

CONSTITUTION COMMITTEE
3RD MARCH 2010

Minutes of the meeting of the Constitution Committee of Flintshire County Council held in County Hall, Mold on Wednesday 3rd March 2010.

PRESENT: Councillor R J T Guest (Chairman)

Councillors: R.C. Bithell, J.C. Cattermoul, Q. R. H .Dodd, A. M. Halford, P. G. Heesom, H.D. Hutchinson, R. P. Macfarlane, P. R. Pemberton, N. Phillips and N.R. Steele-Mortimer.

SUBSTITUTIONS: Councillor R.G. Hampson for D. Barratt.

APOLOGIES: Councillors: Eng. K. Armstrong-Braun, J.B. Attridge, G. Hardcastle and A.P. Shotton.

IN ATTENDANCE:

Chief Executive and Head of Legal and Democratic Services.

52. DECLARATIONS OF INTEREST

There were no declarations of interest.

53. MINUTES

The minutes of the meeting of the Committee held on 27 January, 2010, were submitted.

Matters Arising

Councillor A.M. Halford referred to page 4, paragraph (iii), relating to Champions and enquired about progress regarding establishing a Task and Finish Group. . The Head of Legal and Democratic Services advised that all relevant information had been collected and a meeting was to be arranged but he was unable to say precisely at the moment when that would take place although work was in progress.

Councillor R.C. Bithell referred to page 5, paragraph (vii) relating to the Planning Protocol Working Group. He said that he was still of the opinion that minor applications should follow the same process as other applications submitted to the Council. The Head of Legal and Democratic Services advised that it was intended that the matter would be included as an agenda item for the next meeting of the Committee.

Councillor N.R. Steele-Mortimer referred to page 11, item 48, and commented on the current arrangement whereby staff in Members Services distributed correspondence to Members through use of the "pigeon holes" in Members Services. He referred to the need to maintain a "free and easy system" of communication between Members and it was agreed that a more

detailed discussion should be held to establish rules and guidelines for the future operation of Members' communications.

Councillor Q.R.H. Dodd raised a query regarding the process for a protocol for dealing with Members correspondence. The Chief Executive advised that he had raised the matter within the Management Team and there was more work to be undertaken to ensure it was robustly implemented.

Councillor P. Heesom referred to item 47 on the consultation on political structures by the Welsh Assembly Government and asked if the Council's response to the Consultation Paper could be made available.

The Chief Executive referred to item 49 on the Boundary Commission Report, and informed Members that he had submitted a joint report with the Head of Legal Services to the next meeting of the Council which would challenge the Boundary Commission proposals.

Councillor P. Heesom referred to item 50 regarding analysis of late reports and expressed concern that late reports were still being received for meetings. The Chairman advised that if future statistics indicated a substantial increase in the number of late reports the issue would be considered by the Committee again. The Chief Executive confirmed previous advice on improved performance.

Councillor Q.R.H. Dodd referred to issues to be discussed at the Personnel Committee and requested that a detailed report accompanied the agenda which outlined the reasons and arguments for the case.

RESOLVED

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

54. COUNTY COUNCIL DIARY OF MEETINGS 2010/11

The Committee considered a report of the Chief Executive the purpose of which was to consider a revised frequency of Flintshire County Council meetings for 2010.

The Chief Executive provided background information to the diary of meetings for 2010/11. In drafting the diary it had been suggested that the usual ten weekly County Council meetings be combined with those meetings which were required to be held on specific dates for items such as the Statement of Accounts. This had resulted in five meetings of the County Council being scheduled. The Chief Executive emphasised that there had been no intention to reduce the number of Council meetings but there had been an oversight in the calculation of the draft diary which had been amended and the five dates had been replaced with eight alternative dates which were listed in the report for Members' consideration. The Chief Executive advised that there were no proposed changes to the remainder of the draft diary.

RESOLVED:

That the diary of Council meetings be recommended for approval at the County Council meeting to be held on 9 March 2010.

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

The Chairman asked Members to consider deferring the item until the next meeting of the Committee when Councillor K. Armstrong-Braun could be present.

RESOLVED

That the item be deferred until the next meeting of the Committee.

56. DELEGATION SCHEME

The Head of Legal and Democratic services introduced a report the purpose of which was to allow Members to consider amending the Delegation Scheme to enable Heads of Service to authorise third and fourth tier officers to exercise some functions related to Human Resources (HR) matters in relation to their individual teams.

The Head of Legal Services referred to the present delegations and advised that they were likely to cause problems in implementing the many service reviews planned across the Authority; especially if those reviews resulted in redundancy situations. He reported that under the current system only Heads of Service were authorised to deal with such issues and their future capacity would be limited due to additional workload which could result in a delay in carrying out service reviews. The Head of Legal Services advised that it was recommended that Heads of Service should be able to authorise third and fourth tier officers to undertake the functions required within the framework of Human Resource policies in the case of dismissals on grounds of redundancy.

During a discussion Members raised a number of concerns with respect to use of fourth tier officers and sought further information regarding the consultation process with officers and the training that would be provided for third and fourth tier officers. In response to the comments and concerns expressed the Head of Legal Services explained that in respect of organisational reviews officers would only be expected to undertake the process after full consultation had taken place and a decision made by the Executive. He also gave an assurance that officers would be fully trained.

Councillor Q.R.H. Dodd suggested that the operation be reviewed by the People and Performance Overview and Scrutiny Committee in six months time.

During a discussion Members were asked to consider amending the Delegation Scheme as outlined in the report and it was agreed that the words "Qualification: this may not be further delegated" be deleted from CO1 and CO2 in paragraph 1.2 of sub-section C of the Scheme, and replaced with the words "Qualification: this may only be delegated to third and fourth tier officers subject

to the Heads of Service being satisfied that any officer so authorised is appropriately trained”.

RESOLVED

- (a) That the delegation scheme be amended by deletion of the words “Qualification: this may not be further delegated” from CO1 and CO2 in paragraph 1.2 of sub-section C of the Delegation Scheme, and replacement with the words “Qualification: this may only be delegated to third and fourth tier officers subject to the Heads of Service being satisfied that any officer so authorised is appropriately trained”.
- (b) That the operation be reviewed by the People and Performance Overview and Scrutiny Committee in six months time.

57. DURATION OF MEETING

The meeting commenced at 3.00 pm and finished at 3..45 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 3 MARCH 2010
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MEMBER	ITEM	MIN. NO. REFERS
NO DECLARATIONS WERE MADE		