

Pecyn Dogfen Gyhoeddus

Gareth Owens LL.B Barrister/Bargyfreithiwr

Chief Officer (Governance)

Prif Swyddog (Llywodraethu)



Swyddog Cyswllt:
Jan Kelly / 01352 702301
janet.kelly@flintshire.gov.uk

At: Cyng Rob Davies (Cadeirydd)

Y Cynghorwyr: Gillian Brockley, Steve Copple, Jean Davies, Ian Hodge, Alasdair Ibbotson, Paul Johnson, Gina Maddison, Roz Mansell, Ted Palmer, Andrew Parkhurst, Michelle Perfect, Vicky Perfect, Linda Thew, Arnold Woolley a Antony Wren

Dydd Iau, 2 Tachwedd 2023

Annwyl Gynghorydd,

RHYBUDD O GYFARFOD RHITHIOL
PWYLLGOR Y CYFANSODDIAD A GWASANAETHAU DEMOCRATAIDD
DYDD MERCHER, 8FED TACHWEDD, 2023 2.00 PM

Yn gywir

Steven Goodrum
Rheolwr Gwasanaethau Democraidd

Bydd y cyfarfod yn cael ei ffrydio'n fyw ar wefan y Cyngor. Bydd y ffrydio byw yn dod i ben pan fydd unrhyw eitemau cyfrinachol yn cael eu hystyried. 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 Democraidd 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 3 - 6)

Pwrpas: I gadarnhau, fel cofnod cywir gofnodion y cyfarfod ar 28 Medi 2023.

4 RHAGLEN GWAITH I'R DYFODOL (Tudalennau 7 - 12)

Pwrpas: Cytuno ar eitemau o fusnesau i gael eu trafod mewn cyfarfodydd yn y dyfodol.

5 ADRODDIAD BLYNYDDOL DRAFFT PANEL ANNIBYNNOL CYMRU AR GYDNABYDDIAETH ARIANNOL (IRPW) 2024/25 (Tudalennau 13 - 58)

Pwrpas: Cael yr Adroddiad Blynyddol Drafft ar gyfer 2024/2025.

6 CARTREFI GOFAL PRESWYL (Tudalennau 59 - 66)

Pwrpas: I ddiweddarau Aelodau o'r camau gweithredu hyd yma yn dilyn Rhybudd o Gynnig yn ymwneud â thrwyddedu cartrefi symudol preswyl.

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

Eitem ar gyfer y Rhaglen 3

CONSTITUTION AND DEMOCRATIC SERVICES COMMITTEE **28 SEPTEMBER 2023**

Minutes of the Constitution and Democratic Services Committee of Flintshire County Council held as a remote attendance meeting on Thursday, 28 September 2023.

PRESENT: Councillor Rob Davies (Chairman)

Councillors: Ian Hodge, Alasdair Ibbotson, Paul Johnson, Gina Maddison, Roz Mansell, Ted Palmer, Andrew Parkhurst, Michelle Perfect, Vicky Perfect, Linda Thew, Arnold Woolley and Antony Wren

SUBSTITUTIONS: Councillor Carolyn Preece for Councillor Gillian Brockley and Councillor Debbie Owen for Councillor Steve Copple

IN ATTENDANCE: Chief Officer (Governance), Democratic Services Manager and Democratic Services Officer

9. DECLARATIONS OF INTEREST

There were no declarations of interest.

10. MINUTES

The minutes of the meeting held on 13 June 2023 were submitted. The minutes were approved as a correct record as moved and seconded by Councillors Paul Johnson and Ian Hodge.

RESOLVED:

That the minutes be approved as a correct record.

11. BRIEFINGS FOR MEMBERS

The Democratic Services Manager presented the report to agree how to use the "reserved dates" for full Council (as listed in section 1.03 of the report), if not required by the Council for a meeting, to deliver targeted developmental sessions for Members. He provided background information and referred to the main points as detailed in the report.

The Chair asked that training on Planning be provided for non-Committee members as soon as possible. Councillor Andrew Parkhurst asked that training on Section 106 Agreements also be included. The Democratic Services Manager agreed to contact the Chief Officer (Planning, Environment and Economy) to progress the request.

Councillor Alasdair Ibbotson asked what were the resource implications for current training to be provided by external bodies. The Democratic Services Manager explained that at present there were no external courses which required funding.

Councillor Carolyn Preece commented on the suggestion of training on rights and responsibilities under the Equality Act 2010 and more broadly the Social Model of Disability, and proposed that training on the Equality and Diversity Act 2020 also be included. She also suggested that training on Data Protection and Safeguarding be added to the training programme.

In response to further questions and comments the Democratic Services Manager provided an update on the training provided on Safeguarding and Corporate Parenting.

Councillor Paul Johnson spoke in support of the courses provided by the WLGA which gave an overview of how other local authorities operated. He also suggested that training on maintaining a Healthy Work/Life Balance be included on the training programme.

Councillor Gina Maddison asked that advice/training be provided on the ethical use of Social Media. The Democratic Services Manager advised that this would be included in the training on Communications which was currently being developed for Members.

It was agreed that the Democratic Services Manager would circulate a draft Development Plan 2023 which included the suggested additional topics put forward during the meeting.

RESOLVED:

- (a) That the proposed content for inclusion on the Councillor Development Plan which was appended to the report be approved; and
- (b) That the Democratic Services Manager circulates a draft Development Plan 2023 which includes the additional topics suggested during the meeting.

12. ROLLING REVIEW OF THE EMPLOYEES CODE OF CONDUCT

The Chief Officer (Governance) presented the report. He provided background information and advised that the Standards Committee had recently reviewed the Employees Code of Conduct and recommended changes. The changes were shown in Appendix 1 as tracked changes and Appendix 2 as a “clean version”. The Chief Officer reported on the key points as detailed in the report.

Councillor Alasdair Ibbotson referred to Appendix 1, section 2.3, regarding Contract Procedure Rules, and expressed concern that there was a lack of reference in section 8 to Contract Procedure Rules. He proposed that a reference to “complying with all the procedures set out in Section 8 of the Employees Code of Conduct” be included in Section 2.3. He also suggested that the same reference be applied to section 5.4. The proposal was seconded by Councillor Ted Palmer and when put to the vote was carried.

The Chief Officer provided explanation in response to the further questions and comments raised by Councillor Ibbotson concerning the request in Section 8.9 that Chief Officers and those Managers reporting directly to them, and employees with delegated powers, will be asked to voluntarily register their membership of all clubs, societies, and organisations.

Councillor Paul Johnson referred to section 2.5 - employees in contractor or client units must exercise fairness and impartiality when dealing with all customers, suppliers, other contractors and sub-contractors. and sought clarification on the requirements of 'impartiality' and 'fairness'. The Chief Officer provided explanation and commented on the wide range of considerations which were dependent on the circumstances or function.

RESOLVED:

That subject to the additional amendment above the Committee recommends the proposed changes to Full Council for adoption.

13. MEMBERS OF THE PUBLIC AND PRESS IN ATTENDANCE

There were no members of the press or public present.

