

# Public Document Pack



Neuadd y Sir  
Y Rhadyr  
Brynbuga  
NP15 1GA

Dydd Mercher, 4 Mai 2016

**Hysbysiad o gyfarfod:**

## **County Council**

**Dydd Iau, 12fed Mai, 2016 at 2.00 pm,  
Neuadd Y Sir, Y Rhadyr, Brynbuga, NP15 1GA**

### **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.*

<b>Eitem No</b>	<b>Eitem</b>	<b>Tudalennau</b>
<b>1.</b>	<b>Ymddiheuriadau am absenoldeb</b>	
<b>2.</b>	<b>Fforwm Agored Cyhoeddus :</b>	
<b>2.1.</b>	<b>Cwestiwn gan Mr M. Smith i'r Cynghorydd Sir P. Fox</b>  Is the Leader of the Council aware that the National Cycle Route 4 (a long distance route between London and Fishguard via Reading, Bath, Bristol, Newport, Swansea, Carmarthen, Tenby, Haverfordwest and St.David's a distance of 432 miles) runs through the south of Monmouthshire between Chepstow and Magor and that there is approximately a one and half mile stretch of that cycle route, (which is traffic-free and therefore family friendly) between Rogiet and Undy which is in such a deplorable condition that it is virtually impossible for an adult cyclist to cycle upon and is he further aware that it is entirely impossible for a child cyclist and a wheelchair user to use the path because the finished surface is so rough and covered with what appears to be broken bricks and building materials that have simply been spread across the surface and is he also aware that this section of the NCR 4 is probably, without exaggeration, in the worst condition than any of the 432 miles	

entire length of this major cycling route and that Sustrans the cycling charity organisation has received numerous complaints about the condition of this path and what is he prepared to do to rectify the problem and restore the surface of this very popular cycle/pedestrian/wheelchair path to a condition "fit for purpose" ?

<b>3.</b>	<b>Cyhoeddiad a derbyn deisebau cadeirydd</b>	
<b>4.</b>	<b>Datganiadau o Fuddiant</b>	
<b>5.</b>	<b>I gadarnhau ac arwyddo cofnodion y cyfarfod a gynhaliwyd ar 10 Mawrth 2016</b>	1 - 16
<b>6.</b>	<b>I dderbyn y Rhestr Camau Gweithredu o 10 Mawrth, 2016</b>	17 - 18
<b>7.</b>	<b>Ethol Arweinydd y Cyngor ac i dderbyn hysbysiadau o ddirprwyaethau Arweinydd ( penodiadau i'r Cabinet)</b>	
<b>8.</b>	<b>Cynrychiolaeth Grwpiau Gwleidyddol - Cydbwysedd Gwleidyddol</b>	19 - 28
<b>9.</b>	<b>Penodi Pwyllgorau Dethol</b>	29 - 32
<b>10.</b>	<b>Penodi Pwyllgor Archwilio</b>	33 - 36
<b>11.</b>	<b>Penodi Rheoleiddio a phwyllgorau eraill</b>	37 - 46
<b>12.</b>	<b>Penodi Pwyllgor Gwasanaethau Democrataidd a phenodi Cadeirydd y Pwyllgor</b>	47 - 50
<b>13.</b>	<b>Penodi Pwyllgorau Rhanbarthol</b>	51 - 54
<b>14.</b>	<b>Penodi Pwyllgor Safonau</b>	55 - 58
<b>15.</b>	<b>Penodiadau i Gyrrff Allanol</b>	59 - 72
<b>16.</b>	<b>Cyflogau a Thaliadau Aelodau</b>	73 - 158
<b>17.</b>	<b>I fabwysiadu Cod Ymddygiad diwygiedig ar gyfer Aelodau</b>	159 - 172
<b>18.</b>	<b>I dderbyn y Cynllun Gwella 2016-2017</b>	173 - 220
<b>19.</b>	<b>Cadarnhau'r ymateb ysgrifenedig i'r ymgynghoriad Llywodraeth Cymru ar adran newydd arfaethedig o draffordd yr M4 ( copi ynghlwm) ac ystyried pa sylwadau pellach , os o gwbl, gall aelodau yn dymuno darparu i Lywodraeth Cymru.</b>	221 - 222

**Paul Matthews**

**Prif Weithredwr**

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## CYNGOR SIR FYNWY

MAE CYFANSODDIAD Y PWYLLGOR FEL SY'N DILYN:

Cynghorwyr Sir:

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

**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.

# Public Document Pack Agenda Item 5

## MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of County Council held  
at County Hall, The Rhadyr, Usk, NP15 1GA on Thursday, 10th March, 2016 at 2.00 pm

**PRESENT:** County Councillor B. Strong (Chairman)  
County Councillor J. Higginson (Vice Chairman)

County Councillors: D. Batrouni, J. Prosser, D. Blakebrough, M. Powell, V. Smith, G. Burrows, P. Clarke, J. Crook, D. Dovey, G. Down, A. Easson, D. Edwards, R. Edwards, D. Evans, P. Farley, J. George, R.J.W. Greenland, L. Guppy, E. Hacket Pain, R. Harris, B. Hayward, P.A.D. Hobson, G. Howard, S. Howarth, D. Jones, P. Jones, S. 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
Tracey Harry	Head of Democracy and Regulatory Services
Roger Hoggins	Head of Operations
Will McLean	Head of Policy & Engagement
Joy Robson	Head of Finance/Section 151 Officer
Robert Tranter	Head of Legal Services & Temporary Monitoring Officer
Shirley Wiggam	Senior Strategy & Policy Officer
Martin Davies	Planning Policy Manager
Mark Hand	Head of Planning
Mark Howcroft	Assistant Head of Finance

### **APOLOGIES:**

Councillors R. Chapman, P.A. Fox, M. Hickman, S.B. Jones, J. Marshall and P. Watts

### **2. Public Open Forum**

There were no questions from members of the public.

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

We received the Chairman's report.

There were no petitions presented.

Group Leaders acknowledged retirement of the Principal ALN Officer and commended her work and offered best wishes for the future.

### **4. Declarations of Interest**

There were no declarations of interest.

## MONMOUTHSHIRE COUNTY COUNCIL

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### **5. To confirm and sign the minutes of the meeting held on 21st January 2016.**

The minutes of the County Council meeting held on 21<sup>st</sup> January 2016 were confirmed and signed as a correct record.

### **6. Notices of Motion:**

#### **6.1. Motion by County Councillor F. Taylor:**

***'That this Council write to Welsh Government to clarify the impact of the proposed "Black Route" on Magor Services. In particular that this Council seeks to understand the potential consequences for the 190 local people who are currently employed there.'***

In presenting the motion Councillor Taylor highlighted that there was a need for the exact position to be known, as people's livelihoods would be affected.

Debate on the motion ensued:

- The Leader confirmed that a meeting (with the Service Station) was scheduled for early April. Draft statutory orders had been published by Welsh Government and consultation for the scheme was open until 4<sup>th</sup> May, for objections and concerns. There was an opportunity for representation and Minister response was awaited.
- Council expressed support for the motion, particularly in relation to clarity for people regarding employment and that a letter should be sent to Welsh Government.
- It was recognised that the surrounding area would be affected.

The motion was duly seconded. Upon being put to the vote the motion was carried.

Council resolved that the motion was carried.

#### **6.2. Motion by County Councillor F. Taylor:**

***'That this Council makes available the senior salary payable to the "Leader of other political groups" as recommended by the Independent remuneration Panel for Wales.'***

In presenting the motion, Councillor Taylor highlighted that the issue related to equality and that the salary should be made available, to ensure fairness and equal representation.

Debate ensued:

- It was clarified that the wording within the IRPW report, stated 'if agreed', therefore it was not prescriptive language.
- The maximum number of senior salaries which the Council can pay is 17, the Council has decided to pay 16. There is one Cabinet vacancy and the Chairman of Audit is an independent person and not an elected member. The salary for Audit Chair would be utilised if an elected member was appointed.
- Council recognised that the IRPW report should be agreed at the meeting of Council in May 2016.

The motion was duly seconded. Upon being put to the vote the motion was defeated.



# MONMOUTHSHIRE COUNTY COUNCIL

**Minutes of the meeting of County Council held  
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## **7. Reports of the Head of Finance/S151 Officer:**

### **7.1. Council Tax Resolution 2016/17**

Council were presented with the Council Tax Resolution 2016/17, the purpose was:

1. 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.
2. 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.

Since the Council considered and approved the budget at Council on the 21<sup>st</sup> January 2016, the Minister has responded to the proposal submitted by Local Government to introduce a Rural Stabilisation Grant for the Authorities that received the greatest reduction in funding from Welsh Government. The result is that Monmouthshire has received an additional £109k in funding for 2016/17. In addition, the authority's Single Environment Grant has been notified indicating a 3.5% reduction in the grant, instead of the 6.4% reduction expected and thereby reducing the pressure in the waste budget by circa £70k. The report to Council indicated that if the final funding figures from WG improve, it is recommended that the redundancy budget be funded within the base budget as far as possible.

Statute requires that Council makes appropriate recommendations to prescribed timescales for setting the Council Tax payable for the coming financial year. The Council must also account for precepts made upon it by the Office of Police and Crime Commissioner for Gwent and by Town and Community Councils. The Council is also required to authorise officers to undertake advance recovery action through the Courts where necessary.

During debate we noted the following:

- A question was raised regarding the average across Monmouthshire for precepts for coming year. In response, we were informed that town councils could increase precepts, as required.
- Some members felt that it was difficult for precepts to be set, due to the uncertainty of service devolution.
- The budget planning assumption was 4.95% based on 4.5% cut, however, the cut had been reduced and the saving had been passed to the public. Precepts were varied, depending on the individual town or community council.

The Council resolved to agree recommendations within the report:

- 2.1 It is recommended that the revenue estimates for the year 2016/17 as attached in Appendix 1 be approved. (Note that the summary approved by the Council at its meeting of 21<sup>st</sup> January 2016 has been adjusted for updates to the settlement notified by Welsh government since that meeting).
- 2.2 It is recommended it be noted that, at its meeting on 21<sup>st</sup> January 2016, Council calculated the amounts set out below for the year 2016/17 in accordance with sections 32 and 33 of the [Local Government Finance Act 1992](#) ("the Act").

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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) 45,102.03 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:

<b>Community</b>	<b>Council Tax Base for 2016/17</b>	<b>Community</b>	<b>Council Tax Base for 2016/17</b>
Abergavenny	4,807.62	Llanhennock	286.33
Caerwent	1,097.15	Llanover	820.15
Caldicot	3,987.91	Llantillio Croesenny	457.18
Chepstow	5,445.06	Llantillio Pertholey	1,598.85
Crucorney	738.31	Llantrissant Fawr	263.38
Devauden	638.80	Magor with Undy	2,913.52
Goetre Fawr	1,183.34	Mathern	622.99
Grosmont	491.60	Mitchell Troy	739.60
Gwehelog Fawr	286.83	Monmouth	4,995.48
Llanarth	491.35	Portskewett	1,008.69
Llanbadoc	465.17	Raglan	1,070.78
Llanelly Hill	1,902.42	Rogiet	715.33
Llanfoist Fawr	1,866.14	Shirenewton	727.59
Llangattock Vison Abel	675.35	St.Arvals	456.36
Llangwm	274.87	Tintern	502.87
Llangybi	535.21	Trellech	1,655.35
		Usk	1,380.45
		<b>Total</b>	<b>45,102.03</b>

## MONMOUTHSHIRE COUNTY COUNCIL

### Minutes of the meeting of County Council held at County Hall, The Rhadyr, Usk, NP15 1GA on Thursday, 10th March, 2016 at 2.00 pm

It is recommended that Council resolves:

- 2.3 That the following amounts be now calculated by the Council for the year 2016/17 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) £145,028,163 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) £91,548,002 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) £1,185.89 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) £2,149,634 being the aggregate amount of all special items referred to in Section 34 of the Act (Town and Community Precepts)
  - (f) £1,138.23 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:

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<b>Community Council</b>	<b>Precept Band D Equivalent £'s</b>	<b>Community Council</b>	<b>Precept Band D Equivalent £'s</b>
Abergavenny	58.26	Llanover	14.02
Caerwent	40.10	Llantillio Croesenny	11.81
Caldicot	73.96	Llantillio Pertholey	25.21
Chepstow	91.73	Llantrissant Fawr	17.09
Crucorney	12.87	Magor with Undy	51.48
Devauden	12.52	Mathern	25.81
Goetre Fawr	24.08	Mitchell Troy	15.55
Grosmont	12.21	Monmouth	47.46
Gwehelog Fawr	15.69	Portskewett	20.32
Llanarth	13.23	Raglan	32.50
Llanbadoc	29.09	Rogiet	49.60
Llanelly Hill	38.43	Shirenewton	27.11
Llanfoist Fawr	34.83	St.Arvals	25.62
Llangattock Vibon Abel	13.33	Tintern	34.80
Llangwm	16.37	Trellech	18.73
Llangybi	18.68	Usk	102.18
Llanhennock	16.90		

- (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

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account for the year in respect of categories of dwellings listed in different valuation bands.

<b>Council Tax Band</b>	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>F</b>	<b>G</b>	<b>H</b>	<b>I</b>
Proportion	6	7	8	9	11	13	15	18	21
Council Tax Charge	758.82	885.29	1011.76	1138.23	1391.17	1644.11	1897.05	2276.46	2655.87

- (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: -

**County Council plus Town/Community Council**

	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>F</b>
Abergavenny	797.66	930.60	1,063.55	1,196.49	1,462.38	1,728.26
Caerwent	785.55	916.48	1,047.40	1,178.33	1,440.18	1,702.03
Caldicot	808.13	942.81	1,077.50	1,212.19	1,481.57	1,750.94
Chepstow	819.97	956.64	1,093.30	1,229.96	1,503.28	1,776.61
Crucorney	767.40	895.30	1,023.20	1,151.10	1,406.90	1,662.70
Devauden	767.17	895.03	1,022.89	1,150.75	1,406.47	1,662.19
Goetre	774.87	904.02	1,033.16	1,162.31	1,420.60	1,678.89
Grosmont	766.96	894.79	1,022.61	1,150.44	1,406.09	1,661.75
Gwehelog	769.28	897.49	1,025.71	1,153.92	1,410.35	1,666.77
Llanarth	767.64	895.58	1,023.52	1,151.46	1,407.34	1,663.22
Llanbadock	778.21	907.92	1,037.62	1,167.32	1,426.72	1,686.13
Llanelly Hill	784.44	915.18	1,045.92	1,176.66	1,438.14	1,699.62
Llanfoist	782.04	912.38	1,042.72	1,173.06	1,433.74	1,694.42
Llangattock V A	767.71	895.66	1,023.61	1,151.56	1,407.46	1,663.36
Llangwm	769.73	898.02	1,026.31	1,154.60	1,411.18	1,667.76
Llangybi	771.27	899.82	1,028.36	1,156.91	1,414.00	1,671.09
Llanhennock	770.09	898.43	1,026.78	1,155.13	1,411.83	1,668.52
Llanover	768.17	896.19	1,024.22	1,152.25	1,408.31	1,664.36
Llantillio Croess	766.69	894.48	1,022.26	1,150.04	1,405.60	1,661.17
Llantillio Pertholey	775.63	904.90	1,034.17	1,163.44	1,421.98	1,680.52
Llantrissant	770.21	898.58	1,026.95	1,155.32	1,412.06	1,668.80
Magor with Undy	793.14	925.33	1,057.52	1,189.71	1,454.09	1,718.47
Mathern	776.03	905.36	1,034.70	1,164.04	1,422.72	1,681.39
Mitchell Troy	769.19	897.38	1,025.58	1,153.78	1,410.18	1,666.57
Monmouth	790.46	922.20	1,053.95	1,185.69	1,449.18	1,712.66

**MONMOUTHSHIRE COUNTY COUNCIL**

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Portskewett	772.37	901.09	1,029.82	1,158.55	1,416.01	1,673.46
Raglan	780.49	910.57	1,040.65	1,170.73	1,430.89	1,691.05
Rogiet	791.89	923.87	1,055.85	1,187.83	1,451.79	1,715.75
Shirenewton	776.89	906.38	1,035.86	1,165.34	1,424.30	1,683.27
St. Arvans	775.90	905.22	1,034.53	1,163.85	1,422.48	1,681.12
Tintern	782.02	912.36	1,042.69	1,173.03	1,433.70	1,694.38
Trelech	771.31	899.86	1,028.41	1,156.96	1,414.06	1,671.16
Usk	826.94	964.76	1,102.59	1,240.41	1,516.06	1,791.70

- 2.4 That it be noted for the year 2016/17 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: -

<b>Council Tax Band</b>	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>F</b>	<b>G</b>	<b>H</b>	<b>I</b>
Proportion	6	7	8	9	11	13	15	18	21
Council Tax Charge	146.71	171.16	195.61	220.06	268.96	317.86	366.77	440.12	513.47

- 2.5 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 2016/17 for each of the categories of dwellings shown below: -

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

	A	B	C	D	E	F
Abergavenny	944.37	1,101.76	1,259.16	1,416.55	1,731.34	2,046.12
Caerwent	932.26	1,087.64	1,243.01	1,398.39	1,709.14	2,019.89
Caldicot	954.84	1,113.97	1,273.11	1,432.25	1,750.53	2,068.80
Chepstow	966.68	1,127.80	1,288.91	1,450.02	1,772.24	2,094.47
Crucorney	914.11	1,066.46	1,218.81	1,371.16	1,675.86	1,980.56
Devauden	913.88	1,066.19	1,218.50	1,370.81	1,675.43	1,980.05
Goetre	921.58	1,075.18	1,228.77	1,382.37	1,689.56	1,996.75
Grosmont	913.67	1,065.95	1,218.22	1,370.50	1,675.05	1,979.61
Gwehelog	915.99	1,068.65	1,221.32	1,373.98	1,679.31	1,984.63
Llanarth	914.35	1,066.74	1,219.13	1,371.52	1,676.30	1,981.08
Llanbadock	924.92	1,079.08	1,233.23	1,387.38	1,695.68	2,003.99
Llanelly Hill	931.15	1,086.34	1,241.53	1,396.72	1,707.10	2,017.48
Llanfoist	928.75	1,083.54	1,238.33	1,393.12	1,702.70	2,012.28
Llangattock V A	914.42	1,066.82	1,219.22	1,371.62	1,676.42	1,981.22
Llangwm	916.44	1,069.18	1,221.92	1,374.66	1,680.14	1,985.62
Llangybi	917.98	1,070.98	1,223.97	1,376.97	1,682.96	1,988.95
Llanhennock	916.80	1,069.59	1,222.39	1,375.19	1,680.79	1,986.38
Llanover	914.88	1,067.35	1,219.83	1,372.31	1,677.27	1,982.22
Llantillio Croess	913.40	1,065.64	1,217.87	1,370.10	1,674.56	1,979.03
Llantillio Pertholey	922.34	1,076.06	1,229.78	1,383.50	1,690.94	1,998.38
Llantrissant	916.92	1,069.74	1,222.56	1,375.38	1,681.02	1,986.66
Magor with Undy	939.85	1,096.49	1,253.13	1,409.77	1,723.05	2,036.33
Mathern	922.74	1,076.52	1,230.31	1,384.10	1,691.68	1,999.25
Mitchell Troy	915.90	1,068.54	1,221.19	1,373.84	1,679.14	1,984.43
Monmouth	937.17	1,093.36	1,249.56	1,405.75	1,718.14	2,030.52
Portskewett	919.08	1,072.25	1,225.43	1,378.61	1,684.97	1,991.32
Raglan	927.20	1,081.73	1,236.26	1,390.79	1,699.85	2,008.91
Rogiet	938.60	1,095.03	1,251.46	1,407.89	1,720.75	2,033.61
Shirenewton	923.60	1,077.54	1,231.47	1,385.40	1,693.26	2,001.13
St. Arvans	922.61	1,076.38	1,230.14	1,383.91	1,691.44	1,998.98
Tintern	928.73	1,083.52	1,238.30	1,393.09	1,702.66	2,012.24
Trelech	918.02	1,071.02	1,224.02	1,377.02	1,683.02	1,989.02
Usk	973.65	1,135.92	1,298.20	1,460.47	1,785.02	2,109.56

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- 2.6 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.

Carried

Burrows and Evans left 3.05pm

### **7.2. Treasury Management Policy Statement & Strategy Statement, MRP Policy Statement and Investment Strategy 2016/17**

Council were presented with the Treasury Management Policy Statement & Strategy Statement, MRP Policy Statement and Investment Strategy 2016/17. The purpose of the report was:

1. This proposed Strategy and Policy has been considered by Audit Committee 3rd March 2016, and no adverse comments received.
2. To adopt the annual Treasury Management Policy Statement and the Treasury Management Strategy Statement including the Investment and Borrowing Strategies for 2016/17 to 2019/20 and the Minimum Revenue Provision (MRP) Statement for 2016/17.

During debate:

- It was suggested that a more ambitious strategy could be considered, which could improve return on investments. Officers confirmed that guidance was provided by the Chartered Institute of Public Finance and Accountancy, which was based on the SLY (Security, Liquidity, Yield) principle. There was a need to tie in between short term investment and borrowing. Longer periods of investment will incur longer term borrowing costs, it would be more economical to borrow short term instead of long.
- A member suggested that a more balanced approach could be explored which would support the objective of 'local enterprise' and local businesses.

*County Councillor D. Blakebrough left at 3.10pm*

*County Councillor S. White left at 3.15pm*

Council resolved to agree recommendations within the report:

That the proposed Treasury Management Policy Statement for 2016/17 and proposed Treasury Management Strategy and Investment & Borrowing Strategies 2016/17 to 2019/20, including the Minimum Revenue Provision (MRP) Statement for 2016/17, be approved together with the Treasury Limits as required by section 3 of the Local Government Act 2003.

### **8. Reports of the Chief Officer, Children and Young People:**

#### **8.1. Outcomes following Estyn's Final Monitoring Visit 23-27 November 2015**

Council were presented with a report, the purpose was to provide Council with the outcomes of the Estyn monitoring visit 23 - 27th November 2015.

Members will be aware that since the Estyn inspection in November 2012, the Authority's education services for children and young people has been in special measures. In the final



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report, Estyn identified the following six main recommendations across Monmouthshire's education services:

Recommendation 1: Ensure that safeguarding procedures are robust and underpinned by a clear policy;

Recommendation 2: Improve standards of attainment for all groups of pupils, particularly in secondary schools;

Recommendation 3: Strengthen the level of challenge to schools and use the full range of available to the authority to improve leadership and management in underperforming schools;

Recommendation 4: Improve corporate planning to strengthen links between the local authority's priorities and service level targets;

Recommendation 5: Improve self-evaluation across all services and make better use of data to plan services strategically and target resources appropriately;

Recommendation 6: Ensure that performance management is effective and robust and allows elected members and senior officers to identify and address underperformance

In addition to the main recommendations Estyn also identified aspects of Additional Learning Needs, Inclusion and the Youth Service as unsatisfactory and areas for development.

Estyn carried out a series of three monitoring visits between February 2014 and March 2015 to review how well the local authority was improving. The final monitoring visit took place in November 2015.

Following the final visit, Estyn judged that the Authority has made strong progress in addressing two of the six recommendations and satisfactory progress in addressing the other four as detailed below:

Recommendation 1 - strong progress

Recommendation 2 – satisfactory progress

Recommendation 3 – satisfactory progress

Recommendation 4 – strong progress

Recommendation 5 – satisfactory progress

Recommendation 6 – satisfactory progress

Estyn also noted that significant progress has been made in addressing shortcomings in Additional Learning Needs, Inclusion and the Youth Service. As a result Estyn considers that the authority is no longer in need of special measures and is removing it from further follow up activity

During debate we noted the following:

- The Leader welcomed the report and thanked the Council for working collaboratively and recognised the contribution of select and the Cabinet Member. We noted that the journey was ongoing and lessons had been learnt.
- Assurance was requested that, the membership of the school improvement group, would provide additionality and clarification was required regarding representation. In response, we were informed that it had been identified through work with Estyn, critical work that select have a role in providing reassurance, therefore Chair and Vice Chair are critical. The Chief Officer would present a report, at a future meeting, which would highlight progress and key priorities for future years. Year on year quartile performance had improved and all performance data was available on the hub.
- The Cabinet Member confirmed that performance figures would be presented to the various select committees.
- Council welcomed that the authority was out of special measures and welcomed progress, which included strengthened working relationships and role of scrutiny.

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Council resolved to agree recommendations:

1. That Council receive Estyn's letter following the monitoring visit 23 -27th November 2015.
2. That Council consider the progress the Authority has made against the six recommendations contained in the 2012 ESTYN Inspection Report.
3. That Council note that a School Improvement Group comprising of Members, Officers and external experts is set up to continue to ensure that the pace of improvement is continued and advise on issues where required.

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

##### **9.1. Monmouthshire Local Development Plan: Community Infrastructure Levy**

Council were presented with the Monmouthshire Local Development Plan: Community Infrastructure Levy, the purpose was to advise Council of the results of the recent consultation on a Community Infrastructure Levy (CIL) Preliminary Draft Charging Schedule (PDCS) and to seek endorsement of a Draft Charging Schedule (DCS), with a view to issuing for consultation purposes.

During debate we noted:

- The report had been considered by the Economy and Development Select committee and would be subject to a member seminar, prior to final adoption.
- A member recognised that there were shortcomings in relation to future generations. In developing the future plan, it would be important that there was engagement and communication with the public. Further information was required regarding the process. Officers confirmed that a level of political governance would be required and plans should be in place to support infrastructure demands.

Council resolved to agree recommendations within the report:

Council notes the contents of this report and endorses the DCS, with a view to issuing for consultation purposes.

##### **9.2. Monmouthshire Local Development Plan Affordable Housing Supplementary Planning Guidance**

Council were presented with a report, the purpose was:

1. To advise Council of the results of the recent consultation on Draft Supplementary Planning Guidance (SPG) on Affordable Housing to support the policies of the Monmouthshire Local Development Plan (LDP).
2. To seek Council's agreement to adopt the Affordable Housing SPG as SPG in connection with the Monmouthshire LDP.

During debate the following points ensued:

- It was recognised that there were difficulties with adoptable and unadoptable sites. We were informed that charges related to drainage and the authority was required to ensure that highways were up to an adoptable standard.
- Management would vary, some would be RSLs, and others would be market houses.

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- Some concerns were expressed regarding viability testing of smaller sites, and the consequences of planning in particular areas. In response, we were advised that policies were based on viability evidence, CIL considered developer costs, builder profits and assumes 35% affordable housing. High level testing would demonstrate whether developments could afford it.
- A question was raised regarding affordability and charges by developers. Council were reassured that a rigorous testing process was in place and if the scheme was not viable the affordable housing could be negotiated. The role of the Planning Committee was to ensure processes were rigorous.

Council resolved to agree recommendations within the report:

To adopt the Affordable Housing SPG as SPG in connection with the Monmouthshire LDP to take effect from 1 April 2016. In respect to commuted sums for off-site affordable housing provision, these would apply to planning applications registered as valid on or after 1 April 2016.

