

# Public Document Pack



Neuadd y Sir  
Y Rhadyr  
Brynbuga  
NP15 1GA

Dydd Mercher, 10 Mai 2017

## Hysbysiad o gyfarfod:

### Cyngor Sir

**Dydd Iau, 18fed Mai, 2017 at 2.00 pm,  
Council Chamber - Council Chamber**

### AGENDA

*Prayers will be said prior to the Council meeting at 4.55pm. All members are welcome to join the Chairman for prayers should they wish to do.*

Eitem No	Eitem	Tudalennau
1.	<b>Ymddiheuriadau am absenoldeb</b>	
2.	<b>Chairman's announcements and receipt of petitions</b>	
3.	<b>Datganiadau o Fuddiant</b>	
4.	<b>Fforwm Agored i'r Cyhoedd</b>	
4.1.	<b>Cwestiwn o Mr. M Smith i'r Cynghorydd Sir P. Fox</b>  Pam ydy'r Cyngor Sir yn cefnogi cynllun datblygu arfaethedig, hynny yw Coridor yr M4 o gwmpas Casnewydd a fydd, os yw'n caei ei gymeradwyo, yn dinistrio cymeriad ac amgylchedd Llanfihangel Rogiet, ardal sydd wedi'i phenodi gan y Cyngor hwn fel Ardal Gadwraeth ac sydd wedi'i rhestru felly yn y Cynllun Datblygu Lleol Mabwysiedig? Ydy e'n ymwybodol bod "Ardaloedd Cadwraeth wedi'i adnabod yn eang fel un o feysydd allweddol twristiaeth ac amwynder y Sir, ni ellir dod â'r asedau hyn yn ôl a gall unrhyw effaith niweidiol iddynt cael effaith diwylliannol, amgylcheddol a chymdeithasol sylweddol ac felly mae'n angenrheidiol eu bod yn cael eu cadw a'u hehangu lle bo'n bosib? " Ydy e hefyd yn ymwybodol os yw'r cynllun traffordd arfaethedig yn cael ei gymeradwyo bydd yn groes i bolisi'r Cyngor ar "Datblygu mewn Ardaloedd Cadwraeth" ac yn enwedig polisi HE1 sy'n mynegi:-  "Polisi HE1 – Datblygu mewn Ardaloedd Cadwraeth  O fewn Ardaloedd Cadwraeth, dylai cynigion datblygu, lle bo'n briodol, rhoi sylw i'r Arfarniad Ardal Gadwraeth am yr ardal yna a byddant yn	

cael eu caniatáu os:

- a) ydynt yn diogelu neu'n gwella cymeriad neu olwg yr ardal a'i lleoliad tirlun;
- b) nad ydynt yn cael unrhyw effaith anffafriol sylweddol ar olygfeydd arwyddocaol i mewn ac allan o'r Ardal Gadwraeth;
- c) nad ydynt yn cael unrhyw effaith anffafriol sylweddol ar olygfeydd arwyddocaol o fewn yr ardal a chymeriad cyffredinol a golwg y strydlun a thoeau;
- d) ydynt yn defnyddio deunyddiau sy'n briodol i'w lleoliad a chyd-destun sy'n diogelu neu'n gwella cymeriad neu olwg yr Ardal Gadwraeth; ac
- e) yn talu sylw arbennig i leoliad yr adeiladau a'i ardaloedd agored."

A sut all Arweinydd y Cyngor gyfiawnhau niwed mor anghyfiawn, anadferadwy a pharhaol i'r ardal yna?

**5. I gadarnhau'r cofnodion canlynol:**

<b>5.1.</b>	<b>Cyngor Sir - 9fed o Fawrth 2017</b>	1 - 14
<b>5.2.</b>	<b>Cyngor Sir - 20fed o Fawrth 2017</b>	15 - 24
<b>6.</b>	<b>I ethol Arweinydd y Cyngor ac i dderbyn hysbysiad o ddirprwyo'r Arweinydd (apwyntiadau i'r Cabinet)</b>	
<b>7.</b>	<b>Cynrychioliad Grwpiau Gwleidyddol-Adolygiad</b>	25 - 34
<b>8.</b>	<b>Apwyntiadau i Bwyllgorau</b>	35 - 58
<b>9.</b>	<b>Apwyntiad i Gyrff Allanol</b>	59 - 78
<b>10.</b>	<b>Cyflogau a thaliadau Aelodau</b>	79 - 164
<b>11.</b>	<b>Apwyntiad Aelod Pwyllgor Cymunedol i'r Pwyllgor Safonau</b>	165 - 166

**Paul Matthews**

**Prif Weithredwr**

## CYNGOR SIR FYNWY

MAE CYFANSODDIAD Y PWYLLGOR FEL SY'N DILYN:

Cynghorwyr Sir:

D. Batrouni  
D. Blakebrough  
M. Powell  
V. Smith  
P. Clarke  
D. Dovey  
A. Easson  
R. Edwards  
D. Evans  
P.A. Fox  
R.J.W. Greenland  
L. Guppy  
R. Harris  
J. Higginson  
G. Howard  
S. Howarth  
D. Jones  
P. Jones  
S. Jones  
S.B. Jones  
P. Jordan  
P. Murphy  
B. Strong  
F. Taylor  
A. Watts  
A. Webb  
K. Williams  
J.Becker  
L.Brown  
A.Davies  
L.Dymock  
M.Feakins  
M.Groucutt  
R.John  
L.Jones  
M.Lane  
P.Pavia  
J.Pratt  
R.Roden  
T.Thomas  
J.Treharne  
J.Watkins  
S. Woodhouse

**Gwybodaeth Gyhoeddus**

### **Mynediad i gopïau papur o agendâu ac adroddiadau**

Gellir darparu copi o'r agenda hwn ac adroddiadau perthnasol i aelodau'r cyhoedd sy'n mynychu cyfarfod drwy ofyn am gopi gan Gwasanaethau Democrataidd ar 01633 644219. Dylid nodi fod yn rhaid i ni dderbyn 24 awr o hysbysiad cyn y cyfarfod er mwyn darparu copi caled o'r agenda hwn i chi.

### **Edrych ar y cyfarfod ar-lein**

Gellir gweld y cyfarfod ar-lein yn fyw neu'n dilyn y cyfarfod drwy fynd i [www.monmouthshire.gov.uk](http://www.monmouthshire.gov.uk) neu drwy ymweld â'n tudalen Youtube drwy chwilio am MonmouthshireCC. Drwy fynd i mewn i'r ystafell gyfarfod, fel aelod o'r cyhoedd neu i gymryd rhan yn y cyfarfod, rydych yn caniatáu i gael eich ffilmio ac i ddefnydd posibl y delweddau a'r recordiadau sain hynny gan y Cyngor.

### **Y Gymraeg**

Mae'r Cyngor yn croesawu cyfraniadau gan aelodau'r cyhoedd drwy gyfrwng y Gymraeg neu'r Saesneg. Gofynnwn gyda dyledus barch i chi roi 5 diwrnod o hysbysiad cyn y cyfarfod os dymunwch siarad yn Gymraeg fel y gallwn ddarparu ar gyfer eich anghenion.

# Nodau a Gwerthoedd Cyngor Sir Fynwy

## Cymunedau Cynaliadwy a Chryf

### Canlyniadau y gweithiwn i'w cyflawni

#### Neb yn cael ei adael ar ôl

- Gall pobl hŷn fyw bywyd da
- Pobl â mynediad i dai addas a fforddiadwy
- Pobl â mynediad a symudedd da

#### Pobl yn hyderus, galluog ac yn cymryd rhan

- Camddefnyddio alcohol a chyffuriau ddim yn effeithio ar fywydau pobl
- Teuluoedd yn cael eu cefnogi
- Pobl yn teimlo'n ddiogel

#### Ein sir yn ffynnu

- Busnes a menter
- Pobl â mynediad i ddysgu ymarferol a hyblyg
- Pobl yn diogelu ac yn cyfoethogi'r amgylchedd

### Ein blaenoriaethau

- Ysgolion
- Diogelu pobl agored i niwed
- Cefnogi busnes a chreu swyddi
- Cynnal gwasanaethau sy'n hygyrch yn lleol

### Ein gwerthoedd

- **Bod yn agored:** anelwn fod yn agored ac onest i ddatblygu perthnasoedd ymddiriedus
- **Tegwch:** anelwn ddarparu dewis teg, cyfleoedd a phrofiadau a dod yn sefydliad a adeiladwyd ar barch un at y llall.
- **Hyblygrwydd:** anelwn fod yn hyblyg yn ein syniadau a'n gweithredoedd i ddod yn sefydliad effeithlon ac effeithiol.
- **Gwaith tîm:** anelwn gydweithio i rannu ein llwyddiannau a'n methiannau drwy adeiladu ar ein cryfderau a chefnogi ein gilydd i gyflawni ein nodau.

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# Public Document Pack Agenda Item 5a

## MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of County Council held  
at County Hall, The Rhadyr, Usk, NP15 1GA on Thursday, 9th March, 2017 at 2.00 pm

**PRESENT:** County Councillor J. Higginson (Chairman)  
County Councillor P. Jordan (Vice Chairman)

County Councillors: D. Batrouni, J. Prosser, D. Blakebrough, M. Powell, V. Smith, G. Burrows, R. Chapman, P. Clarke, D. Dovey, G. Down, A. Easson, D. Edwards, R. Edwards, P. Farley, P.A. Fox, R.J.W. Greenland, L. Guppy, E. Hackett Pain, R. Harris, B. Hayward, M. Hickman, P.A.D. Hobson, G. Howard, D. Jones, P. Jones, S. Jones, S.B. Jones, P. Jordan, P. Murphy, F. Taylor, A. Watts, A. Webb, S. White, K. Williams and A. Wintle

### **OFFICERS IN ATTENDANCE:**

Paul Matthews	Chief Executive
Peter Davies	Chief Officer, Resources
Will McLean	Head of Democracy, Engagement and Improvement
Joy Robson	Head of Finance/Section 151 Officer
Robert Tranter	Head of Legal Services & Monitoring Officer
Nicola Perry	Senior Democracy Officer
Mark Howcroft	Assistant Head of Finance
Rachel Jowitt	Head of Waste & Street Services

### **APOLOGIES:**

Councillors J. Crook, D. Evans, S. Howarth and J. Marshall

#### **1. Apologies for absence**

#### **2. Chairman's report and receipt of petitions**

Upon opening the meeting the Chairman expressed condolences for the recent passing of Mr. David Waring, a former councillor, Mr B. Llewellyn, a former councillor of the first session of this Council from 1996-1999, and Mr. B. Foulser, the Consort of former Chairman, J. Foulser. Council marked their respect with a minute silence.

Council were advised that a photographic session would be held prior to Council on 20<sup>th</sup> March 2017. Detail to follow.

Council received the Chairman's report, noting an upcoming charity concert at Monmouth Leisure Centre on 31<sup>st</sup> March, proceeds of which would go to Gwent Music and the Chairman's charity.

There were no petitions.

#### **3. Declarations of interest**

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County Councillor M. Hickman declared a personal, non-prejudicial interest pursuant to the Members' Code of Conduct as trustee and treasurer of Homemakers Community Recycling.

Members agreed to declare further interests as and when.

### **4. Public Open Forum**

#### **4.1. Question from Mr. M Smith to County Councillor P. Fox**

Question withdrawn.

### **5. To confirm the following minutes:**

#### **5.1. County Council - 19th January 2017**

The minutes of the meeting held on 19<sup>th</sup> January 2017 were confirmed as a correct record and signed by the Chairman, with the following amendment:

Page 7, paragraph 3 should read '**Some** Members expressed frustrations concerning Welsh language taking precedent over English, specifically on telephone calls and road signage. It was thought to be a case of the minority dictating to the majority.'

#### **5.2. County Council Special Meeting - 26th January 2017**

The minutes of the meeting held on 26th January 2017 were confirmed as a correct record and signed by the Chairman.

### **6. To receive the minutes of the Audit Committee meeting held on 2nd February 2017**

We noted the minutes of the Audit Committee meeting held on 2<sup>nd</sup> February 2017.

In doing so Councillor F. Taylor expressed frustration and disappointment that the discussion surrounding Zero Hour Contracts had not been presented back to Council as requested, and that the issue had not been resolved during this council term.

### **7. To receive the minutes of the Democratic Services Committee meeting held on 23rd January 2017**

We noted the minutes of the Democratic Services Committee meeting held on 23<sup>rd</sup> January 2017.

### **8. Notices of Motion**

### **9. Reports of the Head of Operations**

#### **9.1. Household waste recycling centre, transfer station and haulage procurement strategy**

Council were presented a report in order to seek Council approval on the proposed strategy to initiate a procurement exercise for a new Contract for the Household Waste Recycling Centre, Transfer Station and Residual Waste Haulage services.

During his presentation, Councillor B. Jones expressed that this process was no reflection on the service received, and commended Viridor for their work over the last 20 plus years of the contract. However, it was understood to be time to review best practices and procurement to ensure we are up to date, fit for purpose and aligned to this report of the recycling service.



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During debate we noted the following:

Some Members were keen to commend the exemplary service provided by Viridor, and also the work of officers and co-operation of Monmouthshire residents.

Councillor Batrouni referred to the tender process and questioned if it was common practice to award following the initial tender, and questioned the 'limited negotiations'. The Head of Waste and Street Services explained that this is a new procurement process introduced through the EU procurement rules and would be the first time MCC have used it. It provides the opportunity to offer a direct award if the bid is strong enough. Limited negotiation refers to matters of refinement on detail and clarification.

At present, officers had not received any indication that Dragon Waste intended to bid for the contract.

In response to a request for assurance regarding transition, Members were advised that, should another contractor become successful, staff would transfer under TUPE (transfer of undertakings and protection of employment) arrangements. Council were assured that the quality of service would not change.

Upon being put to the vote Council resolved to agree the recommendations in the report:

The Council approves:

- The procurement strategy as outlined in this report, specifically:-
  - i. Nature of services (as defined in 4.1)
  - ii. Contract length:- 7 years + 5
  - iii. Contract form:- service contract
  - iv. Procurement process:- Competitive with Negotiation
  - v. Price/Quality criteria:- 55/45
  - vi. Performance / quality outcomes
- That delegated approval is given to the Head of Waste & Street Services in consultation with the Cabinet Member, S151 Officer and Monitoring Officer to finalise the Contract Documentation, including the evaluation matrix, prior to issue of OJEU Notice to begin the procurement process.
- That decision to award the Contract will be delegated to the Head of Waste & Street Services in consultation with the Cabinet Members for Waste and Finance, S151 Officer and Monitoring Officer on the provision that the price remains within the current affordability envelope of the existing waste management budget (noting though the outcome will be reported to Council and our future partner will be presented to Select Committee).
- That decision to award the Contract if it exceeds the existing budget envelope will be for the consideration of Council.

#### 9.2. Recycling Review - Final Proposals for Collections 2018-2025

## **MONMOUTHSHIRE COUNTY COUNCIL**

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Council were presented with a report outlining the final proposals for recycling collections in order to seek Council approval for the future configuration of the kerbside recycling service 2018-2025.

During debate we noted the following:

A Member questioned the weekly collection of brown bags, suggesting that fortnightly collections during winter months be appropriate. In response we were advised that there was no proposal to change, but this could be considered as a recommendation from Council.

A Member referred to the future proofing of the service, in terms of the legislative underpinning derived from the EU, and questioned the effects following Brexit. Council were advised that the European legislation gives a minimum for which member states must adopt. The Welsh Government position exceeds the European regulations, and feedback from officials, and the minister, is that they intend to carry on with the current agenda, and will not be affected by Brexit.

In response to concerns that fortnightly collections would result in recyclable waste being put into black bags, officers explained that extra recycling boxes would be provided on request.

It was reiterated that a service should be provided at the refuse transfer station for red and purple waste bags. Council heard that that service had been withdrawn as the service had been massively abused, and analysis showed that 70% to 80% of bags were full of black bag waste. There had been some instances where residents had been abusive and physically threatening to staff at Viridor. Should the trial take place again, it would be on the basis that it could be withdrawn.

A Member referred to the collection of yellow 'tiger' bags and questioned if the process could be modified. It was explained that the service had moved to a fortnightly collection at a saving of £100,000, and there were currently no plans to change. Accepted advice from HSE confirmed it is completely safe to continue with a fortnightly collection. Councillor Easson disputed that this was hygienically acceptable, particularly where residents live in cramped accommodation, and questioned if officers could look at individual instances where problem situations could be resolved urgently. This was confirmed.

In response to concerns around the potential increase in fly tipping, the Head of Waste and Street Services reassured Council that there are crews available to collect fly tipping when reported, and an increase was not anticipated.

A Member questioned if we were behind other authorities in terms of adopting these changes, the Head of Waste and Street Services explained that we were not adopting the standard kerbside sort system, and have gone for a variation considered by Welsh Government to be a satisfactory middle ground.

A Member acknowledged that this report has been through the scrutiny process and was pleased to hear that the spend on grey bags was put on hold and being reviewed.

There were concerns regarding the consultation process and Council heard that 6500 residents had been trialled, qualitative and quantitative data had been collected. A sample drop of 1000 questionnaires had seen 410 responses, being a 40% response rate.

A Member requested reassurance that residents living in inaccessible areas would not be disadvantaged as a result of the change. Members were assured that officers provide the best service possible, where properties were up a long drive, or private road residents would be

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expected to bring waste to a collection point, as with the current status. During the trial, bins had been provided in communal areas of flats which had been successful.

Upon being put to the vote Council resolved to agree the recommendations in the report:

That Council approves:

- That the principles of the existing recycling service (red and purple bags collected weekly) be maintained.
- That glass be collected fortnightly in a separate container (green box)
  - i. Where residents raise concern over ability to carry a box the service will offer a green caddy (similar to the outside food waste caddy) and be given further assistance if needed.
- Food and green waste will be collected separately as previously approved.
- That changes are introduced between April – July 2018.
- That revenue savings generated from the service change cover the cost of prudential borrowing to allow capital expenditure e.g. changes to the Transfer Stations, purchase of boxes etc subject to a further report to full council regarding the capital investment required.
- The overall service design so that the procurement process for the new fleet and design and construction of the Transfer Stations can begin.
- Delegate approval for decision making to the Head of Waste & Street Services in consultation with the Cabinet Member & S151 Officer on any technical details, subject to changes remaining within the existing funding envelope of the service.
- That Select Committee and Council receive a report on implementation of the service changes after July 2018 quantifying the full benefits and cost incurred, and modelled cost of the service for its proposed 7 year life.
- That grey bags for the collection of residual waste be reviewed with a view to determining whether it would be beneficial to invest in more waste education and awareness than infrastructure to increase recycling and report to Cabinet via Select in Autumn 2017.

#### **9.3. Approval of Car Park Capital Budget in 2017/18**

Council were presented with a report which sought Council approval for capital budget in 2017/18 for installation of new equipment and car park improvements.

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During debate we noted the following:

Clarification was sought around the mention of equipment, and improvement/ refurbishment. It was questioned if it would include provision of physical measures in some car parks to restrict their use as unofficial race tracks, particular mention was made to Welsh Street Car Park in Chepstow. The Cabinet Member responded that ticket machines were in need of replacement, providing residents options of payment methods other than coins. Blue Badge Spaces would be brought up to standard. With regards to Welsh Street Car Park, consultations were underway with local residents and businesses, and within the budget resolution would be sought.

It was confirmed EV referred to Electrical Vehicles.

It was clarified that the recommendations in the Cabinet paper dated July 2016 were passed as stage 1. This report referred to stage 2 of the process.

A Member referred to the leasehold of car parks, referring to Castle Car Park, and questioned if there was a potential risk of losing income. The Cabinet Member explained that if we are occupying land on lease, it is dependent on the land owner but negotiations would ensue.

Upon being put to the vote Council resolved to agree the recommendations in the report:

- That Council approve the capital budgets recommended by Cabinet on the 6th July 2016 detailed in the report 'Proposals for the future provision of public car parks by MCC:

*That capital budgets of (i) £250,000 for new car park ticket machines, £300,000 for improvements/refurbishment to existing car parks, EV points and signage be created and that these be funded by 'invest to save' using revenue generated through the new car park order and management regime.*

### **10. Reports of the Head of Finance**

#### **10.1. Council Tax Resolution 2017/18 and Revenue and Capital Budgets for 2017/18**

Council were presented with the Council Tax Resolution 2017/18, and Revenue and Capital Budgets 2017/18. The Council is bound by Statute to specific timescales for Council Tax setting and is also required to make certain defined resolutions. The recommendations that form the major part of this report are designed to comply with those Statutory Provisions.

The recommended resolutions also draw together the Council Tax implications of precepts notified by the Office of Police and Crime Commissioner for Gwent and Town and Community Councils, thereby enabling the County Council to establish its headline Council Tax levels at the various property bands within each Town or Community area.

The Cabinet Member for Resources explained that despite a better settlement than anticipated it had been a difficult process in bringing forward a balanced budget. He thanked all officers involved in the process for their hard work during the deliberations.

The Cabinet Member advised of a revised recommendation as follows:

2.1 It is recommended that the revenue and capital estimates for the year 2017/18 as attached in Appendix 1 and 2 be approved with the following adjustments:

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- i. That charges for Trade waste collections are not increased and the service instead seek to increase the customer base to achieve the income target of £10k.
- ii. That an additional £300k is added to the Disabled Facilities Grant capital budget, and the consequent costs of borrowing are funded from the headroom in the Treasury revenue budget.
- iii. That the capital budgets for car parks are added to the overall capital budget as outlined in item 9c on this Council agenda.

During Debate the following points were noted:

The Leader of the opposition expressed that following a tough few years in local government, thanks should be given to Welsh Government for extra funding, despite cuts from Westminster Government. He was pleased to note the population projections have changed, meaning a slight increase in funding for Monmouthshire.

Concerns were raised regarding school budgets, in that budgets were being cut by circa £700k. It was added that schools themselves, through the schools forum, had raised concerns, recognising the biggest cost base being staff. The increase in cost of school meals was also questioned.

There were long-standing concerns around highways, bus services and street lighting in that the issue of loneliness and isolation with the County. The Labour Group considers that tackling loneliness and isolation should not just be about social care, but about other Council services.

Explanation was requested regarding a cut in funding of £200k to Chepstow School.

The Cabinet Member for Education explained that 36% of the budget, over £50m goes to schools and, as a result, standards have been raised. We have continued to fund our schools above the Welsh average, being the second highest funder, funding per pupil is £300 more than a neighbouring authority. With regards to Chepstow School, it was noted that a wonderful job had been done in raising numbers, but this had reduced over the last couple of years, therefore funding has reduced as schools are funded per pupil.

The Leader of the Council stated that there remains an absolute commitment to replacing the pool, with enhanced leisure facilities, in Monmouth. There has been an investment of £2m in highways, a significant increase in DFGs, and the commitment to City Deal. It was taken as a compliment that there had not been any alternative options for the budget from the opposition. School funding is a concern, but has been maintained and prioritised due to huge cuts in other areas.

An independent Member noted that the 21<sup>st</sup> Century School Programme remains on budget due to Council approving an extra £11m borrowing. The Monmouth Pool requires an extra £6.8m, raising concern of a lack of financial management.

An Independent Member highlighted that both Welsh and UK Government were systematically reducing budgets, letting our children down. She questioned the total income generation needed to balance the books, stating unease of risking tax payers' money to try to create and income. Disappointment was expressed that Village Halls are forced to raise funds to try to pay 20% rates, particularly considering volunteers are providing services unable to be provided by the Authority.

The Cabinet Member for Communities commended the budget and noted the support for vulnerable people.

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A Member referred to his ward and commended the actions of officers of the Council, noting MCC as a listening Council, operating in severe financial constraints. It was added that we are managing to maintain services rather than close them. It was thought to be a balanced budget and commended to Council.

A Member questioned how well the budget papers were scrutinised by Cabinet, and how well they understood the impact on communities.

With regards the comments surrounding Monmouth Pool, the Cabinet Member for Enterprise explained that MCC had not borrowed £11m as suggested, as Welsh Government had provided half of the funding. He was pleased to note that Councillor Hayward acknowledged the pool would be built.

It was expressed that Monmouthshire County Council should have a system whereby all Members are adequately involved in the budget process and can make early, meaningful contributions.

The Chair brought the item to a close and upon being put to the vote Council resolved to agree the recommendations:

- That the revenue and capital estimates for the year 2017/18 as attached in Appendix 1 and 2 be approved with the following adjustments:
  - i. That charges for Trade waste collections are not increased and the service instead seek to increase the customer base to achieve the income target of £10k.
  - ii. That an additional £300k is added to the Disabled Facilities Grant capital budget, and the consequent costs of borrowing are funded from the headroom in the Treasury revenue budget.
  - iii. That the capital budgets for car parks are added to the overall capital budget as outlined in item 9c on this Council agenda.
- It be noted that, at its meeting on 15th February 2017, Cabinet calculated the amounts set out below for the year 2017/18 in accordance with sections 32 and 33 of the Local Government Finance Act 1992 ("the Act").  
For information, sections 32 and 33 of the 1992 Act have been extensively amended by Schedule 12 to the Local Government (Wales) Act 1994. Both are further amended by the Local Authorities (Alteration of Requisite Calculations) (Wales) Regulations 2002 (the "2002 regulations") and The Local Authorities (Alteration of Requisite Calculations) (Wales) Regulations 2013. Section 33 is further amended by the Local Government Reorganisation (Calculation of Basic Amount of Council Tax) (Wales) Order 1996. All necessary legislative and statutory amendments have been taken into account in calculating the following amounts: -
  - (a) 45,537.71 being the amount calculated by the Council, in accordance with Section 33 of the Act and The Regulations (as amended by Regulations 1999 no. 2935), as its Council Tax base for the year;
  - (b) Part of the Council's Area, being the amounts calculated by the Council, in accordance with Section 34 of the Act, as the amounts of its Council Tax base for the year for dwellings in those parts of the area to which one or more special items relate:

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Community	Council Tax Base for 2017/18	Community	Council Tax Base for 2017/18
Abergavenny	4,837.06	Llanhennock	286.80
Caerwent	1,111.08	Llanover	817.16
Caldicot	4,007.55	Llantillio Croesenny	455.07
Chepstow	5,498.79	Llantillio Pertholey	1,623.11
Crucorney	744.70	Llantrissant Fawr	263.78
Devauden	651.81	Magor with Undy	2,899.74
Goetre Fawr	1,182.50	Mathern	625.57
Grosmont	491.73	Mitchell Troy	738.32
Gwehelog Fawr	287.71	Monmouth	5,083.52
Llanarth	492.64	Portskewett	1,021.93
Llanbadoc	475.09	Raglan	1,087.41
Llanelly Hill	1,953.57	Rogiet	732.90
Llanfoist Fawr	1,909.77	Shirenewton	740.19
Llangattock Vibon Abel	673.39	St.Arvals	455.32
Llangwm	273.87	Tintern	495.03
Llangybi	539.17	Trellech	1,690.29
		Usk	1,391.14
		<b>Total</b>	<b>45,537.71</b>

- That the following amounts be now calculated by the Council for the year 2017/18 in accordance with Sections 32 to 36 of the Act and sections 47 and 49 of the [Local Government Finance Act 1988](#) (as amended):

(a) £148,152,649 being the aggregate of the amounts the Council estimates for the items set out in Section 32(2) (a) to (d) of the Act less the aggregate of the amounts the Council estimates for the items set out in Section 32 (3) (a) and (c) of the Act calculated by the Council, in accordance with Section 32(4) of the Act, as its budget requirement for the year

(b) £91,798,934 being the aggregate of the sums which the Council estimates will be payable for the year into its Council fund in respect of redistributed non-domestic rates and revenue support grant in accordance with Section 33 (3)

(c) £6,000 being the cost to the authority of discretionary non-domestic rate relief anticipated to be granted (under sections 47 and 49 of the [Local Government Finance Act 1988](#) , as amended)

(d) £1,237.65 being the amount at 2.3(a) and 2.3(c) above less the amount at 2.3(b) above, all divided by the amount at 2.2(a) above, calculated by the Council, in accordance with Section 33(1) of the Act, as the basic amount of its Council Tax for the year

(e) £2,479,952 being the aggregate amount of all special items referred to in Section 34 of the Act (Town and Community Precepts)

(f) £1,183.19 being the amount at 2.3(d) above less the result given by dividing the amount at 2.3(e) above by the amount at 2.2(a) above calculated by the Council in accordance with Section 34(2) of the Act, as the basic amounts of its Council Tax for the year for dwellings in those parts of the area to which no special item relates.

