

# Public Document Pack

**Gareth Owens LL.B Barrister/Bargyfreithiwr**  
Chief Officer (Governance)  
Prif Swyddog (Llywodraethu)



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To: All Members of the Council

22 September 2021

Dear Sir/Madam

**NOTICE OF REMOTE MEETING**  
**FLINTSHIRE COUNTY COUNCIL**  
**TUESDAY, 28TH SEPTEMBER, 2021 at 2.00 PM**

Yours faithfully

Robert Robins  
Democratic Services Manager

Please note: This will be a remote meeting and 'attendance' will be restricted to Council Members.

The meeting will be live streamed onto the Council's website. A recording of the meeting will also be available, shortly after the meeting at <https://flintshire.public-i.tv/core/portal/home>

If you have any queries regarding this, please contact a member of the Democratic Services Team on 01352 702345.

## A G E N D A

### 1 **APOLOGIES FOR ABSENCE**

**Purpose:** To receive any apologies.

### 2 **MINUTES** (Pages 5 - 16)

**Purpose:** To confirm as a correct record the minutes of the meetings held on 22 July and 3 August 2021.

### 3 **DECLARATIONS OF INTEREST**

**Purpose:** To receive any Declarations and advise Members accordingly.

### 4 **CHAIR'S COMMUNICATIONS**

**Purpose:** To receive the communications as circulated.

### 5 **PETITIONS**

**Purpose:** This is an opportunity for Members of Council to submit petitions on behalf of people in their ward. Once received, petitions are passed to the appropriate Chief Officer for action and response.

## **PRINCIPAL ITEMS OF BUSINESS**

### 6 **BOUNDARY COMMISSION FOR WALES: 2023 REVIEW OF PARLIAMENTARY CONSTITUENCIES - INITIAL PROPOSALS** (Pages 17 - 22)

Report of Chief Executive, Chief Officer (Governance) -

**Purpose:** To report to Council the Commission's initial proposals for Parliamentary constituencies in Wales.

### 7 **CLWYD PENSION FUND & WALES PENSION PARTNERSHIP** (Pages 23 - 48)

Report of Head of Clwyd Pension Fund, Chief Executive, Corporate Finance Manager -

**Purpose:** For Council to approve amendments to the Constitution, Financial Procedure Rules and Pension Board Protocol with matters relating to the Clwyd Pension Fund, and to approve amendments to the Inter Authority Agreement with the Wales Pension Partnership.

8 **BECOMING A COUNTY OF SANCTUARY** (Pages 49 - 54)

Report of Chief Officer (Housing and Assets) -

**Purpose:** To propose that we sign-up to become a non-awarded member of City of Sanctuary.

9 **SUPPORT FOR MEMBERS WHO ARE UNABLE TO ATTEND MEETINGS DUE TO ILL-HEALTH** (Pages 55 - 58)

Report of Chief Officer (Governance) -

**Purpose:** To seek the Council's approval for the continued absence of two Members.

**ORDINARY ITEMS OF BUSINESS**

10 **PUBLIC QUESTION TIME**

**Purpose:** This item is to receive any Public Questions: none were received by the deadline.

11 **QUESTIONS**

**Purpose:** To note the answers to any questions submitted in accordance with County Council Standing Order No. 9.4(A): none were received by the deadline.

12 **NOTICE OF MOTION**

**Purpose:** This item is to receive any Notices of Motion: none were received by the deadline.

***Please note that there may be a 10 minute adjournment of this meeting if it lasts longer than two hours***

## **Procedural Note on the conduct of meetings**

The Chair will open the meeting and introduce themselves.

The meeting will be attended by a number of Councillors. Officers will also be in attendance to present reports, with Democratic Services officers acting as hosts of the meeting.

All attendees are asked to ensure their mobile phones are switched off and that any background noise is kept to a minimum.

All microphones are to be kept muted during the meeting and should only be unmuted when invited to speak by the Chair. When invitees have finished speaking they should go back on mute.

To indicate to speak, Councillors will use the chat facility or use the electronic raise hand function. The chat function may also be used for questions, relevant comments and officer advice and updates.

The Chair will call the speakers, with elected Members addressed as 'Councillor' and officers addressed by their job title e.g. Chief Executive' or name. From time to time, the officer advising the Chair will explain procedural points or suggest alternative wording for proposals, to assist the Committee.

If and when a vote is taken, the Chair will explain that only those who oppose the proposal(s), or who wish to abstain will need to indicate, using the chat function. The officer advising the Chair will indicate whether the proposals are carried.

If a more formal vote is needed, this will be by roll call – where each Councillor will be asked in turn (alphabetically) how s/he wishes to vote.

At County Council and Planning Committee meetings speaker's times are limited. A bell will be sounded to alert that the speaker has one minute remaining.

The meeting will be live streamed onto the Council's website. A recording of the meeting will also be available, shortly after the meeting at <https://flintshire.public-i.tv/core/portal/home>

**FLINTSHIRE COUNTY COUNCIL**  
**22 JULY 2021**

Minutes of the remote attendance meeting of Flintshire County Council held on Thursday, 22 July 2021

**PRESENT: Councillor Joe Johnson (Chairman)**

Councillors: Mike Allport, Janet Axworthy, Glyn Banks, Haydn Bateman, Marion Bateman, Sean Bibby, Chris Bithell, Clive Carver, Geoff Collett, Bob Connah, David Cox, Paul Cunningham, Jean Davies, Rob Davies, Ron Davies, Adele Davies-Cooke, Chris Dolphin, Rosetta Dolphin, Ian Dunbar, Andy Dunbobbin, Mared Eastwood, Carol Ellis, David Evans, Veronica Gay, George Hardcastle, David Healey, Gladys Healey, Patrick Heesom, Cindy Hinds, Dave Hughes, Ray Hughes, Dennis Hutchinson, Paul Johnson, Christine Jones, Brian Lloyd, Richard Lloyd, Mike Lowe, Dave Mackie, Hilary McGuill, Billy Mullin, Neville Phillips, Ian Roberts, Tim Roberts, Kevin Rush, Tony Sharps, Paul Shotton, Ralph Small, Ian Smith, Carolyn Thomas, Owen Thomas, Martin White, David Williams, David Wisinger and Arnold Woolley

**APOLOGIES:**

Councillors: Bernie Attridge, Derek Butler, Helen Brown, Rita Johnson, Richard Jones, Tudor Jones, Colin Legg, Ted Palmer, Mike Peers, Michelle Perfect, Vicky Perfect, and Aaron Shotton

**IN ATTENDANCE:**

Chief Executive; Chief Officer (Governance); Chief Officer (Planning, Environment and Economy); Chief Officer (Streetscene & Transportation); Chief Officer (Housing & Assets); Head of Democratic Services, Democratic Services Officers and Father Daniel Caldwell for prayers

**17. MINUTES**

The minutes of the meetings held on 1 April and 25 May 2021 were submitted.

The minutes were moved by Councillor Chris Bithell and seconded by Councillor Ralph Small and approved as an accurate record.

**RESOLVED**

That both sets of minutes be approved as an accurate record.

**18. DECLARATIONS OF INTEREST**

The Chief Officer (Governance) advised that a personal interest would be recorded for all Members on the Schedule of Remuneration for 2021/22 (agenda item 12).

## 19. CHAIRMAN'S COMMUNICATIONS/COMMENTS

The Chairman referred to the sad news of the recent death of former Councillors Dennis Parry, John Beard and Eric Owen, who had been Members of the Council. He also referred to the sudden death of Mike Catherall who was a much valued member of the Council's Streetscene and Transportation Team.

In paying tribute the Chairman said Councillor Dennis Parry had represented the Whitford Ward from 1995-1999, and was chair of the Education Committee from 1996-1999. Previously Councillor Parry had been a member of Delyn Borough Council and Clwyd County Council and was Leader of the Council until local government reorganisation in 1996.

Councillor John Beard was a Labour member who represented the Shotton East Ward from 1997. Councillor Beard was a member of the Executive and on leaving this position was appointed Chair of the Economic & Environment Overview & Scrutiny Committee until he retired from the Council following the 2008 elections.

Councillor Eric Owen represented the Connah's Quay Golftyn Ward from 2008-2012 and was a member of the Independent Alliance Group. He served on both the Community & Housing, and Social & Health Overview & Scrutiny Committees.

Mr Mike Catherall was a long standing employee of the Council who worked in the Waste and Recycling Collection Service and Nercwys Household Recycling Centre. Mr Catherall was a highly respected and popular member of the Streetscene and Transportation Team.

The Chairman asked Members to observe a one minute silence in tribute to them.

Councillor Paul Shotton paid tribute to Councillor Dennis Parry.

Councillor Veronica Gay paid tribute to Councillor Eric Owen.

Councillor Ian Roberts, Leader of the Council, paid tribute to Councillors Dennis Parry, John Beard and Eric Owen. He spoke of his association with each and their personal qualities, achievements, and significant contribution to the work of the Council. Councillor Roberts also commented on the sad loss of Mike Catherall and expressed his sincere condolences to the partners, family, and friends of all.

The Chief Executive also extended deep condolences on behalf of officers to the families and friends of the former colleagues.

Councillor Glyn Banks reiterated the sentiments which had been expressed and paid tribute to Councillor Dennis Parry and Mike Catherall. He said they would be missed and expressed his sympathy to their partners and families.

Councillor Ron Davies paid tribute to Councillors John Beard and Dennis Parry. He spoke of his close association with Councillor Beard both as a colleague and friend.

The Chief Officer (Streetscene & Transportation) paid tribute to Mike Catherall and spoke of the shock of the sad news of his sudden death. She said he was a highly valued member of the Service and would be missed by his work colleagues. She thanked Members for their support and condolences which she would pass to his family and the Streetscene & Transportation Team.

The Chairman expressed best wishes for the speedy recovery of Councillors Bernie Attridge and Derek Butler who were unable to be present due to serious illness.

The Chairman announced that Councillor David Williams had tendered his resignation as a Member of the Council to take immediate effect following the meeting. He invited Councillor Williams to speak. Councillor Williams said it was with regret that he tendered his resignation and commented on the reasons for his decision. He paid tribute to Members, officers, and staff in a number of the Council's Services, which had given him valued support during his term of office. The Chief Executive thanked Councillor Williams for his acknowledgements and wished him well for the future on behalf of the Council.

Councillor Dennis Hutchinson thanked Councillor Williams for the personal support he had provided to him and expressed best wishes to him for the future.

## **20. PETITIONS**

There were no petitions.

## **21. LOCAL DEMOCRACY & BOUNDARY COMMISSION FOR WALES: REVIEW OF FLINTSHIRE WARD BOUNDARIES UPDATE**

The Chief Executive introduced the report to give the current position on the review of Flintshire Ward Boundaries. He provided background information and advised that the Minister for Finance & Local Government was expected to pass Orders following a review of the 22 principal councils in Wales in September. He explained that there were 3 reviews where the Minister required further information before making a final decision with Flintshire being one of them. It was expected that the Boundary Commission's final report would be approved by the Minister with few or no amendments.

The Chief Executive said the Council agreed with most of the proposals in the report, however, there was concern that at the final stage, and without prior announcement or consultation, the Commission had introduced a new recommendation for one three Member ward in Flint. He explained this may have gone outside the Boundary Commission's own procedures and conflicted with an objective to try wherever possible to create single member wards. The Chief Executive said this had been raised with the Minister and he suggested that Members may wish to consider amending the recommendation in the report to support that both the Leader of the Council and himself formally ask the Minister, in considering the final contents of the Order, to specifically reverse the new recommendation for one three Member ward in Flint on the basis that it had been introduced at the final stage and there had been no opportunity to discuss or scrutinise beforehand.

Speaking in support of the Chief Executive's concerns Councillor Ian Roberts suggested that the proposal to send a letter to the Minister also included the following summary points: that Boundary Commission reports should not be sent out within a year of the normal cycle of elections for a local authority; that in future the Boundary Commission is asked not to include any new proposals in the final version of its report; and that community ties need to be given greater weight within future Boundary Commission reviews.

The Chief Executive explained that the wider issues referred to by Councillor Ian Roberts had been discussed with the Minister and further to the request by Councillor Roberts, and suggested that the Welsh Local Government Association (WLGA) be formally invited to support the principles outlined above.

The Chief Officer (Governance) summarised that the proposal moved by Councillor Ian Roberts was that a letter be sent to the Minister for Finance & Local Government which challenged the Boundary Commission's proposals for a new three Member ward for Flint for the reasons outlined by the Chief Executive. In addition the letter would include the three summary points raised by Councillor Ian Roberts above and a request to the WLGA to support the principles in general. The proposal was seconded by Councillor Paul Cunningham.

