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Gareth Owens LL.B Barrister/Bargyfreithiwr
Head of Legal and Democratic Services
Pennaeth Gwasanaethau Cyfreithiol a Democraidd



To: Cllr Robin Guest (Chairman)

CS/NG

Councillors: Chris Bithell, Derek Butler,
Clive Carver, David Cox, Glenys Diskin,
Ian Dunbar, David Evans, Veronica Gay,
George Hardcastle, Patrick Heesom, Joe Johnson,
Rita Johnson, Tim Newhouse, Neville Phillips,
Ian Roberts, Tony Sharps, Paul Shotton,
Nigel Steele-Mortimer, Owen Thomas and
Arnold Woolley

18 April 2013

Maureen Potter 01352 702322
maureen.potter@flintshire.gov.uk

Dear Sir / Madam

A meeting of the **DEMOCRATIC SERVICES COMMITTEE** will be held in the **DELYN COMMITTEE ROOM, COUNTY HALL, MOLD CH7 6NA** on **WEDNESDAY, 24TH APRIL, 2013** at **3.30 PM** to consider the following items.

Yours faithfully

Democracy & Governance Manager

AGENDA

- 1 **APOLOGIES**
- 2 **DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)**
- 3 **MINUTES** (Pages 1 - 4)
To confirm as a correct record the minutes of the last meeting.

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The Council welcomes correspondence in Welsh or English
Mae'r Cyngor yn croesawau gohebiaeth yn y Cymraeg neu'r Saesneg

- 4 **ANNUAL REPORTS BY MEMBERS** (Pages 5 - 10)
To inform Members of the current position of annual reports by Members.

- 5 **GRANT IN RELATION TO BROADCASTING OF COUNTY COUNCIL MEETINGS AND IMPROVING TOWN/COMMUNITY COUNCIL WEBSITES.**
(Pages 11 - 16)
To inform the committee of a grant the Welsh Government has awarded to the County Council.

- 6 **THE ANNUAL MEMBER DEVELOPMENT PROGRAMME FOR 2013/14**
(Pages 17 - 22)
For the committee to determine the Member Development Programme for 2013/14.

- 7 **FEEDBACK ON MEMBER DEVELOPMENT EVENTS** (Pages 23 - 26)
To provide the committee with feedback on Member development events held since the last meeting of the committee.

DEMOCRATIC SERVICES COMMITTEE **30 JANUARY 2013**

Minutes of the meeting of the Democratic Services Committee of Flintshire County Council held in County Hall, Mold on Wednesday, 30 January, 2013

PRESENT: Councillor R.J.T. Guest (Chairman)

Councillors: R.C. Bithell, C.S. Carver, D.L. Cox, A.I. Dunbar, D. Evans, V. Gay, T. Newhouse, N. Phillips, W.P. Shotton, W.O. Thomas and A. Woolley

APOLOGIES: Councillors J.M. Johnson and G. Hardcastle

IN ATTENDANCE:

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

18. DECLARATIONS OF INTEREST

All Members present declared a personal interest in relation to agenda item 5: Member Data Protection Notifications.

19. MINUTES

The minutes of the meeting of the Committee held on 24 October 2013, were submitted.

Matters arising

Councillor A.I. Dunbar referred to the portability of Criminal Records Bureau (CRB) checks to alternative roles. The Head of Legal and Democratic Services responded to the queries made by Members and gave an update on the current position. He advised that all but a small number of Members had been CRB checked and confirmed that any Councillor who had not been checked would not be eligible to hold specific positions or take part in designated activities.

RESOLVED:

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

20. MEMBER DEVELOPMENT STRATEGY

The Democracy and Governance Manager introduced a report to update the Member Development Strategy. He provided background information and advised that the Committee had responsibility to review the Council's Member Development Strategy. Attached as Appendix 1 to the report was a copy of the Member Development Strategy with tracked proposed changes showing updates for Members' consideration.

RESOLVED:

That the Committee endorse the updated changes to the Member Development Strategy shown in Appendix 1.

21. MEMBER DATA PROTECTION NOTIFICATIONS

The Democracy and Governance Manager introduced a report to consider a change in the Council's practice concerning the cost of individual Member notifications to the Information Commissioner's office (ICO).