#### **9.3. Publication of Pay Policy Statement as required by the Localism Act**

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

In accordance with advice from the Monitoring Officer, it was agreed that Chief Officers leave the meeting.

Council resolved to agree recommendations within the report:

That Full Council approves the Pay Policy for the year 1st April 2016 to 31st March 2017.

Chief Executive Officer terms and conditions and pay are prescribed by the Joint National Council (JNC) for Local Authority Chief Executive Officers. To date, no agreement on a pay award for 2016 for chief executives has been reached, although a pay offer of 1% for 1 April 2016 and an offer of 1%, effective from 1 April 2017 is currently being consulted upon.

That Full Council approves to pay the nationally negotiated and agreed pay award for those employees who come under Joint National Council (JNC) Chief Officers' terms and conditions, with effect from 1 January 2016 to cover the period to 31 March 2017.

The Council employs Chief Officers under JNC terms and conditions which are incorporated in their contracts. The JNC for Chief Officers negotiates on national (UK) annual cost of living pay increases for this group, and any award of same 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.

Chief Officers returned to the meeting.

#### **10. Reports of the Head of Democracy and Regulatory Services:**

##### **10.1. Draft Diary of Meetings 2016/17**

Council were presented with the draft diary of meetings for 2016/17.

# MONMOUTHSHIRE COUNTY COUNCIL

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We resolved to agree the diary, with an amendment:

Council meetings June and July to be held at 5pm

### 11. Reports of the Head of Strategic Partnerships:

#### 11.1. MCC Strategic Equality Plan 2016 - 2020

Council were presented with the Strategic Equality Plan 2016-2020, the purpose was that the Equality Act 2010 was introduced in April 2011 and within its specific duties is the requirement to publish the Council's Equality Objectives within a Strategic Equality Plan (SEP). This is the Council's second SEP replacing the version 2012 – 2016 on the 1st April 2016.

During debate the following points were highlighted:

- Concerns were expressed that consultation was held over the Christmas period. A member was perturbed that 'no resource implications' were identified, it was perceived that a certain level of resourcing will be required to provide training and support. Clarity was required on resource implications and opportunities that needed thought and resourcing.
- It was recognised that resources were an issue and discussions were ongoing.
- Clarification was required regarding progression on issues of religion and international men's day. The Cabinet Member confirmed that this would be progressed with the equalities board. Members were invited to forward any days that should be included.
- It was agreed that wording would be amended in relation to Same Sex Marriage.

Council resolved to approve the plan.

### 13. Member Questions:

#### 13.1. from County Councillor D. Batrouni to County Councillor P. Murphy:

***'How much money has the county of Monmouthshire received from European Union funds since 2005?'***

County Council Murphy responded:

'It has been difficult to go back to 2005 as under the 7 year rule Council records only go back to 2008. However, £2.6 million was forwarded from April 2009 to date on Rural Development activities (Axis4 Funding). The current "Leader" grants are announced at £2.79 million 2014-2020.

However, no funding come directly from the EU. Any EU funds are passported through by Welsh Government'.

As a supplementary Councillor Batrouni asked whether there was any way for information on how much the farming community receives.

Councillor Murphy responded that he would get back to Councillor Batrouni with the information.

#### 13.2. from County Councillor D. Batrouni to County Councillor P. Murphy:

***'What are the Council administration's plans for the extra £109,000 received from the Welsh Government?'***

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County Councillor Murphy responded:

'We welcome the additional funding but regret that the opportunity to redress the imbalance between urban and rural Authorities has been missed to a large extent. We are still facing a considerable ongoing reduction in our funding and regrettably further redundancies will occur. It is essential that provision is made of this to minimise the potential effect on front line services.

*County Councillor Down left at 4.55pm*

**13.3. from County Councillor D. Batrouni to County Councillor P. Hobson:**

***'How often does the Cabinet member talk to the Chief Executives of the Housing Associations that have properties in Monmouthshire?'***

Councillor Hobson responded:

4 and other 3 are pending.

As a supplementary, Councillor Batrouni asked whether other Councillors could be invited to attend?

Councillor Hobson replied that it was not possible on individual case work, but if compounded on same issues and no help of housing association then help could be provided in order to achieve a resolution.

*County Councillor S. Jones left at 5.00pm*

### **12. Reports of the Head of Operations:**

#### **12.1. Food Waste Treatment - Long Term Strategy & Heads of Valley Procurement**

Council resolved to agree to exclude members of the press and public during consideration of the item of business.

**The meeting ended at 5.05 pm**

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**ACTION LIST**  
**MEETING OF MONMOUTHSHIRE COUNTY COUNCIL**  
**10<sup>th</sup> MARCH 2016**

MINUTE NUMBER AND SUBJECT	ACTION TO BE TAKEN	TO BE ACTIONED BY	PROGRESS
<p><b>Motions:</b> Councillor Taylor</p> <p><i>'That this Council write to Welsh Government to clarify the impact of the proposed "Black Route" on Magor Services. In particular that this Council seeks to understand the potential consequences for the 90 local people who are currently employed there.'</i></p>	<ul style="list-style-type: none"> <li>• Council agreed that a letter would be written.</li> </ul>	<ul style="list-style-type: none"> <li>• Leader/T. Harry</li> </ul>	<ul style="list-style-type: none"> <li>• Officer wrote a letter for the Leader to the minister which was circulated to all members and a response was received, which was again circulated to all members.</li> </ul>
<p><b>Strategic Equality Plan</b> Information to be included regarding specific days/events</p>	<ul style="list-style-type: none"> <li>• Information to be included regarding specific days/events</li> </ul>	<ul style="list-style-type: none"> <li>• Equalities Team/Elected members</li> </ul>	<ul style="list-style-type: none"> <li>• The suggestion of holding Religion and Belief and Men's Day will be discussed at the next meeting of the Inclusion Group. Throughout 2016-17 we will gather information as part of our well-being assessment, which is a responsibility under the Well-being of Future Generations Act. The current Strategic Equality Plan will be refreshed later in the year based on evidence gathered as part of the assessment. Officers will look to include any enhancements to plan at this</li> </ul>

			stage.
<b>Member Questions</b>	<ul style="list-style-type: none"> <li>• Supplementary Information requested by Councillor Batrouni, regarding information received by the farming community.</li> </ul>	<ul style="list-style-type: none"> <li>• Cabinet Member/S151 Officer to respond</li> </ul>	<ul style="list-style-type: none"> <li>• TBC</li> </ul>



## MONMOUTHSHIRE COUNTY COUNCIL REPORT

Agenda Item 6

<b>SUBJECT:</b>	<b>REPRESENTATION OF POLITICAL GROUPS - REVIEW</b>
<b>MEETING:</b>	<b>COUNCIL</b>
<b>DATE:</b>	<b>14 May 2016</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)	20	12	3	10
Licensing & Regulatory (12)	5	3	1	3
Planning (16)	7	4	1	4
Democratic Services (12)	5	3	1	3
Aggregate Entitlement (85)	37	22	6	20

**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 – Head of Legal Services/Temporary Monitoring Officer

**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
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>85</b>

#### NOTE:

- (i) Member/Officer Working Groups are not Committees or Sub-Committees.
- (ii) Neither the Standards nor Audit Committees are 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
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     | 19 |
| Labour           | 11 |
| Independent      | 10 |
| 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     | 0.442 |
| Labour           | 0.256 |
| Independent      | 0.233 |
| Liberal Democrat | 0.070 |

- (d) Aggregate entitlement (i.e. 85 multiplied by the relevant figure in paragraph (c) above):

**85 Seats**

Conservative	37.57
Labour	21.76
Independent	19.805
Liberal Democrat	5.95

Rounding up/down gives:

Conservative	37 seats
Labour	22 seats
Independent	20 seats
Liberal Democrat	6 seats

**Total** **85 Seats**



Total seats on body	Labour		Conservative		Lib Dem		Independent	
3	0.77	1	1.33	1	0.21		0.70	1
4	1.02	1	1.77	2	0.28		0.93	1
5	1.28	2	2.21	2	0.35		1.16	1
6	1.53	2	2.65	3	0.42		1.40	1
7	1.79	2	3.09	3	0.49		1.63	2
8	2.05	2	3.53	3	0.56	1	1.86	2
9	2.30	2	3.98	4	0.63	1	2.09	2
10	2.56	3	4.42	4	0.70	1	2.33	2
11	2.81	3	4.86	5	0.77	1	2.56	2
12	3.07	3	5.30	5	0.84	1	2.79	3
13	3.33	3	5.74	6	0.91	1	3.02	3
14	3.58	4	6.19	6	0.98	1	3.26	3
15	3.84	4	6.63	7	1.05	1	3.49	3
16	4.09	4	7.07	7	1.12	1	3.72	4
17	4.35	4	7.51	8	1.19	1	3.95	4
18	4.60	5	7.95	8	1.26	1	4.19	4
19	4.86	5	8.40	8	1.33	1	4.42	5
20	5.12	5	8.84	9	1.40	1	4.65	5
21	5.37	5	9.28	9	1.47	2	4.88	5
22	5.63	5	9.72	10	1.53	2	5.12	5
23	5.88	6	10.16	10	1.60	2	5.35	5
24	6.14	6	10.60	11	1.67	2	5.58	5
25	6.40	6	11.05	11	1.74	2	5.81	6
26	6.65	7	11.49	11	1.81	2	6.05	6
27	6.91	7	11.93	12	1.88	2	6.28	6
28	7.16	7	12.37	12	1.95	2	6.51	7
29	7.42	7	12.81	13	2.02	2	6.74	7
30	7.67	8	13.26	13	2.09	2	6.98	7

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## MONMOUTHSHIRE COUNTY COUNCIL REPORT

<b>SUBJECT:</b>	<b>APPOINTMENT OF SELECT COMMITTEES</b>
<b>DIRECTORATE:</b>	<b>Chief Executives</b>
<b>MEETING:</b>	<b>County Council</b>
<b>DATE:</b>	<b>12<sup>th</sup> May 2016</b>
<b>DIVISION/WARDS AFFECTED:</b>	<b>All</b>

**1. PURPOSE:**

To appoint Select Committees

**2. RECOMMENDATION:**

- 2.1** That the following Select Committees be appointed, together with their terms of reference, attached as appendix A:

**Economy and Development (9 Members)**

**Strong Communities (9 Members)**

**Children and Young People (9 Members)**

**Adults (9 Members)**

**Public Service Board (9 Members)**

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

**Voting on Education Issues only**

Revd. Dr. S. James (Church in Wales)

Mrs A. Lewis (Parent Governor Representative)

Mrs S. Ingle-Gillis (Parent Governor Representative)

Vacancy (Catholic Church)

**Non-Voting**

Vacancy (ASCL)

Mr. G. Murphy (NAHT)

Vacancy (NASUWT)

Vacancy(NUT)

Vacancy (Free Church Federal Council)

Mr. K. Plow (Association of School Governors)

- 2.3** That two members of Action 50+, one from Abergavenny and one from Monmouth, be co-opted onto the Adults Select Committee, for the term of this Council, subject to them agreeing to abide by the Council's Code of Conduct (note: the current co-opted members are Mr David Hill and Mrs Delia Hudson)

**3. REASONS:**

- 3.1** The Council has previously agreed to appoint Select Committees, terms of reference for which are attached as Appendix A. The terms of reference for the public service board selects will be determined once the select committee is convened.

**4. RESOURCE IMPLICATIONS:**

None

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

None

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

None

**8. CONSULTEES:**

Cabinet, Senior Leadership Team, Monitoring Officer

**9. BACKGROUND PAPERS:**

None

**10. AUTHOR:**

John Pearson, Local Democracy Manager  
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Email: johnpearson@monmouthshire.gov.uk

## 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:

Children & Young People's Select Committee	Adults Select Committee	Economy and Development Select Committee	Strong Communities Select Committee
<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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## MONMOUTHSHIRE COUNTY COUNCIL REPORT

<b>SUBJECT:</b>	<b>APPOINTMENT OF AUDIT COMMITTEE</b>
<b>DIRECTORATE:</b>	<b>Chief Executives</b>
<b>MEETING:</b>	<b>County Council</b>
<b>DATE:</b>	<b>12<sup>th</sup> May 2016</b>
<b>DIVISION/WARDS AFFECTED:</b>	<b>All</b>

### 1. PURPOSE:

To appoint an Audit Committee, together with terms of reference and membership.

### 2. RECOMMENDATIONS:

- 2.1 That the Audit Committee be appointed, with the terms of reference attached as appendix A.
- 2.2 That the membership of the Committee comprise 11 members of the Council, to be appointed in accordance with political balance, plus one lay member.
- 2.3 That it be noted that the Chair of the Audit Committee will be appointed by the Committee.

### 3. ROLE OF THE AUDIT COMMITTEE/TERMS OF REFERENCE:

- 3.1 The Local Government (Wales) Measure sets out the following statutory roles for the 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.”*

- 3.3 A local authority may confer on its audit committee *“such other functions as the authority considers suitable to be exercised by such a committee.”*
- 3.4 Terms of reference for the Audit Committee, taking account of the Measure, are attached as appendix A.

### 4 MEMBERSHIP OF THE AUDIT COMMITTEE

- 4.1 The Measure provides that the regulations relating to political balance do not apply to the Committee; however the guidance issued by the Welsh Government states that

*“it is strongly recommended that the balance of members of the Committee is as least as favourable to non-executive groups as would be achieved by political balance rules. It will help the authority if the Audit Committee has the appearance of independence from the leadership.”*

**4.2** The forthcoming Local Government (Democracy) (Wales) Bill will require membership of the Committee to be politically balanced.

**4.3** It is recommended that the Council applies the political balance rules to the Committee.

**4.4** The Measure provides that:

*“(a) at least two-thirds of the members of its audit committee are members of the authority;*

*(b) at least one member of its audit committee is a lay member;*

*(c) no more than one of the members of its audit committee is a member of the authority's executive;*

*(d) the senior member of its executive is not a member of its audit committee.”*

## **5. CHAIR OF THE AUDIT COMMITTEE**

**5.1** The Measure provides that *“the Audit Committee is to appoint the person who is to chair the committee (who may be a member of the authority or a lay member but who must not be a member of an executive group)”*

## **6. REASONS:**

**6.1** The Local Government (Wales) Measure 2011 requires the Council to appoint an Audit Committee including the the terms of reference set out in the Measure.

## **7. RESOURCE IMPLICATIONS:**

None

## **8. CONSULTEES:**

Senior Leadership Team, Cabinet, Monitoring Officer, Chief Internal Auditor

## **9. SUSTAINABLE DEVELOPMENT AND EQUALITY IMPLICATIONS:**

None

## **10. SAFEGUARDING AND CORPORATE PARENTING IMPLICATIONS:**

None

**11. BACKGROUND PAPERS:** The Local Government (Wales) Measure 2011; Article 6 of the Constitution.

## **12. AUTHOR:**

John Pearson, Local Democracy Manager

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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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religions and denominations as set out below:

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)**

**3. REASONS:**

3.1 Terms of reference for these Committees are attached as Appendix A.

**4. RESOURCE IMPLICATIONS:**

None

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

None

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

None

**7. CONSULTEES:**

Senior Leadership Team, Cabinet, Monitoring Officer

**8. BACKGROUND PAPERS:** Article 6 of the Constitution.

**9. AUTHOR:**

John Pearson, Local Democracy Manager

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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. LEA Governors are appointed representatives of the LEA on a school's governing body. They are not delegates, but can be removed at the discretion

of the LEA. 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 LEA 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 LEA 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 LEA governor vacancy occurs, the school may advise the LEA 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 LEA Governor vacancy occurs, the County Councillor in whose electoral area the school is situated will be informed. (All other County Councillors will be advised of the vacancy for information.) They should consult the school's head teacher and chairman of governors as well as fellow Councillors in cases where pupils are drawn from beyond their electoral division. They may recommend names for consideration.
6. The LEA 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 LEA may remove governors which it has appointed. Any motion or request to remove, setting out reasons, will be considered by the appointing body. The Governor will have the opportunity to make written or oral representations but otherwise the procedure to be adopted will be at the absolute discretion of the appointing body. The LEA will only remove a governor for good reason and in



the interests of the school and not because of the way the governor has voted or is likely to vote in governors' meetings. Any resolution to remove will be notified to the governor, with reasons within 7 days.

## **(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

## MONMOUTHSHIRE COUNTY COUNCIL REPORT

<b>SUBJECT:</b>	<b>APPOINTMENT OF DEMOCRATIC SERVICES COMMITTEE AND APPOINTMENT OF CHAIR OF THE COMMITTEE</b>
<b>DIRECTORATE:</b>	<b>Chief Executives</b>
<b>MEETING:</b>	<b>12 May 2016</b>

### 1. PURPOSE:

To appoint a Democratic Services Committee, to agree terms of reference and membership of the Committee, and to appoint a Chair of the Committee.

### 2. RECOMMENDATIONS:

- 2.1 That a Democratic Services Committee be appointed, with the terms of reference attached as appendix A.
- 2.2 That the membership of the Committee comprise 11 members of the Council, politically balanced.
- 2.3 That the Chair of the Democratic Services Committee be appointed by the Council.

### 3. ROLE OF THE DEMOCRATIC SERVICES COMMITTEE/TERMS OF REFERENCE:

3.1 The Local Government (Wales) Measure 2011 requires the Council appoint a Democratic Services Committee.

3.2 The Measure sets out the following statutory roles for the 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.”*

3.3 The Measure also provides that *“it is for democratic services committee to determine how to exercise those functions.”*

3.4 The Committee recommended expanded terms of reference, which have been approved by the Council. These terms of reference are attached as appendix A.

### 4 MEMBERSHIP OF THE DEMOCRATIC SERVICES COMMITTEE

4.1 The Measures provides that:

- the members of the Committee are to be appointed by the Council
- the Committee is to be politically balanced
- no more than one of the members of the Committee can be a member of the executive;

- the “executive leader” cannot be a member of the Committee.

**5. CHAIR OF THE DEMOCRATIC SERVICES COMMITTEE**

- 5.1** The Measure provides that the Council is to appoint the person who is to chair the Democratic Services Committee (who must not be a member of an executive group).

**6. REASONS:**

- 6.1** The Local Government (Wales) Measure 2011 requires the Council to appoint a Democratic Services Committee and to appoint a Chair of the Committee.

**7. RESOURCE IMPLICATIONS:**

None

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

None

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

None

**10. CONSULTEES:**

Cabinet, Senior Leadership Team, Monitoring Officer

**11. BACKGROUND PAPERS:** The Local Government (Wales) Measure 2011

**12. AUTHOR:**

John Pearson, Local Democracy Manager

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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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## MONMOUTHSHIRE COUNTY COUNCIL REPORT

<b>SUBJECT:</b>	<b>APPOINTMENT OF AREA COMMITTEES</b>
<b>DIRECTORATE:</b>	<b>Chief Executives</b>
<b>MEETING:</b>	<b>County Council</b>
<b>DATE:</b>	<b>12 May 2016</b>
<b>DIVISION/WARDS AFFECTED:</b>	<b>All</b>

### 1. PURPOSE:

To appoint Area Committees, together with their membership and terms of reference.

### 2. RECOMMENDATION:

- 2.1 That Area Committees be appointed together with their membership as set below, and their terms of reference attached as appendix A.

#### **Bryn y Cwm**

Councillor M. Powell	Castle
Councillor G. Howard	Llanelly Hill
Councillor D L Edwards	Grofield
Councillor J.L Prosser	Priory
Councillor J George	Lansdown
Councillor R G Harris	Croesonen
Councillor S. Jones	Llanover
Councillor S G M Howarth	Llanelly Hill
Councillor S B Jones	Goetre Fawr
Councillor K. Williams	Llanwenarth Ultra
Councillor R.F. Chapman	Mardy
Councillor M. Hickman	Llanfoist Fawr
Councillor D. Jones	Crucorney
Councillor R.P. Jordan	Cantref

#### **Central Monmouthshire**

Councillor G C Burrows	Mitchel Troy
Councillor P R Clarke	Llangybi Fawr
Councillor P. Jones	Raglan
Councillor R Edwards	Llantilio Crossenny
Councillor R J C Hayward	Dixton with Osbaston
Councillor E J Hacket Pain	Wyesham
Councillor B. Strong	Usk
Councillor V E Smith	Llanbadoc
Councillor D. Blakebrough	Trellech United
Councillor S White	Overmonnow
Councillor A M Wintle	Drybridge

#### **Lower Wye**

Councillor D. Batrouni	St Christopher's
Councillor D.L.S. Dovey	St Kingsmark

Councillor G L Down	Shirenewton
Councillor R J W Greenland	Devauden
Councillor P.A.D.Hobson	Larkfield
Councillor P.Murphy	Caerwent
Councillor P. Farley	St Mary's
Councillor A C Watts	Thornwell
Councillor Mrs. A.E.Webb	St. Arvans

### **Severnside**

Councillor A. Easson	Dewstow
Councillor D.J.Evans	West End
Councillor P A Fox	Portskewett
Councillor L. Guppy	Rogiet
Councillor J. Crook	The Elms
Councillor R J Higginson	Severn
Councillor F. Taylor	Mill
Councillor J. Marshall	Green Lane
Councillor P. Watts	Caldicot Castle

### **3. REASONS**

Article 10 of the Constitution (attached), provides that the Council may appoint Area Committees and the Council has previously done so.

### **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:**

Article 10 of the Constitution, as revised; Cabinet Log 6<sup>th</sup> May 2009

### **9. AUTHOR:**

John Pearson, Local Democracy Manager  
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 Email: johnpearson@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 3 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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## MONMOUTHSHIRE COUNTY COUNCIL REPORT

<b>SUBJECT:</b>	<b>APPOINTMENT OF STANDARDS COMMITTEE</b>
<b>MEETING:</b>	<b>County Council</b>
<b>DATE:</b>	<b>12 May 2016</b>
<b>DIVISION/WARDS AFFECTED:</b>	<b>All</b>

### 1. PURPOSE:

To appoint the Standards Committee, together with membership and terms of reference.

### 2. RECOMMENDATIONS:

(1) That the Standards Committee be appointed with the terms of reference attached as appendix A.

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

Current membership and terms of office:

<b>County Councillors:</b>	<b>Independent Members:</b>	<b>Community Member</b>
D.L.Edwards	Mr M Sutton (July 2019)	Mrs I. Cameron
D.J.Evans	Mr T.Auld (Jan 2017)	
R.P.Jordan	Mr G Powell (Jan 2017)	
	Mrs P Reeves (Jan 2017)	
	Mr. G. Preece (May 2021)	

### 3. REASONS:

Extracts from Article 9.3 and Part 3 of the Constitution, which set out the terms of reference and functions of the Standards Committee are attached as appendix A..

### 4. RESOURCE IMPLICATIONS:

None other than attendance fee payable to co-opted members

### 5. SUSTAINABLE DEVELOPMENT AND EQUALITY IMPLICATIONS:

None

### 6. SAFEGUARDING AND CORPORATE PARENTING IMPLICATIONS:

None

### 7. CONSULTees:

Monitoring Officer, Senior Leadership Team, Cabinet

### 8. BACKGROUND PAPERS:

None.

**9. AUTHOR:**

John Pearson, Local Democracy Manager  
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## **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>12 May 2016</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.
- 3.2 Changes have occurred in relation to appointments for Citizens Advice Bureau, addition of Monmouthshire County Citizens Advice Bureau.

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

None

### 6. **SAFEGUARDING AND CORPORATE PARENTING IMPLICATIONS:**

None

### 7. **CONSULTATION:**

Cabinet, Senior Leadership Team, Monitoring Officer

### 8. **BACKGROUND PAPERS:**

List of Appointments to Outside Bodies

### 9. **AUTHOR:**

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**MONMOUTHSHIRE COUNTY COUNCIL**

**REPRESENTATION ON OUTSIDE BODIES (MAY 2015)**

**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
2	Caldicot and Wentloog Levels Drainage Board	Term of Council	Drainage Board	2	Cllr. A. Easson Cllr. P. Murphy	16th May 2013 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	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	Council	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	4 Years	Drainage Board	9	Cllr. P. Murphy Cllr. A.E. Easson (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

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No.	Body	Term of Office	Source of Members Allowances / Expenses	No. of Reps	Name of Councillor Appointed	Appointed at Council on
						17th May 2012
8	Local Government Association	1 Year	L.G.A.	2	Leader Deputy Leader	17th May 2012 17th May 2012
9	Local Government Association-Rural Commission	1 Year	L.G.A	2	Cllr. Mrs. R. Edwards Cllr Mrs. A.E. Webb	17th May 2012 17th May 2012
11	South Wales Fire Authority	Term of Council	Council	2	Cllr. Mrs V.E. Smith Cllr. Mrs. M.E.Powell	17th May 2012 16th May 2013
12	WJEC/ CBAC Ltd	Term of Council	W.J.E.C.	1	Rep. Director - Cllr. Mrs.E.J.Hacket Pain	17th May 2012
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 Mangt 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 Environment, Public Services & Housing (Cllr G. Howard) 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	South Wales Regional Aggregates Working Party	Term of Council	Council	1	Cllr B. Strong	17th May 2012

No.	Body	Term of Office	Source of Members Allowances / Expenses	No. of Reps	Name of Councillor Appointed	Appointed at Council on
27	Welsh European Funding Office Objective 3 Monitoring Committee	Term of Council	Council	1	Cllr R.P. Jordan	17th May 2012
29	Scrutiny Champions Wales Network	Term of Council	Council	1	Cllr J. Prosser	15th May 2014
30	Monmouthshire Adoption Panel	Term of Council	Council	1	Cllr. P. Jones	17th May 2012
31	Monmouthshire Fostering Panel	Term of Council	Council	1	Cllr. R.G. Harris	17th May 2012

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 15th May 201
2	Monitor (The Board of the County Hall Joint Company)	Term of Council	Council	3	Cllr. P. Clarke Cllr. R. Edwards Cllr. A.E. Webb	17th May 2012 17th May 2012 17th May 2012
3	Capital Regional Tourism (previously known as Tourism South Wales Ltd )	Term of Council	Council	2	Cllr. R.J.W. Greenland 1 Officer	17th May 2012 17th May 2012
4	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
5	Aneurin Bevan Local Health Board-Stakeholder Reference Group	Term of Council	Council	1	Cllr. J.L. Prosser	17th May 2012
6	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
7	Education Achievement Service	Term of Council	Council	2	Cllr E.J. Hackett Pain (Cabinet Member for Schools and Learning-as representative member of the company. Cllr R. Greenland -to Board of Directors	21 <sup>st</sup> June 2012
8	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

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No.	Body	Term of Office	Source of Members Allowances	No. of Reps	Name of Councillor Appointed	Date Appointed at Council
9	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
				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**

No.	Body	Term of Office	Source of Members Allowances	No. of Reps	Name of Councillor Appointed	Date Appointed at Council
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
5	ASERA (Association of Severnside Relevant Authorities)	Term of Council	Council	2	Cllr. P.R. Clarke Cllr. A.E. Webb	17th May 2012 17th May 2012
6	Severn Estuary Partnership	Term of Council	Council	2	Note: should have the same two members as ASERA(see above) Cllr. P.R. Clarke Cllr. A.E. Webb	17th May 2012 17th May 2012
7	Coleg Gwent Corporation	Term of Council	Council	1	Cllr.P.R.Clarke (Note: the College prefer appointments to be made for a 4 year period)	16th May 2013

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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 Management Committee	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	Cllr. G. Howard	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	Wales Home Safety Council now known as "Home Accident Prevention Wales"	Term of Council	Council	2	Cllr. V.E. Smith 1 Officer <i>(enquiries into status of this body are continuing)</i>	17th May 2012
3	Gwent Association of Voluntary Organisations	Term of Council	Council	1	Cllr. A. Wintle	17th May 2012
4	Monmouthshire Sportlot Community Chest Committee	2 years	Council	3	Cllr. S. Jones Cllr. S. Howarth Cllr. P. Hobson	17th May 2012 15th May 2014 14th May 2015
5	Local Government Flood Forum	Term of Council	Council	1	Cllr. P.R. Clarke	17th May 2012
6	Armed Forces Champion	Term of Council	Council	1	Cllr. J.L. Prosser	

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

No.	Body	Term of Office	Source of Members Allowances	No. of Reps	Name of Councillor Appointed	Nominated at Council
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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## MONMOUTHSHIRE COUNTY COUNCIL REPORT

<p><b>SUBJECT: MEMBERS' SALARIES AND PAYMENTS</b> <b>MEETING: COUNTY COUNCIL</b> <b>DATE: 12 MAY 2016</b> <b>DIVISION/WARDS AFFECTED: COUNTYWIDE</b></p>
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### 1. PURPOSE:

To set out the determinations of the Independent Remuneration Panel for the civic year 2016/2017 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 £13,300 is paid to all members with effect from 12 May 2016.
- 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 (£26,000) or Level 2 (£23,400) payments for members of the executive
  - b. Level 1 (£22,000) or Level 2 (£20,000) 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 on 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 2015/16 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 2016.