Councillor David Healey referred to the unexpected proposal in the Boundary Commission's final report to merge Caergwrle Ward with the Llanfynydd and Treuddyn Wards. Councillor Healey said this was without any prior indication or opportunity for public consultation and the concerns expressed around the Boundary Commission's proposals for Flint also applied to the Caergwrle, Llanfynydd and Treuddyn Wards. He asked that the proposal made by Councillor Roberts above be amended to include a further challenge on the Commission's proposals for the Caergwrle Ward for the reasons he had outlined. The amendment was agreed by Councillor Ian Roberts and seconded by Councillor Paul Cunningham and became the substantive motion. When put to the vote this was carried.

**RESOLVED:**

- (a) That a letter be sent to the Minister for Finance & Local Government which challenges the Boundary Commission's proposals for a three Member ward for Flint and the proposal to merge the Caergwrle Ward with Llanfynydd and Treuddyn Wards and asks for them to be reversed;
- (b) That the letter to the Minister also includes the three principles outlined above for future reviews; and
- (c) That the Welsh Local Government Association (WLGA) be formally invited to support the principles outlined above.

**22. BOUNDARY COMMISSION FOR WALES; 2023 REVIEW OF PARLIAMENTARY CONSTITUENCIES**

The Chief Officer (Governance) presented a report on the process for the forthcoming review of Welsh Parliamentary constituencies. He provided background



information and commented that there was an expected increase in the size of local constituencies and that the overall review should result in a significant reduction in the number of constituencies in Wales (from 40 to 32 constituencies).

Councillor Ian Roberts moved the recommendation and this was seconded by Councillor Patrick Heesom. When put to the vote the recommendation was carried.

**RESOLVED:**

That the process to be followed during the Boundary Commission for Wales 2023 Review of Parliamentary Constituencies be noted.

**23. DECLARATION OF DIVERSITY IN DEMOCRACY**

The Head of Democratic Services presented a report to invite the Council to support in principle the making of a Declaration of Diversity in Democracy. He provided background information and advised that each of the 22 principal councils in Wales was being asked to make a Diversity in Democracy Declaration.

The County Council was invited to recognise the importance of this and to commit to developing an action plan to improve diversity in democracy in Flintshire. Should Council agree, a Declaration of Diversity in Democracy would be made in principle and thereafter the detailed work in creating the Flintshire Diversity in Democracy Action Plan would be undertaken by the Constitution & Democratic Services Committee.

Speaking in support of a Flintshire Declaration of Diversity in Democracy, Councillor Christine Jones moved the recommendations in the report and this was seconded by Councillor Billy Mullin.

Councillor Neville Phillips expressed concerns around the Welsh Local Government Association's proposals to introduce 'resettlement grants' to councillors should they lose their seat at an election. The Head of Democratic Services explained that the proposal was 'aspirational' at the current time and had not been confirmed.

Councillor Ron Davies commented on the need for councillors who were in employment to be allowed to take time off work to attend meetings during their public service. The Chief Officer (Governance) explained there was already provision to enable employers to allow councillors reasonable time off work to attend meetings. However, he acknowledged that some employers were more accommodating in their approach to this than others.

Councillor Ian Roberts suggested that the Council should prompt the WLGA to ask for a declaration to be signed by employers, consenting to their employees having paid time off for public service. He also suggested that the Council's own practices be reviewed to consider if the arrangements for meetings/workshops could be improved for councillors who were in employment.

Councillor Gladys Healey spoke in support of the comments made by Councillor Roberts.

Councillors Christine Jones and Billy Mullin accepted the suggestion to write to the WLGA as an addition to the substantive motion and when put to the vote this was carried.

**RESOLVED:**

- (a) That Council recognises the importance of diversity in democracy, and commits to developing an action plan to improve diversity;
- b) That the detailed work creating the Flintshire Diversity in Democracy Action Plan be undertaken by the Constitution & Democratic Services Committee; and
- (c) That that the Council writes to the WLGA, seeking a declaration to be signed by employers to consent to releasing employees for public service.

**24. PROTOCOL ON ACTING OUTSIDE THE WARD**

The Chief Officer (Governance) presented a report to consider the revised Member Protocol on Involvement in Other Wards. He provided background information and explained that the existing protocol was thought by statutory officers and Group Leaders to be in need of revision. An amended version agreed for formal consultation was appended to the report which had been approved by the Constitution & Democratic Services Committee at a meeting held on 30 June 2021.

The recommendation was moved by Councillor Neville Phillips and seconded by Councillor Chris Bithell.

Councillor Owen Thomas commented on Members being contacted regarding planning matters in other wards. The Chief Officer acknowledged the points made by Councillor Thomas and explained that this was covered within Section 2 - Exceptions to the Protocol, paragraph (f), which was appended to the report. He also cautioned that, when replying to correspondence or representations, members of the Planning Committee should be careful not to create the impression that they had reached a final decision on a planning application prior to it being considered at a meeting of the Planning Committee.

Councillor Chris Bithell commented on guidance in the Planning Code of Conduct around adjacent ward members and asked if similar guidance should also be included in Section 2 of the Protocol. In response the Chief Officer provided advice concerning Member involvement in planning matters in an adjacent ward which had an impact on their own ward. He advised that whilst representing the interests of residents in their own ward the Member would not be in breach of the Protocol in these circumstances, but agreed that this could be stated within the Protocol for clarity.

Referring to Section 3, paragraph 3.2, of the Protocol, Councillor Paul Shotton said Members should declare their own ward for transparency.

Having been moved and seconded, Councillors Neville Phillips and Chris Bithell accepted the suggestion that the Protocol be amended as above as an addition to the substantive motion. When put to the vote this was carried.

**RESOLVED:**

That subject to the amendment above, Council adopts the 2021 revised Member Protocol on Involvement in Other Wards.

**25. AMENDMENTS TO THE RULES OF PROCEDURE**

The Chief Officer (Governance) presented the report to consider the revised Protocol on the Rules of Procedure. He advised that at the Annual Meeting of the Council held on 9<sup>th</sup> September, the Chair agreed to the temporary changes to some of the Rules, which were circulated. Remote Attendance Meetings would continue as the Council moved towards the 'multi-location meetings' required by the Local Government & Elections (Wales) Act 2021. What were originally temporary changes now needed to be formally adopted by Council whilst the Council developed a policy on multi-location meetings. Making the temporary changes to the Rules of Procedure permanent was supported by the Constitution & Democratic Services Committee at its meeting on 30<sup>th</sup> June 2021.

The Chief Officer advised that the Act required that the Council should develop and publish its policy on which meetings would take place in person, remotely, or as a hybrid, and the rules that would apply to each. The Council would need to develop its own 'multi-location meetings' policy before May 2022. Further reports would be submitted to the Constitution & Democratic Services Committee, and to Council. Appended to the report were the changes which needed to be incorporated into the Rules of Procedure to make them applicable to multi-location meetings.

The recommendations were moved by Councillor Neville Phillips and seconded by Councillor Rob Davies, and when put to the vote were carried.

**RESOLVED:**

- (a) That the Council considers and approves the changes to the Rules Of Procedure as shown in appendix 1; and
- (b) That further work be undertaken to develop a Flintshire policy on multi-location meetings.

**26. APPOINTMENT OF AN INDEPENDENT MEMBER TO THE STANDARDS COMMITTEE**

The Chief Officer (Governance) presented a report to give details of the preferred candidate for the Independent Member vacancy on the Standards Committee.

The Chief Officer provided background information and referred to the vacancy for an Independent Member (co-optee) on the Standards Committee. He reported that an advertisement had been placed in the local press and online. There were four applicants, of whom three were shortlisted and interviewed. Two candidates were

suitable for appointment and it was recommended that Jacqueline Guest and David Davies be appointed. Jacqueline Guest would commence her appointment immediately, filling the current vacancy on the Committee. David Davies' appointment would be effective from 1<sup>st</sup> January 2022 when an existing Independent Member had indicated their intention to stand down.

In moving the recommendations, Councillor Paul Johnson said the new appointments would bring important skills and personal qualities to the Standards Committee. He expressed thanks for the work and valuable contribution made by Rob Dewey and Phillipa Earlam to the Committee. Councillor Marion Bateman seconded the recommendation and commented that the new members would be an asset. She also took the opportunity to thank Councillor Paul Johnson for his work on the Committee.

On being put to the vote the recommendations were carried.

**RESOLVED:**

- (a) That Jacqueline Guest be appointed to the Standards Committee until the 21<sup>st</sup> July 2027;
- (b) That David Davies be appointed to the Standards Committee from 1<sup>st</sup> January 2022 until the 31<sup>st</sup> December 2027;
- (c) That Noela Jones be thanked for acting as Lay Person on the Committee
- (d) That Phillipa Earlam be thanked for her work on the Committee.

**27. SCHEDULE OF REMUNERATION 2021/22**

The Head of Democratic Services introduced a report on the Schedule of Remuneration for elected and co-opted Members for 2021/22. He advised that the Council was required to produce the Schedule of Remuneration annually and the Schedule for 2021/22 was appended to the report. It had to be published and sent to the Independent Remuneration Panel for Wales by 31<sup>st</sup> July.

The Head of Democratic Services explained there were currently three co-optee vacancies for parent governors on the Education, Youth & Culture Overview & Scrutiny Committee. Nominations had been sought and an election would be held in due course.

The Council was requested to authorise the Head of Democratic Services to add the names of the co-optees to the Schedule and republish as necessary, and make any further necessary changes to the Schedule as they arose.

Councillor Billy Mullin moved the recommendations which were seconded by Councillor Paul Shotton. On being put to the vote the recommendations were carried.

**RESOLVED:**

- (a) That the completed Schedule of Remuneration for 2021/22 as attached be approved for publication; and
- (b) That the Head of Democratic Services be authorised to add the names of the co-optees to the Schedule and republish as necessary and make any further necessary changes to the Schedule as they arise.

**28. PUBLIC QUESTION TIME**

None were received.

**29. QUESTIONS**

None were received.

**30. NOTICE OF MOTION**

None were received.

**31. MEMBERS OF THE PRESS IN ATTENDANCE**

There was one member of the press in attendance.

(The meeting started at 10.00 am and ended at 11.42 am)

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**Chair**

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**FLINTSHIRE COUNTY COUNCIL**  
**TUESDAY, 3<sup>RD</sup> AUGUST**

Minutes of the Flintshire County Council held remotely via Zoom on Tuesday 3<sup>rd</sup> August 2021.

**PRESENT: Councillor Joe Johnson (Chair)**

Councillors: Janet Axworthy, Glyn Banks, Haydn Bateman, Marion Bateman, Sean Bibby, Chris Bithell, Sian Braun, Clive Carver, Geoff Collett, Bob Connah, Paul Cunningham, Jean Davies, Robert Davies, Ron Davies, Adele Davies-Cooke, Chris Dolphin, Rosetta Dolphin, Ian Dunbar, Andy Dunbobbin, Mared Eastwood, David Evans, Veronica Gay, George Hardcastle, David Healey, Gladys Healey, Patrick Heesom, Cindy Hinds, Andy Hughes, Dave Hughes, Ray Hughes, Dennis Hutchinson, Paul Johnson, Christine Jones, Tudor Jones, Richard Lloyd, Mike Lowe, Dave Mackie, Hilary McGuill, Billy Mullin, Ted Palmer, Mike Peers, Michelle Perfect, Vicky Perfect, Neville Phillips, Ian Roberts, Tim Roberts, Kevin Rush, Paul Shotton, Ralph Small, Ian Smith, Carolyn Thomas, Owen Thomas, Martin White, Andy Williams, David Wisinger and Arnold Woolley

**APOLOGIES:**

Councillors: Mike Allport, Bernie Attridge, Helen Brown, Derek Butler, David Cox, Andy Dunbobbin, Carol Ellis, Rita Johnson, Colin Legg, Aaron Shotton and Ralph Small.

**IN ATTENDANCE:**

Chief Executive; Chief Officer (Governance); Senior Human Resources and Organisational Development, Team Leader - Democratic Services and Democratic Services Officer.

**32. DECLARATIONS OF INTEREST**

None were received.

The Chief Executive advised Members that following the resignation of David Williams, the Penyffordd by-election would take place on 7<sup>th</sup> October following publication of the notice of election on 2<sup>nd</sup> September.

**LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 – TO CONSIDER THE EXCLUSION OF THE PRESS AND PUBLIC**

**RESOLVED:**

That the press and public be excluded for the remainder of the meeting for the following items by virtue of exempt information under paragraph(s) 13 of Part 4 of Schedule 12A of the Local Government Act 1972 (as amended).

**33. APPOINTMENT OF THE CHIEF EXECUTIVE**

The Senior Manager, Human Resources and Organisational Development introduced the report which provided the background to the appointments process carried out in July for the appointment of the Chief Executive.

As a result of the assessment programme, the Appointments Panel resolved to recommend to Council the appointment of Neal Cockerton as Chief Executive.

The Chief Officer (Governance) provided assurance to Members that the process had been sound and rigorous.

Councillor Ian Roberts moved the recommendation, which was seconded by Councillor Mike Peers. At this point in the meeting Mr Cockerton was invited to attend.

Councillor Roberts thanked the Appointments Panel for the considerable deliberations that took place which provided confidence in the recommendation and he congratulated Mr Cockerton on his appointment.

Councillor Peers welcomed the recommendation and said Mr Cockerton demonstrated the experience, drive and commitment to undertake the role of Chief Executive.

Members from across the Chamber offered their congratulations to Mr Cockerton which he thanked them for and confirmed that he accepted the offer which was a great honour and privilege. He had joined the authority 18 years ago and worked in a wider number of areas delivering front line services and leading on innovative projects. He looked forward to the future in his new role.

**RESOLVED:**

That the recommendation of the Appointments Panel to appoint Neal Cockerton as Chief Executive on a salary range of £131,664 to £143,110 (subject to any pay award), commencing at the lowest spinal point of the scale, commencing 1<sup>st</sup> November 2021 be approved.

**34. ATTENDANCE BY MEMBERS OF THE PRESS AND PUBLIC**

None in attendance.

(The meeting started at 2.00 p.m and ended at 2.56 p.m.)

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**Chair**





## FLINTSHIRE COUNTY COUNCIL

<b>Date of Meeting</b>	Tuesday, 28 <sup>th</sup> September 2021
<b>Report Subject</b>	Boundary Commission for Wales: 2023 Review of Parliamentary Constituencies - Initial Proposals
<b>Report Author</b>	Chief Executive and Chief Officer (Governance)

### EXECUTIVE SUMMARY

The Boundary Commission for Wales ('the Commission') has recently published its initial proposals for Parliamentary constituencies in Wales.

At the Council meeting on Thursday 22 July 2021, the Council noted the process to be followed during the Boundary Commission for Wales 2023 Review of Parliamentary constituencies.

The constituencies of Delyn and Alyn and Deeside are to be retained under these initial proposals.

The Commission proposes that the Alyn and Deeside constituency be created from the existing electoral wards of Alyn and Deeside, the electoral wards of Brymbo and Minera from the existing Clwyd South constituency, and the electoral wards of Argoed, Leeswood and New Brighton from the existing Delyn constituency.

The Commission proposes that the Delyn constituency be created from the existing electoral wards of Delyn (without Argoed, Leeswood and New Brighton electoral wards), the electoral wards of Dyserth, Llandyrnog, Prestatyn Central, Prestatyn East, Prestatyn Meliden, Prestatyn North, Prestatyn South West and Tremeirchion from the existing Vale of Clwyd constituency and the electoral wards of Llanarmon-yn-Ial/Llandegla, Llanbedr Dyffryn Clwyd/Llangynhafal and Ruthin from the existing Clwyd West constituency.

The Commission are looking forward, to hearing from the people of Wales on how these proposals might be amended and revised. The initial consultation period began on 8 September 2021 and ends on 3 November 2021.

## RECOMMENDATIONS

1	That Council notes the initial proposals for the constituencies of Delyn and Alyn and Deeside.
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## REPORT DETAILS

<b>1.00</b>	<b>EXPLAINING THE BOUNDARY COMMISSION FOR WALES PARLIAMENTARY CONTITUENCY REVIEW FOR THE CONSTITUENCIES OF DELYN AND ALYN AND DEESIDE</b>
1.01	The Boundary Commission for Wales ('the Commission') is responsible for reviewing Parliamentary constituency boundaries in Wales. According to the formula, the number of constituencies in Wales should be 32 (8 less than currently).
1.02	On 5 January 2021, the Commission announced the start of the 2023 review of Parliamentary constituencies in Wales, in accordance with the provisions of the Parliamentary Constituencies Act 1986 (as amended).
1.03	At the Council meeting on Thursday 22 July 2021, the Council noted the process to be followed during the Boundary Commission for Wales 2023 Review of Parliamentary constituencies.
1.04	The Commission has now published its initial proposals for public consultation. These proposals take careful account of the relevant legislation and application of the March 2020 electoral figures. The local government boundaries the Commission may take into account are those that existed in Wales on 1 December 2020 (since there were no 'prospective' boundaries in Wales on that date). As such, the Commission will not consider new local government boundaries that did not exist, and had not been provided for by legislation, on that date.
1.05	Under the proposals, six principal councils would be wholly contained within new constituencies (Blaenau Gwent, Ceredigion, the Isle of Anglesey, Merthyr Tydfil, Monmouthshire and Torfaen). Sixteen existing constituencies would be wholly contained within new constituencies (Aberconwy, Alyn and Deeside, Blaenau Gwent, Brecon and Radnorshire, Cardiff Central, Cardiff North, Cardiff West, Ceredigion, Dwyfor Meirionnydd, Islwyn, Llanelli, Montgomeryshire, Rhondda, Torfaen, Wrexham and Ynys Môn). Eighteen of the existing constituency names would remain the same.
1.06	<b>Alyn and Deeside Constituency</b>  The Commission proposes that a county constituency be created from the following electoral wards within the County of Flintshire (which currently make up the existing Alyn and Deeside CC):  Aston (2,508), Broughton North East (1,723), Broughton South (3,325), Buckley Bistre East (2,653), Buckley Bistre West (3,182), Buckley Mountain (2,555), Buckley Pentrobin (4,181), Caergwrle (1,225), Connah's

	<p>Quay Central (2,213), Connah's Quay Golftyn (3,688), Connah's Quay South (4,494), Connah's Quay Wepre (1,647), Ewloe (4,327), Hawarden (1,623), Higher Kinnerton (1,373), Hope (2,042), Llanfynydd (1,483), Mancot (2,516), Penyffordd (3,543), Queensferry (1,248), Saltney Mold Junction (1,100), Saltney Stonebridge (2,672), Sealand (2,026), Shotton East (1,219), Shotton Higher (1,669), Shotton West (1,464) and Treuddyn (1,346)</p> <p>and the following electoral wards within the County of Wrexham (which currently form part of the existing Clwyd South CC):</p> <p>Brymbo (3,021) and Minera (1,870)</p> <p>and the following electoral wards within the County of Flintshire (which currently form part of the existing Delyn CC):</p> <p>Argoed (2,167), Leeswood (1,627) and New Brighton (2,414).</p>
1.07	<p>This constituency would have 74,144 electors, which is 1% above the UKEQ of 73,393 electors per constituency. The proposed official name for the constituency is Alyn and Deeside. The proposed official alternative name is Alun a Glannau Dyfrdwy.</p>
1.08	<p>The existing Alyn and Deeside constituency is currently below the statutory requirements in respect of the size of the electorate. The Commission has considered several options and proposes to combine the whole of the existing Alyn and Deeside constituency with electoral wards from the existing Clwyd South and Delyn constituencies to meet the statutory electorate range. The Commission is of the view that these areas listed in 1.06 are well connected to the existing Alyn and Deeside constituency by transport links, and are similar in character. The Commission is of the view that the proposed arrangement creates a cohesive constituency.</p>
1.09	<p><b>Delyn Constituency</b></p> <p>The Commission proposes that a county constituency be created from the following electoral wards within the County of Flintshire (which currently form part of the existing Delyn CC):</p> <p>Bagillt East (1,413), Bagillt West (1,625), Brynford (1,789), Caerwys (2,050), Cilcain (1,519), Ffynongroyw (1,474), Flint Castle (1,426), Flint Coleshill (2,938), Flint Oakenholt (2,538), Flint Trelawny (2,710), Greenfield (1,983), Gronant (1,257), Gwernaffield (1,646), Gwernymynydd (1,399), Halkyn (1,427), Holywell Central (1,465), Holywell East (1,383) Holywell West (1,762), Mold Broncoed (2,134), Mold East (1,556), Mold South (2,201), Mold West (1,956), Mostyn (1,458), Northop (2,596), Northop Hall (1,398), Trelawnyd and Gwaenysgor (1,496) and Whitford (1,911)</p> <p>and the following electoral wards within the County of Denbighshire (which currently form part of the existing Vale of Clwyd CC):</p>

	<p>Dyserth (1,882), Llandyrnog (1,765), Prestatyn Central (2,829), Prestatyn East (3,162), Prestatyn Meliden (1,529), Prestatyn North (4,729), Prestatyn South West (2,861) and Tremeirchion (1,344).</p> <p>and the following electoral wards within the County of Denbighshire (which currently form part of the existing Clwyd West CC): Llanarmon-yn-Ial/Llandegla (2,033), Llanbedr Dyffryn Clwyd/Llangynhafal (1,170) and Ruthin (4,260).</p>
1.10	This constituency would have 76,074 electors, which is 3.7% above the UKEQ of 73,393 electors per constituency. The proposed single name for the constituency is Delyn.
1.11	The existing Delyn, Vale of Clwyd and Clwyd West constituencies are currently below the statutory requirements in respect of the size of the electorate. The Commission considered several options, and proposes to combine electoral wards from these existing neighbouring constituencies to meet the statutory electorate range. The Commission has proposed that three of the existing Delyn electoral wards – Argoed, Leeswood and New Brighton – are included within the proposed Alyn and Deeside constituency. The remainder of the existing Delyn constituency is to be combined with electoral wards that form part of the existing Vale of Clwyd and Clwyd West constituencies listed in 1.09. The Commission is of the view that the proposed arrangement creates a cohesive constituency that has good transport and communication links.
1.12	The proposed constituency includes electoral wards that form part of the existing Delyn, Vale of Clwyd and Clwyd West constituencies, and includes areas from the County of Flintshire and the County of Denbighshire principal council areas. The Commission proposes keeping the existing constituency name of Delyn as a single name for this proposed constituency, which the Commission considers to be recognisable and acceptable in both Welsh and English.
1.13	The Commission has now opened consultation on its initial proposals. This consultation period ends on 3 November 2021.

<b>2.00</b>	<b>RESOURCE IMPLICATIONS</b>
2.01	The preparation of any case either for or against the proposals made by Flintshire will require both Member and officer time.

<b>3.00</b>	<b>CONSULTATIONS REQUIRED / CARRIED OUT</b>
3.01	The proposals have been shared with Group Leaders.

<b>4.00</b>	<b>RISK MANAGEMENT</b>
4.01	Not applicable at this stage.

