

Pecyn Dogfen Gyhoeddus

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



Swyddog Cyswllt:
Maureen Potter 01352 702322
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At: Cyng Neville Phillips (Cadeirydd)

Y Cynghorwyr: Bernie Attridge, Chris Bithell, Bob Connah, Jean Davies,
Rob Davies, David Evans, David Healey, Ted Palmer, Mike Peers,
Michelle Perfect, Vicky Perfect, Ian Smith a Arnold Woolley

Dydd Iau, 11 Tachwedd 2021

Annwyl Gynghorydd,

RHYBUDD O GYFARFOD ANGHYSBELL
PWYLLGOR Y CYFANSODDIAD A GWASANAETHAU DEMOCRATAIDD
DYDD MERCHER, 17EG TACHWEDD, 2021 2.00 PM

Yn gywir

Robert Robins
Rheolwr Gwasanaethau Democrataidd

Sylwch: Bydd hwn yn gyfarfod dros y we a bydd 'presenoldeb' wedi'i gyfyngu i Aelodau'r Pwyllgor a'r Aelodau hynny o'r Cyngor sydd wedi gofyn i Bennaeth y Gwasanaethau Democrataidd am wahoddiad. Y Cadeirydd fydd yn penderfynu a yw'r rhain yn cael siarad ai peidio.

Bydd y cyfarfod yn cael ei ffrydio'n fyw ar wefan y Cyngor. Bydd recordiad o'r cyfarfod ar gael yn fuan ar ôl y cyfarfod ar <https://flintshire.publici.tv/core/portal/home>

Os oes gennych unrhyw ymholiadau, cysylltwch ag aelod o'r Tîm Gwasanaethau Democrataidd ar 01352 702345.

R H A G L E N

1 YMDDIHEURIADAU

Pwrpas: I dderbyn unrhyw ymddiheuriadau.

2 DATGAN CYSYLLTIAD (GAN GYNNWYS DATGANIADAU CHWIPIO)

Pwrpas: I dderbyn unrhyw ddatganiad o gysylltiad a chynghori'r Aelodau yn unol a hynny.

3 COFNODION (Tudalennau 5 - 16)

Pwrpas: I gadarnhau, fel cofnod cywir gofnodion y cyfarfod ar 30 Mehefin a 30 Medi 2021.

4 PANEL ANNIBYNNOL CYMRU AR GYDNABYDDIAETH ARIANNOL (IRPW) (Tudalennau 17 - 108)

Cael yr Adroddiad Blynyddol Drafft ar gyfer 2022

5 ADRODDIAD BLYNYDDOL TROSOLWG A CHRAFFU 2020/21 (Tudalennau 109 - 128)

Ystyried a chymeradwyo Adroddiad Blynyddol Trosolwg a Chraffu ar gyfer 2020/21

6 CYFARFODYDD AML LEOLIAD A'R MODEL AR GYFER CYFARFODYDD YN Y DYFODOL - ADRODDIAD CYNNYDD (Tudalennau 129 - 134)

I roi gwybod i'r pwyllgor am y cynnydd presennol.

7 DATGANIAD A GWAREDIAD TIR NAD OES EI ANGEN (Tudalennau 135 - 138)

Cytuno ar fân newidiadau i'r Cyfansoddiad i wella tryloywder ac eglurder ynghylch sut fydd y tir yn cael ei ddatgan fel nad oes ei angen

Sylwch, efallai y bydd egwyl o 10 munud os yw'r cyfarfod yn para'n hirach na dwy awr.

Nodyn Gweithdrefnol ar redeg cyfarfodydd

Bydd y Cadeirydd yn agor y cyfarfodydd ac yn cyflwyno eu hunain.

Bydd nifer o Gynghorwyr yn mynychu cyfarfodydd. Bydd swyddogion hefyd yn mynychu cyfarfodydd i gyflwyno adroddiadau, gyda swyddogion Gwasanaethau Democrataidd yn trefnu a chynnal y cyfarfodydd.

Gofynnir i bawb sy'n mynychu i sicrhau bod eu ffonau symudol wedi diffodd a bod unrhyw sain gefndirol yn cael ei gadw mor dawel â phosib.

Dylai'r holl feicroffonau gael eu rhoi "ar miwt" yn ystod y cyfarfod a dim ond pan fyddwch yn cael eich gwahodd i siarad gan y Cadeirydd y dylid eu rhoi ymlaen. Pan fydd gwahoddedigion wedi gorffen siarad dylen nhw roi eu hunain yn ôl "ar miwt".

Er mwyn mynegi eu bod nhw eisiau siarad bydd Cynghorwyr yn defnyddio'r cyfleuster 'chat' neu yn defnyddio'r swyddogaeth 'raise hand' sy'n dangos eicon codi llaw electronig. Mae'r swyddogaeth 'chat' hefyd yn gallu cael ei ddefnyddio i ofyn cwestiynau, i wneud sylwadau perthnasol ac yn gyfle i'r swyddog gynghori neu ddiweddarau'r cynghorwyr.

Bydd y Cadeirydd yn galw ar y siaradwyr, gan gyfeirio at aelod etholedig fel 'Cynghorydd' a swyddogion yn ôl eu teitl swydd h.y. Prif Weithredwr neu enw. O bryd i'w gilydd mae'r swyddog sy'n cynghori'r Cadeirydd yn egluro pwyntiau gweithdrefnol neu'n awgrymu geiriad arall ar gyfer cynigion er mwyn cynorthwyo'r Pwyllgor.

Os, a phan y cynhelir pleidlais, mi fydd y Cadeirydd yn egluro mai dim ond y rheiny sy'n gwrthwynebu'r cynnig/cynigion, neu sy'n dymuno ymatal a fydd angen mynegi hynny drwy ddefnyddio'r swyddogaeth 'chat'. Bydd y swyddog sy'n cynghori'r Cadeirydd yn mynegi os bydd y cynigion yn cael eu derbyn.

Os oes angen pleidlais fwy ffurfiol, bydd hynny yn ôl galwad enwau – lle gofynnir i bob Cynghorydd yn ei dro (yn nhrefn yr wyddor) sut mae ef / hi yn dymuno pleidleisio.

Yng nghyfarfodydd Pwyllgorau Cynllunio a Chyngor Sir mae amseroedd siaradwyr yn gyfyngedig. Bydd cloch yn cael ei chanu i roi gwybod i'r siaradwyr bod ganddyn nhw funud ar ôl.

Bydd y cyfarfod yn cael ei ffrydio'n fyw ar wefan y Cyngor. Bydd recordiad o'r cyfarfod ar gael yn fuan ar ôl y cyfarfod ar <https://flintshire.publici.tv/core/portal/home>

Mae'r dudalen hon yn wag yn bwrpasol

Eitem ar gyfer y Rhaglen 3

CONSTITUTION AND DEMOCRATIC SERVICES COMMITTEE **30 JUNE 2021**

Minutes of the remote meeting of the Constitution and Democratic Services Committee of Flintshire County Council held on Wednesday, 30 June 2021

PRESENT: Councillor Neville Phillips (Chairman)

Councillors: Chris Bithell, Bob Connah, Jean Davies, Rob Davies, David Evans, David Healey, Ted Palmer, Mike Peers, Michelle Perfect, Vicky Perfect, Ian Smith, and Arnold Woolley

SUBSTITUTION: Councillor Patrick Heesom for David Williams

APOLOGIES: Councillor Bernie Attridge

ALSO PRESENT AS OBSERVERS: Councillors Veronica Gay and Aaron Shotton

IN ATTENDANCE: Chief Officer (Governance), Head of Democratic Services, and Democratic Services Officers.

Prior to the start of the meeting the Chair referred to the recent sad loss of former Councillor Dennis Parry and Councillor John Beard who had been long standing Members of the Council. He expressed condolences to their families and asked Members and officers to join him in a short period of silence in tribute to them.

01. APPOINTMENT OF CHAIR

The Head of Democratic Services reminded the Committee that at the Annual Meeting, Council had resolved that the Liberal Democrats group should nominate the Chair of the Committee. The nomination from the group had been for Councillor Neville Phillips.

RESOLVED:

That Councillor Neville Phillips be confirmed as Chairman of the Committee for the municipal year.

(from this point Councillor Phillips chaired the remainder of the meeting)

02. APPOINTMENT OF VICE-CHAIR

The Chairman sought nominations for the appointment of Vice-Chair.

Councillor David Evans proposed Councillor Michelle Perfect as Vice-Chair of the Committee and this was seconded by Councillor Dave Healey.

Councillor Mike Peers proposed Councillor Bob Connah as Vice-Chair of the Committee and this was seconded by Councillor Rob Davies.

On being put to the vote Councillor Michelle Perfect was appointed as Vice-Chair of the Committee.

RESOLVED:

That Councillor Michelle Perfect be appointed Vice-Chair of the Committee for the municipal year.

03. MINUTES

The minutes of the meeting held on 24 March 2021 were submitted.

The minutes were moved by Councillor Chris Bithell and seconded by Councillor Rob Davies.

RESOLVED:

That subject to the correction of typographical errors the minutes be approved as a correct record and signed by the Chairman.

04. DECLARATIONS OF INTEREST

None.

05. AMENDMENTS TO THE RULES OF PROCEDURE

The Head of Democratic Services introduced a report for the Committee to comment on and agree amendments to the Rules of Procedure. He referred to the Annual Meeting of the County Council held on 9 September 2020 and the agreement to the temporary changes to some of the Rules which had been circulated. He advised that as the Council moved towards 'multi location meetings' required by the Local Government & Elections (Wales) Act 2021 what had been temporary changes should now be formally adopted by the Committee and Council whilst a policy on multi-location meetings was developed.

The report explained the need to make the amendments to the rules of procedure which were appended to the report.

The Chief Officer (Governance) explained there was a need for flexible rules to accommodate restrictions around the Covid-19 pandemic and said there was a possibility that the Council might return to an arrangement where, on occasion, everyone was physically present at a meeting; or where some people were physically present and others were present remotely (hybrid meetings); or attendance was wholly via remote devices. The Chief Officer commented on the wider issues to be considered regarding how the Council wished meetings to proceed in the future.

Councillor Chris Bithell referred to the proposed changes to the Rules of Procedure detailed in the appendix to the report. Regarding procedure 8 - Duration of Meetings,

he expressed concerns that if a Member was required to attend several meetings during a day there could be insufficient time for an i-pad battery to be recharged. He also referred to Procedure 17 – Record of Attendance, and commenting on attendance at remote meetings he said that if members had to leave during a meeting it could have an impact on whether the meeting remained quorate. The Chief Officer responded to the matters raised. The Chair suggested that the host of a remote meeting could update the Chair during the meeting to inform of the remainder members present if a number of people subsequently withdrew from the meeting. The Head of Democratic Services drew attention to Procedure 15.1 – Majority, which addressed voting at remote/hybrid meetings.

Councillor Michelle Perfect also referred to procedure 8 - Duration of Meetings, and suggested that the reference to Council meetings starting at 2.00 pm be amended to read: "Council meetings must ordinarily conclude after 3 hours". She also referred to Procedure 14 – Previous Decisions and Motions, and suggested that the proposed amendment be clarified to read that 10 individual emails be sent to the Head of Democratic Services.

Councillor Mike Peers referred to Procedure 15.0 – Voting, and commenting on the proposed amendment regarding 'silent assent' he said there was a need to provide guidance in writing on how Members were to indicate if they wished to oppose or abstain on a vote. Councillor Peers also referred to Procedure 15.5 – Recorded Vote, and suggested that the proposed wording be amended to read: "That the Monitoring Officer will remind Members of the process to put in the 'chat' function that they request a formal vote and the requisite number reached will be declared by the Monitoring Officer".

Officers agreed to include the changes to the amendments put forward by Members.

The recommendations in the report, subject to the further amendments to the changes to the Rules of Procedure as agreed by the Committee, was moved by Councillor Chris Bithell and seconded by Councillor Jean Davies.

RESOLVED:

- (a) That the Committee approves the changes to the Rules of Procedure as shown in appendix 1, subject to the further amendments to the changes as agreed during the meeting; and
- (b) That further work be undertaken to develop a policy on multi-location meetings.

06. MEMBER PROTOCOL ON INVOLVEMENT IN OTHER WARDS

The Head of Democratic Services introduced a report to enable the Committee to consider the revised protocol. He provided background information and advised that following recent concerns it had become necessary to re-visit the protocol with a view to making more 'user-friendly'. Particular concerns in redrafting the protocol were around the needs to observe geographical representation, voter/councillor representation issues, and the consequences of dissatisfaction with actions taken with lack of recourse. The Head of Democratic Services advised that appended to the report was the original protocol from 2011 which had been approved by the Constitution Committee, and the revised Member Protocol on Involvement in other wards which was supported by Group Leaders.

The Head of Democratic Services reported on the main considerations as set out in the revised Member Protocol and said it had been re-written to assist Members in contentious matters. He referred to the exceptions to the protocol, procedure to be followed, and monitoring.

Councillor Michelle Perfect commented on instances when Town and Community Councillors approached officers of the County Council directly for information instead of following correct procedures and asked if a procedure could be drafted to address this issue. The Chief Officer explained that consideration could be given to providing instructions to County Council officers on how they should respond to a request from individual town and community councillors. He suggested that any such procedure should also be submitted to County Forum for consideration.

Councillor Mike Peers referred to Appendix 2, section 1, second paragraph, and commenting on the local boundary commission said the sentence "Local Member means the Councillor or one of the two who represent the ward" would not apply if there was a three member ward and suggested that the sentence should read: "Local Member means the Councillor who represents the ward".

In response to a question from Councillor Rob Davies on Appendix 2, paragraph 3.1, regarding agreement between the non-ward member and ward member, the Head of Democratic Services confirmed that this could be by email or telephone to achieve an effective outcome.

Councillor David Healey suggested that the Protocol include reference to the risks involved in social media and cited the example of Members potentially becoming involved in matters which were not in their own ward.

Councillor David Evans referred to Appendix 2, section 4 - Monitoring, and commenting on a cross-border matter between his Ward and a neighbouring ward he asked for clarification on the circumstances in which Member Services had to be informed of local issues. Officers responded to the query raised and the Chief Officer suggested that to avoid unnecessary bureaucracy, that in future only a breach of the Protocol be recorded rather than instances of compliance.

Councillor Chris Bithell referred to appendix 2, paragraph 1.1, and commented on the involvement of Members in a ward other than their own due to planning matters. He suggested that in these circumstances there was a need to inform officers in the Planning Department, and any other relevant department, of the case so the appropriate contact details can be provided.

The Head of Democratic agreed to include the further amendments put forward by Members.

The recommendation in the report was moved by Councillor Rob Davies and seconded by Councillor David Evans.

RESOLVED:

That subject to the amendments put forward by Members, the Committee recommends that the 2021 revised Member Protocol on Involvement in Other Wards be adopted.

07. MEMBER WORKSHOPS, BRIEFINGS AND SEMINARS UPDATE

The Head of Democratic Services introduced a report to provide an update on the Member Development and Engagement events which had been held since the last meeting in March 2021, and those forthcoming. He explained that an update on attendance for the events held on 28 June and following would be provided at the next meeting. He invited Members to contact him with any suggestions they wished to put forward for future development events.

The recommendations in the report were moved by Councillor Chris Bithell and seconded by Councillor Ted Palmer

RESOLVED:

- (a) That the progress with Member Workshops, Briefings and Seminars since the last report be noted; and
- (b) That if Members had any suggestions for future Member Development they contact the Head of Democratic Services to discuss them.

08. MEMBERS OF THE PRESS IN ATTENDANCE

There was no member of the press in attendance.

(The meeting started at 2.00 pm and ended at 3.02 pm)

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Chairman

Mae'r dudalen hon yn wag yn bwrpasol

CONSTITUTION AND DEMOCRATIC SERVICES COMMITTEE
30TH SEPTEMBER 2021

Minutes of the remote meeting of the Constitution and Democratic Services Committee of Flintshire County Council held on Thursday, 24 March 2021.

PRESENT: Councillor Neville Phillips (Chairman)

Councillors: Chris Bithell, Bob Connah, Jean Davies, Rob Davies, Mike Peers, Michelle Perfect, Vicky Perfect, Ian Smith and Arnold Woolley.

SUBSTITUTIONS:

Councillors: Joe Johnson for Ted Palmer and Sean Bibby for David Evans.

APOLOGIES:

Councillors: Bernie Attridge and David Healey.

ALSO PRESENT AS AN OBSERVER:

Councillor Patrick Heesom.

IN ATTENDANCE:

Chief Officer (Governance), Head of Democratic Services, Deputy Monitoring Officer and Team Leader – Democratic Services.

22. DECLARATIONS OF INTEREST

None.

23. MINUTES

The minutes from the meeting held in June would be considered at the meeting in November.

RESOLVED:

That the June minutes be submitted to the meeting in November.

24. AMENDMENTS TO THE PLANNING CODE OF PRACTICE

The Deputy Monitoring Officer introduced the report and explained that in March 2021 the Committee considered a review of the Protocol for Meeting Contractors a part of the Committee's rolling review of the Council's Constitution. The parts of the Protocol relating to Members in their Dealings with Contractors/Developers and Other Third Parties who might be bidding for, or seeking, a contract with the Council were updated.

The Committee resolved that the parts of the Protocol for Meetings with Contractor that provided advice in respect of Developers should be contained in the Planning Code of Practice (PCoP) and that the PCoP be updated accordingly.

At the Council meeting in April 2021, where the updated Protocol was approved, Members also requested that advice be added to the PCoP on the pre-application consultation process.

The Planning Strategy Group (PSG) considered the above proposed changes to the PCoP on 13th May 2021 and 10th June 2021 and a number of additional alterations were made where it was felt they would be of assistance to Members involved in the planning process. In addition, Standards Committee on 5th July 2021 proposed some further additional amendments. All of those amendments were appended to the report.

In response to a question from Councillor Bithell, the Deputy Monitoring Officer explained that the statutory pre consultation period does not require all Planning Committee Members to be provided with details of the proposals. It was the local Members who should be contacted so they could advise of any local issues to assist the developer in the preparation of their application. Members of Planning Committee needed to be seen to be impartial with developers.

In responding to a further question, the Chief Officer (Governance) explained that when on a site visit, if a Member was asked to view the site from a neighbouring property from the neighbour, this was only acceptable if all Members on the site visit also went to view the site. In addition, site visits should not consist of conversations with members of the public.

Councillor Bithell asked for information on the process of appeals. The Deputy Monitoring Officer explained that the proposer and the seconder of the motion against officer recommendation were invited to meet the relevant Planning Officer to prepare a statement in response to an appeal.

Councillor Bithell asked if any details could be put in section 15, Complaints. The Chief Officer (Governance) explained that the Public Complaints Procedure could be included. There was an escalation process for Councillors who had raised an issue and not received a response, but that detail would not be put in a public document. He also asked if the Planning Code of Practice could include a section to explain that written submissions from the applicant, the person for the application and the person against the application are able to be provided in advance of the meeting to ensure that, if any of them were unable to attend, their statement could be read out by an officer on their behalf.

Councillor Peers suggested that the wording “where requested such assistance is provided in a timely manner”, in section 2.4.2.

On section 4.3.1, Councillor Peers queried whether the wording needed to change, to read “either under the item for declaring interests or at the moment a Member realises they have an interest”.

Councillor Peers welcomed the updates to sections 8.1 and 8.2. On Section 106 agreements, he felt that all Committee Members should be made aware of the discussions undertaken prior to the Committee meeting. He also felt that when a proposer has summed up, outlining their reasons for refusal, the rest of the Committee should be asked if they agree with the reasons for refusal. The Chief Officer (Governance) said those two proposals could be discussed at Planning Strategy Group.

In response to a question from Councillor Smith, the Monitoring Officer said the Head of Democratic Services and Team Leader – Democratic Services would look into the possibility of Planning Strategy Group agendas and minutes being made available to all Members of the Council.

The recommendation in the report was moved by Councillor Chris Bithell and seconded by Councillor Mike Peers, including the following as proposed during the debate:

- That the Planning Code of Practice include the Public Complaints Procedure in Section 15
- That the Planning Code of Practice include a section to explain that written submissions from the applicant, the person for the application and the person against the application are able to be provided in advance of the meeting to ensure that, if any of them were unable to attend, their statement could be read out by an officer on their behalf
- That the wording “where requested such assistance is provided in a timely manner”, be included in section 2.4.2.
- That the wording in 4.3.1 the wording be changed to read “either under the item for declaring interests or at the moment a Member realises they have an interest”.
- That the Planning Strategy Group consider Councillor Peers’ suggestions on informing all Members of the Planning Committee prior to the meeting of any discussions on Section 106 agreements, and whether all Members of the Committee should be asked if they agreed with the reasons for refusal once the proposer had summed up.

RESOLVED:

- (a) That the Committee approve the alterations to the Planning Code of Practice as identified in tracked changes in Appendix 1 of the report;
- (b) That the Planning Code of Practice include the Public Complaints Procedure in Section 15;
- (c) That the Planning Code of Practice include a section to explain that written submissions from the applicant, the person for the application and the person against the application are able to be provided in advance of the meeting to ensure that, if any of them were unable to attend, their statement could be read out by an officer on their behalf;
- (d) That the wording “where requested such assistance is provided in a timely manner”, be included in section 2.4.2;
- (e) That the wording in 4.3.1 the wording be changed to read “either under the item for declaring interests or at the moment a Member realises they have an interest”; and
- (f) That the Planning Strategy Group consider Councillor Peers’ suggestions on informing all Members of the Planning Committee prior to the meeting of any discussions on Section 106 agreements, and whether all Members of the Committee should be asked if they agreed with the reasons for refusal once the proposer had summed up.