The Democracy and Governance Manager provided background information and advised that the practice in Flintshire had been to provide advice and assistance to elected Members over their individual notifications but for the cost to be met by the Member themselves. Following liaison with the Welsh Local Government Association (WLGA) concerning this issue it had been established that the majority of authorities pay the fee rather than expecting the individual Member to do so. The WLGA also sought clarification on this matter from the Independent Remuneration Panel for Wales (IRPW) who had indicated that the local authority should make the payment on behalf of their Members.

In view of the practice of other authorities and the advice from the IRPW the Committee were advised that the Council should in future meet the cost of the notifications by individual Members. In practice this would be by reimbursement to the Member.

RESOLVED:

That in future the Council meets the cost of individual notifications made by Members to the Information Commissioner's Office.

22. FEEDBACK ON MEMBER DEVELOPMENT EVENTS

The Democracy and Governance Manager introduced a report to provide feedback on Member development events held since the last meeting of the Committee. He advised that attached to the report were graphs showing the feedback received from the latest Member briefings and reported that overall the feedback from the events held had remained good.

Members were invited to make observations on their experience or suggestions for improvements for future development events. Councillor D. Evans expressed concern regarding the number of training events that had been cancelled due to lack of attendance. He expressed disappointment concerning the cancellation of evening sessions which presented the most convenient opportunity for some Members to attend and cited work and personal responsibilities as preventing daytime attendance.

Councillor A. Woolley suggested that Members who had put their names forward to attend training events which subsequently had to be cancelled should be shown as such on the records maintained for monitoring purposes. The Democracy and Governance Manager agreed to pursue this.

The Democracy and Governance Manager explained the rationale for cancelling development events and referred to the need for interactivity to take place at most training sessions. Following discussion it was agreed that Group Leaders be contacted with a view to securing improved Member attendance at training events.

RESOLVED:

- (a) That the feedback on Member Development Events be noted; and
- (b) That Group Leaders be contacted to secure improved Member attendance at training events.

23. PRESS IN ATTENDANCE

There were no members of the press in attendance.

24. DURATION OF MEETING

The meeting commenced at 3.55 pm and finished at 4.30 pm.

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Chairman

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FLINTSHIRE COUNTY COUNCIL

REPORT TO: DEMOCRATIC SERVICES COMMITTEE
DATE: WEDNESDAY, 24 APRIL 2013
REPORT BY: DEMOCRACY & GOVERNANCE MANAGER
SUBJECT: ANNUAL REPORTS BY MEMBERS

1.00 PURPOSE OF REPORT

1.01 To inform members of the current position on annual reports by members.

2.00 BACKGROUND

2.01 Section 5 of the Local Government (Wales) Measure 2011 states:-

1. "A local authority must make arrangements for –
 - a) each person who is a member of the authority to make an annual report about the person's activities as a member of the authority during the year to which the report relates;
 - b) each person who is a member of the authority's Executive to make an annual report about the person's activities as a member of the Executive during the year to which the report relates; and
 - c) the authority to publish all annual reports produced by its Members and by the members of its Executive.
2. The arrangements may include conditions as to the content of a report that must be satisfied by the person making it.
3. A local authority must publicise its arrangements.
4. In exercising its functions under this section a local authority must have regard to guidance given by the Welsh Ministers".

2.02 At its meeting on 24th October, the committee considered consultation by the Welsh Government on draft guidance on annual reports by members. The response to consultation on the draft guidance is set out in Appendix 1. This was sent to the Welsh Government on 25th October 2012.

3.00 CONSIDERATIONS

3.01 The new arrangements under the Local Government (Wales) Measure are in addition to all existing arrangements individual members make to inform their constituents of the work they do. All costs associated with the new arrangements are met by the Local Authority whereas the costs associated with existing arrangements such as constituent newsletters are met by the individual member concerned.

3.02 At the time of preparing this report, the final version of the guidance is still awaited from the Welsh Government. The draft guidance included a statement anticipating that the first member annual reports would be published no later than the end of June 2013. On 10th April representations were made to the Welsh Government that as the final version of the guidance had not been issued the timescale in the draft guidance should be altered to the end of September 2013. While it is hoped that due to the delay in issuing the final guidance, the timescale will be altered; if that is not the case there will be a need to move quickly once the final guidance is issued. In preparation for this, the committee is asked to consider issues relating to such annual reports. There will also be consultation with group leaders and once the final version of the guidance has been issued reports to council and cabinet.