(g) Part of the Council's Area, being the amounts of the special item or items relating to dwellings in those parts of the Council's area mentioned above divided in each case by the amounts at 2.2(b) above, calculated by the Council, in accordance with Section 34(3) of the Act, as the basic amounts of its Council Tax for the year for dwellings in those parts of the area to which one or more special items relate:

# MONMOUTHSHIRE COUNTY COUNCIL

## Minutes of the meeting of County Council held at County Hall, The Rhadyr, Usk, NP15 1GA on Thursday, 9th March, 2017 at 2.00 pm

Community Council	Precept Band D Equivalent £'s	Community Council	Precept Band D Equivalent £'s
Abergavenny	58.03	Llanover	14.07
Caerwent	43.20	Llantillio Croesenny	13.18
Caldicot	82.63	Llantillio Pertholey	24.83
Chepstow	121.81	Llantrissant Fawr	18.20
Crucorney	14.77	Magor with Undy	55.18
Devauden	12.52	Mathern	25.70
Goetre Fawr	24.10	Mitchell Troy	16.25
Grosmont	12.20	Monmouth	65.22
Gwehelog Fawr	15.64	Portskewett	20.06
Llanarth	14.21	Raglan	32.97
Llanbadoc	28.48	Rogiet	51.53
Llanelly Hill	39.30	Shirenewton	28.13
Llanfoist Fawr	34.04	St.Arvals	22.60
Llangattock Vibon Abel	13.81	Tintern	34.30
Llangwm	16.43	Trellech	20.71
Llangybi	18.55	Usk	101.39
Llanhennock	19.53		

(h) The County Council Area, being the amounts given by multiplying the amount at 2.3(f) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation Band D calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

Council Tax Band	A	B	C	D	E	F	G	H	I
Proportion	6	7	8	9	11	13	15	18	21
Council Tax Charge	788.79	920.26	1,051.72	1,183.19	1,446.12	1,709.05	1,971.98	2,366.38	2,760.78

(i) Part of the Council's Area, being the amounts given by multiplying the amounts at 2.3(g) and 2.3(h) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation Band D calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands: -



# MONMOUTHSHIRE COUNTY COUNCIL

## Minutes of the meeting of County Council held at County Hall, The Rhadyr, Usk, NP15 1GA on Thursday, 9th March, 2017 at 2.00 pm

County Council plus Town/Community Council

	A	B	C	D	E	F	G	H	I
Abergavenny	827.48	965.39	1,103.30	1,241.22	1,517.05	1,792.87	2,068.70	2,482.44	2,896.18
Caerwent	817.59	953.86	1,090.12	1,226.39	1,498.92	1,771.45	2,043.98	2,452.78	2,861.58
Caldicot	843.88	964.53	1,125.17	1,265.82	1,547.11	1,828.40	2,109.70	2,531.64	2,953.58
Chepstow	870.00	1,015.00	1,160.00	1,305.00	1,595.00	1,885.00	2,175.00	2,610.00	3,045.00
Crucorney	798.64	931.75	1,064.85	1,197.96	1,464.17	1,730.38	1,996.60	2,395.92	2,795.24
Devauden	797.14	930.00	1,062.85	1,195.71	1,461.42	1,727.13	1,992.85	2,391.42	2,789.99
Goetre	804.86	939.00	1,073.14	1,207.29	1,475.58	1,743.86	2,012.15	2,414.58	2,817.01
Grosmont	796.92	929.75	1,062.56	1,195.39	1,461.03	1,726.67	1,992.31	2,390.78	2,789.25
Gwehelog	799.22	932.42	1,065.62	1,198.83	1,465.24	1,731.64	1,998.05	2,397.66	2,797.27
Llanarth	798.26	931.31	1,064.35	1,197.40	1,463.49	1,729.58	1,995.66	2,394.80	2,793.94
Llanbadoc	807.78	942.41	1,077.04	1,211.67	1,480.93	1,750.19	2,019.45	2,423.34	2,827.23
Llanelly Hill	814.99	950.83	1,086.65	1,222.49	1,494.15	1,765.82	2,037.48	2,444.98	2,852.48
Llanfoist	811.48	946.74	1,081.98	1,217.23	1,487.72	1,758.22	2,028.71	2,434.46	2,840.21
Llangattock V A	798.00	931.00	1,064.00	1,197.00	1,463.00	1,729.00	1,995.00	2,394.00	2,793.00
Llangwm	799.74	933.04	1,066.32	1,199.62	1,466.20	1,732.78	1,999.36	2,399.24	2,799.12
Llangybi	801.16	934.69	1,068.21	1,201.74	1,468.79	1,735.84	2,002.90	2,403.48	2,804.06
Llanhennock	801.81	935.45	1,069.08	1,202.72	1,469.99	1,737.26	2,004.53	2,405.44	2,806.35
Llanover	798.17	931.20	1,064.23	1,197.26	1,463.32	1,729.37	1,995.43	2,394.52	2,793.61
Llantilio Croess	797.58	930.51	1,063.44	1,196.37	1,462.23	1,728.09	1,993.95	2,392.74	2,791.53
Llantilio Pertholey	805.34	939.57	1,073.79	1,208.02	1,476.47	1,744.92	2,013.36	2,416.04	2,818.72
Llantrissant	800.92	934.42	1,067.90	1,201.39	1,468.36	1,735.34	2,002.31	2,402.78	2,803.25
Magor with Undy	825.58	963.18	1,100.77	1,238.37	1,513.56	1,788.75	2,063.95	2,476.74	2,889.53
Mathem	805.92	940.25	1,074.56	1,208.89	1,477.53	1,746.17	2,014.81	2,417.78	2,820.75
Mitchell Troy	799.62	932.90	1,066.16	1,199.44	1,465.98	1,732.52	1,999.06	2,398.88	2,798.70
Monmouth	832.27	970.99	1,109.69	1,248.41	1,525.83	1,803.26	2,080.68	2,496.82	2,912.96
Portskewett	802.16	935.86	1,069.55	1,203.25	1,470.64	1,738.03	2,005.41	2,406.50	2,807.59
Raglan	810.77	945.90	1,081.03	1,216.16	1,486.42	1,756.67	2,026.93	2,432.32	2,837.71
Rogiet	823.14	960.34	1,097.52	1,234.72	1,509.10	1,783.48	2,057.86	2,469.44	2,881.02
Shirenewton	807.54	942.14	1,076.72	1,211.32	1,480.50	1,749.68	2,018.86	2,422.64	2,826.42
St. Arvans	803.86	937.84	1,071.81	1,205.79	1,473.74	1,741.69	2,009.65	2,411.58	2,813.51
Tintern	811.66	946.94	1,082.21	1,217.49	1,488.04	1,758.59	2,029.15	2,434.98	2,840.81
Trelech	802.60	936.37	1,070.13	1,203.90	1,471.43	1,738.96	2,006.50	2,407.80	2,809.10
Usk	856.38	999.12	1,141.84	1,284.58	1,570.04	1,855.50	2,140.96	2,569.16	2,997.36

5

- That it be noted for the year 2017/18 that the Office of Police and Crime Commissioner for Gwent has notified the following amounts in precepts issued to the Council, in accordance with Section 40 of the Act, for each of the dwellings shown above: -

Council Tax Band	A	B	C	D	E	F	G	H	I
Proportion	6	7	8	9	11	13	15	18	21
Council Tax Charge	152.56	177.99	203.41	228.84	279.69	330.55	381.40	457.68	533.96

- That, having calculated the aggregate in each case of the amounts at 2.3(i) and 2.4 above, the Council, in accordance with Section 30(2) of the Act, hereby sets the following amounts as the amounts of Council Tax for the year 2017/18 for each of the categories of dwellings shown below: -

# MONMOUTHSHIRE COUNTY COUNCIL

## Minutes of the meeting of County Council held at County Hall, The Rhadyr, Usk, NP15 1GA on Thursday, 9th March, 2017 at 2.00 pm

County Council plus Town/Community Council plus Police and Crime Commissioner

	A	B	C	D	E	F	G	H	I
Abergavenny	980.04	1,143.38	1,306.71	1,470.06	1,796.74	2,123.42	2,450.10	2,940.12	3,430.14
Caerwent	970.15	1,131.85	1,293.53	1,455.23	1,778.61	2,102.00	2,425.38	2,910.46	3,395.54
Caldicot	996.44	1,162.52	1,328.58	1,494.66	1,826.80	2,158.95	2,491.10	2,989.32	3,487.54
Chepstow	1,022.56	1,192.99	1,363.41	1,533.84	1,874.69	2,215.55	2,556.40	3,067.68	3,578.96
Crucorney	951.20	1,109.74	1,268.26	1,426.80	1,743.86	2,060.93	2,378.00	2,853.60	3,329.20
Devauden	949.70	1,107.99	1,266.26	1,424.55	1,741.11	2,057.68	2,374.25	2,849.10	3,323.95
Goetre	957.42	1,116.99	1,276.55	1,436.13	1,755.27	2,074.41	2,393.55	2,872.26	3,350.97
Grosmont	949.48	1,107.74	1,265.97	1,424.23	1,740.72	2,057.22	2,373.71	2,848.46	3,323.21
Gwehelog	951.78	1,110.41	1,269.03	1,427.67	1,744.93	2,062.19	2,379.45	2,855.34	3,331.23
Llanarth	950.82	1,109.30	1,267.76	1,426.24	1,743.18	2,060.13	2,377.06	2,852.48	3,327.90
Llanbadoc	960.34	1,120.40	1,280.45	1,440.51	1,760.62	2,080.74	2,400.85	2,881.02	3,361.19
Llanelly Hill	967.55	1,128.82	1,290.06	1,451.33	1,773.84	2,096.37	2,418.88	2,902.66	3,386.44
Llanfoist	964.04	1,124.73	1,285.39	1,446.07	1,767.41	2,088.77	2,410.11	2,892.14	3,374.17
Llangattock V A	950.56	1,108.99	1,267.41	1,425.84	1,742.69	2,059.55	2,376.40	2,851.68	3,326.96
Llangwm	952.30	1,111.03	1,269.73	1,428.46	1,745.89	2,063.33	2,380.76	2,856.92	3,333.08
Llangybi	953.72	1,112.68	1,271.62	1,430.58	1,748.48	2,066.39	2,384.30	2,861.16	3,338.02
Llanhennock	954.37	1,113.44	1,272.49	1,431.56	1,749.68	2,067.81	2,385.93	2,863.12	3,340.31
Llanover	950.73	1,109.19	1,267.64	1,426.10	1,743.01	2,059.92	2,376.83	2,852.20	3,327.57
Llantilio Croess	950.14	1,108.50	1,266.85	1,425.21	1,741.92	2,058.64	2,375.35	2,850.42	3,325.49
Llantilio Pertholey	957.90	1,117.56	1,277.20	1,436.86	1,756.16	2,075.47	2,394.76	2,873.72	3,352.68
Llantrissant	953.48	1,112.41	1,271.31	1,430.23	1,748.05	2,065.89	2,383.71	2,860.46	3,337.21
Magor with Undy	978.14	1,141.17	1,304.18	1,467.21	1,793.25	2,119.30	2,445.35	2,934.42	3,423.49
Mathern	958.48	1,118.24	1,277.97	1,437.73	1,757.22	2,076.72	2,396.21	2,875.46	3,354.71
Mitchell Troy	952.18	1,110.89	1,269.57	1,428.28	1,745.67	2,063.07	2,380.46	2,856.56	3,332.66
Monmouth	984.83	1,148.98	1,313.10	1,477.25	1,805.52	2,133.81	2,462.08	2,954.50	3,446.92
Portskewett	954.72	1,113.85	1,272.96	1,432.09	1,750.33	2,068.58	2,386.81	2,864.18	3,341.55
Raglan	963.33	1,123.89	1,284.44	1,445.00	1,766.11	2,087.22	2,408.33	2,890.00	3,371.67
Rogiet	975.70	1,138.33	1,300.93	1,463.56	1,788.79	2,114.03	2,439.26	2,927.12	3,414.98
Shirenewton	960.10	1,120.13	1,280.13	1,440.16	1,760.19	2,080.23	2,400.26	2,880.32	3,360.38
St. Arvans	956.42	1,115.83	1,275.22	1,434.63	1,753.43	2,072.24	2,391.05	2,869.26	3,347.47
Tintern	964.22	1,124.93	1,285.62	1,446.33	1,767.73	2,089.14	2,410.55	2,892.66	3,374.77
Trelech	955.16	1,114.36	1,273.54	1,432.74	1,751.12	2,069.51	2,387.90	2,865.48	3,343.06
Usk	1,008.94	1,177.11	1,345.25	1,513.32	1,849.73	2,186.05	2,522.36	3,026.84	3,531.32

- That Mrs J. Robson, Mr M. Howcroft, Miss R. Donovan, Mrs. S. Deacy, Mrs. W. Woods and Mrs. S. Knight be authorised under Section 223 of the Local Government Act 1972 to prosecute and appear on behalf of Monmouthshire County Council in proceedings before a Magistrates Court for the purpose of applying for Liability Orders in respect of Council Tax and Non-Domestic Rates.

### 10.2. Treasury Management Policy Statement & Strategy Statement, MRP Policy Statement and Investment Strategy 2017/18

Council were presented with a report to adopt the annual Treasury Management Policy Statement and the Treasury Management Strategy Statement including the Investment and Borrowing Strategies for 2017/18 to 2020/21 and the Minimum Revenue Provision (MRP) Statement for 2017/18 at Annex C.

This proposed Strategy and Policy will be monitored during the year by Audit Committee.

During debate the following points were noted:

In response to a question regarding internal borrowing, the Assistant Head of Finance advised this is the arrangement whereby we can look at our cash balance at any given time and consider using those resources to fund capital programme aspects, and avoid external borrowing. In terms of it being a short term strategy depends on how long you have capital receipts, and general revenue receipts.

With regards to a question raised around interest rates, Treasury Management consider interest rates may dip into a negative level before they start to increase. Rates are monitored on a quarterly basis, and at the moment are not moving to a great degree.

## **MONMOUTHSHIRE COUNTY COUNCIL**

### **Minutes of the meeting of County Council held at County Hall, The Rhadyr, Usk, NP15 1GA on Thursday, 9th March, 2017 at 2.00 pm**

Members were reminded that changes to the MRP Policy were a cash-flow change rather than a saving. In response to a query, the Assistant Head of Finance agreed to provide an analysis of the results had we continued with the previous approach.

In terms of ethical investments, the Assistant Head of Finance explained that the priority had been to safeguard money invested. Primarily the focus is on double a-graded institutions. Working through who benefits from investments can be problematic, but there is nothing stopping Councillors deciding on a morally ethical policy on investments should they wish

Upon being put to the vote Council resolved to agree the recommendation:

- It is recommended that the proposed Treasury Management Policy Statement for 2017/18 (Appendix 2) and proposed Treasury Management Strategy and Investment & Borrowing Strategies 2017/18 to 2020/21 (Appendix 1), including the Minimum Revenue Provision (MRP) Statement for 2017/18 at Annex C, be approved together with the Treasury Limits as required by section 3 of the Local Government Act 2003.

**The meeting ended at 4.40 pm**

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# Public Document Pack Agenda Item 5b

## MONMOUTHSHIRE COUNTY COUNCIL

**Minutes of the meeting of County Council held  
at Council Chamber - Council Chamber on Monday, 20th March, 2017 at 2.00 pm**

**PRESENT:** County Councillor J. Higginson (Chairman)  
County Councillor P. Jordan (Vice Chairman)

County Councillors: J. Prosser, D. Blakebrough, M. Powell, V. Smith, G. Burrows, P. Clarke, J. Crook, D. Dovey, G. Down, A. Easson, D. Edwards, R. Edwards, P. Farley, P.A. Fox, R.J.W. Greenland, L. Guppy, E. Hacket Pain, R. Harris, B. Hayward, P.A.D. Hobson, S. Howarth, D. Jones, P. Jones, S. Jones, S.B. Jones, P. Murphy, B. Strong, F. Taylor, A. Webb, S. White, K. Williams and A. Wintle

### **OFFICERS IN ATTENDANCE:**

Paul Matthews	Chief Executive
Peter Davies	Chief Officer, Resources
Tracey Harry	Head of People and Information Governance
Roger Hoggins	Head of Operations
Will McLean	Head of Democracy, Engagement and Improvement
Joy Robson	Head of Finance/Section 151 Officer
Robert Tranter	Head of Legal Services & Monitoring Officer
Nicola Perry	Senior Democracy Officer
Claire Marchant	Chief Officer Social Care, Health & Housing
Sally Thomas	Interim HR Manager

### **APOLOGIES:**

Councillors D. Batrouni, R. Chapman, D. Evans, J. George, M. Hickman, G. Howard, J. Marshall, A. Watts and P. Watts

### **1. APPOINTMENT OF CHIEF OFFICER, CHILDREN AND YOUNG PEOPLE**

The Chairman opened the meeting, and explained that the purpose of the first item on the agenda would be to appoint a Chief Officer for Children and Young People.

The Chief Executive advised that following the application process, 2 candidates had attended an intense assessment day. Council were provided with feedback from the assessment, and were advised that one candidate, Mr. W. McLean, had exceeded the benchmark and had been invited to give a 10 minute presentation to Council.

Members were advised that the options following the interview process would be:

- I. To make an offer of appointment;
- II. To determine that an offer of appointment should not be made.

Following discussion we welcomed Mr. McLean who gave a presentation and was interviewed by the Council. The candidate was then asked to leave the chamber in order for Members to take a decision. Upon being put to the vote Members agreed unanimously with the recommendation that Mr. McLean be appointed.

## **MONMOUTHSHIRE COUNTY COUNCIL**

### **Minutes of the meeting of County Council held at Council Chamber - Council Chamber on Monday, 20th March, 2017 at 2.00 pm**

Mr. McLean returned to the meeting, accepted the appointment, and was congratulated by Members.

#### **3. Chairman's report and receipt of petitions**

Council received the Chairman's report.

County Councillor S.B. Jones presented a petition on behalf of residents of Little Mill demanding urgent action be taken on the speeding of vehicles through the village, where 99.1% of vehicles have been found to be speeding.

County Councillor S. Howarth presented a petition relating to public rights of way at Clydach Gorge, Gilwern and Llanelli Hill. Right of way 118 has been disputed for 22 years and urgent closure was requested.

County Councillor V. Smith presented a petition relating to speed and the increasing volume of traffic on the A472 Woodside to Little Mill. As an indication of the concern of residents Councillor Smith explained that she had attempted to consult with every resident along that route, and only one individual was more concerned with broadband than road safety.

County Councillor P. Fox advised that a petition had been received from residents of Pwllmeyric regarding speeding on the A48, requesting that Council consider speed reduction in due course.

#### **4. Declarations of interest**

County Councillor F. Taylor declared a personal, non-prejudicial interest pursuant to the Members Code of Contact, in relation to items 9d and 9e as a board member of ABUHB.

County Councillor S. Howarth declared a personal, non-prejudicial interest pursuant to the Members Code of Conduct, in relation to item 9b, as a member of the leisure centre services in Abergavenny.

#### **5. Public Open Forum**

None.

#### **6. Notices of motion**

None.

#### **7. Report of Cabinet Member, County Councillor G. Burrows**

##### **7.1. Position Statement - Social Care, Safeguarding and Health - March 2017**

Cabinet Member, County Councillor G. Burrows provided a position statement for Social Care, Safeguarding and Health.

In doing so he thanked the Leader of the Council for the opportunity over the last six years, adding that it had been a privilege.

## **MONMOUTHSHIRE COUNTY COUNCIL**

### **Minutes of the meeting of County Council held at Council Chamber - Council Chamber on Monday, 20th March, 2017 at 2.00 pm**

Councillor P. Farley, on behalf of the Labour Group, and as Chair of Adults Select Committee expressed thanks to Councillor Burrows. He added that 'end of term' reports from all Cabinet Members would be welcome.

The Leader also took the opportunity to commend Councillor Burrows, recognising his work across Gwent, namely chairing the Gwent Frailty Committee. The disappointment of the WAO report was recognised, but we noted the good projects going forward, such as the Raglan Project.

#### **8. Reports of the Chief Officer, Social Care, Health and Housing:**

##### **8.1. Wales Audit Office Report on Safeguarding within the Kerbcraft Scheme in Monmouthshire County Council**

The Chairman welcomed Anne Marie Harkin and Ron Price from the Wales Audit Office, who were present to provide the Council with the Wales Audit Office Report into Safeguarding Arrangements within the Kerbcraft Scheme in Monmouthshire County Council.

The Cabinet Member expressed disappointment with the findings relating to the Kerbcraft scheme. He wished to assure that this authority does its utmost to ensure a safe an environment as possible in all that it does. He reassured Members that in terms of safeguarding, a tremendous amount of work has been done to date and we must redouble our efforts. It was added that whilst we rightly scrutinise the report, we do not completely lose the context.

Following presentation of the report the Chief Officer, Social Care and Health addressed Council and stated that it is a sobering experience to be in receipt of a report advising that we are providing a service that is putting children at risk because of continuing weaknesses in safeguarding arrangements. She added that we now need to act decisively; thoughtfully and transparently to address shortcomings. It was important to hold on to the fact that Kerbcraft is an important service and she concluded that it is critical we learn the wider lessons from this report.

During debate the following points were noted:

The Leader thanked officers for their attendance, noting the importance of the sobering messages, and recognised the shortcomings identified. He added that should he be fortunate to return as Leader after May 2017 there is further work we can do to strengthen our safeguarding function.

A Member added that the Labour Group would ensure this issue would be on the agenda, and stressed that Council should be alerted of such vital issues.

The Chair of Children and Young People Select Committee questioned why this report had not been through the scrutiny process. It was noted that Scrutiny Officer was among the list of consultees, but there was no further explanation. The Chief Executive Officer advised that the nature of the report requires Full Council consideration, and the timeline meant this would be the only opportunity for scrutiny.

Councillor Howarth requested clarification surrounding the grant for Kerbcraft from Welsh Government, and asked why this had not been itemised.

# MONMOUTHSHIRE COUNTY COUNCIL

## Minutes of the meeting of County Council held at Council Chamber - Council Chamber on Monday, 20th March, 2017 at 2.00 pm

Councillor Hayward expressed that the safety of children should not be retrospective, and given that this Council is considering embracing shared space in some Monmouthshire towns, he asked the Cabinet Member what assurances he could provide regarding the shared space schemes. In response Councillor Burrows thanked the Member for the question and referred to the Head of Operations. We heard that shared space schemes referred to how we manage traffic within our public highways, risk assessments are inherent within the designs and these matters are taken into account.

Several Members expressed concern and sought assurances that there are no other areas of our provision where concerns are reported. It was of particular concern that WAO had stated that they had been provided with partial and misleading information, and further information was requested regarding action taken with the staff involved.

It was noted that the Kerbcraft scheme provides an important service, and through a lack of process and governance, we had potentially put at risk the people providing the service, as well as our children. Also noted, there had been no formal review or reporting.

It was suggested that as Kerbcraft is funded by Wales Government and similar programmes run in other Councils, this report should be shared, and highlight the problems within our procedures, to allow other authorities to learn from our mistakes.

In response to Members concerns the Chief Officer for Social Care and Health addressed Council. She stated that in reflecting on the seriousness of the report, it was important to note this is not a child abuse situation, but children being placed at 'potential' risk due to inadequate safeguarding around the recruitment of volunteers. With regards to the personnel issues an internal preliminary investigation has been instigated. Actions will be taken forward, ensuring proper scrutiny of the actions.

In summing up the Cabinet Member shared the concern of learning about the report so late in the day, or even the existence of this particular activity, and agreed with everything said in the chamber today

Ms. Harkin of WAO was grateful for the reassurances that improvements will be made and welcomed the responses to the recommendations.

Upon being put to the vote Council resolved to agree the recommendations:

- That the Council receive the Wales Audit Office Report on the Kerbcraft Scheme.
- That the Council accept the statutory recommendations in the report, consider the current position against the recommendations and agree the actions to address them.

### **8.2. Safeguarding Progress Report**

Council were provided with a report to provide Members with a review of safeguarding progress.

During discussion we noted:

There was concern surrounding the statement on the reduction of training provided by South East Wales Safeguarding Children Board (SEWSCB), therefore adding pressure to provide training on the Council. Assurance was sought that this is a commitment rather than a pressure. The Chief Officer explained that SEWSCB has reviewed the way it delivers training, and its training policy. It was felt that this had put a pressure back on the authority to deliver more training within the Council. We must ensure everyone who needs to be trained is trained, and we are getting the right input from regional training as well as the training we deliver ourselves as a Council.



# MONMOUTHSHIRE COUNTY COUNCIL

## Minutes of the meeting of County Council held at Council Chamber - Council Chamber on Monday, 20th March, 2017 at 2.00 pm

Upon being put to the vote Council resolved to agree the recommendations:

- That Council note the progress and challenge the self-assessment of the Whole Authority Safeguarding Co-ordinating Group (WASCG).
- That Council support the intention to focus the safeguarding programme approved by the Council in July 2016 against five key priority areas.

### **9. Reports of the Chief Officer, Enterprise:**

#### **9.1. Diary of Meetings 2017/18**

Council were presented with a report to approve the diary of meetings for 2017/18.

The Leader advised that the new Council may wish to review certain dates, and times of Council meetings, and this should be added as an agenda item for the first formal meeting.

Reference was made to the inclusion of group meetings, and it was considered that these should not be included.

Upon being put to the vote Council resolved to agree the recommendation:

- That the diary of meetings for 2017/18 be approved.

#### **9.2. Future Monmouthshire: Proposed new delivery model for Tourism, Leisure, Culture and Youth Services**

County Councillor Greenland took the opportunity to provide an update on business rates. He advised that he had written to the Cabinet Secretary, and Members would be aware that the First Minister had announced that there would be a £10m relief scheme introduced for Wales. The details of the scheme arrived last week and given that bills are to be distributed for business rates next week this was not sufficient time to reflect this scheme. Therefore, businesses in Monmouthshire will receive bills reflecting the full increase, and it is hoped refunds due under the scheme would be made in June. It was noted that many businesses would be under extreme risk and the Cabinet Member had again written to the Cabinet Secretary asking that businesses can pay the current amount and no more while they go through an appeal process. He also added in his letter that he had not seen evidence to support the case that between 2008-2015 business rates in Monmouthshire have increased by 7%, whereas in Cardiff they have decreased by 3%.

The Cabinet Member added that conservative colleagues have agreed that, if following the election there is a Conservative majority administration, they will bring forward plans to help businesses through the exceptional hardship support fund which could be available.

County Councillors J. Higginson and R. Harris declared personal, non-prejudicial interests pursuant to the Members Code of Conduct as Council appointed members of the East Wales Valuation Tribunal.

County Councillor S. Jones declared a personal, non-prejudicial interest pursuant to the Members Code of Conduct as a member of the Rate Payers Forum, and Director of the Welsh Retail Consortium.

We were advised that with regards to the Morrisons store in Abergavenny, it has been indicated that they hope to be on site in April 2017, with an opening date of November.

## MONMOUTHSHIRE COUNTY COUNCIL

### Minutes of the meeting of County Council held at Council Chamber - Council Chamber on Monday, 20th March, 2017 at 2.00 pm

Council were presented with a report to provide Members with an Outline Business Case (OBC) and associated papers that consider the range of alternative delivery models for the Tourism, Leisure, Culture and Youth Services (TLCY) following an independent options appraisal by Anthony Collins Solicitors and seek agreement on the next phase.

During debate the following points were noted:

Assurance was sought regarding the future of the outdoor centres under the alternative delivery model. The Head of Tourism, Leisure and Culture explained the complex partnership with other Councils. Whilst some Councils are retreating from the partnership we need to maintain a partnership with remaining partners. There is a clear indication of where the service is heading, but discussions with partners are planned over the upcoming months. As from April, Blaenau Gwent will be the only full partner, in terms of financial contributions but are looking at their own outdoor educational offer. Torfaen have removed £60k over the last 2 years and will remove another £60k next year. Newport still own Talybont, Monmouthshire own Gilwern and Hilston Park.

Members heard that there was no threat to The Zone in Caldicot. Councillor Hackett Pain added that there was no reason to consider that the link between education and the youth service would be severed.

Councillor A. Webb thanked the officer for the report and sought assurance the Old Station, Tintern would not be affected. We heard that the intention is to further develop the Old Station and improve the offer, including the parking and other restricting aspects.

Concern was raised regarding the TUPE of staff, in that this would increase the cost of administration. The Head of Tourism, Leisure and Culture explained this would be part of the full business plan to be presented in September 2017.

In response to a question regarding consultancy fees we heard the fees have been identified in the outline business case as an investment.

Members were assured that staff would be kept up to date and, so far, consultation events had been well attended.

Councillor J Prosser highlighted that the report had been through scrutiny, joint scrutiny, and seminar events and congratulated officers for innovation and forward thinking for maintaining services.

Cabinet Member for Enterprise responded to a concern regarding Monmouth Pool, explaining that the pool would be 25 metres in length, 5 lanes, and within regulations. The sports hall will be moving to the school, but when not being used by the school would be available to the general public. There are proposals to re-vamp the leisure centre in Monmouth, to provide more up to date facilities, bringing further use and income.

Upon being put to the vote Council resolved to agree the recommendations:

- That Council reset the recommendations as agreed in October 2016 to delay the full business case to enable consideration of an Outline Business Case in March 2017.
- That Council agree to progress options 2, transform in house and option 3, new delivery model for reasons identified in the Outline Business Case and not take forward option 1, stay the same and option 4, outsourcing.
- That Council agree OBC is advanced to produce the final Full Business Case for consideration as soon as politically possible.

## MONMOUTHSHIRE COUNTY COUNCIL

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#### **9.3. Community Governance in Monmouthshire**

Council were presented with a report to seek Council's agreement to pilot a new set of arrangements for Community Governance in Monmouthshire.

Following a wide ranging debate there was agreement across the members of the cross party working group that their preferred option was Option 2 but with the additional invitation to a single representative from each of the Community or Town Councils in that area:

- Option 2) Area Committees are retained as the sole structure with an increase in co-opted community members.

Councillor D. Edwards supported the recommendation that the scheme be piloted in the Bryn Y Cwm area and highlighted aspects of the current area committee work programme.

Upon being put to the vote, Council resolved to agree the recommendations:

- It is recommended that: (i) the ongoing review of community governance and whole place is finalised as early as possible to allow the new Council to reach agreement as to the shape and structure of community engagement.
- That the community governance structure designed as a part of member working group is piloted in the Bryn Y Cwm area.

#### **9.4. Well-being Assessments for the county and Objective setting for the Council:**

Council were presented with the following reports to seek approval for a series of inter-related assessments and plans that have been produced in response to new legislation.

The four documents are:

- i) The Well-being Assessment produced on behalf of the Public Service Board;
- ii) The Population Needs Assessment for the county of Monmouthshire;
- iii) The Council's proposed Well-being Objectives and Well-being Statement; and
- iv) The Biodiversity & Ecosystem Resilience Forward Plan.

During debate the following points were noted:

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Assurance was sought that links with relevant officers from the Strategic Transport Group were in place. The Policy and Performance Manager responded that reference was made to the Magor Rail Group. Transport is an issue highlighted as challenge and opportunity. Officers have started to look at transport and the intention is to pull together officers and people in the communities to establish firm plans.

Upon being put to the vote Council resolved to agree the recommendations:

- To endorse the Well-being Assessment ahead of its approval by the Public Service Board on 29th March.
- To approve the Population Needs Assessment.
- To approve the Council's well-being objectives and statement their publication, subject to any amendments requested by Council today, and with an understanding that the objectives will be re-considered by Council following the local government elections in May 2017.
- To approve the Biodiversity & Ecosystem Resilience Forward Plan.

#### **10. Report of the Chief Officer, Resources:**

##### **10.1. Pay Policy Statement**

Chief Officers and Heads of Service left the Council Chamber for the discussion.

Council were presented with a report to approve the publication of Monmouthshire County Council's Pay Policy, in compliance with the Localism Act.

During discussion the following points were noted:

In response to a question regarding the average band of senior officers, whether it be at top or bottom, the Interim HR Manager advised that this would depend on the scale agreed at appointment, and length of service. Further information could be provided.

It was thought that incremental rise would be included through the normal staffing budgets.

Councillor Hayward remarked that the ratio 4:1 between lowest paid officer and chief officer indicated that the lowest salary would be £22,000, and suggested this was incorrect. The Interim HR Manager would supply further detail around multipliers.