(The meeting started at 2.00 pm and ended at 2.45 pm)

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Chairman

Mae'r dudalen hon yn wag yn bwrpasol

Eitem ar gyfer y Rhaglen 4



CONSTITUTION AND DEMOCRATIC SERVICES COMMITTEE

Date of Meeting	Thursday, Wednesday 8 November 2023
Report Subject	Forward Work Programme
Report Author	Democratic Services Manager

EXECUTIVE SUMMARY

The Constitution & Democratic Services Committee fulfils a dual role within the Council. It undertakes the detailed consideration of changes to the constitution ahead of recommendation to Council for adoption and it fulfils the role of the statutory role of democratic services Committee with responsibility for examining the support provided to Councillors.

Having a Forward Work Programme presents an opportunity for Members of the Committee to formulate and influence the future work of the Committee. An effective Forward Work Programme will ensure it is Member-led and includes the right issues.

A copy of the draft Forward Work Programme is attached at Appendix 1 for Members' consideration which has been recently updated.

The Committee is asked to consider, and amend where necessary, the Forward Work Programme for the Constitution & Democratic Services Committee.

RECOMMENDATIONS

1	That the Committee considers the draft Forward Work Programme and approve/amend as necessary.
2	That the Democratic Services Manager, in consultation with the Chair of the Committee be authorised to vary the Forward Work Programme between meetings, as the need arises.

REPORT DETAILS

1.00	EXPLAINING THE FORWARD WORK PROGRAMME
1.01	The work of the Committee can be defined as having two main areas of responsibility.
1.02	The first is the detailed consideration of proposed changes to the constitution prior to them being reported to Council for adoption.
1.03	The second is a statutory role oversee the role of the Head of Democratic Services to support (non-executive) members and promote scrutiny.
1.04	Items feed into a Committee's Forward Work Programme from a number of sources, but will broadly cover: <ol style="list-style-type: none">1) Reviewing the programme of training and development of Members.2) Considering recommendations from the Independent Remuneration Panel for Wales.3) Issues pertaining to the support of Members in carrying out their duties, for example: adoption of parental leave rules, supply of equipment etc.4) Co-ordination of the work programmes of the five Overview and Scrutiny Committees (this is a nominal role only and has not been needed in recent years).
1.05	Members can also suggest topics for consideration by the Committee. Items can also be referred to the Committee by the Cabinet for consultation purposes, or by County Council or Chief Officers.
1.06	In identifying topics for future consideration, it is useful for a 'test of significance' to be applied. This can be achieved by asking a range of questions as follows: <ol style="list-style-type: none">1. Will the review contribute to the Council's priorities and/or objectives?2. Is it an area of major change or risk?3. Are there issues of concern in performance?4. Is there new Government guidance of legislation?5. Is it prompted by the work carried out by Regulators/Internal Audit?6. Is the issue of public or Member concern?

2.00	RESOURCE IMPLICATIONS
2.01	None as a result of this report.

3.00	CONSULTATIONS REQUIRED / CARRIED OUT
3.01	Publication of this report constitutes consultation.

4.00	RISK MANAGEMENT
4.01	None as a result of this report.

5.00	APPENDICES
5.01	Appendix 1 – Draft Forward Work Programme

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	<p>The Flintshire County Council Constitution</p> <p>The Independent Remuneration for Wales: annual report for 2023 to 2024</p> <p>Contact Officer: Steven Goodrum, Democratic Service Manager Telephone: 01352 702320 E-mail: steven.goodrum@flintshire.gov.uk</p>

7.00	GLOSSARY OF TERMS
7.01	Independent Remuneration Panel for Wales - the independent body that is responsible for determining the level of payments to elected members of Councils, National Park Authorities and Fire and Rescue Authorities in Wales.

Mae'r dudalen hon yn wag yn bwrpasol

CONSTITUTION & DEMOCRATIC SERVICES COMMITTEE FORWARD WORK PROGRAMME
PROPOSED FWP

Date of meeting	Subject	Purpose of Report	Report Author
<p style="text-align: center;">Tudalen 11</p> <p>Wednesday 24th January 2024 at 2pm</p>	<p>Member Workshops, Briefings and Seminars Update</p>	<p>For the committee to receive a progress report on the Member Development and Engagement events which have taken place or are scheduled. The report will provide details of events which have been held since the last meeting and also outline any that are planned.</p>	<p>Democratic Services Manager</p>
	<p>Update on Statutory and Non-Statutory Guidance for Principal Councils in Wales – supporting provisions within the Local Government Act 2000, the Local Government (Wales) Measure 2011 and the Local Government and Elections (Wales) Act 2021.</p>	<p>To provide Members with an update on the implementation of the measures outlined in the <i>Statutory and Non-Statutory Guidance for Principal Councils in Wales</i> document.</p>	<p>Democratic Services Manager</p>
	<p>Multi-location Meetings</p>	<p>To provide Members with an update from the working group that was set up to review and update the ‘interim Multi-Location Meeting Policy’ and explore the implications of any changes.</p>	<p>Democratic Services Manager</p>
<p>Wednesday 20th March 2024 at 2pm</p>	<p>Independent Remuneration Panel for Wales (IRPW) Annual</p>	<p>To provide Members with details of the final published Annual report from the IRPW and the implications of such for consideration.</p>	<p>Democratic Services Manager</p>

CONSTITUTION & DEMOCRATIC SERVICES COMMITTEE FORWARD WORK PROGRAMME

	Report		
	Annual Review of the Code of Corporate Governance	The Code of Corporate Governance forms part of the Constitution. It is reviewed and updated annually to ensure it is up to date and complies with all relevant legislation and other requirements.	TBC
	Member Workshops, Briefings and Seminars Update	For the committee to receive a progress report on the Member Development and Engagement events which have taken place or are scheduled. The report will provide details of events which have been held since the last meeting and also outline any that are planned.	Democratic Services Manager
Tuesday 11th June 2024 at 2pm Calendar 12	Member Workshops, Briefings and Seminars Update	For the committee to receive a progress report on the Member Development and Engagement events which have taken place or are scheduled. The report will provide details of events which have been held since the last meeting and also outline any that are planned.	Democratic Services Manager
	Overview & Scrutiny Annual Report	The Overview & Scrutiny Annual Report is drafted in consultation with the relevant Committee Chairs. The draft is then submitted to this committee for Member comment 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.	Democratic Services Manager

Eitem ar gyfer y Rhaglen 5



CONSTITUTION & DEMOCRATIC SERVICES COMMITTEE

Date of Meeting	Wednesday, 8 November 2023
Report Subject	Independent Remuneration Panel for Wales (IRPW) draft Annual Report 2024/2025
Report Author	Democratic Services Manager

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.

The IRPW issue a draft Annual Report in October/November each year. This year, it did so on the 13 October 2023, requesting comments on the report and accompanying consultation to be made by no later than the 8 December 2023.

The IRPW is then required to take into account any representations which it receives on the draft report before issuing its final version of the report in February.

In its annual report 2022/23, the IRPW reset the basic salary for elected members of principal councils to align with the 2020 Annual Survey of Hours and Earnings (ASHE), based on a full-time equivalent of 3 days a week. They have retained the link between basic salary of councillors and the average salaries of their constituents, according to ASHE.