25. MEMBER INDUCTION FOR 2022: CONSULTATION ON THE FIRST DRAFT OF THE MEMBER INDUCTION PROGRAMME

The Head of Democratic Services introduced the report and explained that, after elections of the whole Council, which took place on a five yearly cycle, a Member Induction Programme was offered. The Programme was intended to involve both new and returning Members.

For new Member, the emphasis would be on providing an introduction to their new role and to share knowledge to enable them to start their development as a Councillor.

For returning Members, the aim would be to refresh knowledge, provide updates and additional skills where necessary.

The Programme had been submitted to Group Leaders where it was supported.

Councillor Bithell asked if there was still a requirement for RSA tokens to be issued to Members. The Head of Democratic Services explained that the RSA token was built into the laptops that were now issues to Members. In response to a further question, he explained that the 'Who's Who' would provide details of senior officers. Contact details for other officers were available on the Infonet. It was acknowledged that a timetable would be required for introducing Members to remote meetings. Councillor Bithell asked about information on how Members could safeguard themselves. The Head of Democratic Services said that document was being updated and would be circulated to all Members. In response to a comment on IT issues experienced, the Chief Officer (Governance) explained that the Head of Democratic Services and the Team Leader – Democratic Services would provide details of a fast track service available to Members when contacting the IT Helpdesk. It was suggested that the induction timetable should be given out to candidates in advance of the election.

Councillor Smith welcomed the evening sessions.

The recommendations in the report were moved by Councillor Chris Bithell and seconded by Councillor Ian Smith.

RESOLVED:

- (a) That the comments on the 2022 Member Induction Programme be noted; and
- (b) The suggestions for inclusion in the Member Induction Programme be submitted to the Head of Democratic Services.

26. MEMBER WORKSHOPS, BRIEFINGS AND SEMINARS UPDATE

The Head of Democratic Services introduced the report and explained that the report provided details of events which had been held since the last meeting in March 2021 and those which were forthcoming.

The following were the engagement events which had been held since the last update, including three events which were yet to be held, including the number of Members in attendance as agreed at the previous meeting:

Date	Time	Event	Number in Attendance
30.06.21	11.00 a.m.	All Member Briefing Session on the MTFs / 2022 Budget Estimates	34
30.06.21	6.00 p.m.	Third Session of Dementia Friends	9
06.07.21	2.00 p.m.	All Member Briefing on Recycling	32

08.07.21	4.30 p.m.	Consultation Workshop for SACRE Committee Members	4
20.07.21	6.00 p.m.	All Member Briefing on Recycling	14
12.10.21	2.00 p.m. 6.00 p.m.	Supporting Flintshire Families: An Evidence Based Relationship Focused Approach	
To be determined		On-line Harrassment	
08.12.21	2.00 p.m 6.00 p.m.	Annual Treasury Management Training	

He invited Members to contact him with any suggestions they wished to put forward for future Member development events.

Councillor Bithell said he would like training on the new Planning software to take place as soon as it was available.

The recommendations in the report were moved by Councillor Joe Johnson and seconded by Councillor Bob Connah.

RESOLVED:

- (a) That the progress with Member Workshops, Briefing and Seminars since the last report be noted; and
- (b) That any suggestions for future Member Workshops, Briefings or Seminars be submitted to the Head of Democratic Services.

27. MEMBERS OF THE PRESS IN ATTENDANCE

There were no members of the press in attendance.

(The meeting started at 2.00 pm and ended at 3.23 pm)

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Chairman

Eitem ar gyfer y Rhaglen 4



CONSTITUTION & DEMOCRATIC SERVICES COMMITTEE

Date of Meeting	Wednesday, 17 November 2021
Report Subject	Independent Remuneration Panel for Wales (IRPW)
Report Author	Head of Democratic Services

EXECUTIVE SUMMARY

Each year, the Independent Remuneration Panel for Wales (IRPW) determines the rates of payment which are to be made to elected and co-opted members of Welsh Local Authorities for the following year.

Established by the Local Government (Wales) Measure 2011, the IRPW is independent of local authorities. It has emphasised from its inception that:

“Local democracy and governance of public services is not cost free and need to be valued if we are to enable everyone to participate. Levels of remuneration need to be set at a level sufficient to encourage a diversity of willing and able people to undertake local governance through elected, appointed or co-opted roles.”

The draft Annual Report is sent by the IRPW to County Councils each year. This year, it did so on the 29th September, requesting comments to be made by no later than the 26th November 2021. The IRPW is required to take into account any representations which it receives on the draft before issuing its final version of the report in February.

The IRPW says an increase is needed because basic salaries and other payments to councillors have fallen behind measures of inflation and other possible comparators such as the Retail Prices Index, Consumer Prices Index, NJC (public sector employees), Members of Senedd Cymru, and MPs and also the Annual Survey of Hourly Earnings (ASHE). For 2022/3, the following changes are proposed:

The basic salary in 2021/22 for elected members of principal Councils shall be £16,800 with effect from 9th May 2022.

Increases are also proposed for Cabinet Members, Council Leaders and their deputies.

RECOMMENDATIONS

1	That the Committee considers and comments on the Determinations made by the Independent Remuneration Panel for Wales in their draft Annual Report for 2022/23.
2	That the Head of Democratic Services be authorised to make a response on behalf of the Council, reflecting the decision made at the meeting, to the Independent Remuneration Panel for Wales

REPORT DETAILS

1.00	DETAILING THE DRAFT ANNUAL REPORT OF THE INDEPENDENT REMUNERATION PANEL FOR WALES (IRPW) 2022/23																
1.01	Members will be aware that the IRPW produces a report on an annual basis, which sets out what it has decided (these are called Determinations) should be the rates of payment to Members and co-optees of Local Authorities in Wales for the following year.																
1.02	For 2022/23, the Panel have made 52 determinations, 30 of which relate specifically to principal Councils, of which Flintshire is one. Seven relate to National Park Authorities, seven to Fire & Rescue Authorities and the remainder to Community and Town Councils.																
1.03	<p>In their report (which is attached as an appendix) , the Panel states</p> <p>“Since 2009, remuneration of elected members of local government in Wales has not kept pace with measures of inflation or other possible comparators. These include Retail Prices Index, Consumer Prices Index, NJC (public sector employees), National Living Wage (NLW), the Living Wage Foundation’s Living Wage (LWF) rates, Members of Senedd Cymru, and MPs and also the Annual Survey of Hourly Earnings (ASHE).”</p> <p>It is therefore proposing increases that will narrow the gap.</p> <p>The table below shows the 2021 IRPW determined salary levels and the proposed levels for 2022. Flintshire Members are actually on a variety of different salaries, as Members have not accepted increases payable in 2020 or 2021. This is a matter of personal conscience, and so it would be inappropriate to comment further.</p> <p>All salaries include the basic Member salary. (Determinations 1- 4 and 7)</p> <table border="1"> <thead> <tr> <th>Position</th> <th>Current, 2021 IRPW Determination</th> <th>Proposed, 2022 IRPW Determination</th> <th>Amount of increase proposed</th> </tr> </thead> <tbody> <tr> <td>Member of Council</td> <td>£14,368</td> <td>£16,800</td> <td>£ 2,432</td> </tr> <tr> <td>Committee Chair</td> <td>£23,161</td> <td>£25,593</td> <td>£ 2,432</td> </tr> <tr> <td>Leader of largest Opposition Party</td> <td>£23,161</td> <td>£25,593</td> <td>£ 2,432</td> </tr> </tbody> </table>	Position	Current, 2021 IRPW Determination	Proposed, 2022 IRPW Determination	Amount of increase proposed	Member of Council	£14,368	£16,800	£ 2,432	Committee Chair	£23,161	£25,593	£ 2,432	Leader of largest Opposition Party	£23,161	£25,593	£ 2,432
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	Chair of Council	£23,161	£25,593	£ 2,432
	Vice-Chair of Council	£18,108	£20,540	£ 2,432
	Cabinet Member	£30,773	£34,020	£ 3,247
	Deputy Leader	£35,773	£39,690	£ 3,917
	Leader	£49,974	£56,700	£ 6,726
	These increases will apply from 9 th May 2022.			
1.04	The Welsh Government have now confirmed the number of Members for the 'new' Council to be elected in May 2022. Therefore, a pressure bid based on 67 Members, and the increases for Cabinet Members, Leaders and Deputies has been made. The pressure bid amounts to £169,538.			
1.05	Determinations 5 and 6 relate to payments to Presiding members and deputies – which do not apply in Flintshire.			
1.06	Determinations 8 and 9 reiterate previous determinations which preclude Members in receipt of a Band 1 or 2 senior salary (Leaders, deputies and Cabinet Members) from receiving a salary from the North Wales Fire & Rescue Authority (if appointed; Flintshire have never done this) or a payment, other than expenses, from any Community or Town Council of which they are a member.			
1.07	Determinations 10 and 11 relate to additional support being provided to Members. Flintshire offers i pads and lap top computers to all elected Members. We also offer a broadband allowance of up to £30 per month to Members who wish to claim. In addition, we have acknowledged that a small number of Members who, despite having the maximum broadband provision in their area, still do not get sufficient bandwidth. This has caused connectivity problems and resultant frustration for those Members. In such circumstances, 'a MiFi' device is provided. This has a cost of around £30 per month, offset against a Member's £30 broadband allowance.			
1.08	Determination 12 provides principal councils with the ability to apply to the Panel for specific or additional salaries' that do not fall within the current remuneration framework'. It should be noted that the Panel have previously informed Flintshire that the Council's decision to make a payment equivalent to Band 3 (Committee chairs) to the Chair of the Clwyd Pension Fund Committee is not within their remit. Therefore, whilst payment is made to that Chair, this is through the Clwyd Pension Fund itself.			
1.09	The Local Government & Elections Act 2021) has introduced the concept of 'assistants to the executive'. When Council considered the final draft of the then Local Government & Elections Bill, in January 2020, this was supported in principle, recognising the benefits of providing for career progression and potentially promoting diversity and enabling job sharing for Leaders and Cabinet Members.			

	<p>The assistants to the executive would be elected members who are appointed by the Leader of the Council, who would be able to decide on the number of appointments, their duration and their responsibilities</p> <p>As these posts are new, the Panel has determined that it will decide, on a case by case basis, the appropriate senior salary, if any for assistants to the executive. (Determination 13).</p>																				
1.10	Determinations 14 and 14 relate to Joint Overview & Scrutiny Committees, and thus do not currently apply to Flintshire.																				
1.11	Determination 16 reiterates previous decisions made by the Panel to enable Members to join the Local Government Pension Scheme.																				
1.12	Determinations 1722 deal with the rights of Members to take 'family absence'.																				
1.13	Determinations 23- 29 relate to National Park Authorities, which do not apply to Flintshire.																				
1.14	<p>Determinations 30-36 relate to Fire & Rescue Authorities, where the increases are shown on the table below</p> <table border="1"> <thead> <tr> <th>Position</th> <th>Current, 2021 IRPW Determination</th> <th>Proposed, 2022 IRPW Determination</th> <th>Amount of increase proposed</th> </tr> </thead> <tbody> <tr> <td>Member</td> <td>£2,026</td> <td>£2,369</td> <td>£343</td> </tr> <tr> <td>Chair</td> <td>£10,818</td> <td>£11,612</td> <td>£794</td> </tr> <tr> <td>Vice-Chair</td> <td>£5,765</td> <td>£6,109</td> <td>£344</td> </tr> <tr> <td>Committee Chair</td> <td>£5,765</td> <td>£6,109</td> <td>£344</td> </tr> </tbody> </table> <p>Flintshire nominates six members of the North Wales Fire & Rescue Authority.</p>	Position	Current, 2021 IRPW Determination	Proposed, 2022 IRPW Determination	Amount of increase proposed	Member	£2,026	£2,369	£343	Chair	£10,818	£11,612	£794	Vice-Chair	£5,765	£6,109	£344	Committee Chair	£5,765	£6,109	£344
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1.15	Determinations 37 – 42 relate to co-opted Members. No increase on the current levels of payment is proposed for 2022.																				
1.16	Determination 43 relates to 'Contributions towards costs of care and personal assistance', which Flintshire has always supported in principle.																				
1.17	Determinations 44- 51 relate to Community and Town Councils.																				
1.18	<p>The IRPW Draft report for 2022 was considered by Group leaders at a meeting held on 28th October. Following extensive discussion, the collective view of Group Leaders was that:</p> <p>1) It is disappointing that the IRPW have allowed the situation to develop that such a large increase in Members' salaries was now necessary</p>																				

	2) We believe that the increase should not be in one tranche, but incrementally over the life of the next council also ensuring that those increments take into account levels of inflation prevailing at the time
1.19	This year, the Independent Remuneration Panel for Wales held three consultation meetings with Chairs and Heads of Democratic Services. Cllr Phillips and the Head of Democratic Services attended the meeting held on 2 nd November. They made preliminary observations on the draft report, informed by the comments from Group Leaders on 28 th October
1.20	The Committee is invited to consider, and comment on the Independent Remuneration Panel for Wales Draft Annual Report and its Determinations for 2022. The consultation period ends on Friday, 26 th November.

2.00	RESOURCE IMPLICATIONS
2.01	A pressure bid based on 67 Members, and the increases for Cabinet Members, Leaders and Deputies has been made. The pressure bid amounts to £169,538.

3.00	CONSULTATIONS REQUIRED / CARRIED OUT
3.01	Group Leaders have been consulted on this report, at their meeting on 28 th October.

4.00	RISK MANAGEMENT
4.01	The decision to increase Member Salaries is made by the Independent Remuneration Panel for Wales, not Flintshire County Council.

5.00	APPENDICES
5.01	Appendix 1 - Independent Remuneration Panel for Wales Annual Report Appendix 2 - Independent Remuneration Panel for Wales Letter Appendix 3 – Welsh version Independent Remuneration Panel for Wales Letter

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	The background paper to this report is the Independent Remuneration Panel for Wales draft report, attached as an appendix. Contact Officer: Robert Robins, Head of Democratic Services Telephone: 01352 702320 E-mail: robert.robins@flintshire.gov.uk

7.00	GLOSSARY OF TERMS
7.01	<p>Independent Remuneration Panel for Wales (IRPW) - body established by the Welsh Government to determine the level of Local Authority payments to Members.</p> <p>Determinations - the decisions which the IRPW makes.</p> <p>Basic Salary – the salary or allowance which the IRPW determines should be paid to each Member of the Council which for 2020/21 is £14,218.</p> <p>Senior Salary - a senior salary is payable to a Councillor with special responsibility such as the Leader, Deputy Leader, Cabinet Members, Committee Chairs and the leader of the largest opposition group (a Group B Council such as Flintshire may pay up to 18 senior salaries).</p> <p>Civic Salaries - these are the payments made to the Chair and Vice Chair of Council.</p>



Independent Remuneration Panel for Wales

Annual Report

DRAFT

February 2022

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

Tudalen 23

ANNUAL REPORT 2022/2023

FOREWORD

The Covid pandemic continues to impact on the work of the Panel in that we have been unable to meet with authorities and their representative organisations face to face. However, we have continued to meet regularly and have meaningful discussions to meet our statutory obligations via Microsoft Teams or Zoom.

It has been a difficult time for the public sector but local authorities in Wales have demonstrated their resilience and capabilities over the past 18 months. 2022 is an election year for local government and the new five year term provides the opportunity to reset the basic salaries of elected members to align with the average earnings in Wales. This has been eroded in successive years, primarily as a result of austerity measures. We consider that it is important that the payments to elected members of principal councils be fair and at a level that is not a disincentive to potential candidates for election.

We have undertaken a major consultation exercise in respect of the Remuneration Framework for community and town councils and the outcome is contained in [Section 13](#) of this draft Report. I would like to express my appreciation to all the councils and individual members and officers for their involvement in the exercise.

There have been changes to the membership of the Panel. Ruth Glazzard joined the Panel in April and Helen Wilkinson replaced Claire Sharp in July. My personal thanks to Claire for her contribution to the work of the Panel.

The consultation period for this draft Report ends on **26 November 2021**. The Panel would appreciate comments which will be considered prior to the production of the final Report.

John Bader
Chair

Panel Membership
John Bader, Chair
Saz Willey, Vice Chair
Joe Stockley
Ruth Glazzard
Helen Wilkinson

Detailed information about the members can be found on the website: [Panel website](#)

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Timescale for Implementation of the Panel's Determinations

The Local Government (Wales) Measure 2011 requires the Panel's Annual Report to take effect from 1 April. In most years, this is in line with financial and administrative arrangements of all authorities. However, when new councils are elected some of the Panel's determinations are to be effective for the new municipal term.

On 9 May 2022, new municipal arrangements will come into effect following local government elections. This Annual Report therefore has two different effective dates as set out below:

1. For the period 1 April 2022 to 8 May 2022, all of the Determinations contained in the Independent Remuneration Panel for Wales' [Annual Report 2021/2022](#) will continue to apply in respect of principal councils and community and town councils.
2. For national park authorities and Welsh fire and rescue authorities the determinations in Sections [7](#) and [8](#) of this Report will apply from the new financial year, 1 April 2022.
3. With effect from 9 May 2022, (the new municipal year) the determinations set out in this Report in Sections [3](#) and [13](#) will apply to principal councils and community and town councils.

Executive Summary

This is the fourteenth Annual Report of the Independent Remuneration Panel for Wales (the Panel), published under the requirements of the Local Government (Wales) Measure 2011 (as amended).

1. As Wales emerges from the Covid pandemic, local democracy and public services will have a vital role to play in strengthening the resilience of our local communities and economies. 2022 is a milestone year because of this overarching context.
2. As a Panel our firm belief is that this is a reset moment for Welsh democracy and for valuing our public services; an important opportunity to future proof our democracy and public services. We have therefore taken time to engage with stakeholders, pause and reflect on the impact of the decisions we take and the messages we are communicating in making this year's determinations.
3. From inception, the Panel has consistently and vigorously expressed that local democracy and the governance of public services are not cost free and need to be valued if we are to enable everyone to participate. Levels of remuneration need to be set at a level sufficient to encourage a diversity of willing and able people to undertake local governance through elected, appointed or co-opted roles. It is important to promote a culture which encourages take up of remuneration to ensure that people from all walks of life can participate confidently in our democracy. However, the Local Government (Wales) Measure 2011 requires the Panel to have regard to the financial implication of its decisions. We have discussed the issue of affordability with representatives of the WLGA and the general consensus is that in the context of a council's income and expenditure the Panel's determinations do not have a significant impact. We consider that the proposals set out in this draft Report meet the legislative requirement.
4. Since 2009, remuneration of elected members of local government in Wales has not kept pace with measures of inflation or other possible comparators. These include Retail Prices Index, Consumer Prices Index, NJC (public sector employees), National Living Wage (NLW), [the Living Wage Foundation's Living Wage \(LWF\) rates](#), Members of Senedd Cymru, and MPs and also the Annual Survey of Hourly Earnings (ASHE). This is the result of austerity and pressure on public finances. This has the potential to perpetuate socio-economic disadvantage, adding to perceptions of a democratic deficit.

Yearly percentage increases to basic salary, benchmarks and alternative measures 2013 to 2021

Annual Report Year	2013	2014	2015	2016	2017	2018	2019	2020	2021
IRPW Basic	0.00	0.00	0.95	0.00	0.00	0.75	3.49	2.52	1.06
ASHE*	4.00	0.60	1.00	2.70	1.00	2.10	5.10	0.60	Oct-21
NLW	1.90	3.00	3.10	7.50	4.20	4.40	4.90	6.20	2.18
LWF	3.47	2.68	2.61	5.10	2.42	3.55	2.86	3.33	2.15

5. During this period, decision-making and local governance has increased in complexity with increased responsibilities flowing from legal, social, economic, cultural and technological changes. People’s lifestyles (and expectations) have also changed in the last decade with increased requirements and expectations for a flexible approach to support people with family and care pressures to participate and contribute at work and in public life, through job sharing, flexibility and family leave. The diversity in democracy agenda has gained traction, underpinned by the Equality Act with an increased expectation that people with protected characteristics should be encouraged and empowered to participate. Future proofing our democracy and governance also means that young people, those in work and those who are socially and economically disadvantaged are positively encouraged and empowered to participate as it is clear that our public services should be accountable to and delivered by people who reflect the communities they serve. There is evidence that greater diversity will ensure decision-making takes account of a wide variety of perspectives.

6. The Covid pandemic has put unprecedented pressure on our politicians and public servants. It has also highlighted the importance of our local and community infrastructure in developing rapid and innovative solutions. As Wales emerges from the pandemic, there is increased awareness that our nation needs to draw on a diverse talent pool to meet the scale of the ongoing challenges facing the nation. Local governance needs to engage lived experience and knowledge of local people.

7. As noted in this report, payments for councillors in the 22 principal councils in Wales have not kept pace with comparators such as ASHE. Financial constraints on the public sector and particularly on local authorities over many years meant that the link with average Welsh earnings could not be maintained. The Panel considers that this has undervalued the worth of elected members and that it is now time to restore this link as the most appropriate comparator. Members in these 22 principal councils will receive, proportionately, the same as the overall average amount that a Welsh constituent received in 2020. We believe this puts a fair value on the contribution made by local politicians. We hope that over time this will encourage greater diversity and enable potential candidates to consider putting themselves forward for election.

8. Local elections in Wales will take place on 5 May 2022 for a new municipal term and potentially many new local politicians. The 9 May 2022 is therefore the best date in our view to enact this ‘significant reset’ and invest in local democracy in

Wales. Our proposed increase in remuneration levels will therefore come into effect on this date. Further details can be found in [Section 3](#).

