

CONSTITUTION COMMITTEE

1 JULY 2015

Minutes of the meeting of the Constitution Committee of Flintshire County Council held at Delyn Committee Room, County Hall, Mold CH7 6NA on Wednesday, 1 July 2015

PRESENT: Councillor Robin Guest (Chairman)

Councillors Bernie Attridge, Haydn Bateman, Chris Bithell, Clive Carver, David Cox, Paul Cunningham, Veronica Gay, Dave Mackie, Tim Newhouse, Nigel Steele-Mortimer, David Williams and Arnold Woolley

SUBSTITUTES: Councillors Ian Dunbar (for Glyn Banks), Andy Dunbobbin (for Christine Jones), Mike Lowe (for Alex Aldridge) and Ian Smith (for David Wisinger)

APOLOGIES: Councillors Glenys Diskin, George Hardcastle, Neville Phillips and Aaron Shotton

IN ATTENDANCE:

Chief Officer (Governance), Corporate Finance Manager, Member Engagement Manager, and Committee Officer

1. APPOINTMENT OF VICE-CHAIR

The Chair sought nominations for the appointment of Vice-Chair for the municipal year. Councillor Bernie Attridge nominated Councillor Veronica Gay and the proposal was duly seconded.

RESOLVED:

That Councillor Veronica Gay be appointed Vice-Chair for the Municipal year 2015/16.

2. DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)

There were no declarations of interest.

3. MINUTES

The minutes of the meeting of the Committee held on 15 April 2015, were submitted.

Accuracy

Minute 31 - Councillor Attridge asked that the minutes be amended to accurately reflect the comments he had made regarding the webcasting of Member meetings and his view that the proposed protocol should be approved.

RESOLVED:

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

correct record subject to an amendment to accurately reflect the comments which Councillor Attridge had made on the webcasting of member meetings.

4. FINANCIAL PROCEDURE RULES

The Corporate Finance Manager introduced a report on the proposed updated Financial Procedure Rules (FPRs) for comment and endorsement prior to approval at County Council on 23 July 2015. He provided background information and referred to the key considerations in the report. He advised that once approved the FPRs would be published on the Infonet and a programme of awareness raising would be implemented with all staff needing to complete a training session to ensure they are aware of the responsibilities they have in the adherence of the FPRs.

The Chair invited Members to raise questions.

Councillor Chris Bithell referred to the issue of a delay in invoices being sent to Town and Community Councils for payment for services which had been provided by the Authority. He said such a delay was embarrassing in view of the Authority's current financial position and it was unacceptable that funds were waiting to be collected. Councillor Bithell also asked what happened to those resources which were surplus to requirements by the Authority and cited computers, telephones, and furniture as an example.

The Corporate Finance Manager responded that the FPRs confirmed the principle that invoices were to be raised as soon as possible for services supplied by the Authority. Regarding the further question asked by Councillor Bithell concerning disposal of surplus resources he explained that all equipment and furniture was held centrally and recycled. If not required elsewhere such items would eventually be sent to general auction. He said he could provide further information to Members on this process if required. In response to a query from the Chair the Chief Officer (Governance) advised that if a request was made for new furniture or equipment within the Authority there was a procedure and a "fail-safe" system in place to ensure that consideration was given to meeting the need "in-house" in the first instance.

Councillor Dave Mackie referred to Appendix 1, Section 1.4, and said there was no reference to the responsibilities of Members.

RESOLVED:

That the Committee endorses the updated financial procedure rules and recommend that they are submitted to Council with the Constitution being duly amended in due course

5. SCHEDULE OF MEMBER REMUNERATION

The Chief Officer (Governance) introduced a report to consider amending the format of the Council's Schedule of Member Remuneration to reflect recent guidance issued by the Independent Remuneration Panel for Wales ("The Panel"). He provided background information and referred to the main considerations as detailed in the report. He explained that appended to the

report was a recommended revised Schedule of Member remuneration seeking to combine the best parts of the Panel's proforma and the Council's existing schedule.

Referring to the Authority's current Schedule of Member Remuneration which was appended to the report, Councillor Chris Bithell raised a concern relating to the guidance around the circumstances in which payment of the senior allowance could be paid to Members. He referred to the matter of absence through long term sickness and asked if a more sympathetic approach could be adopted to Member absence through illness. The Chief Officer (Governance) responded that the process was laid down in the Local Government Act 1972, and that the Welsh Government (WG) would need to change that legislation first. He agreed to raise the point with WG.

Councillor Bithell raised a further concern that the extent to which Members contributed to Council business on a daily basis by attendance at meetings and events throughout the County was not recorded. During discussion it was agreed that the inclusion of appropriate explanatory notes in the publication of information regarding Member salaries be investigated. Councillor Bithell also commented on the payment of co-opted member fees and the payments made to Members through outside bodies. He commented on the need for transparency and said it was important to review such arrangements to ensure that there was no duplication of payment under existing roles and responsibilities. It was agreed that the Chief Officer (Governance) would review how payments made to Members through outside bodies also be reflected in the published information and report back to a future meeting.

In response to a query raised by Councillor Carver concerning the recording of Member activity as stated in paragraph 5.01, the Chief Officer (Governance) explained that the Authority was not required to keep records of such activity but was required to stipulate whether it did so or not.

RESOLVED:

- (a) That the revised Schedule of remuneration be adopted;
- (b) That a less formal approach to Member absence through illness be raised with Welsh Government;
- (c) That the publication of information regarding Member salaries include appropriate explanatory notes added to the schedule; and
- (d) That the Chief Officer (Governance) review how payments made to Members through outside bodies be reflected in the published information.

6. OVERVIEW & SCRUTINY COMMITTEE TERMS OF REFERENCE

The Member Engagement Manager introduced a report on the representations which had been made by the Overview & Scrutiny Committees within the new structure for amendments to their terms of reference. He provided background information and referred to the main considerations as detailed in

the report concerning amendments to the terms of reference of the Corporate Resources Overview & Scrutiny Committee, and that the Education & Youth Overview & Scrutiny Committee had requested that it be kept fully informed of any future issues arising around dual use leisure centres where there would be an impact on schools.

RESOLVED:

- (a) That the Committee approves the inclusion of references to Value for Money and the Medium Term Financial Strategy and Plan within the terms of reference of the Corporate Resources Overview & Scrutiny Committee; and
- (b) That the Chief Officer (Organisational Change 1) be requested to keep the Education and Youth Overview & Scrutiny Committee informed of any future issues around dual use leisure centres where there would be an impact on schools.

7. CHAIRMAN'S CLOSING REMARKS

Referring to the previous agreement that the last two meetings of the Democratic Services Committee would be held immediately prior to the meetings of the Constitution Committee, the Chairman advised that he would write to the Group Leaders to seek their views on returning to the previous position where the majority of Members were common to both Committees.

8. MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE

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

(The meeting started at 3.17 pm and ended at 4.08 pm)

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Chairman