**10. AUTHOR:**

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# Independent Remuneration Panel for Wales

## Annual Report

February 2016

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## Foreword



This is our eighth Annual Report since the Panel was established in 2008 and is the fifth Annual Report since the approval of the Local Government (Wales) Measure 2011 ('the Measure')<sup>1</sup>.

In 2013 the Panel revisited the 22 principal councils, the 3 national park authorities (NPAs) and the 3 fire and rescue authorities (FRAs) to discuss how our determinations were working in practice and what matters we should address in our Annual Report. This resulted in a number of significant changes to the Panel's remuneration framework in its Annual Report published in February 2014, including a small increase in the Basic Salary.

Last year the Panel decided that given the continuing constraints on local government spending there would be no increase in remuneration in 2015/16. The Panel has taken the same approach this year and has decided that there will be no increase in remuneration in 2016/17.

For the first time, the Panel was given a remit letter by the Minister for Public Services in which he drew the Panel's attention to the desire of Welsh Government to reduce the cost of politics to the public purse. The Independent Remuneration Panel has given due consideration to the remit letter.

This year the Panel has also given further consideration to the remuneration of members of community and town councils in the light of additional information it has obtained about their work, and we have decided to make some amendments to the remuneration framework as it applies to these councils.

The Panel remains concerned at the inconsistency of support provided to members to enable them to discharge their functions effectively. We are also concerned that some councillors have not always fully utilised the support that has been provided through the Panel's remuneration framework and urges all those involved to ensure that the Panel's determinations are fully implemented and that individual councillors are encouraged to access all the support available, including the Care Allowance.

The Welsh Government amended the Local Government (Wales) Measure 2011 by inserting section 143A that enables the Panel to take a view on any change to the salary of the Head of Paid Service (normally the Chief Executive or Chief Fire Officer) or anything in the Pay Policy Statement of an authority that relates to this post. The Local Government (Wales) Act 2015 has extended this on a temporary basis, to Chief Officers of principal local authorities. In addition the Act provides that the Panel be given powers to determine remuneration for members of shadow authorities and newly forming principal councils.

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

The Panel has continued to contribute wherever possible through its determinations to enhancing diversity in local government in Wales. It has also taken steps to help Welsh Government to broaden the Panel's membership when the opportunity occurs, and the Minister has appointed Julie May, to the Panel from 1 January 2016.

The Panel is keenly aware of the way Welsh Government is progressing the work of the Commission on Public Service Governance and Delivery and will be liaising closely with the Local Democracy and Boundary Commission for Wales in preparation for the implementation of the various Acts that will determine the future shape of local government in Wales.

The Panel's determinations for 2016/17 can be found at Annex 1.

My term of office as Chair of the Panel ends on 31 December 2015, after eight very interesting and rewarding years in that role. I want to thank my fellow Panel members, past and present, for their support to me throughout that time and for their commitment to the work of the Panel. I am very happy to welcome my colleague, John Bader, as the new Chair of the Panel and to wish him and the other Panel members every success in the future.

Finally, on behalf of the Panel I would like to put on record our appreciation of the support we receive for our work from the Welsh Government officials who constitute our secretariat.

*Richard Penn*

**Chair  
December 2015**

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## Summary of payments to members and co-opted members of principal councils, community and town councils, national park authorities and Welsh fire & rescue authorities in 2016/17

**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>		
Cardiff	75	19
Rhondda Cynon Taf	75	19
Swansea	72	19
<b>Group B</b>		
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>		
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

### Table 1 notes

- (i) Following the commencement of the provisions of the Local Government (Democracy) (Wales) Act 2013 there is no longer a need for the Panel to express the limit on senior salaries in percentages. It should be remembered however, that the Measure restricts the maximum number of senior salaries to 50% of the membership of the council, unless Welsh Ministers agree that the

Panel may determine an increased proportion<sup>2</sup>. That has implications for Merthyr Tydfil where the maximum number is 16 and for Isle of Anglesey where the equivalent number is 15 (both of which include civic salaries in respect of the posts of civic head and deputy civic head).

- (ii) The civic salaries in respect of civic head and deputy civic head do not count towards the maximum proportion of senior salaries that a council is allowed to pay (except for the Isle of Anglesey and Merthyr Tydfil).

**Table 2:** Basic salary and senior salaries shall be payable as follows to all members of principal councils

<b>Basic salary (payable to all elected members) £13,300</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	£53,000	£48,000	£43,000
Deputy leader	£37,000	£33,500	£30,000
<b>Band 2</b>			
Executive members – Level 1	£32,000	£29,000	£26,000
Executive members – Level 2	£28,800	£26,100	£23,400
<b>Band 3</b>			
Committee chairs (if remunerated):	Level 1	£22,000	
	Level 2	£20,000	
<b>Band 4</b>			
Leader of largest opposition group <sup>3</sup>		£22,000	
<b>Band 5</b>			
Leader of other political groups		£17,000	

<sup>2</sup> As set out in The Local Government (Wales) Measure 2011: Section 142; sub-section 5.

<sup>3</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”.

## Table 2 Notes

- (i) The Panel has determined that a council must make a senior salary available to the leader of the largest opposition group (subject to the 10% of membership requirement).

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

<b>Remuneration of civic leaders and deputy civic leaders</b> <i>(inclusive of basic salaries)</i>		
Responsibility Level	Civic leaders	Deputy civic leaders
Level 1	24,000	18,000
Level 2	21,500	16,000
Level 3	19,000	14,000

**Table 4:** Fees for co-opted members (with voting rights) of local authorities (including national park authorities and fire and rescue authorities)

Chairs of standards committees 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)

**Table 5:** Basic and senior salaries shall be as follows to members of national park authorities (NPAs)

<b>Basic salary</b>	£3,600
<b>Senior salaries (inclusive of basic salary)</b>	
Chair <sup>4</sup> (Band 3)	£12,300
Deputy chair/committee chair (see note i)	
Level 1	£7,300
Level 2	£6,000

**Table 6:** Basic and senior salaries shall be as follows to members of Welsh fire and rescue authorities (FRAs)

<b>Basic salary</b>	£1,700
<b>Senior salaries (inclusive of basic salary)</b>	
Chair <sup>5</sup> (Band 3)	£10,400
Deputy chair	£5,400
Committee chair (see note i)	£5,400

**Tables 5 & 6 notes**

**(i)** A National Park Authority / Fire & Rescue Authority senior salary can be paid to the chair, deputy chair, and up to two other committee chairs.

**(ii)** National Park Authorities and Fire & Rescue Authorities, as in the case of principal councils, can decide on the maximum number of days for which co-opted members may be paid in any one year.

<sup>4</sup> Brecon Beacons, Pembrokeshire Coast, Snowdonia.

<sup>5</sup> Mid & West Wales, North Wales, South Wales.



# 1. Introduction

- 1.1 This is the eighth Annual Report of the Independent Remuneration Panel for Wales (the Panel), and the fifth published under the requirements of the Local Government (Wales) Measure 2011. The Measure extended the responsibilities of the Panel and its powers under Section 142 to decide (prescribe) payments to members of relevant authorities. This enabled the Panel to move beyond the previous limitation of setting maximum limits for member payments and the Panel has been able to use this power of prescription from April 2012. The Measure also extended the Panel's remit to include responsibility for the remuneration of members of National Park Authorities (NPAs), Fire and Rescue Authorities (FRAs) and Community and Town Councils.
- 1.2 Section 63 of 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 Panel's approach to its use of this power is set out in Section 11 of this Report and accords with the guidance issued to the Panel by the Welsh Government that can be found at Annex 6.
- 1.3 The Local Government (Wales) Act 2015 provides additional powers and responsibilities for the Panel. This, on a temporary basis, extends its functions relating to Heads of Paid Service to Chief Officers of principal local authorities. In addition the Act provides that the Panel be given powers to determine remuneration for members of shadow authorities and newly forming principal councils.
- 1.4 In the determinations for this Annual Report the Panel has continued to take into account affordability and acceptability, given the ongoing constraints on local authority budgets.
- 1.5 Although there has been an increase in population throughout Wales, the 2011 census<sup>6</sup> did not indicate that this has been sufficient to move any principal council to a higher population group and the Panel's framework is unchanged in respect of population groups.
- 1.6 As with the Panel's previous Reports, its determinations on member remuneration are underpinned by a set of principles set out in Section 2 of this Annual Report.
- 1.7 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

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<sup>6</sup> 2011 Census table CP04: Usual resident population all ages, unitary authorities in Wales.

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.

- 1.8 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>7</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 and to the electorate's disposable incomes – is likely to exert a powerful impact on the public perception of any increases to members' payments.
- 1.9 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.
- 1.10 Given the very modest relaxation in the constraints on public sector pay and also to prevent further erosion of the relative levels of remuneration, the Panel decided last year in view of the continuing severe constraints on local government resources not to increase remuneration in 2015/16. There has been no change in that situation in the current year and the Panel has decided not to increase remuneration in 2016/17. This will further compromise the alignment to median gross earnings in Wales that underpinned the basic salary set in 2009. This is a matter that the Panel intends to re-examine at an appropriate time in the future.
- 1.11 For the first time the Panel this year was provided with a 'remit' letter<sup>8</sup> by the Minister for Public Services which is normal practice for Assembly sponsored public bodies. The Minister drew the Panel's attention to the desire of Welsh Government to reduce the cost of politics to the public purse and pointed to a number of aspects of the current remuneration framework for consideration. The Minister also asked the Panel to consider whether the rates of payment to leaders and executive members is justified when compared with those paid in

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<sup>7</sup> <http://www.legislation.gov.uk/mwa/2011/4/contents/enacted>.

<sup>8</sup> At Annex 5

similarly sized councils in other parts of the UK. The Panel has given due consideration to the remit letter.

- 1.12 The Panel obtained comparative information from a UK expert on elected member remuneration and met with him to discuss his findings. As a result of this the Panel was reassured that generally the rates of remuneration that it has determined for leaders and executive members in Wales are justified and appropriate in comparison to those of other UK nations.
- 1.13 Consultation responses to this year's draft Annual Report have raised issues about the independence of the Panel and the way the Panel has responded to the remit letter - and the evidence on which the Panel bases its determinations. So far as the first issue is concerned, the Panel has always made it clear that it is a creation of Welsh Government and that the Minister appoints the Chair and members of the Panel and provides its funding as well as a Secretariat to support its work. Notwithstanding this, the Panel has reached its determinations without direction from Welsh Government and the determinations set out in the draft 2016 Report resulted from continuing consideration of the Framework generally and in particular a desire to maximise local flexibility.

In respect of the evidence base the Panel has used to make its determinations, the Panel has made it clear that this is essentially qualitative rather than quantitative. It is derived from information collected from a questionnaire survey of all councillors updated through regular visits to authorities, during which the Panel met many members. Meetings were also conducted with particular interest groups and submissions were regularly received from officers, councillors and members of the wider community. The Panel members all have wide-ranging and lengthy experience either as councillors and/or senior officers and use this extensive qualitative information to make relevant and appropriate determinations.

- 1.14 In its draft 2015 Annual Report the Panel proposed to extend to chairs of committees and civic heads the flexibility it had introduced in its 2014 report in respect of the payments for the roles of committee chair and deputy chairs of NPAs. Following consultation about this proposal the Panel decided to postpone the implementation of this flexibility for committee chairs pending further consideration. The Panel has decided to extend flexibility to the payment of Executive members and committee chairs.
- 1.15 The Panel remains concerned at the wide variation and inconsistency of support provided to members to enable them to discharge their functions effectively. The Panel has 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 respective authority as a contribution towards those support costs which the authority considers necessary for the effectiveness and/or efficiency of members. However, the Panel is aware that a number of authorities have not fully implemented the Panel's determinations in

this regard and last year amendments were made to its previous determinations to ensure there is greater consistency across Wales.

Further to its discussions with members of Democratic Services Committees and Heads of Democratic Services in 2015 the Panel is still concerned that there continues to be variation in the support provided to members. It is important that authorities are aware that insufficient support can undermine the ability of elected members to discharge their basic duties effectively.

- 1.16 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. 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.
- 1.17 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.
- 1.18 The Panel urges all those involved to ensure that the Panel's determinations are fully implemented and that individual members are encouraged to access all the available support, including the care allowance, which has been extended to include provision for members who themselves require personal support and assistance.
- 1.19 The Panel has continued to contribute wherever possible to enhancing diversity in local government in Wales through its determinations. It has also taken steps along with the Public Appointments Unit that should help broaden the Panel's membership when the opportunity occurs. The Panel responded to an invitation from the then Minister for Local Government and Government Business to report on its approach to increasing diversity within its membership. The report can be found on the Panel's website<sup>9</sup>.
- 1.20 Section 153 of the Measure empowers the Panel to monitor relevant authorities' compliance with its requirements. An examination of the level of compliance by principal councils revealed that over half of the councils had significant deficiencies in respect of the requirements relating to the Schedule of Member Remuneration and the publication of remuneration as set out in Annual Reports. Although specific concerns were raised with individual authorities and actions

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<sup>9</sup> <http://wales.gov.uk/docs/dsilg/publications/140926-irp-report-on-local-diversity.pdf>

taken to address them, the Panel continues to emphasise the importance of providing accurate and timely information about payments to councillors that can be readily accessed by members of the public. Panel members will continue to engage with representatives of Democratic Services Committees and officers to discuss ways to improve the consistency and ease of access to this information in the future.

- 1.21 There are significant issues of non-compliance by town and community councils which will be the subject of detailed examination and appropriate action.
- 1.22 The Panel recognises the importance that Welsh Government places on effective scrutiny as an essential element of the cabinet system of local government. The Panel will continue to liaise with the Welsh Government's Scrutiny Reference Panel to inform future determinations in relation to the scrutiny function.
- 1.23 The Panel is also aware of the way Welsh Government is progressing the legislation that will determine the future shape of local government in Wales and the Panel will be liaising closely with the Local Democracy and Boundary Commission for Wales in preparation for its implementation.

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

### **Upholding trust and confidence**

- 2.1 Citizens rightly expect that all those who choose to serve in public 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**

- 2.2 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**

- 2.3 The Framework provides for payment to members of public authorities who carry a responsibility for serving their identified communities of geography and of interest. 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**

- 2.4 Democracy is strengthened when the membership of public 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**

- 2.5 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 available about the activities of their members and in particular expects all local authority councillors to produce an annual report of their council-related activity.

### **Fairness**

- 2.6 As an essential test of the framework's fairness, the Panel ensures that its decisions on remuneration for members take account of the earnings of the electorate in Wales. The framework will be capable of being applied consistently to members of all public authorities as a means of ensuring that levels of remuneration are fair, affordable and generally acceptable.

## **Quality**

- 2.7 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**

- 2.8 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.

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

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

- 3.1 In view of the continuing reduction in public sector funding, the Panel has determined there shall be no increase from spring 2016 in the level of basic salary for members of principal councils.

**Determination 1: Basic salary in 2016/17 for elected members of principal councils shall remain at £13,300.**

#### **Note to Determination 1:**

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. The Panel will revisit when appropriate the basis on which the basic salary has been determined.

#### **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 2016/17 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>		
Cardiff	75	19
Rhondda Cynon Taf	75	19
Swansea	72	19
<b>Group B</b>		
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>		
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 revisited its 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.

We have now given further consideration to this issue following more recent visits as well as views expressed to us as to the appropriateness of paying cabinet members the same salary irrespective of the responsibility of the portfolio held. Although 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 reflected in the remuneration framework. It is not the role of the Panel to determine the structure of cabinets of local authorities so the new determinations provide flexibility for each 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 - £32,000

Group B - £29,000

Group C - £26,000

Level 2 -

Group A - £28,800

Group B - £26,100

Group C - £23,400

It will be 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.

The Panel is therefore introducing two levels of remuneration for chairs of committees:

Level 1 chairs - £22,000

Level 2 chairs - £20,000

It is a matter for individual authorities to determine at which level a chair is paid 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 2016/17 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) £13,300</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	£53,000	£48,000	£43,000
Deputy leader	£37,000	£33,500	£30,000
<b>Band 2</b>			
Executive members Level 1	£32,000	£29,000	£26,000
Executive members Level 2	£28,800	£26,100	£23,400
<b>Band 3</b>			
Committee chairs (if remunerated):	Level 1	£22,000	
	Level 2	£20,000	
<b>Band 4</b>			
Leader of largest opposition group <sup>10</sup>		£22,000	
<b>Band 5</b>			
Leader of other political groups		£17,000	

<sup>10</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".

## 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 the use of the three population groups (A, B and C) has therefore been retained.
- b. 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.
- c. 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 91 chairs of scrutiny who receive senior salaries. The Panel believes that this is a clear recognition of the importance of this function and should be maintained.
- d. 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.
- e. The Panel has determined that a council must make a senior salary available to the leader of the largest opposition group.
- f. The Panel has determined that, if remunerated, a Band 5 senior salary must be paid to leaders of other political groups.
- g. 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 (inclusive of basic salaries)</b>		
Responsibility Level	Civic heads	Deputy civic heads
Level 1	£24,000	£18,000
Level 2	£21,500	£16,000
Level 3	£19,000	£14,000

**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 an allowance which it thinks fit for the purposes of meeting the expenses of those offices.
- 3.10. In many instances civic heads receive secretarial support, 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 of, 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.

The following must be applied:

- 3.16 An elected member must not be remunerated for more than one senior post within his or her authority (but see section 4 on JOSCs).
- 3.17 An elected member must not be paid a senior salary and a civic salary.
- 3.18 All senior and civic salaries are paid inclusive of basic salary.
- 3.19 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.
- 3.20 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**

- 3.21 The Panel held a series of meetings in 2015 with Chairs and members of Democratic Service Committees and Heads of Democratic Services. The Panel remains concerned that there is variation and inconsistency of support provided to members. It is important for authorities to remain aware that insufficient support undermines the ability of members to discharge their basic duties effectively.
- 3.22 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. At the meetings with the Panel in 2015 Heads of Democratic Services 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.
- 3.23 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 indicated above it is the responsibility of each council through its Democratic Services Committee to establish its provision of support based on an assessment of the needs of its members. It would not be appropriate for such facilities only to be available within council offices within office hours. When specific training,

additional needs or matters of disability apply, each authority will need to assess any particular requirements of individual members.

**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.**

### **Reimbursement of travel, subsistence and care costs when on official business**

#### **Reimbursement of mileage costs**

3.24 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 current HMRC rates which are:

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 passenger per mile	Passenger supplement
24p per mile	Motor cycles
20p per mile	Bicycles

3.25 Authorities should pay mileage at the prescribed rates to a member who has been a passenger in a vehicle driven by someone else provided the authority is satisfied that a cost has been incurred by the member. Travel expenses paid to councillors by their local authority are exempt from Income Tax and employee NICs.

#### **Reimbursement of other travel costs**

3.26 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.



- 3.27 The Panel noted 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. This is not the case in those authorities where travel arrangements are made directly by the authority.

### 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

- 3.28 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.
- 3.29 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.
- 3.30 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.
- 3.31 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.

### Reimbursement of costs of care

**Determination 8: All authorities must provide for the reimbursement of necessary costs for the care of dependent children and adults (provided by informal or formal carers) up to a maximum of £403 per month. Reimbursement shall only be made on presentation of receipts from the person providing the care.**

**Determination 9: All authorities must provide for the reimbursement of necessary costs for the care of personal assistance needs (provided by informal or formal carers) up to a maximum of £403 per month. Reimbursement shall only be made on presentation of receipts from the person providing the care.**

- 3.32 The reimbursement of cost of care allowance 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 by their own requirements for personal care and assistance. The Panel recognises that there is some sensitivity concerning the publication of this legitimate expense. However the Panel urges authorities to promote this allowance and encourage greater take-up of this support to facilitate increased engagement amongst authority members.
- 3.33 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.

### **Entitlement to family absence**

- 3.34 The Regulations relating to Family Absence for elected members of principal councils were approved by the National Assembly for Wales in November 2013.
- 3.35 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 10: 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 11: 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 12: 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 13: 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 14: 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 15: The Council's schedule of remuneration must be amended to reflect the implication of the family absence.**

## 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. The payments align with those of chairs of committees of principal councils set out in Section 3 (Level 2).

The following determinations apply:

**Determination 16: 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 17: 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 18: The chair of a sub committee of a JOSC is eligible for a salary of £1,675.**

**Determination 19: 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 20: Payments to chairs of task and finish sub committees are to be pro-rated to the duration of the task.**

**Determination 21: 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 22: A deputy chair of a JOSC or sub committee is not eligible for payment.**

**Determination 23: 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 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 (“*The Measure*”) provides a power to the Panel to make determinations on pension entitlement for elected members of principal councils.

**Determination 24: The entitlement to join the Local Government Pension Scheme (LGPS) shall apply to all eligible elected members of principal councils.**

## **6. Payments to members of national park authorities**

- 6.1 Given the continuing reduction in public sector funding, the Panel has determined there shall be no increase from spring 2016 in the levels of basic salary for members of national park authorities.
- 6.2 The Panel has based its determinations on the following key points:
- NPA members are drawn from two sources. Welsh Government appointees make up one third of the total of members and two thirds are local authority members nominated by constituent authorities.
  - In addition, standards committees of NPAs have co-opted members whose remuneration is included in the framework.
  - Welsh Government appointees and council nominated members are treated equally in relation to remuneration.
  - 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**

- 6.3 The Panel has previously determined that the role of ordinary members of a NPA warranted alignment to the basic salary of a member of a principal council, to be paid for a time commitment of 42 days per year. This continues to underpin its determinations.
- 6.4 The payment of NPA and FRA chairs is set on the same basis (See Section 7). The remuneration of the chair has been aligned to that part of a Band 3 Level 1 senior salary received by a committee chair of a principal authority.
- 6.5 The Panel decided in 2014 to provide local flexibility so that an NPA can decide at which of two levels the roles of deputy chair and other committee chairs can be remunerated. An NPA may choose to pay its deputy chair and/or committee chairs a salary of either £7,300 or £6,000, commensurate with the duties to be discharged in a particular role.

6.6 The Panel has determined that up to two NPA committee chairs can be remunerated.

The Panel has made the following determinations:

**Determination 25: The basic salary for NPA ordinary members should be £3,600 ( $42/156 \times £13,300$ )**

**Determination 26: An NPA senior salary can be paid to the chair, deputy chair, and up to two committee chairs.**

**Determination 27: The senior salary of the chair of an NPA should be £12,300**

**Determination 28: The senior salary of a deputy chair and chairs of NPA committees can be paid at either of the following levels to be decided by the authority to reflect the appropriate responsibility:**

**£6,000 or £7,300**

**Determination 29: Members must not receive more than one NPA senior salary.**

**Determination 30: An NPA senior salary is paid inclusive of the NPA basic salary.**

**Determination 31: Members of principal local authorities in receipt of a Band 1 or Band 2 senior salary cannot receive a salary from any NPA to which they have been appointed.**

**Reimbursement of travel, subsistence and care costs when on official business**

**Reimbursement of mileage costs**

6.7 The Panel has decided 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 current HMRC rates which are:

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 passenger per mile	Passenger supplement
24p per mile	Motor cycles
20p per mile	Bicycles

6.8 Authorities should pay mileage at the prescribed rates to a member who has been a passenger in a vehicle driven by someone else provided the authority is satisfied that a cost has been incurred by the member. Travel expenses paid to councillors by their local authority are exempt from Income Tax and employee NICs.

### Reimbursement of other travel costs

6.9 All other claims for travel must only be reimbursed on production of receipts showing the actual cost, and are 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.

6.10 The Panel noted 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. This is not the case in those authorities where travel arrangements are made directly by the authority.

### 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

6.11 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.

6.12 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.

6.13 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.

- 6.14 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.

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

- 6.15 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. (See Determinations 8 & 9)
- 6.16 The reimbursement of cost of care allowance 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 by their own requirements for personal care and assistance. The Panel recognises that there is some sensitivity concerning the publication of this legitimate expense. However the Panel urges authorities to promote this allowance and encourage greater take-up of this support to facilitate increased engagement amongst authority members.
- 6.17 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.

## **7. Payments to members of Welsh fire and rescue authorities**

7.1 Given the continuing reduction in public sector funding, the Panel has determined there shall be no increase from spring 2016 in the levels of salary for members of Welsh fire and rescue authorities.

7.2 Key points that continue to underpin the Panel's determinations for FRA member remuneration in 2016/17 are that:

- 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**

7.3 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 in the region of 20 days per year. This remains the basis of the Panel's determinations.

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

7.5 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.