The IRPW has proposed the basic salary for elected members of principal Councils in 2024/25 shall be £18,666 with effect from 1st April 2024. Increases are also proposed for Cabinet Members, Council Leaders and their deputies, and Chairs of Committees where remunerated.

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 2024/25.
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2	That the Head of Democratic Services be authorised to make a response on behalf of the Council, reflecting the decision and comments made at the meeting, to the Independent Remuneration Panel for Wales.
3	That the Head of Democratic Services issue Question 4 of the consultation document to all elected Members and co-opted members for them to respond to individually.

REPORT DETAILS

1.00	DETAILING THE DRAFT ANNUAL REPORT OF THE INDEPENDENT REMUNERATION PANEL FOR WALES (IRPW) 2024/25																
1.01	Members will be aware that the IRPW produces a report on an annual basis, which sets out what it has decided (called Determinations) the rates of payment to Members and co-optees of Local Authorities in Wales for the following year should be.																
1.02	In their report (which is attached as appendix 1), the Panel states that in setting the levels of remuneration etc. they have focussed on “ <i>affordability, payments made to co-opted members and reporting requirements for Community and Town Councils.</i> ”.																
1.03	<p>After reviewing the evidence and data that the Panel use when making their determinations, they have confirmed that they will continue to align levels of remuneration with the Annual Survey of Hours and Earnings (ASHE) published by the Office of National Statistics.</p> <p>The Panel continue to base the basic Members salary on the full-time equivalent of 3 days a week. Payments to Cabinet Members, including the Leader and any Deputy/ies are based on the full-time equivalent of 5 days a week.</p> <p>The table below shows the 2023 IRPW determined salary levels and the proposed levels for 2024.</p> <p>All salaries include the basic Member salary. (Determinations 1 and 2)</p> <table border="1"> <thead> <tr> <th>Position</th> <th>Current, 2023 IRPW Determination</th> <th>Proposed, 2024 IRPW Determination</th> <th>Amount of proposed increase</th> </tr> </thead> <tbody> <tr> <td>Member of Council</td> <td>£17,600</td> <td>£18,666</td> <td>£1,066</td> </tr> <tr> <td>Committee Chair (where remunerated)</td> <td>£26,400</td> <td>£27,999</td> <td>£1,599</td> </tr> <tr> <td>Leader of largest Opposition Party</td> <td>£26,400</td> <td>£27,999</td> <td>£1,599</td> </tr> </tbody> </table>	Position	Current, 2023 IRPW Determination	Proposed, 2024 IRPW Determination	Amount of proposed increase	Member of Council	£17,600	£18,666	£1,066	Committee Chair (where remunerated)	£26,400	£27,999	£1,599	Leader of largest Opposition Party	£26,400	£27,999	£1,599
Position	Current, 2023 IRPW Determination	Proposed, 2024 IRPW Determination	Amount of proposed increase														
Member of Council	£17,600	£18,666	£1,066														
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Leader of largest Opposition Party	£26,400	£27,999	£1,599														

	Chair of Council	£26,400	£27,999	£1,599																				
	Vice-Chair of Council	£21,340	£22,406	£1,066																				
	Cabinet Member	£35,640	£37,799	£2,159																				
	Deputy Leader	£41,580	£44,099	£2,519																				
	Leader	£59,400	£62,998	£3,598																				
	Presiding Member*	£26,400	£27,999	£1,599																				
	Deputy Presiding Member*	£17,600	£18,666	£1,066																				
	<p>These increases will apply from 1st April 2024, and equate to an uplift of 6.05%.</p> <p>* - Flintshire County Council doesn't have either of these posts.</p>																							
1.04	Determination 3 relates to Salaries for Joint Overview and Scrutiny Committees which do not currently apply to Flintshire.																							
1.05	<p>Determination 4 relates to National Park Authorities and Fire & Rescue Authorities. National Park Authorities do not apply to Flintshire.</p> <p>The changes to payments to Fire & Rescue Authorities are shown in the table below:</p> <table border="1"> <thead> <tr> <th>Position</th> <th>Current, 2023 IRPW Determination</th> <th>Proposed, 2024 IRPW Determination</th> <th>Amount of proposed increase</th> </tr> </thead> <tbody> <tr> <td>Member</td> <td>£2,482</td> <td>£2,632</td> <td>£150</td> </tr> <tr> <td>Chair</td> <td>£11,282</td> <td>£11,965</td> <td>£683</td> </tr> <tr> <td>Vice-Chair</td> <td>£6,222</td> <td>£6,372</td> <td>£150</td> </tr> <tr> <td>Committee Chair</td> <td>£6,222</td> <td>£6,372</td> <td>£150</td> </tr> </tbody> </table> <p>Flintshire nominates 6 members of the North Wales Fire & Rescue Authority.</p>				Position	Current, 2023 IRPW Determination	Proposed, 2024 IRPW Determination	Amount of proposed increase	Member	£2,482	£2,632	£150	Chair	£11,282	£11,965	£683	Vice-Chair	£6,222	£6,372	£150	Committee Chair	£6,222	£6,372	£150
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Committee Chair	£6,222	£6,372	£150																					
1.06	<p>Determination 5 details payments to co-opted members of Principal Councils, National Park Authorities and Fire and Rescue Authorities.</p> <p>Currently co-opted members receive either a half-day or full-day payment for work they undertake for the committees they sit on. The Panel are proposing that in addition to these payments, an hourly rate payment for co-opted members is to be introduced from April 2024. Which rate to use is to be determined by the 'local relevant officer'.</p> <p>Payments to co-opted members are shown in the table below:</p>																							

	Role	Hourly rate payment	Up to 4 hours payment rate	4 hours and over payment rate
	Chairs of standards, and audit committees	£33.50	£134	£268
	Ordinary Members of Standards Committees who also chair Standards Committees for Community and Town Councils	£29.75	£119	£238
	Ordinary Members of Standards Committees; Education Scrutiny Committee; Crime and Disorder Scrutiny Committee and Audit Committee	£26.25	£105	£210
	Community and Town Councillors sitting on Principal Council Standards Committees	£26.25	£105	£210
1.07	Determinations 6 to 8 relate to Community and Town Councils.			
1.08	<p>All of the other determinations made for 2023-24 will remain the same and therefore be applied to 2024-25. These cover:</p> <ul style="list-style-type: none"> • Contributions towards costs of care and personal assistance; • Reimbursement of Travel and subsistence costs; • Compensation for financial loss; and, • Restrictions on receiving double remuneration where a member holds more than one post. 			
1.09	As with each draft Annual Report, the Panel are seeking feedback on the content of the report. A copy of the consultation questions is included as Appendix 2. For ease of reference, the questions are listed in paragraph 1.10 below.			