9. As a Panel, we are concerned that payment information provided by relevant authorities shows that very few members are utilising the provision in the framework for financial support in respect of care. We believe it is vital that Democratic Services Committees continue to encourage and facilitate greater use of this element of the Remuneration Framework so that members are not financially disadvantaged.
10. We also believe that encouraging take up of this financial support for members with caring responsibilities will send a positive signal that members with these responsibilities are welcome and valued. We hope that it will encourage others with caring responsibilities to consider standing for election.
11. Payments for members of national park authorities and Welsh fire and rescue authorities will increase as a result of the uplift proposed for elected members of principal councils. As indicated above these increases will be effective from 1 April 2022, the new financial year. The Panel considered the alternative for implementation following the annual meeting of each authority, but this could mean a significant delay in individuals receiving the new payments. This would not be equitable.
12. Early in 2021 the Panel commenced a major review of the Remuneration Framework in respect of community and town councils and undertook a comprehensive consultation exercise with the sector. We appreciated the level of engagement from individual councils and their representative organisations. The Covid pandemic limited the Panel's opportunities for face to face engagement in 2020/2021. However, the Panel's digital engagement was considerable. The Panel recognises a wide variation in geography, scope and scale across the 735 community and town councils in Wales, from small community councils with relatively minimal expenditure and few meetings to large town councils with significant assets and responsibilities. Our recommendations for reform and the proposed new framework are set out in [Section 13](#).
13. In reaching our conclusions we have also taken account of:
 - the overarching framework of the [Wellbeing of Future Generations Act](#);
 - the ethos and principle of the [socio-economic duty](#), implemented in Wales in 2020;
 - Welsh Government's ongoing commitment to [equality](#) and [diversity in democracy](#);

2022-2023 Determinations

14. The table below summarises the new and updated determinations in this year's Annual Report informed by our belief and rationale for investing in local democracy and public services and by the principles outlined above.

[Annex 1](#) outlines all of the Panel's determinations for 2022/23.

Summary of new and updated determinations contained in this report
Principal Councils
Determination 1: The basic salary in 2022/23 for elected members of principal councils shall be £16,800.
Determination 2: Senior salary levels in 2022/23 for members of principal councils shall be as set out in Table 4.
Determination 3: Where paid, a civic head must be paid a Band 3 salary of £25,593 in accordance with Table 4.
Determination 4: Where paid, a deputy civic head must be paid a Band 5 salary of £20,540 in accordance with Table 4.
Determination 5: Where appointed and if remunerated, a presiding member must be paid £25,593 in accordance with Table 4.
Assistants to the Executive
Determination 13: The Panel will decide on a case-by-case basis the appropriate senior salary, if any, for assistants to the executive.
National Park Authorities
Determination 23: The basic salary for NPA ordinary members shall be £4,738 with effect from 1 April 2022.
Determination 24: The senior salary of the chair of a NPA shall be £13,531 with effect from 1 April 2022.
Determination 25: A NPA senior salary of £8,478 must be paid to a deputy chair where appointed.
Determination 26: Committee chairs or other senior posts can be paid. This shall be paid at £8,478.
Fire and Rescue Authorities
Determination 30: The basic salary for FRA ordinary members shall be £2,369 with effect from 1 April 2022.
Determination 31: The senior salary of the chair of a FRA shall be £11,162 with effect from 1 April 2022.
Determination 32: A FRA senior salary of £6,109 must be paid to the deputy chair where appointed.
Determination 33: Chairs of committees or other senior posts can be paid. This shall be paid at £6,109.
Community and Town Councils
Determination 48: Each council can decide to introduce an attendance allowance for members. The amount of each payment must not exceed £30. A member in receipt of financial loss will not be entitled to claim attendance allowance for the same event. Councils that intend to introduce a system of attendance allowances must set out the details of the scheme and publish on their website.

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

Upholding trust and confidence

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

Simplicity

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

Remuneration

- 1.3 The Framework provides for payment to members of authorities who carry a responsibility for serving their communities. The level of payment 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 payment. The Framework provides additional payments for those who are given greater levels of responsibility.

Diversity

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

Accountability

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

Fairness

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

Quality

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

Transparency

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

Remuneration of Heads of Paid Service

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

2. Annual Report Summary Page

Type of Payment	Type of Authority			
	Principal Councils	National Park Authorities	Fire and Rescue Authorities	Community and Town Councils
Basic Salary	page 13	page 28	page 32	N/A ²
Senior Roles	page 16	page 28	page 32	page 45
Committee Chairs	page 14	page 28	page 32	N/A
Opposition Groups	page 16	N/A	N/A	N/A
Civic Heads and Deputies	page 17	N/A	N/A	page 47
Presiding Members	page 18	N/A	N/A	N/A
Mileage	page 41	page 41	page 41	page 46
Other Travel Costs	page 41	page 41	page 41	page 46
Subsistence Costs	page 42	page 42	page 42	page 46
Contribution towards Costs of Care and Personal Assistance	page 35	page 35	page 35	page 35
Family Absence	page 26	N/A	N/A	N/A
Sickness Absence	page 39	page 39	page 39	N/A
Joint Overview and Scrutiny Committees	page 24	N/A	N/A	N/A
Pension	page 25	N/A	N/A	N/A
Co-optees	page 33	page 33	page 33	N/A
Specific or Additional Allowances	page 20	N/A	N/A	N/A
Payments to Community and Town Councillors	N/A	N/A	N/A	page 43
Compensation for Financial Loss	N/A	N/A	N/A	page 46
Statement of Payments	page 78	page 78	page 78	page 78
Schedule of Remuneration	Page 76	Page 76	Page 76	N/A
Salaries of Head of Paid Services	Page 53	N/A	Page 53	N/A

² Not Applicable

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

Basic salary for elected members of principal councils

- 3.1 In 2009 the Panel decided the average work commitment of an elected councillor of a principal council was three working days. The maximum basic salary was set at £13,868. This reflected three fifths of the then median gross earnings of full-time male employees resident in Wales as reported in the Annual Survey of Hourly Earnings (ASHE) published by the Office of National Statistics. The Panel considered it was appropriate to use this figure, as it was comparable with constituents' pay, adjusted for the part-time nature of the work of a member with no senior responsibilities. At the introduction of austerity measures, the basic salary was reduced to £13,175 and the link to ASHE was broken. Since then, there has been no connection between councillor and constituent pay. In 2019, the Panel took steps to stop the gap widening and reviewed options to move towards reinstating the link with ASHE or another suitable benchmark. A detailed explanatory paper setting out the historical context and analysis is available on the Panel's [website](#). The key issues are:
- 3.1.1 Since 2009, the Panel has met its duty to take account of affordability and acceptability and set amounts for the basic salary that varied but have not kept pace with measures of inflation or other comparators. Table 1 shows the percentage increases to the basic salary and a selection of alternative benchmarks from 2013 to 2021.
 - 3.1.2 From 2013 to 2020 the basic salary of other Welsh elected members increased by 9% (£13,175 to £14,368). A Senedd Cymru member's salary increased by 28.6% (£53,852 to £69,272) and an MP's salary increased by 23.4% (£66,396 to £81,932). MS salaries were realigned in 2017 and MPs in 2015.
 - 3.1.3 Examining other parts of the United Kingdom, councillors in Scotland receive £18,604 a year and in 2018 councillors in Northern Ireland received £15,486. Comparison with England is more difficult as the structure of local government is different, although there are examples where members are paid significantly more than their Welsh counterparts.
 - 3.1.4 Table 1 shows the basic salary of backbench councillors has fallen significantly behind the Welsh average (median) salary and public sector pay.

Table 1 – Yearly percentage increases to basic salary, benchmarks and alternative measures 2013 to 2021

Annual Report Year	2013	2014	2015	2016	2017	2018	2019	2020	2021
IRPW Basic	0.00	0.00	0.95	0.00	0.00	0.75	3.49	2.52	1.06
ASHE*	4.00	0.60	1.00	2.70	1.00	2.10	5.10	0.60	Oct-21
NJC **	1.00	0.43	2.05	1.00	1.00	2.00	2.60	2.75	1.75
MS	0.00	0.00	0.00	1.00	17.70	2.10	3.50	0.00	2.40
MP	1.00	1.00	10.30	1.30	1.40	1.80	2.70	3.10	0.00
RPI***	3.00	2.40	1.00	1.80	3.60	3.30	2.60	1.50	3.80
CPI ****	2.60	1.50	0.00	0.70	2.70	2.50	1.80	0.90	2.00
NLW	1.90	3.00	3.10	7.50	4.20	4.40	4.90	6.20	2.18
LWF	3.47	2.68	2.61	5.10	2.42	3.55	2.86	3.33	2.15

** NJC final employers offer July 2021; *** RPI and CPI**** are for July 2021.

Wales Median Average (median) gross weekly earnings by Welsh local areas and year (£) (gov.wales)

MS [Remuneration Board](#)

MP [Independent Parliamentary Standards Authority](#)

RPI all items [Retail Price Index](#)

CPI [Consumer Price Inflation](#)

NLW [National Living Wage](#)

LWF [Living Wage Foundation](#)

Table 2 - Basic yearly salary and actual full time and 3 day (60%) equivalents of Welsh national average pay 2013 to 2021

Year	IRPW basic salary	Wales Median ASHE	
		full time	3 day
2013	13,175	24,499	14,699
2014	13,175	24,655	14,793
2015	13,300	24,915	14,949
2016	13,300	25,643	15,386
2017	13,300	25,904	15,542
2018	13,400	26,476	15,886
2019	13,868	27,828	16,697
2020	14,218	27,974	16,784
2021	14,368	October 2021	October 2021

- 3.2 When making determinations for this Annual Report, the Panel considered the progression of the variety of benchmark figures outlined above for the period from 2013 to 2021 and the increases.
- 3.3 As outlined in the Executive Summary, the Panel believes that local elections in May 2022 provide an opportune time to rectify the imbalance between the basic salary of councillors and the average salaries of their constituents. The basic salary of councillors of principal councils elected in the May 2022 local elections will be reset to align with the 2020 ASHE. This will be £16,800.

Determination 1: The Basic Salary in 2022/23 for elected members of principal councils shall be £16,800.

Senior Salaries

Senior salaries are payments to members who are executive, chairs of committees and the leader of the opposition.

Number of Senior Salaries

- 3.4 The limit on the number of senior salaries payable (“the cap”) will remain in place and remains unchanged. In 2022-2023 the maximum number of senior salaries payable within each council will be as set out in Table 3.

Senior Salary Payments

- 3.5 All senior salaries include the basic salary payment.
- 3.6 The Panel recognises that years of no or low increases has meant the pay of senior salary holders is significantly and increasingly lower than many relevant comparators.

Leaders

- 3.7 It is widely recognised that the role of leader of a principal council is highly complex and carries a large and increasing level of responsibility. Leaders’ pay is at the lower end of sector market comparators.
- 3.8 The Panel has heard arguments that a leader’s pay should be at or above a backbench MS or a Health Board Chair. The Panel has considered these arguments, but has concluded that although the roles have some similarities, there are significant and crucial differences which are not helpful in making comparisons.
- 3.9 The Panel is very concerned that the current payment levels are often financially

unattractive and are seen as a barrier to participation. For many willing and well-qualified people, a senior salary might necessitate a significant reduction in earnings. This is not in the spirit of diversity, inclusion, or democracy, or efficient for the effective running of principal councils. To start to address this, the Panel has re-set all senior salary payments for 2022-2023. The salary of a leader of the largest (Group A) council will be £63,000. All other payments have been decided in reference to this and are set out in Table 4.

Executive

- 3.10 The Panel continues to take the view that executive members should be considered to be working the equivalent of full time (around 40 hours per week) but flexibly, and not necessarily nine to five. Continued discussions with members and officers in recent years have reinforced this conclusion.

Chairs of Committees

- 3.11 The Panel recognises that there is a significant variance in the responsibilities and functions of chairing different committees. Councils do not have to pay chairs of committees. Each council can decide which, if any, chairs of committees they pay. This allows councils to take account of differing levels of responsibility.
- 3.12 The Panel has considered the role element of the chair's salary. The move to a single level of chair payment in 2019 reduced the differentials with other senior payments. To reset this, the Panel has decided not to change the role element at the 2021 figure of £8,793 for 2022-2023. The basic salary increase will apply.

Determination 2: Senior salary levels in 2022/23 for members of principal councils shall be as set out in Table 4.

Table 3: Maximum numbers of council membership eligible for payment of a senior salary

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

Table 4: Salaries payable to Basic, Senior, Civic and Presiding Members of Principal Councils:

Basic salary (payable to all elected members) £16,800			
	Group A Cardiff, Rhondda Cynon Taf, Swansea	Group B Bridgend, Caerphilly, Carmarthenshire, Conwy, Flintshire, Gwynedd, Newport, Neath Port Talbot, Pembrokeshire, Powys, Vale of Glamorgan, Wrexham	Group C Blaenau Gwent, Ceredigion, Denbighshire, Merthyr Tydfil, Monmouthshire, Torfaen, Isle of Anglesey
Senior salaries (inclusive of basic salary)			
Band 1 Leader	£63,000	£56,700	£53,550
Deputy Leader	£44,100	£39,690	£37,485
Band 2 Executive Members	£37,800	£34,020	£32,130
Band 3 Committee Chairs (if remunerated):		£25,593	
Band 4 Leader of Largest Opposition Group ³		£25,593	
Band 5 Leader of Other Political Groups		£20,540	

³ 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 4 notes:

- a. The Panel considers that leadership and executive roles (Band 1 and 2 salaries respectively) carry the greatest individual accountability. A deputy leader salary is set at 70% of their leader and an executive member at 60% of their leader.
- b. The Panel considered arguments for and against changing council groupings. Options included removing or increasing the number of groups

and changing the banding levels. The Panel concluded that 'size of population' remains a major factor in influencing levels of responsibility and has retained the three population groups (A, B and C). For information: Group A Population 200,000 and above; Group B Population 100,001 to 199,999; Group C Population up to 100,000.

- c. Salaries for B group councils will be at 90% of Group A salaries. Salaries for C group councils have been set at around 80% of Group A. Although Group C councils have significantly smaller populations and budgets they face similar duties and challenges as Group A and B councils and they do so with fewer resources. The Panel has therefore decided to reduce the Group differentials. In 2022/2023 salaries for Group C will be at 85% of Group A salaries. The salaries are set out in Table 4.
- d. Committee chairs will be paid at Band 3. A council can decide which, if any, chairs of committees are remunerated. This allows councils to take account of differing levels of responsibility.
- e. The stipulation that an opposition group leader or any other group leader must represent at least 10% of the council membership before qualifying for a senior salary remains unchanged.
- f. The Panel has determined that a council must make a senior salary available to the leader of the largest opposition group.
- g. The Panel has determined that, if remunerated, a Band 5 senior salary must be paid to leaders of other political groups.

Payments to Civic Heads and Deputies (Civic Salaries)

- 3.13 A council may decide not to pay any civic salary to the posts of civic head and or deputy civic head. If paid, civic heads must be remunerated at Band 3 level and deputy civic heads at Band 5. (Determinations 5, 6, 7 and 8).
- 3.14 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).
- 3.15 Civic heads are senior posts within councils which are distinct from political or executive leadership. In addition to chairing major meetings the civic head is the authorities' 'first citizen' and 'ambassador' representing the council to a wide variety of institutions and organisations. The Panel's requirement that members should not have to pay for the cost of the support (see **Determination 10**) needed to carry out their duties applies also in respect of deputy civic heads.

Determination 3: Where paid, a Civic Head must be paid a Band 3 salary of £25,593 in accordance with Table 4.

Determination 4: Where paid, a Deputy Civic Head must be paid a Band 5 salary of £20,540 in accordance with Table 4.

- 3.16 In many instances civic heads receive secretarial support and are provided with transport for official duties and can access a separate hospitality budget which is managed and controlled by council officers.
- 3.17 The Panel recognises the wide range of provision made for civic heads in respect of transport, secretarial support, charitable giving and official clothing. Funding decisions in relation to levels of such additional support are not matters of personal remuneration, but of the funding required to carry out the tasks and duties. These matters remain entirely a decision for individual councils. Councils remain free to invest in support at whatever levels they deem appropriate for the levels of civic leadership they have in place.
- 3.18 The Local Government (Democracy) (Wales) Act 2013 allows councils to appoint a presiding member whose role is to chair meetings of the whole council. Where appointed, there would be a consequential reduction in the responsibilities of the respective civic head.

Presiding Members

- 3.19 Councils are reminded that, if a presiding member is appointed, they do not have to be remunerated. If they are remunerated the post will count towards the cap and be paid at a Band 3 senior salary.

Determination 5: Where appointed and if remunerated, a presiding member must be paid £25,593 in accordance with Table 4.

Determination 6: The post of deputy presiding member will not be remunerated.

Key factors underpinning the Panel's determinations:

- 3.20 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. It is based on a full time equivalent of three days a week.
- 3.21 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 decline all or any element of the payment. It is fundamental there is transparency in this process so any possible suggestion that members are put under pressure to decline salaries is avoided.

The following must be applied:

Determination 7:

- a) **An elected member must not be remunerated for more than one senior post within their authority.**
- b) **An elected member must not be paid a senior salary and a civic salary.**
- c) **All senior and civic salaries are paid inclusive of basic salary.**
- d) **If a council chooses to have more than one remunerated deputy leader, the difference between the senior salary for the deputy leader and other executive members should be divided by the number of deputy leaders and added to the senior salary for other executive members in order to calculate the senior salary payable to each deputy leader.**

Determination 8: 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. They remain eligible to claim travel and subsistence expenses and contribution towards costs of care and personal assistance from the NPA or FRA.

Determination 9: Members in receipt of a Band 1 or Band 2 salary cannot receive any payment from a community or town council of which they are a member. They remain eligible to claim travel and subsistence expenses and contribution towards costs of care and personal assistance from the community or town council. Where this situation applies, it is the responsibility of the individual member to comply.

Supporting the work of local authority elected members

- 3.22 The Panel expects support provided should take account of the specific needs of individual members. Democratic Services Committees are required to periodically review the level of support provided to members to carry out their duties. The Panel would expect these committees to carry this out and bring forward proposals to the full council as to what is required. Any proposals should be made with due regard to Determinations 10 and 11 below. For example, the Panel does not consider it appropriate that elected members should be required to pay for any telephone usage to enable them to discharge their council duties.
- 3.23 The Panel considers it is necessary for each elected member to have ready use of email services, and electronic access to appropriate information via an internet connection. The Panel does not consider it appropriate that elected members should be required to pay for internet related services to enable them to discharge their council duties. Access to electronic communications is

essential for a member to be in proper contact with council services and to maintain contact with those they represent. Councils are committed to paperless working and without electronic access members would be significantly limited in their ability to discharge their duties. It is inappropriate for facilities required by members only to be available within council offices within office hours.

- 3.24 The responsibility of each council, through its Democratic Services Committee, to provide support should be based on an assessment of the needs of its members. When members' additional needs or matters of disability apply, or there are specific training requirements indicated, each authority will need to assess any particular requirements of individual members.
- 3.25 As a result of their role as a councillor an elected member's personal security may become adversely affected. It is the duty of Democratic Services Committees to fund or provide support necessary to enable a councillor to discharge their role reasonably and safely. This may require funding appropriate security measures to protect councillors from personal risk or significant threat. Risk assessment and liaison with relevant bodies such as the police and security services would normally inform the selection of required provision.
- 3.26 For co-opted members the support requirements are set out in [Section 9](#) and Determination 42.

Determination 10: Each authority, through its Democratic Services Committee, must ensure that all its elected 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, email and internet facilities giving electronic access to appropriate information.

Determination 11: Such support should be without cost to the individual member. Deductions must not be made from members' salaries by the respective authority as a contribution towards the cost of support which the authority has decided necessary for the effectiveness and or efficiency of members.

Specific or additional senior salaries

- 3.27 The Panel has allowed for greater flexibility which allows for authorities to apply for specific or additional senior salaries that do not fall within the current remuneration framework, or which could not be accommodated within the maximum number of senior salaries relating to the authority. If the proposed addition is approved and results in the council exceeding its cap, this will be included in the approval (with exception of Merthyr Tydfil and the Isle of Anglesey Councils – see footnote 4). Some councils have raised the possibility of operating some senior salary posts on a job share arrangement. The Panel is supportive of this principle, on the basis that it supports diversity and

inclusion, and the process is set out in Paragraph 3.29.

Determination 12: Principal councils can apply for specific or additional senior salaries that do not fall within the current Framework.

- 3.28 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 percent⁴ of the membership.
 - b. Applications will have to be approved by the authority as a whole (unless this has been delegated within Standing Orders) prior to submission to the Panel.
 - c. There must be clear evidence that the post or 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.

⁴Local 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 Minister has been obtained.

3.29 Job Sharing Arrangements

Section 58 of the Local Government and Elections Act (Wales) 2021 established new arrangements for job sharing for executive leaders and executive members. The Act makes provision:

- a) requiring local authorities to include in their executive arrangements provision for enabling two or more councillors to share an office on an executive, including the office of executive leader
- b) changing the maximum number of members of an executive when members of the executive share an office and
- c) about voting and quorum where members of an executive share office.

For members of an executive: Each job sharer will be paid an appropriate proportion of the salary group as set out in Table 3.

The statutory maximum, as set out in the Act, for cabinets cannot be exceeded so each job sharer will count toward the maximum.

Under the Measure, it is the number of persons in receipt of a senior salary, not the number of senior salary posts that count towards the cap. Therefore, for all job share arrangements the senior salary cap will be increased subject to the statutory maximum of 50% of the council's membership. Where the arrangements would mean that the statutory maximum would be exceeded the Panel would need to seek the approval of Welsh Ministers.

3.30 Assistants to the Executive

The Local Government and Elections Act also provides for principal councils to be able to appoint elected members to assist the executive in discharging its functions.