7.6 The Panel has determined that up to two FRA committee chairs can be remunerated.

The Panel has therefore determined that:

**Determination 32: The basic salary for FRA ordinary members should be £1,700 (20/156 x £13,300).**

**Determination 33: A Fire & Rescue Authority senior salary can be paid to the chair, deputy chair, and up to two chairs of committees.**

**Determination 34: The senior salary of the chair of an FRA should be £10,400.**

**Determination 35: The senior salary of a deputy chair of an FRA, with significant and sustained senior responsibility, should be £5,400.**

**Determination 36: The senior salary of a chair of an FRA committee should be £5,400.**

**Determination 37: Members must not receive more than one FRA senior salary.**

**Determination 38: An FRA senior salary is paid inclusive of the FRA basic salary.**

**Determination 39: 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.**

## **Reimbursement of travel, subsistence and care costs when on official business**

### **Reimbursement of mileage costs**

7.7 The Panel has decided 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 current HMRC rates which are:

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 passenger per mile	Passenger supplement
24p per mile	Motor cycles
20p per mile	Bicycles

7.8 Authorities should pay mileage at the prescribed rates to a member who has been a passenger in a vehicle driven by someone else provided the authority is satisfied that a cost has been incurred by the member. Travel expenses paid to councillors by their local authority are exempt from Income Tax and employee NICs.

### Reimbursement of other travel costs

7.9 All other claims for travel must only be reimbursed on production of receipts showing actual expense and are 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.

7.10 The Panel noted 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. This is not the case in those authorities where travel arrangements are made directly by the authority.

### 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

7.11 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.

7.12 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.

7.13 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 in such a case it is reasonable and cost effective to reimburse overnight accommodation costs, instead of repeated daily mileage costs, then it is permissible to do so.

7.14 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.

## **Reimbursement of costs of care**

- 7.15 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 personal assistance needs, up to a maximum of £403 per month. Reimbursements shall only be made on production of receipts from the carer. (See Determinations 8 & 9)
- 7.16 The reimbursement of costs of care allowance 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 by their own requirements for personal care and assistance. The Panel recognises that there is some sensitivity concerning the publication of this legitimate expense. However the Panel urges authorities to promote this allowance and encourage greater take-up of this support to facilitate increased engagement amongst authority members.
- 7.17 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.

## 8. Payments to co-opted members of principal councils, national park authorities and fire & rescue authorities<sup>11</sup>

- 8.1 The Panel has determined that a daily/half daily fee is appropriate remuneration for the important role undertaken by co-opted members of authorities. 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.
- 8.2 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.
- 8.3 The determinations are set out below:

**Determination 40: Principal councils, NPAs & FRAs must pay the following fees to co-opted members (Table 4) (who have voting rights).**

**Table 4:** 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)

**Determination 41: 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 42: 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 43: 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.**

<sup>11</sup> This section does not apply to co-opted members of community and town councils.

**Determination 44: 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.**

## Reimbursement of travel, subsistence and care costs when on official business

### Reimbursement of mileage costs

8.4 The Panel has decided 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 current HMRC rates which are:

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 passenger per mile	Passenger supplement
24p per mile	Motor cycles
20p per mile	Bicycles

8.5 Authorities should pay mileage at the prescribed rates to a member who has been a passenger in a vehicle driven by someone else provided the authority is satisfied that a cost has been incurred by the member. Travel expenses paid to councillors by their local authority are exempt from Income Tax and employee NICs.

### Reimbursement of other travel costs

8.6 All other claims for travel must only be reimbursed on production of receipts showing actual expense, and are 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.

8.7 The Panel noted 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. This is not the case in those authorities where travel arrangements are made directly by the authority.

### 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

- 8.8 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.
- 8.9 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.
- 8.10 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 in such a case it is reasonable and cost effective to reimburse overnight accommodation costs, instead of repeated daily mileage costs, then it is permissible to do so.
- 8.11 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.

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

- 8.12 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 personal assistance needs up to a maximum of £403 per month. Reimbursements shall only be made on production of receipts from the carer. (See Determinations 8 & 9)
- 8.13 The reimbursement of costs of care allowance 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 by their own requirements for personal care and assistance. The Panel recognises that there is some sensitivity concerning the publication of this legitimate expense. However the Panel urges authorities to promote this allowance and encourage greater take-up of this support to facilitate increased engagement amongst authority members.
- 8.14 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.



## 9. Specific or additional senior salaries

- 9.1 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.

**Determination 45: The Panel has determined to include a provision for specific or additional senior salaries that do not fall within the current Remuneration Framework.**

- 9.2 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>12</sup> of the membership (this applies to principal councils; different restrictions will apply to national park authorities and fire and rescue authorities).
  - b. Applications will have to be approved by the authority as a whole (this cannot be delegated) prior to submission to the Panel.
  - c. There must be clear evidence that the post/posts have additional responsibility demonstrated by a description of the role, function and duration.
  - d. Each application will have to indicate the timing for a formal review of the role to be considered by the authority as a whole.

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<sup>12</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.

## 10. Payments to members of community and town councils

- 10.1 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.
- 10.2 Determinations 46 to 54 are permissive powers, each of which requires a formal decision by each community or town council. Where a community or a town council does make such a decision, it must apply to all its members at the levels determined by the Panel. 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.
- 10.3 The Panel has made considerable efforts to consult with the 735 community and town councils in Wales over the past three years with limited success. Its survey in 2014 achieved a return rate of only 11.5%. Members of the Panel have researched council websites and have attended conferences of One Voice Wales in order to engage with members. One Voice Wales has undertaken a further survey on behalf of the Panel.

### Costs and expenses

- 10.4 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. This payment may be taxable – this is a matter for each individual member to establish with her/his tax office.

**Determination 46: Community and town councils are authorised to make a payment to each of their members of a maximum amount of £100 per year for costs incurred in respect of telephone usage, information technology, consumables etc.**

### Senior roles

- 10.5 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 47: Community and town councils are authorised to make an additional annual payment not exceeding £500 to up to 3 members in recognition of specific responsibilities.**

## Civic allowance

- 10.6 Recognising that some mayors and chairs of community and town councils and their deputies are very active during their year of office (potentially more active in some respects than the mayors or chairs of the principal councils covering their council area), the Panel has determined that community and town councils should be authorised to pay an allowance for these roles.

**Determination 48: Community and town councils are authorised to provide a civic allowance to the mayor/chair and deputy mayor/chair of the council at an amount that they deem appropriate to undertake the functions of that office.**

## Reimbursement of travel and subsistence when undertaking approved duties

- 10.7 The Panel has decided to change the arrangements under which community and town councils may reimburse travel costs for their members undertaking approved duties both within and outside the authority's boundaries. (Previously community and town councils were only authorised to reimburse travel costs on approved duties outside the area of the council.)

## Reimbursement of Mileage

**Determination 49: Community and town councils are authorised to make payments to each of their members in respect of travel costs for attending approved duties both within and outside the area of the council.<sup>13</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 passenger per mile – passenger supplement.
- 24p per mile for private motor cycles.
- 20p per mile for bicycles.

## Reimbursement of other travel costs

- 10.8 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.

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<sup>13</sup> Authorities should pay mileage at the prescribed rates to a member who has been a passenger in a vehicle driven by someone else provided the authority is satisfied that a cost has been incurred by the member.

## Reimbursement of subsistence

**Determination 50: Community and town councils are authorised to reimburse subsistence expenses to their members for attending approved duties outside the area of the council at the maximum rates set out below on the basis of receipted claims:**

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

**Determination 51: Community and town councils are authorised to pay an Attendance Allowance to each of their members for attending approved duties outside the area of the council as follows:**

- £16.23 for a period not exceeding 4 hours.
- £32.46 for a period exceeding 4 hours but not exceeding 24 hours.

**Determination 52: Community and town councils are authorised to pay a Financial Loss Allowance to each of their members where such loss has actually occurred, for attending approved duties outside the area of the council as follows:**

- £30.05 for a period not exceeding 4 hours.
- £60.11 for a period exceeding 4 hours but not exceeding 24 hours.
- £60.11 plus such amount as is payable above as appropriate for a period exceeding 24 hours.

Councillors are eligible for either an attendance allowance or financial loss allowance, but not both for the same approved duty.

## Care allowance

10.9 In order to address issues of democratic participation and diversity, the Panel has decided to permit payments to members for the care of dependent children and others whilst attending meetings and other approved duties.

**Determination 53: 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) up to a maximum of £403 per month. Reimbursement shall only be made on presentation of receipts from the carer.**

**Determination 54: Community and town councils are authorised to provide for the reimbursement of necessary costs for the care of personal assistance needs (provided by informal or formal carers), up to a maximum of £403 per month. Reimbursement shall only be made on presentation of receipts from the carer.**

### **Publicity requirements**

10.10 There is a requirement on community and town councils to publish details of all payments made to individual members. This information must be published (for example, on council websites) 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 notes with concern that this requirement has not been complied with by many councils and draws attention to the requirements stipulated at Annex 4.

These payments are:

- Costs incurred in respect of telephone usage, information technology, consumables etc.
- Responsibility payments
- Allowances made to a mayor/chair and deputy mayor/chair.
- Attendance Allowance.
- Financial Loss Allowance.
- Costs incurred in respect of travel and subsistence
- Care allowance.

## **11. Salaries of heads of paid service of principal councils and fire and rescue authorities and chief officer of principal councils**

- 11.1 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.
- 11.2 The Welsh Government has issued amended guidance to the Panel which can be found at Annex 6. This sets the basis on which the Panel will carry out the function contained in the legislation.
- 11.3 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.
- 11.4 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.

- 11.5 It is important to note that the Panel will not decide the amount that an individual head of paid service will receive.
- 11.6 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.
- 11.7 Future Annual Reports will continue to include appropriate information on any recommendation(s) made by the Panel in respect of this function during the previous year.

## 12. Compliance with Panel requirements

### The Panel's remit under the Measure

- 12.1 Section 153 of the Measure empowers the Panel to require a relevant authority<sup>14</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.
- 12.2 A relevant authority must implement the Panel's determinations in this report from the date of its annual meeting.

### Monitoring compliance

- 12.3 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 & 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.**

- (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 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>14</sup> Interpretation of "Relevant Authority" provided in the Independent Remuneration Panel for Wales (IRPW) Regulations, Part 1, 'Interpretation'.



## **Annex 1: The Panel's determinations for 2016/17**

1. Basic salary in 2016/17 for elected members of principal councils shall remain at £13,300.
2. The Panel has determined that senior salary levels in 2016/17 for members of principal councils shall be as set out in table 2.
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.
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.
8. All authorities must provide for the reimbursement of necessary costs for the care of dependent children and adults (provided by informal or formal carers) up to a maximum of £403 per month. Reimbursement shall only be made on presentation of receipts from the person providing the care.
9. All authorities must provide for the reimbursement of necessary costs for the care of personal assistance needs (provided by informal or formal carers) up to a maximum of £403 per month. Reimbursement shall only be made on presentation of receipts from the person providing the care.
10. 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.
11. When a senior salary holder is eligible for family absence, he/she will continue to receive the salary for the duration of the absence.

12. 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.
13. 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.
14. 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.
15. The Council's schedule of remuneration must be amended to reflect the implication of the family absence.
16. 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).
17. 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.
18. The chair of a sub committee of a JOSC is eligible for a salary of £1,675.
19. 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.
20. Payments to chairs of task and finish sub committees are to be pro-rated to the duration of the task.
21. 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).
22. A deputy chair of a JOSC or sub committee is not eligible for payment.
23. 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.
24. The entitlement to join the Local Government Pension Scheme (LGPS) shall apply to all eligible elected members of principal councils.

25. The basic salary for NPA ordinary members should be £3,600 ( $42/156 \times £13,300$ ).
26. An NPA senior salary can be paid to the chair, deputy chair, and up to two committee chairs.
27. The senior salary of the chair of an NPA should be £12,300.
28. The senior salary of a deputy chair and chairs of NPA committees can be paid at either of the following levels to be decided by the authority to reflect the appropriate responsibility:  

£6,000 or £7,300
29. Members must not receive more than one NPA senior salary.
30. An NPA senior salary is paid inclusive of the NPA basic salary.
31. Members of principal local authorities in receipt of a Band 1 or Band 2 senior salary cannot receive a salary from any NPA to which they have been appointed.
32. The basic salary for FRA ordinary members should be £1,700 ( $20/156 \times £13,300$ ).
33. A Fire & Rescue Authority senior salary can be paid to the chair, deputy chair, and up to two chairs of committees.
34. The senior salary of the chair of an FRA should be £10,400.
35. The senior salary of a deputy chair of an FRA, with significant and sustained senior responsibility, should be £5,400.
36. The senior salary of a chair of an FRA committee should be £5,400.
37. Members must not receive more than one FRA senior salary.
38. An FRA senior salary is paid inclusive of the FRA basic salary.
39. 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.
40. Principal councils, NPAs & FRAs must pay the following fees to co-opted members (Table 4) (who have voting rights).
41. 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.

42. 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).
43. 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.
44. 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.
45. The Panel has determined to include a provision for specific or additional senior salaries that do not fall within the current Remuneration Framework.
46. Community and town councils are authorised to make a payment to each of their members of a maximum amount of £100 per year for costs incurred in respect of telephone usage, information technology, consumables etc.
47. Community and town councils are authorised to make an additional annual payment not exceeding £500 to up to 3 members in recognition of specific responsibilities.
48. Community and town councils are authorised to provide a civic allowance to the mayor/chair and deputy mayor/chair of the council at an amount that they deem appropriate to undertake the functions of that office.
49. Community and town councils are authorised to make payments to each of their members in respect of travel costs for attending approved duties both within and outside the area of the council.<sup>15</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 passenger per mile – passenger supplement.
  - 24p per mile for private motor cycles.
  - 20p per mile for bicycles.
50. Community and town councils are authorised to reimburse subsistence expenses to their members for attending approved duties outside the area of the council at the maximum rates set out below on the basis of receipted claims:
  - £28 per day allowance for meals, including breakfast where not provided.

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<sup>15</sup> Authorities should pay mileage at the prescribed rates to a member who has been a passenger in a vehicle driven by someone else provided the authority is satisfied that a cost has been incurred by the member.

£200 – London overnight.  
£95 – elsewhere overnight.  
£30 – staying with friends and/or family overnight.

51. Community and town councils are authorised to pay an Attendance Allowance to each of their members for attending approved duties outside the area of the council as follows:

£16.23 for a period not exceeding 4 hours.  
£32.46 for a period exceeding 4 hours but not exceeding 24 hours.

52. Community and town councils are authorised to pay a Financial Loss Allowance to each of their members where such loss has actually occurred, for attending approved duties outside the area of the council as follows:

£30.05 for a period not exceeding 4 hours.  
£60.11 for a period exceeding 4 hours but not exceeding 24 hours.  
£60.11 plus such amount as is payable as appropriate for a period exceeding 24 hours.

53. 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) up to a maximum of £403 per month. Reimbursement shall only be made on presentation of receipts from the person providing the care.

54. Community and town councils are authorised to provide for the reimbursement of necessary costs for the care of personal assistance needs (provided by informal or formal carers) up to a maximum of £403 per month. Reimbursement shall only be made on presentation of receipts from the person providing the care.

## **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 local authorities**

### **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.
- “Care allowance” has the same meaning as set out in paragraph 21 of these Regulations.
- “Chief Officer of a principal authority as contained 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.
- “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.
- “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). For national park authorities and Welsh fire and rescue authorities, senior salary payments will be restricted to specified post-holders as determined by the Panel in its Annual or Supplementary Reports.
  - 15(a) 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**

### **Care allowances**

21. Authorities must provide for the payment to members and co-opted members of an authority an allowance ("care allowance") in respect of such expenses of arranging the care of children or dependants or in respect of the personal care requirements of a 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 care allowance 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 care allowance 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 care allowance 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 care allowance 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.

## **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 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 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 an Attendance Allowance to its members for attending approved duties outside the area of the council. The Allowance will be set out in the Annual or Supplementary Report of the Panel.
- e) The council can if it so determines pay a Financial Loss Allowance 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.
- f) 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.
- g) The council can if it so determines pay a responsibility allowance to members as stipulated in the Annual Report of the Panel.
- h) The council can if it so determines pay a care allowance as stipulated in the Annual Report of the Panel.

37. A member is not entitled to more than one Attendance Allowance in respect of any period of 24 hours or if that member claims a Financial Loss Allowance for the same period.

38. 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.

39. A member making a claim for Attendance or Financial Loss Allowance 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.

40 "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**

41. 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**

42. 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.
43. 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**

44. 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

45. 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 given at Annex 4)

46. 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).**
47. 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, care, travel and subsistence allowances. **(This section applies to all relevant authorities).**
48. 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

49. 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.
50. 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**

51. 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 & 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 care allowances.
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.
  - Annual reports are prepared by councillors, and published on the council website.
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<sup>st</sup> July.

## Annex 4: Publicity requirements

In accordance with Section 151 of the Measure the Panel requires that:

Relevant authorities must make arrangements for the publication within the authority area of the remuneration received by its members and co-opted members (including chairs of JOSCs or sub-committees of JOSCs). This information must be published and provided to the Panel no later than 30 September following the end of the year to which the payments relate. 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:
  - Costs incurred in respect of telephone usage, information technology, consumables etc.
  - Responsibility payments
  - Allowances made to a mayor/chair and deputy mayor/chair
  - Attendance Allowance.
  - Financial Loss Allowance.
  - Costs incurred in respect of travel and subsistence
  - Care allowance.

Nil returns are required to be provided to the Panel by the 30th September.

- c. All care, travel and subsistence expenses 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.

**Annex 5: Ministerial Remit Letter to the Independent Remuneration Panel for Wales (See next page)**



Leighton Andrews AC / AM  
Y Gweinidog Gwasanaethau Cyhoeddus  
Minister for Public Services



Llywodraeth Cymru  
Welsh Government

Ein cyfrOur ref SF/LA/0859/15

Richard Penn  
Chair  
Independent Remuneration Panel for Wales

[irpmailbox@wales.gsi.gov.uk](mailto:irpmailbox@wales.gsi.gov.uk)

25 March 2015

*Dear Richard,*

I was pleased to receive a copy of your Annual Report for 2015. It is clear from your determinations that you are taking account of the ongoing pressures on finances and the need to be mindful of public expectations in relation to the remuneration of elected members and public sector pay more generally.

With this in mind, your recent recommendations in relation to the salaries of the Head of Paid Services at Pembrokeshire and Anglesey councils indicate a readiness to take into account realistic comparisons with salary levels across England and Wales, which I welcome.

I recognise also the efforts of the Panel to address the need to improve diversity in local government, most particularly through the care allowance and the message to local authorities that they should encourage qualified members to take it up.

I am aware that you recently gave evidence to the Assembly Committee considering the Local Government (Wales) Bill 2015. The Bill contains provisions which would enable the Welsh Ministers to direct the Panel to consider the appropriate remuneration for members of shadow authorities and new principal councils. I would expect the Panel to be giving consideration as to how it might approach this new responsibility over the next year.

You will note also the proposed extension of the Panel's responsibilities in relation to the salaries of Heads of Paid Service to additionally encompass chief officers for the period from the enactment of the Bill until 2020, a year after new councils would be expected to have become fully operational. I would welcome the Panel's opinion as to how you might approach this.

The Bill will also increase the size of the Panel from 5 to 6, in recognition of your increased workload. I very much hope that the creation of this additional position, together with the

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recruitment exercise which will take place over this year and next to refresh the Panel's membership, will result in a more equitable gender representation than is currently the case.

Finally, you will be aware of the proposals in the White Paper, *Reforming Local Government: Power to Local People*, which is the subject of consultation at present. I would draw your attention to the desire of Welsh Government to reduce the cost of politics to the public purse and, in particular, for consideration to be given as to whether all local authority cabinet posts should be treated as full-time commitments, whether all cabinet members in an authority should be paid the same and that rates of payment of leaders and cabinet members should be justifiable when compared with those paid in similarly-sized councils in other parts of the UK.

The White Paper also includes proposals for Area Boards, which would see elected members in leadership positions within their communities. This has implications for the way they would work and their relationship with their council. I would ask the Panel to give early consideration to this.

I shall look forward to your next draft report to see the extent to which these matters have been taken into account.

Yours sincerely,  


**Leighton Andrews AC / AM**  
Y Gweinidog Gwasanaethau Cyhoeddus  
Minister for Public Services

# **Annex 6: Guidance to the Independent Remuneration Panel for Wales on the salaries of local authority chief executives and chief officers**

## **1. Background**

- 1.1. The Local Government (Democracy) (Wales) Act 2013 (“the 2013 Act”) received its Royal Assent on 30 July 2013. Its prime purpose was to reform the structure and functions of what is now known as the Local Democracy and Boundary Commission for Wales. There were, however, other provisions concerning Local Government and related issues. They included:
  - Allowing Principal Councils to appoint Presiding Members to chair their meetings, in preference to the traditional civic chair or mayor;
  - Enabling Local Authorities to promote or oppose private bills in the National Assembly, rather than Parliament, if it is the appropriate legislature;
  - Requiring Town and Community Councils to publish information on the Internet;
  - Amending provisions within the Local Government (Wales) Measure 2011 (“the 2011 Measure”) relating to remote attendance at Council meetings and the constitution of audit and democratic services committees, and
  - Enabling Local Authorities to establish joint standards committees.
- 1.2. In addition, the responsibilities of the Independent Remuneration Panel for Wales (“the Panel”) within the 2011 Measure were amended by the 2013 Act in a number of ways but particularly in relation to the pay of Heads of Paid Service of certain Local Authorities.
- 1.3. Heads of Paid Service are statutory posts introduced under the Local Government and Housing Act 1989. Principal Councils and some other local authorities are required to designate one of their officers as the Head of Paid Service. This is usually the Council’s Chief Executive Officer. This officer is required to advise the Council with respect to the discharge of its functions and as to the number and organisation of its staff. For the purpose of this guidance, the term Chief Executive (“CEO”) is to be considered as a reference to the Head of Paid Service and/or a Chief Fire Officer.
- 1.4. The Local Government (Wales) Act 2015 (“the Act”) contains provisions designed to prepare for a restructuring of local government in Wales over the next few years. It contains provisions which:
  - allow for voluntary mergers between principal authorities;
  - Provide for the establishment of transition committees to prepare for new authorities;

- Enable the Local Democracy and Boundary Commission for Wales to review the electoral arrangements for proposed new areas;
  - Enable the Panel to determine remuneration of members of proposed councils;
  - Place restraints on existing authorities carrying out certain transactions in advance of mergers and require them to provide certain information to Welsh Ministers and other authorities.
- 1.5. Section 29 *et seq* of the Act contains provisions permitting the Welsh Ministers to issue directions to place restraints on, amongst other things, certain transactions and recruitment by “merging authorities”. A “merging authority” is a principal authority which is to be merged into a new principal area, whether by merger regulations (voluntary mergers) or by virtue of a Bill introduced in the Assembly by the Welsh Ministers or in an Assembly Act.
- 1.6. In relation to recruitment, directions may impose restrictions on proposed recruitment to certain posts, including chief officers. Should the Welsh Ministers decide to issue directions under subsection (1), no chief officer may be recruited without consent of a person specified in the direction. Should the Welsh Ministers issue a direction under subsection (3), the authority must comply with specified requirements. Directions – and therefore the consent or requirements – can contain matters connected to the length of any appointment and its remuneration.
- 1.7. In an appointment made subject to the Ministerial directions described, the responsibility of the Panel under section 143A of the 2011 Measure to make recommendations in respect of the pay associated with these posts does not apply where the direction is given in relation to a proposal to pay the person a salary which is different to the person’s predecessor.
- 1.8. Section 39(1) of the Act also provides that section 143A of the 2011 Measure has the following effect: the functions of the Panel in relation to CEOs are extended to include all “chief officers” of principal authorities. This is a time limited provision, lasting from the coming into force of this provision, on 25 January 2016 until 31 March 2020. This is the day before the intended “vesting day” on which shadow authorities for new principal areas would take over responsibilities from the currently existing principal authorities.
- 1.9. The definition of “chief officer” in section 39 is taken from the Localism Act 2011:
- (a) the head of its paid service designated under section 4(1) of the Local Government and Housing Act 1989;
  - (b) its monitoring officer designated under section 5(1) of that Act;
  - (c) a statutory chief officer mentioned in section 2(6) of that Act;
  - (d) a non-statutory chief officer mentioned in section 2(7) of that Act;

(e) a deputy chief officer mentioned in section 2(8) of that Act.

The descriptions for (c)-(e) used in the 1989 Act are (in summary)::  
“Statutory chief officers” include—

- (a) the chief education officer or director of education
- (b) the chief officer of a fire brigade
- (c) the director of social services or chief social work officer
- (d) the section 151 or chief finance officer

“Non-statutory chief officer” means -

- (a) a person for whom the head of the authority’s paid service is directly responsible;
- (b) a person who, as respects all or most of the duties of his post, is required to report directly or is directly accountable to the head of the authority’s paid service; and
- (c) any person who, as respects all or most of the duties of his post, is required to report directly or is directly accountable to the local authority themselves or any committee or sub-committee of the authority.

“Deputy chief officer” means, a person who, as respects all or most of the duties of his post, is required to report directly or is directly accountable to one or more of the statutory or non-statutory chief officers.

- 1.10 Section 39(3) of the Act provides that the Welsh Ministers may issue guidance to the Panel in relation to the temporary extension of its functions relating to chief officers’ pay described above..

Further, section 40 amends section 143A of the 2011 Measure to allow an authority that has consulted the Panel about a proposed reduction in salary to reduce (but not increase) the salary payable to a head of paid service (or chief officer for the duration of that provision) while awaiting the recommendation of the Panel provided that the contract under which the salary is payable allows for its alteration once the Panel’s recommendation has been considered.

Section 40 also provides that the Panel must notify the Welsh Ministers of any recommendation it makes on officers’ remuneration.

## **2. The Panel’s responsibilities in relation to Chief Officer/CEO pay**

- 2.1 Section 63 of the 2013 Act amended the 2011 Measure by inserting a new section 143A. Sections 141 to 160 of the 2011 Measure deal with local authority members’ payments and pensions and the powers of the Panel in relation to them. Section

143A enables the Panel to make recommendations, in relation to principal councils and fire and rescue authorities (FRAs), on anything in their Pay Policy Statement (PPS) which relates to the salary of their CEO. As stated above, the Act extends this power for a period to all chief officers in a principal authority. For the purpose of this guidance, salaries include payments made by a relevant authority to an officer who is not an employee of the Authority under a contract for provision of services, as well as payments of salary made to an employed officer under an employment contract. The Panel's power to make recommendations however, is related only to authorities which must produce Pay Policy Statements (principal councils and FRAs).<sup>16</sup>

2.2 Pay Policy Statements are a requirement under the Localism Act 2011 (sections 38 to 43), to be published on an annual basis by principal councils and FRAs. The purpose of the statement is to provide transparency with regard to a local authority's approach to setting the pay of its employees, by identifying the methods by which salaries are determined. In particular, it must include:

- Policies on all aspects and elements of the remuneration of Chief Officers;
- The approach to the publication of, and access to, information relating to all aspects of the remuneration of Chief Officers;
- The council's policy on the remuneration of its lowest paid employees;
- The relationship between the remuneration of its Chief Officers and other employees.

2.3 The Welsh Government has issued guidance to Local Authorities on this matter. <http://wales.gov.uk/topics/localgovernment/finandfunding/publications/payaccount/?lang=en>.