1.10	<p>Q1 – Do you think that the Panel has struck the right balance between affordability and adequate remuneration for representatives? If not, do you have other suggestions?</p> <p>Q2 – Do you agree with the Panels proposal in relation to co-opted members of committees? If not, do you have any suggested alternatives?</p> <p>Q3 – Do you have any examples of good practice or other ideas of ways in which we might use our powers to encourage more sustainable travel among members?</p> <p>Q4 – This question is seeking individual Member responses. See paragraph 1.11.</p> <p>Q5 – This question relates specifically to Community and Town Councils so does not apply.</p> <p>Q6 – Do you agree that figures for travel and subsistence expenses of members of principal councils should be published as a global total rather than individually?</p>
1.11	<p>Question 4 of the consultation is seeking to establish whether individual Members are aware of the payments they are entitled to.</p> <p>It would not therefore be appropriate for this Committee to provide an answer on behalf of all elected Members and co-opted members of committees.</p> <p>It is proposed that the Democratic Services Manager issues this question to all elected Members and the co-opted members. This could take the form of an anonymous survey, or they could be asked to provide an individual response direct to the IRPW.</p>
1.12	<p>The Committee is therefore invited to consider, and comment on the Independent Remuneration Panel for Wales Draft Annual Report and its Determinations for 2024, and to provide comments for inclusion in the response to the consultation. The consultation period ends on 8 December 2023.</p>

2.00	RESOURCE IMPLICATIONS
2.01	<p>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).</p> <p>If all of the increases are accepted as per the IRPW report, there will be a budget increase of £88,921 for 2024-25.</p>

3.00	CONSULTATIONS REQUIRED / CARRIED OUT
3.01	The IRPW are consulting about their proposals and Members have the opportunity to feedback their views.

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 – Draft Annual Report 2024 Appendix 2 - Independent Remuneration Panel for Wales – Draft Annual Report 2024 – consultation questions

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: Steven Goodrum, Democratic Services Manager Telephone: 01352 702320 E-mail: Steven.Goodrum@flintshire.gov.uk

7.00	GLOSSARY OF TERMS
7.01	<ul style="list-style-type: none"> • Independent Remuneration Panel for Wales (IRPW) – body established by the Welsh Government to determine the level of Local Authority payments to Members. • Determinations - the decisions which the IRPW makes. • Basic Salary – the salary or allowance which the IRPW determines should be paid to each Member of the Council which for 2024/25 is £18,666. • 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). • Civic Salaries – these are the payments made to the Chair and Vice Chair of Council of paid. • Co-opted member – a person chosen by the Council to serve on one of its Member Bodies



Independent Remuneration Panel for Wales

Annual Report

DRAFT

October 2023

Contents

Foreword

Introduction

Role and responsibilities of the Panel

Methodology

Deliberations and determinations for 2024 to 2025

Summary of Determinations 2024 to 2025

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Tudalen 20

Foreword

Welcome to the draft report of the Independent Remuneration Panel for Wales, setting out our proposals on pay, expenses and benefits for elected members of Principal Councils, Town and Community Councils, National Park Authorities and Fire and Rescue Authorities for implementation from April 2024.

This has been a year of change for the Panel, with 1 longstanding member leaving us and the appointment of 2 new members. I would like to thank Helen Wilkinson for her contribution over the years to the Panel and wish her well for the future.

Last year we were down to only 3, which is the minimum for a Panel meeting to be quorate. Earlier this year we were able to appoint 2 new members to bring our current complement up to 5. I welcome Dianne Bevan and Kate Watkins to the Panel and thank Saz Willey, Vice Chair, and Bev Smith for their continued contribution throughout the year. You can find out more about our Panel members on our website.

The Local Government (Wales) Measure 2011, Part 8 (The Measure), which gives the statutory authority for the Panel's work, allows the appointment of a minimum of 3 and up to 7 members.

This draft annual report is now issued for consultation. We have again put forward a set of specific questions where we would welcome your feedback. We welcome any additional comments either on the detail of the proposed Determinations or on other relevant areas you think the Panel should consider.

The Consultation period ends on 8 December and after deliberating on your feedback, and taking cognisance of any change in circumstances, the Panel will issue its final Determinations and annual report by the 28 February 2024.

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Frances Duffy

Chair

Panel Membership

- Saz Willey, Vice Chair
- Bev Smith
- Dianne Bevan
- Kate Watkins

Detailed information about the members, our strategic plan, our deliberations and supporting research and evidence can be found on the [Panel website](#).

Introduction

This year we published our first strategic plan. This covers the period from 2023 until 2025 and sets the framework for our deliberations and wider context for our decisions. The key elements are set out below under Roles and Responsibilities of the Panel.

With a strengthened Panel, we were able to focus on building our research and evidence plan to support our discussions on our remuneration framework. Our evidence plan will be published on our website inline with our aim to be open and transparent in all our decision making.

Our goal continues to be to ensure that levels of remuneration are fair and reasonable. We agreed to continue to align levels of remuneration for elected members of Principal Councils, National Park and Fire and Rescue Authorities within the context of average Welsh earnings. This has meant using the Annual

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Tudalen 22

Survey of Hours and Earnings within Wales (ASHE) published by Office for National Statistics (ONS) as the main benchmark for setting remuneration.

The Measure states that “the Panel must take into account what it considers will be the likely financial impact on relevant authorities” of its decisions. The Panel considered evidence on public sector finances and the impact on Principal Authorities’ budgets. Whilst the total cost of remuneration for elected members is relatively low in terms of overall budgets, the Panel were mindful of the heightened economic and fiscal strain on Principal Councils.

In reaching our decision to continue the link between elected members remuneration and the average earnings of their constituents, the Panel remain of the view that a fair and reasonable remuneration package will continue to support elected members and not act as a barrier to participation. This is an important principle, underpinning our considerations on appropriate remuneration.

In line with our commitment to simplifying reporting and compliance, the Panel this year looked at the reporting requirements for Community and Town Council. We continue to receive queries regarding the PAYE treatment of the mandatory allowance for working from home (£156 per annum) and the option of a flat rate of £52 a year for consumables. We will update our guidance on this issue which should ensure clarity for local clerks.

We are also mindful of a continuing, albeit reducing, number of Community and Town councillors who decide to forego all or part of their entitlement. We strongly believe that councillors should be reimbursed for some of the expenses they necessarily incur whilst carrying out their duties.

Currently each council must annually report to the Panel, and publish on its website, the details and names of each councillor in receipt of any expenses. In previous years we agreed that in respect of costs of care and personal assistance allowances, it would be inappropriate to name individual councillors,

and that it would be sufficient to simply list the total amounts paid and the total number of recipients.

The Panel feels that it would be appropriate to extend this to the mandatory payment for working from home, the flat rate consumables allowance and travel and subsistence claims. This will give the right balance between public accountability and individual privacy, and we hope will encourage all to accept the payments they are entitled to.

We will therefore provide a new template report for use from September 2024 and will continue to monitor the level of payments made.

The final area that the Panel considered this year, was the method of calculating payments made to co-opted members of Principal Councils, National Park and Fire and Rescue Authorities.

Following feedback on last year's annual report and queries raised through the year by some co-opted members and by several Heads of Democratic Services, the Panel took evidence from the correspondents on the impact of both the increase in numbers of co-opted members and the changing nature of working patterns. This showed that the current arrangement of either a half day rate for anything up to 4 hours and a full day rate for anything over, was insufficiently flexible to reflect the patterns of working now more normally in place, mainly due to more online or hybrid working.