Such appointments are made by the leader of the council and can include:

- the number of assistants that may be appointed
- the term of office of the assistants
- the responsibility of the assistants

There are exclusions to the appointments as set out in the legislation and assistants are not members of the cabinet.

The Panel has given initial consideration to matters of remuneration for members appointed as assistants to the executive but has concluded that until there is more information in respect of the responsibilities attached to the posts it is not possible to decide on additional payments, if any. It is therefore

proposed that this will be further considered when a council decides to make appointments and details of the specific responsibility is available.

To give effect to this without the requirement for a further formal report the following determination will apply.

Determination 13: The Panel will decide on a case-by-case basis the appropriate senior salary, if any, for assistants to the executive.

Note: If a senior salary payment is made, each will count towards the cap, however, the cap will be increased by the number of assistants receiving payments subject the statutory maximum of 50 per cent of the council's membership.

4. Joint Overview and Scrutiny Committees (JOSC)

- 4.1 Little use has been made of the arrangements for JOSCs. Therefore, the Panel has decided to delete the payment from the Framework. If, in future, a JOSC is formed by an individual council and it wishes to remunerate, it can apply using the arrangements contained in paragraphs 3.27 and 3.28. The current JOSCs in operation will continue without need for further confirmation. The applicable salaries are set out in the following determinations.

Determination 14: The salary level for a chair of a Joint Overview and Scrutiny Committee shall be £8,793.

Determination 15: The salary level for a vice chair of a Joint Overview and Scrutiny Committee shall be £4,396.

5. Pension Provision for Elected Members of Principal Councils

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

Determination 16: The entitlement to join the Local Government Pension Scheme (LGPS) shall apply to all eligible elected members of principal councils.

6. Entitlement to Family Absence

This section applies to elected members of principal authorities.

- 6.1 The Regulations relating to Family Absence for elected members of principal councils were approved by the National Assembly for Wales in November 2013⁵ and cover maternity, new-born, adoption and parental absences from official business.
- 6.2 The Panel considered the implications for the remuneration of such members who are given absence under the terms of the Welsh Government Regulations and the Panel's determinations are set out below.

Determination 17: An elected member is entitled to retain a basic salary when taking family absence under the original regulations or any amendment to the regulations irrespective of the attendance record immediately preceding the commencement of the family absence.

Determination 18: When a senior salary holder is eligible for family absence, they will continue to receive the salary for the duration of the absence.

Determination 19: 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 20: 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 21: 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 22: The Council's schedule of remuneration must be amended to reflect the implication of the family absence.

⁵[The Family Absence for Members of Local Authorities \(Wales\) Regulations 2013](#)

7. Payments to Members of National Park Authorities (NPAs)

Structure of National Park Authorities

- 7.1 The three national parks in Wales - Brecon Beacons, Pembrokeshire Coast and Snowdonia were formed to protect spectacular landscapes and provide recreation opportunities for the public. The Environment Act 1995 led to the creation of a National Park Authority (NPA) for each park.
- 7.2 National park authorities comprise members who are either elected members nominated by the principal councils within the national park area or are members appointed by the Welsh Government through the Public Appointments process. Welsh Government appointed and council nominated members are treated equally in relation to remuneration.
- 7.3 The structure of the members' committee at each of the three national parks is set out in Table 5.

Table 5: Membership of Welsh National Park Authorities

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

- 7.4 Standards Committees of NPAs also have independent co-opted members whose remuneration is included in the Framework as set out in [Section 9](#).
- 7.5 The Panel has based its determinations on the following key points:
- NPAs manage their work via formal authority meetings, committees and task and finish groups. Each has a Development, Management and or 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 MS' with whom they have regular meetings. The role requires a high level of commitment and time.

Basic and senior salaries

- 7.6 The time commitment on which the remuneration of members is based is 44 days. The salary for members of NPAs will increase to £4,738.
- 7.7 The Panel has determined that the remuneration of a NPA chair should be aligned to that part of a Band 3 senior salary received by a committee chair of a principal council. This salary will increase to £13,531.
- 7.8 NPAs can determine the number of senior posts it requires as appropriate to its governance arrangements.
- 7.9 The Panel has made the following determinations:

Determination 23: The basic salary for NPA ordinary members shall be £4,738 with effect from 1 April 2022.

Determination 24: The senior salary of the chair of a NPA shall be £13,531 with effect from 1 April 2022.

Determination 25: A NPA senior salary of £8,478 must be paid to a deputy chair where appointed.

Determination 26: Committee chairs or other senior posts can be paid. This shall be paid at £8,478.

Determination 27: Members must not receive more than one NPA senior salary.

Determination 28: A NPA senior salary is paid inclusive of the NPA basic salary.

Determination 29: Members of a principal council in receipt of a Band 1 or Band 2 senior salary cannot receive a salary from any NPA to which they have been appointed. Where this situation applies, it is the responsibility of the individual member to comply.

Note: Family absence does not apply to Welsh Government appointed members and local authority nominees are covered by their principal council so NPAs are not required to make any arrangements in this respect.

8. Payments to Members of Welsh Fire and Rescue Authorities (FRAs)

Structure of Fire and Rescue Authorities

- 8.1 The three fire and rescue services (FRAs) in Wales: Mid and West Wales, North Wales and South Wales were formed as part of Local Government re-organisation in 1996.
- 8.2 FRAs comprise elected members who are nominated by the Principal Councils within each fire and rescue service area.
- 8.3 The structure of the each of the three FRAs is set out in Table 6.

Table 6: Membership of Fire and Rescue Authorities

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

- 8.4 In addition, Standards Committees of FRAs have independent co-opted members whose remuneration is included in the Framework as set out in [Section 9](#).

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

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

Basic and Senior Salaries

8.6 The time commitment on which remuneration is based is 22 days. The salary for members of FRAs will increase to £2,369.

8.7 The Panel determined that the remuneration of a FRA chair should be aligned to that part of a Band 3 senior salary received by a committee chair of a principal council. This salary will increase to £11,162.

8.8 The Panel determined that the remuneration of a FRA deputy chair will be aligned with the Band 5 senior salary for principal councils. This will increase to £6,109 and must be paid if the authority appoints a deputy chair.

8.9 FRAs determine the number of senior posts it requires as appropriate to its governance arrangements. Committee chairs and any other senior post if remunerated will be aligned with Band 5. This will increase to £6,109.

Local Pension Boards

8.10 The Panel has considered requests from FRAs to allow them to pay salaries to chairs of local pension boards established under the Firefighters' Pension Scheme (Wales) Regulations 2015. Those Regulations already give FRAs the power to decide how local pension boards are to work and to pay the chair and members if they wish. Therefore, it is not appropriate for the Panel to make a determination empowering FRAs to pay salaries to local pension board chairs. The senior salaries in Determination 31 or 32 cannot be used exclusively for this role.

8.11 The Panel has made the following determinations:

Determination 30: The basic salary for FRA ordinary members shall be £2,369 with effect from 1 April 2022.

Determination 31: The senior salary of the chair of an FRA shall be £11,162 with effect from 1 April 2022.

Determination 32: A FRA senior salary of £6,109 must be paid to the deputy chair where appointed.

Determination 33: Chairs of committees or other senior posts can be paid. This shall be paid at £6,109.

Determination 34: Members must not receive more than one FRA senior salary.

Determination 35: A FRA senior salary is paid inclusive of the FRA basic salary and must reflect significant and sustained responsibility.

Determination 36: 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. Where this situation applies, it is the responsibility of the individual member to comply

9. Payments to Co-opted Members of Principal Councils, National Park Authorities and Fire & Rescue Authorities⁶

- 9.1 The Panel has determined that a daily or half daily fee is appropriate remuneration for the important role undertaken by co-opted members of authorities with voting rights.
- 9.2 The number of days in any one year for which co-opted members may be paid varies and reflects the specific work discharged by the relevant committee. This context for payment therefore differs from that for elected members of principal councils which provides a monthly payment. Many elected members of principal councils report that they rely on this as part of a core income without which they would be unable to continue in the role.
- 9.3 In dialogue with the Panel, co-opted members acknowledge the importance of fees they receive but do not identify these payments as an income for living upon which they depend. Panel determinations in relation to co-opted member fees occur in this context and any uplifts are therefore not comparable with the changes to salaries of elected members.
- 9.4 Recognising the important role that co-opted members discharge, payment must be made for travel and preparation time; committee and other types of meetings as well as other activities, including training, as set out in Determinations 38 to 41.
- 9.5 The determinations are set out below. Principal councils, NPAs and FRAs must tell co-opted members the name of the appropriate officer who will provide them with the information required for their claims; and make the appropriate officer aware of the range of payments that should be made.

Determination 37: Principal Councils, NPAs and FRAs must pay the following fees to co-opted members who have voting rights (Table 7).

Table 7: Fees for co-opted members (with voting rights)

Chairs of standards, and audit committees	£268 (4 hours and over) £134 (up to 4 hours)
Ordinary Members of Standards Committees who also chair Standards Committees for Community and Town Councils	£238 daily fee (4 hours and over) £119 (up to 4 hours)
Ordinary Members of Standards Committees; Education Scrutiny Committee; Crime and Disorder Scrutiny Committee and Audit Committee	£210 (4 hours and over) £105 (up to 4 hours)
Community and Town Councillors sitting on Principal Council Standards Committees	£210 (4 hours and over) £105 (up to 4 hours)

Determination 38: Reasonable time for pre-meeting preparation is 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 39: Travelling time to and from the place of the meeting is to be included in the claims for payments made by co-opted members (up to the maximum of the daily rate).

Determination 40: The appropriate officer within the authority must 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.

Determination 41: Fees must be paid for meetings and other activities including 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.

Support for co-opted members

Determination 42: Each authority, through its Democratic Services Committee or other appropriate committee, must ensure that all voting co-opted members are given as much support as is necessary to enable them to fulfil their duties effectively. Such support should be without cost to the individual member.

⁶This section does not apply to co-opted members to community and town councils.

10. Contribution towards Costs of Care and Personal Assistance (CPA)

- 10.1 This section applies to all members of principal councils, NPAs, FRAs and to co-opted members of these authorities. The same provision applies to community and town councils.
- 10.2 The purpose of this section is to enable people who have personal support needs and or caring responsibilities to carry out their duties effectively as a member of an authority. The Panel believes that additional costs of care required to carry out approved duties should not deter any individual from becoming and remaining a member of an authority or limit their ability to carry out the role. The Panel has adopted specific principles related to support for the costs of care which were the subject of a [Supplementary Report](#) published in February 2020. These principles are set out in Table 8.
- 10.3 The Panel reviewed the arrangements for this financial support and has made the following changes:
- a) As payments are taxable under the current HMRC rules, full reimbursement is not possible so for clarity this is retitled to “contribution towards the costs of care and personal assistance”. It will still require receipts to accompany claims.
 - b) Claims can be made in respect of a dependant under 16 years of age, or a minor or adult who normally lives with the member as part of their family and who cannot be left unsupervised.
 - c) Reimbursement may be claimed for member’s own care or support needs where the support and/or cost of any additional needs are not available or are not met directly by the authority such as Access to Work, Personal Independence Payments, insurance. These could arise when the needs are recent and or temporary.
- 10.4 Members, including co-opted members are entitled to claim towards the costs of care and personal assistance, for activities that the individual council has designated official business or an approved duty which might include appropriate and reasonable preparation and travelling time. It is a matter for individual authorities to determine specific arrangements to implement this. Each authority must ensure that any payments made are appropriately linked to official business or approved duty.
- 10.5 The Panel reviewed the maximum monthly payment in recognition that this has not changed for several years. Information indicates that monthly costs and claims vary considerably. These can depend on the number of dependants, their ages and other factors. Therefore the monthly cap will be replaced with the following arrangements:
- Formal (registered with Care Inspectorate Wales) care costs to be paid as evidenced.

- Informal (unregistered) care costs to be paid up to a maximum rate equivalent to [hourly rates as defined by the Living Wage Foundation](#) at the time the costs are incurred.

For clarification, care costs cannot be paid to someone who is a part of a member’s household.

10.6 The Panel continues to recognise the issues relating to the publication of this legitimate expense and has retained the requirements for publication set out in [Annex 4](#). To support current members and to encourage diversity the Panel urges authorities to promote and encourage greater take-up of the contribution towards costs of care and personal assistance.

Table 8

The Panel’s principles relating to Care and Personal Assistance (CPA)

The Minimum Authorities should do		How this could be done
Be clear who it is for	<p>Members with primary caring responsibilities for a child or adult and/or personal support needs where these are not covered by statutory or other provision.</p> <p>Claims for personal support might also include a short term or recent condition not covered by the Equality Act 2010, access to work, Personal Payments, insurance or other provision.</p>	A confidential review of the needs of individual members annually and when circumstances change
Raise Awareness	Ensure potential candidates, candidates and current members are aware that financial support is available to them should their current or future circumstances require.	Ensure clear and easily accessible information is available on website and in election and appointment materials, at Shadowing and at induction and in the members’ “handbook”. Remind serving members via email and or training. Signpost to Panel’s Payments to Councillors leaflets.
Promote a Positive Culture	Ensure all members understand the reason for CPA and support and encourage others to claim where needed.	Encouragement within and across all parties of relevant authorities to support members to claim.

The Minimum Authorities should do		How this could be done
		Agree not to advertise or make public individual decisions not to claim.
Set out the approved duties for which CPA can be claimed	<p>Meetings – formal (those called by the authority) and those necessary to members’ work (to deal with constituency but not party issues) and personal development (training, and appraisals.)</p> <p>Travel – in connection with meetings.</p> <p>Preparation – reading and administration are part of a member’s role. Some meetings and committees require large amounts of reading, analysis or drafting before or after a meeting.</p> <p>Senior salary holders with additional duties may have higher costs.</p>	<p>Approved duties are usually a matter of fact. Interpretation of the Panel’s Regulations are set out in the Annual Report.</p> <p>“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.”</p>
Be as enabling as possible about the types of care that can be claimed	<p>Members should not be out of pocket subject to the limit set in the Annual Report.</p> <p>Models of care and needs vary. Members may use a combination of several care options.</p> <p>Patterns of care may alter over the civic and academic year.</p> <p>Not all care is based on hourly (or part hourly) rates.</p> <p>Where a whole session must be paid for, this must be reimbursed even where the care need is only for part of a session.</p> <p>Members may need to:</p> <ul style="list-style-type: none"> • book and pay for sessions in advance • commit to a block contract: week, month or term • pay for sessions cancelled at short notice <p>Where care need straddles two sessions both should be reimbursed.</p>	

The Minimum Authorities should do		How this could be done
Have a simple and effective claim process	<p>Members should know how to claim.</p> <p>The claim process should be clear, proportionate and auditable.</p>	<p>Check members understand how to claim and that it is easy to do so.</p> <p>Flexibility to accept paperless invoices</p> <p>Online form</p> <p>Same or similar form to travel costs claim</p>
Comply with Panel's Publication rules	<p>The Panel's Framework states:</p> <p>"In respect of the publication of the reimbursement of the costs of care, the Panel has decided that relevant authorities should only publish the total amount reimbursed during the year. It is a matter for each authority to determine its response to any Freedom of Information requests it receives. However, it is not intended that details of individual claims should be disclosed."</p>	

Determination 43: All relevant authorities must provide a payment towards necessary costs for the care of dependent children and adults (provided by informal or formal carers) and for personal assistance needs as follows:

- **Formal (registered with Care Inspectorate Wales) care costs to be paid as evidenced.**
- **Informal (unregistered) care costs to be paid up to a maximum rate equivalent to the [hourly rates as defined by the Living Wage Foundation](#) at the time the costs are incurred.**

This must be for the additional costs incurred by members to enable them to carry out official business or approved duties. Each authority must ensure that any payments made are appropriately linked to official business or approved duty. Payment shall only be made on production of receipts from the care provider.

11. Sickness Absence for Senior Salary Holders

11.1 The Family Absence Regulations (approved by the National Assembly in 2014) are very specific relating to entitlement and only available for elected members of principal councils. Absence for reasons of ill-health is not included.

11.2 Instances have been raised with the Panel of senior salary holders on long term sickness and the perceived unfairness in comparison with the arrangements for family absence. In consequence, councils are faced with the dilemma of:

- operating without the individual member but still paying them the senior salary.
- replacing the member who therefore loses the senior salary (but retains the basic salary).

11.3 The Panel's Framework provides specific arrangements for long term sickness as set out below:

- a) Long term sickness is defined as certified absences in excess of 4 weeks.
- b) The maximum length of sickness absence within these proposals is 26 weeks or until the individual's term of office ends, whichever is sooner (but if reappointed any remaining balance of the 26 weeks will be included).
- c) Within these parameters a senior salary holder on long term sickness can, if the authority decides, continue to receive remuneration for the post held.
- d) It is a decision of the authority whether to make a substitute appointment, but the substitute will be eligible to be paid the senior salary appropriate to the post.
- e) If the paid substitution results in the authority exceeding the maximum number of senior salaries payable for that authority, as set out in the Annual Report, an addition will be allowed for the duration of the substitution. (However, this would not apply to Merthyr Tydfil or the Isle of Anglesey councils if it would result in more than 50% of the membership receiving a senior salary. It would also not apply in respect of a council executive member if it would result in the cabinet exceeding 10 posts - the statutory maximum).
- f) When an authority agrees a paid substitution, the Panel must be informed within 14 days of the decision of the details including the specific post and the estimated length of the substitution. The authorities' Schedule of Remuneration must be amended accordingly.
- g) It does not apply to elected members of principal councils who are not senior post holders as they continue to receive basic salary for at least

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

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

Note:

The Family Absence Regulations apply to elected members in cases of maternity, new-born, adoption and parental absences from official business. They do not apply to Welsh Government appointed members of NPAs.

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

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

Reimbursement of mileage costs

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

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

Reimbursement of other travel costs

- 12.7 All other claims for travel, including travel by taxi if this is the only, or most appropriate, method of transport, must only be reimbursed on production

of receipts showing the actual cost and will be subject to any requirement or further limitation that an authority may determine. Members should always be mindful of choosing the most cost-effective method of travel.

Reimbursement of subsistence costs

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

- 12.8 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.
- 12.9 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.
- 12.10 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 it is reasonable and cost effective to reimburse overnight accommodation costs, instead of repeated daily mileage costs, then it is permissible to do so.
- 12.11 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.

Car Parking for Members

Several councils have specific arrangements for their members in respect of car parking. The Panel considers that it is a matter for individual councils to determine arrangements including payments to and from members providing that it is a decision made formally by the council.

13. Payments to Members of Community and Town Councils

- 13.1 The Panel recognises a wide variation in geography, scope and scale across the 735 community and town councils in Wales, from small community councils with relatively minimal expenditure and few meetings to large town councils with significant assets and responsibilities. This and the fact that not all electoral areas have councils, has made establishing remuneration arrangements more difficult to achieve than for other relevant authorities. For this reason, the Panel decided to undertake a fundamental review ready for implementation effective from the elections on 5 May 2022.
- 13.2 The Panel decided that in carrying out the review it was vital to engage comprehensively with community and town councils and representative organisations together with a commitment to consult on the proposals emanating from the review. The result of this consultation was a significant degree of support for the new proposals and therefore the Panel has decided to introduce the new Framework as set out in this section.
- 13.3 In order to act and carry out duties as a member of a community or town council all persons are required to make a formal declaration of acceptance of office. Following this declaration, members of community or town councils are then holders of elected office and occupy a role that is part of the Welsh local government structure. It is important to note that a person who follows this path is in a different position to those in other forms of activity, for example such as volunteering or charitable work, typically governed by the Charity Commission for England and Wales.
- 13.4 Under the Local Government (Wales) Measure 2011, community and town councils are relevant authorities for the purpose of remuneration.
- 13.5 Consequently, individuals who have accepted office as a member of a community or town council are entitled to receive payments as determined by the Independent Remuneration Panel for Wales. It is the duty of the proper officer of a council (usually the Council Clerk) to arrange for correct payments to be made to all individuals entitled to receive them.
- 13.6 Members should receive monies to which they are properly entitled as a matter of course.
- 13.7 An individual may decline to receive part, or all, of the payments if they so wish. This must be done in writing and is an individual matter. A community or town council member wishing to decline payments must themselves write to their proper officer to do so.
- 13.8 The Panel considers that any member who has personal support needs or caring responsibilities should be enabled to fulfil their role. Therefore, the Panel continues to make the contribution towards costs of care and personal allowance mandatory for all members of community and town councils as set

out in Determination 43.

- 13.9 Each community and town council must ensure that it does not create a climate which prevents persons accessing any monies to which they are entitled that may support them to participate in local democracy. Payments should be made efficiently and promptly.
- 13.10 Members in receipt of a Band 1 or Band 2 senior salary from a principal council cannot receive any payment from any community or town council, other than travel and subsistence expenses and contribution towards costs of care and personal assistance. However, this does not preclude them from holding a senior role (Leader, Deputy Leader) without payment.
- 13.11 Table 12 sets out the actions that community and town councils must take annually in respect of each determination that follows.

Table 9: Community and Town Council Groupings

The current groups are:

Community and Town Council Group	Income or Expenditure in 2020-2021 of:
A	£200,000 and above
B	£30,000 - £199,999
C	Below £30,000

- 13.12 These are based solely on finance. We acknowledge the view of many respondents that this was restrictive and limiting. Therefore 5 Groups will be established based on the size of the council's electorate.

Table 10

Group number	Size of Electorate
Group 1	Electorate in excess of 14,000
Group 2	10,000 to 13,999
Group 3	5,000 to 9,999
Group 4	1,000 to 4,999
Group 5	Under 1,000

- 13.13 In addition, there will be a second factor for determining which group the council will be placed. Where income or expenditure exceeds £200,000 a year, it will be moved upwards to the next group.