2.4 Pay Policy Statements (PPSs) are designed to cater for decision-making in relation particularly, to the pay of Chief Officers and the lowest paid staff. The position of the Welsh Government, expressed in the PPS guidance, is decision-making on PPSs takes place in public, is open to scrutiny and is subject to a vote of all Council Members. This is reinforced by the Local Authorities (Standing Orders) (Wales) Regulations 2006 (as amended by the Local Authorities (Standing Orders) (Wales) (Amendment) Regulations 2014), which require a principal council to advertise publicly where it proposes to appoint a Chief Officer and the remuneration it proposes to pay in respect of that role is £100,000 per annum or greater.

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<sup>16</sup> It should be noted that section 64 of the 2013 Act, which enables Welsh Ministers to specify a public body which could be added to those for which the Panel has responsibilities, does not apply in relation to the Panel's responsibilities for Chief Executives' or Chief Officers' pay.

- 2.5 In addition to making recommendations about any policy in the authority's PPS which relates to the salary of the CEO, section 143A of the 2011 Measure also provides that the Panel may make recommendations in respect of any proposal to change the salary of a Chief Executive. Principal councils and fire and rescue authorities are obliged to have regard to any recommendation the Panel makes in relation to what is in their PPS concerning Chief Executives' pay. As set out above, this now applies also to chief officers of principal authorities.
- 2.6 Should a Principal council or FRA wish to change the salary of their CEO, or a principal council wish to change the pay of a chief officer, it will have to consult the Panel, unless the change being considered is commensurate with a general pay increase or reduction for "the authority's other staff"<sup>17</sup>. The council or FRA must have regard to the Panel's recommendation when reaching its decision.
- 2.7 The Panel may request any information it needs to assist it to reach a conclusion on the matter and the Council/FRA will be obliged to provide it. The Panel may publish any recommendation it decides to make.
- 2.8 The Panel's recommendation could express approval of the local authority's proposal, express criticism of or concerns about the proposal, or recommend variations of the proposals but it must have regard to this guidance issued by the Welsh Government.

### **3. The Panel's deliberation**

- 3.1 When considering the issue of officers' salaries, it is important that the Panel fully appreciates it is in a fundamentally different position to that in relation to the remuneration of members of local authorities. In the latter situation, the Panel is the final arbiter in the matter. The Panel has the power to set precisely what a member of a local authority should receive, unless it confines itself to setting maxima instead. However, even in this situation it is the Panel, not the local authority or the Welsh Government, which has the power to make the decisions.
- 3.2 In contrast, in relation to Chief Executives or Chief Officers, the Panel's role is limited to taking a view and making a recommendation. Although the Local authority/authorities concerned must have regard to the recommendation, they are not obliged to follow it. The Local Authorities (Standing Orders) (Wales) Regulations 2006 (as amended by the Local Authorities (Standing Orders) (Wales) (Amendment) Regulations 2014) require any such decision to be made through a vote of full Council. The authority however, under section 143A must notify the

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<sup>17</sup> For the purposes of this guidance, "staff" can be interpreted as "officers", so does not include, for instance, teachers or front-line employees delivering services.

Welsh Ministers and the Panel of its response to a recommendation made by the Panel about a change in salary of its CEO. If the Welsh Ministers consider that an authority's response is inconsistent with the Panel recommendation, the authority might be subject to a direction from the Welsh Ministers to re-consider the salary.

- 3.3. Nevertheless, the Panel does not decide what an individual Chief Executive or Chief Officer is paid. This should avoid any need for the Panel to be pulled into negotiations with Trade Unions or professional associations, for instance. Although one cannot rule out the possibility of a legal challenge to a recommendation by the Panel, it is less likely because of the indirect nature of the Panel's relationship to the final decision. It is perhaps more likely, however, in the case of Chief Officers, that the Panel may be subject to pressure from trade unions or professional associations, who may view the Panel's role as intruding into their negotiation process
- 3.4. The Panel is being asked to use its own experience and expertise to arrive at a recommendation in each case that arises. Local authorities are required to provide the Panel with any information it may reasonably require in reaching a conclusion and that provides the Panel with considerable power to gather necessary information. The sort of information the Panel may require could include the following:
- Papers or reports prepared by the Authority in relation to the matter;
  - Reports or other information provided to the Authority by any consultancy, Trade Union or professional association;
  - Details of the total package available, or under consideration, for the Chief Executive or Chief Officer. This could include the length of contract on offer, pension arrangements, severance package, returning officer fees, performance bonuses, provision for annual and other leave, payment in kind (i.e. cars) and relocation costs. The Panel may also wish to take into account any interdependency of individual salaries within pay structures ;
  - Information concerning the remuneration on offer to other Local Authority Chief Executives/Officers. (Note: the Panel are not restricted to only requiring information from the local authority considering a variation in salary).
  - Details of agreements made at the National Joint Council level.
- 3.5. Should there be a situation where, probably as a result of national negotiations, a pay award is made to chief officers across local authorities which differs from that awarded to other staff, the Panel may consider joint or collective approaches from local authorities, rather than each authority needing to separately engage with the Panel. However, this does not fetter the ability of the Panel to make different recommendations to different authorities if they feel so justified.



- 3.6. It is also likely the Panel would wish to take into account more general data relating to prices and incomes, which it may well have available through its relevance to the remuneration of Local Authority members.
- 3.7. The legislation does not restrict the Panel to a purely reactive role. If it wished, the Panel could use its power to make recommendations relating to provisions within local authorities' PPSs irrespective of any proposal to vary the pay of a Chief Executive or Chief Officer provided the recommendation "related to" the salary of the Chief Executive or Chief Officer. The Panel would, however, need to consider whether it had the time and resource to carry out such an exercise and bear in mind that the policy driver behind the provisions in the 2013 Act was related to control over what were viewed as unacceptable decisions in relation to pay increases. Exercising the power in a way that was inconsistent with its purposes, could give rise to legal challenge. However, it does mean any individual or organisation could refer an issue concerning the Chief Executive's or Chief Officer's pay to the Panel for its consideration and the Panel could decide to act on that reference if it felt it necessary.
- 3.8. The Panel needs to be consulted if there is a downward variation being proposed for a Chief Executive's or Chief Officer's pay (unless, as in the case of an increase, it is commensurate with a general approach to officers pay in that Authority). The Panel is likely to take the same type of evidence requirements into account.
- 3.9. Finally, what factors should the Panel take into account in reaching a recommendation? It is for the Panel to make its own assessment of what factors are relevant to the exercise of its discretion in any particular case and how much weight is to be given to them. However, the following paragraphs cover what the Welsh Ministers consider to be key factors to be taken into account by the Panel.
- 3.10. When recruiting Chief Executives and Chief Officers, public sector bodies are obliged to consider what remuneration will be required to recruit and retain the most suitably qualified persons. That is why there is often a large differential between the highest paid individual officer at Chief Executive Officer level and the next level within an Authority. Particularly in relation to Chief Fire Officers, the Panel needs to recognise the professional expertise required for the post and will need to refer to the National Joint Council for Brigade Managers of Local Authority Fire and Rescue Services ("the Gold Book").
- 3.11. The Panel will need to be sensitive to this but also take a balanced approach. Public acceptability is a legitimate factor for the Panel to take into account, but it should not be given undue weight. Although perceived excesses in remuneration of politicians and public officials have given rise to public controversy, it is understandable any significant increase in pay for an already well-paid post may be criticised at a time when economic circumstances are difficult for many families. The Panel also needs to be aware that one of the reasons for the new duty in relation to chief officers being introduced is to introduce an element of control over

any possibility of unreasonable pay rises taking place as mergers approach. Generous increases could have a marked impact on entitlement to redundancy or pension packages.

- 3.12. Salary levels for Chief Executive Officers within comparable local authorities need to be taken into account. In addition, there is a tendency to set arithmetic limits on the differential between the highest and lowest paid staff in an organisation, as well as the differential between the highest and second highest paid. It will be for the Panel to decide whether to take cognisance of this and how much weight to give it.
- 3.13. The Panel will also be able to take into account whether the salary under consideration is reasonable for the area concerned.
- 3.14. In conclusion, the Panel will want to satisfy itself the local authority concerned has made a clear business case for a proposed change and examined the options. The view of the Panel should be taken at the end, not the beginning of the process, in order that the Panel is able to see all the evidence the authority has taken into account in making its proposal. This will be particularly important when an urgent appointment is being considered. If the Panel's view is required quickly, it will need to have all the background information readily available.

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<b>SUBJECT:</b>	<b>ADOPTION OF A REVISED CODE OF CONDUCT FOR MEMBERS</b>
<b>MEETING:</b>	<b>COUNCIL</b>
<b>DATE:</b>	<b>12<sup>th</sup> MAY 2016</b>
<b>DIVISION/WARDS AFFECTED:</b>	<b>ALL</b>

1. **PURPOSE:** For the council to adopt a revised code of conduct for members.
2. **RECOMMENDATIONS:** That the council adopts the revised code of conduct attached to the report.
3. **KEY ISSUES:**

The Welsh Government passed the Local Authorities (Model Code of Conduct) (Wales) (Amendment) Order 2016 (“the Order”) on 27<sup>th</sup> January 2016 which introduced a revised model code of conduct for members. All relevant authorities, that is, county/county borough councils, community and town councils, fire and rescue authorities and the national park authorities must within six months of the date of the Order, adopt the revised code of conduct, hence the report to members for their consideration.

The changes to the code of conduct made by the Order are relatively minor:-

- a) Paragraph 10(2)(b) has been omitted. This paragraph has caused problems from the inception of the current code of conduct in 2008. It created unintended difficulties in the practical application of paragraph 10(2)(b) in relation to a member’s participation in business relating to constituency interests.
- b) Further paragraph 6(1)(c) has been amended so that there is no longer an obligation on a member to report a potential breach of the code of conduct by another member to the Public Services Ombudsman for Wales. However a member must still report to the monitoring officer any conduct by another member that (s)he reasonably believes breaches the code of conduct.
- c) Paragraph 15 of the code of conduct, dealing with the register of member’s interests, is amended to clarify that any interest disclosed for the first time must be entered in the register. This is not a change of policy, but clarifies the original intention. In relation to a community or town council, reference to a monitoring officer is replaced with a reference to the proper officer of the community/town council.

Members will not be required to give a new undertaking to abide by the revised code of conduct, as your original declaration covers any changes to the code of conduct during your term of office.

The revised version of the code of conduct is attached to the report.

4. **REASONS:** To comply with the requirements of the Order to adopt a revised code of conduct by 26<sup>th</sup> July 2016.
5. **RESOURCE IMPLICATIONS:** Costs of publishing a notice in a newspaper circulating in the area that the council has adopted the revised code of conduct.
6. **SUSTAINABLE DEVELOPMENT AND EQUALITY IMPLICATIONS:** None
7. **SAFEGUARDING AND CORPORATE PARENTING IMPLICATIONS:** NONE
8. **CONSULTEES:** The Standards Committee was consulted on the changes in its meeting on 14<sup>th</sup> March 2016.
9. **BACKGROUND PAPERS:** None
10. **AUTHOR:** Robert Tranter, Head of Legal Services and Temporary Monitoring Officer
11. **CONTACT DETAILS:**

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# MONMOUTHSHIRE COUNTY COUNCIL CODE OF CONDUCT FOR MEMEBRS AND CO-OPTED MEMBERS

## PART 1 INTERPRETATION

1.—(1) In this code —

"co-opted member", in relation to a relevant authority, means a person who is not a member of the authority but who —

- (a) is a member of any committee or sub-committee of the authority, or
- (b) is a member of, and represents the authority on, any joint committee or joint sub-committee of the authority, and who is entitled to vote on any question which falls to be decided at any meeting of that committee or subcommittee;

"meeting" means any meeting —

- (a) of the relevant authority,
- (b) of any executive or board of the relevant authority,
- (c) of any committee, sub-committee, joint committee or joint sub-committee of the relevant authority or of any such committee, sub-committee, joint committee or joint sub-committee of any executive or board of the authority, or
- (d) where members or officers of the relevant authority are present other than a meeting of a political group constituted in accordance with regulation 8 of the Local Government (Committees and Political Groups) Regulations 1990,

and includes circumstances in which a member of an executive or board or an officer acting alone exercises a function of an authority;

"member" includes, unless the context requires otherwise, a co-opted member;

"registered society" means a society, other than a society registered as a credit union, which is —

- (a) a registered society within the meaning given by section 1(1) of the Co-operative and Community Benefit Societies Act 2014; or
- (b) a society registered or deemed to be registered under the Industrial and Provident Societies Act (Northern Ireland) 1969;

"register of members' interests" means the register established and maintained under section 81 of the Local Government Act 2000;

"relevant authority" means—

- (a) a county council,
- (b) a county borough council,
- (c) a community council,

(d) a fire and rescue 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,

(e) a National Park authority established under section 63 of the Environment Act 1995;

"you" means you as a member or co-opted member of a relevant authority; and

"your authority" means the relevant authority of which you are a member or co-opted member.

(2) In relation to a community council—

(a) "proper officer" means an officer of that council within the meaning of section 270(3) of the Local Government Act 1972; and

(b) "standards committee" means the standards committee of the county or county borough council which has functions in relation to the community council for which it is responsible under section 56(1) and (2) of the Local Government Act 2000.

## **PART 2 GENERAL PROVISIONS**

**2.—**(1) Save where paragraph 3(a) applies, you must observe this code of conduct —

(a) whenever you conduct the business, or are present at a meeting, of your authority;

(b) whenever you act, claim to act or give the impression you are acting in the role of member to which you were elected or appointed;

(c) whenever you act, claim to act or give the impression you are acting as a representative of your authority; or

(d) at all times and in any capacity, in respect of conduct identified in paragraphs 6(1)(a) and 7.

(2) You should read this code together with the general principles prescribed under section 49(2) of the Local Government Act 2000 in relation to Wales.

**3.** Where you are elected, appointed or nominated by your authority to serve —

(a) on another relevant authority, or any other body, which includes a Local Health Board you must, when acting for that other authority or body, comply with the code of conduct of that other authority or body; or

(b) on any other body which does not have a code relating to the conduct of its members, you must, when acting for that other body, comply with this code of conduct, except and insofar as it conflicts with any other lawful obligations to which that other body may be subject.

**4.** You must —

(a) carry out your duties and responsibilities with due regard to the principle that there should be equality of opportunity for all people, regardless of their gender, race, disability, sexual orientation, age or religion;

(b) show respect and consideration for others;



(c) not use bullying behaviour or harass any person; and

(d) not do anything which compromises, or which is likely to compromise, the impartiality of those who work for, or on behalf of, your authority.

**5. You must not —**

(a) disclose confidential information or information which should reasonably be regarded as being of a confidential nature, without the express consent of a person authorised to give such consent, or unless required by law to do so;

(b) prevent any person from gaining access to information to which that person is entitled by law.

**6.—(1) You must —**

(a) not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute;

(b) report, whether through your authority's confidential reporting procedure or direct to the proper authority, any conduct by another member or anyone who works for, or on behalf of, your authority which you reasonably believe involves or is likely to involve criminal behaviour (which for the purposes of this paragraph does not include offences or behaviour capable of punishment by way of a fixed penalty);

(c) report to your authority's monitoring officer any conduct by another member which you reasonably believe breaches this code of conduct;

(d) not make vexatious, malicious or frivolous complaints against other members or anyone who works for, or on behalf of, your authority.

(2) You must comply with any request of your authority's monitoring officer, or the Public Services Ombudsman for Wales, in connection with an investigation conducted in accordance with their respective statutory powers.

**7. You must not —**

(a) in your official capacity or otherwise, use or attempt to use your position improperly to confer on or secure for yourself, or any other person, an advantage or create or avoid for yourself, or any other person, a disadvantage;

(b) use, or authorise others to use, the resources of your authority —

(i) imprudently;

(ii) in breach of your authority's requirements;

(iii) unlawfully;

(iv) other than in a manner which is calculated to facilitate, or to be conducive to, the discharge of the functions of the authority or of the office to which you have been elected or appointed;

(v) improperly for political purposes; or

(vi) improperly for private purposes.

**8. You must —**

(a) when participating in meetings or reaching decisions regarding the business of your authority, do so on the basis of the merits of the circumstances involved and in the public interest having regard to any relevant advice provided by your authority's officers, in particular by —

(i) the authority's head of paid service;

(ii) the authority's chief finance officer;

(iii) the authority's monitoring officer;

(iv) the authority's chief legal officer (who should be consulted when there is any doubt as to the authority's power to act, as to whether the action proposed lies within the policy framework agreed by the authority or where the legal consequences of action or failure to act by the authority might have important repercussions);

(b) give reasons for all decisions in accordance with any statutory requirements and any reasonable additional requirements imposed by your authority.

**9. You must —**

(a) observe the law and your authority's rules governing the claiming of expenses and allowances in connection with your duties as a member;

(b) avoid accepting from anyone gifts, hospitality (other than official hospitality, such as a civic reception or a working lunch duly authorised by your authority), material benefits or services for yourself or any person which might place you, or reasonably appear to place you, under an improper obligation.

## **PART 3 INTERESTS**

### **Personal Interests**

**10.—(1)** You must in all matters consider whether you have a personal interest, and whether this code of conduct requires you to disclose that interest.

**(2)** You must regard yourself as having a personal interest in any business of your authority if —

(a) it relates to, or is likely to affect —

(i) any employment or business carried on by you;

(ii) any person who employs or has appointed you, any firm in which you are a partner or any company for which you are a remunerated director;

(iii) any person, other than your authority, who has made a payment to you in respect of your election or any expenses incurred by you in carrying out your duties as a member;

(iv) any corporate body which has a place of business or land in your authority's area, and in which you have a beneficial interest in a class of securities of that body that exceeds the nominal value of £25,000 or one hundredth of the total issued share capital of that body;

(v) any contract for goods, services or works made between your authority and you or a firm in which you are a partner, a company of which you are a remunerated director, or a body of the description specified in sub-paragraph (iv) above;

(vi) any land in which you have a beneficial interest and which is in the area of your authority;

(vii) any land where the landlord is your authority and the tenant is a firm in which you are a partner, a company of which you are a remunerated director, or a body of the description specified in subparagraph (iv) above;

(viii) any body to which you have been elected, appointed or nominated by your authority;

(ix) any —

(aa) public authority or body exercising functions of a public nature;

(bb) company, registered society, charity, or body directed to charitable purposes;

(cc) body whose principal purposes include the influence of public opinion or policy;

(dd) trade union or professional association; or

(ee) private club, society or association operating within your authority's area,

in which you have membership or hold a position of general control or management;

(x) any land in your authority's area in which you have a licence (alone or jointly with others) to occupy for 28 days or longer;

*[Note: subparagraph (b) is omitted.]*

(c) a decision upon it might reasonably be regarded as affecting —

(i) your well-being or financial position, or that of a person with whom you live, or any person with whom you have a close personal association;

(ii) any employment or business carried on by persons as described in 10(2)(c)(i);

(iii) any person who employs or has appointed such persons described in 10(2)(c)(i), any firm in which they are a partner, or any company of which they are directors;

(iv) any corporate body in which persons as described in 10(2)(c)(i) have a beneficial interest in a class of securities exceeding the nominal value of £5,000; or

(v) any body listed in paragraphs 10(2)(a)(ix)(aa) to (ee) in which persons described in 10(2)(c)(i) hold a position of general control or management,

to a greater extent than the majority of—

(aa) in the case of an authority with electoral divisions or wards, other council tax payers, rate payers or inhabitants of the electoral division or ward, as the case may be, affected by the decision; or

(bb) in all other cases, other council tax payers, ratepayers or inhabitants of the authority's area.

## **Disclosure of Personal Interests**

**11.—(1)** Where you have a personal interest in any business of your authority and you attend a meeting at which that business is considered, you must disclose orally to that meeting the existence and nature of that interest before or at the commencement of that consideration, or when the interest becomes apparent.

(2) Where you have a personal interest in any business of your authority and you make —

(a) written representations (whether by letter, facsimile or some other form of electronic communication) to a member or officer of your authority regarding that business, you should include details of that interest in the written communication; or

(b) oral representations (whether in person or some form of electronic communication) to a member or officer of your authority you should disclose the interest at the commencement of such representations, or when it becomes apparent to you that you have such an interest, and confirm the representation and interest in writing within 14 days of the representation.

(3) Subject to paragraph 14(1)(b) below, where you have a personal interest in any business of your authority and you have made a decision in exercising a function of an executive or board, you must in relation to that business ensure that any written statement of that decision records the existence and nature of your interest.

(4) You must, in respect of a personal interest not previously disclosed, before or immediately after the close of a meeting where the disclosure is made pursuant to sub-paragraph 11(1), give written notification to your authority in accordance with any requirements identified by your authority's monitoring officer, or in relation to a community council, your authority's proper officer from time to time but, as a minimum containing —

(a) details of the personal interest;

(b) details of the business to which the personal interest relates; and

(c) your signature.

(5) Where you have agreement from your monitoring officer that the information relating to your personal interest is sensitive information, pursuant to paragraph 16(1), your obligations under this paragraph 11 to disclose such information, whether orally or in writing, are to be replaced with an obligation to disclose the existence of a personal interest and to confirm that your monitoring officer has agreed that the nature of such personal interest is sensitive information.

(6) For the purposes of sub-paragraph (4), a personal interest will only be deemed to have been previously disclosed if written notification has been provided in accordance with this code since the last date on which you were elected, appointed or nominated as a member of your authority.

(7) For the purposes of sub-paragraph (3), where no written notice is provided in accordance with that paragraph you will be deemed as not to have declared a personal interest in accordance with this code.

## **Prejudicial Interests**

**12.—(1)** Subject to sub-paragraph (2) below, where you have a personal interest in any business of your authority you also have a prejudicial interest in that business if the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest.

(2) Subject to sub-paragraph (3), you will not be regarded as having a prejudicial interest in any business where that business—

(a) relates to —

- (i) another relevant authority of which you are also a member;
- (ii) another public authority or body exercising functions of a public nature in which you hold a position of general control or management;
- (iii) a body to which you have been elected, appointed or nominated by your authority;
- (iv) your role as a school governor (where not appointed or nominated by your authority) unless it relates particularly to the school of which you are a governor;
- (v) your role as a member of a Local Health Board where you have not been appointed or nominated by your authority;

(b) relates to —

- (i) the housing functions of your authority where you hold a tenancy or lease with your authority, provided that you do not have arrears of rent with your authority of more than two months, and provided that those functions do not relate particularly to your tenancy or lease;
- (ii) the functions of your authority in respect of school meals, transport and travelling expenses, where you are a guardian, parent, grandparent or have parental responsibility (as defined in section 3 of the Children Act 1989) of a child in full time education, unless it relates particularly to the school which that child attends;
- (iii) the functions of your authority in respect of statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or are entitled to the receipt of such pay from your authority;
- (iv) the functions of your authority in respect of an allowance or payment made in accordance with the provisions of Part 8 of the Local Government (Wales) Measure 2011, or an allowance or pension provided under section 18 of the Local Government and Housing Act 1989;

(c) your role as a community councillor in relation to a grant, loan or other form of financial assistance made by your community council to community or voluntary organisations up to a maximum of £500.

(3) The exemptions in subparagraph (2)(a) do not apply where the business relates to the determination of any approval, consent, licence, permission or registration.

### **Overview and Scrutiny Committees**

**13.** You also have a prejudicial interest in any business before an overview and scrutiny committee of your authority (or of a sub-committee of such a committee) where—

- (a) that business relates to a decision made (whether implemented or not) or action taken by your authority's executive, board or another of your authority's committees, sub-committees, joint committees or joint subcommittees; and

(b) at the time the decision was made or action was taken, you were a member of the executive, board, committee, sub-committee, joint-committee or joint sub-committee mentioned in sub-paragraph (a) and you were present when that decision was made or action was taken.

### **Participation in Relation to Disclosed Interests**

**14.—(1)** Subject to sub-paragraphs (2), (2A), (3) and (4), where you have a prejudicial interest in any business of your authority you must, unless you have obtained a dispensation from your authority's standards committee —

(a) withdraw from the room, chamber or place where a meeting considering the business is being held—

(i) where sub-paragraph (2) applies, immediately after the period for making representations, answering questions or giving evidence relating to the business has ended and in any event before further consideration of the business begins, whether or not the public are allowed to remain in attendance for such consideration; or

(ii) in any other case, whenever it becomes apparent that that business is being considered at that meeting;

(b) not exercise executive or board functions in relation to that business;

(c) not seek to influence a decision about that business;

(d) not make any written representations (whether by letter, facsimile or some other form of electronic communication) in relation to that business; and

(e) not make any oral representations (whether in person or some form of electronic communication) in respect of that business or immediately cease to make such oral representations when the prejudicial interest becomes apparent.

(2) Where you have a prejudicial interest in any business of your authority you may attend a meeting but only for the purpose of making representations, answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise.

(2A) Where you have a prejudicial interest in any business of your authority you may submit written representations to a meeting relating to that business, provided that the public are allowed to attend the meeting for the purpose of making representations, answering questions or giving evidence relating to the business, whether under statutory right or otherwise.

(2B) When submitting written representations under sub-paragraph (2A) you must comply with any procedure that your authority may adopt for the submission of such representations.

(3) Sub-paragraph (1) does not prevent you attending and participating in a meeting if —

(a) you are required to attend a meeting of an overview or scrutiny committee, by such committee exercising its statutory powers; or

(b) you have the benefit of a dispensation provided that you —

(i) state at the meeting that you are relying on the dispensation; and

(ii) before or immediately after the close of the meeting give written notification to your authority containing —

- (aa) details of the prejudicial interest;
- (bb) details of the business to which the prejudicial interest relates;
- (cc) details of, and the date on which, the dispensation was granted; and
- (dd) your signature.

(4) Where you have a prejudicial interest and are making written or oral representations to your authority in reliance upon a dispensation, you must provide details of the dispensation within any such written or oral representation and, in the latter case, provide written notification to your authority within 14 days of making the representation.

## **PART 4 THE REGISTER OF MEMBERS' INTERESTS**

### **Registration of Personal Interests**

**15.—(1)** Subject to sub-paragraph (4), you must, within 28 days of—

(a) your authority's code of conduct being adopted or the mandatory provisions of this model code being applied to your authority; or

(b) your election or appointment to office (if that is later),

register your personal interests, where they fall within a category mentioned in paragraph 10(2)(a), in your authority's register of members' interests by providing written notification to your authority's monitoring officer.

(2) Subject to sub-paragraph (4), you must, within 28 days of becoming aware of any new personal interest falling within a category mentioned in paragraph 10(2)(a), register that new personal interest in your authority's register of members' interests by providing written notification to your authority's monitoring officer.

(3) Subject to sub-paragraph (4), you must, within 28 days of becoming aware of any change to a registered personal interest falling within a category mentioned in paragraph 10(2)(a), register that change in your authority's register of members' interests by providing written notification to your authority's monitoring officer, or in the case of a community council to your authority's proper officer.