Upon being put to the vote Council resolved to agree the recommendations:

- That Council approves the Pay Policy for the year 1st April 2016 to 31st March 2017.
- That Council approves to pay the nationally negotiated and agreed pay award of the Joint National Council (JNC) for Local Authority Chief Executive Officers. Chief Executive Officer terms and conditions of employment and pay are prescribed by the JNC for Local Authority Chief Executive Officers. The Pay Agreement reached in 2016 for Chief Executive Officers was for a 1% pay increase effective from 1 April 2016 and a 1% pay increase, effective 1 April 2017.
- That Council approves to pay the nationally negotiated and agreed pay award for those employees who come under the Joint National Council (JNC) for Chief Officers. Chief Officers' terms and conditions of employment and pay are prescribed by the JNC for Local Authority Chief Officers. The Pay Agreement reached in 2016 for Chief Officers was for a 1% pay increase effective from 1 April 2016 and a 1% increase effective from

## **MONMOUTHSHIRE COUNTY COUNCIL**

### **Minutes of the meeting of County Council held at Council Chamber - Council Chamber on Monday, 20th March, 2017 at 2.00 pm**

1 April 2017. The Council employs Chief Officers under JNC terms and conditions which are incorporated into their contracts of employment. The JNC for Chief Officers negotiates on national (UK) annual cost of living pay increases for this group, and any award is determined on this basis. Chief Officers employed under JNC terms and conditions are contractually entitled to any national JNC determined pay rises and this Council will therefore pay these as and when determined in accordance with contractual requirements.

**The meeting ended at 5.20 pm**

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## MONMOUTHSHIRE COUNTY COUNCIL REPORT

Agenda Item

<b>SUBJECT:</b>	<b>REPRESENTATION OF POLITICAL GROUPS - REVIEW</b>
<b>MEETING:</b>	<b>COUNCIL</b>
<b>DATE:</b>	<b>16 May 2017</b>
<b>DIVISION/WARDS AFFECTED:</b>	<b>COUNTYWIDE</b>

### 1. PURPOSE:

The Council is required to review at, or as soon as practicable after, the Council's annual meeting, the representation of different political groups on the bodies to which the Council makes appointments.

### 2. RECOMMENDATIONS:

That the Council decides:

To accept the report (and appendices) as a review under Section 15 of the Local Government and Housing Act 1989 and to appoint the ordinary committees with the numbers and adjustments as indicated below:

Committee	Cons	Lab	Lib Dem	Ind
Select (x 5) (9)	26	10	3	6
Licensing & Regulatory (12)	7	3	1	1
Planning (16)	9	4	1	2
Democratic Services (12)	7	3	1	1
Audit (11 excluding 1 lay)	7	2	1	1
Aggregate Entitlement (85)	56	22	7	11

### 3. KEY ISSUES:

3.1 The Council must determine the allocation to the different political groups of all the seats to be filled by appointment by the Council and exercise its power of appointment to the body concerned so as to give effect to such wishes about who is to be appointed to the seats on that body which are allocated to a particular group as are expressed by that group.

3.2 The Council is required "to make only such determinations as give effect, so far as reasonably practicable, to" the following principles:

- (a) that not all the seats on the body are allocated to the same political group;

- (b) that the majority of the seats on the body is allocated to a particular political group if the number of persons belonging to that group is a majority of the Council's membership;
- (c) (subject to (a) and (b)), the number of seats on the ordinary committees which are allocated to each political group bears the same relationship to the total seats on all the committees as the number of members of that group bears to the Council's membership;
- (d) identical to (c) but relates to other bodies where the Council is entitled to fill seats by appointment.

3.3 The following are bodies to which S.15 applies -

- (a) ordinary committees and sub-committees
- (b) advisory committees and sub-committees of an advisory committee
- (c) any such of the following bodies (or classes of bodies) which is a body at least 3 seats on which are from time to time to be filled by appointments made by the Council (so far as relevant to the Council):-
  - (i) a fire authority constituted under a combination scheme
  - (ii) a superannuation committee
  - (iii) a National Parks Committee
  - (iv) a joint committee (with one or more other authorities) whose function is to discharge council (as opposed to executive) functions and is not purely advisory.

This is not a full list but comprises the most likely classes of bodies to which the Council makes appointments. Thus it will be seen that if the Council is asked to make appointments to any other body the political balance rules do not apply even if the Council is asked to appoint three or more members.

3.4 In certain cases the Council/committee does not have to comply with the statutory requirements. The exceptions are as follows:-

- (a) alternative arrangements approved by the Council following notice of the proposed arrangement being included in the agenda for the relevant meeting of Council and without any member of the Council/committee voting against the proposal (S.17 and Reg. 20).
- (b) the committee or sub-committee is established exclusively to discharge functions or to advise in respect of part of the area of the authority and where that area of that part does not exceed one-half of the total area of the authority or the population of that part does not exceed one-half of the total population of the area. In addition, that part must consist of one or more electoral divisions and all the members of the authority who are elected for that electoral division



(or those electoral divisions) (and only those members) are entitled to be members of the area committee or sub-committee.

**4. REASONS**

To comply with the requirements of the Local Government (Committees and Political Groups) Regulations 1990 as amended.

**5. RESOURCE IMPLICATIONS:**

Nil

**6. CONSULTEES:**

Political group leaders

**7. BACKGROUND PAPERS:**

Nil

**8. AUTHOR:**

Robert Tranter – Monitoring Officer & Head of Legal Services

**CONTACT DETAILS:**

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## APPENDIX A

### Methodology to be applied to appointments

1. Members are referred to the guiding principles mentioned in Paragraph 3 of the main report.
2. Appointments by the Council

The application of the principles is most usefully considered separately for ordinary committees, advisory committees and for other bodies to which appointments must be made.

(a) Ordinary Committees

These are committees which can take action on behalf of the Council. The other form of committee, the advisory committee, is one appointed to advise the Council on any matter relating to the discharge of its functions.

According to the draft circular issued in 1990, a convenient sequence for applying the principles will be

- (i) calculate the total seats with votes on all the ordinary committees;
- (ii) calculate the proportion that each political group forms of the total membership of the authority (and that membership does not include a chairman who is no longer a councillor but remains a member of the Council by virtue of section 26 of the 1972 Act); the "total membership of the authority" does, however, include vacant seats;
- (iii) apply those proportions to the total number of ordinary committee seats to give the aggregate entitlement of each group; the requirement (here as elsewhere) to apply the proportions "so far as reasonably practicable" can be met by rounding up entitlements of a half or more; if this results in a greater aggregate than the number of seats available, the fractional entitlement(s) closest to a half should be rounded in the other direction until entitlements balance the available seats;
- (iv) apply the proportions to the number of members on each ordinary committee to give a provisional entitlement to seats on that committee;
- (v) where the provisional entitlement gives only one group seats on the committee, adjust the entitlement so that the next largest group has a seat (thus applying the principle in 3(a));
- (vi) where one group has a majority of the membership of the Council, but does not have a majority on any committee as a result of the provisional entitlement, increase its share on that

committee so that it does have a majority (thus applying the principle in 3(b));

- (vii) finally, adjust the seats on each committee so that the total allocated to each group is as near as possible to their aggregate entitlement, while preserving the results reached at steps (v) and (vi) (thus applying the principle in 3(c)).

This sequence of steps has been adopted in this report.

(b) Advisory Committees

The intention of the provision is to ensure that those seats to be filled by councillors are (in the absence of unanimous agreement to the contrary) shared fairly between the political groups.

It is, therefore, necessary for the Council first to decide how many of the seats on each advisory committee are to be filled by members of the Council; the statutory requirements then only apply to those seats; the allocation of those seats can conveniently be made by following steps (ii), (iv), (v) and (vi) above.

(c) Other Bodies (see para 4(c) of the main report)

The intention is to ensure a fair distribution of the available seats among the political groups; since a majority group would reasonably be entitled to all the seats where the authority makes only one or two appointments, the duty to allocate seats to political groups only applies where the Council appoints to three or more seats.

The allocation can conveniently be made by following steps (ii), (iv), (v) and (vi) above.

3. Appointments by Committees

Where an ordinary committee appoint a sub-committee with executive powers, the relevant principles are as contained in paragraphs 3(a), (b) and (d) of the main report: the allocation can be conveniently carried out by following steps (ii), (iv), (v) and (vi) above.

When an advisory sub-committee is appointed, the committee will first need to determine how many seats are to be filled by members of the Council (not just members of the committee). The duty to allocate to political groups then applies only to those seats. The same steps can be followed.

## APPENDIX B

### APPOINTMENTS BY COUNCIL

1. The following committees are appointed by the Council with the number of seats shown:

<i>Committee</i>	<i>Seats</i>
Planning	16
Licensing and Regulatory	12
Audit (Excluding 1 lay member)	11
Strong Communities Select	9
Children & Young People Select	9
Economy & Development Select	9
Adult Select	9
Public Service Board Select	9
Democratic Services	12
<b>Total</b>	<b>96</b>

#### NOTE:

- (i) Member/Officer Working Groups are not Committees or Sub-Committees.
- (ii) The Standards Committee is not subject to the political balance rules.
- (iii) The Joint Advisory Group (Teachers/LGE) is a Cabinet advisory committee.
- (iv) Political balance rules do not apply to Area Committees
- (v) The Public Service Board Select Committee will comprise of the chairs of the 4 other Select Committees along with 5 other members.
2. The rest of this appendix deals with the appointment of committees only. The rules applying to other bodies are the same as for sub-committees and are considered in appendix C.
- (a) Total number of members - 43
- |                  |    |
|------------------|----|
| Conservative     | 25 |
| Labour           | 10 |
| Independent      | 5  |
| Liberal Democrat | 3  |
- (b) Total number of seats on ordinary committees – 85
- (c) Provisional statutory entitlement multiplier (i.e. the relevant number of members divided by 43):
- |                  |       |
|------------------|-------|
| Conservative     | 0.581 |
| Labour           | 0.232 |
| Independent      | 0.116 |
| Liberal Democrat | 0.069 |

- (d) Aggregate entitlement (i.e. 96 multiplied by the relevant figure in paragraph (c) above):

**96 Seats**

Conservative	49.38
Labour	19.72
Independent	9.86
Liberal Democrat	5.86

Rounding up/down gives:

Conservative	56 seats
Labour	22 seats
Independent	11 seats
Liberal Democrat	7 seats

**Total** **96 Seats**

Total seats on body	Labour		Conservative		Lib Dem		Independent	
<b>3</b>	0.70	<b>1</b>	1.74	<b>2</b>	0.21		0.35	
<b>4</b>	0.93	<b>1</b>	2.32	<b>3</b>	0.28		0.46	
<b>5</b>	1.16	<b>1</b>	2.91	<b>3</b>	0.35		0.58	<b>1</b>
<b>6</b>	1.39	<b>1</b>	3.49	<b>4</b>	0.41		0.70	<b>1</b>
<b>7</b>	1.62	<b>2</b>	4.07	<b>4</b>	0.48		0.81	<b>1</b>
<b>8</b>	1.87	<b>2</b>	4.65	<b>5</b>	0.55		0.93	<b>1</b>
<b>9</b>	2.09	<b>2</b>	5.23	<b>5</b>	0.62	<b>1</b>	1.04	<b>1</b>
<b>10</b>	2.32	<b>2</b>	5.81	<b>6</b>	0.69	<b>1</b>	1.16	<b>1</b>
<b>11</b>	2.55	<b>3</b>	6.39	<b>6</b>	0.76	<b>1</b>	1.28	<b>1</b>
<b>12</b>	2.78	<b>3</b>	6.97	<b>7</b>	0.83	<b>1</b>	1.39	<b>1</b>
<b>13</b>	3.02	<b>3</b>	7.55	<b>8</b>	0.90	<b>1</b>	1.51	<b>1</b>
<b>14</b>	3.25	<b>3</b>	8.13	<b>8</b>	0.97	<b>1</b>	1.62	<b>2</b>
<b>15</b>	3.48	<b>3</b>	8.72	<b>9</b>	1.04	<b>1</b>	1.74	<b>2</b>
<b>16</b>	3.71	<b>4</b>	9.30	<b>9</b>	1.10	<b>1</b>	1.86	<b>2</b>

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## MONMOUTHSHIRE COUNTY COUNCIL REPORT

<b>SUBJECT:</b>	<b>APPOINTMENT OF COMMITTEES</b>
<b>DIRECTORATE:</b>	<b>Chief Executives</b>
<b>MEETING:</b>	<b>County Council</b>
<b>DATE:</b>	<b>18 May 2017</b>
<b>DIVISION/WARDS AFFECTED:</b>	<b>All</b>

### 1. **PURPOSE:**

To appoint committees together with their membership and terms of reference in accordance with the Council's Constitution.

### 2. **RECOMMENDATION:**

That the following committees be appointed together with their membership as set below, and their terms of reference attached as appendices.

#### 2.1 **Area Committees**

That Area Committees be appointed, with the terms of reference attached as appendix A.

#### **Bryn Y Cwm**, Ward Members for:

Castle  
Llanelly Hill  
Grofield  
Priory  
Lansdown  
Croesonen  
Llanover  
Goetre Fawr  
Llanwenarth Ultra  
Mardy  
Llanfoist Fawr  
Cruorney  
Cantref

#### **Central Monmouthshire**, Ward Members for:

Mitchel Troy  
Llangybi Fawr  
Raglan  
Llantillio Crossenny  
Dixton with Osbaston  
Wyesham  
Usk  
Llanbadoc  
Trellech United  
Overmonnow  
Drybridge

**Lower Wye**, Ward Members for:

St Christopher's  
St Kingsmark  
Shirenewton  
Devauden  
St Mary's  
Thornwell  
St Arvans

**Severnside**, Ward Members for:

Dewstow  
West End  
Portskewett  
Rogiet  
The Elms  
Severn  
Mill  
Green Lane  
Caldicot Castle

## **2.2 AUDIT COMMITTEE**

That the Audit Committee be appointed, with the terms of reference attached as appendix B.

That the membership of the Committee comprises 11 members of the Council, to be appointed in accordance with political balance, plus one lay member.

That the current lay member be appointed by Council for a further term.

That it be noted that the Chair of the Audit Committee will be appointed by the Committee.

## **2.3 DEMOCRATIC SERVICES COMMITTEE**

That a Democratic Services Committee be appointed, with the terms of reference attached as appendix C.

That the membership of the Committee comprises 11 members of the Council, politically balanced.

That the Chair of the Democratic Services Committee be appointed by the Council.

## **2.4 REGULATORY AND OTHER COMMITTEES**

That the following Committees, together with their terms of reference, attached as appendix D, be appointed, subject to any changes to be notified by the political groups.

(a) Planning (16 Members)

- (b) Licensing and Regulatory (12 Members)
- (c) Sub-Committees under the Licensing Act 2003
  - Three sub-committees of three members to be established to meet on Monday, Wednesday and Friday.
  - The Chairman, Vice Chairman and Opposition spokesman of the Licensing and Regulatory Committee to be appointed as Chairman of each sub-committee
  - The nine remaining members be called to attend sub-committee meetings on a rota basis in discussion with the Chairman of the relevant sub-committee.
- (d) Appeals Committee (3 members)
 

3 members to be nominated on an ad hoc basis.
- (e) Appointment of Local Authority Governors Committee (7 Members)
- (f) Standing Advisory Council on Religious Education (SACRE) (6 Members)

Persons representing such Christian denominations and other religions and denominations in such religions as in the opinion of the County Council will approximately reflect the principal religious traditions in the area.

Persons to represent such associations representing teachers as in the opinion of the County Council ought to be represented, having regard to the circumstances of the area.

- i. Monmouthshire County Council 6 members
- ii. Christian denominations and other religions and denominations as set out below:

12 members

The Church in Wales	1 member
The Roman Catholic Church	1 member
Free Churches	4 members
Baha'I Faith	1 member
Buddhist Faith	1 member
Hindu Faith	1 member
Muslim Faith	1 member
Jewish Faith	1 member
Sikh Faith	1 member
Teachers' Associations	7 members
Co - opted	2 members

- (g) Collaboration Agreement with Community and Town Councils (3 members)

Membership to be confirmed

(h) Appointment Committee (5 members)

Note: under the Council's Constitution, this Committee must include at least one member of the Executive but must not comprise a majority of members of the Executive.

(i) Coordinating Board

Chairman of each Select Committee; the Leader and Deputy Leader; the Chairman of each Area Committee; the Scrutiny Champion; the Chief Executive. The Chairman of the County Council will also be invited to attend.

(j) Remuneration Committee (Chief Executive) (5 members)

(k) Investigation Committee (3 members)

(l) Disciplinary Committee (3 members)

## 2.5 SELECT COMMITTEES

That the following Select Committees be appointed, together with their terms of reference, attached as appendix E:

- Economy and Development (9 Members)
- Strong Communities (9 Members)
- Children and Young People (9 Members)
- Adults (9 Members)
- Public Service Board (9 Members)

That the following members be co-opted to the Children and Young People Select Committee:

### **Voting on Education Issues only**

Revd. Dr. Daly (Church in Wales)  
Mr. M. Fowler (Parent Governor Representative)  
Vacancy (Parent Governor Representative)  
Vacancy (Catholic Church)

### **Non-Voting**

Vacancy (ASCL)  
Vacancy (NAHT)  
Vacancy (NASUWT)  
Vacancy (NUT)  
Vacancy (Free Church Federal Council)  
Mr. K. Plow (Association of School Governors)

That each Select Committee shall be entitled to recommend to Council the appointment of a maximum of five people as non-voting co-optees.

**2.6 STANDARDS COMMITTEE**

That the Standards Committee be appointed with the terms of reference attached as appendix F.

That the membership of the Committee comprise 3 members of the authority other than the Leader, 5 voting co-optees and one community member.

**3. REASONS**

To ensure the Council is compliant with its constitution.

**4. RESOURCE IMPLICATIONS:**

None as a direct result of this report

**5. CONSULTEES:**

Senior Leadership Team, Cabinet, Monitoring Officer

**6. SUSTAINABLE DEVELOPMENT AND EQUALITY IMPLICATIONS:**

None

**7. SAFEGUARDING AND CORPORATE PARENTING IMPLICATIONS:**

None

**8. BACKGROUND PAPERS:**

Monmouthshire County Council Constitution, as revised September 2014.

**9. AUTHOR:**

Kellie Beirne, Chief Officer Enterprise  
Email: [kelliebeirne@monmouthshire.gov.uk](mailto:kelliebeirne@monmouthshire.gov.uk)

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## **Article 10 – Area Committees and Forums**

### **10.01 Area committees**

The Council may appoint area committees as it sees fit, if it is satisfied that to do so will ensure improved service delivery in the context of best value and more efficient, transparent and accountable decision making.

The Council has recognised the need to engage the community in Area Working which in its early stages has involved establishing 4 Area Committees with the following roles and functions:

1. To help the Council shape major proposals affecting the area and to advise the Council about the implications for the area of its objectives, plans and policies.
2. To lead the development of the local community planning process and produce a Community Plan for each area in a way which promotes the council's overall policies as well as safeguarding local interest.
3. To ensure properly co-ordinated services on a local level.
4. To encourage effective collaboration with public, private and voluntary sector partners locally to help the Council meet the aspirations of local people.
5. To provide a forum for views of local communities and to encourage discussions and debate on matters of particular relevance to the area including participating in the process of Best Value Reviews as a formal consultee.
6. To make decisions on matters within the area that have been delegated by the Executive provided those decisions are within the Council's overall policies and budgetary allocations and do not adversely affect other areas of Monmouthshire.

### **Additional Representation**

Each Area Committee may identify and agree 'communities of interest' within its area from which a representative may be invited to participate at meetings of the committee. Such invitees will not be co-opted members of the committee but may speak (not vote) on matters whenever the press and public are able to attend.

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## **TERMS OF REFERENCE FOR THE AUDIT COMMITTEE**

- (a) to review and scrutinise the authority's financial affairs,
- (b) to make reports and recommendations in relation to the authority's financial affairs,
- (c) to review and assess the risk management, internal control and corporate governance arrangements of the authority,
- (d) to make reports and recommendations to the authority on the adequacy and effectiveness of those arrangements,
- (e) to oversee the authority's internal and external audit arrangements, and
- (f) to review the financial statements prepared by the authority.
- (g) to undertake any other functions as the authority considers suitable to be exercised by the Audit Committee

### Core functions

In order to meet the terms of reference above the Audit Committee will undertake the following core functions:

- Approve internal audit's strategy, plan and performance.
- Review summary internal audit reports and the main issues arising, and seek assurance that action has been taken where necessary.
- Consider the reports of external audit and inspection agencies.
- Consider the effectiveness of the authority's risk management arrangements, the control environment and associated anti-fraud and anti-corruption arrangements. Seek assurances that action is being taken on risk related issues identified by auditors and inspectors.
- Be satisfied that the authority's assurance statements, including the Statement on Internal Control and Governance Statement, properly reflect the risk environment and any actions required to improve it.
- Ensure that there are effective relationships between external and internal audit, inspection agencies and other relevant bodies, and that the value of the audit process is actively promoted.
- Review the financial statements, external auditor's opinion and reports to members, recommend the adoption of the financial statements by full Council and monitor management action in response to the issues raised by external audit.
- Maintain an overview of the Council's constitution in respect of contract procedure rules and financial regulations
- Make recommendations, as appropriate, to Cabinet and Council on any matters reported through the Audit Committee.

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## **TERMS OF REFERENCE FOR THE DEMOCRATIC SERVICES COMMITTEE**

- (a) To exercise the function of the local authority under section 8(1)(a) (designation of head of democratic services)
- (b) To review the adequacy of provision by the authority of staff, accommodation and other resources to discharge democratic services functions, and
- (c) To make reports and recommendations to the authority in relation to such provision.
- (d) To fully support the non-executive role of councillors.
- (e) To undertake pieces of work aimed at improving the democratic function, in line with the ethos of the Local Government Measure 2011.
- (f) To draw up a job description for elected members and improve clarity, transparency and public engagement.
- (g) To review the ICT policy for members.

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## **TERMS OF REFERENCE FOR REGULATORY AND OTHER COMMITTEES**

### **(a) PLANNING**

With delegated powers:

#### **1. Planning and conservation**

Functions relating to town and country planning and development control as specified in Schedule 1 to the Local Authorities Executive Arrangements (Functions and Responsibilities) (Wales) Regulations 2007 as amended ('the Functions Regulations') save in relation to footpaths and bridleways.

2. Powers relating to the preservation of trees, the protection of important hedgerows and the power to make limestone pavement order.

### **(b) LICENSING AND REGULATORY**

With delegated powers:

To determine traffic orders.

To act as the Licensing Committee designated for the purpose of Section 6 of the Licensing Act 2003.

To carry out all other functions and powers specified in Schedule 1 to the Functions Regulations, save in relation to the duty to approve the Authority's Statement of Accounts etc., the power to make Standing Orders, to appoint staff and to consider adverse reports from the Local Commissioner, all of which shall be reserved to Full Council.

To carry out all other Licensing functions in accordance with Part 2 of the Licensing Act 2003.

### **(c) SUB-COMMITTEES UNDER THE LICENSING ACT 2003**

With delegated powers:

The discharge of all functions relating to licensable activities, as described in the Licensing Act 2003.

### **(d) APPEALS COMMITTEE**

With delegated authority to determine appeals in accordance with the County Councils' constitution, e.g. School Transport Appeals, Discretionary Housing Payments Appeals

### **(e) APPOINTMENT OF LOCAL AUTHORITY GOVERNORS COMMITTEE**

With plenary powers to act in accordance with the Code of Practice set out below:

1. LA Governors are appointed representatives of the LA on a school's governing body. They are not delegates, but can be removed at the discretion of the LA. Appointments are made on merit, irrespective of political persuasion and in the best interests of the children and school. Nominations of elected members will be viewed in exactly the same way as any other nominations.

2. They may represent the LA view, but in all cases the interests of the school are paramount and all governors shall abide by the governing body's rules and code of conduct.

3. A governor appointed by the LA must, like all governors be in a position to:

- Offer time, commitment and energy to the role.
- Become well informed about current educational thinking.
- Know about the needs of the school, its staff and pupils.
- Visit the school with purpose, sensitivity and understanding.
- Undertake training as necessary.
- Attend meetings regularly.
- Conform to agreed procedures at meetings, including the need for confidentiality concerning certain matters discussed in Governing Body meetings especially in relation to individual staff, pupils and parents.
- Undertake appropriate preparation and reading.
- Work co-operatively as a member of a team, accepting collective responsibility for decisions made.
- Share responsibilities including service on committees
- Find out as much as possible about the community served by the school.
- Understand that the position does not offer a personal or political platform.
- Offer commitment to raising education standards to enable every child and young person to reach their full potential

4. When an LA governor vacancy occurs, the school may advise the LA of its needs in terms of balance of skills, gender or other considerations for the good of the school. It shall have the right to submit names for consideration.

5. When an LA Governor vacancy occurs, the County Councillor in whose electoral area the school is situated, will be informed. (All other County Councillors will be advised by e mail of the vacancy for information.) (S)He should consult the school's headteacher and chairman of governors as well as fellow Councillors in cases where pupils are drawn from beyond his/her electoral division. (S)He may recommend names for consideration.

6. The LA will appoint the persons most suitable to be governors according to the criteria set out above. The appointment will be made as soon as possible after the vacancy arises, recognising the serious operational difficulties which may occur when governing bodies are incomplete.

7. The LA is able to remove governors which it has appointed by giving written notice to the clerk to the Governing Body and to the governor who is to be removed. The governor will be given the opportunity to make written

representation before removal. The LA will only remove a governor for a good reason.

8. Whilst it is anticipated that such procedures will be used infrequently, it is important for there to be a mechanism in place, if required, for the removal of local authority governors in order to ensure that difficulties, if they arise, can be dealt with in a consistent way. It is expected that these procedures would be used, for example, where there is evidence that the governor concerned has seriously or persistently breached their Governing Body's Code of Conduct, or there are significant other issues such as those detailed below. Removal of a local authority governor from office will only be used as a last resort after seeking to resolve any difficulties or disputes in a constructive way. Before the LA begins a formal process of removal, LA Officers will offer some form of conciliation, if appropriate, to seek to resolve the situation. Where there is no effective remedy, then the governor may be considered for removal from office.

9. All requests to remove a local authority governor from office would in the first instance be referred to the Chief Officer, Education who will consider the grounds for removal. The Chief Officer will then make a recommendation to the Chair of the LA Governor Appointments Committee on whether there are grounds for removal and he/she will take a decision. If the Chair of the Committee decides that there are no grounds for removal, he/she will write to the proposer and if appropriate, the governor concerned, setting out the reasons for the decision and advising, where appropriate, on a way forward to resolve any remaining difficulties. If the Chair of the LA Governor Appointments Committee decides that there may be grounds for removal, he/she will write to the governor concerned setting out the reasons why the matter has been referred for decision by the Committee and invite the governor to make written representation.

10. Reasons for the removal from office include, but may not be limited to, any of the following:

- Conduct that is inconsistent with the ethos or religious character and has or is likely to bring the school, the governing body or their office as a governor, or the LA into disrepute.
- Serious failure to co-operate with the LA, governors or the governing body as a whole.
- Irretrievable breakdown in relationship between the governor and the governing body and/or local authority.

11. The LA Governor Appointments Committee will meet and make a decision on the matter following receipt of the written representations from both parties. If necessary, both parties may be called to a meeting to give an account of their representation.

12. If a decision to remove is made, the Chair of the LA Governor Appointments Committee will write to the governor dismissing him or her from the Governing Body of the School, setting out the reasons for the decision. A copy of the letter will be copied to the clerk to the Governing

Body. If the proposal is not agreed, the Chair of the LA Governor Appointments Committee will write to the proposer and governor concerned, setting out the reasons for the decision and advising, where appropriate, on a way forward to resolve any remaining difficulties. Any governor who is removed from office may not be appointed to a governing body as a LA governor for a period of twelve months from removal. Should the governor concerned hold office on another governing body, that position would not necessarily be affected by his/her removal from the governing body the removal relates to; however, consideration would be given to this at the same time.

## **(f)STANDING ADVISORY COUNCIL ON RELIGIOUS EDUCATION (SACRE)**

### 1. Function

- (a) To advise the Local Education Authority (LEA) upon matters connected with religious worship in county schools and religious education (RE) to be given in accordance with an agreed syllabus for the Authority.
- (b) It can require the LEA to review the RE agreed syllabus and establish an agreed syllabus at a formal meeting called an Agreed Syllabus Conference.
- (c) To consider any application made by a head teacher for their school to be released from the requirement that collective worship be wholly or mainly of a broadly Christian character for some or all of the pupils in that school (determination).

The main role, therefore, is to support effective provision of collective worship, and religious education in accordance with the Agreed Syllabus.

Each LEA should work with its SACRE to review the existing provision for RE and consider with the SACRE whether any changes need to be made in the Agreed Syllabus or in the support offered to schools.

Similarly it should work with its SACRE to monitor the provision of daily collective worship and to consider with it any action which might be taken to improve provision.

It is for the LEA to decide what matters it wishes to refer to its SACRE, but these should include methods of teaching, the choice of teaching material and the provision of teacher training.

A SACRE is not confined to advising on matters referred to it by its LEA; it may offer advice on any matters related to its functions as it sees fit.

The advice offered by a SACRE carries no statutory force. However, the LEA or school should always give careful consideration to advice offered.



LEAs are encouraged to keep their SACRE fully informed on all matters relating to RE and collective worship in their schools. This should include, where appropriate, information on individual schools following inspection by Estyn.

2. Annual Reports

SACRE must publish an annual report on its work. This should:

1. specify any matters on which it has advised the LEA
2. broadly describe the nature on that advice; and
3. Set out its reasons for offering advice on any matters which were not referred to it in the first place by the LEA.

A copy of the annual report must be sent to DCELLS (by 30<sup>th</sup> December). LEAs are encouraged to send copies of the annual report to schools and local teacher training institutions.

3. Composition

SACRE shall consist of representation from:

- Christian denominations and other religions and religious denominations, to broadly reflect the proportionate strength of the denomination in the area. It is recognised that there will be occasions when the interests of efficiency override the requirement for directly proportionate representation;
- Such associations representing teachers as, in the opinion of the authority, ought to be represented; and
- The local education authority.

It may also appoint co-opted members if required although these members have no voting rights.

It is for the LEA to appoint the members of the three groups.