3.03 Section 5 of the measure requires local authorities to make arrangements enabling its members to produce annual reports. They must also publish all annual reports that its members produce but it can impose conditions as to the contents of any such reports. There is also a requirement for the council to publicise the arrangements it makes. Unlike existing arrangements where individual members publish newsletters and the like with the new arrangements the council would be liable for any defamatory material published.

3.04 In view of the considerations in Paragraphs 3.01 and 3.03 above, it is considered that there ought to be the following conditions as to the contents of such reports:-

- i. that the contents comply with the guidance issued by the Welsh Government
- ii. that the annual report is not defamatory
- iii. that the content of each report does not exceed a thousand words

4.00 RECOMMENDATIONS

4.01 It is recommended the committee:-

- i. notes the current situation regarding the preparation of annual reports by members
- ii. recommends appropriate conditions on the contents of such reports for consideration by council and cabinet

5.00 FINANCIAL IMPLICATIONS

5.01 The costs could be met from the member training budget.

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 For the issue of annual reports by members to be considered by group leaders prior to reports to council and cabinet.

11.00 CONSULTATION UNDERTAKEN

11.01 Draft guidance on such annual reports was considered at the Democratic Services Committee Meeting on 24th October 2012.

12.00 Appendix

12.01 Appendix 1 - Response to consultation on draft guidance.

**LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985
BACKGROUND DOCUMENTS**

Draft guidance on annual reports by members.

Contact Officer: Peter Evans
Telephone: 01352 702304
Email: peter.evans@flintshire.gov.uk

**Response to Consultation on Draft Guidance concerning
Annual Reports by Members**

The straightforward and short length of the guidance are both welcomed. There are however, the following points of detail:-

1. Please could the final version of the guidance explain why the annual reports are not an executive function.
2. It would be helpful if the final version of the guidance made clear that if an individual Member's annual report did not comply with the statutory guidance the authority should not publish it. This would give a practical way for each Council to limit the contents of the annual reports to those which the Welsh Government in the statutory guidance believes appropriate.
3. It would be helpful for reference purposes if the final version of the guidance numbered each paragraph.

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FLINTSHIRE COUNTY COUNCIL

REPORT TO: DEMOCRATIC SERVICES COMMITTEE

DATE: WEDNESDAY, 24 APRIL 2013

REPORT BY: DEMOCRACY & GOVERNANCE MANAGER

SUBJECT: GRANT IN RELATION TO BROADCASTING OF COUNTY COUNCIL MEETINGS AND IMPROVING TOWN/COMMUNITY COUNCIL WEBSITES.

1.00 PURPOSE OF REPORT

1.01 To inform the committee of a grant the Welsh Government has awarded to the County Council.

2.00 BACKGROUND

2.01 On the 21 February 2013 the Minister for Local Government and Communities made available funding of £1,245,000 to support the broadcasting of Council meetings, preparations for remote attendance and the establishment of Community Council websites. Each of the 22 principal Councils was allocated £40K to assist with broadcasting and remote attendance plus an extra £500 in respect of each Town or Community Council in its area so that in Flintshire's case it is funding of up to £57K. Following clarification of parts of the formal offer letter Flintshire accepted the offer on the 7 March 2013.

3.00 CONSIDERATIONS

3.01 The Welsh Government is on public record as supporting the broadcasting of Council meetings as an important way in which local government can ensure that its profile is raised and that the public are better able to follow and engage with the deliberations and decision making procedures of their local Council. The way of achieving this is through webcasting certain meetings. At present very few Welsh authorities do this. In order to claim the grant the Council will have to produce evidence of at least a pilot of webcasting a meeting by the end of March 2014.

3.02 Section 4 of the Local Government (Wales) Measure 2011 provides that a meeting of a local authority is not limited to a meeting of persons all of whom are present in the same place. It provides that a Member may be present at a meeting through remote attendance where that Member is able to see and hear and be seen and heard by those in actual attendance. The Measure provides that guidance will

be issued by Welsh Ministers in relation to remote attendance. At the present time such guidance is expected in the autumn. In order to obtain the grant funding, the Council is required to have piloted remote attendance for at least one meeting prior to the end of March 2014.