(4) Sub-paragraphs (1), (2) and (3) do not apply to sensitive information determined in accordance with paragraph 16(1).

(5) Sub-paragraphs (1) and (2) do not apply if you are a member of a relevant authority which is a community council when you act in your capacity as a member of such an authority.

(6) You must, when disclosing a personal interest in accordance with paragraph 11 for the first time, register that personal interest in your authority's register of members' interests by providing written notification to your authority's monitoring officer, or in the case of a community council to your authority's proper officer.

### **Sensitive information**

**16.—**(1) Where you consider that the information relating to any of your personal interests is sensitive information, and your authority's monitoring officer agrees, you need not include that information when registering that interest, or, as the case may be, a change to the interest under paragraph 15.

(2) You must, within 28 days of becoming aware of any change of circumstances which means that information excluded under sub-paragraph (1) is no longer sensitive information, notify your authority's monitoring officer, or in relation to a community council, your authority's proper officer asking that the information be included in your authority's register of members' interests.

(3) In this code, "sensitive information" means (i) information whose availability for inspection by the public creates, or is likely to create, a serious risk that you or a person who lives with you may be subjected to violence or intimidation or (ii) information, the disclosure of which would or could place you in breach of a legally or professionally enforceable duty of confidence.

### **Registration of Gifts and Hospitality**

**17.** You must, within 28 days of receiving any gift, hospitality, material benefit or advantage above a value specified in a resolution of your authority, provide written notification to your authority's monitoring officer, or in relation to a community council, to your authority's proper officer of the existence and nature of that gift, hospitality, material benefit or advantage.

**Monmouthshire County Council adopted this revised version of the Code of Conduct at its Annual Meeting on 12<sup>th</sup> May 2016.**





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**SUBJECT: Improvement Plan 2016-17**

**MEETING: County Council**

**DATE: 12<sup>th</sup> May 2016**

**DIVISIONS/WARDS AFFECTED: All**

**1. PURPOSE:**

1.1 To provide members with the Improvement Plan for 2016-17.

**2. RECOMMENDATIONS:**

2.1 That Council approve the Improvement Plan including the five improvement objectives it describes, subject to any changes to data and targets that may be required as part of the year-end data validation and internal audit process.

**3. KEY ISSUES:**

3.1 The setting of annual Improvement Objectives and the production of an Improvement Plan are statutory requirements under the Local Government (Wales) Measure 2009.

3.2 The Improvement Plan is produced in two parts. This is the forward looking section of the plan and is focused on commitments and aspirations. It presents an opportunity to set the key activities that will deliver the priorities of education, support for vulnerable people, supporting enterprise and job creation and maintaining locally accessible services.

3.3 The previous Improvement Plan was published in May 2015 and contained five objectives closely aligned to delivering the Council's priorities. The Improvement Objectives for 2016-17 are a continuation of five objectives set in May 2015;

- We will improve at all key stages of education.
- We will safeguard people, whether young or old, while reducing people's dependence on social care.
- We want to enable our county to thrive.
- Maintaining locally accessible services.
- We want to be an efficient, effective and sustainable organisation.

3.4 Performance data for 2015-16 has been included where appropriate, this allows members to understand the objectives for the year ahead in the context of the most recent performance. The year-end 2015-16 data collection process is still ongoing, where included data should be treated as provisional as it has not yet been subject to audit. Targets for 2016-17 are being finalised. Members should therefore be aware that some data and targets may change before final publication to reflect the most up to date information. If this makes significant changes to the context of the plan these will be recirculated to members prior to final publication of the plan by 31<sup>st</sup> May 2016.

3.5 Some changes have been made to the format plan to reflect latest legislation, respond to feedback from the Wales Audit Office as well as our own learning. These are:

- Explaining the structure of the objective so everyone understands why certain information is included.
- Continuing to ensure clearer links between actions and measures with associated targets for improvement.

- Embedding the Well-Being of Future Generations Act requirements in our planning, including considering how our activity contributes to Welsh Government's 7 wellbeing goals.

3.6 This is likely to be the last year that we produce the Improvement Plan in this format. During 2016-2017 Monmouthshire County Council will undertake two substantial assessments of need and wellbeing within the County as a consequence of the Wellbeing of Future Generations Act and the Social Services and Wellbeing Act. The information that is gained during this work will provide a much deeper evidence base to inform the publication of the council's well-being objectives by 31st March 2017. These in turn should see the fundamentally its improvement objectives to ensure a much longer term focus.

3.7 2015/16 performance information, including 2016/17 targets for National Performance Indicators, will be reported to Select Committees as part of the year end performance reports programmed for Summer 2016. Part two of the Improvement plan, focusing on what we achieved in 2015-16, will be presented to Council in October when audited performance information from other councils becomes available.

#### **4. REASONS:**

4.1 To set out clearly some of the main activities that the council is committed to in the year, enabling teams to align their work programmes with the authority's priorities for improvement and ensuring that the organisation can be held to account against its commitments.

4.2 To comply with the Local Government (Wales) Measure 2009.

#### **5. RESOURCE IMPLICATIONS:**

5.1 The resources aligned to the delivery of each Improvement Objective are identified in the plan. This plan draws together key activities that will already have been agreed by members or which will be brought forward for decisions in the year ahead, each will come with separate resource requirements. Production of the plan itself has no resource implications.

#### **6. WELLBEING OF FUTURE GENERATIONS IMPLICATIONS (INCORPORATING EQUALITIES, SUSTAINABILITY, SAFEGUARDING AND CORPORATE PARENTING)**

6.1 The Improvement Plan sets out our future ambitions for Monmouthshire and how we aim to achieve this. The plan draws together key activities that will already have been agreed by members or which will be brought forward for decisions in the year ahead and at this point would require a full assessment of the Wellbeing of Future Generations implications to be completed. The plan sets how we embed the Well-Being of Future Generations Act requirements in our planning. Improvement Objective two encapsulates activities to ensure that we are safeguarding people more effectively at a whole authority level.

#### **7. CONSULTEES:**

Senior Leadership Team

Select Committee – All members were invited to attend a meeting of Strong Communities Select Committee to scrutinise the plan.

Public Consultation - Wider views on the priority areas of activity have been identified through the programme of Monmouthshire Engages events held over recent years that

have helped inform the development of the plan. While the feedback from the public consultation that ran from 1<sup>st</sup> April – 22<sup>nd</sup> April has been considered.

**8. BACKGROUND PAPERS:**

None

**9. AUTHOR:**

Matthew Gatehouse, Policy and Performance Manager

**10. CONTACT DETAILS:**

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Telephone: 01633 644397

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# Building Sustainable and Resilient Communities

Improvement Plan 2016 -17  
Page 177



monmouthshire  
sir fynwy

# Version Control

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<b>Title</b>	Improvement Plan 2016 – 17
<b>Purpose</b>	<p>This plan outlines the council's responsibility to publish its Improvement Objectives in line with the plans for the year ahead as outlined in section 15(7) of the Local Government (Wales) Measure 2009 and shows how the council is delivering the 7 aspects of improvement.</p> <p>This plan is an update of the Improvement Plan 2015-17 published in May 2015. A full evaluation of performance against that plan will be published in October 2016.</p>
<b>Owner</b>	Monmouthshire County Council
<b>Approved by</b>	
<b>Date</b>	3 May 2016
<b>Version Number</b>	2.0
<b>Status</b>	For Council approval
<b>Review Frequency</b>	Annual
<b>Next review date</b>	April 2017
<b>Consultation</b>	Public consultation between 1 <sup>st</sup> April – 22 <sup>nd</sup> April 2016



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# Welsh Language and Alternative Formats

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In line with the council's Welsh Language Scheme, a Welsh language version of the Improvement Plan will be available on the council's bilingual website.

## Y Gymraeg a fformatau eraill

Yn unol â Chynllun Iaith Gymraeg y Cyngor, bydd fersiwn Gymraeg o'r Cynllun Gwella ar gael ar wefan ddwyieithog y Cyngor

We can also provide this document in Braille, large print, on tape or in electronic form. If you would like a copy in a different format please contact our Equality and Welsh Language Officer by:

Phone: 01633 644010 or 07793798920

Fax: 01633 644666


e mail: [equality@monmouthshire.gov.uk](mailto:equality@monmouthshire.gov.uk)


If you want to comment on the council's performance or give your thoughts on issues that you feel should be set within the council's Improvement Objectives next year, please get in touch.

We have included a short form for feedback at the end of this plan. You are welcome to use this and return it to us via post or e-mail. However we welcome all views however you wish to supply them.

 [improvement@monmouthshire.gov.uk](mailto:improvement@monmouthshire.gov.uk)

 [www.monmouthshire.gov.uk/improvement](http://www.monmouthshire.gov.uk/improvement)

 Matthew Gatehouse, Policy and Performance Manager, Monmouthshire County Council, County Hall, Usk, NP15 1GA

 01633 644397

 @MonmouthshireCC

# Foreword

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To be inserted prior to publication

# Introduction

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Over the coming years the shape of public services in Wales is likely to change significantly. We begin our plan with two new and very significant pieces of Welsh legislation. These are aimed at improving well-being by making public bodies think more about the long-term, work better with people and communities, look to prevent problems before they arise and take a more joined-up approach.

The two pieces of legislation are the Well-being of Future Generations (Wales) Act and the Well-being and The Social Services and Well-being (Wales) Act. We welcome their introduction and these are things that we have been focused on for the past few years. Reducing budgets, increasing demand and higher public expectations mean that we cannot keep delivering public services using the same approach. It is vital that we look to the future and identify new ways of doing things. What hasn't changed our desire to continue to improve services and outcomes for the people and communities of Monmouthshire. This Improvement Plan describes that ambition we have for local services.

The Future Generations Act will change the way in which we plan, encouraging public bodies to look ahead in ten and even 25 year time frames. Before we can do that we need to better understand some of the information about Monmouthshire, its people and environment. Consequently this plan focused on the next year which will take us up to the next council elections in May 2017. During that time we will gather more information and talk to residents, businesses and partners about what well-being means to them and some of the things we should be doing to ensuring we build sustainable and resilient communities for future as well as current generations.

Our four priorities remain. They are: education; protecting the most vulnerable in society; supporting enterprise and job creation and maintaining locally accessible services.

To protect local services we expect every service to be efficient and cost effective. As a council we will try to do more with less – this will inevitably changes. This will always be shaped by public engagement, informed service design and learning from the best in public service delivery in the UK and beyond. It is the social capital, the ideas and community here in Monmouthshire that provides us the find a different path to excellent services and improved well-being

# The Vision for Monmouthshire

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## Building Sustainable and Resilient Communities

The vision for our county is described in the Single Integrated Plan for Monmouthshire. The plan is in its final year of implementation. It was developed by the Local Service Board – the group which brings together the leaders of key organisations in Monmouthshire. In April 2016 this group became the Public Service Board or PSB and will begin work on a new plan that will be published in 2018.

Public services are focused on improving social, economic, environmental and cultural wellbeing, in accordance with the sustainable development principle. We have identified three specific themes that will be the focus of our work together:

**Nobody is Left Behind:** so that Monmouthshire is a place of cohesive communities where everybody is treated with dignity and respect and has the same opportunity to achieve.

**People are Confident, Capable and Involved:** where Monmouthshire is a place for people to feel safe and a place where people want to be involved; where they are confident in themselves and their abilities and how they contribute to their community.

**Our County Thrives:** so that Monmouthshire is a thriving county and a thriving economy to support communities and where families can live a good life. This sense of thriving also means in context of the environment and habitats and where biodiversity thrives.

Our Improvement Plan describes the contribution that Monmouthshire County Council is making to turn this vision into tomorrow's reality.

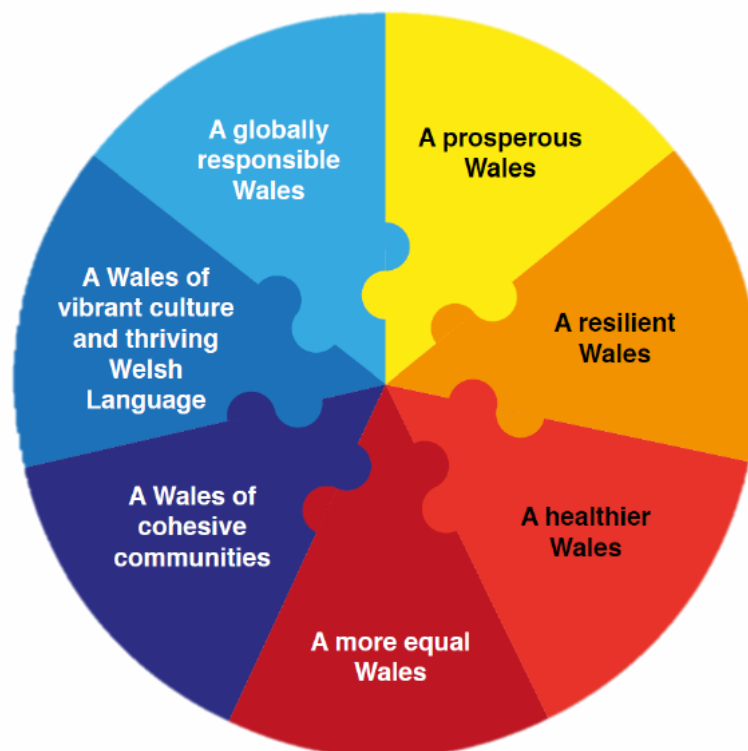
## The Well-Being of Future Generations Act

The Well-being of Future Generations Act requires us to improve social, economic, environmental and cultural wellbeing, in accordance with the sustainable development principle. This should ensure that present needs are met without compromising future generations in meeting their own needs.

In planning our services we must consider, but also demonstrate that we have applied the following sustainable governance principles in our decision making:

- Balancing short term needs with long term needs.
- Using an integrated approach, balancing social, economic and environmental needs.
- Involving others and taking their views into account.
- Working in collaboration with others.
- Putting resources into preventing problems

The Act defines seven well-being goals to which public bodies should maximise their contribution by setting and publishing well-being objectives and in taking all reasonable steps to meet those objectives. They are shown in the diagram below.



Monmouthshire County Council's well-being objectives will be published in March 2017. In the meantime we will continue to produce Improvement Objectives in line with the Local Government (Wales) Measure 2009 and show how these align to the national goals. Over the course of this year we will be working as part of the Public Service Board to carry out a well-being assessment to analyse the state of well-being in each of our communities. We will be talking to residents throughout this period to make sure we get this right. This

information will be used to review the council's current improvement objectives in preparation for the publication of the council's well-being objectives.

All the decisions made by the council and its cabinet will be assessed using a Future Generations Evaluation which ensures equality and sustainable development considerations are considered fully when we take decisions.

The Act also puts a well-being duty on specified public bodies to act jointly via Public Service Boards (PSB) to improve the economic, social, environmental and cultural well-being of their area by contributing to the achievement of the well-being goals. The four statutory members of the PSB are the Local Authority, Local Health Board, Fire and Rescue Authority and Natural Resources Wales, although other organisations are also invited. Public Service Boards have a planning responsibility to prepare and publish an assessment of local well-being, produce a local well-being plan and report annually on its progress.

## Social Services and Well-being Act and Safeguarding

The Act came into force in April 2016 and will transform the way care and support is delivered making it a responsibility on more than just the social services department. It is about promoting people's independence to give them a stronger voice and more control and support people of all ages as part of families and communities so they are less dependent on institutional services. The Act will:

- Engage with and empower citizens
- Promote independence and well-being
- Give people who receive support and their carers control over their lives and the support they receive to maximise independence.

We will be working to closely align our approach to this legislation with the Future Generations Act described above as they are strongly related and have a number of common features such as to carry out assessments and a strong emphasis on prevention and integrated approaches.

In Monmouthshire responsibility for well-being and safeguarding is everyone's business. Services have a clear responsibility for ensuring the safeguarding and wellbeing of adults, children and young people.

## Equality and Welsh Language

The council has a long standing commitment to equality and diversity. Our second Strategic Equality Plan was published in April and sets the council's objectives to ensure we deliver better outcomes for people with protected characteristics such as race, gender, disability or age. This is clearly aligned with the well-being goals set by Welsh Government and as well as being a legal responsibility under The Equality Act 2010 – but above all else it is important to us as it is the right thing to do.

During 2016-2017 Monmouthshire County Council will undertake two substantial assessments of need and wellbeing based on a wide range of data and extensive

consultation. We expect to use this information to look again at our Strategic Equality Plan and anticipate updating it again in 2017.

In January 2014 the Welsh Government announced proposals for the first set of Welsh language standards that would be applicable to councils, national parks and the Welsh Government itself. The authority recognises that the Welsh language is central to the goals introduced as part of the Well-being of Future Generations Act to ensure we are still able to maximise our contribution to a Wales of vibrant culture and thriving Welsh language.

The first of the new standards came into effect on 30 March 2016. These place a legal duty on councils to make it easier for people to use services through the medium of Welsh. They include making it clear that organisations welcome correspondence with the public in Welsh and also making the meeting agendas and minutes available bilingually.

In March 2016 we offered households the opportunity to state a language preference for their dealings with us. We now maintain a record to ensure that we write and speak with people in the language of their choice. If you have yet to state a preference you can do so by e-mailing [cymraeg@monmouthshire.gov.uk](mailto:cymraeg@monmouthshire.gov.uk) or telephoning 01633 644680.



# The Values that Guide us

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We want to ensure communities can access and shape the county on their own terms. Our organisation will enable change on things that matter today whilst looking ahead to the things that that will be important tomorrow. We are trying to create an organisational culture that is innovative, responsive and flexible.

We have a very clear set of values that underpin the work of the council and guide the behaviours that are expected of everyone working for us or working with us. These define us and represent what we expect of everyone within our organisation:

**Openness:** we aspire to be open and honest to develop trusting relationships

**Fairness:** we aspire to provide fair choice, opportunities and experiences and become an organisation built on mutual respect

**Flexibility:** we aspire to be flexible in our thinking and action to become an effective and efficient organisation

**Teamwork:** we aspire to work together to share our successes and failures by building on our strengths and supporting one another to achieve our goals

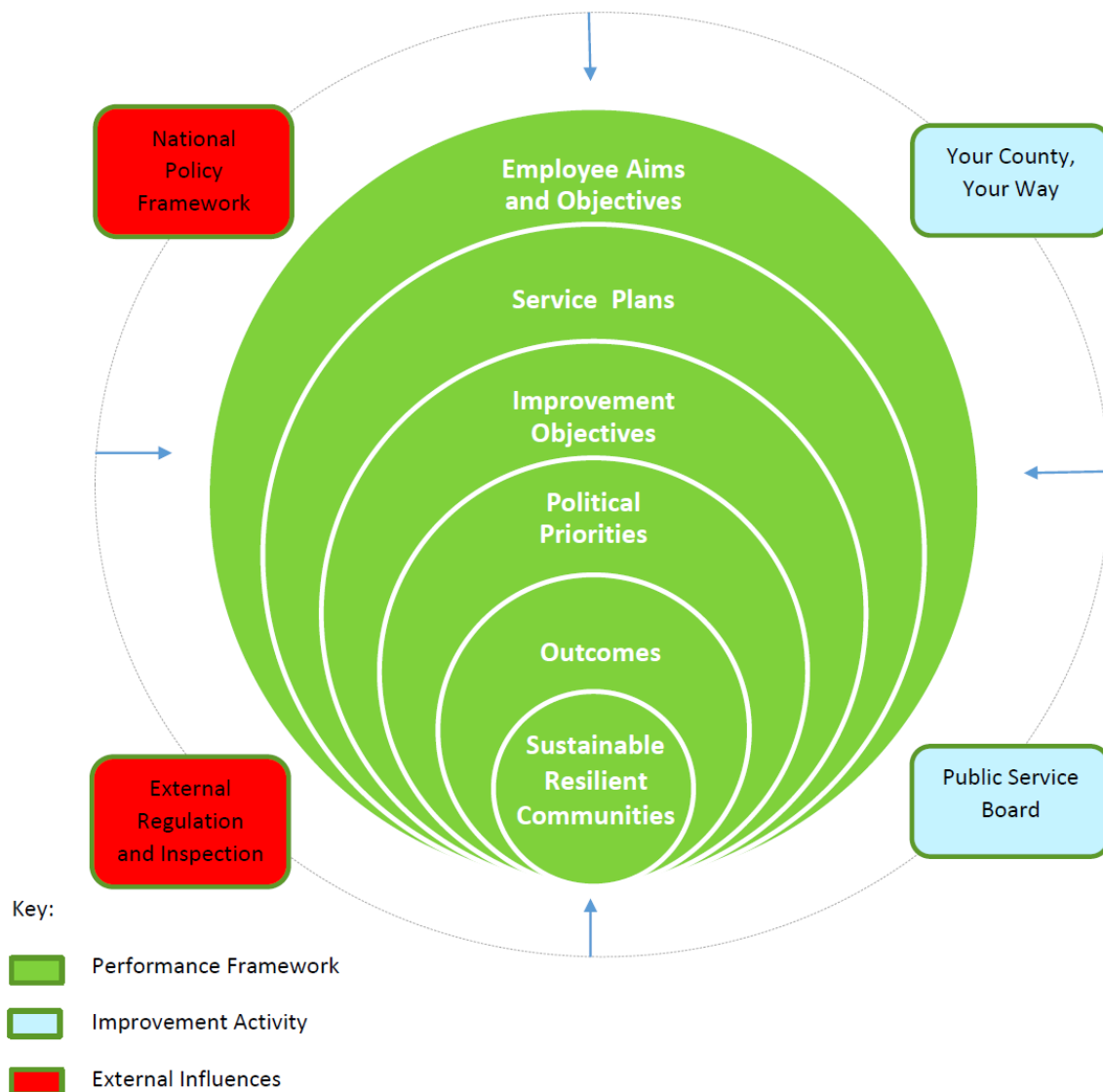
These values are embedded through our [your county, your way](#) programme, which is recognised at a UK level and sets out how we seek to transform our delivery. This is about:

- An agile workforce that is fully functional in a flexible environment. This means that our people move to locations where they are needed most and in a way that they can work most effectively
- A commitment to reviewing our services to make sure they are efficient, effective and sustainable. Our staff work with service teams and with service users to encourage improved change to how services may currently be delivered
- An in-house training and personal development programme to ensure our staff are individually supported and support each other and also, learn from world-wide ideas and inspirational people
- Our staff supporting more meaningful engagement in communities
- An organisational design which is networked in nature and exhibits high levels of trust in our people.

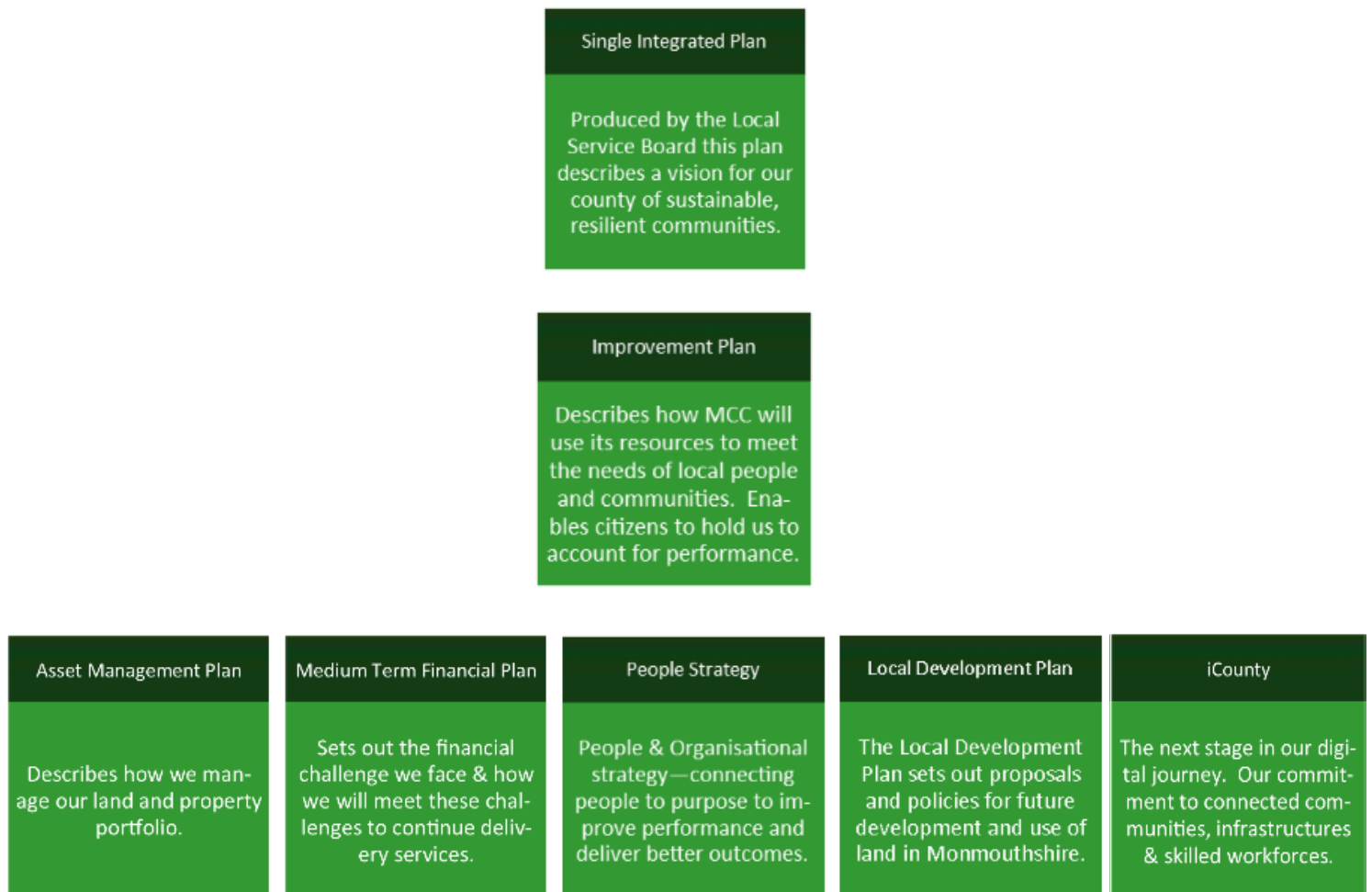
# Our Improvement Framework

The strength of Monmouthshire lies in its people. Not just those on our payroll but all of the people who work with us in delivering services and achieving value for money. Our Improvement Framework makes sure that everyone is pulling in the same direction to deliver real and tangible outcomes.

At the heart of our Improvement Framework is the vision of sustainable resilient communities. This is the unifying purpose for the diverse range of services that we are responsible for. The council's political administration has set out a Continuance Agreement which describes its intentions for the remaining period of the election cycle. Each of our teams has a service plan that aligns to our four priorities and the outcomes we are striving to achieve and we have a range of key performance indicators so that we can keep track of our progress. Our Employee Services team help us recruit and retain people who share our values and have the skills and passion to make a real difference.