Payments towards costs and expenses

- 13.14 The Panel continues to mandate a payment of £150, except for councils in

Group 5 where it will be optional, as a contribution to costs and expenses for members of community and town councils.

13.15 Receipts are not required for these payments.

Determination 44: Community and town councils must make available a payment to each of their members of £150 per year as a contribution to costs and expenses, with the exception of those councils in Group 5 where the payment is optional.

Taxation

13.16 The issue of the taxation of the £150 payment has been raised on many occasions and included in the responses to the recent consultation. As has been made clear the Panel has no remit in respect of matters of taxation but has been kept informed of the discussions between the Welsh Government and HMRC to establish a possible exemption applying to all community and town councils. If there is a positive outcome, it will not be within the timescale of this draft Report. However, if it is achieved before the publication of the final Report the Panel will take the opportunity to restructure the arrangements for this payment and if appropriate adjust by determination the amount to be paid.

Senior roles

13.17 The Panel recognises that specific member roles especially within the larger community and town councils, for example a committee chair, will involve greater responsibility. It is also likely that larger councils will have a greater number of committees, reflecting its level of activity. The Panel has therefore set out the determinations for senior role in table 11 below.

13.18 In all cases, a councillor can only have one payment of £500 regardless of how many senior roles they hold within their Council.

13.19 Where a person is a member of more than one community or town council, they are eligible to receive the £150 and, if appropriate, £500 from each council of which they are a member.

Contribution towards costs of Care and Personal Assistance

13.20 The purpose of this is to enable people who have personal support needs and or caring responsibilities to carry out their duties effectively as a member of an authority. The Panel's determinations in [Section 10](#) apply to Community and Town Councils.

Reimbursement of travel costs and subsistence costs

13.21 The Panel recognises there can be significant travel and subsistence costs associated with the work of community and town council members, especially

where the council area is geographically large and/or when engaging in duties outside this area. Each council has an option to pay travel and subsistence costs including travel by taxi if this is the only, or most appropriate, method of transport. Where a council does opt to pay travel and subsistence costs, the following determinations apply.

Determination 45: Community and town councils can make payments to each of their members in respect of travel costs for attending approved duties.⁷ Such payments must be the actual costs of travel by public transport or the HMRC mileage allowances as below:

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

Determination 46: If a community or town Council resolves that a particular duty requires an overnight stay, it can authorise reimbursement of subsistence expenses to its members at the maximum rates set out below on the basis of receipted claims:

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

Compensation for financial loss

13.22 The Panel has retained the facility which councils may pay as compensation to their members where they incur financial loss when attending approved duties. Members must be able to demonstrate that the financial loss has been incurred. Each council has an option to pay compensation for financial loss and where it does the following determination applies.

Determination 47: Community and town councils can pay financial loss compensation to each of their members, where such loss has occurred, for attending approved duties as follows:

- Up to £55.50 for each period not exceeding 4 hours
- Up to £110.00 for each period exceeding 4 hours but not exceeding 24 hours

⁷ Where a member who is on official business or an approved duty is driven by a third party (not a member or officer of that

authority), the member can claim mileage at the prescribed rates plus any parking or toll fees provided the authority is satisfied that the member has incurred these costs.

Attendance Allowance

- 13.23 One of the points raised in the responses to the consultation should be the inclusion of an attendance allowance. The Panel acknowledges that in some cases this might be a valuable addition to support the work of a council. It is therefore included as an option for all councils.

Determination 48: Each council can decide to introduce an attendance allowance for members. The amount of each payment must not exceed £30. A member in receipt of financial loss compensation will not be entitled to claim attendance allowance for the same event.

Councils that intend to introduce an attendance allowance must set out the details of the scheme and publish them on their website.

Civic Head and Deputy Civic Head

- 13.24 Civic heads are senior posts within community and town councils. In addition to chairing major meetings the civic head is the ambassador representing the council to a variety of institutions and organisations. The Panel requires that members should not have to pay themselves for any cost associated with carrying out these duties. This requirement also applies in respect of deputy civic heads.
- 13.25 The Panel recognises the wide range of provision made for civic heads in respect of transport, secretarial support, charitable giving and official clothing – we consider these to be the council’s civic budgets.
- 13.26 Funding decisions in relation to these civic budgets are not matters of personal remuneration for the post holder but relate to the funding required for the tasks and duties to be carried out. Councils remain free to set civic budgets at whatever levels they deem appropriate for the levels of civic leadership they have in place.
- 13.27 For the avoidance of doubt, costs in respect of, for example, transport (physical transport or mileage costs), secretarial support, charitable giving (purchasing tickets, making donations or buying raffle tickets) and official clothing are not matters of personal remuneration for the individual holding the senior post. These should be covered by the civic budget.
- 13.28 Recognising that some mayors and chairs of community and town councils and their deputies are very active during their year of office, the Panel has determined that community and town councils can make a payment to the individuals holding these roles.
- 13.29 This is a personal payment to the individual and is entirely separate from covering the costs set out above.
- 13.30 The Panel has determined that the maximum payment to a chair or mayor of

a community or town council is £1,500. The maximum payment to a deputy mayor or chair is £500.

Determination 49: Community and town councils can provide a payment to the mayor or chair of the council up to a maximum of £1,500. This is in addition to the £150 payment for costs and expenses and the £500 senior salary if these are claimed.

Determination 50: Community and town councils can provide a payment to the deputy mayor or deputy chair of the council up to a maximum of £500. This is in addition to the £150 payment for costs and expenses and the £500 senior salary if these are claimed.

Determination 51: The application of the Remuneration Framework by relevant Group.

Table 11

Type of payment	Requirement
Group 1	(Electorate over 14,000)
Basic Payment	Mandatory for all Members
Senior Role Payment	Mandatory for 1 member; optional for up to 7
Attendance Allowance	Optional
Financial Loss	Mandatory
Travel and Subsistence	Optional
Costs of Care	Mandatory
Group 2	(Electorate 10,000 to 13,999)
Basic Payment	Mandatory for all members
Senior Role Payment	Mandatory for 1 member; optional up to 5
Attendance Allowance	Optional
Financial Loss	Mandatory
Travel and Subsistence	Optional
Cost of Care	Mandatory
Group 3	(Electorate 5,000 to 9,999)
Basic Payment	Mandatory for all members
Senior Role Payment	Optional up to 3 members
Attendance Allowance	Optional
Financial Loss	Mandatory
Travel and Subsistence	Optional
Cost of Care	Mandatory
Group 4	(Electorate 1,000 to 4,999)
Basic Payment	Mandatory for all members
Senior Role Payment	Optional up to 3 members
Attendance Allowance	Optional
Financial Loss	Mandatory

Type of payment	Requirement
Travel and Subsistence	Optional
Cost of Care	Mandatory
Group 5	(Electorate less than 1,000)
Basic Payment	Optional
Senior Role Payment	Optional
Attendance Allowance	Optional
Financial Loss	Mandatory
Travel and Subs	Optional
Cost of Care	Mandatory

Making Payments to Members

- 13.31 Table 12 sets out each of the above determinations and if a decision is required by the council in respect of each one.
- 13.32 In respect of the mandated payments where no decision is required by a council, members should receive monies to which they are properly entitled as a matter of course.
- 13.33 Where a decision is required by the council, this should be done at the first meeting following receipt of the Annual Report.
- 13.34 A council can adopt any, or all, of the non-mandated determinations but if it does make such a decision, it must apply to all its members.
- 13.35 When payments take effect from is set out in paragraphs 13.37 to 13.39 below.
- 13.36 On receipt of the draft Annual Report the previous autumn, councils should consider the determinations for the next financial year and use this to inform budget plans.

Table 12

Determination Number	Is a decision required by council?
44 Community and town councils must make available a payment to each of their members of £150 per year as a contribution to costs and expenses, with the exception of those councils in Group 5 where the payment is optional.	No - the payment of £150 is mandated for every member unless they advise the appropriate officer that they do not want to take it in writing. This does not apply to councils in Group 5. The council must decide whether to adopt the payment and if so, it must be available for all members.
45 Community and town councils can make payments to each of their members in respect of travel costs for attending approved duties.	Yes – the payment of travel costs is optional.

Determination Number	Is a decision required by council?
<p>46 If a community or town council resolves that a particular duty requires an overnight stay, it can authorise reimbursement of subsistence expenses to its members.</p>	<p>Yes – the payment of overnight subsistence expenses is optional.</p>
<p>47 Community and town councils can pay financial loss compensation to each of their members, where such loss has actually occurred, for attending approved duties.</p>	<p>Yes – the payment of financial loss compensation is mandatory if claimed</p>
<p>48 Determination 47: Each council can decide to introduce an attendance allowance for members. The amount of each payment must not exceed £30.</p> <p>A member in receipt of financial loss will not be entitled to claim attendance allowance for the same event.</p> <p>Councils that intend to introduce a system of attendance allowances must set out the details of the scheme and publish on their website.</p>	<p>Yes – the payment of attendance allowance is optional.</p>
<p>49 Community and town councils can provide a payment to the mayor or chair of the council up to a maximum of £1,500.</p>	<p>Yes – the payment to a civic head is optional.</p>
<p>50 Community and town councils can provide a payment to the deputy mayor or deputy chair of the council up to a maximum amount of £500.</p>	<p>Yes – the payment to a deputy civic head is optional.</p>
<p>51 The application of the Remuneration Framework by relevant Group</p>	
<p>52 Members in receipt of a Band 1 or Band 2 senior salary from a principal council (that is leader, deputy leader or executive member) cannot receive any payment from any community or town council, other than travel and subsistence expenses and contribution towards costs of care and personal assistance.</p>	<p>No - Members in receipt of a Band 1 or Band 2 senior salary from a principal council (that is leader, deputy leader or executive member) can only receive travel and subsistence expenses and contribution towards costs of care and personal assistance; if they are eligible to claim, and wish to do so.</p>

13.37 All members are eligible to be paid the £150 as set out in Determination 44 and Table 11 from the start of the financial year; unless they are elected later in the financial year, in which case they are eligible for a proportionate payment from that date.

13.38 Other amounts payable to members in recognition of specific responsibilities or as a civic head or deputy civic head as set out in Determinations 49 and 50 are payable from the date when the member takes up the role during the financial year.

13.39 It is a matter for each council to make, and record, a policy decision in respect of:

- when the payment is actually made to the member;
- how many payments the total amount payable is broken down into;
- and whether and how to recover any payments made to a member who leaves or changes their role during the financial year.

13.40 Payments in respect of Determinations 45, 46, 47 and 48 are payable when the activity they relate to has taken place.

13.41 As stated in paragraph 13.7 any individual member may make a personal decision to elect to forgo part or all of the entitlement to any of these payments by giving notice in writing to the proper officer of the council.

Determination 52: Members in receipt of a Band 1 or Band 2 senior salary from a principal council (that is Leader, Deputy Leader or Executive Member) cannot receive any payment from any community or town Council, other than travel and subsistence expenses and contribution towards costs of care and personal assistance.

Publicity requirements

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

14. Compliance with Panel Requirements

The Panel's remit under the Measure

- 14.1 Section 153 of the Measure empowers the Panel to require a relevant authority⁸ to comply with the requirements imposed on it by an Annual Report of the Panel and further enables the Panel to monitor the compliance of relevant authorities with the Panel's determinations.
- 14.2 A relevant authority must implement the Panel's determinations in this report from the date of its annual meeting or a date specified within the Annual Report.

Monitoring compliance

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

Note: The above requirements do not apply to Community and Town Councils at this time.

The following applies to all authorities including Community and Town Councils.

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

⁸ Interpretation of "Relevant Authority" provided in the Independent Remuneration Panel for Wales (IRPW) Regulations, Part 1, 'Interpretation'.

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

- 15.1 Section 63 of the Local Government (Democracy) (Wales) Act 2013 amended the Local Government (Wales) Measure 2011 by inserting section 143A. This enables the Panel to take a view on anything in the Pay Policy Statements of these authorities that relates to the salary of the head of paid service (normally the Head of Paid Service 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. However, this function ceased on 31 March 2020.
- 15.2 The Welsh Government issued amended guidance to the Panel which can be found at [Amended Guidance to the Independent Remuneration Panel for Wales under Section 143A of the Local Government \(Wales\) Measure 2011 and Section 39 of the Local Government \(Wales\) Act 2015](#). This sets the basis on which the Panel will carry out the function contained in the legislation.
- 15.3 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 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 as long as these comply with any guidance issued by the Welsh Government. 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
- 15.4 The Panel also has a general power to review the Pay Policy Statements of

authorities so far as they relate to the heads of paid service.

15.5 It is important to note the Panel will not decide the amount an individual head of paid service will receive.

15.6 The Panel is very aware that this function is significantly different from its statutory responsibilities in relation to members' remuneration. However, 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.

Pay Policy Statements

Paragraph 3.7 of the guidance to the Panel from the Welsh Government states that "The legislation does not restrict the Panel to a reactive role". It allows the Panel to use its power to make recommendations relating to provisions within local authorities' Pay Policy Statements.

Changes to the salaries of chief executives of principal councils – Panel decisions 2021

Letters issued to the Local Authorities notifying them of the Panel decision can be found on the [Panel website](#).

Name of Local Authority	Proposal	Panel decision
Wrexham County Borough Council	Chief Executive pay proposal	Approved
Ceredigion County Council	Review of Chief Executive salary	Approved

Annex 1: The Panel's Determinations for 2022/23

Principal Councils	
1.	The Basic Salary in 2022/23 for elected members of principal councils shall be £16,800.
2.	Senior salary levels in 2022/23 for members of principal councils shall be as set out in Table 4.
3.	Where paid, a civic head must be paid a Band 3 salary of £25,593 in accordance with Table 4.
4.	Where paid, a deputy civic head must be paid a Band 5 salary of £20,540 in accordance with Table 4.
5.	Where appointed and if remunerated, a presiding member must be paid £25,593 in accordance with Table 4.
6.	The post of deputy presiding member will not be remunerated.
7.	<p>a) An elected member must not be remunerated for more than one senior post within their authority.</p> <p>b) An elected member must not be paid a senior salary and a civic salary.</p> <p>c) All senior and civic salaries are paid inclusive of basic salary.</p> <p>d) If a council chooses to have more than one remunerated deputy leader, the difference between the senior salary for the deputy leader and other executive members should be divided by the number of deputy leaders and added to the senior salary for other executive members in order to calculate the senior salary payable to each deputy leader.</p>
8.	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. They remain eligible to claim travel and subsistence expenses and contribution towards costs of care and personal assistance from the NPA or FRA.
9.	Members in receipt of a Band 1 or Band 2 salary cannot receive any payment from a community or town council of which they are a member. They remain eligible to claim travel and subsistence expenses and contribution towards costs of care and personal assistance from the community or town council. Where this situation applies, it is the responsibility of the individual member to comply.
10.	Each authority, through its Democratic Services Committee, must ensure that all its elected 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, email and internet facilities giving electronic access to appropriate information.

11.	Such support should be without cost to the individual member. Deductions must not be made from members' salaries by the respective authority as a contribution towards the cost of support which the authority has decided necessary for the effectiveness and or efficiency of members.
Specific or Additional Senior Salaries	
12.	Principal councils can apply for specific or additional senior salaries that do not fall within the current Remuneration Framework.
Assistants to the Executive	
13.	The Panel will decide on a case-by-case basis the appropriate senior salary, if any, for assistants to the executive.
Joint Overview and Scrutiny Committees (JOSC)	
14.	The salary level for a chair of a JOSC shall be £8,793.
15.	The salary level for a vice chair of a JOSC shall be £4,396.
Local Government Pension Scheme	
16.	The entitlement to join the Local Government Pension Scheme (LGPS) shall apply to all eligible elected members of principal councils.
Family Absence	
17.	An elected member is entitled to retain a basic salary when taking family absence under the original regulations or any amendment to the regulations irrespective of the attendance record immediately preceding the commencement of the family absence.
18.	When a senior salary holder is eligible for family absence, they will continue to receive the salary for the duration of the absence.
19.	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.
20.	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.
21.	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.

22.	The Council's schedule of remuneration must be amended to reflect the implication of the family absence.
National Park Authorities	
23.	The basic salary for NPA ordinary members shall be £4,738 with effect from 1 April 2022.
24.	The senior salary of the chair of a NPA shall be £13,531 with effect from 1 April 2022.
25.	A NPA senior salary of £8,478 must be paid to a deputy chair where appointed.
26.	Committee chairs or other senior posts can be paid. This shall be paid at £8,478.
27.	Members must not receive more than one NPA senior salary.
28.	A NPA senior salary is paid inclusive of the NPA basic salary.
29.	Members of a principal council in receipt of a Band 1 or Band 2 senior salary cannot receive a salary from any NPA to which they have been appointed. Where this situation applies, it is the responsibility of the individual member to comply.
Fire and Rescue Authorities	
30.	The basic salary for FRA ordinary members shall be £2,369 with effect from 1 April 2022.
31.	The senior salary of the chair of a FRA shall be £11,162 with effect from 1 April 2022.
32.	A FRA senior salary of £6,109 must be paid to the deputy chair where appointed.
33.	Chairs of committees or other senior posts can be paid. This shall be paid at £6,109.
34.	Members must not receive more than one FRA senior salary.
35.	A FRA senior salary is paid inclusive of the FRA basic salary and must reflect significant and sustained responsibility.
36.	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. Where this situation applies, it is the responsibility of the individual member to comply.
Co-opted Members	
37.	Principal councils, NPAs and FRAs must pay the fees to co-opted members (who have voting rights) as set out in Table 7.

38.	Reasonable time for pre meeting preparation is 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.
39.	Travelling time to and from the place of the meeting is to be included in the claims for payments made by co-opted members (up to the maximum of the daily rate).
40.	The appropriate officer within the authority must 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.
41.	Fees must be paid for meetings and other activities including 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.
42.	Each authority, through its Democratic Services Committee or other appropriate committee, must ensure that all voting co-opted members are given as much support as is necessary to enable them to fulfil their duties effectively. Such support should be without cost to the individual member.
Contribution towards costs of Care and Personal Assistance	
43.	<p>All relevant authorities must provide a payment towards necessary costs for the care of dependent children and adults (provided by informal or formal carers) and for personal assistance needs as follows:</p> <ul style="list-style-type: none"> • Formal (registered with Care Inspectorate Wales) care costs to be paid as evidenced. • Informal (unregistered) care costs to be paid up to a maximum rate equivalent to hourly rates as defined by the Living Wage Foundation at the time the costs are incurred. <p>This must be for the additional costs incurred by members to enable them to carry out official business or approved duties. Each authority must ensure that any payments made are appropriately linked to official business or approved duty. Payment shall only be made on production of receipts from the care provider.</p>
Community and Town Councils	
44.	Community and town councils must make available a payment to each of their members of £150 per year as a contribution to costs and expenses, with the exception of those councils in Group 5 where the payment is optional.

45.	<p>Community and town councils can make payments to each of their members in respect of travel costs for attending approved duties. ⁹ Such payments must be the actual costs of travel by public transport or the HMRC mileage allowances as below:</p> <ul style="list-style-type: none"> • 45p per mile up to 10,000 miles in the year. • 25p per mile over 10,000 miles. • 5p per mile per passenger carried on authority business. • 24p per mile for private motor cycles. • 20p per mile for bicycles.
46.	<p>If a community or town council resolves that a particular duty requires an overnight stay, it can authorise reimbursement of subsistence expenses to its members at the maximum rates set out below on the basis of receipted claims:</p> <ul style="list-style-type: none"> • £28 per 24-hour period allowance for meals, including breakfast where not provided. • £200 – London overnight. • £95 – elsewhere overnight. • £30 – staying with friends and or family overnight.
47.	<p>Community and town councils can pay financial loss compensation to each of their members, where such loss has occurred, for attending approved duties as follows:</p> <ul style="list-style-type: none"> • Up to £55.50 for each period not exceeding 4 hours. • Up to £110.00 for each period exceeding 4 hours but not exceeding 24 hours.
48.	<p>Each council can decide to introduce an attendance allowance for members. The amount of each payment must not exceed £30. A member in receipt of financial loss will not be entitled to claim attendance allowance for the same event.</p> <p>Councils that intend to introduce a system of attendance allowances must set out the details of the scheme and publish on their website.</p>
49.	<p>Community and town councils can provide a payment to the mayor or chair of the council up to a maximum of £1,500. This is in addition to the £150 payment for costs and expenses and the £500 senior salary if these are claimed.</p>
50.	<p>Community and town councils can provide a payment to the deputy mayor or deputy chair of the council up to a maximum of £500. This is in addition to the £150 payment for costs and expenses and the £500 senior salary if these are claimed.</p>
51.	<p>The application of the Remuneration Framework by relevant Group.</p>

52.	Members in receipt of a Band 1 or Band 2 senior salary from a principal council (that is leader, deputy leader or executive member) cannot receive any payment from any community or town council, other than travel and subsistence expenses and contribution towards costs of care and personal assistance.
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⁹ Where a member who is on official business or an approved duty is driven by a third party (not a member or officer of that authority), the member can claim mileage at the prescribed rates plus any parking or toll fees provided the authority is satisfied that the member has incurred these costs.

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

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

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.

Payments 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 April 2013.