Each group has a single vote on any matter to be decided by SACRE.

4. Chair

Legislation does not prescribe how the chair should be appointed. It is open to the authority to appoint the chairperson, or to allow a SACRE to appoint its own chair from its members.

5. Meetings & Business

Monmouthshire SACRE normally meets each term (3 meetings per annum) but meetings can be arranged as required.

A member from each group must be present for SACRE to be quorate.

The LEAs duty to convene a SACRE implies a duty to fund this body satisfactorily. The LEA should provide a clerk and sufficient funds for it to perform its functions.

SACRE is required to provide an annual report of its work which must be submitted to DCELLS (by 30<sup>th</sup> December).

A review of the Agreed Syllabus must be carried within every five year period.

6. Attendance \*

Apologies should be made in advance if a member cannot attend a meeting. Any member who has not attended three consecutive meetings without Apology will lose the right to his/her place. Supply cover will be paid for teachers' attendance at meetings. Religious representatives may claim expenses from their respective Organisations.

7. Membership of WASACRE

Monmouthshire SACRE is a member body of the Welsh Association of SACREs. Four SACRE representatives are nominated for attendance at WASACRE but these may be substituted as required.

The RE Adviser to SACRE shall act for the LEA at WASACRE meetings.\* Supply cover and travel expenses will be paid to teacher representatives attending meetings. Religious representatives may claim expenses from their respective organisations.

**(g) COLLABORATION AGREEMENT WITH COMMUNITY AND TOWN COUNCILS**

To review and update the Collaboration Agreement

**(h) APPOINTMENT COMMITTEE**

Appointed originally to take all decisions relevant to the recruitment of posts created as part of the management restructure 2010 this committee will appoint non-statutory chief officers and deputy chief officers.

**(i) REVIEW OF AREA COMMITTEES**

To develop terms of reference, size of areas, numbers of committees including forums and support staff, and to report back to the County Council.

**(j) COORDINATING BOARD**

- To manage the political business processes and the relationship between the constituent parts of the Council's political machinery.
- To review Council, Cabinet and Committee work programmes with a view to improving co-ordination and avoiding duplication.
- To enable Chairs to keep the Board informed of progress eg on Select Committee and other reviews.
- To share best practice across Committees and identify training and development needs
- To enable the Chief Executive to brief Chairs about forthcoming issues

**(k) REMUNERATION COMMITTEE (CHIEF EXECUTIVE)**

To make recommendations to the Council on pay and remuneration issues relating to the Chief Executive.

The Committee will meet at least annually

**(l) INVESTIGATION COMMITTEE**

Appointed pursuant to the Council's Officer Employment Procedure Rules relating to the Head of Paid Service, Chief Finance Officer and Monitoring Officer

**(m) DISCIPLINARY COMMITTEE**

Appointed pursuant to the Council's Officer Employment Procedure Rules relating to the Head of Paid Service, Chief Finance Officer and Monitoring Office

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**Monmouthshire County Council – Select Committee Terms of Reference**

<b>No. of Committees:</b>	4
<b>Frequency of meetings:</b>	Six-weekly (or as required)

**Committees and Terms of Reference:**

To undertake overview and scrutiny in line with statutory responsibilities on the following:

- Budget Scrutiny: quarterly budget monitoring and scrutiny of draft budget proposals
- Performance scrutiny: 6 monthly Outcome Based Accountability performance monitoring, scrutiny of complaints, scrutiny of the Improvement Plan, scrutiny of Outcome Agreements together with other non-statutory performance-related scrutiny
- Risk Monitoring: 6 monthly scrutiny of the Whole Authority Risk Log

To review, constructively challenge and hold the Council and other relevant public bodies and partner organisations to account in addressing key priorities through the planning and delivery of services to ensure the following:

<b>Children &amp; Young People's Select Committee</b>	<b>Adults Select Committee</b>	<b>Economy and Development Select Committee</b>	<b>Strong Communities Select Committee</b>
<p>Ensure that services are relevant and responsive to the needs of young people and protect and promote their health and well-being, including amongst others the following relevant areas:</p> <ul style="list-style-type: none"> <li>• Safeguarding Children, including social care and health, services for vulnerable children and families, Child Protection, Children in Public Care, Home Finding, Family Centres and Aids &amp; Adaptations for disabled</li> </ul>	<p>Ensure that services are relevant and responsive to the needs of Adults and protect and promote health and well-being, including amongst others the following relevant areas:</p> <ul style="list-style-type: none"> <li>• Safeguarding Adults, including Mental Health services and Disability services.</li> <li>• Adult Social Care, including Domiciliary Care, Residential Care, Nursing Home Care, Community Care, Occupational Therapy, Re-ablement, Assistive</li> </ul>	<p>Ensure they are responsive to the needs of businesses, residents and visitors and promote economic activity, including amongst others the following relevant areas:</p> <ul style="list-style-type: none"> <li>• Scrutiny of the Management of Regeneration and Culture Directorate.</li> <li>• Strategic economic development, place shaping and enterprise.</li> <li>• Promoting and sustaining economic growth.</li> <li>• Job creation and ensuring opportunities for skills and</li> </ul>	<p>Ensure they are responsive to the needs of residents and promote their safety and well-being.</p> <p>Key roles for this committee are:</p> <ul style="list-style-type: none"> <li>• To ensure the Council supports the development of new and sustainable communities and supports the resilience of existing communities through Local area co-ordination.</li> <li>• To review and improve the Council's links with the Voluntary Sector.</li> <li>• To scrutinise the delivery of the Single Integrated Plan, allocating</li> </ul>

<p>children.</p> <ul style="list-style-type: none"> <li>• Youth Justice and youth offending service.</li> <li>• Youth clubs and leisure facilities for young people.</li> <li>• Special Support Services, Pupil Support Services.</li> <li>• Education, including School Performance Management, EAS, Resource Management, Management, Governor Support, Health &amp; Safety, Financial and ICT Services, School Planning, Transport, Admissions, Student Grants and School Meals.</li> <li>• Management of Individual Schools Budgets, Schools Delegated Budgets, the Authority's Schools Individually Managed Budgets.</li> </ul>	<p>Technology, Community Meals Service, Sensory Impairment Services.</p> <ul style="list-style-type: none"> <li>• Support to Families and Carers, including Respite and Short Breaks.</li> <li>• Adult Education, including Learning Disability Services.</li> <li>• Integrated Adults Services with Health Partners.</li> <li>• Joint Strategic Needs Assessment.</li> <li>• Protecting and supporting vulnerable Adults.</li> <li>• "Transition agenda" from young people to Adults.</li> <li>• Protecting vulnerable Adults (POVA) and Supporting People.</li> <li>• Homelessness prevention.</li> <li>• Domestic Violence Service, Drug and Alcohol Services.</li> <li>• Public health and wellbeing promotion through Single Integrated Plan.</li> <li>• Leisure services in terms of health outcomes.</li> <li>• Welfare Rights.</li> <li>• Community Legal Service.</li> </ul>	<p>vocational training.</p> <ul style="list-style-type: none"> <li>• Public Health, Environmental Health and Trading Standards.</li> <li>• Public realm – Culture, libraries, museums and theatre.</li> <li>• The Planning Function – Building Control, Development Control, Local Development Plans, Economic Development and Housing.</li> <li>• Scrutiny of collaborative initiatives such as the Shared Resource Service (SRS) and CMC2 and any others as appropriate.</li> <li>• Estates and Sustainability.</li> </ul>	<p>specific scrutiny areas to other select committees where appropriate.</p> <ul style="list-style-type: none"> <li>• To scrutinise key services provided in partnership to local communities to ensure effective multi-agency action is delivered, including amongst others: <ul style="list-style-type: none"> <li>• Infrastructure and networks.</li> <li>• Highways (including SWTRA), Transport and Traffic Management.</li> <li>• Street Lighting.</li> <li>• Waste Management.</li> <li>• Community Safety.</li> <li>• Procurement.</li> <li>• Facilities and Accommodation Management.</li> <li>• Citizen Engagement.</li> <li>• Community Safety.</li> <li>• Chief Executive Function.</li> <li>• Revenues, Council Tax, Non-Domestic Rates and Finance.</li> <li>• Corporate Costs / Levies.</li> <li>• Appropriations (including external debt costs from earmarked reserves, costs resulting from fixed asset disposal).</li> <li>• Financing (including core funding from WG, council tax income).</li> </ul> </li> </ul>
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## Appendix F

### EXTRACT FROM THE COUNCIL'S CONSTITUTION

#### THE STANDARDS COMMITTEE

##### Chairing the Committee.

- i. Only an independent member of the standards committee may be the Chairman.
- ii. The Chairman will be elected by the members of the standards committee for a period not exceeding one year. The Chairman is eligible for re-election.
- iii. The election of a Chairman will be the first item of business for the standards committee at the commencement of each municipal year.

##### 9.03 Role and Function

The Standards Committee will have the following roles and functions:

(a) promoting and maintaining high standards of conduct by councillors, co-opted members and church and parent governor representatives;

(b) assisting the councillors, co-opted members and church and parent governor representatives to observe the Members' Code of Conduct;

(c) advising the Council on the adoption or revision of the Members' Code of Conduct;

(d) monitoring and from time to time reviewing the operation of the Members' Code of Conduct and protocols which apply to members of the Council, employees, contractors and other parties or organisations associated with Council activity;

(e) advising, training or arranging to train councillors, co-opted members and church and parent governor representatives on matters relating to the Members' Code of Conduct;

(f) granting dispensations to councillors, co-opted members and church and parent governor representatives from requirements relating to interests set out in the Members' Code of Conduct;

(g) dealing with any reports from a case tribunal or interim case tribunal, and any report from the Monitoring Officer on any matter referred to that officer by the Local Commissioner in Wales.

(h) mentoring and supporting the Council's Monitoring Officer in the discharge of his/her role

(i) receiving and investigating (where statute permits) reports and complaints relating to the Members' Code of Conduct and protocols approved by the Council from time to time;

(j) the exercise of (a) to (i) above in relation to the town and community councils wholly or mainly in its area and the members of those town and community councils.

(k) ensuring the Council's whistle blowing procedures operate effectively

(l) ensuring the Council's complaints procedures operate effectively and publishing an annual report on the operation of the system.

As set out in Article 9.3

**Other functions as set out in Part 3**

Functions relating to standards of conduct of members under any relevant provision of, or regulations made under, the Local Government Act 2000

Other functions delegated to the Committee by the Council in accordance with section 54(3) of the Local Government Act 2000, in accordance with any regulations made under that Act



## MONMOUTHSHIRE COUNTY COUNCIL REPORT

<b>SUBJECT:</b>	<b>APPOINTMENTS TO OUTSIDE BODIES</b>
<b>DIRECTORATE:</b>	<b>Chief Executive</b>
<b>MEETING:</b>	<b>Council</b>
<b>DATE:</b>	<b>18<sup>th</sup> May 2017</b>
<b>DIVISION/WARDS AFFECTED:</b>	<b>All</b>

### 1. PURPOSE:

- 1.1 To appoint representatives to serve on outside bodies.

### 2. RECOMMENDATIONS:

- 2.1 That the Council make appointments to the outside bodies set out in the attached schedule, with the exception of joint committees listed in Category B, which are Cabinet appointments.

### 3. REASONS:

- 3.1 A schedule of appointments to outside bodies is attached. With some exceptions, appointments are normally made for the term of the Council.

### 4. RESOURCE IMPLICATIONS:

- 4.1 In most cases members will be able to claim travel allowances from the County Council. In some cases these expenses are payable by the appropriate outside body.

### 5. CONSULTATION:

Cabinet, Senior Leadership Team, Monitoring Officer

### 6. BACKGROUND PAPERS:

List of Appointments to Outside Bodies  
Gwent Police and Crime Panels (Wales) – Guidance Paper

### 7. AUTHOR:

#### CONTACT DETAILS:

**Telephone:** Kellie Beirne, Chief Officer Enterprise

**Email:** [kelliebeirne@monmouthshire.gov.uk](mailto:kelliebeirne@monmouthshire.gov.uk)



**MONMOUTHSHIRE COUNTY COUNCIL**

**REPRESENTATION ON OUTSIDE BODIES (MAY 2017)**

**Appendix A**

**Category A - Regional/National**

<b>No.</b>	<b>Body</b>	<b>Term of Office</b>	<b>Source of Members Allowances / Expenses</b>	<b>No. of Reps</b>	<b>Name of Councillor Appointed</b>	<b>Appointed at Council on</b>
1	Brecon Beacons National Park Authority	Term of Council	National Park	2	Cllr. A.E. Webb Cllr. M. Hickman	17th May 2012 17th May 2012
3	Appointments Panel for East Wales Valuation Tribunal	Term of Council	Council	3	Cllr. R.J. Higginson Cllr. G.L. Down Cllr. R.P. Jordan	17th May 2012 17th May 2012 17th May 2012
4	Oldbury Power Station Stakeholder Group	Term of Council	Council	1	Cllr. D.L. Dovey	17th May 2012
5	Gwent Police and Crime Panel (Appendix B)	Term of Council	Police & Crime Commissioner	2	Cllr P.R. Clarke Cllr Mrs F. Taylor	21 <sup>st</sup> June 2012 21 <sup>st</sup> June 2012
6	Joint Council For Wales (Previously Provincial Council for Wal	1 Year	<b>Council</b>	2 plus 1 Sub.	Cllr. P. Murphy Cllr. R.J.Higginson (Substitute: none appointed )	15th May 2014 27 <sup>th</sup> July 2012
7	National Resources Wales / Caldicot and Wentlooge advisory group / Lower Wye advisory group.	4 Years	<b>Drainage Board</b>	9	Cllr. A.E. Easson Cllr. P. Murphy (substitute) Advisory Group: Cllr. E.J. Hackett Pain Cllr. A.E. Webb Cllr. S. White Cllr. R.J.C. Hayward Cllr. A.M. Wintle Cllr. G.L. Down	17th May 2012 17th May 2012 17th May 2012 17th May 2012 17th May 2012 17th May 2012 17th May 2012 17th May 2012 17th May 2012
8	Local Government Association	1 Year	L.G.A.	2	Leader Deputy Leader	17th May 2012 17th May 2012

No.	Body	Term of Office	Source of Members Allowances / Expenses	No. of Reps	Name of Councillor Appointed	Appointed at Council on
9	Local Government Association-Rural Commission	1 Year	L.G.A	2	Cllr. Mrs. R. Edwards <i>Cllr Mrs. A.E. Webb</i>	17th May 2012 17th May 2012
11	South Wales Fire Authority	Term of Council	Council	2	Cllr. Mrs V.E. Smith <i>Cllr. Mrs. M.E.Powell</i>	17th May 2012 16th May 2013
13	Wye Valley Area of Outstanding Natural Beauty Joint Committee	Term of Council	Council	4	Cllr. D. Dovey Cllr. Mrs E. Hacket Pain Cllr. Mrs. A. Webb Cllr. D. Blakebrough	15th May 2014 17th May 2012 17th May 2012 17th May 2012
14	Welsh Local Government Association	Term of Council	W.L.G.A.	2	Leader Cllr. R. Greenland	17th May 2012 15th May 2014
15	W.L.G.A. Co-ordinating Committee	Term of Council	Council	1	Leader	17th May 2012
16	Flood Risk Mgmt Committee Wales				See Category G-WLGA Appointments	
19	Welsh Centre for International Affairs	Term of Council	Council	1	Chairman of Council	17th May 2012
20	Institute of Welsh Affairs	Term of Council	Council	1	Chairman of Council	17th May 2012
22	Reserve Forces and Cadets Association for Wales	Term of Council	The Association	1	Cllr. J. Prosser	17th May 2012
23	S.E. Wales Strategic Planning Group	Term of Council	Council	2	Cabinet Member for Resources (Cllr P.Murphy) and the Chairman of Planning(Cllr R Edwards)	16th May 2013 17th May 2012
25	Welsh Books Council	Term of Council	Council	1	Cllr. R. Greenland	15th May 2014
26	Welsh European Funding Office Objective 3 Monitoring Committee	Term of Council	Council	1	Cllr R.P. Jordan	17th May 2012
27	Scrutiny Champions Wales Network	Term of Council	Council	1	Cllr J. Prosser	15th May 2014
28	Monmouthshire Adoption Panel	Term of Council	Council	1	Cllr. P. Jones	17th May 2012
29	Monmouthshire Fostering Panel	Term of	Council	1	Cllr. R.G. Harris	17th May 2012

No.	Body	Term of Office	Source of Members Allowances / Expenses	No. of Reps	Name of Councillor Appointed	Appointed at Council on
		Council				

Category 'B' – Joint Committees - Appointments made by the Cabinet

No.	Body	Term of Office	Source of Members Allowances	No. of Reps	Name of Councillor Appointed	Appointed at Cabinet
1	Gwent Joint Records Committee	Term of Council	Council	2	Councillor D. Edwards Councillor R.J.Higginson	6 <sup>th</sup> June 2012 6 <sup>th</sup> June 2012
2	Gwent Joint Cremation Committee	Term of Council	Council	2	Councillor S.B.Jones Councillor K.G.Williams <i>Note: at least one Cabinet member necessary</i>	6 <sup>th</sup> June 2012 5 <sup>th</sup> June 2013
3	Wales Purchasing Consortium	Term of Council	Council	1	Councillor P.Murphy	6 <sup>th</sup> June 2012
4	Prosiect Gwyrdd Joint Committee	Term of Council	Council	2	Councillor S.B.Jones Councillor P.Murphy	6 <sup>th</sup> June 2012

**Category ‘C’ – Joint Committees and Local Authority Companies – Appointments Made By The Council**

No.	Body	Term of Office	Source of Members Allowances	No. of Reps	Name of Councillor Appointed	Date Appointed at Council
1	Pension Fund Management Group (Joint Committee with Torfaen)	Term of Council	Council	3	Cllr. P. Hobson Cllr. P. Clarke Cllr. A.Easson	15th May 2014 15th May 2014
2	Aneurin Bevan Community Health Council	Term of Council	Council	3	Cllr. A.Easson Cllr. K. Williams Cllr. V.E. Smith	16th May 2013 14th May 2015 17th May 2012
3	Aneurin Bevan Local Health Board-Stakeholder Reference Group	Term of Council	Council	1	Cllr. J.L. Prosser	17th May 2012
4	Board of Monmouthshire Housing Association	Term of Council		4	Cllr. P.R. Clarke Cllr Mrs S.White Cllr. A.E. Webb Cllr A Wintle	17th May 2012 17th May 2012 17th May 2012 16th May 2013
5	Education Achievement Service	Term of Council	Council	2	Cllr E.J. Hackett Pain (Cabinet Member for Schools and Learning-as representative member of JEG. Cllr R. Greenland -to Board of Directors	21 <sup>st</sup> June 2012
6	SRS Business Solutions Ltd	Term of Council	Council	2	County Councillor P. Murphy (Cabinet Member with portfolio responsibility for finance) appointed as the representative member to the company and County Councillor R.J.W. Greenland to the Company’s Board of Directors.	21 <sup>st</sup> June 2012
	SRS Public	Term of Council	Council	1	County Councillor P Murphy (Cabinet Member with portfolio for Resources).	
7	CMC <sup>2</sup>	Term of Council	Council	2	County Councillor P.A. Fox (Leader) as the representative member to the company and County Councillor R.J.W. Greenland to the Company’s Board of Directors.	21st June 2012

No.	Body	Term of Office	Source of Members Allowances	No. of Reps	Name of Councillor Appointed	Date Appointed at Council
				1	One opposition member as observer: Councillor A.C.Watts  (Board suggest that this can be done on a rotating basis so CMC2's messages can be circulated wider. )	16 <sup>th</sup> May 2013



**Category 'D' - Voluntary Organisations**

<b>No.</b>	<b>Body</b>	<b>Term of Office</b>	<b>Source of Members Allowances</b>	<b>No. of Reps</b>	<b>Name of Councillor Appointed</b>	<b>Date Appointed at Council</b>
1	Borough Theatre Voluntary Management Committee	Term of Council	Council	1	Cllr R. Greenland	15th May 2014
2	Monmouthshire and Brecon Canal Working Party	Term of Council	Council	1	Cllr. D.Edwards	16th May 2013
3	Wales Council for the Blind	Term of Council	Council	2	Cllr. R.J.C. Hayward Cllr. R.P. Jordan	17th May 2012 17th May 2012
4	Disability Wales (previously known as Wales Council for the Disabled )	Term of Council	Council	2	Cllr. S. Jones Mr. A. James	17th May 2012 17th May 2012

Category 'E' Local Interest

No.	Body	Term of Office	Source of Members Allowances	No. of Reps	Name of Councillor Appointed	Date Appointed at Council
5	Monmouthshire County Citizens Advice Bureau	Term of Council	Council	2	Cllr P. Murphy Cllr P. Farley Two observers at trustee board meetings	15 <sup>th</sup> May 2014
6	Chepstow Senior Citizens Centre Welfare Trust	Term of Council	Council	3	Cllr.P.Farley Cllr D. Dovey	16th May 2013 15 <sup>th</sup> May 2013
7	Llandogo Village Hall Committee	Term of Council	Council	1	Cllr. D. Blakebrough	17th May 2012
8	Llanellen Village Hall Committee	Term of Council	Council	1	Cllr. M. Hickman	17th May 2012
9	Llanfoist Villagers Association	Term of Council	Council	1	Cllr. M. Hickman	17th May 2012
11	Raglan Community Centre Committee	Term of Council	Council	1	Cllr. P. Jones	17th May 2012
12	Monmouth School and Haberdashers' Monmouth School for Girls	Term of Council	Council	1	Cllr. S. White	17th May 2012
13	Abergavenny Educational Foundation of King Henry VIII- Governors	Term of Council	Council	5	Mr. C.D. Woodhouse Mr. R. Hill Cllr.M. Hickman Cllr.R.P. Jordan Cllr. M. Powell	17th May 2012 17th May 2012 17th May 2012 17th May 2012 17th May 2012
14	Wye Navigation Advisory Committee	Term of Council	Council	1	Cllr. A Webb	17th May 2012
15	Pratts Charity, Mathern	4 years from appointment	Council	2	Cllr G.L. Down Cllr P. Murphy	21 <sup>st</sup> June 2012 16 <sup>th</sup> November 2011
16	Gwent Police Animal Welfare Committee	Term of Council	Council	1	Cllr. D. Blakebrough	17th May 2012
17	Monmouthshire Local Access Forum	Term of	Council	1	Cllr. A. Webb	15th May 2014

No.	Body	Term of Office	Source of Members Allowances	No. of Reps	Name of Councillor Appointed	Date Appointed at Council
		Council				
18	Clydach Ebenezer Chapel Fund Committee	Term of Council	Council	1	Simon Howarth	17th May 2012

Category 'F' - Other

No.	Body	Term of Office	Source of Members Allowances	No. of Reps	Name of Councillor Appointed	Date Appointed at Council
1	Best Kept Village Competition	Term of Council	Council	6	Cllr. P.R. Clarke Cllr. D. Evans Cllr. B. Strong Cllr. S. White Mr.. J. Major Cllr J Crook	17th May 2012 17th May 2012 17th May 2012 17th May 2012 17th May 2012 16 <sup>th</sup> May 2013
2	Gwent Association of Voluntary Organisations	Term of Council	Council	1	Cllr. A. Wintle	17th May 2012
3	Monmouthshire Sportlot Community Chest Committee	2 years	Council	3	Cllr B. Strong Cllr. S. Howarth Cllr. P. Hobson	12th May 2016 12th May 2016 14th May 2015
4	Local Government Flood Forum	Term of Council	Council	1	Cllr. P.R. Clarke	17th May 2012
5	Armed Forces Champion	Term of Council	Council	1	Cllr. J.L. Prosser	

**Category 'G' - Appointments Determined by W.L.G.A**

<b>No.</b>	<b>Body</b>	<b>Term of Office</b>	<b>Source of Members Allowances</b>	<b>No. of Reps</b>	<b>Name of Councillor Appointed</b>	<b>Nominated at Council</b>
1	Flood Risk Management Committee Wales (in rotation with Powys and Torfaen)	Term of Council	WLGA	1	Councillor S.B.Jones	16th May 2013

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## **Police and Crime Panels (Wales)**

Police and crime panels are being introduced in every force area to scrutinise the actions and decisions of police and crime commissioners. Panels will support and challenge the commissioner in the exercise of their functions, acting as a critical friend.

Panels will not replace police authorities and therefore will not be responsible for scrutinising the performance of the force. This is the role of the commissioner.

### **Purpose**

Panels will focus their attention on key strategic actions and decisions taken by the commissioner including whether they have achieved the objectives set out in their police and crime plan and annual report, considered the applicable priorities of community safety partners and consulted appropriately with the public.

Transparency will be a key tool for the panel; ensuring information about key issues is available to the public so that they can hold the commissioner to account for their decisions.

### **Status**

Panels in Wales are not local authority committees but free-standing public bodies set up and maintained by the Home Secretary in accordance with the Police Reform and Social Responsibility Act.

### **Panel Powers**

The functions of a panel in Wales are those set out in the Act and are the same as those of a panel in England.

Panels have specific responsibilities around the **Police and Crime Plan** and **Annual Report**. These include making reports and recommendations about each of the two documents, to which the commissioner must have regard and provide a response.

Panels must make reports about the proposals by the commissioner on:

- The level of the precept. They *may* also make a recommendation; and
- The appointment of a chief constable. They *must* also make a recommendation.

The panel can veto the commissioner's proposals on these two issues with a two thirds majority vote.

To ensure transparency and openness, the panel must publish all reports and recommendations that it makes. The commissioner is required to also publish their responses to the panel. The panel must also question the commissioner about any concerns about the Annual Report in an open public forum.

Other specific powers held by the panel include:

- Asking HMIC for a professional view when the commissioner intends to dismiss the chief constable. In cases of dismissal (forced resignation or retirement) the panel must hold a scrutiny hearing and make a recommendation to the commissioner.
- Appointing an acting commissioner where the elected commissioner is incapacitated, resigns or is disqualified.
- Holding confirmation hearings for key staff – Chief Executive and Chief Finance Officer and for any Deputy. Panels will have no power of veto but could make a recommendation to the commissioner.
- Monitoring complaints against the commissioner and resolving non-criminal complaints.

Police and crime panels have additional powers to enable their strategic scrutiny function including:

- requiring any papers in the commissioner's possession (except those that are operationally sensitive);
- requiring the commissioner (and their staff) to attend the panel to answer questions;
- inviting the chief constable to attend any such meetings to support their scrutiny of the commissioner; and
- making reports and recommendations on any action and decision of the commissioner.

### Membership

Panels in Wales will comprise of at least one councillor from each local authority within the force area and two independent co-optees. Panels should include a minimum of ten elected representatives; therefore each authority will have one place for one of their members by right, with the distribution of the remaining seats to be determined by local authorities or the Home Secretary.

Councillors are democratically accountable to the public and are aware of the principles of scrutiny. Therefore they will make up the majority of the panel. However, as panels are freestanding bodies in Wales, membership will be a voluntary public appointment.

Being a councillor is what makes the person eligible for appointment to a panel, but the person does not act in their capacity as councillor when serving on the panel. Serving on the panel is not part of their local authority duties, any more than if they were appointed to any other public office in tandem with being a councillor.

In Wales, the Home Secretary will be responsible for establishing panels. However, to ensure that these panels are right for the local area she will invite local authorities within Wales to take a leading role in this process. This will include inviting local authorities in the force area to nominate councillors for appointment to the panel.

In nominating panel members local authorities must consider, as far as is practicable, the balanced appointment objective laid out in the Act. This includes the



make-up of the local areas, including the political make-up, and the required skills, knowledge and experience for the panel to function effectively. In the absence of nominations, the Home Secretary will nominate members of local authorities for the panel taking into account the need for balance. The detail of this backstop process will be detailed in guidance.

Once established, panels will be able, with the Home Secretary's consent, to co-opt further members, both elected and independent, up to a maximum panel size of twenty.

## Establishing Panels

### **Local authorities**

The process for establishing panels will be the same in Wales and England as far as is practicable under provisions in the Act. The power to decide the practical arrangements for the operation of a panel in Wales rests with the Home Secretary; however she will accept agreed arrangements suggested to her by the local authorities. For example, local authorities across a force area will be free to nominate a host authority to administer the panel. This flexibility will allow for local discretion in the running of Panels and will enable local authorities to absorb these new functions into their current working arrangements. In the absence of suggestions from the local authorities, the Home Secretary will decide the panel arrangements herself.

Although panels will be outside local authority structures, there will be significant opportunities to consider the relationship between the panel and other local authority structures, such as crime and disorder overview and scrutiny committees and community safety partners. This will ensure that panel members are fully informed and engagement between the commissioner and panel is purposeful.

### **Home Office**

The Home Office will issue guidance on establishing panels, and will publish related Regulations, in Spring 2012.

## FAQ

### ***What is the status of a panel in Wales?***

A PCP in Wales is not a local authority committee but is a free-standing public body set up and maintained by the Home Secretary in accordance with Sch.6 to the Act.

It is an unincorporated association – that is, a body of people with no corporate legal personality separate from that of its members.

The functions of a panel in Wales are those set out in the Act and are the same as those of a panel in England.

### ***What is the status of panel decisions in Wales?***

The Act confers various functions on panels. A decision of the panel as to how to exercise those functions is a decision of the panel. It is not a decision of the Home Secretary, the local authorities or anyone else.

***How will the panel power of veto over precept work in Wales?***

The Act does not make any change to the Local Government Finance Act 1992 except for: replacing police authorities with the commissioner as the major precepting authority; and making provision for panels to scrutinise the commissioner's precept.

The 1992 Act provisions on capping remain unchanged and Welsh Ministers will continue to have their current capping powers. The commissioner will need to be mindful of these when setting the precept.

***How much funding will the Home Office provide?***

The Home Office will provide funding to help Panels to do the job required of them under the new legislation. This funding will be a total of £53,300 per panel per annum for support and running costs. In addition we will make available up to £920 per member of the Panel (including additional co-optees) per annum to fund necessary expenses. Funding in 2012/13 will be approximately half this annual amount as panels will only be in place for six months of the financial year (October to March).

***Has the funding increased?***

The original funding allocation was based on the first draft of the legislation. Since then, additional legislation has clarified the role and potentially increased the size of Panels. This includes legislation derived from amendments to the Bill during its passage through the House of Lords and the development of specific regulations in relation to complaints against the Commissioner. We have been clear that we will fund Panels to do the job set out for them under the legislation. As a result, we have increased the funding allocation for Panels to £53,300 per area per annum for support and running costs. We have also made available funding to cover the necessary expenses of all Panel members, including the additional co-opted members.