<b>5.00</b>	<b>APPENDICES</b>
5.01	<p>Appendix 1 – Boundary Commission for Wales: 2023 Review of Parliamentary Constituencies – Initial Proposals  <a href="https://bcomm-wales.gov.uk/sites/bcomm/files/review/Initial%20Proposals%20Template%20v8%20Final_2.pdf">https://bcomm-wales.gov.uk/sites/bcomm/files/review/Initial%20Proposals%20Template%20v8%20Final_2.pdf</a></p> <p>Appendix 2 – Alyn and Deeside (Alun a Glannau Dyfrdwy) Map  <a href="https://bcomm-wales.gov.uk/sites/bcomm/files/review/Alyn%20and%20Deeside.png">https://bcomm-wales.gov.uk/sites/bcomm/files/review/Alyn%20and%20Deeside.png</a></p> <p>Appendix 3 – Delyn Map  <a href="https://bcomm-wales.gov.uk/sites/bcomm/files/review/Delyn.png">https://bcomm-wales.gov.uk/sites/bcomm/files/review/Delyn.png</a></p>

<b>6.00</b>	<b>LIST OF ACCESSIBLE BACKGROUND DOCUMENTS</b>
6.01	<p>Boundary Commission for Wales Review of Parliamentary Constituencies: Guide to the 2023 Review.</p> <p><a href="https://bcomm-wales.gov.uk/sites/bcomm/files/review/Guide%20to%20the%20Review%200E.pdf">https://bcomm-wales.gov.uk/sites/bcomm/files/review/Guide%20to%20the%20Review%200E.pdf</a></p> <p>Report of the Chief Executive and Chief Officer (Governance): Boundary Commission for Wales: 2023 Review of Parliamentary Constituencies. 22 July 2021.</p> <p><a href="https://committeemeetings.flintshire.gov.uk/documents/g5123/Public%20reports%20pack%2022nd-Jul-2021%2010.00%20Flintshire%20County%20Council.pdf?T=10&amp;LLL=0">https://committeemeetings.flintshire.gov.uk/documents/g5123/Public%20reports%20pack%2022nd-Jul-2021%2010.00%20Flintshire%20County%20Council.pdf?T=10&amp;LLL=0</a></p>

<b>7.00</b>	<b>CONTACT OFFICER DETAILS</b>
7.01	<p><b>Contact Officers:</b> Robert Robins, Head of Democratic Services and Lynn Phillips, Team Leader – Democratic Services  <b>Telephone:</b> (01352) 702320/01352 702329  <b>E-mail:</b> robert.robins@flintshire.gov.uk and lyn.phillips@flintshire.gov.uk</p>

8.00	<b>GLOSSARY OF TERMS</b>
8.01	<p><b>The Boundary Commission for Wales:</b> Is an independent and impartial non-departmental public body which is responsible for conducting periodic reviews of Parliamentary constituency boundaries in Wales.</p> <p><b>County Constituency - abbreviated to CC:</b> Parliamentary constituency containing a significant rural element.</p> <p><b>Electoral Ward:</b> The areas into which principal council areas are divided for the purpose of electing county councillors; previously referred to as electoral divisions.</p> <p><b>Electorate:</b> The number of registered parliamentary electors in a given area.</p> <p><b>Initial proposals:</b> Initial proposals for public consultation.</p>



## FLINTSHIRE COUNTY COUNCIL

<b>Date of Meeting</b>	Tuesday, 28 September 2021
<b>Report Subject</b>	Clwyd Pension Fund and Wales Pension Partnership
<b>Report Author</b>	Joint Report by: Head of Clwyd Pension Fund, Corporate Finance Manager and Chief Executive.

### **EXECUTIVE SUMMARY**

In December 2017 Flintshire County Council, as the administering authority for Clwyd Pension Fund, entered into an Inter-Authority Agreement with the seven other Welsh LGPS administering authorities to collaborate in establishing arrangements for the pooling of their pension fund assets. This arrangement is referred to as the Wales Pension Partnership (WPP) and it includes a Joint Governance Committee (JGC). Following discussions by the JGC and agreement by the Clwyd Pension Fund Committee, it is being proposed that the Inter-Authority Agreement is amended to allow:

- the inclusion of a co-opted Scheme Member Representative on the JGC
- the appointment of an Allocator for Private Markets and
- various other minor changes or updates since the WPP was established.

The Council are being asked by the Clwyd Pension Fund Committee to agree to the amendments to the Inter-Authority Agreement, as well as to the corresponding areas in the Constitution and Pension Board Protocol.

The Clwyd Pension Fund Committee also recommend to Council an amendment to the Financial Procedure Rules to transfer responsibility for the write-off of pension fund bad debt from Cabinet to the Pension Fund Committee.

### **RECOMMENDATIONS**

1.	That the Council considers and approves the amendments to the Inter-Authority Agreement as shown in appendix 1.
2.	That the Council considers and approves the amendments to the Constitution, Financial Procedure Rules and Pension Board Protocol as shown in appendix 2.

## REPORT DETAILS

1.00	<b>EXPLAINING THE NEED TO MAKE AMENDMENTS RELATING TO POOLING INVESTMENT IN WALES AND WRITE-OFF OF PENSION FUND BAD DEBT</b>
1.01	<p><b>Wales Pension Partnership Inter-Authority Agreement</b></p> <p>In December 2017 Flintshire County Council, as the administering authority for Clwyd Pension Fund, entered into an Inter-Authority Agreement with the other seven Welsh LGPS administering authorities (Constituent Authorities) to collaborate in establishing arrangements for the pooling of their pension fund assets to achieve economies of scale and improved investment vehicles. This arrangement, referred to as the Wales Pension Partnership (WPP), has a robust governance structure which includes a Joint Governance Committee (JGC) consisting of the chairs of all the Constituent Authorities' Pension Fund Committees (or equivalent).</p>
1.02	<p>At recent meetings of the JGC, it has been decided it would be appropriate to update the WPP Inter-Authority Agreement to enable:</p> <ul style="list-style-type: none"> <li>• A co-opted scheme member representative on the JGC</li> <li>• The appointment of an Allocator for private markets and</li> <li>• Various other minor changes or updates since the WPP was established.</li> </ul> <p>The proposed changes to the Inter-Authority Agreement are included in appendix 1. These changes need to be agreed by all Welsh Constituent Authorities.</p>
1.03	<p><i>Including a co-opted scheme member representative on the JGC</i></p> <p>Since establishment, officers representing WPP have engaged every six months with Pension Board chairs from the eight Constituent Authorities. Pension Boards have both employer and scheme member representatives. More recently, the Local Government Pension Scheme (LGPS) Scheme Advisory Board has raised the profile of scheme member representation in asset pooling and the JGC members have considered the involvement of a scheme member representative as part of the JGC to support the transparency of the WPP and hence strengthen the governance arrangements of the WPP. A scheme member representative on the JGC from one of the eight individual Pension Boards would further enhance the engagement with the Pension Boards. Being an existing board member, they would possess much of the requisite knowledge and skills as well as being accustomed to LGPS legislation.</p>
1.04	<p>The JGC is a joint committee constituted under the Local Government Act 1972, and Section 102(3) of the Act allows appointment of non-members to a committee. Therefore, a scheme member representative can join the JGC but</p>



	only as co-opted, non-voting member. The proposed amendment to the Inter-Authority Agreement would allow a scheme member representative to be appointed to the JGC as well as appointing a deputy.
1.05	The amendments would allow nominees for the scheme member representative to be made either by a Constituent Authority or their Pension Board. For the purposes of Flintshire County Council, it is recommended that the Clwyd Pension Fund Board are asked to consider and make any nomination. The Chair of the Clwyd Pension Fund Committee will be on the appointment panel for the scheme member representative with the final appointments being agreed by the JGC.
1.06	<p><i>The Appointment of an Allocator for Private Markets</i></p> <p>As enabled by the Inter-Authority Agreement, the WPP have already provided investment vehicles for Constituent Authorities to invest in liquid asset classes such as equities and bonds through the WPP Operator. The Clwyd Pension Fund has assets invested in these vehicles. The next stage is to consider the approach to providing Constituent Authorities with investment vehicles for illiquid private market asset classes, such as infrastructure, private credit, private equity and property. A detailed review determined the optimum approach is to appoint an 'Allocator' for each of the private market asset classes. The Allocator(s) role will be to select "best in class" private market managers across the separate asset classes. To allow this to happen, the Inter-Authority Agreement needs to be updated. Currently, there is 27% of Clwyd Pension Fund assets invested in private markets.</p>
1.07	<p><i>Changes to Constitution and Pension Board Protocol</i></p> <p>Given some of the elements in the Inter-Authority Agreement are areas which are incorporated into the Council's Constitution, Council's approval of the amendments to the Inter-Authority Agreement will necessitate updates to the Constitution. Changes will also be required to the Pension Board Protocol to allow the Clwyd Pension Fund Board to make a nomination for the scheme member representative on the JGC. It is also recommended that the Pension Board Protocol is amended to clarify that hybrid and remote meetings are permitted. Appendix 2 details the proposed changes, which are highlighted, to the Constitution and Pension Board Protocol.</p>
1.08	<p><b>The Write-Off of Bad Debt relating to the Clwyd Pension Fund</b></p> <p>The Council's Financial Procedure Rules, which also apply to the management of the Clwyd Pension Fund, include the following wording relating to the responsibilities of the Chief Finance Officer relating to the management of debt:</p> <p><i>"c) Agree the write-off of bad debts up to £5,000 in aggregate for each single domestic or business debtor, agree in consultation with Cabinet the write-off of bad debts over those amounts but up to £25,000 and refer for approval items for write-off in excess of £25,000 to the Cabinet. A record of all sums written off</i></p>

	<i>up to the approved limit is maintained to adhere to the requirements of the Accounts and Audit Regulations."</i>
1.09	For the following reasons, this provision would benefit from clarification: <ul style="list-style-type: none"> <li>• the responsibility for the management of the Pension Fund is delegated by the Council to the Pension Fund Committee</li> <li>• the monies that are being written off will impact on scheme members and/or participating employers of the Pension Fund and</li> <li>• pension fund matters are non-executive and therefore should not be considered by Cabinet.</li> </ul>
1.10	Accordingly, the Council are asked to agree that the Financial Procedure Rules are amended to clarify that the write-off of bad debt relating to the Clwyd Pension Fund should involve the Pension Fund Committee, rather than Cabinet, in the circumstances outlined. Appendix 2 details the proposed change.
1.11	The Clwyd Pension Fund Committee have considered the proposed changes to the Inter-Authority Agreement, the Constitution, Pension Board Protocol and Financial Procedure Rules and recommend to Council that they are approved.

<b>2.00</b>	<b>RESOURCE IMPLICATIONS</b>
2.01	None.

<b>3.00</b>	<b>CONSULTATIONS REQUIRED / CARRIED OUT</b>
3.01	The Clwyd Pension Fund Committee has been consulted and supports amendments to the Inter-Authority Agreement, Constitution, Pension Board Protocol and Financial Procedure Rules.

<b>4.00</b>	<b>RISK MANAGEMENT</b>
4.01	Not applicable.

<b>5.00</b>	<b>APPENDICES</b>
5.01	Appendix 1 – Addendum to the Inter-Authority Agreement. Appendix 2 – Amendments to the Council Constitution, Financial Procedure Rules and Pension Board Protocol

<b>6.00</b>	<b>LIST OF ACCESSIBLE BACKGROUND DOCUMENTS</b>
6.01	<ul style="list-style-type: none"> <li>• Council's Constitution (including Pension Board Protocol and Financial Procedure Rules) - <a href="https://www.flintshire.gov.uk/en/PDFFiles/Democratic-Services/Flintshire-Constitution.pdf">https://www.flintshire.gov.uk/en/PDFFiles/Democratic-Services/Flintshire-Constitution.pdf</a></li> <li>• Flintshire County Council - 1 March 2017: Pooling of Pensions Investments in Wales</li> </ul> <p><b>Contact Officer:</b> Philip Latham, Head of Clwyd Pension Fund  <b>Telephone:</b> 01352 702264  <b>E-mail:</b> <a href="mailto:philip.latham@flintshire.gov.uk">philip.latham@flintshire.gov.uk</a></p>

<b>7.00</b>	<b>GLOSSARY OF TERMS</b>
7.01	<p>(a) <b>The Fund – Clwyd Pension Fund</b> – The Pension Fund managed by Flintshire County Council for local authority employees in the region and employees of other employers with links to local government in the region</p> <p>(b) <b>Administering authority or scheme manager</b> – Flintshire County Council is the administering authority and scheme manager for the Clwyd Pension Fund, which means it is responsible for the management and stewardship of the Fund.</p> <p>(c) <b>The Committee – Clwyd Pension Fund Committee</b> - the Flintshire County Council committee responsible for the majority of decisions relating to the management of the Clwyd Pension Fund.</p> <p>(d) <b>The Pension Board – Clwyd Pension Fund Board</b> - also sometimes referred to as Local Pension Board or LPB. Each LGPS Fund has a Pension Board. Their purpose is to assist the administering authority in ensuring compliance with the scheme regulations, TPR requirements and efficient and effective governance and administration of the Fund.</p> <p>(e) <b>LGPS – Local Government Pension Scheme</b> – the national scheme, which Clwyd Pension Fund is part of</p> <p>(f) <b>Inter-Authority Agreement (IAA)</b> – the governance agreement between the eight Wales pension funds (Constituent Authorities) for purposes of pooling</p> <p>(g) <b>Wales Pension Partnership (WPP)</b> – the name agreed by the eight Wales pension funds (Constituent Authorities) for the Wales Pool of investments</p> <p>(h) <b>The Operator</b> – an entity regulated by the FCA, which provides both the infrastructure to enable the pooling of assets and fund management advice. For the Wales Pension Partnership, the appointed Operator is Link.</p>

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**Amendment to the Inter-Authority Agreement between**