The Panel therefore proposes that the local relevant officer should have the flexibility to decide when it will be appropriate to apply a day or a half day rate and when to use an hourly rate where it is sensible to aggregate a number of short meetings.

The Panel is aware of feedback that our website can be difficult to navigate and that finding the right Determination to deal with a specific issue is not always straightforward, especially for new elected members or officials. We will

therefore update the links on the website and created a new link to a page setting out all the current Determinations that should be applied. It will be updated every year when the final annual report is issued, and we hope this will be easier to navigate than having to refer to every year's report.

We are also reviewing our guidance (previously called the Regulations) and frequently asked questions pages.

Role and responsibilities of the Panel

Our Role

The Panel is responsible for setting the levels and arrangements for the remuneration of elected and co-opted members of the following organisations:

- Principal Councils: County and County Borough Councils
- Community and Town Councils
- National Park Authorities
- Fire and Rescue Authorities
- Joint Overview Scrutiny Committees
- Corporate Joint Committees

The Panel is an independent organisation and the organisations listed above are required, by law, to implement the decisions it makes.

We make determinations on:

- the salary structure within which members are remunerated
- the type and nature of allowances to be paid to members
- whether payments are mandatory or allow a level of local flexibility
- arrangements in respect of family absence

- arrangements for monitoring compliance with the Panel's decisions

Our aim

- supporting local democracy and giving communities their voice, through setting up an appropriate and fair remuneration framework, which encourages inclusion and participation

Our goals

- our determinations should ensure that levels of remuneration are fair, reasonable, represent value for money for the taxpayer, and are set within the context of Welsh earnings and the wider financial circumstances of Wales
- our Determinations should support elected members from a diverse range of backgrounds, and levels of remuneration should not act as a barrier to participation

Our strategic objectives

- to make evidence, based Determinations
- to use clear and accessible communications
- to proactively engage and consult
- to simplify compliance and reporting
- to work collaboratively

The Panel

- Frances Duffy (Chair)

- Saz Willey (Vice Chair)
- Dianne Bevan (Member)
- Bev Smith (Member)
- Kate Watkins (Member)

Further information on Panel members can be found on the [Panel's website](#).

Methodology

As set out in our strategic objectives the Panel has committed to making evidence-based decisions. This year we prepared an evidence and research paper to pull together the various sources of information that the Panel considered in making its draft Determinations. This provided a wide range of data, evidence and contextual factors to inform the Panel's decision-making process in relation to its Determinations for the 2024 to 2025 financial year. This included:

- data on average UK and Wales weekly earnings, including ASHE the Annual Survey of Hours and Earnings
- annual CPIH and CPI inflation rates
- benchmarks, including councillor remuneration in Scotland
- research on councillor workload, views and attitudes to remuneration and diversity (Welsh Government)
- findings of Senedd Cymru Equality, Local Government and Communities Committee (2019)
- data collected on the take up of remuneration and benefits packages by councillors
- data on local authority finances

The full set of evidence and research considered, will be published on our [website](#).

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The Panel engaged directly with key stakeholder representative groups including the Welsh Local Government Association and its Heads of Democratic Services committee, One Voice Wales, the Society for Local Council Clerks and North and Mid Wales Association of Local Councils. These discussions provide an opportunity for the Panel to explore views about existing arrangements, the impact decisions are having on individuals, how the arrangements are operating in practice and any issues or concerns individuals wish to raise. It also provides an opportunity for discussion about emerging situations which the Panel may need to consider in respect of its decision making.

The Panel helped facilitate sessions at the Welsh Government's "Diversity in Democracy" events earlier this year. This gave us the opportunity to hear the direct experiences of a range of elected members, prospective candidates and organisations working to broaden representation in local government. We have drawn on that information to inform this report and to explore areas for future consideration.

This year this focused on 3 main issue, affordability, payments made to co-opted members and reporting requirements for Community and Town Councils. The Panel would like to thank all those that contributed to our deliberations either directly or through feedback and questions on our last report.

The Panels' proposals will now be consulted on and following consideration of views received in response to this consultation the Panel will make its final determinations and issue the 2024 to 2025 final report, in February 2024.

Deliberations and determinations for 2024 to 2025

Basic salary for elected members of principal councils: Determination 1

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 t3 days a week. The Panel regularly reviews this time commitment, and no changes are proposed for 2024 to 2025.

The Panel is fully aware of the current constraints on public funding and the impact its decisions will have on the budgets of Principal Authorities. The Panel is also mindful of our aims and objectives to provide a fair and reasonable remuneration package to support elected members and to encourage diversity of representation.

The Panel also noted that in previous electoral cycles, the remuneration of councillors fell far behind the key benchmark of Average Hourly Earnings in Wales (ASHE) and a significant uplift was therefore required in 2022.

The Panel has therefore determined that for the financial year 1 April 2024 to 31 March 2025 it is right to retain the link between the basic salary of councillors and the average salaries of their constituents. The basic salary will be aligned with three fifths of all Wales 2022 ASHE, the latest figure available at drafting. This will be £18,666.

Salaries paid to Senior, Civic and Presiding members of principal councils: Determination 2

The limit on the number of senior salaries payable (“the cap”) will remain in place.

All senior salaries include the basic salary payment. The different levels of additional responsibility of and between each role is recognised in a banded framework. No changes to banding are proposed this year.

The basic pay element will be uplifted in line with ASHE and this uplift will also apply to the role element of Bands 1, 2, 3 and 4. Where a Band 5 is paid, there is no increase to the role element as this remains temporarily frozen. The increase in the basic salary will apply.

The salary of a leader of the largest (Group A) council will therefore be £69,998. All other payments have been decided in reference to this and are set out in Table 1.

Group A

- Cardiff
- Rhondda Cynon Taf
- Swansea

Table 1: salaries payable to basic, senior, civic and presiding members of principal councils (Group A)

Description	Amount
Basic salary	£18,666
Band 1 Leader	£69,998
Band 1 Deputy Leader	£48,999
Band 2 Executive Members	£41,999
Band 3 Committee Chairs (if paid)	£27,999
Band 4 Leader of the largest opposition group	£27,999
Band 5 Leader of other political groups (if paid)	£22,406
Civic Head (if paid)	£27,999
Deputy Civic Head (if paid)	£22,406
Presiding Member (if paid)	£27,999
Deputy Presiding Member (basic only)	£18,666

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Group B

- Bridgend
- Caerphilly
- Carmarthenshire
- Conwy
- Flintshire
- Gwynedd
- Newport
- Neath Port Talbot
- Pembrokeshire
- Powys
- Vale of Glamorgan
- Wrexham

Table 1: salaries payable to basic, senior, civic and presiding members of principal councils Group B

Description	Amount
Basic salary	£18,666
Band 1 Leader	£62,998
Band 1 Deputy Leader	£44,099
Band 2 Executive Members	£37,799
Band 3 Committee Chairs (if remunerated)	£27,999

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Description	Amount
Band 4 Leader of the largest opposition group	£27,999
Band 5 Leader of other political groups (if paid)	£22,406
Civic Head (if paid)	£27,999
Deputy Civic Head (if paid)	£22,406
Presiding Member (if paid)	£27,999
Deputy Presiding Member (basic only)	£18,666

Group C

- Blaenau Gwent
- Ceredigion
- Denbighshire
- Merthyr Tydfil
- Monmouthshire
- Torfaen
- Isle of Anglesey

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Table 1: salaries payable to basic, senior, civic and presiding members of principal councils Group C

Description	Amount
Basic salary	£18,666
Band 1 Leader	£59,498
Band 1 Deputy Leader	£41,649
Band 2 Executive Members	£35,699
Band 3 Committee Chairs (if remunerated)	£27,999
Band 4 Leader of the largest opposition group	£27,999
Band 5 Leader of other political groups	£22,406
Civic Head (if paid)	£27,999
Deputy Civic Head (if paid)	£22,406
Presiding Member (if paid)	£27,999
Deputy Presiding Member (basic only)	£18,666

There are no further changes to the payments and benefits paid to elected members. All current Determinations will be published on our [website](#).