***When will funding begin?***

Funding will begin in October 2012. This will ensure that the Panel can meet and agree procedures before Commissioners are in place in November, when the work of Police and Crime Panels really begins.

***What will be the role of the host authority?***

Panels in Wales will be established outside of local government structures and will not be committees of local authorities. However, local authorities will be enabled to take ownership of panels so that they reflect and fit within the force area structures as far as is practicable. In order for this to occur, as in England, a host authority from within the force area could be nominated. They would then receive funding from the Home Office for establishing and maintaining the panel.

***Who decides how the Panel is going to function?***

The Home Secretary will have responsibility for ensuring that a panel is established. This will include ensuring that the panel is balanced as far as is practicable, taking into consideration the make-up of the area, including the political make-up, and the skills, experience and knowledge required for its functioning. It will also include

establishing panel arrangements (details of which are set out in the Act and include arrangements for co-options and appointments).

However, to ensure that panels in Wales are right for the local area she will invite local authorities within Wales to take a leading role in this process. This will include inviting them to nominate members and produce their own panel arrangements which fit into their current working structures.

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## MONMOUTHSHIRE COUNTY COUNCIL REPORT

<p><b>SUBJECT: MEMBERS' SALARIES AND PAYMENTS</b> <b>MEETING: COUNTY COUNCIL</b> <b>DATE: 18<sup>th</sup> May 2017</b> <b>DIVISION/WARDS AFFECTED: COUNTYWIDE</b></p>
---

### 1. PURPOSE:

To set out the determinations of the Independent Remuneration Panel for the civic year 2017/2018 and to give Council the opportunity to determine which roles should receive a senior salary.

### 2. RECOMMENDATIONS:

#### 2.1 That members note the determinations of the Panel that:

- i. An annual basic salary of £13,400 is paid to all members with effect from 9 May 2017.
- ii. The County Council may pay senior salaries to up to 17 members. In addition, the Chair and Vice Chair may also receive a civic salary each making a total of 19 senior salaries.
- iii. The level of senior and civic salaries that may be paid for relevant duties, some of which may now be paid at different levels at the discretion of the Council. A summary of the options is detailed below;
  - a. Level 1 (£26,100) or Level 2 (£23,500) payments for members of the executive
  - b. Level 1 (£22,100) or Level 2 (£20,100) payments made to Chairs of committees dependent on the level of responsibility attached to that role as determined by the Council.
- iv. Care allowance for care of dependent children and adults shall be payable for actual and receipted costs up to a maximum of £403 per month.
- v. Daily fees of £256 (pro rata for ½ days) be paid to co-opted Chairs of Standards and Audit Committees
- vi. Daily fees of £198 (pro rata for ½ days) be paid to ordinary co-opted members of Standards, Education Scrutiny, Crime and Disorder Scrutiny and Audit committees
- vii. Travel and subsistence allowances are set out in report at Appendix 2.

#### 2.2 That members determine:

- i. Which roles should attract a senior or civic salary, up to a maximum of 19 including the civic and deputy civic head.
- ii. The level of senior or civic salary to be paid where appropriate.

**3. KEY ISSUES:**

- 3.1 The Local Government Measure 2011 has repealed the former regulations requiring the Council to maintain a scheme of members' allowances and strengthened the role of the Independent Remuneration Panel for Wales (the Panel) in determining the level and scope of payments for all authorities in Wales.

**4. REASONS:**

To give effect to the determinations of the Independent Remuneration Panel for Wales.

**5. RESOURCE IMPLICATIONS:**

Due to the option of payment levels contained within the report, savings may be made compared to 2016/17 however the extent of potential savings is dependent on the decision taken by the Council in relation this item.

**6. SUSTAINABLE DEVELOPMENT AND EQUALITY IMPLICATIONS:**

None

**7. SAFEGUARDING AND CORPORATE PARENTING IMPLICATIONS:**

None

**8. CONSULTEES:**

Cabinet  
Senior Leadership Team  
Monitoring Officer  
Democratic Services Committee

**9. BACKGROUND PAPERS:**

Independent Remuneration Panel for Wales – Annual Report, February 2017.

**10. AUTHOR:**

Kellie Beirne, Chief Officer Enterprise  
Email: [kelliebeirne@monmouthshire.gov.uk](mailto:kelliebeirne@monmouthshire.gov.uk)



# Independent Remuneration Panel for Wales

## Annual Report

February 2017

Mae'r ddogfen yma hefyd ar gael yn Gymraeg.  
This document is also available in Welsh.

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## Foreword

There have been some changes to the membership of the Panel this year. The 2016 Report was the last produced under the leadership of Richard Penn as Chair. I and other members are most grateful for the guidance he gave to the Panel during his tenure of office. We have 3 new members – Julie May who was appointed from 1 January 2016, Sarah (Saz) Willey and Roger Symonds, both appointed from 1 June 2016. Stephen Mulholland and Gregory Owens have been re-appointed as Panel members from 1 January 2017. The full membership is set out below.

We have made some adjustments to the format of the Report which we hope will make the content clearer and more concise.

Specific changes to our determinations include a very modest increase to the basic salary for elected members with consequential increases for National Park Authorities and Fire and Rescue Authorities. This increase of 0.75% is the first for 3 years and follows the slight easing of restraint in the pay of public sector employees.

We are introducing arrangements to recognise the implications of long term sickness of senior salary holders. We have also made changes to provide more flexibility for authorities without undermining the principle of prescribing payments which still has continuing support.

The Local Government (Wales) Act 2015 widened the remit of the Panel to give consideration to proposed changes to the salaries of chief officers of principal councils, effectively an extension of our role in respect of the heads of paid service of councils and Fire and Rescue Authorities. We have made recommendations on several submissions during the year; these can be found in Section 15 of the Report.

I would thank those organisations and individuals who responded to our Draft Report. Each of these has been examined and where considered appropriate, acted on. I would thank my colleague Panel members and also our diligent and committed secretariat for the significant input into our work during the year.

John Bader  
Chair

## Panel Membership

John Bader – Chair  
Gregory Owens - Vice Chair  
Stephen Mulholland

Julie May  
Saz Willey  
Roger Symonds

Detailed information about the members can be found on the website:  
<http://gov.wales/irpwsb/home/?lang=en>



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## Introduction



**This is the ninth Annual Report of the Independent Remuneration Panel for Wales (the Panel), and the sixth published under the requirements of the Local Government (Wales) Measure 2011.**

1. As with the Panel's previous Annual Reports its determinations on member remuneration are underpinned by a set of principles set out in Section 1 of this Annual Report.
2. The Panel remains firmly of the view that maintaining the democratic values of local governance cannot be cost-free. Members of local authorities (including co-opted and appointed members) are there to represent the interests of local people, undertake the governance of local communities, and secure value-for-money public services for local tax-payers through effective scrutiny. These are significant and considerable tasks for members of relevant authorities within the Panel's remit. Publicly funded remuneration is made available to encourage a diversity of willing and able people to undertake local governance through their elected, appointed or co-opted roles.
3. The Local Government (Democracy) (Wales) Act 2013 amended the Local Government (Wales) Measure 2011 by inserting Section 143A. This requires that any principal council or fire and rescue authority that intends to change the salary of its Head of Paid Service must consult the Panel unless the change is in keeping with changes applied to other officers. Section 143A also enables the Panel to take a view on anything in the Pay Policy Statement of an authority that relates to the salary of the Head of Paid Service (normally the Chief Executive or Chief Fire Officer). The Local Government (Wales) Act 2015 extended this responsibility, on a temporary basis to Chief Officers of principal authorities. The Panel's approach to its use of these powers is set out in Section 15 of this Report and accords with the guidance issued to the Panel by the Welsh Government.
4. In determining the level of payments to members of local councils, the Panel has sought to meet its principle of '*acceptability*' by ensuring that these are not '*so great as to require a significant diversion of resources from key council priorities*'. But Section 142(8) of the Measure is more explicit on '*affordability*' when it states that "*when setting an amount<sup>1</sup> ...the Panel must take into account what it considers will be the likely financial impact of doing so on relevant authorities*". Meeting the requirement of the Measure in regard to affordability has been a challenge for the Panel, not least because of public interest in the payments made to members. The Panel acknowledges that the issue of affordability – in relation both to relevant authorities' service budgets

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<sup>1</sup> <http://www.legislation.gov.uk/mwa/2011/4/contents/enacted>.

and to the electorate's disposable incomes – is likely to exert a powerful impact on the public perception of any increases to members' payments.

5. As a charge on the public purse, payments to members for their time, worth and responsibility must be, and must be seen to be, fair and affordable. The Panel's determinations in its 2009 Report aligned payments to the median gross earnings of all full-time employees resident in Wales as reported in the Annual Survey of Hourly Earnings (ASHE). The basic salary was set at three-fifths of the All Wales Median Salary and senior salaries were set at multiples of this annual median salary. In setting these salaries the Panel recognised that there was an unpaid public service contribution.
6. Because of the financial constraints on the public sector and local authorities specifically it has not been possible to maintain the link with average Welsh earnings. On the original basis of 3/5ths of the average the basic annual salary would be in excess of £14,700. The Panel has been mindful of the financial constraint which is the reason that the basic salary of elected members of principal councils has not been increased since 2013. In reaching this decision account was taken of the freeze in salaries to the staff of councils. There has been a modest relaxation more recently and small increases have been allowed.
7. In view of these factors, the Panel has decided that it is appropriate to provide for a very modest uplift to the basic annual salary of £100 which is approximately 0.75%. No increase is proposed for senior salaries but these post holders will receive the uplift in the basic salary element.
8. While in the current economic circumstances it is not possible to reinstate the link between basic salary and average Welsh earnings, the Panel will, in the future examine possible benchmarks that would be appropriate for the remuneration of elected members.
9. The Annual Report 2016 introduced two levels of salary for members of councils' executives and committee chairs of principal authorities, Fire and Rescue Authorities (FRAs) and National Park Authorities (NPAs). This was to provide flexibility to enable authorities to reflect, in their schedules of remuneration, variations in the level of responsibility of portfolios and chairs. The Panel has examined the schedules for 2016/17 and has established that no principal council has introduced differential payments within cabinets or to chairs of committees.

For members of executives:

- 20 councils have paid at level 1
- 2 councils have paid at level 2

For committee chairs:

- 20 councils have paid at level 1
- 2 councils have paid at level 2

As this has only been in place for one year the Panel is retaining this facility for flexibility to reflect variations in the levels of responsibility in the remuneration applied to specific senior posts. The newly elected councils should consider using this flexibility when determining their cabinet and committee structures.

10. Since the Welsh Government introduced regulations relating to Family Absence of elected members of principal councils, the Panel has incorporated remuneration issues related to such absences in its framework. We have received comments that the same arrangements do not apply to absences caused by long term sickness. We have recognised this and have included in this Report a provision to allow principal councils, NPAs and FRAs to make arrangements to cover cases of long term sickness absence of senior salary holders.
11. The Panel remains concerned about the variation and inconsistency of support provided to members to enable them to discharge their functions effectively. We have repeatedly determined that such support should be provided without cost to the individual elected member, and that the cost of support must be appropriate, reasonable and publicly declared. Deductions must not be made from members' salaries by the authority as a contribution towards those support costs which the authority considers necessary for the effectiveness and/or efficiency of members. However, we are aware that this has not been fully implemented by some authorities. It is intended to undertake a detailed analysis of the Schedules for 2016/17 and the publication information from the previous year and take up any matters of non-compliance individually.
12. The Panel expects that the support provided should include taking account of the specific needs of individual members. The functions of Democratic Services Committees include a requirement to review the level of support provided to members to carry out their duties and the Panel would expect these committees to carry this out and bring forward proposals to the full council as to what is considered to be reasonable. Members of Democratic Service Committees and Heads of Democratic Services indicated at our meetings with them that it would be beneficial for authorities to be proactive in sharing information and establishing benchmarks for levels of provision and good practice in how authorities support the work of elected members. We are unaware whether there has been progress in implementing this proposal.
13. The Panel notes that members have not always utilised the support that has been provided through the Panel's remuneration framework, particularly in respect of the care allowance. Some members are reluctant to claim all that they are entitled to claim in support of their work, particularly the care allowance, because of concerns about the adverse publicity this can attract. Democratic Services Committees should take steps to encourage and facilitate eligible members in claiming these allowances.
14. Care Allowances were available to elected members of principal councils several years prior to the Panel's formation. We have extended the provision

to all relevant authorities. There has been very limited take up across all of the organisations within the remit of the Panel. We believe that the major factor for this poor take up is concerns about adverse publicity on individual members. So we have decided to allow optional approaches to the publication of costs of care. We have also decided to use the term “reimbursement of costs of care” to replace care allowance, as a result of discussion with the WLGA leadership.

15. The Panel reiterates the need for all involved to encourage individual members to access all the available support, including for care, which now includes its provision for members who themselves require personal support and assistance.
16. The Panel has continued to contribute wherever possible to enhancing diversity in local government in Wales through its determinations. To take this a step further the Panel has produced a leaflet for prospective candidates on the remuneration of members of councils. We are aware and pleased that several principal councils have added this leaflet to their websites.
17. Section 153 of the Measure empowers the Panel to monitor relevant authorities’ compliance with its requirements. Although there has been significant reduction in non-compliance within most authorities. The Panel considers that consistency can be improved by the use of a standard pro forma and will consult on this in early summer 2017.
18. However, there are still major issues to be addressed with community and town councils which the Panel will be raising with individual councils and their representative organisations.
19. Since assuming the additional responsibility in respect of changes to the salaries of chief officers of principal councils the Panel has dealt with several submissions. The Panel’s decisions are attached at Section 15.

## Implementation of Determinations

Elections for principal councils and community and town councils will take place on 4 May 2017. Section 26(3) of The Local Government Act 1972 determines that on the 4th day following the election persons who were councillors before the election will retire and newly elected members will assume office. Therefore the effective dates for the implementation of the determinations contained in this Report are:

- For principal councils:
  - Basic and senior salary holders - 8 May 2017, (subject to the member having signed the declaration of acceptance).
  - Chairs/Mayor – civic salary is payable where the chair/mayor remains in post until a successor is appointed at the authority's Annual General Meeting following the election<sup>2</sup>
- For National Park Authorities –With effect from 1 April 2017.
- For Fire and Rescue Authorities – With effect from the Annual Meeting of the Authority.
- For community and town councils - 8 May 2017 (subject to the member having signed the declaration of acceptance).

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<sup>2</sup> Local Government Act 1972 Part 2 Section 22(2)

# **1. The Panel's Framework: Principles of Members' Remuneration**

## **Upholding trust and confidence**

- 1.1 Citizens rightly expect that all those who choose to serve in local authorities uphold the public trust by embracing the values and ethics implicit in such public service. These principles underpin the contribution that the work of the Panel and its Framework make towards upholding public trust and confidence.

## **Simplicity**

- 1.2 The Framework is clear and understandable. This is essential for the Panel to be able to communicate its determinations effectively to all those who are affected by, or who have an interest in, its work.

## **Remuneration**

- 1.3 The Framework provides for payment to members of local authorities who carry a responsibility for serving their communities. The level of remuneration should not act as a barrier to taking up or continuing in post. There should be no requirement that resources necessary to enable the discharge of duties are funded from the salary. The Framework provides additional recompense for those who are given greater levels of responsibility.

## **Diversity**

- 1.4 Democracy is strengthened when the membership of local authorities adequately reflects the demographic and cultural make-up of the communities such authorities serve. The Panel will always take in to account the contribution its framework can make in encouraging the participation of those who are significantly under-represented at local authority level.

## **Accountability**

- 1.5 Taxpayers and citizens have the right to receive value for money from public funds committed to the remuneration of those who are elected, appointed or co-opted to serve in the public interest. The Panel expects all principal councils to make information readily and appropriately available about the activities and remuneration of their members.

## **Fairness**

- 1.6 The framework will be capable of being applied consistently to members of all local authorities within the Panel's remit as a means of ensuring that levels of remuneration are fair, affordable and generally acceptable.

## **Quality**

- 1.7 The Panel recognises that the complex mix of governance, scrutiny and regulatory duties incumbent upon members requires them to engage with a process of continuous quality improvement. The Panel expects members to undertake such training and personal development opportunities as are required to properly discharge the duties for which they are remunerated.

## **Transparency**

- 1.8 Transparency of members' remuneration is in the public interest. Some members receive additional levels of remuneration by virtue of being elected or appointed to more than one public body. The framework serves to ensure that knowledge of all members' remuneration is made easily available to the public.

## **Remuneration of Officers**

- 1.9 The Panel applies these principles of fairness, accountability and transparency in all its determinations in relation to remuneration of members of all the authorities that fall within its remit. The same principles also apply when the Panel is required to make recommendations in relation to the remuneration of the paid officers of these authorities.



## 2. Annual Report Summary Page

Type of Payment	Type of Authority			
	Principal Councils	National Park Authorities	Fire and Rescue Authorities	Community and Town Councils
Basic Salary	page 11	page 25	page 30	N/A <sup>3</sup>
Senior Roles	page 14	page 25	page 30	page 41
Committee Chairs	page 14	page 25	page 30	N/A
Opposition Groups	page 14	N/A	N/A	N/A
Civic Heads and Deputies	page 15	N/A	N/A	page 41
Presiding Members	page 17	N/A	N/A	N/A
Mileage	page 38	page 38	page 38	page 41
Other Travel Costs	page 38	page 38	page 38	page 41
Subsistence Costs	page 39	page 39	page 39	page 42
Costs of Care	page 35	page 35	page 35	page 43
Family Absence	page 24	N/A	N/A	N/A
Sickness Absence	page 36	page 36	page 36	N/A
Joint Overview and Scrutiny Committees	page 21	N/A	N/A	N/A
Pension	page 23	N/A	N/A	N/A
Co-Optees	page 33	page 33	page 33	N/A
Specific or Additional Allowances	page 19	page 27	page 31	N/A
Payments to Community and Town Councillors	N/A	N/A	N/A	page 40
Financial Loss Allowance	N/A	N/A	N/A	page 42
Statement of Payments	page 79	page 79	page 79	Page 79
Schedule of Remuneration	Page 77	Page 77	Page 77	Page 77
Salaries of Chief Executives and Chief Officers	Page 45	N/A	Page 45	N/A

<sup>3</sup> Not Applicable

### **3. Payments to Elected Members of Principal Councils: Basic, Senior and Civic Salaries**

#### **Basic salary for elected members of principal councils**

- 3.1 Although public sector funding continues to be constrained, the Panel considers that a modest increase in the basic salary is justified and has determined there shall be an increase of £100 (which equates to 0.75%) from spring 2017 to the basic salary for members of principal councils. This will help to limit further erosion of relative levels of remuneration in the basic salary paid in recognition of the duties expected of all elected members.

**Determination 1: Basic salary in 2017/18 for elected members of principal councils shall be £13,400.**

#### **Notes to Determination 1:**

1. The responsibility element of senior salaries is not being increased but senior salary holders will receive the uplift to the basic salary.
2. The Panel originally determined (IRP Annual Report December, 2009) that the payment of basic salary would be aligned to the median gross earnings of all full-time employees resident in Wales as reported in the Annual Survey of Hourly Earnings (ASHE). Given the pressures on public expenditure it was not possible for this alignment to be maintained. If this alignment had continued the basic salary would currently be in the region of £14,700. While in the current economic circumstances it is not possible to reinstate the link between basic salary and average Welsh earnings, the Panel will, in the future examine possible benchmarks that would be appropriate for the remuneration of elected members.

#### **Senior salaries for elected members of principal councils**

- 3.2 The limit on the number of senior salaries payable ('the cap') will remain in place. In 2017/18 the maximum number of senior salaries payable within each council will not be altered and will be as set out in Table 1.

**Table 1:** Maximum numbers of council membership eligible for payment of a senior salary

<b>Council</b>	<b>Number of councillors</b>	<b>Number of senior salaries</b>
<b>Group A</b> (populations over 200,000)		
Cardiff	75	19
Rhondda Cynon Taf	75	19
Swansea	72	19
<b>Group B</b> (populations of 100,000 to 200,000)		
Bridgend	54	18
Caerphilly	73	18
Carmarthenshire	74	18
Conwy	59	18
Flintshire	70	18
Gwynedd	75	18
Neath Port Talbot	64	18
Newport	50	18
Pembrokeshire	60	18
Powys	73	18
Vale of Glamorgan	47	18
Wrexham	52	18
<b>Group C</b> (populations of up to 100,000)		
Blaenau Gwent	42	17
Ceredigion	42	17
Denbighshire	47	17
Isle of Anglesey	30	15
Merthyr Tydfil	33	16
Monmouthshire	43	17
Torfaen	44	17

### **Payments to members of the Executive, Chairs of committees and the Leader of the Opposition**

3.3 The Panel has not changed the previous decisions in respect of the senior salaries paid to these post holders.

(i) The Executive:

The visits to all principal councils by the Panel in 2009 produced the general conclusion that Executive members should be considered as working the equivalent of full time (up to 40 hours per week) but not necessarily nine to five. However, we have stressed that in reaching this decision there was recognition that with a potential of nearly 200 Executive members (excluding Leaders) there would be a variety of arrangements and that some portfolio holders would have greater responsibility and workloads than others. But this was dependent on the specific organisational arrangements of the cabinets of each authority.

Many councils operate with a cabinet of 10, the statutory maximum, others choose to have smaller cabinets and therefore the range of individual portfolios is much greater. We have concluded that this should be able to be reflected in the remuneration framework. It is not the role of the Panel to determine the structure of cabinets of local authorities so the determinations continue to provide flexibility for each newly elected council to decide the appropriate range of portfolios to meet local needs, recognising that there is an inevitable variation on the level of responsibility and workload.

Executive members may be paid at either of the two senior salary levels below:

Level 1 -

Group A - £32,100

Group B - £29,100

Group C - £26,100

Level 2 -

Group A - £28,900

Group B - £26,200

Group C - £23,500

It is a matter for individual authorities to decide the implementation of the determinations within their specific cabinet structures.

(ii) Chairs of Committees

The Panel continues to take the view that the responsibility and function of chairing a committee is not generally influenced by population of the authority. However, there is recognition that the specific responsibility and workload of some chairs is greater than others, and this has been a topic of ongoing dialogue and debate. We consider that this should be reflected in the remuneration framework.

Where chairs of committees are paid, there are two levels of remuneration:

Level 1 chairs will be paid a salary of £22,100

Level 2 chairs will be paid a salary of £20,100

It is a matter for individual authorities to determine which chairs are paid and at which level, to reflect the appropriate responsibility attached to the specific post.

## The Senior Salary Bands

**Determination 2: The Panel has determined that senior salary levels in 2017/18 for members of principal councils shall be as set out in table 2.**

**Table 2:** Basic salary and senior salaries payable to members of principal councils

<b>Basic salary (payable to all elected members) £13,400</b>			
	<b>Group A</b> (Cardiff, Rhondda Cynon Taf, Swansea)	<b>Group B</b> (Bridgend, Caerphilly, Carmarthenshire, Conwy, Flintshire, Gwynedd, Newport, Neath Port Talbot, Pembrokeshire, Powys, Vale of Glamorgan, Wrexham)	<b>Group C</b> (Blaenau Gwent, Ceredigion, Denbighshire, Merthyr Tydfil, Monmouthshire, Torfaen, Isle of Anglesey)
<b>Senior salaries (inclusive of basic salary)</b>			
<b>Band 1</b> Leader Deputy leader	£53,100 £37,100	£48,100 £33,600	£43,100 £30,100
<b>Band 2</b> Executive members Level 1 Executive members Level 2	£32,100 £28,900	£29,100 £26,200	£26,100 £23,500
<b>Band 3</b> Committee chairs (if remunerated):	Level 1 Level 2	£22,100 £20,100	
<b>Band 4</b> Leader of largest opposition group <sup>4</sup>		£22,100	
<b>Band 5</b> Leader of other political groups		£17,100	

### Table 2 notes:

- a. The Panel considers that the leadership and executive roles (Band 1 and 2 salaries respectively) carry the greatest individual accountability and that 'size of population' remains a major factor in influencing levels of responsibility and

<sup>4</sup> Leader of largest opposition group. See IRPW Regulations, Annex 2, Part 1(2) for a definition of "largest opposition group" and "other political group".

the use of the three population groups (A, B and C) has therefore been retained. For information: Group A Population 200,000 and above; Group B Population 100,001 to 199,999; Group C Population up to 100,000.

- b. No increase is proposed for senior salaries but post holders will receive the uplift in the basic salary paid to all councillors.
- c. Committee chairs will be paid at Band 3, either Level 1 or 2 (for decision by the authority); although an individual authority may determine not to pay particular chairs.
- d. The Panel is aware of the importance placed by the Welsh Government on the value of the scrutiny function for local democracy and has noted that in total there are currently 90 chairs of scrutiny who receive senior salaries. The Panel believes that this is a clear recognition of the importance of this function.
- e. The stipulation that an opposition group leader or any other group leader must represent at least 10% of the council membership before qualifying for a senior salary remains unchanged.
- f. The Panel has determined that a council must make a senior salary available to the leader of the largest opposition group.
- g. The Panel has determined that, if remunerated, a Band 5 senior salary must be paid to leaders of other political groups.

See IRPW Regulations, Annex 2, Part 1(2) for a definition of “*largest opposition group*” and “*other political group*”.

### **Payments to Civic Heads and Deputies (Civic Salaries)**

- 3.4 The Panel maintains the view that it is appropriate for authorities to set remuneration levels which reflect activity and responsibility of civic heads and deputies rather than the local population. The Panel is aware but surprised that many councils have set the salaries for their civic heads and deputies to accord with the population groups rather than necessarily reflecting the specific responsibilities attached to the roles. For the removal of doubt, the three established groups of principal councils calculated by population are not required to be applied in relation to payments to civic heads and deputies.
- 3.5 The Panel has set three possible levels of civic salary - higher, mid and lower. Each authority must decide which level (if any) is to be paid for each of these roles according to local factors. For example, the civic head of a small council may be paid at the highest rate, whilst the civic head of a large council may be paid at the lowest rate, rates of payment to deputy civic heads may be similarly varied. This also allows for civic heads and their deputies in the same authority to be paid at different levels.

3.6 A council may decide not to apply any civic salary to the posts of civic head and/or deputy civic head.

**Determination 3: The Panel has determined that (where paid) civic salaries at the following levels are payable (Table 3) and will be applied by principal councils as each considers appropriate, taking account of the anticipated workloads and responsibilities.**

**Table 3:** Civic salaries (where paid) shall be payable as follows to members of principal councils

<b>Remuneration of civic heads and deputy civic heads</b> <i>(inclusive of basic salaries)</i>		
Responsibility Level	Civic heads	Deputy civic heads
Level 1	£24,100	£18,100
Level 2	£21,600	£16,100
Level 3	£19,100	£14,100

**Table 3 notes:**

- a. The posts of civic head and deputy civic head are not included in the cap (with the exception of Isle of Anglesey and Merthyr Tydfil Councils).
  - b. The Panel’s requirement that members should not have to pay for the cost of the support (see determination 7) that is needed to carry out their duties applies also in respect of civic heads. The Panel recognises the range of provision made for civic heads in respect of transport, secretarial support, charitable giving and clothing. The Panel does not consider it appropriate for councils to expect or require that contributions towards any such provision should be met from the net senior salaries paid to civic heads.
- 3.7. Civic roles are senior posts within councils which are distinct from political or executive leadership. In addition to chairing major meetings the civic head is the authority’s ‘first citizen’ and ‘ambassador’, representing the council to a wide variety of institutions and organisations, and this requires the post holder to exemplify and promote good citizenship.
- 3.8. Deputy civic heads are often ‘civic heads in waiting’ for the following year, ‘learning the ropes’ by participating in a separate schedule of events as well as deputising for the civic head.
- 3.9. The intention of the civic allowance as defined by sections 22(5) and 24(4) of the Local Government Act 1972 remains to allow a council to pay a chair and vice-chair of a council a salary which it thinks fit for the purposes of meeting the expenses of those offices.

- 3.10. In many instances civic heads receive secretarial support and are provided with transport for official duties and can access a separate hospitality budget which is managed and controlled by council officers.
- 3.11 The level of support given, the personal financial outlay and the level of activity during the year of office varies considerably between authorities and the size of authority does not necessarily relate to the commitment required, or given by, civic heads.
- 3.12 All principal councils have a number of community councils within their areas and many also include town councils. Where a community council has a particularly active civic head this may have some impact on the workload of the principal council's civic head.
- 3.13 The Local Government (Democracy) (Wales) Act 2013 allows councils to appoint a presiding member whose role it will be to chair meetings of the whole council. Where appointed, there would be a consequential reduction in the responsibilities of the respective civic head.

### **Payments to Presiding Members**

**Determination 4: The Panel has determined that, where appointed and if remunerated, a presiding member must be paid a Band 3 Level 1 senior salary. This post will count towards the cap.**

**Determination 5: The Panel has determined that the post of deputy presiding member will not be remunerated.**

### **Key factors underpinning the Panel's determinations:**

- 3.14 The basic salary, paid to all elected members, is remuneration for the responsibility of community representation and participation in the scrutiny, regulatory and related functions of local governance for the time equivalent of three days a week. Any time commitment beyond three days is an unpaid public service contribution.
- 3.15 The prescribed salary and expenses must be paid in full to each member unless an individual has independently and voluntarily opted in writing to the authority's proper officer to forego all or any element of the payment. It is fundamental that there is transparency in this process so that any possible suggestion that members are put under pressure to forego some of the salaries is avoided. The Panel will be consulting on a pro forma for the Publication of the Statement of Payments Made which will include the exact amount paid to each member.



The following must be applied:

- a) An elected member must not be remunerated for more than one senior post within his or her authority (but see section 4 on JOSCs).
- b) An elected member must not be paid a senior salary and a civic salary.
- c) All senior and civic salaries are paid inclusive of basic salary.
- d) If a council chooses to have more than one remunerated deputy leader, the difference between the senior salary for the deputy leader and other executive members should be divided by the number of deputy leaders and added to the senior salary for other executive members in order to calculate the senior salary payable to each deputy leader.
- e) Members in receipt of a Band 1 or Band 2 senior salary cannot receive a salary from any NPA or FRA to which they have been appointed.

