mail logging system. In the case of telephone calls and emails, details of the enquiry should be recorded on the virtual contact centre if appropriate. By using these systems the matter is recorded, progress can be monitored and matters can be escalated when required.
- The Director or Head of Service must nominate a contact officer (could be themselves) to be the main point of contact for dealing with the matter at hand. The Member is informed who that contact officer will be at the earliest opportunity.
- The contact officer will contact the member at the earliest opportunity to introduce themselves as the officer dealing with the matter and if required clarify any points or gather additional information.
- The contact officer will keep in regular contact with the Member until the matter is resolved, providing regular updates and progress reports.
- The contact officer will also be responsible for updating any monitoring systems in terms of progress and completion e.g. Mail Logging system, Virtual Contact Centre

Staff Awareness

- A guidance document for staff will be produced to ensure that they are aware of the system for dealing with Members' enquiries and aware of the customer care standards in relation to response times. This will be communicated to all staff with individual copies being sent to staff on the Useful Contact List.

Best Practice

- To assist us in delivering further improvements and meeting Member requirements a survey will be undertaken to gauge Members' experiences in terms of good and bad practice, and to identify their suggestions for priorities for improvement.
- In addition management and staff will be encouraged to identify good practice across the authority.

Planned Actions

- Contact Directors to seek a suitable officer to take on the role of contact officer for Member service enquiries.
- Identify the regularly used services and the relevant contacts.
- Produce a Useful Contact List for Members and circulate to all Members along with the arrangements for dealing with Member enquiries.
- Produce a guidance document for staff and communicate to staff.
- Develop and conduct member survey to measure their satisfaction levels and identify area of good and bad practice.