There have been no changes made to allowances for:

- travel and subsistence
- care and personal assistance
- sickness absence
- corporate joint committees
- assistants to the executive
- additional salaries and job-sharing arrangements

Salaries for Joint Overview and Scrutiny Committee: Determination 3

The salary of a chair of a Joint Overview and Scrutiny Committee will continue to be aligned to Band 3 and will be set at £9,333.

The salary of a vice-chair is set at 50% of the Chair and will be £4,667.

There are no other changes.

Payments to national parks authorities and fire and rescue authorities: Determination 4

The 3 national parks in Wales, Eryri (Snowdonia), Pembrokeshire Coast and Bannau Brycheiniog (Brecon Beacons), 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. 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.

The 3 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. FRAs comprise elected members who are nominated by the Principal Councils within each fire and rescue service area.

In line with the Panel's decision to increase the basic salary of elected members of principal councils, the remuneration level for ordinary members of both NPAs and FRAs is also increased in line with ASHE.

The remuneration for Chairs will remain linked to a principal council Band 3 senior salary. Their role element will therefore increase accordingly. Deputy chairs, Committee chairs and other paid senior posts will remain linked to a Band 5. This means the role element of their pay will continue to be temporarily frozen. Full details of the levels of remuneration for members of NPAs and FRAs is set out in Table 2.

Table 2: payments to national parks authorities

National parks authorities	Amount
Basic salary for ordinary member	£5,265
Chair	£14,598
Deputy chair (where appointed)	£9,005
Committee chair or other senior post	£9,005

Table 2: payments to fire and rescue authorities

Fire and rescue authorities	Amount
Basic salary for ordinary member	£2,632
Chair	£11,965
Deputy chair (where appointed)	£6,372
Committee chair or other senior post	£6,372

All current Determinations, including restrictions on receiving double allowances, will be published on our website. Other than the above increases, there are no changes proposed this year.

Payments made to co-opted members of Principal Councils, National Park Authorities and Fire and Rescue Authorities: Determination 5

The current Determination (made in the 2022 to 2023 Annual Report) states that co-opted members of the relevant bodies should be remunerated on a day or half day basis. In addition, the relevant officer may decide on the total number of days remunerated in a year and set a reasonable time for meeting preparation.

The Panel has noted the changes to working practices, put in place during Covid and now becoming more routine, that has meant a move towards more frequent use of online meetings and or training courses, often short, as well as more regular committee meetings. The panel also received feedback from Heads of Democratic Services raising this issue.

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The Panel considered moving to an hourly rate instead. This would better reflect new ways of working and hours actually worked. However, the Panel recognised that this may not always be appropriate, especially to cover in person meetings scheduled to last several hours.

The Panel therefore proposes there should be local flexibility for the relevant officer to decide when it will be appropriate to apply a day or a half day rate or to use an hourly rate where it is sensible to aggregate a number of short meetings, as outlined in Table 3.

Table 3: payments made to co-opted members of Principal Councils, National Park Authorities and Fire and Rescue Authorities

Role	Hourly rate payment	Up to 4 hours payment rate	4 hours and over payment rate
Chairs of standards, and audit committees	£33.50	£134	£268
Ordinary Members of Standards Committees who also chair Standards Committees for Community and Town Councils	£29.75	£119	£238
Ordinary Members of Standards Committees; Education Scrutiny Committee; Crime and Disorder Scrutiny Committee and Audit Committee	£26.25	£105	£210
Community and Town Councillors sitting on Principal Council Standards Committees	£26.25	£105	£210

Community and Town Councils

The Panel continues to mandate payments for the extra costs of working from home and payments for office consumables. There is no change to the Determination made last year.

Mandatory payments: Determination 6

Payment for extra costs of working from home

All councils must pay their members £156 a year (equivalent to £3 a week) towards the extra household expenses (including heating, lighting, power and broadband) of working from home.

Set payment for consumables

Councils must either pay their members £52 a year for the cost of office consumables required to carry out their role, or alternatively councils must enable members to claim full reimbursement for the cost of their office consumables.

It is a matter for each council to make and record a policy decision in respect of when and how the payments are made and whether they are paid monthly, yearly or otherwise. The policy should also state whether and how to recover any payments made to a member who leaves or changes their role during the financial year.

Compensation for financial loss: Determination 7

Compensation for financial loss is an optional payment. The amount for financial loss was not increased last year.

Previously, the Panel determined that an appropriate level of payment should be set at the daily rate of ASHE.

To maintain this link, the figures for 2024 are now proposed as £119.62 for a full day and £59.81 for a half day.

Reporting requirements: Determination 8

Community and Town Councils are required to submit an annual statement of payments to the Panel by the 30 September each year, and also publish this on their website. The Panel have provided a template return for clerks to use.

The Panel have discussed and considered changing the requirements for Community and Town Councils when submitting their statement of payment returns. The Panel's aim is to simplify administration and encourage Councils to ensure all mandatory payments are made to individual members.

The Panel proposes that from September 2024, the returns need only show the total amounts paid in respect of the mandatory payments mentioned above. That is the £156 contribution to the costs of working from home and the £52 set rate consumables allowance and the travel and subsistence expenses paid.

This brings these in line with the reporting of the costs of care and personal assistance allowances.