- 3.03 The Council is investigating both webcasting and remote attendance with appropriate webcasting providers and liaising with other County Councils over a joint procurement exercise.
- 3.04 The third aspect of the grant is for the authority to provide grants to Town and Community Councils of up to £500 for improvements in their publication and accessibility on the internet. £17K of the grant has been ring-fenced for this purpose.
- 3.05 On the 14 March 2013 all Town and Community Councils were written to informing them of the availability of up to a maximum of £500 for work done in providing or improving a website for the Town or Community Council. A copy of that communication is attached as appendix 1.

4.00 RECOMMENDATIONS

- 4.01 For the committee to note the grant funding that the Council has accepted.

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 None as a result of this report.

11.00 CONSULTATION UNDERTAKEN

11.01 With Town & Community Council Clerks.

12.00 APPENDICES

12.01 Appendix 1 – Communication to Town & Community Councils dated 14 March 2013

**LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985
BACKGROUND DOCUMENTS**

Letter dated the 27 November 2012 from Carl Sargeant AM
Award of funding from the Welsh Government dated 21 February 2013.

Contact Officer: Peter Evans
Telephone: 01352 702304
Email: peter.j.evans@flintshire.gov.uk

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APPENDIX 1

Peter J

**Evans/CorporateServices/
Flintshire/GB**

Sent by: Lavinia M
Stockham/CorporateService
s/Flintshire/GB

14/03/2013 12:00

To argoedcc@btconnect.com, gareth@garethroberts62.entadsl.com,
mail@broughtonandbrettoncommunitycouncil.gov.uk, mbw@buckleytc.org.uk,
elizabeth.snowden1@btinternet.com, cqtcclerk@connahs-quay.co.uk,
townclerk@flinttowncouncil.co.uk, t1967mr@hotmail.com,
halkyn.council@btinternet.com, mail@hawardencommunitycouncil.gov.uk,
liz.corner@vodafoneemail.co.uk, holywelltown@btconnect.com,
hope.community@tiscali.co.uk, carolyn_fg@hotmail.com,
townclerk@moldtowncouncil.org.uk, mostynclerk@hotmail.co.uk,
arwelwynowen@hotmail.com, slyth.nccclerk@gmail.com,
northophallcc@mail.com, grahamconnah@btinternet.com, athorniley@aol.com,
sealandcc@googlemail.com, shottontowncouncil@btconnect.com,
david@owens11.orangehome.co.uk

cc

Fax to

Subject Development of Town & Community Council Websites

Dear Clerk,

My purpose in writing to you is to inform you of a grant the Welsh Government has awarded to the County Council that is to provide payments of up to £500 to each Town or Community Council for improvements in their publication and accessibility on the web.

The grant awarded to the County Council makes clear that the payments made to individual Town or Community Councils must be for the development of that Council's website. For those Town or Community Councils who do not currently have a website, the Council will reimburse the Town or Community Council up to a maximum of £500 for the cost it has incurred in arranging to have a website. For those Town or Community Councils who already have a website, the Council will reimburse up to a maximum £500 for work done in improving that website.

In order to claim reimbursement of up to £500 the Council will require a receipted invoice detailing the work that has been done since 26 February in either providing or improving the Town or Community Council's website.

Any queries about this funding should be made in writing by yourself addressed to myself. The County Council will start to make payments in the next financial year commencing on the 1 April 2013.

Regards,

Peter Evans

Democracy & Governance Manager | Rheolwr Democratiaeth a Llywodraethu
Democratic Services | Gwasanaethau Democratiaidd
Flintshire County Council | Cyngor Sir Y Fflint
County Hall | Neuadd y Sir
Mold | Yr Wyddgrug
CH7 6NA

Tel|Ffôn | 01352 702304

Paper copy: Brynford, Cilcain, Gwernaffield, Leeswood, Llanasa, Penyffordd, Whitford, Ysgeifiog

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FLINTSHIRE COUNTY COUNCIL

REPORT TO: DEMOCRATIC SERVICES COMMITTEE

DATE: WEDNESDAY, 24 APRIL 2013

REPORT BY: DEMOCRACY & GOVERNANCE MANAGER

SUBJECT: THE ANNUAL MEMBER DEVELOPMENT PROGRAMME FOR 2013/14

1.00 PURPOSE OF REPORT

1.01 For the committee to determine the Member Development Programme for 2013/14.

2.00 BACKGROUND

2.01 Flintshire was one of the first local authorities in Wales to obtain the Welsh Local Government Charter for member support and development in October 2008. The Charter requires authorities to provide an annual member development programme as well as an induction programme for new members. It also requires that members in receipt of a special responsibility allowance have an annual review of their training and development needs.