Our Improvement Framework is underpinned by an integrated series of strategic approaches that mobilise our assets to improve services. These are:



The council's Chief Officers all publish an annual report that shows how they and the teams that work under them will contribute to building sustainable and resilient communities.

Chief Officer Report Social Care & Health	Chief Officer Report Children & Young People	Chief Officer Report Enterprise	Chief Officer Report Operations
This annual report describes the priority actions that will 'help people live their own lives' by building sustainable care and support systems.	Improving the provision of resilient, sustainable and inclusive learning and development opportunities for all our children and young people.	Describes what the directorate will do to promote an enterprising culture, in and out, that enables the development of solutions to problems.	Maintains focus on core services such as waste collection, highways maintenance and public transport.

These documents underpin Monmouthshire's vision and support the council's four priorities and Improvement Objectives, for example the Asset Management Plan shows how we use our land and property to ensure that we can provide locally accessible services; the Medium Term Financial Plan and the People Strategy are fundamental to delivering on Improvement Objective 5 to ensure an efficient, effective and sustainable organisation.

# Our Priorities

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Monmouthshire Council is run by a partnership administration of two political parties. In March 2015 they signed a continuation of their partnership agreement which clearly set the direction of the council for the period up to May 2017 when local authority elections will take place. This maintains the partnership established by the Conservative and Liberal Democrat groups back in May 2012 to administer the council.

The [Continuance Agreement](#) sets four specific priorities which are embedded through the Improvement Plan as the priorities of the council. These are:

- Education - While at a headline level our key stage results are amongst the best in Wales we recognise that we can make further improvements and will strive to raise standards across all key stages of education for all pupils.
- Safeguarding vulnerable people - Support for vulnerable people both young and old is at the heart of our commitment to communities, but we do not want people to be dependent upon care provided either by our social services or from the NHS. We are constantly looking to deliver more support through community networks so that we meet the challenge of demographic changes in a sustainable way.
- Promotion of enterprise, economic development and job-creation - Improving the prosperity of our county remains essential if we are to remain economically resilient, prosperous and sustainable.
- Maintaining locally accessible services - Maintaining local access to services is crucially important to us. We are a rural and scattered county. Because of the distances between our towns and settlements it is impractical to centralise services as is happening in other towns and cities. We know that once services close they are unlikely to return and so we will work hard to be cost effective in our support service and estate costs to maintain front-line delivery across the whole of our county.

# 2016 - 17 Improvement Objectives

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It is important that we spend our effort and resources doing things that reflect the views of communities as well as national policy. We have engaged with citizens and partners throughout the year which helps us to shape our Improvement Objectives for the year ahead.

The vision in the Single Integrated Plan was built on a platform of extensive consultation and engagement and as a result has been based on the issues people told us were important. This Improvement Plan aligns closely with that direction.

Over the past few years we have held Monmouthshire Engages events and roadshows. These events have helped us shape our improvement objectives by giving us an important insight into the things that matter to local people. Some services are not-statutory but this does not mean they are not valued. Last year the council adopted a new improvement objective to reflect this, *maintaining locally accessible services*.

These objectives are an update of the Improvement Objectives contained in the Improvement Plan 2015-17, published in May 2015. They have been reviewed and updated to continue relevant activity that was already committed and include any new actions that have been identified. The Improvement Objectives were subject to a consultation on the council's website between 1<sup>st</sup> – 22<sup>nd</sup> April 2016, which asked residents to complete a short questionnaire on the extent to which they agreed with each objective, any comments they wished to make and any other areas they felt should be included as an improvement objective. The draft Improvement Plan was also scrutinised by Strong Communities Select Committee, with an invite extended to members of all select committees.

The feedback from the consultations has been considered in finalising the plan. The feedback showed broad agreement to the improvement objectives identified, with specific comments provided on some areas of activity identified to deliver the objective. A further feedback form is attached at the end of the plan to enable any additional comments about our services and the priorities for improvement that we've written about in this plan.

Over the next few pages you can read more about the things we will be doing and the measures we have put in place to test whether they are working. We try to be clear on our commitments so we can be held to account by citizens and by regulators such as the Wales Audit Office, Estyn and the Care and Social Services Inspectorate for Wales. We have included an explanation of the template used for each objective so everyone understands why the information is included.

Data showing comparisons with other council areas in Wales will be released by the Welsh Government in September. In the meantime you can see the latest available comparable data at <http://mylocalcouncil.info/>. You can also see more of our measures in the final section of this report. At time of publication 2015/16 data is currently going through our year end data collection process and internal audit and maybe subject to changes.

## How we will assess our effectiveness

The performance against the actions and performance indicators set under each improvement objective is evaluated six monthly and reported to the Senior Leadership Team and the Council's four select committees.

We assess our progress against each improvement objective on a scale of 1 to 6 based on the following principles and the evidence of the progress and impact made:

Level	Definition	Table 1: Description
6	Excellent	Excellent or outstanding – All performance measures will have achieved the target set and all actions will have been delivered.
5	Very Good	Major strengths – A significant majority of actions and measures are on track. No more than one or two falling short.
4	Good	Important strengths with some areas for improvement – The weight of evidence shows that successes are greater than the areas which have not been achieved.
3	Adequate	Strengths just outweigh weaknesses – The evidence of success marginally outweighs areas which are not on track. Some actions are behind schedule and some measures are falling short of planned targets.
2	Weak	Important weaknesses – The majority of measures and actions have not been achieved.
1	Unsatisfactory	Major weakness – In most areas performance is assessed as moving in the wrong direction and the vast majority of actions have not been delivered

## Improvement Objective template explained

<b>MCC Improvement Objective:</b>		This sets the aim or goal of what we want to achieve over the medium term. The actions set out below will contribute to this.	<b>Cabinet Member</b>	This identifies the cabinet member(s) responsible for the actions in the objective.	
<b>Council Priority: Single Integrated Plan Outcome:</b>		This sets out the Council priority and also the Single Integrated Plan priority that the objective will support			
<b>What the Single Integrated Plan identifies that we will contribute to:</b>		This gives more detail on the contribution that the objective makes to the Single Integrated Plan			
<b>Why have we chosen this?</b>		This describes the reason why we have chosen to focus our time and resource on this objective.			
<b>Well-being goal contributed to:</b>		This explains how the improvement objective will contribute to the achievement of the National well-being goals.			
<b>What will we do?</b>	<b>Timescale/ milestone</b>	<b>What difference do we expect it to make?</b>	<b>How we will measure success</b>		
This sets the action we will take that will contribute to delivering the improvement objective	This sets the timescale we will deliver the action in. Sometimes actions will go on longer than the year of the improvement plan	This describes the impact we expect the action to make in contributing to the delivery of the Improvement Objective.	This information will be used to help evaluate the impact the action has made. This will link to quantitative and qualitative evidence including relevant performance indicators. These are shown under the "How will we know the difference it has made?" section		
<b>How will we know the difference it has made</b>			<b>2014-15</b>	<b>2015-16</b>	<b>2016-17 Target</b>
The performance indicators in this section focus on the output or number of things we have done, the quality and effectiveness of things we have done and the performance compared to previous years. Targets are set for the current year to set the improvements we are aiming for. These indicators sometime relate to, more than one of our actions and are more focused on quantifying progress towards the improvement objective as a whole					
<b>National well-being indicators associated with the objective</b>					
These indicators have an important role in helping to measure the longer term progress made towards achieving the objectives. These indicators will often not measure the performance of an individual action or even, in some cases, the council as an individual public body but provide useful					

evidence in understanding the longer term progress that is being made which is in line with the principles of the Future Generations Act that focus on longer term planning. Therefore as an individual organisation we have not set targets for these indicators. These are aligned to the indicators used as part of the Future Generations Act used to measure the progress towards achieving the well-being goals as a whole.

**What resources will we use?**

This provides an indication of the amount we spend on delivering services in the areas that contribute most to the objective

**Partners we are working with?**

We cannot make all the improvements on our own. This section sets out partners we are working with to deliver the actions set out above.

**Want to find out more?**

The improvement objective focuses on our priority areas for action, this section provides links to further information about activity related to the objective to provide further context to our work.



## Objective 1

<b>MCC Improvement Objective:</b>	<b>We will improve at all key stages of education</b>	<b>Cabinet Member</b>	Cllr Liz Hackett Pain
<b>Council Priority:</b> <b>Single Integrated Plan Outcome:</b>	Education We will improve at all key stages of education		
<b>What the Single Integrated Plan identifies that we will contribute to:</b>	We will provide practical and flexible learning by: <ul style="list-style-type: none"> <li>• Redesigning our schools and making them fit for purpose</li> <li>• Offering a more flexible education system that meets the needs of pupils, their families and employers</li> <li>• Improving access to education for vulnerable groups</li> <li>• Addressing key factors to underachievement</li> </ul>		
<b>Why have we chosen this?</b>	Education is one of the four priorities for the council. We are working to improve performance at all key stages. While at a headline level our key stage results are amongst the best in Wales we still need to raise standards across all key stages of education for all pupils.		
<b>Well-being goal contributed to:</b>	<b>A prosperous Wales</b> – Developing a skilled and well educated population <b>A more equal Wales</b> – A society that enables people to fulfil their full potential.		
<b>What will we do?</b>	<b>Timescale/ milestone</b>	<b>What difference do we expect it to make?</b>	<b>How we will measure success</b>
Continue to raise standards across all key stages of education for all pupils, particularly in relation to literacy, numeracy and closing the gap in key stage performance between pupils receiving free school meals and those who do not.	Jun 2017	That we will have consolidated our position as a top performer in Wales at all key stages of education.	Measure: Percentage of schools in the top free school meal benchmark quartile across all key stages  Measure: Percentage of pupils achieving the core subject indicator at all key stages i) not eligible for free school meals and ii) eligible for free school meals.  Measure: Percentage of pupils achieving key Stage 4 level 2 threshold including English and maths

Increase the proportion of pupils with additional learning needs accessing or receiving education within main-stream settings.	March 2017	More of our pupils will be educated in mainstream settings meaning access to a broader curriculum with more opportunities to attend their local school	Measure: The percentage of pupils with ALN educated in mainstream education settings within the county  Measure: The number of pupils with ALN educated in specialist provision within the county	
Engage a critical friend to help the authority continue to improve on the performance elements identified in the latest Estyn inspection	March 2017	We will have continued to improve in the areas highlighted by the Estyn inspection	Milestone: we will have a consolidated process in place to continue and maintain our improvement	
Invest in ICT so that schools can maximise the impact of technology	Dec 2016	A rolling programme of investment for ICT enabled classrooms is in place across Monmouthshire schools	Milestone: Implement phase 1 of the ICT in schools to upgrading equipment and infrastructure as well as implement SIMS in the classroom.	
Build and refurbish our school estate as prioritised so they are fit for learning and teaching.	Mar 2017	Develop new school sites so that we can implement a progressive and immersive curriculum and support learners in a choice of education media	Milestone: New secondary schools in Caldicot and Monmouth	
<b>How will we know the difference it has made</b>		<b>2014-15 (13-14 Academic)</b>	<b>2015-16 (14-15 Academic)</b>	<b>2016-17 Target (15-16 Academic)</b>
The percentage of pupils achieving the Foundation Phase indicator: i) Pupils not eligible for free school meals ii) Pupils receiving free school meals		i) 92.2% ii) 82.6%	i) 92.9% ii) 82.9%	i) 92.8% ii) 81.0%
The percentage of pupils achieving the Key Stage 2 Core Subject Indicator: i) Pupils not eligible for free school meals ii) Pupils receiving free school meals		i) 92.2% ii) 70%	i) 93.8% ii) 81.9%	i) 94.0% ii) 88.1%
The percentage of pupils achieving the Key Stage 3 Core Subject Indicator: i) Pupils not eligible for free school meals ii) Pupils receiving free school meals		i) 86.9% ii) 66.3%	i) 93.6% ii) 62.3%	i) 95.3% ii) 78.9%

How will we know the difference it has made	2014-15 (13-14 Academic)	2015-16 (14-15 Academic)	2016-17 Target (15-16 Academic)
The percentage of all pupils achieving Key Stage 4 Level 2 Threshold including English or Welsh and Maths i) Pupils not eligible for free school meals ii) Pupils receiving free school meals	i) 70.6% ii) 25%	i) 71.0% ii) 39.4%	i) 75.4% ii) 40.7%
The number of children with: i) Statements of Special Educational Need ii) School Action Plus Resource Assist (SAPRA)	i) 399 ii) 0	i) 353 ii) 47	To be confirmed
Percentage of schools in the top free school meal benchmark quartile across all key stages i) Foundation Phase ii) Key Stage 2 iii) Key Stage 3 iv) Key Stage 4 level 2 inclusive	i) 35% ii) 16% iii) 0% iv) 25%	i) 23% ii) 32% iii) 25% iv) 25%	i) 30% ii) 40% iii) 50% iv) 50%
<b>National well-being indicators associated with the objective</b>			
<ul style="list-style-type: none"> <li>Percentage of pupils who have achieved the "Level 2 threshold" including English or Welsh first language and Mathematics, including the gap between those who are eligible or are not eligible for free school meals. (To be replaced from 2017 by the average capped points score of pupils).</li> <li>Percentage of adults with qualifications at the different levels of the National Qualifications Framework.</li> </ul>			
<b>What resources will we use?</b>			
The budget for the Children & young People service is £50.5 million. The annual cost of educating a child for a year in one of our secondary schools is £5,825 and it costs £517 per pupil per year for school transport. Our Future Schools Programme will be financed through capital funding which is a separate budget jointly funded by Welsh Government and the local authority. The full programme will result in investment of £75 million in Monmouthshire schools.			
<b>Partners we are working with?</b>			
Education Achievement Service (EAS) and The Welsh Government.			
<b>Want to find out more?</b>			
Take a look at the latest <a href="#">annual report</a> of the Chief Officer for Children and Young People on our website. Education performance is regularly reported to Children and Young Peoples Select Committee. Copies of the reports can be viewed on our website <a href="http://www.monmouthshire.gov.uk/meetings/">http://www.monmouthshire.gov.uk/meetings/</a>			

## Objective 2

<b>MCC Improvement Objective:</b>	<b>We will safeguard people, whether young or old, while reducing peoples dependence on social care</b>	<b>Cabinet Member</b>	Cllr Geoff Burrows
<b>Council Priority: Single Integrated Plan Outcome:</b>	Safeguarding vulnerable people Families are supported & older people are able to live their good life		
<b>What the Single Integrated Plan identifies that we will contribute to:</b>	For families to feel supported we need to: <ul style="list-style-type: none"> <li>• Support our families earlier to prevent them becoming more vulnerable and better co-ordinate support which can react more quickly.</li> </ul> For older people we need to: <ul style="list-style-type: none"> <li>• Nurture good support networks in the community and enable older people to do what matters to them</li> <li>• Focus on preventative health and well-being programmes for older people to live their good life</li> </ul>		
<b>Why have we chosen this?</b>	Protecting the vulnerable is one of our four priorities. In the current financial and demographic context if we don't find ways to support people to find better solutions we will end up rationing services and only intervening in crisis situations. The human cost of failing to have the right conversations at the right time includes young people placed in institutional placements away from home and older people experiencing isolation and loneliness in their communities		
<b>Well-being goal contributed to:</b>	<b>A healthier Wales</b> – A society in which people's physical and mental well-being is maximised <b>A Wales of cohesive communities</b> – Attractive, viable, safe and well-connected communities <b>A more equal Wales</b> - A society that enables people to fulfil their potential no matter what their background or circumstances		
<b>What will we do?</b>	<b>Timescale/ milestone</b>	<b>What difference do we expect it to make?</b>	<b>How we will Measure success</b>
Redesign traditional social care services, including in-line with the new Social Services and Well-being (Wales) Act.	March 2017	People of all ages will be supported as part of families and communities so they are less dependent on institutional services.	Milestone: We will have commissioned a new approach to care at home Milestone: We will have re-provided the council's residential care for older people with dementia through an innovative partnership arrangement Milestone: Mardy Park will have been remodelling as an integrated community hub
<b>What will we do?</b>	<b>Timescale/ milestone</b>	<b>What difference do we expect it to make?</b>	<b>How we will Measure success</b>

Develop place based approaches to sustaining and developing social capital which promote individual and community well-being and develop a targeted, evidence based model of early intervention and prevention in children's services.	March 2017	Less people's needs will escalate to the point where the need commissioned services  Families can access appropriate support at the earliest opportunity	Milestone: New approach to early intervention, prevention and well-being are in place.  Measure: Number of adults requiring traditional long term social care
Our whole authority safeguarding group will continue to provide leadership of safeguarding and ensure all parts of the council address the priority actions within the latest internal audit report.	March 2017	Children and vulnerable adults will be safeguarded and everyone understands their role in this	Milestone: Safeguarding is a key strand of the council's service plans and contractual arrangements with other providers who care for children and adults  Milestone: An audit report which demonstrates positive progress
Deliver practice improvements in Children's Services, stabilise and recruit a permanent workforce and develop a commissioning approach for looked after children	March 2018	A balanced budget will be achieved while people get the support they need	Measure: A balanced budget in children's services Measure: A reduction in the use of agency staff Measure: Improved performance against new measures in the national performance framework.
We will review access points for our services to ensure people can access the information and advice they need to make decisions about their own lives	Dec 2016	People have access to timely and quality information, advice and assistance.	Milestone: Clear approach to Information, Advice and Assistance presented to select and Cabinet Measure: The percentage of people who received advice and assistance and who have not needed to contact the service again

How will we know the difference it has made	2014-15	2015-16	2016-17 Target
Number of older people receiving traditional long-term community based packages of social care	1116	To be confirmed	To be set following year-end validation
Percentage of adults receiving social care who are satisfied with the service	93%	95%	95%
Percentage of reviews of children on the child protection register that were carried out on time	95.5%	93.0%	100%
Percentage of referral decisions to children's services made within one day	99.6%	98%	99.2%
The number of agency staff working in children's services	6	12	3
<b>National well-being indicators associated with the objective</b>			

- Percentage of people who are lonely.

**What resources will we use?**

The budget for Social Care & Health is £40 million. It costs us around £42,243 to look after a child in the care system and £8,702 to support an older person in their own home for a year.

**Partners we are working with?**

Gwent Police, Aneurin Bevan University Health Board, Gwent Association of Voluntary Organisations, other local authorities in Gwent, Welsh Government

**Want to find out more?**

Take a look at the [annual report](#) of the Chief Officer for Social Services and this [short animation](#) that describes some of our work.

## Objective 3

<b>MCC Improvement Objective:</b>	<b>We want to enable our county to thrive</b>	<b>Cabinet Member</b>	Cllr Bob Greenland and Cllr Phil Murphy
<b>Council Priority:</b> <b>Single Integrated Plan Outcome:</b>	Supporting business & job creation Business and enterprise		
<b>What the Single Integrated Plan identifies that we will contribute to:</b>	To enable business and enterprise to prosper in Monmouthshire, we need: <ul style="list-style-type: none"> <li>• Better paid local employment opportunities</li> <li>• To retain more of the spend of visitors, citizens and businesses within Monmouthshire.</li> </ul> For people in Monmouthshire to have affordable and appropriate housing		
<b>Why have we chosen this?</b>	This objective aligns closely with the single integrated plan for Monmouthshire. To create better employment prospects we need to develop and promote an enterprising culture, which builds business resilience and creates excellent outcomes for our communities. For our county to thrive we need to continue to work with our residents, invest in communities and base our delivery on 'what matters' to people in their communities.		
<b>Well-being goal contributed to:</b>	<p><b>A prosperous Wales</b> – Focussing on using resources efficiently, developing skills and an economy which generates wealth and provides employment.</p> <p><b>A Wales of vibrant culture and thriving Welsh language</b> - A society that promotes and protects culture, heritage and the Welsh language.</p> <p><b>A resilient Wales</b> - A natural environment supporting social, economic and ecological resilience.</p>		
<b>What will we do?</b>	<b>Timescale/ milestone</b>	<b>What difference do we expect it to make?</b>	<b>How we will measure success</b>
Maximise the potential for Monmouthshire to contribute to and benefit from the creation of the Cardiff Capital Region (CCR) City Deal.	March 2017	Improved economic prosperity of Monmouthshire	Milestone: Council decision on signing up to the city deal
Implement Community Infrastructure Levy (CIL) and continued implementation of the Local Development Plan framework	CIL adoption - Winter 2016 (Subject to examination).	Effective policies and proposals contributing to the local economy, sustainable communities, housing market and environment	Milestone: Community Infrastructure Levy examination, adoption and implementation commenced.



What will we do?	Timescale/ milestone	What difference do we expect it to make?	How we will measure success			
Deliver environmental improvements in Caldicot and Abergavenny town centre.	Abergavenny – September 2016 (Loan Funding) Caldicot - Ongoing	Improved environment in Caldicot and Abergavenny town centre that will help contribute to economic prosperity.	Measure: Amount of loan scheme funding allocated in Abergavenny Town Centre <sup>1</sup> Measure: Vacancy Rate Abergavenny town Centre Measure: Vacancy Rate Caldicot town centre			
Maximise the potential from hosting the National Eisteddfod in Monmouthshire	August 2016	A successful event promoting culture, the Welsh language, Monmouthshire as a tourism destination and bring economic benefits to the County.	Measure: Total income generated from tourism in Monmouthshire per year			
Continued delivery and development, working with partners, of the Monmouthshire Business and Enterprise business support package including; support, signposting, training and events.	On going	Monmouthshire Business and Enterprise support results in increased business and employment opportunities in Monmouthshire.	Measure: The number of new business start-ups supported.			
How will we know the difference it has made				2014-15	2015-16	2016-17 Target
Total income generated from tourism per year <sup>2</sup>				£173.15	Not yet available	+1-2%
Amount of loan funding allocated under the Abergavenny Town Centre Loan Scheme				N/A	£0	£1.25 Million
Number of new business start-ups where assistance was provided by Monmouthshire Business and Enterprise and Partners				122	59	75
Overall Vacancy rates in Abergavenny town centre <sup>3</sup>				5.1% (14 Units)	5.8% (16 Units)	5.8%
Overall Vacancy rate in Caldicot town centre <sup>4</sup>				9.2% (6 units)	7.6% (5 units)	7.6%
National well-being indicators associated with the objective						
<ul style="list-style-type: none"> <li>• Gross Disposable Household Income per head</li> <li>• Gross Value Added (GVA) per hour worked</li> <li>• Percentage of people in employment</li> <li>• Percentage of businesses which are innovation-active.</li> </ul>						



**What resources will we use?**

A £1.25m loan scheme to help bring back to life underutilised and redundant sites and buildings in Abergavenny town centre has been established funded under the Welsh Government's 'Vibrant and Viable Places' initiative. The Council has allocated £278,000 for hosting the Eisteddfod, with Monmouthshire Communities funding raising target of £300,000.

**Partners we are working with?**

Community and Town Councils, local citizens, local community groups, CCR partner local authorities, UK government, Welsh Government, National Eisteddfod and businesses along with national and international organisations.

**Want to find out more?**

Our [Business Growth and Enterprise Strategy](#) provides further information about our ambition to support business growth and build capacity for enterprise in Monmouthshire, while information is also available on the Monmouthshire Business and Enterprise portal <http://monmouthshire.biz/> . You can learn more about the Local Development Plan on our [website](#) . Keep up to date with latest Eisteddfod news at <http://www.monmouthshire.gov.uk/eisteddfod>

## Objective 4

<b>MCC Improvement Objective:</b>	<b>Maintaining locally accessible services</b>	<b>Cabinet Member</b>	Cllr Bob Greenland, Cllr Phyl Hobson and Cllr Bryan Jones.
<b>Council Priority: Single Integrated Plan Outcome:</b>	Maintaining locally accessible services People have good access and mobility and People protect and enhance the environment		
<b>What the Single Integrated Plan identifies that we will contribute to:</b>	<p>For people to have good access and mobility, we need:</p> <ul style="list-style-type: none"> <li>• To ensure rural communities have good access to services</li> </ul> <p>To enhance our environment, we need:</p> <ul style="list-style-type: none"> <li>• To enable people to enjoy more of Monmouthshire</li> <li>• To produce less waste and recycle more</li> </ul>		
<b>Why have we chosen this?</b>	Maintaining local access to services is crucially important to us, we will work hard to be effective in delivery of our services. The political administration's Continuance Agreement 2015-17 makes it clear that while there are tough choices to be made in the next couple of years the council will seek to ensure all valued services survive whether they are best placed to be provided by the council or other organisations.		
<b>Well-being goal contributed to:</b>	<p><b>A Wales of cohesive communities</b> - Attractive, viable, safe and well-connected communities.</p> <p><b>A prosperous Wales</b> – Focussing on using resources efficiently, developing skills and an economy which generates wealth and provides employment.</p> <p><b>A resilient Wales</b> - A natural environment supporting social, economic and ecological resilience</p>		
<b>What will we do?</b>	<b>Timescale/ milestone</b>	<b>What difference do we expect it to make?</b>	<b>How we will measure success</b>
Ensure that tourism, leisure, culture services and the Youth Service can continue to prosper by being delivered in a different way.	October 2016  Draft Business Plan requiring Political approval	Maintaining locally accessible services with a clear vision and purpose aligned to community need.  Clear focus and business plans to ensure new model has greater freedoms and flexibilities.	Milestone: Option appraisal completed  Milestone: Business plans considered via council process
Undertake a 6 month pilot on separating glass at kerbside.	March 2017	A waste service that is future proofed in terms of public acceptability, financial	Milestone: Pilot review completed and results of the review reported Measure: Recycling rate

		affordability, environmental performance and legal compliance.	Measure: Landfill rate Measure: Waste to energy rate
Continue to identify projects as part of the Vale of Usk Rural Development Plan (RDP) LEADER programme for the 2014-2020 funding period. <sup>5</sup>	On-going	Improved quality of life and prosperity of rural areas through the delivery of locally inspired and delivered projects.	Milestone: Local Action Group agree the projects that will be funded. Measure: Number of LEADER projects supported <sup>6</sup> Milestone: Outcomes achieved.
Establish a community hub in Abergavenny which bring together library and one-stop-shop services	March 2017	A single venue in Abergavenny for accessible face to face contact services with the Council	Milestone: Completed consultation, achieved funding and statutory consents (planning & listed building). Commenced on site work.
<b>How will we know the difference it has made</b>		<b>2014-15</b>	<b>2015-16</b>
		<b>2016-17 Target</b>	
Number of RDP LEADER programme projects supported <sup>7</sup>		Not applicable	3
Percentage of municipal waste collected that is sent to landfill		18.1%	13.7% (Q3)
Percentage of municipal waste that is prepared for reuse or recycled		63.2%	62.3% (Q3)
The percentage of local authority municipal waste used to recover heat and power		16.9%	24% (Q3)
<b>National well-being indicators associated with the objective</b>			
<ul style="list-style-type: none"> <li>• Amount of waste generated that is not recycled, per person.</li> <li>• Percentage of people satisfied with their ability to get to/ access the facilities and services they need.</li> <li>• Percentage of people participating in sporting activities three or more times a week.</li> </ul>			
<b>What resources will we use?</b>			
It costs around £143 per household to collect waste, we have to pay tax for each tonne of waste that is sent to landfill rather than being recycled. It costs on average £351,503 to run a leisure centre per year. The Vale of Usk Rural Development Plan (RDP) has been awarded £2.79M from the European Union and the Welsh Government for the 2014-2020 funding period covering the rural wards of Monmouthshire and Newport.			
<b>Partners we are working with?</b>			
Welsh Government, Newport City Council, The European Agricultural Fund for Rural Development, local citizens, local community groups, businesses and other Local Action Groups in Wales and England.			
<b>Want to find out more?</b>			
View more Information about <a href="#">Waste &amp; Recycling in Monmouthshire</a> . You can also keep up to date on the latest with the Vale of Usk Rural Development Programme 2014-2020 <a href="#">online</a> .			