Payments to community and town councils

Type of payment	Group	Requirement
Reimbursement for time spent on CTC matters (previously known as Basic Payment)	1 (Electorate over 14,000)	£156 mandatory for all members. All councils must pay their members £156 a year (equivalent to £3 a week) towards the extra household expenses (including heating, lighting, power and broadband) of working from home
Reimbursement for office consumables whilst working from home	1 (Electorate over 14,000)	£52 mandatory for all members. All councils must pay their members £52 a year (equivalent to £1 a week) towards the cost of office consumables whilst working home
Senior role payment	1 (Electorate over 14,000)	Mandatory for 1 member; optional for up to 7
Mayor or Chair of Council	1 (Electorate over 14,000)	Optional: up to a maximum of £1,500
Deputy Mayor or Deputy Chair of Council	1 (Electorate over 14,000)	Optional: up to a maximum of £500
Attendance Allowance	1 (Electorate over	Optional

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14,000)

Financial loss 1 Optional
(Electorate
over
14,000)

Travel and
subsistence 1 Optional
(Electorate
over
14,000)

Costs of care 1 Mandatory
(Electorate
over
14,000)

Reimbursement for
time spent on CTC
matters (previously
known as Basic
Payment) 2 £156 mandatory for all members. All councils must
(Electorate pay their members £156 a year (equivalent to £3 a
over week) towards the extra household expenses
10,000 to (including heating, lighting, power and broadband) of
13,999) working from home

Reimbursement for
office consumables
whilst working from
home 2 £52 mandatory for all members. All councils must pay
(Electorate their members £52 a year (equivalent to £1 a week)
over towards the cost of office consumables whilst working
10,000 to home
13,999)

Senior role payment 2 Mandatory for 1 member: optional up to 5
(Electorate
over
10,000 to
13,999)

Mayor or chair of Council	2	Optional: up to a maximum of £1,500
	(Electorate over 10,000 to 13,999)	

Deputy Mayor or Deputy Chair of Council	2	Optional: up to a maximum of £500
	(Electorate over 10,000 to 13,999)	

Attendance allowance	2	Optional
	(Electorate over 10,000 to 13,999)	

Financial loss	2	Optional
	(Electorate over 10,000 to 13,999)	

Travel and subsistence	2	Optional
	(Electorate over 10,000 to 13,999)	

Costs of care	2	Mandatory
	(Electorate over 10,000 to	

13,999)

Reimbursement for time spent on CTC matters (previously known as Basic Payment) 3 £156 mandatory for all members. All councils must pay their members £156 a year (equivalent to £3 a week) towards the extra household expenses (including heating, lighting, power and broadband) of working from home (Electorate over 5,000 to 9,999)

Reimbursement for office consumables whilst working from home 3 £52 mandatory for all members. All councils must pay their members £52 a year (equivalent to £1 a week) towards the cost of office consumables whilst working home (Electorate over 5,000 to 9,999)

Senior role payment 3 Optional up to 3 members (Electorate over 5,000 to 9,999)

Mayor or Chair of Council 3 Optional: up to a maximum of £1,500 (Electorate over 5,000 to 9,999)

Deputy Mayor or Deputy Chair of Council 3 Optional: up to a maximum of £500 (Electorate over 5,000 to 9,999)

Attendance allowance 3 Optional (Electorate over 5,000 to 9,999)

Financial loss 3 Optional
(Electorate
over 5,000
to 9,999)

Travel and subsistence 3 Optional
(Electorate
over 5,000
to 9,999)

Costs of care 3 Mandatory
(Electorate
over 5,000
to 9,999)

Reimbursement for time spent on CTC matters (previously known as Basic Payment) 4 £156 mandatory for all members. All councils must pay their members £156 a year (equivalent to £3 a week) towards the extra household expenses (including heating, lighting, power and broadband) of working from home
(Electorate over 1,000 to 4,999)

Reimbursement for office consumables whilst working from home 4 £52 mandatory for all members. All councils must pay their members £52 a year (equivalent to £1 a week) towards the cost of office consumables whilst working home
(Electorate over 1,000 to 4,999)

Senior role payment 4 Optional up to 3 members
(Electorate
over 1,000
to 4,999)

Mayor or Chair of Council 4 Optional: up to a maximum of £1,500
(Electorate
over 1,000)

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to 4,999)

Deputy Mayor or
Deputy Chair of
Council

4 Optional: up to a maximum of £500
(Electorate
over 1,000
to 4,999)

Attendance
allowance

4 Optional
(Electorate
over 1,000
to 4,999)

Financial loss

4 Optional
(Electorate
over 1,000
to 4,999)

Travel and
subsistence

4 Optional
(Electorate
over 1,000
to 4,999)

Cost of care

4 Mandatory
(Electorate
over 1,000
to 4,999)

Reimbursement for
time spent on CTC
matters (previously
known as Basic
Payment)

5 £156 mandatory for all members. All councils must
(Electorate pay their members £156 a year (equivalent to £3 a
less than week) towards the extra household expenses
1,000) (including heating, lighting, power and broadband) of
working from home

Reimbursement for office consumables whilst working from home	5 (Electorate less than 1,000)	£52 mandatory for all members. All councils must pay their members £52 a year (equivalent to £1 a week) towards the cost of office consumables whilst working home
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Senior role payment	5 (Electorate less than 1,000)	Optional: up to 3 members
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Mayor or Chair of Council	5 (Electorate less than 1,000)	Optional: up to a maximum of £1,500
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Deputy Mayor or Deputy Chair of Council	5 (Electorate less than 1,000)	Optional: up to a maximum of £500
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Attendance allowance	5 (Electorate less than 1,000)	Optional
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Financial loss	5 (Electorate less than 1,000)	Optional
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Travel and subsistence	5 (Electorate less than 1,000)	Optional
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Cost of care	5 Mandatory (Electorate less than 1,000)
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There have been no changes made to payments for undertaking senior roles; allowances for travel and subsistence; care and personal assistance or attendance allowance.

All current Determinations will be published on our website.

Summary of Determinations 2024 to 2025

Determination 1

The basic level of salary for elected members of principal councils will set at £18,666.

Determination 2

The salary of a leader of the largest (Group A) council will be £69,998. All other payments have been decided in reference to this. All payments are set out in Table 1.

Determination 3

The salary of a chair of a Joint Overview and Scrutiny Committee will be £9,333.

The salary of vice-chair will be £4,667.

Determination 4

The basic pay of members of National Park Authorities and Fire and Rescue authorities has been increased. All payments are set out in Table 2.

All current Determinations, including restrictions on receiving double allowances, will be published on our website. Other than the above increases, there are no changes proposed this year.

Determination 5

For co-opted member payments, the Panel proposes there should be local flexibility for the relevant officer to decide when it will be appropriate to apply a day or a half day rate or to use an hourly rate where it is sensible to aggregate a number of short meetings.

The full and half day rates remain unchanged from 2023 to 2024. The only change is the stipulation of hourly rates, as set out in Table 3.

Determination 6

Members of Community and Town Councils will be paid £156 a year (equivalent to £3 a week) towards the extra household expenses (including heating, lighting, power and broadband) of working from home. And Councils must either pay their members £52 a year for the cost of office consumables required to carry out their role, or alternatively councils must enable members to claim full reimbursement for the cost of their office consumables.

Determination 7

Compensation for financial loss is an optional payment. The amount for financial loss was not increased last year.

Previously, the Panel determined that an appropriate level of payment should be set at the daily rate of ASHE.

To maintain this link, the figures for 2024 are now proposed as £119.62 for a full day and £59.81 for a half day.

Determination 8

The Panel proposes that from September 2024, the returns need only show the total amounts paid in respect of the mandatory payments mentioned above. That is the £156 contribution to the costs of working from home and the £52 set rate consumables allowance and the travel and subsistence expenses paid.

This brings these in line with the reporting of the costs of care and personal assistance allowances.

All other Determinations set out in the 2023 to 2024 [Annual Report](#) of the Panel remain valid and should be applied.