Carmarthenshire County Council	(1)
City & County of Swansea Council	(2)
City of Cardiff Council	(3)
Flintshire County Council	(4)
Gwynedd Council	(5)
Powys County Council	(6)
Rhondda Cynon Taff County Borough Council	(7)
Torfaen County Borough Council	(8)

Made on

2021

By

- (1) **CARMARTHENSHIRE COUNTY COUNCIL** of County Hall, Carmarthen, Carmarthenshire, SA31 1JP
- (2) **CITY & COUNTY OF SWANSEA COUNCIL** of The Guildhall, Swansea, SA1 4PE
- (3) **THE COUNTY COUNCIL OF THE CITY AND COUNTY OF CARDIFF** of County Hall, Atlantic Wharf, Cardiff, CF10 4UW
- (4) **FLINTSHIRE COUNTY COUNCIL** of County Hall, Mold, Flintshire, CH7 6NA.
- (5) **GWYNEDD COUNCIL** of Shirehall Street, Caernarfon, Gwynedd LL55 1SH
- (6) **POWYS COUNTY COUNCIL** of County Hall, Llandrindod Wells, Powys, LD1 5LG
- (7) **RHONDDA CYNON TAFF COUNTY BOROUGH COUNCIL** of The Pavilions, Clydach Vale, Tonypany, CF40 2XX
- (8) **TORFAEN COUNTY BOROUGH COUNCIL** of Civic Centre Pontypool Torfaen NP46YB

(together referred to as the “**Constituent Authorities**” and individually as a “**Constituent Authority**”)

## **1 BACKGROUND**

- 1.1 The Constituent Authorities are all councils responsible for the administration of local government within their areas as set out in the Local Government Act 1972. The Department for Communities and Local Government in its letter dated 23 November 2016 confirmed that the Constituent Authorities have been granted permission for each Constituent Authority to continue to collaborate with every other Constituent Authority to form a pool of assets in respect of each of their respective funds under the LGPS.
- 1.2 The Constituent Authorities entered into the Agreement to create a formal joint committee pursuant to section 101 and section 102 of the Local Government Act 1972 by Deed dated 26 June 2017. The Agreement in clause 34 allows for amendment of its terms provided that the amendment is made in writing and is signed on behalf of all the Constituent Authorities by duly authorised representatives.
- 1.3 This Amendment is made under clause 34 in order to amend the Agreement to:
  - (a) allow the participation of a co-opted member in the Joint Governance Committee; and
  - (b) allow for a number of changes which support the development and effectiveness of the pooling collaboration.

## **AGREED TERMS**

### **2 INTERPRETATION**

- 2.1 In this Amendment terms shall have the same meaning as set out in the Agreement where:
  - (a) **Agreement** means the deed titled Inter-Authority Agreement made between the Constituent Authorities on 26 June 2017.
  - (b) **Amendment** means this document amending the terms of the Agreement.

**3 COMMENCEMENT**

This Amendment shall take effect on [ ] 2021. For the avoidance of doubt, this Amendment is only effective when each Constituent Authority has signed it in accordance with clause 34 of the Agreement.

**4 AMENDMENT OF THE AGREEMENT**

The Agreement is amended as set out in Schedule 1 to this Amendment.

**5 SEVERANCE**

5.1 If any provision or part-provision of the Agreement or this Amendment is or becomes invalid, illegal or unenforceable, it shall be modified to the minimum extent necessary to make it valid, legal and enforceable. If such modification is not possible, the relevant provision or part-provision shall be deemed deleted. Any modification to or deletion of a provision or part-provision under this clause shall not affect the validity and enforceability of the rest of this Agreement.

5.2 If one Constituent Authority gives notice to the other Constituent Authorities of the possibility that any provision or part-provision of this Agreement is invalid, illegal or unenforceable, the Constituent Authorities shall negotiate in good faith to amend such provision so that, as amended, it is legal, valid and enforceable, and, to the greatest extent possible, achieves the intended result of the original provision.

**6 COUNTERPARTS**

This Amendment may be executed in any number of counterparts by the Constituent Authorities, all of which taken together, shall constitute one and the same agreement, and any Constituent Authority (including any duly authorised representative of a Constituent Authority) may execute this Amendment by executing a counterpart.

## Schedule 1

### Amendments to the Agreement

The following amendments are made to the Agreement:

#### **1 CLAUSE 1 INTERPRETATION**

1.1 In clause 1, the following definition is inserted at the start of the list of definitions:

**Allocator** means the, one or more, allocator for [private market] asset classes who will facilitate the preferred investment structure and select sub-managers, underlying funds and/or direct investments for the purposes of the Pooling Collaboration appointed by the Joint Governance Committee.

1.2 In clause 1, following the definition of “Constituent Authorities”, the following definitions are inserted:

**Contact List** means the document circulated periodically by the Host Authority setting out relevant contact details for each of the Constituent Authorities.

**Co-opted Member** means a person, nominated by a Constituent Authority or the Pension Board of a Constituent Authority, and appointed as a Co-opted Member of the Joint Governance Committee by the Members; who is not an elected member of a Constituent Authority but is a Pension Member Representative of a Constituent Authority.

1.3 In clause 1 (and throughout the document thereafter, but including the contents pages), the definition “Host Council” is changed to “**Host Authority**” but retains its meaning throughout the document, being:

**Host Authority** means the Constituent Authority appointed in accordance with clause 7 and whose duties are described within that clause.

1.4 In clause 1, the definition of Member is delete and replaced by the following definition:

**Member** means each of the elected members of the Constituent Authorities nominated to be Members of the Joint Governance Committee in accordance with clause 3.3(a).

1.5 In clause 1, following the definition of “Pension Board”, the following definition is inserted:

**Pension Member Representative** means a person appointed to a Pension Board as a member representative further to regulation 107(2)(b) of the Local Government Pension Scheme Regulations 2013.

#### **2 CLAUSE 3**

2.1 Clause 3.3 is delete and replaced by the following:

3.3 The membership of the Joint Governance Committee shall be:

(a) one elected member nominated by each of the Constituent Authorities, provided that the nominated person is an elected member of that Constituent Authority and a member of that Constituent Authority’s pensions committee (or equivalent body) for the purposes of the Local Government Pension Scheme Regulations 2013; and

(b) one Co-opted Member appointed by decision of the Members (or a sub-group of the Members where such a sub-group is formed to consider the candidates), and which Co-opted Member shall be selected from a pool of candidates nominated by each of the Constituent Authorities or their Pension Boards.

2.2 Clause 3.4 is delete and replaced by the following:



3.4 For the purposes of clause 3.3, each Constituent Authority may appoint a named deputy for each Member, which deputy must be an elected member of the same Constituent Authority and the same Constituent Authority's pension committee (or equivalent body) for the purposes of the Local Government Pension Scheme Regulations 2013 as the Member for whom they are acting as deputy; and

3.4 A In the case of the Co-opted Member, a deputy shall be appointed by decision of the Members (or a sub-group of the Members where such a sub-group is formed to consider the candidates), and which deputy for the Co-opted Member shall be selected from a pool of candidates nominated by each of the Constituent Authorities or their Pension Boards.

2.3 A new clause 3.8 as follows is inserted:

3.8 The Co-opted Member shall be invited to and is expected, where possible, to attend all training provided to Members under clause 3.7.

### **3 CLAUSE 31**

3.1 Clause 31.1 is amended by deleting the words "Schedule 1" and replacing them with "the Contact List".

### **4 SCHEDULE 1**

4.1 In Schedule 1, the content of the schedule is held delete and replaced by the following:

As of [date], the Host Authority maintains a list of the relevant contact details for each of the Constituent Authorities. This will be issued periodically by the Host Authority to the Constituent Authorities and is also available on request.

### **5 SCHEDULE 2**

5.1 In Schedule 2, new items are added to the numbered list as follows:

12. Nomination of a Co-opted Member to the Joint Governance Committee (except where that role is carried out by a Pension Board, in which case it is reserved to that Pension Board) .

13. Approval of changes to the terms of reference of the Joint Governance Committee as set out in Schedule 4.

### **6 SCHEDULE 4**

6.1 In Schedule 4 Joint Governance Committee – Terms of Reference the bullet points are replaced with numbering.

6.2 In Schedule 4, item 8 is held delete and replaced by the following:

8. From time to time reviewing policies in respect of environmental, social and governance matters and where appropriate make recommendations to the Constituent Authorities as to any changes deemed necessary.

6.3 In Schedule 4, item 13 is held delete and replaced by the following:

13. Monitoring the implementation and effectiveness of the policies described in Schedule 5 and initiating reviews of these where required.

6.4 In Schedule 4, item 19 is held delete and replaced by the following:

19. Agreeing criteria for the evaluation of bids or tenders for any procurement of the Operator (including for the avoidance of doubt, a replacement Operator) to be put forward for the approval of the Constituent Authorities.

6.5 In Schedule 4, new items are inserted as follows:

20. Any reference in this schedule to the Joint Governance Committee taking any action including agreeing, approving or making recommendations, shall be determined subject to the voting provisions set out in Schedule 6.
21. Approval of an appointment of an Allocator following a recommendation by the OWG, reviewing the performance of an Allocator(s), and reporting on the performance of the Allocator(s) to the Constituent Authorities.
22. Approval of the termination of the appointment of an Allocator following a recommendation by the OWG.

## **7 SCHEDULE 5**

7.1 In Schedule 5, the existing wording is held delete and replaced by the following:

The Joint Governance Committee, with the support of the OWG, will formulate, review and revise on an ongoing basis policies and procedures as deemed appropriate to support robust and effective governance arrangements for the Pooling Collaboration, including the following (which for the avoidance of doubt, is non-exhaustive):

- (a) Responsible Investment Policy
- (b) Climate Risk Policy
- (c) Voting Policy
- (d) Training Policy & Plans
- (e) Communication Policy
- (f) Governance Decision Matrix
- (g) Risk Policy and Risk Register
- (h) Conflict of Interest and Procedure Policy
- (i) Rebalancing and Alteration Policy
- (j) Responsibilities Matrix
- (k) Complaints Policy
- (l) Whistleblowing Policy
- (m) Breaches and Errors Policy
- (n) Business Continuity Plan

## **8 SCHEDULE 6**

8.1 Paragraph 1 of Schedule 6 is held delete and replaced by the following:

### **1 MEMBERSHIP**

1.1. The membership of the Joint Governance Committee shall consist of one Member per Constituent Authority and one Co-opted Member.

1.2 No substitutes other than deputies shall be allowed.

8.2 A new section 1A, ROLE OF THE CO-OPTED MEMBER, is inserted following section 1 of schedule 6 as follows:

## 1A ROLE OF THE CO-OPTED MEMBER

1A.1 The primary role of the Co-opted Member is to provide scheme member representation on the Joint Governance Committee.

1A.2 The Co-opted Member is entitled to attend all meetings of the Joint Governance Committee, including exempt items, to be provided with copies of all papers, and to speak on any item during meetings of the Joint Governance Committee.

1A.3 The Co-opted Member may ask the Chair to include any matter on the agenda which they consider should be discussed by the Joint Governance Committee.

8.3 Clause 2.3 is amended in the first line by insertion of the words 'executive summaries of following 'agendas',

8.4 Clause 2.4 is held delete and replaced by the following:

2.4 The Joint Governance Committee may decide to allow remote participation in meetings via video-conference or any similar medium having regard to any applicable guidance issued from time to time by the Welsh Government. Any Member or Co-opted Member attending by video-conference shall be held to be in attendance at the meeting for the purposes of this Schedule.

8.5 Paragraph 2.5 of Schedule 6 is held delete and replaced by the following:

2.5 A meeting of the Joint Governance Committee may be called by a proper officer of the Host Authority on the request of the Chair. Members and the Co-opted Member must declare any conflict of interest in respect of any business being conducted at the meeting which would likely to be regarded to prejudice the exercise of a person's function as a participant in the meeting.

8.6 Paragraph 2.6 of Schedule 6 is held delete and replaced by the following:

2.6 The Chair is responsible for the running of meetings. The Chair shall invite Members and the Co-opted Member expressing a desire to speak in turn. All discussion and debate shall be held through the Chair and the Chair may draw a discussion to a vote at any time where they consider that every Member and the Co-opted Member has been given a fair opportunity to speak.

8.7 Sub-paragraph 2.9(a) of Schedule 6 is held delete and replaced by the following:

Where any item to be discussed forms exempt information, the Chair shall move that the public and press are excluded from the meeting for the duration of the discussion and voting on that item. The Co-opted Member is entitled to remain in the meeting and shall not be excluded. Motions to exclude the press and public do not require to be seconded and shall be determined by simple majority vote of the Members present.