## Objective 5

<b>MCC Improvement Objective:</b>	We want to be an efficient, effective and sustainable organisation	<b>Cabinet Member</b>	Cllr Peter Fox and Cllr Phil Murphy
<b>Council Priority:</b>	Being an efficient organisation helps us to maximise the impact on the council's priorities		
<b>Single Integrated Plan Outcome:</b>	This objective helps us maximise our impact on delivering the vision of sustainable resilient communities		
<b>What the Single Integrated Plan identifies that we will contribute to:</b>	This objective is about our efficiency and effectiveness as an organisation. By doing the basics well we can maximise the amount of money that we can spend on front-line services.		
<b>Why have we chosen this?</b>	Alongside severe financial constraint as reflected in our Medium Term Financial Plan, we face changes in customer needs and expectations, together with challenges as a result of new technologies and regulatory and policy changes. We must continue to develop and implement processes and ways of working that will help us meet these challenges to maximise our chances of success and remain relevant to the citizens we serve.		
<b>Well-being goal contributed to:</b>	This objective helps us maximise our impact and contribution to the seven well-being goals		
<b>What will we do?</b>	<b>Timescale/ milestone</b>	<b>What difference do we expect it to make?</b>	<b>How we will measure success</b>
Deliver council services within the budget set for 2016/17.	ongoing	Council services are delivered within resources allocated, in line with the council's priorities and to deliver the council's outcomes.	Measure: Delivery of the budget within a parameter of +/- 0.5%. Measure: Percentage of savings in the budget being delivered
Produce a Population Assessment and Well-being Assessment in line with the Well-being of Future Generations Act and Social Services and Well-being Act	March 2017	We will better understand the state of social, economic, environmental and cultural well-being in our county to plan future work	Milestone: Population Assessment and Well-being assessment complete.
Undertake a whole authority strategic programme of work to develop a new operating model for the council.	March 2017	The council has the capacity and foresight to develop solutions to some of the county's biggest challenges.	Milestone: Business model, with clear workforce delivery requirements, agreed by Council
Take action in response to reports from our regulators.	ongoing	To ensure that the council makes arrangements to secure continuous	Measure: Percentage of staff completing a performance appraisal

		improvement in the exercise of its functions.	Measure: Number of working days lost due to sickness absence Measure: Percentage of national performance indicators that are in the top quartile Measure: Percentage of national performance indicators that are improving
<b>How will we know the difference it has made</b>	<b>2014-15</b>	<b>2015-16</b>	<b>2016-17 Target</b>
Percentage revenue outturn expenditure against budget (over/underspend)	327 (0.2% overspend)	937 (0.7% overspend – month 9)	+/- 0.5%.
Percentage of budget savings delivered	93%	88% (month 9)	100%
Number of working days/shifts per full-time equivalent (FTE) local authority employee lost due to sickness absence	9.8	10.79 ( forecast)	To be set
Percentage of staff that require a performance appraisal who have completed an appraisal	84%	To be confirmed	100%
Percentage of national performance indicators that are in the top quartile	44%	Not yet available	To be set
Percentage of national performance indicators that are improving or at maximum <sup>8</sup>	84%	Not yet available	To be set
<b>National well-being indicators associated with the objective</b>			
<ul style="list-style-type: none"> <li>Percentage of people satisfied with local area as a place to live.</li> <li>Percentage who feel able to influence decisions affecting their local area.</li> </ul>			
<b>What resources will we use?</b>			
We will spend nearly £144 million delivering services to the County, Council tax makes up 35.7% (£51.3 million) of the council's net expenditure. Our budget is currently allocated aligned to our priorities.			
<b>Partners we are working with?</b>			
We are involved in over 100 collaborative projects and partnerships. Details can be found <a href="#">here</a>			
<b>Want to find out more?</b>			
Visit our website <a href="http://www.monmouthshire.gov.uk">www.monmouthshire.gov.uk</a> or follow us on twitter @monmouthshireCC for the latest news. Our response to the Wales Audit Office Annual Improvement Report 2014-15, incorporating the Corporate Assessment is available on our <a href="#">website</a> . You can also find out more information about our <a href="#">engagement</a> .			

# Medium Term Financial Plan

Monmouthshire County Council continues to face significant challenges to its budget, with reduced funding from Welsh Government and increasing demand squeezing resources. As a council we will have to do less and we will have to manage expectations for improvement in some areas.

We have continued to plan our budget as part of our Medium Term Financial Plan model, the most recent effect of the roll forward of the model at February 2016, incorporating revised assumptions and pressures, highlights a gap of £14 million over the period of the plan from 2017/18 for the next 4 years. This is after several years of reducing budgets (over £22 million in last 5 years) resulting in achieving further savings becoming increasingly more challenging.

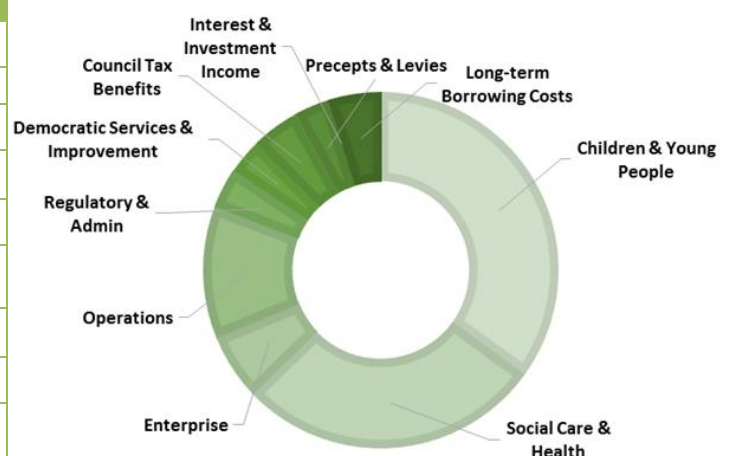
Monmouthshire's Council Tax is increasing by 3.95% to protect services. Next year we will spend net nearly £144 million delivering services to the County, and this plan sets out some key improvements we will look to make in our priority areas. We have consistently received feedback from you, our communities, that local services are hugely important to you. To reflect this feedback we have placed 'protecting local services' at the heart of our administration and it now forms one of our core priorities alongside;

- Education;
- Supporting Vulnerable People; and
- Supporting businesses and creating job opportunities.
- Maintaining locally accessible services.

Within our Medium Term Financial Plan we have set out the key areas of our work that we will need to deliver to reduce cost and generate income. When we agreed our budget for financial year 2016/17 we set out the actions that need to be taken to achieve a balanced budget and those that we have already sanctioned that start to close the gap in future years.

This is how our budget is currently allocated which is aligned to our priorities:

Directorate	£ Million	%
Children & Young People	50.5	35
Social Care & Health	40	27.8
Enterprise	8.6	6
Operations	17.3	12
Regulatory & Admin	5.3	3.7
Democratic Services & Improvement	4.6	3.2
Council Tax Benefits	6.3	4.3
Precepts & Levies	4.7	3.2
Interest & Investment Income	-0.1	0
Long-term Borrowing Costs	6.8	4.8



The partnership continuance agreement recognises maintaining a breadth of service delivery will be challenging with progressive reductions in funding. While clear priority areas have been established, as a council we will have to manage expectations for improvement in some areas and maintain service standards. Under the Local Government (Wales) Measure 2009 on-going efficiency may also be shown if fewer resources are used to maintain provision of substantially similar, or better, services. Since the budgets for some services are reducing in cash terms we are demonstrating efficiency in these areas by using fewer resources to maintain similar levels of service. The indicators below show the performance we can expect in some of these areas:

Maintaining standards	2013-14	2014-15	2015-16	2016-17 Minimum Standard
Percentage of programmed high risk food premises inspection completed	100%	100%	Annual	100%
Average number of days to repair street lamp failures	4.6 days	4.1 days	3.2 days	3.5 days
Percentage of highways and relevant land inspected of a high or acceptable standard of cleanliness	99.38%	99.43%	99.1%	99.0%
Percentage of reported fly tipping incidents cleared within 5 days	95.98%	97.78%	96.68%	95%
Percentage of A roads that are in overall poor condition	3.0%	2.6%	Annual	2.6%
Percentage of B roads that are in overall poor condition	5.3%	5.3%	Annual	5.3%



# Regulation and Inspection

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Close working with regulators and inspectors to quality assure our activities is vital to ensuring improvement. We use their assessments to help us focus the things we need to improve across the council.

Each year, the Wales Audit Office reports on how well councils are planning improvement in delivering their services. This is published as part of an Annual Improvement Report (AIR). Since 2013 a rolling programme of corporate assessments of authorities in Wales, based on a four-year cycle has been in place. Monmouthshire received its first Corporate Assessment in March 2015 and the findings of this inspection have been incorporated into the latest Annual Improvement Report which was published in November 2015, and is available on the [Wales Audit Office website](#).

The report found, that it is uncertain whether Monmouthshire will comply with the requirements of the Local Government Measure during 2015-16. A significant factor resulting that uncertain conclusion was the Council's education services for children and young people being in special measures at that time. The service has since been removed from special measures following an inspection by Estyn.

The report also concluded *"The Council demonstrates ambition in its vision, enthusiasm to deliver and commitment to working collaboratively, but this needs to be supported by a clearly joined-up strategic approach and effective delivery mechanisms."*

Included within the report are nine new proposals for improvement. The action the council will take in response to these proposals were set out in a Corporate Assessment action plan reported to cabinet in January 2016. The report is available on the [council website](#). Action to address these nine new proposals will now be embedded in the council's business processes and reporting process alongside the existing proposals to secure the improvements required.

As a result of regulatory work previously conducted by the WAO in the authority over the last few years, the council has a number of further proposals for improvement it is addressing. The progress made against these proposals is reported to Audit Committee annually, the last report to [Audit Committee](#) was in December 2015. WAO also make recommendations that may be relevant to the council in local government national reports. Although these have not been issued directly to the council, like the other proposals, the relevant recommendations from the national reports issued in 2014-15 that were included in the WAO Annual Improvement Report 2014-15, incorporating the Corporate Assessment Report 2015, have been included in this update to understand the progress against them and any further action that is planned to address them.

Inspection reports about education and social services are produced by specialist regulators, [Estyn](#) and the [Care and Social Services Inspectorate](#). Their latest reports are available online.

In October 2015 CSSIW published their latest performance evaluation of social services, which can be downloaded from this [link](#). The report stated that the council is making good



progress with a transformation in practice agenda and is well placed to meet the requirements as set out in the Social Services and Wellbeing (Wales) Act. It recognised the Monmouthshire's work in taking forward an ambitious agenda in adult's services. The report noted that this has been more difficult in children's services where the department has been working hard to deliver an action plan to respond to the findings of the inspection undertaken by CSSIW in children's services in November 2014. CSSIW recognised significant support corporately and from members who have a good understanding of the challenges facing social care.

Following the Estyn Monitoring visit in November 2015, Estyn has judged that Monmouthshire County Council's education services for children and young people has made strong progress in addressing two of the six recommendations arising from the inspection of November 2012, and satisfactory progress in addressing the other four, as detailed below, and concluded that the authority is no longer in need of special measures. The full letter is available [here](#)

Estyn Recommendation	Estyn Judgment November 2015
Recommendation 1: Ensure that safeguarding procedures are robust and underpinned by a clear policy.	The authority has made strong progress in addressing this recommendation.
Recommendation 2: Improve standards of attainment for all groups of pupils, particularly in secondary schools.	The authority has made satisfactory progress in addressing this recommendation.
Recommendation 3: Strengthen the level of challenge to schools and use the full range of powers available to the authority to improve leadership and management in underperforming schools.	The authority has made satisfactory progress in addressing this recommendation.
Recommendation 4: Improve corporate planning to strengthen links between the local authority's priorities and service level targets.	The authority has made strong progress in addressing this recommendation.
Recommendation 5: Improve self-evaluation across all services and make better use of data to plan services strategically and target resources appropriately	The authority has made satisfactory progress in addressing this recommendation.
Recommendation 6: Ensure that performance management is effective and robust and allows elected members and senior officers to identify and address underperformance.	The authority has made satisfactory progress in addressing this recommendation.

## Further information about our performance

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We measure the results of our work against the things we have described as our Improvement Objectives. The council is also responsible for a range of services that are not necessarily priorities for improvement in the year ahead. However we recognise that all of these services are important. We monitor how well we are performing throughout the year as we strive to maintain standards and, where resources allow, deliver improvement.

To make sure that people can understand how well their council is doing in comparison to other local authorities in Wales a national performance measurement framework is in place. It is not always easy to compare performance across very different communities. Even in a small nation like Wales places vary greatly in terms of social, economic and environmental conditions. Some of our local priorities, such as economic prosperity and job creation are not featured in the national framework.

We monitor our performance against this nationally agreed data set throughout the year, the latest data for each of the indicators is contained in appendix 1. Our finalised performance data will be published in October 2016, once comparable data is made available to us. Due to the timing of this publication much of this data, with the exception of education performance, is provisional but we consider it to be suitably accurate.

For further information about the council's performance and previous Improvement Plans visit [www.monmouthshire.gov.uk/improvement](http://www.monmouthshire.gov.uk/improvement) . Included on this page is a selection of performance measures that are monitored regularly by our Cabinet.

## Appendix 1: National Performance Measures

This section contains measures which are comparable with other authorities but do not necessarily feature in our improvement objectives. It has been included here to help readers understand our improvement priorities in the context of the most recently available set of data. The year-end 2015-16 data collection process is still ongoing, therefore data, where included, is provisional while targets for 2016-17 are being finalised and will be reported to Select Committee as part of year end 2015-16 performance reports programmed for summer 2016. A full and comprehensive performance report of all nationally comparable measures will be published in October 2016.

Ref	Definition	2013-14	2014-15	2015-16 Target	2015-16 Latest	2015-16 Projected Trend
SCA/001	The rate of delayed transfers of care for social care reasons per 1,000 population	1.83	1.38	2.15	4.16	Declined
SCA/002a	The rate of older people supported in the community per 1,000 population aged 65 or over	56.56	52.77	52.77	Not yet available	Not yet available
SCA/002b	The rate of older people supported in care homes per 1,000 population aged 65 or over	11.33	11.08	11.08	Not yet available	Not yet available
SCA/007	The percentage of clients whose care plans were reviewed during the year	82.1	84.1	86.4	91.0%	Improved
SCA/018a	The percentage of carers of adults who were offered an assessment or review of their needs	97.3	99.7	100	Not yet available	Not yet available
SCA/0019	The percentage of adult protection referrals completed where the risk has been managed	81.2	100	100	100	Un-changed at maximum
SCC/002	The percentage of children looked after who have experienced one or more changes of school	11.0	21.4	10	12.7	Improved
SCC/004	The percentage of children looked after who have had three or more placements during the year	10.7	1.9	6	7.3	Declined
SCC/011b	The percentage of initial assessments where there is evidence that the child has been seen alone by the Social worker	33.21	57.4	60	52.7	Declined
SCC/025	The percentage of statutory visits to looked after children due in the	66.3	84.5	90	82.7	Declined

Ref	Definition	2013-14	2014-15	2015-16 Target	2015-16 Latest	2015-16 Projected Trend
	year that took place in accordance with regulations					
SCC/033d	The percentage of young people formerly looked after with whom the authority is in contact at the age of 19	92.3	88.9	100	75	Declined
SCC/033e	The percentage of young people formerly looked after who are known to be in suitable accommodation at the age of 19	91.7	87.5	100	66.7	Declined
SCC/033f	The percentage of young people formerly looked after who are in education, training or employment at age 19	58.3	25.0	75	33.3	Improved
SCC/037	The average qualifications point score for 16 year old looked after children	222	308	147	232	Declined
SCC/041a	The percentage of eligible, relevant and former relevant children that have pathway plans as required	73.3	98.0	98	100	Improved
SCC/045	The percentage of reviews of looked after children, children on the Child Protection Register and children in need carried out in line with the statutory timetable	86.1	93.9	95	85.9	Declined
PSR/002	The average number of calendar days taken to deliver a Disabled Facilities Grant.	186	213	180	251	Declined
PSR/004	The percentage of private sector homes that were returned to occupation through direct action by the local authority	4.66	10.27	11	Not yet available	Not yet available
EDU/002i	The percentage of all pupils that leave compulsory education, training or work based learning without a qualification	0.4	0.1	0	Not yet available	Not yet available
EDU/002ii	The percentage of pupils in local authority care, that leave compulsory education, training or work based learning without a qualification.	0	0	0	Not yet available	Not yet available

Ref	Definition	2013-14	2014-15	2015-16 Target	2015-16 Latest	2015-16 Projected Trend
EDU/003	The percentage of pupils assessed at the end of Key Stage 2, achieving the Core Subject Indicator	89.3	89.5	92.2	92.5	Improved
EDU/004	The percentage of pupils assessed at the end of Key Stage 3 achieving the Core Subject Indicator	80.3	84.2	88.3	90.8	Improved
EDU/006ii	The percentage of pupils, receiving a Teacher Assessment in Welsh (first language) at the end of Key Stage 3	0	0	0	0	At maximum
EDU/011	The average point score for pupils aged 15 at the preceding 31 August, in schools maintained by the local authority	472.6	526	not set	516	Declined
EDU/015a	The percentage of final statements of special education need issued within 26 weeks incl. exceptions	57.1	64.5	not set	75	Improved
EDU/015b	The percentage of final statements of special education need issued within 26 weeks excl. exceptions	100	100	100	100	At maximum
EDU/016a	Percentage of pupil attendance in primary schools	94.4	95.8	95.8	95.8	Unchanged
EDU/016b	Percentage of pupil attendance in secondary schools	93.5	94.6	94.5	94.8	Improved
EDU/017	The percentage of pupils achieving the Level 2 threshold including a GCSE grade A*-C in English or Welsh and maths	57.3	65.6	70.5	66.9	Improved
WMT/009	The percentage of municipal waste collected and prepared for reuse and/or recycled that are composted or treated biologically in another way	62.94	63.21	63	62.3% (Q3)	Declined
WMT/004	The percentage of municipal waste collected by local authorities sent to landfill	34.23	18.06	17.5	13.7% (Q3)	Improved

Ref	Definition	2013-14	2014-15	2015-16 Target	2015-16 Latest	2015-16 Projected Trend
STS/005b	The percentage of highways and land inspected of a high or acceptable standard of cleanliness	99.38	99.43	99	99.10	Declined
STS/006	The percentage of reported fly tipping incidents cleared within 5 working days	95.98	97.71	97.5	96.68	Declined
THS/007	The percentage of adults aged 60 or over who hold a bus pass	77.5	79.2	80	79.2	Unchanged
THS/012	The percentage of principal (A) roads, non-principal (B) roads and non-principal (C) roads that are in overall poor condition	9.8	9.7	11	Not yet available	Not yet available
LCS/002	The number of visits to leisure centres during the year per 1,000 population where the visitor will be participating in physical activity	8099	7893	7600	8205	Improved
LCL/001b	The number of visits to public libraries during the year, per 1,000 population	7270	7434	7450	7478	Improved
PPN/009	The percentage of food establishments which are 'broadly compliant' with food hygiene standards	91.2	93.9	93	Not yet available	Not yet available
CHR/002	Average sickness days per employee (FTE)	11.0	9.8	9.5	10.79 forecast	Declined
PLA/006b	The percentage of all additional housing units provided during the year that were affordable.	31	53	Not Set	Not yet available	Not yet available
CAM037	The percentage change in the average Display Energy Certificate (DEC) score within local authority public buildings over 1,000 square metres	New for 15/16	New for 15/16	Not Set	Not yet available	Not yet available

# Glossary

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We try to avoid the use of jargon. However we recognise that we sometimes use these when they are commonly used in the media or are likely to be understood by informed readers. Some of those that crop up in this plan are listed below:

CSSIW	Care and Social Services Inspectorate Wales
Estyn	Inspectorate for Education and Training in Wales who inspect quality and standards in education and training in Wales.
PSB	Public Service Board. This is a group of the main service providers in Monmouthshire
SIP	Single Integrated Plan to meet the needs of the people of Monmouthshire. This will be replaced by a Well-being Plan in 2018 as part of our duty under the Well-being of Future Generations Act
WAO	Wales Audit Office. They are responsible for overseeing how public money is spent and are the council's regulators

Please let us know what you think of this plan and whether it is clearly written by e-mailing us [improvement@monmouthshire.gov.uk](mailto:improvement@monmouthshire.gov.uk) or writing to Will Mclean, Head Partnerships and Performance, Monmouthshire County Council, County Hall, Usk, NP15 1GA

# Feedback

We're always interested to know what you think about our services and the priorities for improvement that we've written about in this plan. You can complete this form and return it to us via e-mail or post. However we're interested in all views however you wish to supply them. Details of how to get in touch are at the bottom of the page.

1. Do you agree that the five areas we have identified are the right things for us to focus on?


	Yes	No	Don't know	Comments
We will improve at all key stages of education				
We will safeguard people, whether young or old, while reducing peoples dependence on social care				
We will enable our county to thrive.				
Maintaining locally accessible services				
We want to be an efficient, effective and sustainable organisation				

2. Is there anything else that you think should be an improvement objective in the future?  
Please tell us here.

3. We're interested to know what you thought of our plan. Please let us know:

	Yes	No	Comments
Was it easy to understand?			
Was the content informative?			

 [improvement@monmouthshire.gov.uk](mailto:improvement@monmouthshire.gov.uk)

 Matthew Gatehouse, Policy and Performance Manager, Monmouthshire County Council, County Hall, Usk, NP15 1GA

 @MonmouthshireCC



## References

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<sup>1</sup> Monmouthshire County Council have established loan scheme to help bring back to life underutilised and redundant sites and buildings in Abergavenny town centre. This is funded under the Welsh Government's 'Vibrant and Viable Places' initiative, the scheme will provide interest-free loans to owners to refurbish, convert or develop redundant, vacant and underutilised sites and premises in the town centre.

<sup>2</sup> Based on annual calendar year data produced by STEAM. Due to the range of factors that affect this indicator it is not possible to produce a more specific target.

<sup>3</sup> Monmouthshire Local Development Plan, Retail Background [paper](#) 2015

<sup>4</sup> Monmouthshire Local Development Plan, Retail Background [paper](#) 2015

<sup>5</sup> Monmouthshire Council is the Administrative Body for the programme, the Vale of Usk allocation has an approximate 80:20 split between Monmouthshire and Newport.

<sup>6</sup> Approved projects and supporting LAG minutes are shown on the projects section of the [www.valeofusk.org](http://www.valeofusk.org) website.

<sup>7</sup> The target provides an indication of forecast projects, this may vary depending on projects that apply for funding and full information is available on [www.valeofusk.org](http://www.valeofusk.org).

<sup>8</sup> National performance indicators from the National Strategic Indicators and Public accountability measures set. Only indicators that can be directly compared to the previous year and were published in the year by the council are included.

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monmouthshire  
sir fynwy

Monmouthshire County Council  
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# Agenda Item 19

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Orders Branch  
Transport  
Department for Economy, Science and Transport  
Welsh Government  
Cathays Park  
Cardiff, CF10 3NQ

3<sup>rd</sup> May, 2016

Dear Sir/Madam,

**Re: M4 Corridor Around Newport**

In response to the draft orders for a new proposed section of the M4, Monmouthshire County Council (MCC) agrees that there is a need for investment in transport infrastructure and services to bring about a modern, accessible, integrated and sustainable transport system for South East Wales. We believe that the proposals, when considered alongside other major public transport infrastructure improvements such as those outlined within the Metro and City Deal programme, will contribute to this and therefore support in principle the new motorway as part of a package of major infrastructure projects to solve the problems on the existing M4 around Newport and improve road and public transport links overall.

The proposal should provide better access for south Monmouthshire residents to Cardiff and South East Wales, and we welcome the additional access to the motorway network sited between Undy and Rogiet. The new access should also reduce the volume of traffic coming from the Caldicot area having to pass through Magor and Undy along the B4245. Monmouthshire County Council has a long-standing policy to provide a by-pass for Magor and Undy, and the new junction arrangement would effectively provide this bypass. Similarly, the proposed junction east of Undy would improve access to Severn Tunnel Junction parkway station where the MCC strategic transport plan recognises the need for a park and ride facility.

The Council seeks to ensure Welsh Government's active commitment to minimise and mitigate the environmental, social and wellbeing impact of Welsh Government's proposals on the Communities of Magor with Undy, and to identify opportunities to secure benefits from Welsh Government for the communities of Magor with Undy as a means of off-setting impact. In this context we welcome the positive proposals within the overall scheme, including

- the creation of 2,000 jobs which MCC would wish to see focused on opportunities for the Severnside community
- the setting of the new section of the motorway to the west of Magor lower than the existing ground to minimise views and potential noise disturbance and the significant amount of new woodland planting to further screen views where it rises out of the ground to cross over South Wales Mainline,

- the proposals to provide a foot/cycle link from Barecroft Common to Rush Wall which would complete a continuous pedestrian and cycle route between Magor and Newport,
- the proposals include a new bridge over the proposed motorway for the B4245 Newport Road with a footway on the northern verge and a cycle track on the southern verge,
- the provision of an underpass at St. Brides Road,
- giving consideration to construct a length of new footway along the south side of the B4245 east of Undy where the road would become a trunk road.

We welcome the extra employment that the scheme should generate but also acknowledge the disruption to our residents during the construction phase. Such a major scheme will inevitably create some disruption but we seek good communication links between WG, contractors, the local authority and residents to ensure that frustration is minimised and all are well informed of progress.

The draft orders and the previous information made available provides much clarification on many matters however Council officers will prepare a further note on specific issues including what measures may be considered to limit the impact of the new route upon the existing Magor Services which employs 190 local people.

I hope that this response clarifies MCCs position in supporting the M4 CaN along with the other sustainable transport projects, and trust that the Welsh Government and its consultants will continue to work closely with MCC officers in clarifying some of the detail design of the scheme in order to ensure that it offers the maximise benefits to the local and wider community of Monmouthshire.

I would point out that the Council timetable has required that this response is based upon member and officer engagement through our Strategic Transport Group and by written correspondence. Members will consider the response further at the next suitable Council meeting.

Yours sincerely

Cllr Bryan Jones  
**Cabinet Member for Operations**