

CONSTITUTION COMMITTEE
1 FEBRUARY 2017

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 February 2017

PRESENT: Councillor Robin Guest (Chairman)

Councillors Bernie Attridge, Haydn Bateman, Chris Bithell, Clive Carver, David Cox, Paul Cunningham, Veronica Gay, Christine Jones, Dave Mackie, Neville Phillips, Nigel Steele-Mortimer, David Williams, David Wisinger and Arnold Woolley

SUBSTITUTIONS: Councillors Ian Dunbar (for Alex Aldridge) and Andy Dunbobbin (for Glyn Banks)

APOLOGIES: Councillors George Hardcastle and Aaron Shotton

IN ATTENDANCE:

Chief Executive, Chief Officer (Governance), Corporate Business and Communications Executive Officer, Democratic Services Manager, and Committee Officer

Prior to the start of the meeting the Chairman asked that the Committee's condolences be extended to Councillor Alex Aldridge on his recent bereavement and asked all Members and Officers to stand in silent tribute to the late Mrs. Annette Aldridge.

9. DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)

There were no declarations of interest.

10. MINUTES

The minutes of the meeting of the Committee held on 5 October 2016 were submitted.

RESOLVED:

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

11. ADDITIONAL ITEM

The Chair announced that he had agreed that the Committee should consider an additional item on the grounds of urgency, as provided for under Section 100 B(4)(b) of the Local Government Act 1972 (as amended). The item was concerning the Pooled Investments – Working Together in Wales Project.

12. POOLED INVESTMENTS - WORKING TOGETHER IN WALES PROJECT

The Chief Executive advised that to satisfy the requirements of the new Investment Regulations for the Local Government Pension Scheme (LGPS) in England and Wales, the Clwyd Pension Fund had agreement from the UK Government to 'pool' investments with the other seven LGPS Funds in Wales. To enable 'pooling' there would need to be a legally binding Inter Authority Agreement (IAA) between the eight funds. The Chief Executive explained that the Council's Constitution would need to reflect the IAA which delegated certain investment implementation decisions to a Joint Governance Committee. The Clwyd Pension Fund would be represented. This was an issue which would normally be considered first by the Constitution Committee, however, due to the tight timescale the Committee was asked to authorise the officers to make a recommendation direct to the next meeting of the County Council to be held on 1 March 2017. This approval would be sanctioned by the Clwyd Pension Fund Committee at its next meeting.

RESOLVED

That the Officers be authorised to submit a report detailing the proposed Joint Governance Committee direct to the next meeting of the County Council to be held on 1 March 2017.

13. AMENDMENTS TO THE CONSTITUTION

The Democratic Services Manager explained that the Council was going through a period of structural change with posts being deleted or revised and, as a consequence, post titles often changed and there was a need to correct references within the Constitution. He advised that there was a process for making minor amendments to the Constitution with the consent of group leaders but it was not designed for this type of administrative amendment. It was therefore recommended that the Chief Officer (Governance) and the Democratic Services Manager be authorised to have changes in job titles made within the constitution.

Councillor Arnold Woolley proposed that authority be granted but with the amendment that Members be kept informed and updated about any changes to officer designations arising out of restructuring.

RESOLVED:

- (a) That where any future changes are solely to officer designations arising out of restructuring, that the Chief Officer (Governance) and the Democratic Services Manager be authorised to have those changes made to the Constitution; and
- (b) That Members be kept informed and updated about any future changes to officer designations arising out of restructuring.

14. CODE OF CORPORATE GOVERNANCE

The Chief Officer (Governance) invited Karen Armstrong, Corporate Business and Communications Executive Officer to present the updated Code of Corporate Governance following endorsement by the Audit Committee on 25 January 2017.

The Corporate Business and Communications Executive Officer advised that the Code of Corporate Governance formed part of the Council’s Constitution and is presented for endorsement and inclusion within the Constitution. It was reviewed and updated annually to ensure that it was up to date and complied with all relevant legislation and other requirements. The Corporate Business and Communications Executive Officer explained that the revised Code was appended to the report and she gave an overview of the main considerations as detailed in the report.

Councillor Chris Bithell referred to page 15 of the Code and cited examples where more consultation was carried out to ensure people “had their say” than was reflected in the Code. Officers acknowledged the point and agreed to include some additional examples to indicate the range which was above the statutory requirements. In response to the further comments made by Councillor Bithell concerning Equality and Welsh Language Impact Assessments, the Corporate Business and Communications Executive Officer explained that the Council had undertaken Equality and Welsh Language Impact Assessments for some years and had combined the two and anticipated a more total integrated assessment going forward.

Councillor Bithell referred to page 25 of the Code and said self assessment should also be included.

During discussion the Officers responded to the concerns raised by Councillor Woolley around the difficulties he had experienced contacting officers and receiving a response to his enquiries and requests for information. The Chief Executive asked that if Members encountered any such difficulties to either inform his office or the respective Chief Officer. The Democratic Services Manager also encouraged Members to contact the Member Services or Democratic Services team for help if they had difficulty contacting Officers.

RESOLVED:

That the updated Code of Corporate Governance for adoption as part of the Council’s Constitution, as approved by the Audit Committee, be agreed.

15. MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE

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

(The meeting started at 2.40 pm and ended at 3.20 pm)

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Chairman