### **Supporting the work of local authority elected members**

- 3.16 The Panel has continued its programme of meetings with Chairs and members of Democratic Service Committees and Heads of Democratic Services. These meetings have provided valuable opportunities for members and officers to discuss the variations that occur and to share and understand the benefits gained by properly supporting the ability of members to discharge their basic duties effectively. Heads of Democratic Services have suggested that it would be beneficial for authorities to be pro-active in sharing information and establishing benchmarks for levels of provision and good practice in how authorities support the work of elected members. The Panel shares this view.
- 3.17 The Panel expects that the support provided should take account of the specific needs of individual members. The functions of Democratic Services Committees include a requirement to review the level of support provided to members to carry out their duties and the Panel would expect these committees to carry this out and bring forward proposals to the full council as to what is considered to be reasonable.
- 3.18 The Panel considers it is necessary for each elected member to have ready use of telephone and e-mail services, and to have electronic access to appropriate information via an internet connection. This comprises the necessary provision for a member to be in proper contact with council services and to maintain contact with those they represent. Many councils in Wales are committed to 'paperless working' and without electronic access a member would be significantly limited in his or her ability to discharge their duties. As stated above, it is the responsibility of each council through its Democratic Services Committee to provide support based on an assessment of the needs of its members. When members' additional needs or matters of disability apply, or there are specific training requirements indicated, each

authority will need to assess any particular requirements of individual members. It would not be appropriate for facilities required by members only to be available within council offices within office hours.

For co-opted members the support should be appropriate and proportionate,

**Determination 6: The Panel has determined that each authority, through its Democratic Services Committee, must ensure that all its members are given as much support as is necessary to enable them to fulfil their duties effectively. All elected members should be provided with adequate telephone and email facilities and electronic access to appropriate information.**

**Determination 7: The Panel has determined that such support should be without cost to the individual member. Deductions must not be made from members' salaries by the respective authority as a contribution towards the cost of support which the authority has decided necessary for the effectiveness and/or efficiency of members.**

### **Specific or additional senior salaries**

- 3.19 The Panel has allowed for greater flexibility through the provision for authorities to apply for specific or additional senior salaries that do not fall within the current remuneration framework, or which could not be accommodated within the maximum number of senior salaries relating to the authority. If the proposed addition is approved and results in the council exceeding its cap, this will be included in the approval (with exception of Merthyr Tydfil and the Isle of Anglesey Councils – see footnote 5).

**Determination 8: The Panel has determined to include a provision for specific or additional senior salaries that do not fall within the current Remuneration Framework.**

- 3.20 Guidance to local authorities on the application process was issued in April 2014 and incorporated the following principles:
- a. The total number of senior salaries cannot exceed fifty percent<sup>5</sup> of the membership.

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<sup>5</sup> Local Government (Wales) Measure 2011 Section 142 (5) The proportion fixed by the Panel in accordance with subsection (4) may not exceed fifty percent unless the consent of the Welsh Ministers has been obtained.

- a. Applications will have to be approved by the authority as a whole (this cannot be delegated) prior to submission to the Panel.
- b. There must be clear evidence that the post/posts have additional responsibility demonstrated by a description of the role, function and duration.
- c. Each application will have to indicate the timing for a formal review of the role to be considered by the authority as a whole.

**The Panel's determinations on Travel and Subsistence, Reimbursement of costs of care and Family Absence are now set out in separate sections of this Annual Report.**

## 4. Joint Overview and Scrutiny Committees (JOSC)

4.1. The Panel has set out the arrangements for the remuneration of chairs of Joint Overview and Scrutiny Committees and Sub-committees<sup>6</sup>. The payments align with those of chairs of committees of principal councils set out in Section 3 (Level 2).

The following determinations apply:

**Determination 9: The chair of a Joint Overview and Scrutiny Committee is eligible for a salary equivalent to that part of a Band 3 Level 2 senior salary that remunerates a committee chair of a principal authority (£6,700).**

**Determination 10: In cases where the chair is already in receipt of a senior salary for a Band 3, 4 or 5 role the payment will be £3,350.**

**Determination 11: The chair of a sub committee of a JOSC is eligible for a salary of £1,675.**

**Determination 12: In cases where the chair of the sub committee is already in receipt of a senior salary for a Band 3, 4 or 5 role the payment will be £837.**

**Determination 13: Payments to chairs of task and finish sub committees are to be pro-rated to the duration of the task.**

**Determination 14: Payments made to a chair of a JOSC, or a chair of a sub committee of a JOSC, are additional to the maximum proportion of the authority's membership eligible for a senior salary. It should be noted that the statutory limit of no more than 50% of a council's membership receiving a senior salary applies (Section 142 (5) of the Measure).**

**Determination 15: A deputy chair of a JOSC or sub committee is not eligible for payment.**

**Determination 16: Co-optees to a JOSC or to a sub committee are not eligible for a co-opted member fee unless they are appointed by an authority under Section 144(5) of the Measure.**

4.2. The remuneration of chairs of JOSCs (or a sub-committee of JOSCs) is not prescribed and is a matter for the constituent councils to decide whether such

<sup>6</sup> [http://www.assembly.wales/Laid%20Documents/SUB-LD9311%20-%20The%20Local%20Authorities%20\(Joint%20Overview%20and%20Scrutiny%20Committees\)%20\(Wales\)%20Regulations%202013-02052013-245903/sub-ld9311-e-English.pdf](http://www.assembly.wales/Laid%20Documents/SUB-LD9311%20-%20The%20Local%20Authorities%20(Joint%20Overview%20and%20Scrutiny%20Committees)%20(Wales)%20Regulations%202013-02052013-245903/sub-ld9311-e-English.pdf)

a post will be paid. However, if a senior salary is paid, it must be at the level set out in section 4 of this report.

## **5. Pension Provision for Elected Members of Principal Councils**

- 5.1 The Local Government (Wales) Measure 2011 provides a power to the Panel to make determinations on pension entitlement for elected members of principal councils.

**Determination 17: The entitlement to join the Local Government Pension Scheme (LGPS) shall apply to all eligible elected members of principal councils.**

## 6. Entitlement to Family Absence

This section applies to members of principal authorities.

- 6.1 The Regulations relating to Family Absence for elected members of principal councils were approved by the National Assembly for Wales in November 2013<sup>7</sup> and cover maternity, newborn, adoption and parental absences from official business.
- 6.2. The Panel considered the implications for the remuneration of such members who are given absence under the terms of the Welsh Government Regulations and the Panel's determinations are set out below.

**Determination 18: An elected member is entitled to retain a basic salary when taking family absence under the regulations irrespective of the attendance record immediately preceding the commencement of the family absence.**

**Determination 19: When a senior salary holder is eligible for family absence, he/she will continue to receive the salary for the duration of the absence.**

**Determination 20: It is a matter for the authority to decide whether or not to make a substitute appointment. The elected member substituting for a senior salary holder taking family absence will be eligible to be paid a senior salary, if the authority so decides.**

**Determination 21: If the paid substitution results in the authority exceeding the maximum number of senior salaries which relates to it, as set out in the Panel's Annual Report, an addition to the maximum will be allowed for the duration of the substitution. However, this will not apply to the Isle of Anglesey or Merthyr Tydfil Councils if it would result in the number of senior salaries exceeding fifty percent of the Council membership. Specific approval of Welsh Ministers is required in such circumstances.**

**Determination 22: When a Council agrees a paid substitution for family absence, the Panel must be informed, within 14 days of the date of the decision, of the details including the particular post and the duration of the substitution.**

**Determination 23: The Council's schedule of remuneration must be amended to reflect the implication of the family absence.**

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<sup>7</sup> [http://www.legislation.gov.uk/wsi/2013/2901/pdfs/wsi\\_20132901\\_mi.pdf](http://www.legislation.gov.uk/wsi/2013/2901/pdfs/wsi_20132901_mi.pdf)

## 7. Payments to Members of National Park Authorities

### Structure of National Park Authorities

- 7.1 The 3 National Parks in Wales - Brecon Beacons, Pembrokeshire Coast and Snowdonia were formed to protect spectacular landscapes and provide recreation opportunities for the public. The Environment Act 1995 led to the creation of the 3 corresponding National Park Authorities (NPAs). In managing the National Park, the Authority has 3 main purposes:
- to protect the natural beauty of the Park;
  - to help visitors enjoy and understand it; and
  - to foster the wellbeing of local people.
- 7.2 National Park Authorities have a committee of Members who are either elected members nominated by the Principal Councils within the National Park area or are members appointed by the Welsh Government through the Public Appointments Process. Welsh Government appointed and council nominated members are treated equally in relation to remuneration.
- 7.3 The structure of the Members' Committee at each of the 3 national parks is set out in Table 4.

**Table 4: Membership of Welsh National Park Authorities**

National Park Authority	Total Membership	Principal Council Members	Welsh Government appointed Members
<b>Brecon Beacons</b>	24	16: Blaenau Gwent County Borough Council – 1 Carmarthenshire County Council – 2 Merthyr Tydfil County Borough Council – 1 Monmouthshire County Council – 2 Powys County Council – 8 Rhondda Cynon Taf County Borough Council - 1 Torfaen County Borough Council - 1	8
<b>Pembrokeshire Coast</b>	18	12: Pembrokeshire County Council - 12	6
<b>Snowdonia</b>	18	12: Conwy County Borough Council – 3 Gwynedd County Borough Council – 9	6

- 7.4 In addition, Standards Committees of NPAs have Independent Co-opted members whose remuneration is included in the framework as set out in Section 9.



- 7.5 In considering remuneration of members of NPAs, the Panel has based its determinations on the following key points:
- NPAs manage their work via formal authority meetings, committees and task and finish groups. Each has a Development/Management/Planning Committee, and other committees include Performance and Resources and Audit and Scrutiny. Ordinary NPA members are members of at least one committee as well as being involved in site visits and inspection panels.
  - There is an expectation that members will participate in training and development.
  - The chair of an NPA has a leadership and influencing role in the authority, a representational role similar in some respects to that of a civic head and a high level of accountability. The chair is not only the leader of the authority but is also the public face of the particular national park and is the link with the Minister and AMs with whom they have regular meetings. The role requires a high level of commitment and time.

### **Basic and senior salaries**

- 7.6 The Panel has previously determined that the role of ordinary members of an NPA should be aligned to the basic salary of a member of a principal council, and that the time commitment required is a notional 42 days per year. This remains the basis of the Panel's determinations.
- 7.7 Although public sector funding continues to be constrained the Panel considers that a modest increase in the basic salary is justified and has determined there shall be an increase of £100 (which equates to 0.75%) from 1 April 2017 in the level of basic salary for members of principal councils. This will help to limit further erosion of relative levels of remuneration in the basic salary paid in recognition of the duties expected of members.
- 7.8 Therefore, there is a corresponding increase of £25 on the basic salary for members of NPAs from 1 April 2017.
- 7.9 The Panel has also previously determined that the remuneration of an NPA chair should be aligned to that part of a Band 3 Level 1 senior salary received by a committee chair of a principal council.
- 7.10 In 2014, the Panel provided local flexibility so that an NPA can decide at which of two levels the roles of deputy chair and up to 2 other committee chairs can be remunerated. An NPA may choose to pay its deputy chair and/or committee chairs a salary of either £7,325 or £6,025, commensurate with the significant and sustained duties to be discharged in a particular role.
- 7.11 During 2016, the Panel met with members and officers of the 3 NPAs. Feedback was received during the Panel's visits about the importance of

members' attendance at meetings and the impact non-attendance can have. The Panel is minded to consider this further during 2016/17.

### **Additional Senior Salaries**

- 7.12 Feedback was also received during the Panel's visits to NPAs that its determination that up to two NPA Committee Chairs could receive a senior salary could be restrictive in the NPAs discharging their governance requirements.
- 7.13 The Panel allows principal councils greater flexibility to apply for specific or additional senior salaries that do not fall within the current Remuneration Framework. The Panel is extending this provision to NPAs as reflected in the following principles:
- a. Applications will have to be approved by the authority as a whole (this cannot be delegated) prior to submission to the Panel.
  - b. There must be clear evidence that the post/posts have additional responsibility demonstrated by a description of the role, function and duration.
  - c. Each application will have to indicate the timing for a formal review of the role to be considered by the authority as a whole.

7.14 The Panel has made the following determinations:

**Determination 24: The basic salary for NPA ordinary members should be £3,625**

**Determination 25: The senior salary of the chair of an NPA should be £12,325**

**Determination 26: An NPA senior salary can be paid to a Deputy Chair and up to two committee chairs where there is significant and sustained responsibility. This can be paid at either of the following levels to be decided by the authority to reflect the appropriate responsibility: £6,025 or £7,325**

**Determination 27: The Panel has determined to include a provision for NPAs to apply for specific or additional senior salaries that do not fall within the current Remuneration Framework.**

**Determination 28: Members must not receive more than one NPA senior salary.**

**Determination 29: An NPA senior salary is paid inclusive of the NPA basic salary and must reflect significant and sustained responsibility**

**Determination 30: Members of a principal council in receipt of a Band 1 or Band 2 senior salary cannot receive a salary from any NPA to which they have been appointed.**

**The Panel's determinations on Travel and Subsistence, Reimbursements of Costs of Care and Family Absence are now set out in separate sections of this Annual Report.**

## 8. Payments to Members of Welsh Fire and Rescue Authorities

### Structure of Fire and Rescue Authorities

- 8.1 The 3 Fire and Rescue Services in Wales: Mid and West Wales, North Wales and South Wales and Fire and Rescue Authorities (FRAs) were formed as part of Local Government re-organisation in 1996.
- 8.2 FRAs comprise of elected Members who are nominated by the Principal Councils within the Fire and Rescue Service area.
- 8.3 The structure of the each of the 3 FRAs is set out in Table 5

**Table 5: Membership of Fire and Rescue Authorities**

Name of Fire and Rescue Authority	Number of Local Authority Members
Mid and West Wales	25: Carmarthenshire County Council – 5 Ceredigion County Council – 2 Neath Port Talbot County Borough Council – 4 Pembrokeshire County Council – 3 Powys County Council – 4 Swansea City and County Council - 7
North Wales	28: Conwy County Borough Council – 5 Denbighshire County Council – 4 Flintshire County Council – 6 Gwynedd Council – 5 Isle of Anglesey County Council – 3 Wrexham County Borough Council – 5
South Wales	24: Bridgend County Borough Council – 2 Blaenau Gwent County Borough Council – 1 Caerphilly County Borough Council – 3 Cardiff City Council – 5 Merthyr Tydfil County Borough Council – 1 Monmouthshire County Council – 2 Newport City Council - 2 Rhondda Cynon Taf County Borough Council - 4 Torfaen County Borough Council – 2 Vale of Glamorgan Council -2

- 8.4 In addition, Standards Committees of FRAs have independent co-opted members whose remuneration is included in the framework as set out in Section 9.

8.5 In considering remuneration of members of FRAs, the Panel has based its determinations on the following key points:

- The chair has a leadership and influencing role in the authority, and a high level of accountability especially when controversial issues relating to the emergency service arise. In addition to fire authority meetings, all FRAs have committees that include in different combinations: audit, performance management, scrutiny, human resources, resource management as well as task and finish groups and disciplinary panels. As well as attending formal meetings of the authority and committees, members are encouraged to take on a community engagement role, including visiting fire stations.
- There is a strong training ethos in FRAs. Members are expected to participate in training and development. Induction programmes are available as well as specialist training for appeals and disciplinary hearings.
- Training sessions often follow on from authority meetings to make the training accessible.

### **Basic and Senior Salaries**

8.6 The Panel has previously determined that the remuneration of ordinary members of an FRA should be aligned to the basic salary of a member of a principal council and that the time commitment required is a notional 20 days per year. This remains the basis of the Panel's determinations.

8.7 Although public sector funding continues to be constrained the Panel considers that a modest increase in the basic annual salary of elected members is justified and has determined there shall be an increase of £100 (which equates to 0.75%) from the date of the authority's Annual General Meeting in the level of basic salary for members of principal councils. This will help to limit further erosion of relative levels of remuneration in the basic salary paid in recognition of the duties expected of members.

8.8 Therefore, there is a corresponding increase of £15 on the basic salary for members of FRAs from the date of the authority's Annual General Meeting.

8.9 The Panel determined that the remuneration of an FRA chair should be aligned to that part of a Band 3 Level 1 senior salary received by a committee chair of a principal council.

8.10 The Panel determined that the remuneration of an FRA deputy chair where there is significant and sustained senior responsibility will be aligned with the Band 5 senior salary.

8.11 The Panel has determined that up to two FRA committee chairs where there is significant and sustained responsibility can be remunerated.

8.12 During 2016, the Panel met with members and officers of the 3 FRAs. Feedback was received about the importance of members' attendance at meetings and the impact non-attendance can have. The Panel is minded to consider this further during 2016/17.

### **Additional Senior Salaries**

8.13 The Panel allows principal councils greater flexibility to apply for specific or additional senior salaries that do not fall within the current Remuneration Framework. The Panel is extending this provision to FRAs as reflected in the following principles

- a. Applications will have to be approved by the authority as a whole (this cannot be delegated) prior to submission to the Panel.
- b. There must be clear evidence that the post/posts have additional responsibility demonstrated by a description of the role, function and duration.
- c. Each application will have to indicate the timing for a formal review of the role to be considered by the authority as a whole.

### **Local Pension Boards**

8.14 The Panel has considered requests from FRAs to allow them to pay salaries to chairs of local pension boards established under the Firefighters' Pension Scheme (Wales) Regulations 2015. Those Regulations already give FRAs the power to decide how local pension boards are to work and to pay the chair and members if they wish. Therefore it is not appropriate for the Panel to make a determination empowering FRAs to pay salaries to local pension board chairs. The senior salaries in Determination 33 or 34 cannot be used exclusively for this role.

8.15 The Panel has made the following determinations:

<b>Determination 31: The basic salary for FRA ordinary members should be £1,715</b>
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<b>Determination 32: The senior salary of the chair of an FRA should be £10,415.</b>
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<b>Determination 33: An FRA senior salary can be paid to the deputy chair and up to two chairs of committees where there is significant and sustained responsibility. This should be paid at £5,415.</b>
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<b>Determination 34: The Panel has determined to include a provision for FRAs to apply for specific or additional senior salaries that do not fall</b>
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**within the current Remuneration Framework.**

**Determination 35: Members must not receive more than one FRA senior salary.**

**Determination 36: An FRA senior salary is paid inclusive of the FRA basic salary and must reflect significant and sustained responsibility**

**Determination 37: Members of a principal council in receipt of a Band 1 or Band 2 senior salary cannot receive a salary from any FRA to which they have been nominated.**

**The Panel's determinations on Travel and Subsistence, Reimbursement of Costs of Care and Family Absence are now set out in separate sections of this Annual Report.**

## 9. Payments to co-opted Members of Principal Councils, National Park Authorities and Fire & Rescue Authorities<sup>8</sup>

- 9.1 The Panel has determined that a daily/half daily fee is appropriate remuneration for the important role undertaken by co-opted members of authorities with voting rights (this includes the co-opted member from a Town or Community council). The level of payments is equivalent to the current daily rates for chairs and members of the Welsh Government's Band 2 sponsored bodies. The Panel notes there has been no uplift in these payment levels across such bodies since 2010.
- 9.2 Principal councils, NPAs and FRAs can decide on the maximum number of days in any one year for which co-opted members may be paid.
- 9.3 The determinations are set out below:

**Determination 38: Principal councils, NPAs and FRAs must pay the following fees to co-opted members (Table 6) (who have voting rights).**

**Table 6:** Fees for co-opted members (with voting rights)

Chairs of standards, and audit committees	£256 (4 hours and over) £128 (up to 4 hours)
Ordinary members of standards committees who also chair standards committees for community and town councils	£226 daily fee (4 hours and over) £113 (up to 4 hours)
Ordinary members of standards committees; education scrutiny committee; crime and disorder scrutiny committee and audit committee	£198 (4 hours and over) £99 (up to 4 hours)
Community and town councillors sitting on principal council committees	£198 (4 hours and over) £99 (up to 4 hours)

**Determination 39: Reasonable time for pre meeting preparation is eligible to be included in claims made by co-opted members the extent of which can be determined by the appropriate officer in advance of the meeting.**

**Determination 40: Travelling time to and from the place of the meeting can be included in the claims for payments made by co-opted members (up to the maximum of the daily rate).**

**Determination 41: The appropriate officer within the authority can determine**

<sup>8</sup> This section does not apply to co-opted members of community and town councils.



**in advance whether a meeting is programmed for a full day and the fee will be paid on the basis of this determination even if the meeting finishes before four hours has elapsed.**

**Determination 42: Meetings eligible for the payment of fees include other committees and working groups (including task and finish groups), pre-meetings with officers, training and attendance at conferences or any other formal meeting to which co-opted members are requested to attend.**

**The Panel's determinations on Travel and Subsistence, Reimbursement of costs of care and Family Absence are now set out in separate sections of this Annual Report.**

## 10. Reimbursement of Costs of Care

- 10.1. This section applies to members of principal councils, National Park Authorities, Fire and Rescue Authorities and to co-opted members of these authorities. (Similar provision for Community and Town Councils is given in section 13 as there is a different approach to such members, principally that provision is permissive.)

**Determination 43: All authorities must provide for the reimbursement of necessary costs for the care of dependent children and adults (provided by informal or formal carers) and for personal assistance needs up to a maximum of £403 per month. Reimbursement shall only be made on production of receipts from the carer.**

- 10.2. The reimbursement of the costs of care is intended to enable any person whose ability to participate as a member of an authority would be limited by their responsibilities as a carer, or for a member to receive care support to enable that individual to carry out their role. The Panel recognises that there is some sensitivity concerning the publication of this legitimate expense and has reflected this in the options for publication as set out in Annex 4. However, the Panel urges authorities to promote this reimbursement and encourage greater take-up of this support to facilitate participation amongst existing authority members and encourage diversity among future elected members.
- 10.3. Such provision would be especially relevant to those individuals in sectors of the population that are currently under-represented in local government but who may become engaged when awareness of the support available for the costs of care becomes more widely known.

## 11. Sickness Absence for Senior Salary Holders

- 11.1. The Family Absence Regulations (approved by the National Assembly in 2014) are very specific relating to entitlement and only available for elected members of principal councils. Absence for reasons of ill-health is not included.
- 11.2. Instances have been raised with the Panel of senior salary holders on long term sickness and the perceived unfairness in comparison with the arrangements for family absence. In consequence, councils are faced with the dilemma of:
- Operating without the individual member but still paying him/her the senior salary.
  - Replacing the member who therefore loses the senior salary (but retains the basic salary).
- 11.3. The Panel has considered this and is amending the Framework to provide specific arrangements for long term sickness as set out below:
- a) Long term sickness is defined as certified absences in excess of 4 weeks.
  - b) The maximum length of sickness absence within these proposals is 26 weeks or until the individual's term of office ends, whichever is sooner (but if reappointed any remaining balance of the 26 weeks will be included).
  - c) Within these parameters a senior salary holder on long term sickness can, if the authority decides continue to receive remuneration for the post held.
  - d) It is a decision of the authority whether to make a substitute appointment but the substitute will be eligible to be paid the senior salary appropriate to the post.
  - e) If the paid substitution results in the authority exceeding the maximum number of senior salaries payable for that authority as set out in the Annual Report, an addition will be allowed for the duration of the substitution. (However this would not apply to Merthyr Tydfil or the Isle of Anglesey councils if it would result in more than 50% of the membership receiving a senior salary. It would also not apply in respect of a council executive member if it would result in the cabinet exceeding 10 posts - the statutory maximum).
  - f) When an authority agrees a paid substitution the Panel must be informed within 14 days of the decision of the details including the specific post and the estimated length of the substitution. The authority's Schedule of Remuneration must be amended accordingly.
  - g) It does not apply to elected members of principal councils who are not senior post holders as they continue to receive basic salary for at least

six months irrespective of attendance and any extension beyond this timescale is a matter for the authority.

- 11.4. This arrangement applies to members of principal councils, National Park Authorities and Fire and Rescue Authorities who are senior salary holders, including Welsh Government appointed members, but does not apply to co-opted members.

Note:

The Family Absence Regulations apply to elected members in cases of maternity, newborn, adoption and parental absences from official business.

## 12. Reimbursement of Travel and Subsistence Costs when on Official Business

- 12.1. This section applies to members of principal authorities, National Park Authorities, Fire and Rescue Authorities and to co-opted members of these authorities. (Similar provision for Community and Town Councils is contained in section 13 as there is a different approach to such members, principally that the provision is permissive.)
- 12.2. Members may claim reimbursement for travel and subsistence (meals and accommodation) costs where these have arisen as a result of undertaking official duties. Expenses reimbursed to members by their local authority are exempt from Income Tax and employee NICs.
- 12.3. The Panel is aware that in some instances members with disabilities have been reluctant to claim legitimate travel expenses because of an adverse response following the publication of their travel costs. As an alternative, travel arrangements could be made directly by the authority in such circumstances.
- 12.4. The Panel has determined that there will be no change to mileage rates which members are entitled to claim. All authorities may only reimburse travel costs for their members undertaking official business within and/or outside the authority's boundaries at the current HM Revenue and Customs (HMRC) rates which are:

### Reimbursement of mileage costs

45p per mile	Up to 10,000 miles in a year by car
25p per mile	Over 10,000 miles in a year by car
5p per mile	Per passenger carried on authority business
24p per mile	Motor cycles
20p per mile	Bicycles

- 12.5. Where a member who is on official business is driven by a third party (not a member or officer of that authority), the member can claim mileage at the prescribed rates plus any parking or toll fees provided the authority is satisfied that the member has incurred these costs.

### Reimbursement of other travel costs

- 12.6. All other claims for travel must only be reimbursed on production of receipts showing the actual cost and will be subject to any requirement or further limitation that an authority may determine. Members should always be mindful of choosing the most cost effective method of travel.

## Reimbursement of subsistence costs

£28 per day	Day allowance for meals, including breakfast, where not provided in the overnight charge
£200 per night	London
£95 per night	Elsewhere
£30 per night	Staying with friends and/or family

- 12.7. These rates are in line with Welsh Government rates. Recommended practice is that overnight accommodation should usually be reserved and paid for on behalf of members by the relevant authority, in which case an authority may set its own reasonable limits and the limits which apply when an individual member claims in arrears for overnight accommodation costs do not then apply.
- 12.8. All authorities must continue to reimburse subsistence expenses for their members up to the maximum rates set out above on the basis of receipted claims except for occasions when members stay with friends and/or family.
- 12.9. There may be instances where an authority has determined that travel costs within its boundaries are payable and require a journey to be repeated on consecutive days. Where it is reasonable and cost effective to reimburse overnight accommodation costs, instead of repeated daily mileage costs, then it is permissible to do so.
- 12.10. It is not necessary to allocate the maximum daily rate (£28 per day) between different meals as the maximum daily rate reimbursable covers a 24 hour period and can be claimed for any meal if relevant, provided such a claim is accompanied by receipts.

## **13. Payments to Members of Community and Town Councils**

- 13.1. The Panel has had responsibility for the remuneration of community and town councils since the Measure of 2011 and its first determinations for such members came into effect in the financial year 2013/2014. Subsequent Annual Reports have developed ideas for remuneration of community and town councillors, allowing flexibility to meet appropriate responsibilities.
- 13.2. The Panel recognises a wide variation in geography, scope and scale across 735 community and town councils in Wales, from small community councils with relatively minimal expenditure and few meetings to large town councils with significant assets and responsibilities.
- 13.3. Therefore determinations 44 to 51 are permissive powers, each of which requires a formal decision by each community or town council annually. A community or a town council can adopt any or all of the determinations but if it does make such a decision, it must apply to all its members.
- 13.4. An individual member may make a personal decision to elect to forgo part or all of the entitlement to any of these allowances by giving notice in writing to the proper officer of the council.
- 13.5. In arriving at its determinations this year, the Panel actively engaged with Community and Town Councils. The Panel met with representatives of One Voice Wales and presented the draft determinations for discussion at their annual conference. The Panel also met with a representative of the Society of Local Council Clerks. During early 2017 the Panel is holding 3 regional meetings across Wales and is meeting the North and Mid Wales Association of Local Councils to further discuss Community and Town Councils' remuneration.

### **Payments to Community and Town Councillors**

- 13.6. In order to compensate members of community and town councils for expenses and costs involved in carrying out their duties, the Panel has determined that councils should be authorised to make a payment to each member.

**Determination 44: Community and town councils are authorised to make a payment to each of their members of a maximum amount of £150 per year for costs incurred in respect of telephone usage, information technology, consumables etc.**

## Senior roles

- 13.7. The Panel recognises that specific member roles especially within the larger community and town councils, for example a committee chair, can involve greater responsibility. It has therefore determined that councils should be authorised to pay up to three responsibility payments for specified roles.

**Determination 45: Community and town councils are authorised to make an annual payment not exceeding £500 each to up to 3 members in recognition of specific responsibilities. This is in addition to the £150 payment for costs and expenses if that is made.**

## Civic allowance

- 13.8. Recognising that some mayors and chairs of community and town councils and their deputies are very active during their year of office, the Panel has determined that community and town councils should be authorised to pay an allowance for these roles.
- 13.9. In its previous annual reports the Panel determined no maximum levels of payment to mayors/chairs and their deputies. The Panel's research indicates that the majority of community and town councils make no or very modest payments to their civic leaders. However, there are indications that some community and town councils are reporting the budget allocated for civic functions rather than the amount paid as personal civic allowance to the individual. The Panel will take further steps to establish accurate figures for payments made to mayors/chairs with the intention of setting an appropriate level for such payments in its 2018 Annual Report.

**Determination 46: Community and town councils are authorised to provide a civic allowance to the mayor/chair of the council at an amount that they deem appropriate to undertake the functions of that office. This is in addition to the £150 payment for costs and expenses if that is made**

**Determination 47: Community and town councils are authorised to provide a civic allowance to the deputy mayor/deputy chair of the council at an amount that they deem appropriate to undertake the functions of that office. This is in addition to the £150 payment for costs and expenses if that is made**

## Reimbursement of travel costs

- 13.10. The Panel recognises that there can be significant travel costs associated with the work of community and town council members, especially where the



council area is geographically large and/or when engaging in duties outside this area. It has therefore made provision for travel costs to be met.

**Determination 48: Community and town councils are authorised to make payments to each of their members in respect of travel costs for attending approved duties.<sup>9</sup> Such payments must be the actual costs of travel by public transport or the HMRC mileage allowances as below:**

- 45p per mile up to 10,000 miles in the year.
- 25p per mile over 10,000 miles.
- 5p per mile per passenger carried on authority business.
- 24p per mile for private motor cycles.
- 20p per mile for bicycles.