8.8 Paragraph 6.2 of Schedule 6 is held delete and replaced by the following:

6.2 A Member or the Co-opted Member may raise a point of order at any time. The Chair will hear them immediately. A point of order may only relate to an alleged breach of the provisions of this Schedule, or the law or other competent authority. The Member or Co-opted Member must indicate the provision or law or regulation and the way in which he/she considers it has been broken. The ruling of the Chair on the matter will be final. The Chair may take advice on the point of order from the appropriate officer.

8.9 Section 7 of Schedule 6 is held delete and replaced by the following:

## **7 VOTING**

7.1 The Chair shall seek consensus wherever possible however where a vote is required the provisions of this section shall apply.

- 7.2 Each Member present will have one vote and voting will be by means of a show of hands or such other method as the Chair may decide is appropriate in the circumstances, including a roll call. The Co-opted Member may not vote. In the event of a tied vote, the Chair shall have a second or casting vote.
  - 7.3 All decisions will be determined by simple majority of Members present.
  - 7.4 In the event that a vote is taken, the voting positions and any abstentions of Members will be recorded in the minutes.
- 8.10 Paragraph 8.1 of Schedule 6 is held delete and replaced by the following:
- 8.1 The Joint Governance Committee shall form such sub-committees and working groups as it considers expedient to performing its function. The Joint Governance Committee shall at the time of forming sub-committees or working groups set out the remit of the sub-committees or working groups, what the sub-committees or working groups are required to deliver and the timescale for that delivery.. The Co-opted Member may be a member of any sub-committee or working group.

Paragraph 8.4 of Schedule 6 is held delete and replaced by the following:

- 8.4 Working groups may invite any person who is not a Member or Co-opted Member to join the group in order to assist in carrying out its function.

**9 SCHEDULE 8**

- 9.1 In Schedule 8, letters a-o are replaced with numbers 1-17.
- 9.2 In Schedule 8, the following items are inserted after item 14 (with semi-colons and full stops updated accordingly):
  - 15. establishing sub-groups and/or working groups of the OWG if the OWG consider such sub-group or working group would assist the effectiveness of the OWG to progress a particular project or workstream;
  - 16. reviewing, formulating or evaluating governance arrangements and policies for the Pooling Collaboration (including for the avoidance of doubt the policies and procedures described in Schedule 5);
  - 18. managing the procurement process for the procurement of an Allocator, or the replacement of an Allocator, including determining the criteria for the evaluation of bids or tenders;
  - 19. monitoring and reviewing the performance of the Allocator(s) in meeting relevant objectives, service levels and key performance targets.

IN WITNESS whereof the parties have executed this Agreement on the date and year first above written.

THE COMMON SEAL of )  
 Carmarthenshire County Council )  
 was affixed hereto in the )  
 presence of:- )  
 Authorised Officer

THE COMMON SEAL of )  
Council of the City and County of Swansea )  
was affixed hereto in the )  
presence of:- )  
Authorised Officer

THE COMMON SEAL of )  
County Council of the City and County of Cardiff )  
was affixed hereto in the )  
presence of:- )  
Authorised Officer

THE COMMON SEAL of )  
Flintshire County Council )  
was affixed hereto in the )  
presence of:- )  
Chair / Legal Services Manager / Chief Officer Governance

THE COMMON SEAL of )  
Gwynedd County Council )  
was affixed hereto in the )  
presence of:- )  
Authorised Officer

THE COMMON SEAL of )

Powys County Council )

was affixed hereto in the )

presence of:- )

Authorised Officer

THE COMMON SEAL of )

Rhondda Cynon Taf County Borough Council )

was affixed hereto in the )

presence of:- )

Authorised Officer

THE COMMON SEAL of )

Torfaen County Borough Council )

was affixed hereto in the )

presence of:- )

Authorised Officer

## AMENDMENTS TO THE COUNCIL CONSTITUTION, FINANCIAL PROCEDURE RULES AND PENSION BOARD PROTOCOL RELATING TO CLWYD PENSION FUND MATTERS

### Key:

- New text to be added is shown in red and highlighted – like this.
- Existing text to be removed is struck through and highlighted – like this.

### **SECTION 1 - AMENDMENTS TO CONSTITUTION**

*A) The following amendments are to be made to the role and function of the Clwyd Pension Fund Committee in Section 9.7 of the Constitution:*

#### **9.7 Clwyd Pension Fund Committee**

##### **9.7.2 Role and Function**

f) In relation to the Wales Pooling Collaboration arrangements

i) Undertaking the following matters reserved to Flintshire County Council as outlined in the Inter-Authority Agreement:

- Appointment, termination or replacement of the Operator following the making of a recommendation by the Joint Governance Committee
- Approval of additional expenditure not included within the Business Plan which exceeds 30 % of the approved budget in the Business Plan in any one Financial Year.
- Formulation, approval or revisions of each respective Constituent Authority's Investment Strategy for the purposes of regulation 7 of the Investment Regulations.
- Admitting a new administering authority within the LGPS to the Investment Pool as a Constituent Authority.
- Amendment of the Agreement which is not significant to the operation of the arrangements.
- Material change to the nature of the Operator Contract.
- Approval of the initial strategic objectives to allow preparation of the first Business Plan (which objectives shall reflect the objectives set out in the procurement of the Operator).
- Approval of any evaluation or scoring criteria for any procurement of a replacement Operator.
- Approval of the Business Plan which shall include approval of the ongoing strategic objectives of the Investment Pool.
- Determination of the timing of the transition of the assets held by Clwyd Pension Fund into the Pooling Collaboration and the funds or sub-funds operated by the Operator.

- Approval of changes to the terms of reference of the Joint Governance Committee as set out in Schedule 4 of the Inter-Authority Agreement.

**Note:**

- the Council shall retain the power to terminate the Inter-Authority Agreement or make amendments to the Inter-Authority Agreement that may be significant to the operation of the arrangements.
- the Council has determined that the nomination of a Co-opted Member to the Joint Governance Committee is to be carried out by the Pension Board.

ii) Delegating powers to Flintshire County Council's own officers and the Host Council where required.

iii) Nominating Flintshire County Council's officers to the Officer Working Group.

*B) The following amendments are to be made to Section 9.7.8 of the Constitution – Wales Pooling Collaboration Joint Governance Committee:*

**9.7.8.3**

**(b) Joint Governance Committee - Terms of Reference**

The Joint Governance Committee responsibilities are:

- i) Making recommendations to the Constituent Authorities on the termination of the Operator Contract before the conclusion of the fixed term contract, where the performance of the Operator is considered unacceptable;
- ii) Ensuring that there are an appropriate range of sub-funds available in order to allow the Constituent Authorities to meet their strategic investment aims. Following representation from any, some or all of the Constituent Authorities, the Joint Governance Committee may direct the Operator to set up a sub-fund in a particular asset class. The Joint Governance Committee must be mindful at all times of the need to balance the requirement to provide a particular sub-fund with the benefits of holding aggregated assets;
- iii) Monitoring the performance of the Operator against the agreed set of key performance indicators;
- iv) Reporting on the performance of the Investment Pool, its costs and other activities, but not limited to, the Constituent Authorities, government, the Scheme Advisory Board and the general public;
- v) From time to time, to review the appropriateness of the existing structures, including the number and make-up of sub-funds and to make recommendations to the Constituent Authorities as to the respective merits of procuring Operator services by means of a third party or through ownership by the Constituent Authorities of the Operator;
- vi) Liaising with the Operator, in such areas as the Operator seeks the preferences and views of the Joint Governance Committee, on the appointment of suppliers, for example manager preferences or the appointment of depositories;



- vii) Liaising with the Constituent Authorities on the appropriate range of sub-funds to be provided in the Investment Pool;
- viii) From time to time reviewing policies in respect of ethical, social and governance matters and voting rights and where appropriate make recommendations to the Constituent Authorities as to any changes deemed necessary;
- ~~viii) Applying any processes or policies that are assigned to it within the Agreement;~~
- ~~ix) From time to time reviewing policies in respect of environmental, social and governance matters and where appropriate make recommendations to the Constituent Authorities as to any changes deemed necessary.~~
- x) Recommend a high level plan for initial transition of assets to the pool and further asset transitions in the event, for example, of new sub-funds being created or manager changes within sub-funds;
- xi) Ensuring that the Officer Working Group acts within its remit as set out in clause 4 and Schedule 8 of the Agreement;
- xii) Providing any analysis or commentary on annual accounts to the Constituent Authorities;
- ~~xiii) Monitoring the implementation and effectiveness of the policies listed in Schedule 5 of the Agreement and initiating reviews of these where required;~~
- ~~xiii) Monitoring the implementation and effectiveness of the policies described in Schedule 5 of the Agreement and initiating reviews of these where required;~~
- xiv) Delivery and ongoing monitoring against the Pooling Collaboration objectives, Business Plan and budgets;
- xv) Approving responses from the Pooling Collaboration in relation to consultations or other matters considered appropriate;
- xvi) Seeking advice from professional and authorised and regulated advisers where necessary;
- xvii) Agreeing the Business Plan to be put forward to the Constituent Authorities for approval
- xviii) Report to the Constituent Authorities quarterly (and at any other time when the Joint Governance Committee considers it to be necessary) on the matters within their remit including but not limited to the performance of the Operator, the structure of the funds and the ongoing monitoring of the Business Plan;
- ~~xix) Agreeing criteria for the evaluation of bids or tenders for any procurement (other than the first appointment of the Operator) to be put forward for the approval of the Constituent Authorities.~~
- ~~xix) Agreeing criteria for the evaluation of bids or tenders for any procurement of the Operator (including for the avoidance of doubt, a replacement Operator) to be put forward for the approval of the Constituent Authorities;~~
- ~~xx) Any reference in this schedule to the Joint Governance Committee taking any action including agreeing, approving or making recommendations, shall be determined subject to the voting provisions set out in Schedule 6 of the Agreement;~~

xxi) Approval of an appointment of an Allocator following a recommendation by the Officer Working Group, reviewing the performance of an Allocator(s), and reporting on the performance of the Allocator(s) to the Constituent Authorities;

xxii) Approval of the termination of the appointment of an Allocator following a recommendation by the Officer Working Group.

### **(c) Joint Governance Committee Schedule of Procedure**

#### **i) MEMBERSHIP**

~~i.1 The membership of the Joint Governance Committee shall consist of one elected member (or their appointed deputy) per Constituent Authority.~~

~~i.2 No substitutes other than deputies shall be allowed.~~

~~i.3 The Joint Governance Committee shall not include any non-voting or co-opted members.~~

**i.1 The membership of the Joint Governance Committee shall consist of one Member per Constituent Authority and one Co-opted Member.**

**i. 2 No substitutes other than deputies shall be allowed.**

#### **iA) ROLE OF THE CO-OPTED MEMBER**

**iA.1 The primary role of the Co-opted Member is to provide scheme member representation on the Joint Governance Committee.**

**iA. 2 The Co-opted Member is entitled to attend all meetings of the Joint Governance Committee, including exempt items, to be provided with copies of all papers, and to speak on any item during meetings of the Joint Governance Committee.**

**iA.3 The Co-opted Member may ask the Chair to include any matter on the agenda which they consider should be discussed by the Joint Governance Committee.**

#### **ii) MEETINGS**

ii.1 Meetings shall be held a minimum of four times per municipal year (being May to May). The anticipated schedule of meetings and the locations in which they will be held will be agreed in advance of the commencement of the next Financial Year no later than the final meeting of the current Financial Year.

ii.2 A meeting may be held at such time and place as the Chair of the Joint Governance Committee thinks fit provided that at least two meetings per annum shall be held in rotating locations between the Constituent Authorities to facilitate public access. The Constituent Authorities shall make available suitable accommodation for the holding of such meetings in public including the provision of Welsh Language translation, video-conferencing and webcasting services as appropriate.

ii.3 All agendas, **executive summaries of** reports and minutes in relation to the Joint Governance Committee shall be in both Welsh and English, and simultaneous translation of proceedings will be available throughout all meetings of the Joint Governance Committee.