2.02 Section 7 of the Local Government (Wales) Measure 2011 requires all local authorities to secure the provision of reasonable training and development opportunities for its members. It also requires that each member has the opportunity of having an annual review of their training and development needs.

2.03 The committee has previously agreed to the arrangements it had in place under the Charter for annual review of training and development needs being made available to all members. Briefings on these arrangements were held in January which included training needs identified being notified to the Democracy & Governance Manager by the end of March. In addition, a letter was sent to all Group Leaders and their deputies asking for suggestions for topics for the 2013/14 member development programme to be submitted to the Democracy & Governance Manager by 8th April.

2.04 During 2012/13 in addition to an extensive member induction programme, the annual member development programme was as shown in Appendix 1. During the year training and briefings were also provided to members of specific committees on the work of that committee including Audit, Licensing and Overview & Scrutiny Committees.

3.00 CONSIDERATIONS

- 3.01 The annual member development programme can cover both topics and skills and the training can be delivered by the council's officers or where appropriate external consultants.
- 3.02 The member development programme for 2013/14 is not intended to cover training or briefings specifically provided for members of a particular committee nor is it intended to cover training provided to members by the councils ICT training staff. Such training will be undertaken outside of the annual member development programme. The member development programme does however traditionally include planning topics; as such training is not confined to members of the Planning & Development Control Committee. There are usually at least 4 such training topics each year and these are determined by the Planning Strategy Group (formally the Planning Protocol Working Group).
- 3.03 The only topic that has been suggested as a result of paragraph 2.03 above is from Councillor Veronica Gay. Councillor Gay has suggested a training course to help members create and set up their own newsletters and/or community information websites. The Corporate Communications Manager ran such a course in April 2011 and has agreed to run this again during 2013/14.
- 3.04 The Community Cohesion Officer has indicated that he can arrange for an organisation known as "Communities 2.0" to offer training to members on iPad basics and social networking. This is to cover the practical use of social media such as Facebook and Twitter. The Head of ICT & Customer Services has suggested that this is something members may welcome.
- 3.05 In addition to the initial programme for 2013/14, additional topics can be added to the programme during the course of the year.

4.00 RECOMMENDATIONS

- 4.01 For the committee to determine the initial member development programme for 2013/14.
- 4.02 For the committee to give delegated power to the Democracy & Governance manager in consultation with the Committee Chair to add other topics to the initial programme where appropriate.

5.00 FINANCIAL IMPLICATIONS

- 5.01 The member training budget for 2013/14 is £21,122.

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 None as a result of this report.

11.00 CONSULTATION UNDERTAKEN

11.01 With Group Leaders and deputies.

12.00 APPENDICES

12.01 Appendix 1 - Annual member development programme

**LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985
BACKGROUND DOCUMENTS**

None

Contact Officer: Peter Evans
Telephone: 01352 702304
Email: peter.j.evans@flintshire.gov.uk

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Member Development Programme 2012/13

1. Planning Topics as determined by the Planning Protocol Working Group.
2. Organisational change.
3. Performance Management
4. Collaboration and Partnership Working and Partnership Boards
5. Understanding of the procurement process
6. Understanding the role of the elected Member in the Council's Corporate Strategy.
7. Community Safety Partnership covering emergency services, neighbourhood watch etc.
8. Human Resources, including Single Status, pay rates, sickness levels and annual appraisals.

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FLINTSHIRE COUNTY COUNCIL

REPORT TO: DEMOCRATIC SERVICES COMMITTEE
DATE: WEDNESDAY, 24 APRIL 2013
REPORT BY: DEMOCRACY & GOVERNANCE MANAGER
SUBJECT: FEEDBACK ON MEMBER DEVELOPMENT EVENTS

1.00 PURPOSE OF REPORT

1.01 To provide the committee with feedback on Member development events held since the last meeting of the committee.

2.00 BACKGROUND

2.01 It was the practice of the Member Development Working Group and has become the practice of the Democratic Services Committee to receive reports detailing Member feedback on development events at each of its meetings.