### Reimbursement of subsistence

**Determination 49: If a community or town council resolves that a particular duty requires an overnight stay, it may authorise reimbursement of subsistence expenses to its members at the maximum rates set out below on the basis of receipted claims:**

- £28 per 24-hour period allowance for meals, including breakfast where not provided.
- £200 – London overnight.
- £95 – elsewhere overnight.
- £30 – staying with friends and/or family overnight.

### Other Allowances / Payments

13.11. Previously the Panel had determined that an Attendance Allowance could be paid to each of its members for attending approved duties outside the area of the council. Very few community or town councils made this payment and therefore this allowance has been removed. However, the Panel has retained the facility and increased the amount which councils may pay as compensation to their members where they suffer financial loss when attending approved duties.

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<sup>9</sup> Where a member who is on official business is driven by a third party (not a member or officer of that authority), the member can claim mileage at the prescribed rates plus any parking or toll fees provided the authority is satisfied that the member has incurred these costs.

**Determination 50: Community and town councils are authorised to pay financial loss compensation to each of their members, where such loss has actually occurred, for attending approved duties as follows:**

- Up to £34.00 for each period not exceeding 4 hours:
- Up to £68.00 for each period exceeding 4 hours but not exceeding 24 hours.

### **Reimbursement of the costs of care**

13.12. In order to address issues of democratic participation and diversity, the Panel has decided to permit reimbursement of costs to members for the care of dependent children and others, or costs incurred relating to a personal assistance need, whilst attending meetings and other approved duties.

**Determination 51: Community and town councils are authorised to provide for the reimbursement of necessary costs for the care of dependent children and adults (provided by informal or formal carers) and for personal assistance needs up to a maximum of £403 per month. Reimbursement shall only be made on production of receipts from the carer.**

### **Publicity requirements**

13.13. There is a requirement on community and town councils to publish details of all payments made to individual members in an annual Statement of Payments. This information must be published on council noticeboards and/or websites (with easy access) and provided to the Panel by email or by post no later than 30 September following the end of the year to which the payments relate. The Panel draws attention to the requirements stipulated at Annex 4. The Panel is concerned that a significant number of councils are in breach of this this requirement.

## 14. Compliance with Panel Requirements

### The Panel's remit under the Measure

- 14.1 Section 153 of the Measure empowers the Panel to require a relevant authority<sup>10</sup> to comply with the requirements imposed on it by an Annual Report of the Panel and further enables the Panel to monitor the compliance of relevant authorities with the Panel's determinations.
- 14.2 A relevant authority must implement the Panel's determinations in this report from the date of its annual meeting or a date specified within the Annual Report.

### Monitoring compliance

- 14.3 The Panel will monitor the compliance with the determinations in this Annual Report by relevant authorities against the following requirements:
- (i) A relevant authority must maintain an annual **Schedule of Member Remuneration** (IRPW Regulations 4 and 5). Guidance at Annex 3 sets out the content which must be included in the Schedule.
  - (ii) A relevant authority must make arrangements for the Schedule's publication within the authority area (IRPW Regulation 46) and send the Schedule to the Panel as soon as practicable and not later than 31 July in the year to which it applies. Annex 4 provides further details of the publicity requirements.
  - (iii) Any amendments to the Schedule made during the year must be conveyed to the Panel as soon as possible after the amendment is made.

**Note: The above requirements do not apply to community and town councils at this time. The following applies to all authorities including community and town councils.**

- (iv) A relevant authority must make arrangements for publication within the authority area of the total sum paid by it to each member and co-opted member in respect of salary (basic, senior and civic), allowances, fees and reimbursements in a Statement of Payments (in accordance with Annex 4 that sets out the content that must be included in the Publicity Requirements) as soon as practicable and no later than 30 September following the close of the year to which it relates. It must be submitted to the Panel no later than that date.

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<sup>10</sup> Interpretation of "Relevant Authority" provided in the Independent Remuneration Panel for Wales (IRPW) Regulations, Part 1, 'Interpretation'.

## 15. Salaries of Heads of Paid Service of Principal Councils and Fire and Rescue Authorities and Chief Officers of Principal Councils

- 15.1 Section 63 of the Local Government (Democracy) (Wales) Act 2013 amended the Local Government (Wales) Measure 2011 by inserting section 143A. This enables the Panel to take a view on anything in the Pay Policy Statements of these authorities that relates to the salary of the head of paid service (normally the chief executive or chief fire officer). Section 39 of the Local Government (Wales) Act 2015 further amended the Measure extending this function to include Chief Officers of Principal Councils.
- 15.2 The Welsh Government has issued amended guidance to the Panel which can be found at <http://gov.wales/docs/dsijg/publications/localgov/160212-irp-guide-salaries-en-v2.pdf> .This sets the basis on which the Panel will carry out the function contained in the legislation.
- 15.3 In essence the functions of the Panel and the requirements on authorities established by the legislation and the subsequent guidance are:
- a) If a principal council intends to change the salary of the head of paid service or chief officer, or if a fire and rescue authority intends to change the salary of its head of paid service it must consult the Panel unless the change is in keeping with changes applied to other officers of that authority (whether the change is an increase or decrease). ‘Salary’ includes payments under a contract for services as well as payments of salary under an employment contract.
  - b) The authority must have regard to the recommendation(s) of the Panel when reaching its decision.
  - c) The Panel may seek any information that it considers necessary to reach a conclusion and produce a recommendation. The authority is obliged to provide the information sought by the Panel.
  - d) The Panel may publish any recommendation that it makes. It is the intention that, in the interests of transparency, it will normally do so.
  - e) The Panel's recommendation(s) could indicate:
    - approval of the authority's proposal
    - express concerns about the proposal
    - recommend variations to the proposal
- as long as these comply with any guidance issued by the Welsh Government.
- 15.4 The Panel also has a general power to review the Pay Policy Statements of authorities so far as they relate to the heads of paid service (and chief officers

until 2020).

- 15.5 It is important to note that the Panel will not decide the amount that an individual head of paid service will receive.
- 15.6 The Panel is very aware that this additional function is significantly different from its statutory responsibilities in relation to members' remuneration. However, it will ensure that it undertakes this role with clarity and openness, taking into account all the relevant factors in respect of specific individual cases. Authorities are encouraged to consult the Panel at an early stage in their decision making on such matters. This will enable the Panel to respond in a timely manner.
- 15.7 Appended to this section are the decisions of the Panel in respect of:
- The Chief Fire Officer of Mid and West Wales Fire and Rescue Authority
  - The Chief Officers restructuring in Denbighshire County Council
  - The Chief Officers restructuring in Monmouthshire County Council
  - A Chief Officer in Pembrokeshire County Council
  - Chief Officers in Newport City Council
  - A Chief Officer in Neath Port Talbot County Borough Council

### **Pay Policy Statements**

- 15.8 Paragraph 3.7 of the guidance to the Panel from the Welsh Government states that "The legislation does not restrict the Panel to a reactive role" It allows the Panel to use its power to make recommendations relating to provisions within local authorities Pay Policy Statements. The Panel has considered this in the context of its resources and has decided that these limit the time that could be applied to this open power. So it will examine changes from year to year of the salaries of Chief Executives and Chief Officers to ensure that these comply with the requirements of the legislation.

**The Chief Fire Officer of Mid and West Wales Fire and Rescue Authority**



Mr D Daycock  
Clerk and Monitoring Officer  
Mid & West Wales Fire & Rescue Authority

[d.daycock@mawwfire.gov.uk](mailto:d.daycock@mawwfire.gov.uk)

23 November 2015

Dear Mr Daycock,

**Proposed Salary of Head of Paid Service (Chief Fire Officer)**

The Independent Remuneration Panel for Wales (the Panel) has considered the salary proposed in the report to the Chief Officer Remuneration Committee which you submitted on the 2nd November, in accordance with Section 143A of the Local Government (Wales) Measure 2011. We note that the Committee is recommending approval to the Authority

The Panel met on the 18th November 2015; all members were present. We were grateful for the additional information provided to assist in our consideration. The guidance to the Panel from the Welsh Government in respect of its function under Section 143A states that the Panel could:

- a) Indicate approval of the proposal
- b) Express concerns about the proposal
- c) Recommend a variation to the proposal

We have examined the content of the report and additional documentation provided. While we fully understand the desire to review the present system of payments made to the Chief Fire Officer and to create a simplified framework, we have decided to “Express concerns about the proposal”.

We set out below the reasons for this decision.

You have advised that the existing remuneration of the Chief Fire Officer comprises four elements – Basic Salary; Earn Back (at 3% of basic salary, consolidated); Performance Related Pay (up to 3% of combined basic and Earn Back) and an

allowance for ICT. We have noted that “Earn Back” is rarely not paid which gives the impression that it is in effect part of the basic salary, particularly as it is consolidated. However, PRP is only paid for performance “genuinely beyond expectations”. The report is silent on the way such performance is assessed but given this definition it would be surprising if this was achieved on a regular basis.

The proposal to set the salary on the basis of a combination of population band 3 median and the median for jobs of a similar weight is not justified in the report but to the Panel seems to be a way of compensating for the discontinuance of the PRP element. Overall the result is a consolidated salary significantly higher than the current basic (even when Earn Back is included).

The Panel considers that such an increase in the basic salary is not justified and appears to be out of line with other public sector pay awards. Therefore we formally Express Concern and expect the authority to reconsider.

The legislation requires the authority to have regard to the views of the Panel but are not obliged to follow it. We would draw your attention specifically to paragraph 3.2 of the guidance.

The Panel has noted that the report also deals with the remuneration of other senior officers of the authority. At present our remit does not include officers below the Head of Paid Service and we make no comment on the proposals for these posts.

The Panel would normally publish its decision in exercising this function in the interests of transparency, however, in this instance this will be withheld until we are advised of the authority’s response.

Yours sincerely,



Richard Penn  
Chair

## The Chief Officers restructuring in Denbighshire County Council



Mohammed Mehmet  
Chief Executive  
Denbighshire County Council

CC  
Cllr Hugh Evans  
Catrin Roberts  
Sophie Vaughan

04 April 2016

Dear Mr Mehmet

### **Review of salaries of the senior leadership team**

The Independent Remuneration Panel for Wales (the Panel) has considered, in accordance with Section 143A of the Local Government (Wales) Measure 2011, the salary structure for the senior leadership team (SLT) in Denbighshire proposed as a result of the pay review conducted by its remuneration committee. The Panel notes that the committee is recommending approval to the full council.

The Panel was unable to consider the proposal at its meeting on 9th March as it required more specific and relevant information than had been provided. However, in order to consider this expeditiously, the Panel convened an extraordinary meeting on 30 March 2016 solely for this purpose. Four of its five members were present and therefore the meeting was quorate. We examined in advance the content of the "Senior Leadership Pay Review March 2016" report provided to the Panel for this meeting and the original documentation ordered chronologically, which had been provided earlier.

We understand the motivation for Denbighshire County Council to review its SLT pay structure given the length of time since it was last reviewed. We are aware that ad hoc changes have been made resulting in a significant reduction in the membership of the SLT and that has resulted in salaries being adjusted through market supplements and honoraria. We note Denbighshire's desire to produce a pay structure which reviews these and is fair, consistent and transparent and able to attract retain and motivate senior managers.



The guidance to the Panel from the Welsh Government in respect of its function under Section 143A states that the Panel could:

- a) Indicate approval of the proposal
- b) Express concerns about the proposal
- c) Recommend a variation to the proposal

Having examined the information provided, the Panel's decision is to recommend a variation to the Council's proposal. This, together with the reasons for the recommendation is set out below.

The report provided to the Panel states that one of the remuneration committee's principles was for the pay structure to be within the median pay range comparable to the remuneration in other organisations. The report then gives data provided by Hay of the market median figure for corporate directors and for the two levels of head of service. There is also a comparison with the pay ranges of three neighbouring authorities.

The Panel noted that the data from Hay as presented in the report did not identify the sources that were used. The data therefore does not specify which organisations were used for comparison. The Council's remuneration committee could have been making comparisons with all England and Wales councils or a subset of that grouping e.g. all Welsh councils or all UK unitary councils.

The Panel noted that the reason given for the comparison with the neighbouring authorities was the current Welsh Government's preferred policy options for local government re-organisation in which Denbighshire is merged with either Conwy or Flintshire and Wrexham. The Panel considers, in carrying out its functions under section 143A, that possible future configurations of local authority areas cannot be an overriding factor in considering proposals referred to it. The comparison with neighbouring authorities is therefore not persuasive evidence to justify the change on this basis

The Panel therefore additionally considered information relating to the demographics and finances of all Welsh principal councils.

- The population of Denbighshire is 16th out of the 22 principal councils in Wales.
- The revenue budget of the Council is approximately £186 million. This is the 16th largest of the 22 councils.
- The salary ranges of chief officers of other Welsh authorities of a similar size and revenue budget

The Panel's recommendation therefore is:

- That the highest salary currently paid at the three proposed grades (SLT3 corporate director, SLT2 head of service and SLT1 head of service) should be the maximum in that grade;

- The officers who have salaries currently below the highest can be raised to that level through a series of increments, over a three year period. The increments should be structured so that no officer receives an increment of less than £1,000;
- Subject to point 2, the council has the discretion to set the minimum for the grade and the incremental steps to reach the maximum as indicated below.

<b>Independent Remuneration Panel of Wales Recommendation</b>		
<b>Senior Leadership Team – Denbighshire (excluding the Chief Executive)</b>		
SLT3 (Directors)	96,630	maximum of scale
	XX	mid point of scale *
	XX	start of scale *
SLT2 (Head of Service)	77,687	maximum of scale
	XX	mid point of scale *
	XX	start of scale *
SLT1 (Head of Service)	62,687	maximum of scale
	XX	mid point of scale *
	XX	start of scale *

\* For the Council to determine

The Panel consider that this structure fulfils the principles the remuneration committee worked within, particularly:

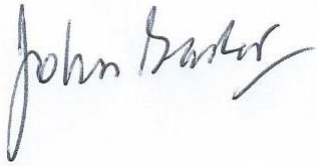
*There is sufficient opportunity for financial progression over 3 years  
No officer is being financially disadvantaged.*

In accordance with sections 143A (3B) and (4A) of the Local Government Measure 2011, the authority is required to have regard to the views of the Panel and the Panel is required to inform the Welsh Minister of its recommendation.

In accordance with section 143A (5A), the authority must notify the Panel and the Welsh Ministers of its response to this recommendation.

The Panel would normally publish its decision in exercising this function in the interests of transparency, however, in this instance this will be withheld until we are advised of the authority's response.

Yours sincerely,

A handwritten signature in black ink that reads "John Bader". The signature is written in a cursive style with a long, sweeping underline.

John Bader  
Chair

## The Chief Officers restructuring in Monmouthshire County Council



Paul Matthews  
Chief Executive  
Monmouthshire County Council  
cc. Councillor Peter Fox, Leader Monmouthshire CC

26 May 2016

Dear Mr Matthews

### Senior Officer Leadership changes at Monmouthshire County Council

Your letter and accompanying documentation dated 5<sup>th</sup> May was considered by the Independent Remuneration Panel for Wales at the meeting on 25<sup>th</sup> May. All members of the Panel were present and therefore the meeting was quorate.

Panel members were appreciative of the documents provided including the additional information requested by the secretariat. It was noted that the proposed structure would produce significant ongoing savings.

In respect of the function of the Panel related to the salaries of chief officers the remit and guidance from the Welsh Government allows the Panel to:

- a) Approve the proposals
- b) Express concerns about the proposals
- c) Recommend a variation to the proposals

Having examined the submission from your authority it is the decision of the Panel to approve the proposals as submitted.

Yours sincerely

John Bader

Chair

## Change to a Chief Officer Salary in Pembrokeshire County Council



Ceri Davies  
Head of Human Resources  
Pembrokeshire County Council

cc. Mark Woolgar, Human Resources Manager

22 August 2016

Dear Ceri,

### **Proposal to change the remuneration of a chief officer**

Your letter and accompanying documentation dated 8<sup>th</sup> August was considered by the Independent Remuneration Panel for Wales at the meeting on 17<sup>th</sup> August. All members of the Panel were present and therefore the meeting was quorate.

In respect of the function of the Panel related to the salaries of chief officers the remit and guidance from the Welsh Government allows the Panel to:

- a) Approve the proposal
- b) Express concerns about the proposal
- c) Recommend a variation to the proposal

Having examined the submission from your authority it is the decision of the Panel to approve the proposal as submitted.

Yours sincerely

John Bader

Chair

## Review of Chief Officer Pay in Newport City Council



Will Godfrey  
Chief Executive  
Newport City Council  
[Will.godfrey@newport.gov.uk](mailto:Will.godfrey@newport.gov.uk)

Eich cyf/ Your ref:

Ein cyf/Our ref: zA1263030

cc Rachael Davies  
HR Manager  
[RachaelA.Davies@newport.gov.uk](mailto:RachaelA.Davies@newport.gov.uk)

23 September 2016

Dear Will

### Review of senior pay at Newport City Council

Your review document and accompanying documentation was considered by the Independent Remuneration Panel for Wales at its meeting on 14th September. Five members of the Panel were present and therefore the meeting was quorate.

The Panel considered your proposal to amend the salary range of some of your heads of service. The Panel asked me to seek clarification on 2 issues:

1. The status of your second submission (headed Part 2) and whether this took precedence over the initial proposal.
2. To establish which salary range you were submitting as the range for HDSO2 in the submission was lower than in the additional information provided by your HR Manager following a request from me.

You confirmed that the original submission (Part 1) was the proposal that you were requesting the Panel to consider and that the correct salary range was that provided by your HR Manager.

Having examined the submission from your authority and received satisfactory clarification on the matters noted above it is the decision of the Panel to approve the proposal as submitted.

Regards

John Bader  
Chair, Independent Remuneration Panel for Wales.

## Review of Chief Officer Pay in Neath Port Talbot City Council

Nick Jarman  
Director of Social Services, Health and Housing  
Neath Port Talbot County Borough Council

[n.jarman@npt.gov.uk](mailto:n.jarman@npt.gov.uk)



13 December 2016

Dear Nick,

### **Proposal for a Market Pay Supplement – Head of Adult Services**

Your letter and accompanying documentation dated 8 November was considered by the Independent Remuneration Panel for Wales at the meeting on 17 November. Three members of the Panel were present and therefore the meeting was quorate. Two members of the Panel declared a conflict of interest and took no part in the discussion.

Following this meeting the Panel wished to discuss the matter with you further, and would like to thank you for meeting with them on 7 December to enable that discussion to take place.

In respect of the function of the Panel related to the salaries of chief officers the remit and guidance from the Welsh Government allows the Panel to:

- a) Approve the proposal
- b) Express concerns about the proposal
- c) Recommend a variation to the proposal

Having examined the submission from your authority and discussed the matter with you in person it is the decision of the Panel to approve the proposal as submitted.

Yours sincerely

John Bader

Chair

## Annex 1: The Panel's Determinations for 2017/18

<b>Principal Councils</b>	
1.	Basic salary in 2017/18 for elected members of principal councils shall be £13,400.
2.	The Panel has determined that senior salary levels in 2017/18 for members of principal councils shall be as set out in table 2 (page 15).
3.	The Panel has determined that (where paid) civic salaries at the following levels are payable (Table 3, page 17) and will be applied by principal councils as each considers appropriate, taking account of the anticipated workloads and responsibilities.
4.	The Panel has determined that, where appointed and if remunerated, a presiding member must be paid a Band 3 Level 1 senior salary. This post will count towards the cap.
5.	The Panel has determined that the post of deputy presiding member will not be remunerated.
6.	The Panel has determined that each authority, through its Democratic Services Committee, must ensure that all its members are given as much support as is necessary to enable them to fulfil their duties effectively. All elected members should be provided with adequate telephone and email facilities and electronic access to appropriate information.
7.	The Panel has determined that such support should be without cost to the individual member. Deductions must not be made from members' salaries by the respective authority as a contribution towards the cost of support which the authority has decided necessary for the effectiveness and/or efficiency of members.
<b>Specific or Additional Senior Salaries</b>	
8.	The Panel has determined to include a provision for specific or additional senior salaries that do not fall within the current Remuneration Framework.
<b>Joint Overview and Scrutiny Committees</b>	
9.	The chair of a Joint Overview and Scrutiny Committee is eligible for a salary equivalent to that part of a Band 3 Level 2 senior salary that remunerates a committee chair of a principal authority (£6,700).
10.	In cases where the chair is already in receipt of a senior salary for a Band 3, 4 or 5 role the payment will be £3,350.



11.	The chair of a sub committee of a JOSOC is eligible for a salary of £1,675.
12.	In cases where the chair of the sub committee is already in receipt of a senior salary for a Band 3, 4 or 5 role the payment will be £837.
13.	Payments to chairs of task and finish sub committees are to be pro-rated to the duration of the task.
14.	Payments made to a chair of a JOSOC, or a chair of a sub committee of a JOSOC, are additional to the maximum proportion of the authority's membership eligible for a senior salary. It should be noted that the statutory limit of no more than 50% of a council's membership receiving a senior salary applies (Section 142 (5) of the Measure).
15.	A deputy chair of a JOSOC or sub committee is not eligible for payment.
16.	Co-optees to a JOSOC or to a sub committee are not eligible for a co-opted member fee unless they are appointed by an authority under Section 144(5) of the Measure.
<b>Local Government Pension Scheme</b>	
17.	The entitlement to join the Local Government Pension Scheme (LGPS) shall apply to all eligible elected members of principal councils.
<b>Family Absence</b>	
18.	An elected member is entitled to retain a basic salary when taking family absence under the regulations irrespective of the attendance record immediately preceding the commencement of the family absence.
19.	When a senior salary holder is eligible for family absence, he/she will continue to receive the salary for the duration of the absence.
20.	It is a matter for the authority to decide whether or not to make a substitute appointment. The elected member substituting for a senior salary holder taking family absence will be eligible to be paid a senior salary, if the authority so decides.
21.	If the paid substitution results in the authority exceeding the maximum number of senior salaries which relates to it, as set out in the Panel's Annual Report, an addition to the maximum will be allowed for the duration of the substitution. However, this will not apply to the Isle of Anglesey or Merthyr Tydfil Councils if it would result in the number of senior salaries exceeding fifty percent of the Council membership. Specific approval of Welsh Ministers is required in such circumstances.
22.	When a Council agrees a paid substitution for family absence, the Panel must be informed, within 14 days of the date of the decision, of the details including the particular post and the duration of the substitution.
23.	The Council's schedule of remuneration must be amended to reflect the implication of the family absence.

<b>National Park Authorities</b>	
24.	The basic salary for NPA ordinary members should be £3,625
25.	The senior salary of the chair of an NPA should be £12,325
26.	An NPA senior salary can be paid to a Deputy Chair, and up to two committee chairs where there is significant and sustained responsibility. This can be paid at either of the following levels to be decided by the authority to reflect the appropriate responsibility: £6,025 or £7,325
27.	The Panel has determined to include a provision for NPAs to apply for specific or additional senior salaries that do not fall within the current Remuneration Framework.
28.	Members must not receive more than one NPA senior salary.
29.	An NPA senior salary is paid inclusive of the NPA basic salary and must reflect significant and sustained responsibility
30.	Members of a principal council in receipt of a Band 1 or Band 2 senior salary cannot receive a salary from any NPA to which they have been appointed.
<b>Fire and Rescue Authorities</b>	
31.	The basic salary for FRA ordinary members should be £1,715
32.	The senior salary of the chair of an FRA should be £10,415.
33.	An FRA senior salary can be paid to the deputy chair and up to two chairs of committees where there is significant and sustained responsibility. This should be paid at £5,415.
34.	The Panel has determined to include a provision for FRAs to apply for specific or additional senior salaries that do not fall within the current Remuneration Framework.
35.	Members must not receive more than one FRA senior salary.
36.	An FRA senior salary is paid inclusive of the FRA basic salary and must reflect significant and sustained responsibility.
37.	Members of a principal council in receipt of a Band 1 or Band 2 senior salary cannot receive a salary from any FRA to which they have been nominated.
<b>Co-Opted Members</b>	
38.	Principal councils, NPAs and FRAs must pay the following fees to co-opted members (Table 6, page 33) (who have voting rights).
39.	Reasonable time for pre meeting preparation is eligible to be included in claims made by co-opted members the extent of which can be determined by the

	appropriate officer in advance of the meeting.
40.	Travelling time to and from the place of the meeting can be included in the claims for payments made by co-opted members (up to the maximum of the daily rate).
41.	The appropriate officer within the authority can determine in advance whether a meeting is programmed for a full day and the fee will be paid on the basis of this determination even if the meeting finishes before four hours has elapsed.
42.	Meetings eligible for the payment of fees include other committees and working groups (including task and finish groups), pre-meetings with officers, training and attendance at conferences or any other formal meeting to which co-opted members are requested to attend.
<b>Reimbursement of Costs of Care</b>	
43.	All authorities must provide for the reimbursement of necessary costs for the care of dependent children and adults (provided by informal or formal carers) and for personal assistance needs up to a maximum of £403 per month. Reimbursement shall only be made on production of receipts from the carer.
<b>Community and Town Councils</b>	
44.	Community and town councils are authorised to make a payment to each of their members of a maximum amount of £150 per year for costs incurred in respect of telephone usage, information technology, consumables etc.
45.	Community and town councils are authorised to make an annual payment not exceeding £500 each to up to 3 members in recognition of specific responsibilities. This is in addition to the £150 payment for costs and expenses if that is made.
46.	Community and town councils are authorised to provide a civic allowance to the mayor/chair of the council at an amount that they deem appropriate to undertake the functions of that office. This is in addition to the £150 payment for costs and expenses if that is made.
47.	Community and town councils are authorised to provide a civic allowance to the deputy mayor/deputy chair of the council at an amount that they deem appropriate to undertake the functions of that office. This is in addition to the £150 payment for costs and expenses if that is made.
48.	Community and town councils are authorised to make payments to each of their members in respect of travel costs for attending approved duties. Such payments must be the actual costs of travel by public transport or the HMRC mileage allowances as below:

	<ul style="list-style-type: none"> <li>- 45p per mile up to 10,000 miles in the year.</li> <li>- 25p per mile over 10,000 miles.</li> <li>- 5p per mile per passenger carried on authority business.</li> <li>- 24p per mile for private motor cycles.</li> <li>- 20p per mile for bicycles.</li> </ul>
49.	<p>If a community or town council resolves that a particular duty requires an overnight stay, it may authorise reimbursement of subsistence expenses to its members at the maximum rates set out below on the basis of receipted claims:</p> <ul style="list-style-type: none"> <li>- £28 per 24-hour period allowance for meals, including breakfast where not provided.</li> <li>- £200 – London overnight</li> <li>- £95 – elsewhere overnight.</li> <li>- £30 – staying with friends and/or family overnight.</li> </ul>
50.	<p>Community and town councils are authorised to pay financial loss compensation to each of their members, where such loss has actually occurred, for attending approved duties as follows:</p> <ul style="list-style-type: none"> <li>- Up to £33.00 for each period not exceeding 4 hours:</li> <li>- Up to £66.00 for each period exceeding 4 hours but not exceeding 24 hours.</li> </ul>
51.	<p>Community and town councils are authorised to provide for the reimbursement of necessary costs for the care of dependent children and adults (provided by informal or formal carers) and for personal assistance needs up to a maximum of £403 per month. Reimbursement shall only be made on production of receipts from the carer.</p>

## **Annex 2: Independent Remuneration Panel for Wales (IRPW) Regulations:**

- a) for the remuneration of members and co-opted members of relevant authorities**
- b) for functions relating to the salaries of Heads of Paid Service of Principal Councils and Fire and Rescue Authorities**
- c) Chief officers of Principal Councils**

### **Introduction**

Part 8 (sections 141 to 160) and schedules 2 and 3 of the Local Government (Wales) Measure 2011 (*the Measure*) set out the arrangements for the payments and pensions for members of relevant authorities and the functions and responsibilities of the Independent Remuneration Panel for Wales (the Panel).

Sections 62 to 67 of the Local Government (Democracy) (Wales) Act 2013 amends sections 142, 143, 144, 147, 148 and 151 of the Measure and confers additional powers on the Panel.

The powers contained in part 8 and schedules 2 and 3 of the Measure (as amended) have replaced the following Statutory Instruments:

- The Local Authorities (Allowances for Members of County and County Borough Councils and National Park Authorities) (Wales) Regulations 2002 (No. 1895 (W.196)).
- The Local Authorities (Allowances for Members of Fire Authorities) (Wales) Regulations 2004 (No. 2555 (W.227)).
- The Local Authorities (Allowances for Members) (Wales) Regulations 2007 (No.1086 (W.115)).

The Measure also has replaced the sections of the Local Government Act 1972, the Local Government and Housing Act 1989 and the Local Government Act 2000 relating to payments to councillors in Wales.

Allowances for members of community and town councils are set out in Part 5 of these Regulations. The Local Authorities (Allowances for Members of Community Councils) (Wales) Regulations 2003 (No. 895(W.115)) were revoked from 1<sup>st</sup> April 2013.

### **Part 1**

#### **General**

1. a. The short title of these Regulations is: “IRPW Regulations”.

- b. The IRPW Regulations came into force on 1 April 2012. The implementation date for each of the relevant authorities is set out in the Annual Report or Supplementary Report of the Panel.
- c. Authorities are required to produce a schedule of payments to members and co-opted members no later than the 31<sup>st</sup> July each year, for submission to the Panel and publication (see paragraph 46).

## Interpretation

### 2. In the IRPW Regulations:

- “The 1972 Act” means the Local Government Act 1972.
- “The 2000 Act” means the Local Government Act 2000.
- “The 2013 Act” means the Local Government (Democracy) (Wales) Act 2013.
- “Allowance” means the actual or maximum amount which may be reimbursed to members and co-opted members of a relevant authority for expenses necessarily incurred when carrying out the official business of the relevant authority.
- “Annual report” means a report produced by the Panel in accordance with section 145 of the Measure.
- “Approved duty” in relation to community and town councils has the meaning as set out in Part 5 of these Regulations.
- “Attendance Allowance” in relation to community or town councils has the meaning set out in Part 5 of these Regulations.
- “Authority” means a relevant authority in Wales as defined in Section 144(2) of the Measure, and includes a local authority (county or county borough council), a national park authority and a Welsh fire and rescue authority, a community or town council.
- “Basic Salary” has the same meaning as set out in paragraph 6 of these Regulations, and may be qualified as “LA Basic Salary” to refer to the basic salary of a member of a principal council; “NPA Basic Salary” to refer to the basic salary of a member of a national park authority; and “FRA Basic Salary” to refer to the basic salary of a member of a Welsh fire and rescue authority.
- “Chief Officer” of a principal authority has the meaning as defined in the Localism Act 2011
- “Civic Head” is the person elected by the council to carry out the functions of the chair of that council and is designated as mayor or chair.
- “Committee” includes a sub-committee.
- “Community or town council” means in relation to Part 8 of the Measure, a community council as defined in section 33 of the Local Government Act 1972 or a town council in accord with section 245B of the same Act.