Part 1

General

1. a. The short title of these Regulations is: "IRPW Regulations".
b. These IRPW Regulations came into force on 1 April 2021 and replace

those in force from 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 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.
- “Payment” means the actual or maximum amount which may be paid 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.
- “Authority” means a relevant authority in Wales as defined in Section 144(2) of the Measure and includes a principal council (county or county borough council), a national park authority and a Welsh fire and rescue authority, a community or town council.
- “Basic Salary” has the same meaning as set out in paragraph 6 of these Regulations, and may be qualified as “LA Basic Salary” to refer to the basic salary of a member of a principal council; “NPA Basic Salary” to refer to the basic salary of a member of a national park authority; and “FRA Basic Salary” to refer to the basic salary of a member of a Welsh fire and rescue authority.
- “Chief Officer” of a principal council has the meaning as defined in the Localism Act 2011.
- “Civic Head” is the person elected by the council to carry out the functions of the chair of that council and is designated as mayor or chair.
- “Committee” includes a sub-committee.
- “Community or town council” means in relation to Part 8 of the Measure, a community council as defined in section 33 of the Local Government Act 1972 or a town council in accord with section 245B of the same Act.

- “Consultation draft” means the draft of an Annual or Supplementary report under Section 146 (7) or 147(8) of the Measure. The Panel must take account of these representations.
- “Constituent authority” – for national park authorities this is a principal council falling within the area of a national park authority; for Welsh fire and rescue authorities it is a principal council falling within the area of a fire and rescue authority.
- “Contribution to Costs of Care and Personal Assistance” has the same meaning as set out in paragraph 21 of these Regulations.
- “Controlling group” means a political group in a principal council 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 remit of the committee on which they serve.
- “Co-opted Member payment” has the same meaning as set out in paragraph 19 of these Regulations.
- “Democratic Services Committee” means the principal council 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 the related Regulations
- “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 subcommittee 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.

- “Member” means a person who serves on an authority.
 - For a principal council or a community or town council a “Member” may be:
 - An “Elected Member” which means a person who has been elected to serve as a councillor for that authority. It is possible for a person to hold an elected office if, further to the completion of an election, no candidate has presented and a person holds that office subject to proper process.
 - A “Co-opted Member” which means a person who has been placed into membership of a council committee or to discharge a function subject to proper process.
 - For a national park authority, a “Member” means a person appointed by a constituent authority and a person appointed by Welsh Ministers.
 - For Welsh fire and rescue authorities a “Member” means a person 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 reimbursement of care, travel and subsistence costs 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 other 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 principal council 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.
 - ‘Political group’ may be formed from members of a recognised political party or be a group of independent members unaffiliated to any recognised political party. “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” is as defined by the 1972 Act and means a county or county borough council.
 - “Proper officer” has the same meaning as in section 270(3) of the 1972 Act In community and town councils, the ‘Proper Officer’ may be the clerk or other official appointed for that purpose. “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 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 “Principal council Senior Salary” to refer to the senior salary of a member of a principal council; “National Park Senior Salary” to refer to the senior salary of a member of a national park authority; or “Fire and Rescue authority Senior Salary” to refer to the senior salary of a member of a Fire and Rescue authority.
 - “Sickness absence” means the arrangements as set out in the Annual Report.

- “Supplementary report” has the meaning contained in section 146(4 to 8) of the Measure.
- “Travelling and subsistence payment” 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 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 or co-opted member payments

Commencement of term of office

3. The term of office of:
 - An elected member of a principal council or community or town council begins 4 days following the election subject to making the 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 their acceptance of that office further to being either elected or appointed as a chair or deputy chair of a national park authority.
 - 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 payments to members (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. Payment must also be withheld if directed by the Welsh Ministers (Section 155(1) of the Measure).

Senior salary

11. Subject to paragraphs 12 to 18 an authority can make payments of a senior salary to members that it has given specific responsibilities. Such payments must accord with the Panel's determination for the year (as relating to the authority) that the payments are made and must be set out in the Schedule of that authority. For principal councils only, a senior salary will remain payable during the family absence of the office holder.
12. The Panel will prescribe in its Annual or Supplementary Reports the following:
 - The categories of members eligible for the payment of a senior salary

which may not be the same for all authorities or categories of authorities.

- The discretion available to authorities in relation to the payment of senior salaries which may not be the same for all authorities or categories of authorities.
13. The amount of the senior salaries payable will be in accordance with section 142(3) of the Measure and specify:
- The amount that a relevant authority must pay to a member of the authority.
 - The maximum amount that a relevant authority may pay to a member of the authority.
14. The Senior Salary will comprise an amalgam of the basic salary and an additional amount for the relevant specific responsibility determined by the Panel in its Annual or Supplementary Reports. This may not be the same for all authorities or categories of authorities.
15. The Panel in its Annual or Supplementary Reports will determine either the maximum proportion of its membership or the total number of members that an authority can pay as senior salaries. The percentage may not exceed fifty percent without the express approval of Welsh Ministers (Section 142(5) of the Measure). For principal councils only, the maximum proportion or number may be exceeded to include payment of a senior salary to an additional member who is appointed to provide temporary cover for the family absence of a senior salary office holder (subject to the 50% limit).
- 15(a). For, Fire and Rescue Authorities and National Park Authorities the maximum proportion or number may be exceeded to include the payment of a senior salary to an additional member who is appointed to provide temporary cover for the sickness absence of a senior salary holder as determined in the Annual Report or a Supplementary Report.
- 15(b). Payments to chairs of Joint Overview and Scrutiny Committees or Sub Committees are additional to the maximum proportion of its membership that an authority can pay as senior salaries subject to the overall maximum of fifty percent as contained in Section 142(5) of the Measure. The Panel will determine the amounts of such payments in an Annual or Supplementary Report.
16. An authority must not pay more than one senior salary to any member. A principal council member in receipt of a senior salary as leader or executive member of an 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. Payment must also be withheld if directed by the Welsh Ministers.

Co-opted member payment

19. A relevant authority must provide for payments 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).

Payments Contribution to Costs of Care and Personal Assistance

21. Authorities must provide for the payment to members and co-opted members of an authority the reimbursement in respect of such expenses of arranging the care of children or dependants or for the individual member as are necessarily incurred in carrying out official business as a member or co-opted member of that authority. Payments under this paragraph must not be made:
 - In respect of any child over the age of fifteen years or dependant unless the member or 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 or co-opted member of the authority in relation to the care of the same child or dependant for the same episode of care.
 - Of more than one reimbursement for care to a member or co-opted member of the authority who is unable to demonstrate to the satisfaction of the authority that the member or co-opted member has to make separate arrangements for the care of different children or dependants.

22. The arrangements in respect of the contribution to cost of care and personal assistance payable by an authority is to be determined by the Panel in its Annual or Supplementary Reports.
23. 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) the part of the contribution to the cost of care and personal assistance payable to that member or co-opted member in receipt of the responsibilities or duties from which that member or co-opted member is suspended or partially suspended must be withheld by the authority. Payment must also be withheld if directed by the Welsh Ministers for reasons other than suspension (Section 155(1) of the Measure).
24. An authority's Schedule must stipulate the arrangements regarding the contribution towards costs of care and personal assistance payable and its arrangements for making claims, taking full account of the Panel's determinations in this respect.

Travel and subsistence payments

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 payments at rates determined by the Panel in its Annual or Supplementary Reports. Such payments are in respect of expenditure incurred by a member or co-opted member in the performance of the official business within or outside the boundary of the authority.

(Paragraphs 26 & 27 apply only to principal councils)

26. Payment of a subsistence payment to a principal council member for the performance of official business within the boundaries of a county or county borough where they are 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 council who live outside that authority.
27. A principal council 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 payments payable to that member or 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. Payment must also be withheld if directed by the Welsh Ministers for reasons other than suspension (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 principal council members in its Annual or Supplementary Reports. Such determinations may:
- Define which members for whom the principal council 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.

Payments to support the function of an authority member

30. An 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.

Arrangements in relation to family absence

31. Part 2 of the Measure sets out the rights of principal council members in relation to family absence. The Panel will set out its determinations and the administrative arrangements in relation to these payments in its Annual or Supplementary Reports.

Sickness Absence

32. Arrangements for long-term sickness absence of senior salary holders of principal councils, Fire and Rescue Authorities and National Park Authorities will be as set out in the Panel's Annual Report or Supplementary Report.

Part 4: Payments

Repayment of payments

33. An authority can require that such part of a payment be repaid where payment has already been made in respect of any period during which the member or co-opted member concerned:
- a. is suspended or partially suspended from that member's or co-opted member's duties or responsibilities in accordance with Part 3 of the 2000 Act or Regulations made under that Act.
 - b. ceases to be a member or co-opted member of the authority.

- c. or in any way is not entitled to receive a salary, allowance or fee in respect of that period.

Forgoing payments

- 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 payment 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.

Payments

- 36. Payments
 - a) The Annual Report or a Supplementary Report determines the arrangements and amount of an annual payment to members in respect of costs incurred in carrying out the role of a member and if appropriate take account of the variation in size or financial circumstances of different councils.
 - b) The council may make payments to members in respect of costs of travel for attending approved duties within or outside the area of the council. The amounts claimable will be set out in the Annual or Supplementary Report of the Panel.
 - c) The council may reimburse subsistence costs to its members when attending approved duties within or outside the area of the council. The arrangements for reimbursement will be set out in the Annual or Supplementary Report of the Panel.
 - d) The council may pay compensation for Financial Loss to its members where such loss has occurred for attending approved duties within or outside the area of the council. The payments will be set out in the Annual or Supplementary Report of the Panel.
 - e) The council may make a payment to the chair or mayor and deputy chair or mayor of the council for the purposes of undertaking the role of that office. The payment will be set out in the Annual or Supplementary Report of the Panel.
 - f) The Annual Report or a Supplementary Report determines the arrangements for payments to members of a council who undertake senior roles and if appropriate take account of the variation in size or financial circumstances of different councils.

- g) The council must reimburse the contribution to costs of care and personal assistance to a member if claimed, as determined in the Annual Report of the Panel.
37. A member may elect to forgo any part of an entitlement to payment under these Regulations by giving notice in writing to the proper officer of the council.
38. A member making a claim for compensation for Financial Loss must sign a statement that the member has not made and will not make any other claim in respect of the matter to which the claim relates.
39. “Approved Duty” under this Part means
- i. Attendance at a meeting of the council or of any committee or sub-committee of the council or of any other body to which the council makes appointments or nominations or of any committee or sub-committee of such a body.
 - ii. Attendance at any other meeting the holding of which is authorised by the council or a committee or sub-committee of the council, or a joint committee of the council and one or more councils, or a sub-committee of such a joint committee provided that at least two members of the council have been invited and where the council is divided into political groupings at least two such groups have been invited.
 - iii. Attendance at a meeting of any association of councils of which the council is a member.
 - iv. Attendance at any training or development event approved by the council.
 - v. Any other duty approved by the council or duty of a class approved by the council for the discharge of its functions or any of its committees or sub-committees.

Part 6: Miscellaneous

Arrangements for payments

40. The Schedule of an authority must set out the arrangements for payment to all members and co-opted members of that authority. Such payments may be made at such times and at such intervals as determined by the authority.

Claims

41. An authority must specify a time limit from the date on which an entitlement to travelling or subsistence payments arise during which a claim for must be made by the person to whom they are payable. However, this does not prevent an authority from making a payment where the allowance is not claimed within the period specified.

42. Any claim for payment of travelling, subsistence or care costs in accordance with these Regulations (excluding claims for travel by private vehicle or bicycle) shall be accompanied by appropriate receipts proving actual cost.

Avoidance of duplication

43. A claim for a payment of travelling, subsistence or care costs must include, or be accompanied by, a statement signed by the member or co-opted member that the member or 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 payments

44. An authority must keep a record of the payments made in accordance with these Regulations as set out in an Annual or Supplementary Report.

Publicity requirements

(The required content of publicity requirements is contained in an annex to the Annual Report)

45. An authority must, as soon as practicable after determining its Schedule of Remuneration for the year under these Regulations and any Report of the Panel and not later than 31 July of the year to which the Schedule refers, arrange for the Schedule's publication within the authority's area and to notify the Panel. **(This section does not apply to community and town councils).**
46. As soon as practicable and no later than 30 September following the end of the financial year **all relevant authorities** must publicise within the authority's area and notify the Panel:
- the total sum paid by it to each member or co-opted member in respect of basic salary, senior salary, co-opted member fee, travel and subsistence payments.
 - the total expenditure on contribution towards costs of care and personal assistance.
47. In the same timescale and in the same manner, an authority must publicise any further remuneration received by a member nominated or appointed to another relevant authority. **(This section applies only to principal councils).**

Publicising the reports of the Panel

48. Under Section 146(7) (a) and (b) of the Measure, the Panel will send a consultation draft of its Annual Report or Supplementary Report to all relevant authorities for circulation to authority members and co-opted members, so that representations can be made by members and co-opted members to the Panel, normally in a period of eight weeks.
49. The Panel will determine in its Annual or Supplementary Reports the arrangements publicising its Reports in accordance with Section 151 and 152 of the Measure.

Monitoring compliance with the Panel's determinations

50. Section 153 of the Measure determines that relevant authorities must comply with the requirements imposed by the Panel in its Annual Reports. It also empowers the Panel to monitor the payments made by relevant authorities and for it to require the provision of information that it specifies. The requirements under this section will be set out in the Annual Report of the Panel.

Annex 3: Schedule of Member Remuneration

1. Principal councils, national park authorities (NPAs) and Welsh fire and rescue authorities (FRAs) (but not community and town councils) must maintain an annual Schedule of Member Remuneration (the 'Schedule') which is in accord with the Panel's determinations on member salary and co-opted member payments and which must contain the following information:

In respect of a principal council:

- a. Named members who are to receive only the basic salary and the amount to be paid.
- b. Named members who are to receive a Band 1 and Band 2 senior salary, the office and portfolio held and the amount to be paid.
- c. Named members who are to receive a Band 3, Band 4 and Band 5 senior salary, the office and portfolio held and the amount to be paid.
- d. Named members who are to receive a civic salary and the amount to be paid.
- e. Named members who are to receive the co-opted member fee and whether chair or ordinary member and the amount to be paid.
- f. Named members who are to receive a senior salary as a chair of a Joint Overview and Scrutiny Committee or Sub Committee and the amount to be paid.
- g. Named members in receipt of a specific or additional senior salary approved by the Panel and the amount to be paid.

In respect of National Park and Fire and Rescue Authorities:

- a. Named members who are to receive a basic salary and the amount to be paid.
 - b. Named member who is to receive a senior salary as a chair of the authority and the amount to be paid.
 - c. Named members who are to receive a senior salary as deputy chair of the authority or a committee chair 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 and personal assistance, 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 reimbursement towards travel, subsistence and care and personal assistance costs.
6. Principal councils must declare in the Schedule whether:
 - A statement of the basic responsibility of a councillor is in place.
 - Role descriptors of senior salary office holders are in place.
 - Records are kept of councillor attendance.
7. Principal councils, NPAs and FRAs must make arrangements for the publication of the Schedule of Member Remuneration as soon as practicable after its determination and no later than 31 July of the year to which it applies. The Schedule should be published in a manner that provides ready access for members of the public.
8. The **Schedule** must also be sent to the Panel Secretariat to be received by 31 July.
9. Any changes to the schedule during the year must be promptly publicised in the above manner and all changes notified to Panel Secretariat promptly.
10. Retention. The time limit for the schedule to be retained should be consistent with the council's policy on document retention.

Annex 4: Publication of Remuneration – the Panel’s Requirements

In accordance with Section 151 of the Wales (Local Government) Measure 2011 the Panel requires that:

1. Relevant authorities must publish a Statement of Payments made to its members for each financial year. This information must be published in a form and location that is easily accessible to members of the public no later than 30 September following the end of the previous financial year and in the same timescale also provided to the Panel. The following information must be provided:
 - a. The amount of basic salary, senior salary, civic salary and co-opted member fee paid to each named member or co-opted member of the relevant authority, including where the member had chosen to forego all or part of the salary, or fee for the municipal year in question. Where a senior salary has been paid, the title of the senior office held is to be provided.
 - b. The payments made by community and town councils to named members as:
 - Payments in respect of telephone usage, information technology, consumables etc.
 - Responsibility payments
 - Allowances made to a mayor or chair and deputy mayor or deputy chair
 - Compensation for Financial Loss
 - Costs incurred in respect of travel and subsistence
 - c. All 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.
 - f. In respect of the publication of the contribution towards costs of care and personal assistance, relevant authorities are only required to

publish the total amount reimbursed during the year. It is a matter for each authority to determine its response to any Freedom of Information requests it receives. However, it is not intended that details of individual claims should be disclosed.

2. **Nil returns** are required to be published and provided to the Panel by 30 September.
3. Retention. The time limit for the publications to be retained should be consistent with the council's policy on document retention.

Annex 5: Summary of new and updated determinations contained in this report

The numbers of most of the determinations contained within this report have changed from previous reports.

To assist authorities, this table sets out the determinations in this report which are entirely new or have been updated.

Summary of new and updated determinations contained in this report
Principal Councils
Determination 1: The basic salary in 2022/23 for elected members of principal councils shall be £16,800.
Determination 2: Senior salary levels in 2022/23 for members of principal councils shall be as set out in Table 4.
Determination 3: Where paid, a civic head must be paid a Band 3 salary of £25,593 in accordance with Table 4.
Determination 4: Where paid, a Deputy Civic Head must be paid a Band 5 salary of £20,540 in accordance with Table 4.
Determination 5: Where appointed and if remunerated, a presiding member must be paid £25,593 in accordance with Table 4.
Assistants to the Executive
Determination 13: The Panel will decide on a case-by-case basis the appropriate senior salary, if any, for Assistants to the Executive.
National Park Authorities
Determination 22: The basic salary for NPA ordinary members shall be £4,738 with effect from 1 April 2022.
Determination 23: The senior salary of the Chair of a NPA shall be £13,531 with effect from 1 April 2022.
Determination 24: A NPA senior salary of £8,478 must be paid to a Deputy Chair where appointed.
Determination 25: Committee Chairs or other senior posts can be paid. This shall be paid at £8,478.
Fire and Rescue Authorities
Determination 29: The basic salary for FRA ordinary members shall be £2,369 with effect from 1 April 2022.
Determination 30: The senior salary of the Chair of a FRA shall be £11,162 with effect from 1 April 2022.
Determination 31: A FRA senior salary of £6,109 must be paid to the Deputy Chair where appointed.
Determination 32: Chairs of Committees or other senior posts can be paid. This shall be paid at £6,109.
Community and Town Councils
Determination 47:

Summary of new and updated determinations contained in this report

Each council can decide to introduce an attendance allowance for members. The amount of each payment must not exceed £30.

A member in receipt of financial loss will not be entitled to claim attendance allowance for the same event.

Councils that intend to introduce a system of Attendance Allowances must set out the details of the scheme and publish on their website.

Determination 51:

The application of the Remuneration Framework by relevant Group.

Independent Remuneration Panel for Wales

Room N.03

First Floor

Crown Buildings

Cathays Park

Cardiff

CF10 3NQ

Telephone: 0300 0253038

E-mail irpmailbox@gov.wales

The Report and other information about the Panel and its work are available on our website at:

[Independent Remuneration Panel for Wales](#)



To:

Leaders and Chief Executives of County and County Borough Councils
Chairs and Chief Executives of National Park Authorities
Chairs and Clerks of Fire and Rescue Authorities
Chair and Chief Executive of One Voice Wales
Leader and Chief Executive of Welsh Local Government Association
Head of Democratic/Members Services of County and County
Borough Councils, National Park Authorities and Fire and Rescue Authorities
Community & Town Councils

29 September 2021

Dear Colleague

Independent Remuneration for Wales – Draft Annual Report 2022/2023

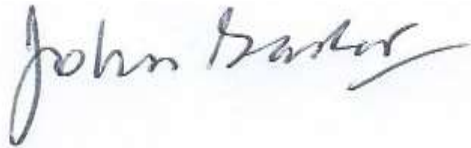
The Panel's draft Annual Report for 2022/23 is attached. We would appreciate and welcome comments during the consultation period which ends on 26 November 2021.

Elections for principal councils and community and town councils will take place in May 2022, so the next Report of the Panel will coincide with the new municipal term. For several years payments to elected members of the 22 principal councils has not kept pace with the original comparator that was used to set the basic salary, or any other public sector comparison. The Panel has decided this is an opportune time to rectify this situation and to reinstate the link to the average Welsh earnings (based on 3 days).

The draft Report also sets out changes to the remuneration framework for community and town councils following an extensive consultation exercise which we undertook earlier in the year.

We look forward to receiving comments on the proposals contained in the draft Report and will consider all of the responses prior to producing the final Report for publication in February 2022.

Yours sincerely

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

John Bader
Chair



At:

Arweinwyr a Phrif Weithredwyr Cynghorau Sir a Chynghorau Bwrdeistref Sirol
Cadeiryddion a Phrif Weithredwyr Awdurdodau'r Parciau Cenedlaethol
Cadeiryddion a Chlercod Awdurdodau Tân ac Achub
Cadeirydd a Phrif Weithredwr Un Llais Cymru
Arweinydd a Phrif Weithredwr Cymdeithas Llywodraeth Leol Cymru
Penaethiaid Gwasanaethau Democrataidd/Aelodau Cynghorau Sir a
Chynghorau Bwrdeistref Sirol, Awdurdodau'r Parciau Cenedlaethol, ac
Awdurdodau Tân ac Achub,
Cynghorau Cymuned a Thref

29 Medi 2021

Annwyl Gyfaill

Taliadau annibynnol ar gyfer Cymru – Adroddiad Blynyddol Drafft 2022/2023

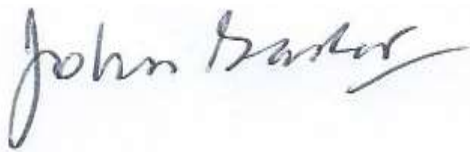
Mae Adroddiad Blynyddol drafft y Panel ar gyfer 2022/23 wedi ei atodi. Byddem yn gwerthfawrogi cael sylwadau yn ystod y cyfnod ymgynghori a fydd yn dod i ben ar 26 Tachwedd 2021.