~~ii.4 The Joint Governance Committee may decide to allow remote participation in meetings via video-conference or any similar medium. Any Member attending by video-conference shall be held to be in attendance at the meeting for the purposes of this Schedule of Procedure.~~

ii.4 The Joint Governance Committee may decide to allow remote participation in meetings via video-conference or any similar medium having regard to any applicable guidance issued from time to time by the Welsh Government. Any Member or Co-opted Member attending by video-conference shall be held to be in attendance at the meeting for the purposes of this Schedule.

ii.5 A meeting of the Joint Governance Committee may be called by a proper officer of the Host Council on the request of the Chair. Members must declare any conflict of interest in respect of any business being conducted at the meeting which would likely to be regarded to prejudice the exercise of a person's function as a participant in the meeting.

ii.5 A meeting of the Joint Governance Committee may be called by a proper officer of the Host Authority on the request of the Chair. Members and the Co-opted Member must declare any conflict of interest in respect of any business being conducted at the meeting which would likely to be regarded to prejudice the exercise of a person's function as a participant in the meeting.

ii.6 The Chair is responsible for the running of meetings. The Chair shall invite Members expressing a desire to speak in turn. All discussion and debate shall be held through the Chair and the Chair may draw a discussion to a vote at any time where they consider that every member has been given a fair opportunity to speak.

ii.6 The Chair is responsible for the running of meetings. The Chair shall invite Members and the Co-opted Member expressing a desire to speak in turn. All discussion and debate shall be held through the Chair and the Chair may draw a discussion to a vote at any time where they consider that every Member and the Co-opted Member has been given a fair opportunity to speak.

ii.7 Minutes will be kept of all meetings. The Chair will sign the minutes of the proceedings at the next suitable meeting.

ii.8 Notice of meetings

(a) A notice of meeting specifying the place, date and time of the meeting and containing a statement of the matters to be discussed at the meeting, shall be served on all of the Members of the Joint Governance Committee by the appropriate governance officer of the Host Council;

(b) Subject to the next clause ((c)), notice of each meeting, copies of the agenda and any reports to be presented at the meeting, shall be given to all Constituent Authorities by the Host Council no later than seven clear days before the date of the meeting. The Constituent Authorities shall ensure that a minimum of five clear days' notice of all meetings is given in accordance with their normal procedures for notification of Council meetings and all papers made available at all of the Constituent Authorities head offices for inspection for those five days unless certified as confidential in which case agendas and any non-certified items are made available only.

(c) If a meeting is required to be held with less than five days' notice, the Chair must agree it is required urgently, approve the shortened notice period and allow as much notice as possible to be given. Notice should be given in the same manner, and the documents should be made available to all of the Constituent Authorities for as many days as practicable before the meeting.

ii.9 Exclusion of the public and press

~~(a) Where any item to be discussed forms exempt information the Chair shall move that the public and press are excluded from the meeting for the duration of the discussion and voting on that item. Motions to exclude the press and public do not require to be seconded and shall be determined by simple majority vote of the Members present.~~

(a) Where any item to be discussed forms exempt information, the Chair shall move that the public and press are excluded from the meeting for the duration of the discussion and voting on that item. The Co-opted Member is entitled to remain in the meeting and shall not be excluded. Motions to exclude the press and public do not require to be seconded and shall be determined by simple majority vote of the Members present.

(b) Where the press and public are excluded under (a) above the Chair may invite any person to remain in the meeting where they consider it to be necessary or appropriate to do so and any members of the Officer Working Group present shall be presumed to be invited to remain unless the Chair specifies otherwise.

(c) Any person may be excluded from a meeting or required to leave a meeting where in the opinion of the Chair they are causing a disturbance to the running of the meeting and have not desisted from doing so following a request; or where any person is so disruptive that their conduct if allowed to remain would prevent the meeting from proceeding in a fair and acceptable manner.

ii.10 The Joint Governance Committee may, through the Chair, invite any person to speak at a meeting.

ii.11 Officers of the Officer Working Group presenting reports to the Joint Governance Committee may be asked questions following such presentation.

ii.12 Section 151 Officers and Monitoring Officers (and in their absence their deputies) of any Constituent Authority are entitled to attend all meetings including any part of any meeting which is closed to the public and press.

### **iii) QUORUM**

iii.1 The quorum shall be five Members.

iii.2 Where a quorum is not present within 15 minutes of the start of the meeting and the Chair has not been notified that one or more Members have been delayed but will be attending, the meeting shall not be held and the Host Council will be asked to schedule and give notice of a replacement meeting.

iii.3 Where, during any meeting there is no quorum present, then the meeting will adjourn immediately. If the Chair has been unable to ascertain within 15 minutes that the quorum can be restored the remaining business will be considered at another time and date fixed by the Chair.

### **iv) CHAIR AND VICE CHAIR.**

iv.1 The Chair and Vice-Chair shall be Members and shall be appointed by vote for a term of 12 calendar months.

iv.2 In the absence of the Chair, the Vice-chair shall be entitled to exercise all of the functions of the Chair.

iv.3 The decision of the Chair of the meeting on all points of procedure and order and the Chair's interpretation of any rule in this Schedule of Procedure shall be final and no debate

may ensue thereon. The Chair shall be entitled to take the advice of a governance officer in interpreting any rule or objection on procedure.

iv.4 The Chair may be assisted during meetings by a governance officer on procedural matters and such administrative officers as the Chair considers appropriate. Such governance and secretarial officers shall be entitled to remain in the meeting where the public and press are excluded.

#### **v) AGENDA**

v.1 An agenda shall be produced in advance for each meeting by the Host Council following consultation with the Chair.

v.2 The agenda for each meeting shall contain as the first substantive item the approval of the minutes of the previous meeting. The Chair will move that the minutes of the previous meeting be signed as a correct record. The only part of the previous minutes that can be discussed is their accuracy and any matters arising from those previous minutes shall be regarded as new items on the agenda of the current meeting.

v.3 The Officer Working Group and the Constituent Authorities may ask the Chair to include any matter on the agenda which they consider should be discussed by the Joint Governance Committee.

v.4 The decision on whether to allow discussion on any other matter not on the agenda of a meeting at that meeting shall be made by the Chair.

#### **vi) MOTIONS**

vi.1 Any Member may propose a motion. All motions must be seconded. Motions which are opposed shall be put to a vote in accordance with the voting provisions of this Schedule of Procedure.

~~vi.2 A Member may raise a point of order at any time. The Chair will hear them immediately. A point of order may only relate to an alleged breach of the provisions of this Schedule of Procedure, or the law or other competent authority. The Member must indicate the provision or law or regulation and the way in which he/she considers it has been broken. The ruling of the Chair on the matter will be final. The Chair may take advice on the point of order from the appropriate officer.~~

~~vi.2 A Member or the Co-opted Member may raise a point of order at any time. The Chair will hear them immediately. A point of order may only relate to an alleged breach of the provisions of this Schedule, or the law or other competent authority. The Member or Co-opted Member must indicate the provision or law or regulation and the way in which he/she considers it has been broken. The ruling of the Chair on the matter will be final. The Chair may take advice on the point of order from the appropriate officer.~~

#### **vii) VOTING**

~~vii.1 The Chair shall seek consensus wherever possible however where a vote is required the provisions of this section shall apply.~~

~~vii.2 Each Member present will have one vote and voting will be by means of a show of hands. In the event of a tied vote, the Chair shall have a second or casting vote.~~

~~vii.3 All decisions will be determined by simple majority.~~

~~vii.4 In the event that a vote is taken, the voting positions and any abstentions of members will be recorded in the minutes.~~

vii.1 The Chair shall seek consensus wherever possible however where a vote is required the provisions of this section shall apply.

vii.2 Each Member present will have one vote and voting will be by means of a show of hands or such other method as the Chair may decide is appropriate in the circumstances, including a roll call. The Co-opted Member may not vote. In the event of a tied vote, the Chair shall have a second or casting vote.

vii.3 All decisions will be determined by simple majority of Members present.

~~vii.4 In the event that a vote is taken, the voting positions and any abstentions of Members will be recorded in the minutes.~~

### viii) SUB-COMMITTEES AND WORKING GROUPS

~~viii.1 The Joint Governance Committee shall form such sub-committees and working groups as it considers expedient to performing its function. The Joint Governance Committee shall at the time of forming sub-committees or working groups set out the remit of the sub-committees or working groups, what the sub-committees or working groups are required to deliver and the timescale for that delivery.~~

viii.1 The Joint Governance Committee shall form such sub-committees and working groups as it considers expedient to performing its function. The Joint Governance Committee shall at the time of forming sub-committees or working groups set out the remit of the sub-committees or working groups, what the sub-committees or working groups are required to deliver and the timescale for that delivery. The Co-opted Member may be a member of any sub-committee or working group.

viii.2 Sub-committees and working groups shall be entitled to request the input and support of the Officer Working Group in the same manner as the Joint Governance Committee.

viii.3 Each sub-committee and working group shall appoint a chair for that sub-committee or working group, who is to be one of the members of the sub-committee or working group.

~~viii.4 Working groups may invite any person who is not a member to join the group in order to assist in carrying out its function.~~

viii.4 Working groups may invite any person who is not a Member or Co-opted Member to join the group in order to assist in carrying out its function.

viii.5 The Chairs of sub-committees and working groups shall report to Joint Governance Committee at each meeting of that committee on the progress of the matters within their remit.

viii.6 Sub-committees and working groups may be disbanded at any time on the vote of the Joint Governance Committee.

viii.7 The provisions of the paragraphs in this Schedule of Procedure relating to Agendas, Motions and Voting shall apply to any sub-committee and working group meetings.

## **SECTION 2 - AMENDMENTS TO FINANCIAL PROCEDURE RULES**

*A) The following amendments are to be made to the Flintshire County Council Financial Procedure Rules contained in section 17 of the Constitution.*

### **5.2 Income and Expenditure**

#### **Responsibilities of the Chief Finance Officer**

- a) To agree arrangements for the collection of all income due to the authority and to approve the procedures, systems and documentation for its collection.
- b) Order, control and issue all receipts, invoices, tickets and other documents recording, acknowledging, or demanding the receipt of monies paid to the Council, except where the Chief Finance Officer has given written approval to alternative arrangements in specific instances.
- c) Agree the write-off of bad debts up to £5,000 in aggregate for each single domestic or business debtor, agree in consultation with Cabinet the write-off of bad debts over those amounts but up to £25,000 and refer for approval items for write-off in excess of £25,000 to the Cabinet. A record of all sums written off up to the approved limit is maintained to adhere to the requirements of the Accounts and Audit Regulations.
- c) Agree the write-off of bad debts up to £5,000 in aggregate for each single domestic or business debtor, agree in consultation with Cabinet the write-off of bad debts over those amounts but up to £25,000 and refer for approval items for write-off in excess of £25,000 to the Cabinet. A record of all sums written off up to the approved limit is maintained to adhere to the requirements of the Accounts and Audit Regulations. **Where a bad debt relates to a Clwyd Pension Fund transaction, the responsibilities of the Cabinet are carried out by the Clwyd Pension Fund Committee.**
- d) Make or approve secure and efficient arrangements for the recording of all income received by direct debit, standing order, debit and credit cards and such other methods of payment as the Council may approve.
- e) To ensure that appropriate accounting adjustments are made following write-off action.

## **SECTION 3 - AMENDMENTS TO PENSION BOARD PROTOCOL**

*A) The following amendments are to be made to the Pension Board Protocol which is included in section 9.11 of the Constitution. The Pension Board are not a local authority committee; instead it is established by Flintshire County Council under the powers of Section 5 of the Public Service Pensions Act.*

### **2) Powers of the Pension Board**

The Pension Board will exercise all its powers and duties in accordance with the law and this Protocol.

**In addition, Flintshire County Council has determined that, in accordance with the Wales Pooling Collaboration Inter-Authority Agreement, any nomination of a Co-Opted Member to the Joint Governance Committee will be carried out by the Pension Board.**

## 5) Location and Frequency of Meetings

The Pension Board will normally meet at the offices of the Clwyd Pension Fund, although the offices of any Employer Representatives could be used with prior agreement of the Chair and at no additional accommodation cost to the Clwyd Pension Fund.

The Pension Board will normally meet at the offices of the Clwyd Pension Fund, although the offices of any Employer Representatives could be used with prior agreement of the Chair and at no additional accommodation cost to the Clwyd Pension Fund. **Meetings can also be held with remote attendance by members or as hybrid (a combination of physically present and remote attendance).**

The Board will meet a minimum of twice and a maximum of four times in each calendar year. If the Board does not believe that this is sufficient to discharge its duties and responsibilities effectively the Chair can make a request to the Chief Executive for approval to hold additional meetings.