- “Consultation draft” means the draft of an Annual or Supplementary report under Section 146 (7) or 147(8) of the Measure, representations on which must be taken into account by the Panel.
- “Constituent authority” – for national park authorities this is a local authority falling within the area of a national park authority; for Welsh fire and rescue authorities it is a local authority falling within the area of a fire and rescue authority.
- “Controlling group” means a political group in a local authority where any of its members form part of the executive.
- “Co-opted Member” has the meaning contained in section 144 (5) of the Measure, that is those with the right to vote on matters within the purview of the committee on which they serve.
- “Co-opted Member fee” has the same meaning as set out in paragraph 19 of these Regulations.
- “Costs of Care” has the same meaning as set out in paragraph 21 of these Regulations.
- “Democratic Services Committee” means the local authority committee established under section 11 of the Measure.
- “Deputy Civic Head” is a person elected by the council to deputise for the mayor or chair of that council.
- “Executive” means the executive of an authority in a form as specified in sections 11(2) to (5) of the 2000 Act, as amended by section 34 of the Measure.
- “Executive arrangements” has the meaning given by section 10(1) of the 2000 Act.
- “Family absence” as defined in Section 142 (2) (b) of the Measure has the meaning given to it by Part 2 of the Measure, and contained in the Regulations relating thereto.
- “Financial Loss Allowance in relation to community or town councils has the meaning as set out in Part 5 of the Regulations.
- “Fire and rescue authority” means an authority constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004 or a scheme to which section 4 of that Act applies.
- “Head of paid service” means as designated under section 4(1) of the Local Government and Housing Act 1989.
- Joint Overview and Scrutiny Committee means a committee or sub committee set up by two or more principal councils under the Local Authority (Joint Overview and Scrutiny Committees) (Wales) Regulations 2013.
- “Largest opposition group” means a political group other than a controlling group which has a greater number of members than any other political group in the authority.

- “Local authority” means a county or county borough council.
- “Member” means in respect of a local authority or a community or town council a person who has been elected to serve as a councillor for that authority; for a national park authority means a member appointed by a constituent authority and also a person appointed by Welsh Ministers; for Welsh fire and rescue authorities means a member appointed by a constituent authority.
- “National Park Authority” means a national park authority established under section 63 of the Environment Act 1995.
- “Official business” has the meaning contained in Section 142 (10) of the Measure in relation to the payment of allowances for care, travel and subsistence as reimbursement of expenses necessarily incurred by members and co-opted members of a relevant authority (excluding community and town councils) when:
  - a. Attending a meeting of the authority or any committee of the authority or any body to which the authority makes appointments or nominations or of any committee of such a body.
  - b. Attending a meeting of any association of authorities of which the authority is a member.
  - c. Attending a meeting the holding of which is authorised by the authority or by a committee of the authority or by a joint committee of the authority and one or more other authorities.
  - d. Attending any training or development event approved by the authority or its executive.
  - e. A duty undertaken for the purpose of or in connection with the discharge of the functions of an executive within the meaning of Part 2 of the 2000 Act, as amended.
  - f. A duty undertaken in pursuance of a standing order which requires a member or members to be present when tender documents are opened.
  - g. A duty undertaken in connection with the discharge of any function of the authority to inspect or authorise the inspection of premises.
  - h. A duty undertaken by members of principal councils in connection with constituency or ward responsibilities which arise from the discharge of local authority functions.
  - i. Any other duty approved by the authority, or any duty of class so approved, undertaken for the purpose of, or in connection with, the discharge of the functions of the authority or any of its committees.
- “Other political group” means a political group other than a controlling group or the largest opposition group (if any) which comprises not less than ten per cent of the members of that authority.



- “Overview and Scrutiny Committee” means a committee of the authority which has the powers set out in sections 21(2) and (3) of the 2000 Act, as amended by Part 6 of the Measure.
- “Panel” means the Independent Remuneration Panel for Wales as set out in section 141(1) and schedule 2 of the Measure.
- “Pay policy statement” means a statement produced by a relevant authority under section 38 of the Localism Act 2011.
- “Presiding Member” means a member of a principal council who has been designated by that council to carry out functions in relation to the chairing of its meetings and proceedings.
- “Principal council” means a county or county borough council.
- “Proper officer” has the same meaning as in section 270(3) of the 1972 Act.
- “Public body” means a body as defined in section 67(b) of the 2013 Act.
- “Qualifying provision” means a provision that makes a variation to a previous decision of the Panel. (Section 65 (c) of the 2013 Act).
- “Qualifying relevant authority” is an authority within the meaning of section 63 of the 2013 Act, required to produce a pay policy statement.
- “Relevant authority” is set out in Section 144(2) of the Measure (as amended) and in section 64 of the 2013 Act and, for the purposes of these Regulations, includes a local authority/principal council, a community or town council, a national park authority and a Welsh fire and rescue authority.
- “Relevant matters” are as defined in Section 142(2) of the Measure.
- “Schedule” means a list setting out the authority’s decisions in respect of payments to be made during the year (as relating to that authority) to all members and co-opted members of that authority.
- “Senior Salary” has the same meaning as set out in paragraph 11 of these Regulations and may be qualified as “Local Authority/Principal council Senior Salary” to refer to the senior salary of a member of a principal council; “National Park Senior Salary” to refer to the senior salary of a member of a national park authority; or “Fire and Rescue authority Senior Salary” to refer to the senior salary of a member of a Fire and Rescue authority.
- “Sickness absence” means the arrangements as set out in the Annual Report.
- “Supplementary report” has the meaning contained in section 146(4 to 8) of the Measure.
- “Travelling and subsistence allowance” has the same meaning as set out in paragraph 25 of these Regulations.
- “Year” has the following meanings:

“financial year” – the period of twelve months ending 31 March;

“calendar year” – the period of twelve months ending 31 December;

“municipal year” – the year commencing on the date of the annual meeting of the local authority and ending the day before the annual meeting of the following year; for national park authorities and Welsh fire and rescue authorities it is the period of up to twelve months following the annual meeting of the authority.

## **Part 2: Schedule of member/co-opted member remuneration**

### **Commencement of term of office**

3. The term of office of:

- A member of a local authority or community or town council begins on the date which that member makes a declaration of acceptance of that office under section 83(1) of the 1972 Act.
- A councillor member of a national park authority begins on the date on which that member is appointed as such by a constituent authority and the term of office of a Welsh Government appointed member begins on the date of that appointment. The term of office of the chair and deputy chair of the national park authority begins on the date of election by that authority to that office.
- A councillor member of a Welsh fire and rescue authority begins on the date on which that member is appointed as such by a constituent authority and the term of office of the chair and deputy chair of the fire and rescue authority begins on the date of election by that authority to that office.
- A co-opted member of a relevant authority begins on the date of appointment by the relevant authority.

### **Schedule of member remuneration (the Schedule) (does not apply to community or town councils – see Part 5)**

4. An authority must produce annually, a schedule of payments it intends to make to its members and co-opted members. The amount of those payments must accord with the Panel’s determinations made for that year in its Annual or Supplementary Reports. The Schedule must be produced no later than four weeks following the annual meeting of the authority.

### **Amendment to the Schedule**

5. An authority may amend the Schedule at any time during the year (as relating to the authority) provided that such amendments accord with the Panel’s determinations for that year.

## **Basic salary**

6. An authority must provide for the payment of a basic salary, as determined by the Panel in its Annual or Supplementary Reports, to each of its members. The amount of the salary must be the same for each member. For principal councils only, this salary remains payable during a period of family absence.
7. A member may not receive more than one basic salary from a relevant authority, but a member of one relevant authority may receive a further basic salary by being appointed as a member of another relevant authority (except in the case as indicated in paragraph 16).
8. The amount of the basic salary will be set in accordance with Section 142(3) of the Measure and will be one of the following:
  - The amount the authority must pay to a member of the authority.
  - The maximum amount that the authority may pay to a member of the authority.
9. Where the term of office of a member begins or ends other than at the beginning or end of the year (as relating to the authority), the entitlement of that member is to such proportion of the basic salary as the number of days during which the member's term of office subsists during that year bears to the number of days in that year.
10. Where a member is suspended or partially suspended from being a member of an authority (Part 3 of the 2000 Act refers) the part of the basic salary payable to that member in respect of the responsibilities or duties from which that member is suspended or partially suspended must be withheld by the authority (Section 155(1) of the Measure).

## **Senior salary**

11. Subject to paragraphs 12 to 18 an authority can make payments of a senior salary to members that it has given specific responsibilities. Such payments must accord with the Panel's determination for the year (as relating to the authority) that the payments are made and must be set out in the Schedule of that authority. For principal councils only, a senior salary will remain payable during the family absence of the office holder.
12. The Panel will prescribe in its Annual or Supplementary Reports the following:
  - The categories of members eligible for the payment of a senior salary which may not be the same for all authorities or categories of authorities.
  - The discretion available to authorities in relation to the payment of senior salaries which may not be the same for all authorities or categories of authorities.

13. The amount of the senior salaries payable will be in accordance with section 142(3) of the Measure and specify:
  - The amount that a relevant authority must pay to a member of the authority.
  - The maximum amount that a relevant authority may pay to a member of the authority.
14. The Senior Salary will comprise an amalgam of the basic salary and an additional amount for the relevant specific responsibility determined by the Panel in its Annual or Supplementary Reports. This may not be the same for all authorities or categories of authorities.
15. The Panel in its Annual or Supplementary Reports will determine either the maximum proportion of its membership or the total number of members that an authority can pay as senior salaries. The percentage may not exceed fifty percent without the express approval of Welsh Ministers (Section 142(5) of the Measure). For principal councils only, the maximum proportion or number may be exceeded to include payment of a senior salary to an additional member who is appointed to provide temporary cover for the family absence of a senior salary office holder (subject to the 50% limit).
- 15(a). For principal councils, Fire and Rescue Authorities and National Park Authorities the maximum proportion or number may be exceeded to include the payment of a senior salary to an additional member who is appointed to provide temporary cover for the sickness absence of a senior salary holder as determined in the Annual Report or a Supplementary Report.
- 15(b). Payments to chairs of Joint Overview and Scrutiny Committees or Sub Committees are additional to the maximum proportion of its membership that an authority can pay as senior salaries subject to the overall maximum of fifty percent as contained in Section 142(5) of the Measure. The Panel will determine the amounts of such payments in an Annual or Supplementary Report.
16. An authority must not pay more than one senior salary to any member. A principal council member in receipt of a senior salary as leader or executive member of a local authority (determined as full-time by the Panel) may not receive a second salary as a member appointed to serve on a national park authority or a Welsh fire and rescue authority.
- 16(a). Paragraph 16 does not apply to payments made to a chair of a Joint Overview and Scrutiny Committee or Sub Committee who is in receipt of a senior salary for a role that is not classified as full time equivalent. It continues to apply to leaders or members of the executive.
17. Where a member does not have, throughout the year specific responsibilities that allow entitlement to a senior salary, that member's payment is to be such proportion of the salary as the number of days during which that member has such special responsibility bears to the number of days in that year.

18. Where a member is suspended or partially suspended from being a member of the authority (Part 3 of the 2000 Act refers) the authority must not make payments of the member's senior salary for the duration of the suspension (Section 155(1) of the Measure). If the partial suspension relates only to the specific responsibility element of the payment, the member may retain the basic salary.

### **Co-opted member payment**

19. A relevant authority must provide for the payment of a fee to a co-opted member as determined by the Panel in its Annual or Supplementary Reports. In relation to this regulation 'co-opted member' means a member as determined in Section 144(5) of the Measure and set out in paragraph 2 of these Regulations.
20. Where a co-opted member is suspended or partially suspended from an authority (Part 3 of the 2000 Act refers) the authority must not make payment of a co-opted member fee for the duration of the suspension (Section 155(1) of the Measure).

### **Allowances**

#### **Costs of Care**

21. Authorities must provide for the payment to members and co-opted members of an authority the reimbursement in respect of such expenses of arranging the care of children or dependants or for the individual member as are necessarily incurred in carrying out official business as a member or co-opted member of that authority. Payments under this paragraph must not be made:
- In respect of any child over the age of fifteen years or dependant unless the member/co-opted member satisfies the authority that the child or dependant required supervision which has caused the member to incur expenses that were necessary in respect of the care of that child or dependant in the carrying out of the duties of a member or co-opted member.
  - To more than one member/co-opted member of the authority in relation to the care of the same child or dependant.
  - Of more than one reimbursement for care to a member or co-opted member of the authority who is unable to demonstrate to the satisfaction of the authority that the member/co-opted member has to make separate arrangements for the care of different children or dependants.
22. The maximum amount of the cost of care payable by an authority is to be determined by the Panel in its Annual or Supplementary Reports.
23. Where a member/co-opted member is suspended or partially suspended from being a member or co-opted member of the authority (Part 3 of the 2000 Act

refers) the part of the reimbursement of the cost of care payable to that member/co-opted member in receipt of the responsibilities or duties from which that member/co-opted member is suspended or partially suspended must be withheld by the authority (Section 155(1) of the Measure).

24. An authority's Schedule must stipulate the maximum amount of the reimbursement of costs of care payable each month and its arrangements for making claims, taking full account of the Panel's determinations in this respect.

### **Travel and subsistence allowances**

25. Subject to paragraphs 26 and 27 below a member or co-opted member is entitled to receive payments from the authority by way of travelling and subsistence allowances at rates determined by the Panel in its Annual or Supplementary Reports. Such allowances are in respect of expenditure incurred by a member or co-opted member in the performance of the official business of the authority.

### **(Paragraphs 26 & 27 apply only to principal councils)**

26. Payment of a subsistence allowance to a local authority member for the performance of official business within the boundaries of a county or county borough where s/he is a member should only be made when the authority is satisfied that it can be justified on economic grounds. This does not apply in respect of co-opted members of a local authority who live outside that authority.
27. A local authority may make provision, subject to any limitations it thinks fit, for members to claim mileage expenses for official business in connection with constituency or ward responsibilities where they arise out of the discharge of the functions of the county or county borough.
28. Where a member or co-opted member is suspended or partially suspended from being a member or co-opted member of the authority (Part 3 of the 2000 Act refers), travelling and subsistence allowances payable to that member/co-opted member in respect of the responsibilities or duties from which that member is suspended or partially suspended must be withheld by the authority (Section 155(1) of the Measure).

## **Part 3: Further provisions**

### **Pensions**

29. Under Section 143 of the Measure, the Panel may make determinations in respect of pension arrangements for local authority members in its Annual or Supplementary Reports. Such determinations may:

- Describe the description of members for whom a local authority will be required to pay a pension.
- Describe the relevant matters in respect of which a local authority will be required to pay a pension.
- Make different decisions for different principal councils.

### **Allowances to support the function of a local authority member**

30. A local authority must provide for the requirements of a member to undertake their role and responsibilities more effectively. The way in which this support should be provided is determined by the Panel in its Annual or Supplementary Reports.

### **Payment of expenses for official and courtesy visits**

31. The arrangements contained in Section 176 of the Local Government Act 1972 will continue to apply but no payment may be made to a person under that arrangement when a payment has been made to that person pursuant to any payment made under these Regulations.

### **Arrangements in relation to family absence**

32. Part 2 of the Measure sets out the rights of local authority members in relation to family absence. The Panel will set out its determinations and the administrative arrangements in relation to the payment of salaries and allowances by principal councils in this respect in its Annual or Supplementary Reports.

### **Sickness Absence**

- 32(a) Arrangements in respect of the long term sickness absence of senior salary holders of principal authorities, Fire and Rescue Authorities and National Park Authorities will be as set out in the Panel's Annual Report or Supplementary Report.

## **Part 4: Salaries, allowances or fees**

### **Repayment of salaries, allowances or fees**

33. An authority must require that such part of a salary, allowance or fee be repaid where payment has already been made in respect of any period during which the member or co-opted member concerned:
- is suspended or partially suspended from that member's/co-opted member's duties or responsibilities in accordance with Part 3 of the 2000 Act or Regulations made under that Act.

- ceases to be a member or co-opted member of the authority.
- or in any way is not entitled to receive a salary, allowance or fee in respect of that period.

### **Forgoing salaries, allowances or fees**

34. Under Section 154 of the Measure, any member or co-opted member may by notice in writing to the proper officer of the authority elect to forgo any part of their entitlement to a salary, allowance or fee under the determination of the Panel for that particular year (as relating to the authority).

## **Part 5: Specific provisions relating to community and town councils (“the council”)**

### **Interpretation**

35. For the purposes of this Part the term member means both an elected member and a co-opted member.

### **Allowances**

36. Allowances:
- a) The council can if it so determines make an annual payment to members in respect of costs incurred in carrying out the role of a member. The maximum amount payable will be set out in the Annual or Supplementary Report of the Panel.
  - b) The council can if it so determines make payments to members in respect of costs of travel for attending approved duties inside or outside the area of the council. The amounts claimable will be set out in the Annual or Supplementary Report of the Panel.
  - c) The council can if it so determines reimburse subsistence expenses to its members when attending approved duties inside or outside the area of the council. The arrangements for reimbursement will be set out in the Annual or Supplementary Report of the Panel.
  - d) The council can if it so determines pay compensation for Financial Loss to its members where such loss has occurred for attending approved duties outside the area of the council. The Allowances will be set out in the Annual or Supplementary Report of the Panel.
  - e) The council can if it so determines pay an allowance to the chair or mayor of the council for the purposes of undertaking the role of that office. The allowance will be set out in the Annual or Supplementary Report of the Panel
  - f) The council can if it so determines pay a responsibility allowance to a number of its members as stipulated in the Annual Report of the Panel.



- g) The council if it so determines reimburse the costs of care to a member as stipulated in the Annual Report of the Panel.
37. A member may elect to forgo any part of an entitlement to an allowance under these Regulations by giving notice in writing to the proper officer of the council.
38. A member making a claim for compensation for Financial Loss must sign a statement that the member has not made and will not make any other claim in respect of the matter to which the claim relates.
39. “Approved Duty” under this Part means
- i. Attendance at a meeting of the council or of any committee or sub-committee of the council or of any other body to which the council makes appointments or nominations or of any committee or sub-committee of such a body.
  - ii. Attendance at any other meeting the holding of which is authorised by the council or a committee or sub-committee of the council, or a joint committee of the council and one or more councils, or a sub-committee of such a joint committee provided that at least two members of the council have been invited and where the council is divided into political groupings at least two such groups have been invited.
  - iii. Attendance at a meeting of any association of councils of which the council is a member.
  - iv. Attendance at any training or development event approved by the council.
  - v. Any other duty approved the council or duty of a class approved by the council for the discharge of its functions or any of its committees or sub-committees.

## **Part 6: Miscellaneous**

### **Arrangements for payments**

40. The Schedule of an authority must set out the arrangements for the payment of salaries, allowances and fees to all members and co-opted members of that authority. Such payments may be made at such times and at such intervals as determined by the authority.

### **Claims**

41. An authority must specify a time limit from the date on which an entitlement to travelling or subsistence allowance arises during which a claim for those allowances must be made by the person to whom they are payable. However, this does not prevent an authority from making a payment where the allowance is not claimed within the period specified.

42. Any claim for payment of travelling or subsistence allowance in accordance with these Regulations (excluding claims for travel by private motor vehicle) shall be accompanied by appropriate receipts proving actual expenses.

### **Avoidance of duplication**

43. A claim for a payment of travelling allowance or subsistence allowance must include, or be accompanied by, a statement signed by the member or co-opted member that the member/co-opted member has not made and will not make any other claim in respect of the matter to which the claim relates.

### **Records of salaries, allowances and fees**

44. An authority must keep a record of the payments made in accordance with these Regulations. Such record must:
- Specify the name of the recipient and the amount and nature of each payment.
  - Be available, at all reasonable times, for inspection (without charge) by any local government elector (within the meaning of section 270(1) of the 1972 Act) for the area of the authority.
  - Allow a person who is entitled to inspect the record to make a copy of any part of it upon payment of such reasonable fee as the authority may require.

### **Publicity requirements**

(The required content of publicity requirements is contained in an annex to the Annual Report)

45. An authority must, as soon as practicable after determining its Schedule of Remuneration for the year under these Regulations and any Report of the Panel and not later than 31 July of the year to which the Schedule refers, make arrangements for the Schedule's publication within the authority's area. **(This section does not apply to community and town councils).**
46. As soon as practicable and no later than 30 September following the end of a year an authority must make arrangements for the publication within the authority's area, the total sum paid by it to each member/co-opted member in respect of basic salary, senior salary, co-opted member fee, reimbursement of costs of care, travel and subsistence allowances. **(This section applies to all relevant authorities).**
47. In the same timescale and in the same manner, a local authority must make arrangements for the publication of any further remuneration received by a member nominated or appointed to another relevant authority. **(This section applies only to principal councils).**

### **Publicising the reports of the Panel**

48. Under Section 146(7) (a) and (b) of the Measure, the Panel will send a consultation draft of its Annual Report or Supplementary Report to all relevant authorities for circulation to authority members and co-opted members, so that representations can be made by members/co-opted members to the Panel, normally in a period of eight weeks.
49. The Panel will determine in its Annual or Supplementary Reports the arrangements publicising its Reports in accordance with Section 151 and 152 of the Measure.

### **Monitoring compliance with the Panel's determinations**

50. Section 153 of the Measure determines that relevant authorities must comply with the requirements imposed by the Panel in its Annual Reports. It also empowers the Panel to monitor the payments made by relevant authorities and for it to require the provision of information that it specifies. The requirements under this section will be set out in the Annual Report of the Panel.

## **Annex 3: Schedule of member remuneration**

1. Principal councils, national park authorities (NPAs) and Welsh fire and rescue authorities (FRAs) (but not community and town councils) must maintain an annual Schedule of Member Remuneration (the 'Schedule') which is in accord with the Panel's determinations on member salary and co-opted member payments and which must contain the following information:

In respect of a principal council:

- a. Named members who are to receive only the basic salary and the amount to be paid.
- b. Named members who are to receive a Band 1 and Band 2 senior salary, the office and portfolio held and the amount to be paid.
- c. Named members who are to receive a Band 3, Band 4 and Band 5 senior salary, the office and portfolio held and the amount to be paid.
- d. Named members who are to receive a civic salary and the amount to be paid.
- e. Named members who are to receive the co-opted member fee and whether chair or ordinary member and the amount to be paid.
- f. Named members who are to receive a senior salary as a chair of a Joint Overview and Scrutiny Committee or Sub Committee and the amount to be paid.
- g. Named members in receipt of a specific or additional senior salary approved by the Panel and the amount to be paid.

In respect of National Park and Fire and Rescue Authorities:

- a. Named members who are to receive a basic salary and the amount to be paid.
  - b. Named member who is to receive a senior salary as a chair of the authority and the amount to be paid.
  - c. Named members who are to receive a senior salary as deputy chair of a committee and the amount to be paid.
  - d. Named members who are to receive the co-opted member fee and whether a chair or ordinary member and the amounts to be paid.
2. Amendments made to the Schedule during the municipal year must be communicated to the Panel as soon as it is practicable.
  3. Principal councils must confirm in their annual Schedule that the maximum limit of senior salaries set for the council has not been exceeded.

4. Principal councils, NPAs and FRAs must include a statement of allowable expenses and the duties for which they may be claimed for care, travel and subsistence in their annual Schedule which is in accord with the Panel's determinations.
5. The Schedule must set out the arrangements for the payment of salaries, allowances and fees to all members and co-opted members of the relevant authority (IRPW Regulation 35); arrangements for making claims for care, travel and subsistence expenses (IRPW Regulations 24 and 36-37); arrangements for the avoidance of duplication (IRPW Regulation 38) and arrangements for re-payment of salaries, allowances and fees (IRPW Regulation 33). This schedule must also include the duties for which members and co-opted members are able to claim travel, subsistence and reimbursement of care costs.
6. Principal councils must declare in the Schedule whether:
  - A statement of the basic responsibility of a councillor is in place.
  - Role descriptors of senior salary office holders are in place.
  - Records are kept of councillor attendance.
7. Principal councils, NPAs and FRAs must make arrangements for the publication of the Schedule of Member Remuneration as soon as practicable after its determination and no later than 31 July of the year to which it applies. This should be sent to the Panel no later than this date. The Schedule should be published in a manner that provides ready access for members of the public.
8. The Schedule must also be sent to the Panel Secretariat to be received by 31 July.

## Annex 4: Publication of Remuneration – the Panel’s Requirements

In accordance with Section 151 of the Measure the Panel requires that:

1. Relevant authorities must publish a Statement of Payments made to its members (including chairs of JOSCs or sub-committees of JOSCs). This information must be published in a form and location that is easily accessible to members of the public no later than 30 September following the end of the year to which the payments relate and in the same timescale also provided to the Panel. The following information must be provided:
  - a. The amount of basic salary, senior salary, civic salary and co-opted member fee paid to each named member/co-opted member of the relevant authority, including where the member had chosen to forego all or part of the salary, or fee for the municipal year in question. Where a senior salary has been paid, the title of the senior office held is to be provided.
  - b. The payments made by community and town councils to named members as:
    - Payments in respect of telephone usage, information technology, consumables etc.
    - Responsibility payments
    - Allowances made to a mayor/chair and deputy mayor/deputy chair
    - Compensation for Financial Loss
    - Costs incurred in respect of travel and subsistence
    - Reimbursement of the costs of care (see paragraph f below)
  - c. All travel and subsistence expenses, reimbursement of the costs of care (see paragraph f below) and other payments received by each named member and co-opted member of the relevant authority, with each category identified separately.
  - d. The amount of any further payments received by any named member nominated to, or appointed by, another relevant authority or other public body as defined by Section 67 of the Local Government (Democracy) (Wales) Act 2013, namely:
    - a local health board
    - a police and crime panel
    - a relevant authority
    - a body designated as a public body in an order made by the Welsh Ministers.
  - e. Names of members who did not receive basic or senior salary because they were suspended for all or part of the annual period to which the Schedule applies.

- f. In respect of the publication of the reimbursement of the costs of care, the Panel has decided to provide relevant authorities with two options.
  - 1) The details of the amounts reimbursed to named members; or
  - 2) The total amount reimbursed by the authority during the year but not attributed to any named member.

It is a matter for each authority to decide which of these options for publication it considers appropriate.

It is also the responsibility of each authority to establish its own position on how to respond to any Freedom of Information requests it receives with regards to reimbursement of costs of care.

- 2. Nil returns are required to be published and provided to the Panel by 30 September.

## Annex 5: Ministerial Remit Letter to the Independent Remuneration Panel for Wales

John Bader  
Chair  
Independent Remuneration Panel for Wales  
[irpmailbox@wales.gsi.gov.uk](mailto:irpmailbox@wales.gsi.gov.uk)



Llywodraeth Cymru  
Welsh Government

17 March 2016

Dear John

Thank you for the copy of your latest Annual Report for 2016; I was pleased to note that you have not proposed any increases in remuneration for the basic or senior salary with the continual pressures that Local Authorities are facing. I was interested to see that the Panel have introduced two salary levels for Executive members to provide more flexibility at local level and to reflect the many differences in responsibilities attached to specific posts.

You are aware that the workload of the Panel is likely to increase in the foreseeable future. This will include the Panel's role in considering what remuneration is appropriate for Shadow Authorities or newly formed Councils post-merger, as set out in section 25 of the Local Government (Wales) Act 2015. I also note the Panel's temporary extension of functions in relation to salaries of chief officers in section 39 of that Act.

As a result of such changes the Panel will be enlarged to six members in June of this year. In light of such expansion I hope that the Panel will provide a comprehensive induction for new members.

I look forward to seeing how the Panel develops in the coming years, and contributes to new policy development around the remuneration of members

I also look forward to receiving your next annual report and noting the degree to which the changes to your functions have affected your work.

Yours Sincerely

**Leighton Andrews AC/AM**

Y Gweinidog Gwasanaethau Cyhoeddus  
Minister for Public Services



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**The Report and other information about the Panel and its work are available on our website at:**

**[www.remunerationpanelwales.org.uk](http://www.remunerationpanelwales.org.uk)**

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**SUBJECT: APPOINTMENT OF A COMMUNITY COMMITTEE MEMBER TO THE STANDARDS COMMITTEE**

**MEETING: Council**

**DATE: 18<sup>th</sup> May 2017**

**DIVISION/WARDS AFFECTED: All**

1. **PURPOSE:** To consider the reappointment of Community Councillor Irene Cameron for a further term to the council's Standards Committee as the community committee member.
2. **RECOMMENDATIONS:** That Community Councillor Irene Cameron is appointed for a further term to the Council's Standards Committee as the community committee member.
3. **KEY ISSUES:**

The Standards Committee (Wales) Regulations 2001 (as amended) ("the regulations") state that a council's Standards Committee must have one community committee member. The Council appointed Community Councillor Irene Cameron of Llanybi Community Council on 15<sup>th</sup> May 2014 to be the community committee member on its Standards Committee on a recommendation from the appointments panel convened for that purpose.

The regulations allow the appointment of a community committee member for one further consecutive term.
4. **REASONS:** The appointment of the community committee member will complete the establishment of the Standards Committee for the new council. The Standards Committee comprises of 5 independent lay members, 3 county councillors and 1 town/community councillor from the county council area.
5. **RESOURCE IMPLICATIONS:** The community committee member can claim an attendance allowance of up to £198 per day as well as reimbursement of travel and subsistence expenditure.
6. **SUSTAINABLE DEVELOPMENT AND EQUALITY IMPLICATIONS:**

None.
7. **SAFEGUARDING AND CORPORATE PARENTING IMPLICATIONS:**

NONE
8. **CONSULTEES:** Town and community councils in the county.
9. **BACKGROUND PAPERS:** Report to council of 15<sup>th</sup> May 2014.

**10. AUTHOR:** Robert Tranter, Monitoring Officer and Head of Legal Services

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