Cynhelir etholiadau ar gyfer y prif gynghorau a chynghorau cymuned a thref ym mis Mai 2022, felly bydd adroddiad nesaf y Panel yn cyd-ddigwydd â thymor newydd y cynghorau. Ers nifer o flynyddoedd nid yw taliadau i aelodau etholedig y 22 o brif gynghorau wedi cadw i fyny â'r cymharydd gwreiddiol a oedd yn cael ei ddefnyddio i bennu'r cyflog sylfaenol, nac unrhyw gymhariaeth sector cyhoeddus arall. Mae'r Panel wedi penderfynu ei bod yn adeg amserol i unioni'r sefyllfa hon ac ail osod y ddolen ag enillion cyfartalog Cymru (yn seiliedig ar dri diwrnod).

Hefyd, mae'r adroddiad drafft yn disgrifio newidiadau i'r fframwaith taliadau cydnabyddiaeth ar gyfer cyngorau cymuned a thref ar ôl cynnal ymgynghoriad eang yn gynharach yn y flwyddyn.

Rydym yn edrych ymlaen at gael sylwadau ar y cynigion sydd wedi eu cynnwys yn yr adroddiad drafft, a byddwn yn ystyried yr holl ymatebion cyn cynhyrchu'r adroddiad terfynol a fydd yn cael ei gyhoeddi ym mis Chwefror 2022.

Yn gywir

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

John Bader
Cadeirydd

Eitem ar gyfer y Rhaglen 5



COSTITUTION & DEMOCRATIC SERVICES COMMITTEE

Date of Meeting	Wednesday, 17 November 2021
Report Subject	Overview & Scrutiny Annual Report 2020/21
Report Author	Head of Democratic Services

EXECUTIVE SUMMARY

The Overview & Scrutiny Annual Report is drafted on an annual basis by the Officer team. The draft is then submitted to this committee for Member comment and approval before being submitted to Council for formal approval.

The Annual Report provides the Council with assurance that the Overview & Scrutiny function is fulfilling its constitutional role.

RECOMMENDATIONS

1	That the Committee considers and comments on the draft Overview & Scrutiny Annual Report for 2020/21.
2	That the committee approves the draft Overview & Scrutiny Annual Report for 2020/21 for submission to Council.

REPORT DETAILS

1.00	THE OVERVIEW & SCRUTINY ANNUAL REPORT
1.01	Our Constitution requires the Overview & Scrutiny Committees to report annually to the Full Council on their workings with recommendations for their future work programme and changing working methods if appropriate.
1.02	This Annual Report is based on the five Overview & Scrutiny committee structure. Members will recall that this commenced from the 2020 Annual Meeting, which was held in September. The committee is invited to consider, and comment on the draft.

1.03	Following consideration by this committee, the Overview & Scrutiny Annual Report will be submitted to Council on at its 7 th December.
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2.00	RESOURCE IMPLICATIONS
2.01	None

3.00	CONSULTATIONS REQUIRED / CARRIED OUT
3.01	Not applicable

4.00	RISK MANAGEMENT
4.01	Not applicable

5.00	APPENDICES
5.01	Draft Overview & Scrutiny Annual Report for 2020/21

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	None Contact Officer: Robert Robins, Head of Democratic Services Telephone: 01352 702320 E-mail: Robert.robins@flintshire.gov.uk

7.00	GLOSSARY OF TERMS
7.01	None



Overview & Scrutiny

Annual Report

2020/21

Contents

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3	Introduction by the Leader of the Council
4	Perspective from the Chief Executive
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7	Implementing the Changes to the Overview & Scrutiny Committee structure
8 - 9	The “Call-in” Process
10 - 11	Committee Membership
12 - 17	Topics considered by each Committee
18	Overview & Scrutiny Officer Support

DRAFT

Date	Approved By	Version
	Constitution and Democratic Services Committee	Draft
	Flintshire County Council	Final

INTRODUCTION BY THE LEADER OF THE COUNCIL



At the 2019 Annual Meeting of Council, I gave an undertaking that our committee structure would be reviewed during the year. That review covered the number of committees, their memberships, the role of co-optees, and the functions and terms of reference of committees.

The work was carried out by consensus, through several Group Leaders meetings at which we were supported by the statutory officers. The recommendations from the review were considered and supported by Constitution & Democratic Services Committee at their January meeting and subsequently by Council in February.

The results should have been implemented from the 2020 Annual Meeting, in May. However, the pandemic meant that there was a pause between February and the holding of our Annual Meeting in September. At that time, we were able to implement the proposed changes.

We believe that the new structure, of five Overview & Scrutiny committees of twelve Members each has worked well since it started in September 2020. For a short period, between May and September, the Recovery Board, which was a cross-party vehicle for both decision making and elements of scrutiny had replaced our formal scrutiny processes. This was an innovative approach, arising out of necessity. It put us on a good footing to recommence our formal processes in autumn.

I would like to take this opportunity to thank everyone involved in the Overview & Scrutiny function, whether they be Members, Contributors or the supporting office team, for the work that they do to ensure that Overview & Scrutiny in Flintshire continues to flourish and add value.

Councillor Ian Roberts
Leader of the Council

PESPECTIVE FROM THE CHIEF EXECUTIVE



The Overview & Scrutiny Annual Report has traditionally had a forward written by the Leader of the Council and a 'perspective' contribution from the Chief Executive.

Members will be aware that I have been at Flintshire and occupied various roles since 2003. During that time have contributed to a number of Overview & Scrutiny meetings, predominantly through attendance at scrutiny committees covering Housing, Environment, Waste Management and Highways and more recently, Community, Housing & Assets Overview & Scrutiny Committee and Corporate Resources through my role in managing the Councils land assets and Capital programme.

I have always recognised the need for the Overview & Scrutiny Committee structure to be responsive to the Council's needs. When there is a concern that the 'fit' isn't right, we have reviewed the structure and made changes in response such as those carried out in 2002, 2005, 2010 and 2015, a five year pattern having developed. The most recent review provided us with the current 2020 structure. It transpired that Flintshire had amongst the largest number of overview & scrutiny committees in Wales, and a greater number of Members on those committees. With five committees of 12 Members each, we believe that the structure is now right for Flintshire, for the time being.

Larger organisations such as ours can never be still; they evolve constantly. As changes occur, we may need to make further changes to our Overview & Scrutiny committee structure to ensure that it remains responsive to the Council's needs, having the flexibility to deal with whatever issues arise.

It is important that we have rigorous Overview & Scrutiny function as part of the Council's executive arrangements. The contribution made over the last ten years has been important in influencing and constructively challenging and without this contribution from Scrutiny Members we would not have achieved what we have as a Council throughout some of the most challenging times in its history.

The Chief Officer Team and I are committed to ensure that both Cabinet and Overview and Scrutiny Members are supported to continue as effectively as they have always done.

Neal Cockerton,
Chief Executive

SCRUTINY DURING THE COVID RESPONSE

The onset of the Coronavirus pandemic meant that it became necessary for people to work from home wherever possible. In such circumstances, it was not possible to maintain the democratic process. Whilst arrangements were being made to hold 'Remote Attendance Meetings', which meant installing software onto I pads and training Members in its use, we also sought to retain an element of the democratic process in decision making.

The Welsh Government provided emergency powers under the 2020 coronavirus regulations to permit meetings to be held entirely remotely. This approach was so successful that the provision was subsequently incorporated into the Local Government & Elections (Wales) Act 2021.

Individual Cabinet Member decisions

During the beginning of the pandemic from March 2020 it was necessary to suspend scrutiny arrangements for a few weeks while remote working arrangements were made and the Council tackled the immediate need for an operational response.

Maintaining a form of Scrutiny during the beginning of the pandemic was important, therefore for a temporary basis, 'individual Cabinet Member' decision making was introduced. In order to comply with the Government guidance designed to delay the spread of COVID 19, the following delegations to individual Cabinet Members were put in place:

- Cabinet Members may decide any matter that would normally be determined by the Cabinet acting collectively subject to complying with all the following conditions
 - a. that the decision to be taken is sufficiently urgent that it would prejudice the Council's and/or public's interests if it were not made; and
 - b. the decision to be taken falls within the Areas of Responsibility for that Cabinet Member as set out in the Appendix 1 ; and
 - c. that the Cabinet Member has consulted with the following people
 - i. the Leader of the Council or Deputy Leader of the Council
 - ii. any other Cabinet Member upon whose Areas of Responsibility the decision may impact;
 - iii. the Chief Executive and any relevant Chief Officer or Statutory Officer

In the first instance, the relevant Officer prepared a report which was sent to the relevant Cabinet Member, the Leader of the Council, the Committee Services Manager and the relevant Overview & Scrutiny Chair. The Facilitator/advisor to the appropriate Overview & Scrutiny Committee would then contact the Chair of that Committee to proactively seek their views on the report.

Before making a decision, via telephone conference, in accordance with the Scheme of Delegation, the relevant Cabinet Member should take into consideration the advice of all relevant Council Officers and other Cabinet Members where appropriate as well as the views of other Council Members if expressed in relation to the proposed decision.

The Head of Democratic Services would then supply a copy of the signed form to the Chair of the relevant Overview and Scrutiny Committee and the Record of Decision was published on the website and sent to all Members of the Council. The decision may be implemented on the expiry of five working days following publication of the Record of Decision.

Virtual Overview & Scrutiny Committee meetings

In order to restore elements of democratic decisions making whilst still observing safe practices, such as social distancing, we made a decision to hold remote access meetings, using a software called Webex.

Following the Webex software being installed on all Member electronic devices and training provided to each Member, remote access Overview & Scrutiny Committee meetings were first held in September 2020 via Webex.

Guidance for all Members on conduct at remote access meetings was provided, which gave details of how Members should indicate that they would like to speak, how the Chair would address Officers and Members in the meeting and explaining that from time to time the officer advising the Chair would explain procedural points or suggest alternative wording for proposals, to assist the Committee.

The guidance also explained how votes would be taken at remote accessing meetings, explaining that if and when a vote was taken, the Chair would explain that only those who oppose the proposal(s), or who wish to abstain would need to indicate, using the chat function. The officer advising the Chair would indicate whether the proposals were carried.

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

All meeting are live streamed onto the Council's website with a recording of the meeting also available shortly after the meeting on the Council's website. This has been a positive benefit for Overview & Scrutiny, as it allows members of the public and press to view Committee meetings in real time along with being able to view recordings at any time on the Council's website.

Holding remote access meetings was a new experience for all Officers and Members and Members were asked to be patient whilst Officers worked towards restoring full democratic decision making. Overview & Scrutiny Chairs and all Members of the Council have embraced remote accessing meetings, ensuring a positive experience for all involved. The experience will certainly inform our emerging multi-location meetings policy.

IMPLEMENTING THE CHANGES TO THE OVERVIEW & SCRUTINY COMMITTEE STRUCTURE

In the last Overview & Scrutiny Annual Report, we reported on the Committee Review which was conducted during 2019. The review had been initiated by Leader, who referred to the need for it at the 2019 Annual Meeting.

At the outset, we conducted research with other Welsh principal councils, and listened to the views of our Members and officers. This enabled us to scope the review, which was conducted through meetings of the political group leaders, their deputies and the statutory officers. The aim of the review was to improve the committee structure, which had not been reviewed for several years and address a number of other concerns – Flintshire had amongst the largest number of overview & scrutiny committees in Wales, and a greater number of Members on those committees.

We needed to ensure that our Overview & Scrutiny committee structure was the right one for the Council in 2020/21 and beyond – bearing in mind that the last review of it had been conducted in 2014/15. There was consensus that the number of Members on some committees should be reduced: in the case of the overview & scrutiny committees, from 15 to 12. It was also agreed to reduce the number of Overview & Scrutiny Committees from six to five.

In 2015, as a result of a previous review of Overview & Scrutiny committees, we had set up the Organisational Change Overview & Scrutiny Committee. The committee was a significant factor in the safe transfer of assets from the Council to the community and in developing our alternative delivery models. As the work which it had been set up to do had been successfully completed, it was appropriate for the committee to cease with effect from the 2020 Annual Meeting of Council.

Going forward, we now have five Overview & Scrutiny committees. Together, they cover all of the Council's functions. These committees are:

- Community, Housing & Assets;
- Corporate Resources;
- Education, Youth & Culture,
- Environment & Economy and
- Social & Healthcare.

The 2020 Annual Meeting was delayed until 9th September, because of the Coronavirus. Therefore, we held some Overview & Scrutiny committee meetings from the previous structure during July. The first meeting of the new structure was Environment & Economy Overview & Scrutiny committee on 21st September.

The “Call-in” Process

1. The Arrangements

The arrangements for calling in a decision are to be found in paragraph 16 of the Overview & Scrutiny Procedure Rules contained within the Council's Constitution. The legal authority is derived from section 21 (3) of the Local Government Act 2000.

The ability to call in a Cabinet decision is a significant power for non-executive members. It is not something which should be considered unless there is no alternative: if the power is over-used, or used in such a way as to be thought of as frivolous, its significance or importance would be lost.

2. Decisions of the Cabinet

Following a meeting of the Cabinet, the record of the decisions made is published within two days. Copies are available at County Hall, and are sent to all Members of the County Council.

The decision record specifies that the decisions will come into force, and may then be implemented, on the expiry of five working days after the publication of the decision, unless it is called in.

3. Calling in a Decision

If the Chief Officer (Governance) or Head of Democratic Services receives a call in notice from the Chair of an Overview & Scrutiny Committee or at least four members of the Council, a call in meeting is arranged.

Either the Head of Democratic Services or one of the Overview & Scrutiny Facilitators notifies the decision takers (the relevant Cabinet members and Chief Officers) of the call-in, and then arranges a meeting of the appropriate committee within seven working days of the decision to call-in

4. The Call-in Meeting

Call-in meetings are held at short notice (i.e. within seven working days of the call-in decision) and generally be the only item of business on the agenda. However, from time to time it is expedient to consider a call in at a meeting which has already been convened.

There is a suggested procedure for dealing with a call in. This is intended to make the meeting as simple and transparent as possible. This procedure is part of the agenda at each call in meeting, and the officer advising the committee will take members through it during the meeting.

5. The Call in decision

At the end of a call in meeting, the committee must make a decision based on one of four options. Options 1 and 2 allow the decision to be implemented immediately Option 3 is to refer back to Cabinet for further consideration and Option 4 is to refer to Council. However, executive functions' are solely within the remit of the Cabinet. Thus Council can consider the issue, but not change the decision: it can only recommend to Cabinet that the decision be reconsidered.

6. Call in during 2020/21

During the last municipal year, no Cabinet decisions were called in.

We made an amendment the Call in procedure, to ensure that it could be initiated during lockdown. To call in a Cabinet decision, instead of a call in notice signed by at least four Members of the Council, an email should be sent via a Flintshire.gov.uk email address to the Head of Democratic Services , stating the reason for call in. The first signatory should include the words 'call in' as the subject and should copy in the other proposed signatories. Those signatories should then email the Head of Democratic Services, using their Flintshire email addresses, saying 'I endorse the call in of record of Decision No XX'.

This ensures that there is an audit trail of signatories, in writing, of the call in electronically signed (and from their Flintshire email addresses) by all parties. The Head of Democratic Services will notify the decision taker of the call-in, and then arrange a meeting of the Committee within seven working days of the decision to call-in. (As usual, the last working day before Christmas day and the three non-public holiday days between Christmas and New Year are not be counted as working days).

7. End of the call in period

When the call in period has expired, the Head of Democratic Services informs the Members of the Cabinet, the Chairs of the Overview & Scrutiny and appropriate officers.

COMMITTEE MEMBERSHIP
Membership of Overview & Scrutiny Committees 2020/21

<p><u>Community & Enterprise (Expired July 2020)</u></p> <p>Councillor Ian Dunbar (Chair) Councillor Sian Braun Councillor Helen Brown Councillor Dave Cox Councillor Jean Davies Councillor Ron Davies Councillor Rosetta Dolphin, Councillor Mared Eastwood, Councillor Ray Hughes Councillor Dennis Hutchinson Councillor Brian Lloyd Councillor Ted Palmer, Councillor Kevin Rush Councillor Paul Shotton Councillor David Wisinger</p>	<p><u>Community Housing & Assets</u></p> <p>Councillor Ian Dunbar (Chair) Councillor Helen Brown Councillor Geoff Collett Councillor Dave Cox Councillor Ron Davies Councillor Adele Davies-Cooke Councillor Mared Eastwood Councillor Veronica Gay Councillor Ray Hughes (Vice Chair) Councillor Dennis Hutchinson Councillor Brian Lloyd Councillor Kevin Rush</p>
<p><u>Corporate Resources</u></p> <p>Councillor Clive Carver (Chair) Councillor Haydn Bateman Councillor Sean Bibby Councillor Geoff Collett Councillor Andy Dunbobbin Councillor Mared Eastwood Councillor Patrick Heesom Councillor Richard Jones Councillor Kevin Rush Councillor Paul Shotton Councillor Andy Williams Councillor Arnold Woolley</p>	
<p><u>Education & Youth Overview & Scrutiny Committee (Expired September 2020)</u></p> <p>Councillor David Healey (Chair) Councillor Janet Axworthy Councillor Sian Braun Councillor Geoff Collett Councillor Bob Connah Councillor Paul Cunningham Councillor Andy Dunbobbin Councillor Gladys Healey Councillor Kevin Hughes Councillor Tudor Jones Councillor Dave Mackie</p>	<p><u>Education Youth & Culture Overview & Scrutiny Committee</u></p> <p>Councillor David Healey (Chair) Councillor Janet Axworthy Councillor Sian Braun Councillor Bob Connah (from Jan 2021) Councillor Paul Cunningham Councillor Carol Ellis (from Nov - Dec 2020) Councillor Gladys Healey Councillor Joe Johnson Councillor Tudor Jones Councillor Dave Mackie Councillor Ian Smith</p>

<p>Councillor Ian Smith Councillor Martin White Councillor David Williams</p> <p>Co-opted Members: Lynne Bartlett David Hytch (Vice Chair) Wendy White Rebecca Stark</p>	<p>Councillor Martin White Councillor David Williams</p> <p>Co-opted Members: Lynne Bartlett David Hytch (Vice Chair) Wendy White Rebecca Stark</p>
<p><u>Environment Overview & Scrutiny Committee (Expired 13.7.20)</u></p> <p>Councillor Patrick Heesom (Chair) Councillor Mike Allport Councillor Sean Bibby Councillor Chris Dolphin Councillor Andy Dunbobbin Councillor David Evans (Vice Chair) Councillor Veronica Gay, Councillor George Hardcastle Councillor Cindy Hinds Councillor Ray Hughes Councillor Dennis Hutchinson Councillor Joe Johnson Councillor Vicky Perfect Councillor Paul Shotton Councillor Owen Thomas</p>	<p><u>Environment & Economy Overview & Scrutiny Committee</u></p> <p>Councillor Rosetta Dolphin (Chair) Councillor Sean Bibby Councillor Chris Dolphin Councillor David Evans (Vice Chair) Councillor George Hardcastle Councillor Patrick Heesom Councillor Cindy Hinds Councillor Kevin Hughes (from Oct 2020 – Feb 2021) Councillor Dennis Hutchinson Councillor Joe Johnson Councillor Vicky Perfect Councillor Paul Shotton Councillor Owen Thomas</p>
<p><u>Social & Health Care</u></p> <p>Councillor Hilary McGuill (Chair) Councillor Mike Allport Councillor Marion Bateman(Sept 2022 -) Councillor Paul Cunningham Councillor Jean Davies Councillor Rob Davies (May to Oct 2020) Councillor Andy Dunbobbin (May to Oct 2020) Councillor Carol Ellis Councillor Gladys Healey (Vice-Chair) Councillor Cindy Hinds Councillor Mike Lowe Councillor David Mackie Councillor Ian Smith (May - Oct 2020) Councillor Michelle Perfect Councillor Martin White (May to Oct 2020) Councillor David Wisinger Councillor David Williams (May to Oct 2020)</p>	

TOPICS COVERED BY EACH COMMITTEE

COMMUNITY HOUSING & ASSETS OVERVIEW & SCRUTINY COMMITTEE

Friday, 25 September, 2020

Appointment of Chair
Appointment of Vice-Chair
Emergency Situation Briefing
Terms of Reference of the Committee
Recovery Strategy

Wednesday, 4th November, 2020

Emergency Situation Briefing
Forward Work Programme and Action Tracking
Budget 2021/22 - Stage 1
Recovery Strategy Update
Phase 2 Homelessness - Covid 19 Response
Sheltered Housing Review Update

Wednesday, 16 December, 2020

Emergency Situation Briefing
Forward Work Programme And Action Tracking
Strategic Housing And Regeneration Programme - Community Benefits
Welfare Reform Update
Housing Rent Income
Anti-Social Behaviour Policy
Recovery Strategy Update
Mid-Year Performance Indicators for Recovery, Portfolio & Public Accountability Measures

Wednesday, 20th January, 2021

Forward Work Programme And Action Tracking
Housing Revenue Account (HRA) 30 Year Financial Business Plan
Welsh Government Consultation On The Proposed Housing Revenue Manual
Housing Strategy Update
Strategic Housing And Regeneration Programme (Sharp) Update Report
Council Plan 2020/21
North East Wales (New) Homes Business Plan 2020/2049

Tuesday, 23 February, 2021

Forward Work Programme and Action Tracking
Housing Repairs Service Procurement of a Dynamic Resource Scheduling System and
Review of the Team Leader job profile

Wednesday, 10 March, 2021

Forward Work Programme and Action Tracking
Regeneration of Existing Stock
Homelessness Update Report
Recovery Strategy Update