Urgent business of the Pension Board between meetings may, in exceptional circumstances, be conducted via communications between members of the Pension Board including **remote attendance**, telephone conferencing and e-mails.





## FLINTSHIRE COUNTY COUNCIL

<b>Date of Meeting</b>	Tuesday 28 September 2021
<b>Report Subject</b>	Becoming a County of Sanctuary
<b>Report Author</b>	Chief Officer (Housing and Assets)

### EXECUTIVE SUMMARY

City of Sanctuary is a UK movement with over 110 members and a rapidly growing networks of partners. The organisation is a Charitable Incorporated Organisation (CIO).

The movement aims to advance the education of the public in general and in particular the City of Sanctuary Network in subjects relating to refugees and those seeking asylum for example:-

- a) Supporting, promoting and organising the City of Sanctuary network, including identifying the needs of the network and establishing projects or resources to address them;
- b) Raising awareness of the work of City of Sanctuary Network to the public and media;
- c) Encouraging cities, towns, villages, regions, areas, places, organisations and institutions to become welcome and safe, through the provision of information, advice and support;
- d) Advancing the education and training of people who are refugees or asylum seekers;
- e) Liaising with other private, voluntary and statutory organisations on relevant issues

This work also includes promoting equality and diversity for the public benefit by promoting activities to foster understanding between people from diverse backgrounds including promoting activities to foster understanding between the general public, refugees and asylum seekers.

Flintshire City of Sanctuary was initially launched in June 2018, as Synergy-Mold, but has now expanded to include branches in Mold, Flint and Holywell.

There is the opportunity for the County Council to join the movement.

## RECOMMENDATIONS

1	That the Council becomes a non-awarded member of the movement and in doing so signs up to the vision and values of City of Sanctuary
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## REPORT DETAILS

<b>1.00</b>	<b>EXPLAINING THE BACKGROUND AND PURPOSE TO BECOMING A COUNTY OF SANCTUARY</b>
1.01	Flintshire has a strong history of supporting refugees based on the work undertaken as part of the Syrian refugee programme, this work has been further reinforced more recently through our approach and work supporting the Afghan refugee programme. In that context therefore we are perhaps well placed to use this work to promote the County in further complimentary ways.
1.02	The County has a rich diversity and welcomes all, irrespective of their background, it also recognises the contribution of refugees, migrants and those who seek sanctuary and is committed to welcoming them and including them in our local communities.
1.03	<p>In considering whether to become a County of Sanctuary it is worth reflecting on the national organisation that promotes and raises the profile of this work. City of Sanctuary is a United Kingdom (UK) movement and has grown from its origins in Sheffield in 2005, to become an international network and movement with over 110 groups in the UK, and a rapidly growing network of partners. Flintshire City of Sanctuary was launched in June 2018, initially as Synergy-Mold, but has now expanded to include branches in Mold, Flint and Holywell.</p> <p>City of Sanctuary's vision:-</p> <p>That the UK will be a welcoming place of safety for all and proud to offer sanctuary to people fleeing violence and persecution.</p>
1.04	<p>In terms of its values the organisation and its networks are guided and informed by a commitment to the following values:-</p> <p>Inclusiveness – We welcome and respect people from all backgrounds, place the highest value on diversity and are committed to equality.</p> <p>Openness - We are committed to a culture of working collaboratively within the network and in partnership with others.</p>

	<p>Participation – Those who support our vision work together with people seeking sanctuary. We value and recognise the contribution of all involved. We aspire to ensure people seeking sanctuary are fully involved in decision making processes and supported to become leaders within the City of Sanctuary organisation and network as well as within the wider movement.</p> <p>Inspiring – We work with enthusiasm and positivity and are determined to surpass what has already been achieved to welcome refugees and people seeking sanctuary. We act as a catalyst for change by being open to new and innovative ideas and through sharing knowledge gained with others and working in partnership.</p> <p>Integrity – We aspire to high standards of honesty and behaviour, and always to act in the interests of people seeking sanctuary.</p>
1.05	<p>The City of Sanctuary network includes groups, and others engaged in work streams of Sanctuary activity, that are focused on bringing about both local and national social change. Groups, and others engaged in streams of sanctuary work who are aligned with the network principles, have flexibility to develop local, regional and national responses to local, regional and national challenges (e.g. developing Wales as a Nation of Sanctuary). Together such networks affirm and achieve our overarching vision.</p>
1.06	<p>The City of Sanctuary network is part of a mainstream, grassroots movement working towards achieving the overall vision. Whilst there is flexibility in determining how best to work towards the vision, the following principles apply to all groups, networks and work streams operating under the name of City of Sanctuary:-</p> <ul style="list-style-type: none"> <li>• Offer a positive vision of a culture of welcome and hospitality to all;</li> <li>• Create opportunities for relationships of friendship and solidarity between local people and those seeking sanctuary;</li> <li>• Recognise and encourage partnership working and network development across localities;</li> <li>• Identify opportunities for practical action and work on common cause issues to effect change within and across communities (turning empathy into action);</li> <li>• Celebrate and promote the welcome and contribution of people seeking sanctuary;</li> <li>• Engage people seeking sanctuary in decision making processes at all levels and in all activities;</li> <li>• Promote understanding of asylum and refugee issues, especially by enabling refugee voices to be heard directly</li> </ul>
1.07	<p>Flintshire can apply to become a member of the network, and there are two types of membership:</p> <ol style="list-style-type: none"> <li>1. Awarded member – Local Authority has gone through the award appraisal process and gained recognition (*please note that local authorities who were awarded as part of a city-wide recognition process or a self-recognition process will be classed as awarded</li> </ol>

	<p>members but will be expected to submit an application form within six months of the membership application.</p> <p>2. Non-awarded member – Local Authority has signed up to vision and values of City of Sanctuary and has committed to working towards the award</p>
1.08	At this current point in time it is suggested that the County Council becomes a Non-awarded member.
1.09	The above approach resonates with Welsh Governments approach for Wales to be a Nation of Sanctuary.

<b>2.00</b>	<b>RESOURCE IMPLICATIONS</b>
2.01	At this moment in time the intention is to become a non-awarded Member in that it signs up the vision and values of City of Sanctuary. It is anticipated that this initial stage will not require any additional resources.

<b>3.00</b>	<b>IMPACT ASSESSMENT AND RISK MANAGEMENT</b>
3.01	Not applicable.

<b>4.00</b>	<b>CONSULTATIONS REQUIRED/CARRIED OUT</b>
4.01	Consultation with Chief Officer Team.
4.02	Consultation with Group Leaders or representative.

<b>5.00</b>	<b>APPENDICES</b>
5.01	None

<b>6.00</b>	<b>LIST OF ACCESSIBLE BACKGROUND DOCUMENTS</b>
6.01	Link to website :- <a href="https://cityofsanctuary.org">https://cityofsanctuary.org</a>

<b>7.00</b>	<b>CONTACT OFFICER DETAILS</b>
7.01	<p><b>Contact Officer:</b> Neal Cockerton, Chief Officer, Housing and Assets  <b>Telephone:</b> 01352 703169  <b>E-mail:</b> <a href="mailto:neal.cockerton@flintshire.gov.uk">neal.cockerton@flintshire.gov.uk</a></p>

<b>8.00</b>	<b>GLOSSARY OF TERMS</b>
8.01	Charitable Incorporated Organisation (CIO). Charitable Incorporated Organisations (CIO's) provide a means for charities to incorporate and gain the benefits currently available to companies without the burden of dual regulation by both the Charity Commission and Companies House. CIOs will be administered by the Charity Commission who will have sole responsibility for their formation and registration.

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## FLINTSHIRE COUNTY COUNCIL

<b>Date of Meeting</b>	Tuesday 28 <sup>th</sup> September 2021
<b>Report Subject</b>	Support for Members who are unable to attend meetings due to ill-health
<b>Report Author</b>	Chief Officer (Governance)

### EXECUTIVE SUMMARY

Sometimes, for health or personal reasons, Members are unable to attend meetings for a while. Member may recall that absence from meetings for a protracted period is covered by Section 85 of the Local Government Act 1972: reports have been made to Council previously, from time to time. Individual absence must be recognised and approved before six months absence has elapsed.

The purpose of the statutory provision is to give the Council the choice to offer support to Members who have been unable to attend meetings. If Council is satisfied that one of their number has been unable to attend for good reason, it can approve the absence. This is technically called a dispensation under section 85(1) of the Local Government Act 1972

There are currently two Members of the Council who have been unable to attend meetings for some time: the purpose of this report is to consider excusing their continued absence on compassionate grounds. The statutory officers have been in contact with both Members.

Council is also reminded that the Constitution & Democratic Services Committee decided some time ago that the Carefirst Employee Information and Counselling service, a 24 hours a day, 7 days a week confidential service should be made available to Members. It is appropriate that the details now be recirculated.

### RECOMMENDATIONS

1	That Council approves, on compassionate grounds, the continued absence of two Members from meetings due to their ill-health.
2	That Council notes that the Head of Democratic Services will be recirculating details of the Carefirst Employee Information and Counselling service to all Members.

## **REPORT DETAILS**

<b>1.00</b>	<b>EXPLAINING THE DISPENSATION UNDER SECTION 85(1) OF THE LOCAL GOVERNMENT ACT 1972</b>
1.01	Council will be aware that under Section 85 of the Local Government Act 1972 members must attend at least one meeting every six months (“The Six Months rule”). If a member is unable to do so then their seat is declared vacant and a by election is arranged.
1.02	The statutory provision also gives the Council power to suspend the rule, provided it does so before the 6 months has expired. If Council is satisfied that one of their number has been unable to attend for good reason, it can excuse their continued absence. Members will recall that reports similar to this have been required previously, from time to time.
1.03	Councillors Bernie Attridge and Rita Johnson have been unable to attend meetings since May due to ill health and convalescence. Whilst some Members may be aware of the details of the illness of their colleagues, it is not appropriate to give any details in a public report. Council is therefore asked to consider excusing their absence under the Act.
1.04	We recognise that Members who are unable to attend through health or personal reasons should be offered support. As Council is aware, Members are not employees, and so it does not have the same legal ‘employer’s duty of care’ as it does for the employed workforce. However, Members of the Council are elected to represent the people in their wards, and we give assistance to them to do so. Supporting Members through illness and life changing events is a significant element of that assistance, and officers have been in touch with each member.
1.05	The Council has an Employee Information and Counselling Service, which is called Carefirst. This service is available, on a confidential basis, 24 hours a day and 7 days a week. In June 2018, Constitution & Democratic services Committee agreed that this service should also be made available to Members. Details were circulated to Members by the Head of Democratic Services at the time and will be recirculated.

<b>2.00</b>	<b>RESOURCE IMPLICATIONS</b>
2.01	None

<b>3.00</b>	<b>CONSULTATIONS REQUIRED / CARRIED OUT</b>
3.01	The Chair and Leader of Council have both been consulted on this issue.

<b>4.00</b>	<b>RISK MANAGEMENT</b>
4.01	Not applicable



<b>5.00</b>	<b>APPENDICES</b>
5.01	None

<b>6.00</b>	<b>LIST OF ACCESSIBLE BACKGROUND DOCUMENTS</b>
6.01	<p>Report of the Head of Democratic Services and the Senior Manager, Human Resources and Organisational Development: <i>Extending the Carefirst Scheme to County Councillors</i> , 21<sup>st</sup> June 2018 (Link below)  <a href="http://modgov:9070/documents/g4343/Public%20reports%20pack%2021st-Jun-2018%2014.00%20Constitution%20and%20Democratic%20Services%20Committee.pdf?T=10">http://modgov:9070/documents/g4343/Public%20reports%20pack%2021st-Jun-2018%2014.00%20Constitution%20and%20Democratic%20Services%20Committee.pdf?T=10</a></p> <p>and resultant minute (Link below).  <a href="http://modgov:9070/documents/g4343/Printed%20minutes%2021st-Jun-2018%2014.00%20Constitution%20and%20Democratic%20Services%20Committee.pdf?T=1">http://modgov:9070/documents/g4343/Printed%20minutes%2021st-Jun-2018%2014.00%20Constitution%20and%20Democratic%20Services%20Committee.pdf?T=1</a></p> <p><b>Contact Officer:</b> Robert Robins, Head of Democratic Services  <b>Telephone:</b> 01352 702320  <b>E-mail:</b> <a href="mailto:robert.robins@flintshire.gov.uk">robert.robins@flintshire.gov.uk</a></p>

<b>7.00</b>	<b>GLOSSARY OF TERMS</b>
7.01	None

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