2.02 At all member development events the Members present are asked to complete an evaluation form at the end of the event. Attached as appendix 1 to this report are the graphs showing the feedback received for the two Member development events held since the committee last met.

3.00 CONSIDERATIONS

3.01 It is considered important to receive Member feedback on development events to monitor the quality of them and to identify any issues that can be improved for future Member development events.

3.02 In addition to the analysis in appendix 1 committee Members may wish to make observations on their experience of the events that they have attended or make suggestions for improvements for future Member development events.

4.00 RECOMMENDATIONS

4.01 That Members' consider the feedback in appendix 1 on Member development events held since the last committee meeting so as to inform arrangements for future Member development events.

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 None as a result of this report.

11.00 CONSULTATION UNDERTAKEN

11.01 None as a result of this report.

12.00 APPENDICES

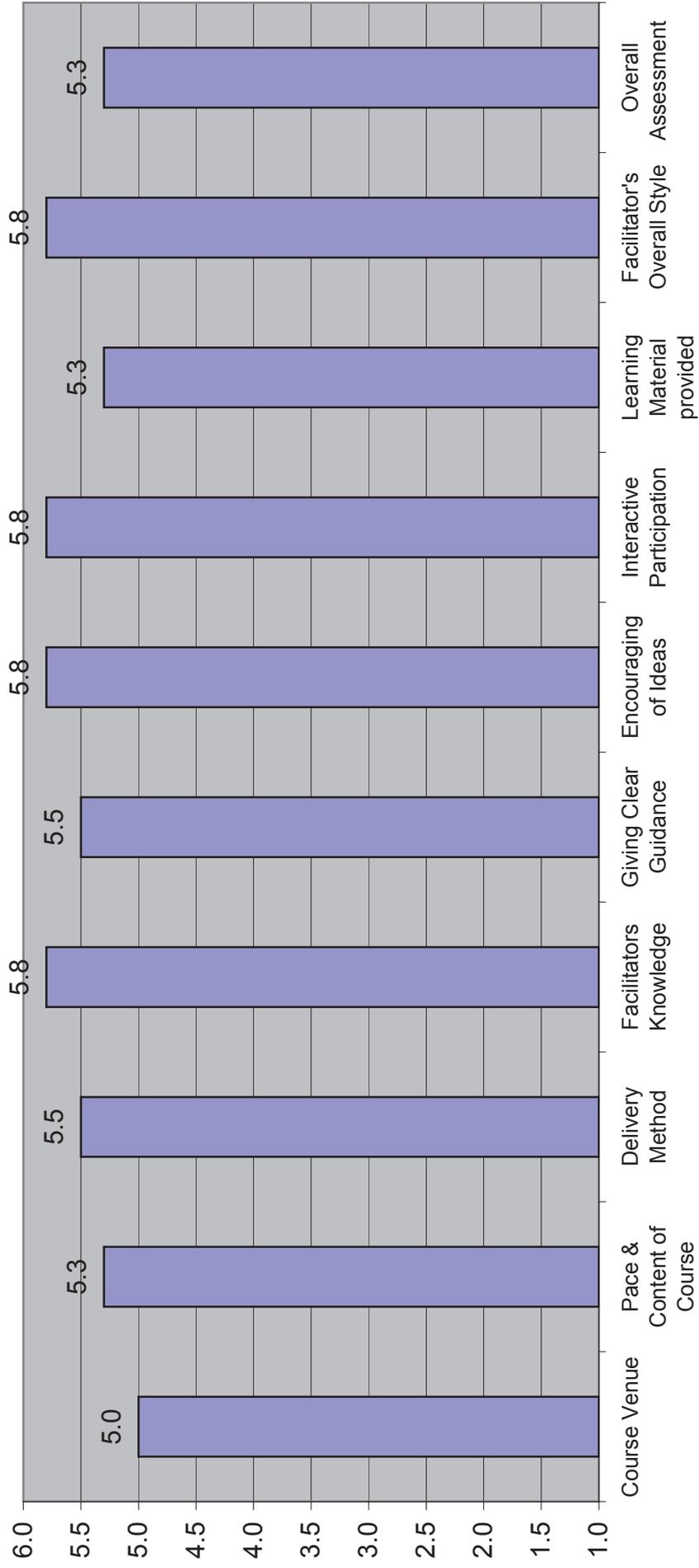
12.01 Appendix 1 – Feedback results

**LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985
BACKGROUND DOCUMENTS**

None

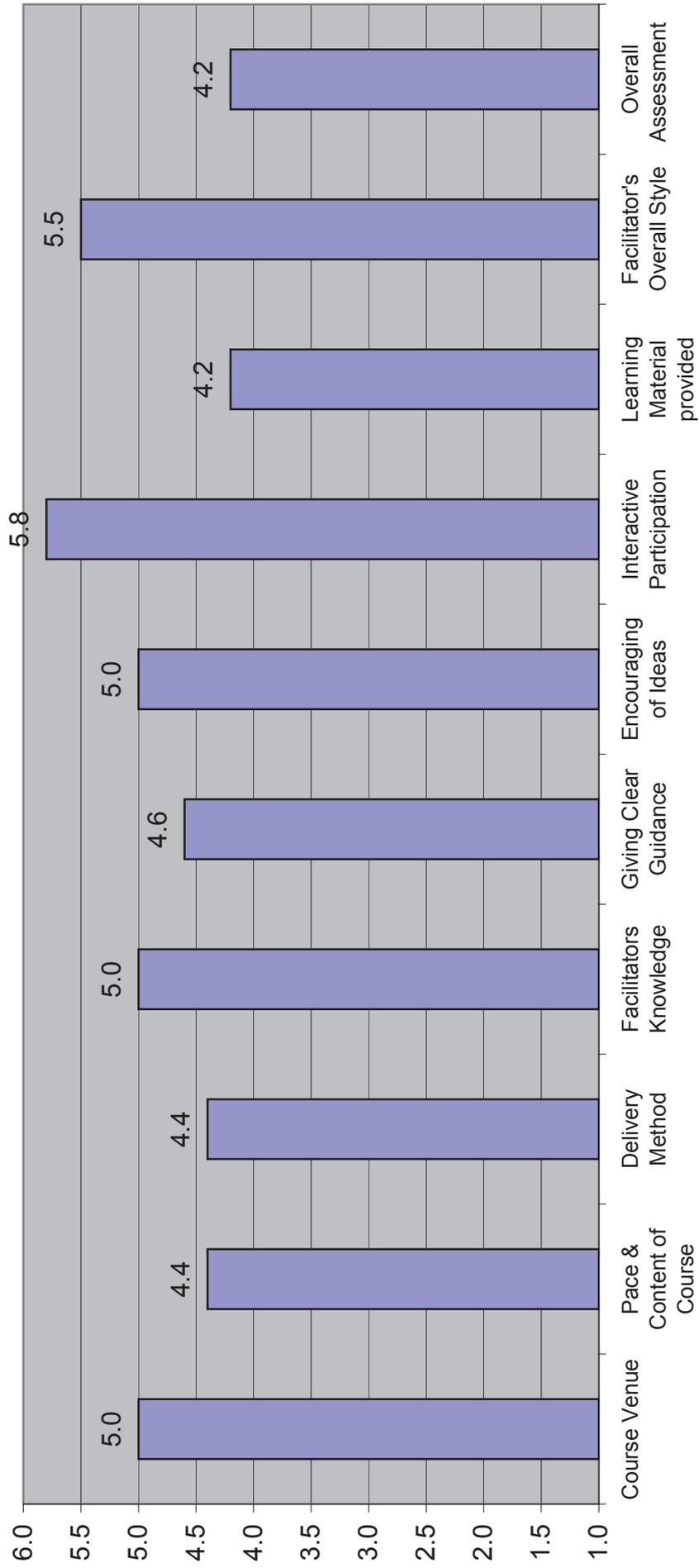
Contact Officer: Peter Evans
Telephone: 01352 702304
Email: peter.j.evans@flintshire.gov.uk

**Member Training - Managing Organisational & Individual Change Workshop
 21st January 2013, 10.00 am - 12.00 pm - Alyn & Deeside Room
 Lead Officer: Steve Hughes - Attendees 4**



1 Poor - 6 Excellent

**Member Training - Personal Development Briefing
 23rd January 2013, 5.30 pm - 6.30 pm - Clwyd Room
 Lead Officer: Peter Evans - 6 Attendees**



1 Poor - 6 Excellent