WEDNESDAY, 19TH MAY, 2021

Forward Work Programme and Action Tracking
NEWydd Cleaning and Catering

**CORPORATE RESOURCES OVERVIEW & SCRUTINY
COMMITTEE**

Monday, 28 September, 2020

Appointment of Chair
Appointment of Vice-Chair
Emergency Situation Briefing
Terms of Reference of the Committee
Recovery Strategy
Revenue Budget Monitoring 2020/21 (Month 4)
Capital Programme Monitoring 2020/21 (Month 4)

Thursday, 15th October, 2020

Emergency Situation Briefing
Recovery Strategy Update
Revenue Budget Monitoring 2020/21 (Month 5)
Action Tracking
Forward Work Programme

Monday, 2nd November, 2020 Special Meeting

BUDGET 2021/22 - STAGE 1

Thursday, 12 November, 2020

Action Tracking
Forward Work Programme
Emergency Situation Briefing
North Wales Economic Ambition Board - Final Growth Deal
Recovery Strategy Update
Mid-Year Performance Indicators for Recovery, Portfolio & Public Accountability Measures
BUDGET 2021/22 - STAGE 1
Revenue Budget Monitoring 2020/21 (Month 6) and Capital Programme Monitoring
2020/21 (Month 6)
Capital Programme 2021/22 - 2023/24
Capital Strategy Including Prudential Indicators 2021/22 - 2023/24

Thursday, 10th December, 2020

Action Tracking
Forward Work Programme
Emergency Situation Briefing
Recovery Strategy Update
Council Plan 2020/21 Development Process
Revenue Budget Monitoring 2020/21 (Month 7)
Clwyd Pension Fund Update

Public Services Ombudsman for Wales Annual Letter 2019-20 and Complaints against Flintshire County Council 2020-21

Thursday, 14th January, 2021

Forward Work Programme

Action Tracking

Overview of Open Risks from the Emergency Period and Reconciliation of Emergency Grant Funding

Revenue Budget Monitoring 2020/21 (Month 8)

Thursday, 11th February, 2021

Action Tracking

Community Safety Partnership Annual Report

Forward Work Programme

Recovery Strategy Update

Council Plan 2021/22

Council Fund Revenue Budget 2021/22

Revenue Budget Monitoring 2020/21 (Month 9) and Capital Programme Monitoring 2020/21 (Month 9)

Annual Audit Summary for Flintshire County Council 2019/20

Thursday, 11th March, 2021

Action Tracking

Forward Work Programme

Flintshire Community Endowment Fund - Annual Report

Revenue Budget Monitoring 2020/21 (Month 10)

Review of the Corporate Complaints Policy

EDUCATION YOUTH & CULTURE OVERVIEW & SCRUTINY COMMITTEE

Thursday 24 September 2020 2.00 pm

Appointment of Chair

Appointment of Vice-Chair

Emergency Situation Briefing (Verbal)

Terms of Reference of the Committee

Recovery Strategy

Thursday 5 November 2020 2.00 pm

Emergency Situation Briefing (Verbal)

Forward Work Programme and Action Tracking

Budget 2021/22 - Stage 1

School Reserve Balances Year Ending 31 March 2020 and Protocol for Schools in Financial Difficulty

Recovery Strategy Update

Youth Services

Theatr Clwyd Transfer Proposal Report

Thursday 17 December 2020 2.00 pm

Emergency Situation Briefing (Verbal)
Blended Learning
Adult Community Learning
Recovery Strategy Update
Mid-Year Performance Indicators for Recovery, Portfolio and Public Accountability Measures
Aura: Business Recovery Plan

Thursday 28 January 2021 2.00 pm

School Improvement and Examinations 2021 Update
School Modernisation Update
Schools Covid Lessons Learned & Risk Assessments
Council Plan 2020/21

Thursday 18 March 2021 2.00 pm

Community Asset Transfer Update
Update on Council Funding for Schools
Self-Evaluation Report of Education Services
Hwb Digital Programme
School Attendance and Exclusions
Recovery Strategy Update

ENVIRONMENT OVERVIEW & SCRUTINY COMMITTEE

Monday, 13th July, 2020

Renewal Of Public Space Protection Orders

ENVIRONMENT & ECONOMY OVERVIEW & SCRUTINY COMMITTEE

Monday, 21 September, 2020

Appointment of Chair
Appointment of Vice-Chair
Emergency Situation Briefing
Terms of Reference of the Committee
Recovery Strategy (Planning, Environment & Economy Portfolio)
Recovery Strategy (Streetscene and Transportation Portfolio)

Tuesday, 13th October, 2020

Forward Work Programme and Action Tracking
Emergency Situation Briefing
Regeneration Overview
Recovery Strategy Update (Planning, Environment & Economy Portfolio)
Recovery Strategy Update (Streetscene and Transportation Portfolio)

Tuesday, 10th November, 2020

Emergency Situation Briefing
Forward Work Programme And Action Tracking
North Wales Economic Ambition Board - Final Growth Deal
Budget 2021/22 - Stage 1
Recovery Strategy (Planning, Environment & Economy Portfolio)
Recovery Strategy Update (Streetscene and Transportation Portfolio)
Mid-Year Performance Indicators for Recovery, Portfolio and Public Accountability Measures

Tuesday, 8 December, 2020

Emergency Situation Briefing
Forward Work Programme and Action Tracking
Update on the Mold to Broughton Cycle Scheme and the Development of the County's Core Cycle Network
Recovery Strategy (Planning, Environment & Economy Portfolio)
Recovery Strategy Update (Streetscene and Transportation Portfolio)
Update on Alltami Depot Stores
Feedback on Welsh Government Proposals to Introduce Corporate Joint Committees

Tuesday, 12th January, 2021

Forward Work Programme and Action Tracking
Flintshire County Council Response to WG Transport Strategy Consultation

Tuesday, 9th February, 2021

Forward Work Programme and Action Tracking
Council Plan 2020/21
Fleet Electrification
Planning Enforcement

Tuesday, 9th March, 2021

Forward Work Programme and Action Tracking
Borderlands Line Train Services – Additional Services and Potential Impact on stops (Presentation)
Recyclable Materials and the impact of the Pandemic on Volumes and Resale Values
Economic Recovery
Recovery Strategy (Streetscene And Transportation Portfolio)
Recovery Strategy (Planning, Environment & Economy Portfolio)

Wednesday, 12th May, 2021

Forward Work Programme and Action Tracking
Town Centre Regeneration
Access Team Performance 2019/20 and 2020/21
Ash Dieback Surveys Update
Highway Asset Management Plan
Forthcoming Active Travel Consultation Process

SOCIAL & HEALTH CARE OVERVIEW & SCRUTINY COMMITTEE

Thursday, 16th July, 2020

Social Services Annual Report
Support Provided to Flintshire Care Homes during the Covid-19 Pandemic

Tuesday, 22nd September, 2020

Appointment of Chair
Appointment of Vice-Chair
Emergency Situation Briefing
Terms of Reference of the Committee
Recovery Strategy
Care Inspectorate Wales (CIW) Annual Performance Review Letter 2019/20

Thursday, 22nd October, 2020

Emergency Situation Briefing
Forward Work Programme and Action Tracking
Recovery Strategy Update
Project Search Update

Wednesday, 11 November, 2020 (Special)

Budget 2021/22 - Stage 1

Thursday, 3 December, 2020

Emergency Situation Briefing
Forward Work Programme and Action Tracking
Mid-Year Performance Indicators for Recovery, Portfolio and Public Accountability Measures
Safeguarding Adults and Children's Annual Report to include the "New Safeguarding Procedures"
Community Transformation Project Update
Supporting the Social Work Workforce
Annual Report on the Social Services Complaints and Compliments Procedure 2019-20

Thursday, 21st January, 2021

Forward Work Programme and Action Tracking
Council Plan 2020/21
Young Carers – NEWCIS Contract
Marleyfield House Update
Plas Yr Ywen (Holywell Extra Care)

Thursday, 4th March, 2021

Forward Work Programme and Action Tracking
Mockingbird – Update On The Programme
Arosfa Update
North Wales Dementia Strategy and the Flintshire Local Strategy
Recovery Strategy Update

OVERVIEW & SCRUTINY OFFICER SUPPORT

The support which Overview & Scrutiny enjoys from officers across the Council is essential to ensure its smooth and effective running.

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OVERVIEW & SCRUTINY SUPPORT

The Scrutiny Team are:-

- ❖ Robert Robins – Head of Democratic Services
(Supporting the Corporate Resources Overview & Scrutiny Committees).
- ❖ Margaret Parry-Jones – Overview & Scrutiny Facilitator
(Principally supporting the Environment and Social & Health Care Overview & Scrutiny Committees)
- ❖ Ceri Shotton – Overview & Scrutiny Facilitator
(Principally supporting the Community & Enterprise and Education & Youth and Overview & Scrutiny Committees).
- ❖ Janet Kelly – Democratic Services Support Officer
(Now supporting Overview & Scrutiny as part of a wider role within the Democratic Services Team)

The team are an independent resource supporting the scrutiny function and its Members:

Advising on the strategic direction and development of the scrutiny function;

- Co-ordinating the work programmes for the six Overview & Scrutiny Committees;
- Advising, supporting and assisting in the development of scrutiny members;
- Undertaking research and information analysis to help inform reviews;
- Producing reports and presentations on behalf of Members;
- Offering independent advice and guidance in relation to policy development and performance management;
- Acting as a key contact point to Members, officers, external organisations and the public in relation to scrutiny matters; and facilitating task & finish groups

Eitem ar gyfer y Rhaglen 6



CONSTITUTION & DEMOCRATIC SERVICES COMMITTEE

Date of Meeting	Wednesday, 17 th November 2021
Report Subject	Developing our Multi- location and Future Meetings Policy
Report Author	Head of Democratic Services

EXECUTIVE SUMMARY

We will be required to broadcast all of our meetings (whether held physically, as hybrid, or remotely) from 1st May 2022. As our remote attendance meetings have been recorded and broadcast since last year, and all livestreamed and available on our website, we are already complying with this statutory requirement.

We need to develop our own multi-location meetings policy. However, we are in the last seven months of this Council's lifespan. A new Council will be elected in May. Based on the last two elections, there may be a change of 30-35% of the Members.

In 2017, we waited until the autumn to consult Members on their preference for when meetings are held– mornings, afternoons or evenings. It is also reasonable to adopt a similar approach to how meetings are held. By that time, the need to observe physical distancing because of Covid may have receded.

However, we need to adopt an **interim** policy until the new Council, to be elected in May 2022 is ready to make an informed decision. The new Council should be in a position to consider this issue in the autumn.

RECOMMENDATIONS

1	That the interim Multi-meetings policy, as detailed in paragraphs 1.07 - 1.12 of the report be adopted until such time as the new Council determines its own Multi-location meetings policy.
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REPORT DETAILS

1.00	EXPLAINING THE NEED FOR A MULTI-LOCATION MEETINGS POLICY
1.01	Since July 2020, we have been holding our meetings by remote attendance, as a result of the Covid restrictions. The ability to hold remote meetings has been made permanent by section 47 of the Local Government & Elections (Wales) Act 2021. (Commencement order no 3, made 18 th March 2021)

1.02	In 2020, we made some temporary changes to our rules of procedure as some rules would not be practicable at a remote attendance, rather than at a physical meeting. These were then temporary amendments, which were agreed with the Chair of Council, who by their appointment is recognised as the arbiter of rules of procedure within the Constitution. These have since been formally adopted into the Constitution, following approval by this committee at its June meeting.
1.03	The Local Government & Elections (Wales) Act 2021 was given Royal Assent at the end of January. Section 47 of the Act, and part 1 of schedule 4 of that Act now provide the statutory basis for what is now being referred to as 'multi-location meetings'. Multi-location meetings are defined in the Act as a meeting of a relevant authority whose participants are not all in the same physical place. This applies to the Remote Attendance Meetings which we have been holding since last year, hybrid meetings, such as our Annual Meeting, where some people were in the Chamber, or where a greater number of people are present, but others attending via remote means.
1.04	The Council meeting held on 19 th October, where most people were present was our first properly hybrid meeting. There were a number of constraints which we have recognised will make it very difficult and resource intensive to hold further meetings in that way in the near future. As Members will be aware, the meeting had to be held at the theatre, as our Council Chamber is not large enough to allow for a meeting to be held with appropriate social distancing. The theatre's Clwyd Room is not set up for us to hold meetings and so a technical solution, using Picturehouse was devised.
1.05	The Act requires that the Council should develop and publish its policy on which meetings will take place in person, remotely or as a hybrid and the rules that will apply to each. Entirely physical meetings are not permitted by the legislation: meetings must be livestreamed and capable to attending by remote means. We will need to develop our own 'multi -location meetings' policy before May 2022. That policy must recognise the benefits of holding remote meetings, as well as the benefits of holding hybrid meetings.
1.06	<p>The legislative requirements were partly a response to the Coronavirus restrictions and partly an opportunity to modernise meetings. The temporary regulations meant that meetings had to be held whilst people remained in their own homes, thus protecting them and reducing the potential Covid transmission rate. However, remote/hybrid meetings also:</p> <ul style="list-style-type: none"> • Make meetings more accessible to people, thus promoting potentially greater diversity amongst prospective and actual Council Members; • Reduce the carbon footprint of holding meetings, because the amount of travel required is drastically reduced (We, as a Council, are currently consulting on our Climate Strategy).

1.07	<p>The decision on our Multi-location meetings policy should not be made until the autumn of 2022. However, as an interim Multi-location Meetings policy, to cover from next May, the following is suggested :</p> <ul style="list-style-type: none"> • Annual Meeting of Council, currently scheduled for 24th May 2022, to be held as a hybrid, with Members attending remotely if they wish. (We must recognise that this meeting must be held partially physically, to allow the Chair of Council’s chain of office to be passed from the current incumbent to his successor as a visible sign of the passing of the role of Chair from one person to another, (this is a clear business need). We must also recognise that it may not be possible to hold this meeting in our own Council Chamber because of on-going Covid concerns.) • Ordinary Council meetings-will be predominantly remote, unless there is a clear business need for a physical presence, in which case a hybrid meeting will be required. • Special Council meetings: will take place by remote attendance, unless there is a clear business need for a physical presence, in which case a hybrid meeting will be required. • Cabinet: remote attendance, unless there is a clear business need for a physical presence, in which case a hybrid meeting will be required. • Overview & Scrutiny Committees: remote attendance, unless there is a clear business need for a physical presence, in which case a hybrid meeting will be required. • Governance & Audit Committee: remote attendance, unless there is a clear business need for a physical presence, in which case a hybrid meeting will be required. • Constitution & Democratic Services Committee: remote attendance, unless there is a clear business need for a physical presence, in which case a hybrid meeting will be required. • Planning Committee: remote attendance, unless there is a clear business need for a physical presence, in which case a hybrid meeting will be required. • Licensing Committee: remote attendance, unless there is a clear business need for a physical presence, in which case a hybrid meeting will be required.. • Standards: remote attendance, unless there is a clear business need for a physical presence, in which case a hybrid meeting will be required. • Licensing sub-committee: remote attendance, unless there is a clear business need for a physical presence, in which case a hybrid meeting will be required.
1.08	<p>Going forward, it may also be necessary to develop rules on who is able to attend meetings physically, bearing in mind the needs:</p> <p>For the Chair and Vice-chair of the meeting to be present, to reduce any complication caused by connectivity</p> <p>For certain officers to be present (as a minimum, the officer(s) advising the Chair on the conduct of the meeting and the Democratic Services and possibly IT team staff needed to run the meeting technically.)</p>

	For political balance to be maintained – it would not be desirable for all of those physically present to belong to the same political group.
1.09	All meetings of the Council, its Cabinet and its committees remain open to the public, except when a small range of items, laid down in statute, are being considered. Where hybrid meetings take place the date, time and place of the meeting will be published and the public will be entitled to attend the meeting in person. The access code for the meeting will also be made available.
1.10	<p>Members of the Public are able to attend meetings and having given the appropriate notice, are able to speak or ask a question. These are not compromised by a change to multi;-location meetings, just altered. For example, the current arrangements for public question time, as published on our website state:</p> <p>Public Question Time will begin at 2.00pm in the Council Chamber at County Hall, Mold and will last for 30 minutes.</p> <p>Questions are restricted to matters relating to Flintshire and/or the services provided by the Council.</p> <p>A person may only submit one question for consideration at any Public Question Time, but one supplementary question will be allowed in each case.</p> <p>Questions will not be accepted which relate to:-</p> <ul style="list-style-type: none"> • Judicial or quasi-judicial matters; • Matters under investigation • Individual planning, licence or grant applications or appeals; • Named officer or member of the Council; • Confidential or exempt information as described in the Access to information Procedure Rules or requires its disclosure • Party political matters; • Defamatory material • Substantially the same issue as a question put within the past 6 months. Questions will not be accepted from Member and Employees of the Council <p>Questions must be submitted in writing and received no later than 12 noon on the seventh day before Question Time</p>
1.11	Meetings may be held wholly or partly in private where they consider confidential or exempt information. The meeting must resolve to move into private session, and could, when considering exempt information, decide to consider the information in public provided that do to so would not breach our legal obligations (for example under data protection legislation).
1.12	<p>Members are assured that all of the current arrangements with regard to:</p> <ul style="list-style-type: none"> • giving notice of meetings,

	<ul style="list-style-type: none"> • production of agendas and reports and • the publication of Records of Decision. <p>will remain in place. They will, in due course, be incorporated into the final Multi-location Meetings policy when considered by the new Council.</p>
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2.00	RESOURCE IMPLICATIONS
2.01	None directly from this consultation report.

3.00	CONSULTATIONS REQUIRED / CARRIED OUT
3.01	This report initiates consultation.

4.00	RISK MANAGEMENT
4.01	Not applicable

5.00	APPENDICES
5.01	None

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	<p>None, other than legislation.</p> <p>Contact Officer: Robert Robins, Head of Democratic Services Telephone: 01352 702320 Email: robert.robins@flintshire.gov.uk</p>

7.00	GLOSSARY OF TERMS
7.01	<p>Remote attendance Meetings – RAM where all participants and observers are connected by a software platform. No one is ‘physically present at the meeting.</p> <p>Multi-location Meetings: the term now widely used to describe both RAM and hybrid meetings.</p> <p>Hybrid Meetings - where some people are physically present, but others contribute remotely</p>

Mae'r dudalen hon yn wag yn bwrpasol

Eitem ar gyfer y Rhaglen 7



CONSTITUTION & DEMOCRATIC SERVICES COMMITTEE

Date of Meeting	Wednesday, 17 th November 2021
Report Subject	Declaration and Disposal of Land Surplus to Requirements
Report Author	Chief Officer Governance

EXECUTIVE SUMMARY

From time to time the Council will decide that it no longer requires a piece of land, and will categorise it as “surplus to requirements”. Such land is sold generating receipts that fund the capital programme.

It is important that the decision making process for doing this includes consultation with the relevant parties, especially where the property currently forms part of the education estate.

The process is not currently documented and it is proposed that a short process be included within the Constitution for clarity and transparency.

RECOMMENDATIONS

1	That the proposed process for declaring and disposing of land that is surplus to requirements be included within the Constitution.
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REPORT DETAILS

1.00	EXPLAINING THE PROCESS FOR DECLARING LAND SURPLUS TO REQUIREMENTS
1.01	The Council will, from time to time, find that it no longer has a use for a particular piece of land, in which case it is declared “surplus to requirements”. Such land, when sold, generates capital receipts that fund the Council’s capital programme. However, it is important that in reaching the decision to sell land that the relevant parties are consulted especially where the land forms part of the education estate (possibly part of a school campus).
1.02	The process for deciding whether land is surplus to requirements is not currently documented. For the sake of greater clarity and transparency it

	is proposed that the process should be documented and included within the Constitution. It will be included as part of the delegated authority that previously pertained to the Chief Officer (Housing and Assets) and which will, in future, be delegated to the new post of Corporate Manager, Capital Programmes and Assets.
1.03	<p>The proposed process for declaring land surplus to requirements is as follows:</p> <p><u>Declaration that Land/Property is Surplus to Requirements</u></p> <p>It is for the service occupying the land/property to formally declare it surplus via the following process:</p> <ul style="list-style-type: none"> • The relevant Chief Officer and Portfolio Member to complete a delegated report. In instances where the asset concerned were/are occupied by a school then the report must state that the school's Governing Body has been consulted and confirm the outcome of that consultation within the report. • The proposal must be supported by the Capital and Asset Programme Board. • The asset will then transfer to the Valuation and Estates service. A revenue budget to cover any residual running costs for the first twelve months shall also be transferred the sum agreed in advance and noted within the report.
1.04	Once declared as surplus the land will be available for sale at a time judged to be most opportune by the Valuation and Estates Service, taking into account such factors as demand, land values etc. The Constitution already contains a separate approval process to actually authorise the sale of a particular piece of land that includes the Council's valuer, consultation with local Member(s) and approval by Cabinet (for land above a certain value). That process was reviewed and approved by this Committee within the last few years to strengthen consultation with the local Member(s).

2.00	RESOURCE IMPLICATIONS
2.01	None arising from issues within this report.

3.00	CONSULTATIONS REQUIRED / CARRIED OUT
3.01	Not required.

4.00	RISK MANAGEMENT
4.01	Not applicable at this stage.

5.00	APPENDICES
5.01	None

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	<p>None</p> <p>Contact Officer: Gareth Owens, Chief Officer Governance Telephone: 01352 702344 E-mail: gareth.legal@flintshire.gov.uk</p>

7.00	GLOSSARY OF TERMS
7.01	None.

Mae'r dudalen hon yn wag yn bwrpasol