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Consultation on Draft Report 2024 to 2025

We welcome feedback on this draft Report and have included some additional questions where we would appreciate your views. The consultation period will end on the **8 December 2023**, and you can either [email us](#) your comments or complete the form on our [website](#).

You are also welcome to submit comments in writing to the address below.

To request a printed versions of the Report please [email us](#) or write to:

Independent Remuneration Panel for Wales
Third Floor East
Crown Buildings
Cathays Park
Cardiff
CF10 3NQ

Question 1 - Uplift of remuneration using the Annual Survey of Hours and Earnings (ASHE)

The Panel is fully aware of the current constraints on public funding and the impact its decisions will have on the budgets of Principal Authorities. The Panel is also mindful of our Aims and Objectives to provide a fair and reasonable remuneration package to support elected members and to encourage diversity of representation. We therefore propose to uplift their remuneration based on the average earnings of their constituents.

Do you think that the Panel has struck the right balance between affordability and adequate remuneration for representatives? If not, do you have other suggestions?

Yes

No

No Opinion

Any additional comments

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Question 2 - Local flexibility for payments to co-opted individuals

The Panel has received evidence that it would be more cost effective and fairer to provide for flexibility in paying those who are co-opted to serve on committees of Principal Councils, National Park Authorities and Fire and Rescue Authorities.

The Panel has therefore proposed there should be local flexibility for the relevant officer to decide when it will be appropriate to apply a day or half day rate or to use an hourly rate where it is sensible to aggregate a few short meetings.

Do you agree with this proposal? If not, do you have any suggested alternatives?

Yes	<input type="checkbox"/>
No	<input type="checkbox"/>
No Opinion	<input type="checkbox"/>

Any additional comments

Question 3 - Encouraging sustainable travel

The Panel would like to ensure that we support environmental sustainability in our decisions about remuneration. We are aware that there are schemes in many bodies in Wales which encourage sustainable travel and we have advised that, if possible, elected members should be encouraged to participate in these schemes.

Do you have any examples of good practice or other ideas of ways in which we might use our powers to encourage more sustainable travel among members?

Yes

No

No Opinion

Any additional comments

Question 4 - Awareness of the entitlements of representatives

The Panel has seen evidence of a lack of awareness amongst local elected members of the payments to which they are entitled. We would like to find out if this is a significant issue, and if so, we will aim to raise awareness further, targeted at areas where this may be a problem.

Please identify which type of body you serve (select all that apply):

Principal Council	<input type="checkbox"/>
Community or Town Council	<input type="checkbox"/>
Fire and Rescue Authority	<input type="checkbox"/>
National Park Authority	<input type="checkbox"/>

What is your status?

Member	<input type="checkbox"/>
Co-opted Member	<input type="checkbox"/>
Other	<input type="checkbox"/>

Did you know that you may be entitled to some of or all the following?

- Remuneration for your role

Yes	<input type="checkbox"/>
No	<input type="checkbox"/>

- Pension (Principal Councils only)

Yes	<input type="checkbox"/>
No	<input type="checkbox"/>

- Reimbursement of expenses

Yes	<input type="checkbox"/>
No	<input type="checkbox"/>

Question 5 - Publication of consolidated sums for Community and Town Councils

Community and Town Councils are required to submit an annual statement of payments to the Panel by 30 September each year, and also publish this on their website. The Panel have provided a template return for clerks to use. The Panel have discussed and considered changing the requirements for Community and Town Councils when submitting their statement of payment returns. The Panel's aim is to simplify administration and encourage Councils to ensure all mandatory payments are made to individual members.

The Panel proposes that from September 2024, the returns need only show the total amounts paid in respect of the mandatory payments mentioned above. That is the £156 contribution to the costs of working from home, the £52 set rate consumables allowance and the travel and subsistence expenses paid.

This brings these in line with the reporting of the costs of care and personal assistance allowances.

Do you agree that these figures may be published as a global total rather than individually?

Yes

No

No View

<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

What are the reasons for your view?

Question 6 - Publication of consolidated sums for other bodies

In future reports, we are thinking of allowing consolidation of the travel and subsistence expenses of members of principal councils, National Park Authorities and Fire and Rescue Authorities and would be interested in your views.

Do you agree that these figures may be published as a global total rather than individually?

Yes

No

No View

<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

What are the reasons for your view?

Eitem ar gyfer y Rhaglen 6



CONSTITUTION AND DEMOCRATIC SERVICES COMMITTEE

Date of Meeting	Wednesday, 8 November 2023
Report Subject	Residential Mobile Home Licensing
Cabinet Member	Cabinet Member for Planning, Public Health and Public Protection
Report Author	Chief Officer: Planning, Environment & Economy

EXECUTIVE SUMMARY

The purpose of this report is to outline how the resolutions of the Notice of Motion, that was received and supported by Flintshire County Council on 20 June 2023 entitled 'Ensuring Accountability in Flintshire's Residential Mobile Home Licensing', will be implemented.

Guidance is also sought from Members with respect to arrangements around consulting ward Members and residents directly affected by such licence applications.

RECOMMENDATIONS

1	To recommend to Council that all applications made with respect to the Mobile Homes (Wales) Act 2013 will be determined by Licensing Committee.
2	For Members to support a consultation period of 21 days for Ward Members and the residents of those sites that are subject to the licencing decisions.
3	To note that Residential Mobile Home training will be available for all Members to access.

REPORT DETAILS

1.00	IMPLICATIONS FOLLOWING THE NOTICE OF MOTION
1.01	<p>On 20 June 2023 Flintshire County Council endorsed the Notice of Motion introduced by Councillor Sam Swash entitled 'Ensuring Accountability in Flintshire's Residential Mobile Home Licensing'.</p> <p>Consequently, Flintshire County Council has committed to the following:</p> <ol style="list-style-type: none"><li data-bbox="347 533 1378 678">i. That the decision to issue, renew, extend, vary or not issue site licences for residential mobile home sites should rest with the Licencing Committee, taking into account the advice of relevant officers;<li data-bbox="347 719 1331 757">ii. That the schedule of officer delegation be amended accordingly;<li data-bbox="347 797 1378 943">iii. That advance notice be given to elected members when a residential mobile home site in their ward will be subject to a decision on the issuing, renewal, extension or variation of a licence, to enable them to make representations;<li data-bbox="347 983 1362 1128">iv. That the Constitution and Democratic Services Committee shall be tasked with agreeing a policy on minimum standards of resident consultation in respect of residential mobile home licencing ahead of decisions, and,<li data-bbox="347 1169 1378 1384">v. That, pending the completion and adoption of this policy, the Council will welcome and acknowledge any written correspondence received from residents of sites subject to licencing decisions and recommends that requests to make representations to the licencing committee in person in respect of these decisions be handled in the same way as planning applications.
1.02	<p>The implications of the above resolutions will place greater demands upon Licensing Committee. At present these decisions are undertaken by officers through delegated authority. However, at its meeting of 4 October 2023 Licensing Committee resolved that all applications should now be determined by the <i>full</i> Licensing Committee, not a Sub Committee or officer determination.</p>
1.03	<p>Training has been arranged for Licensing Committee Members on 4 December 2023, this will enable them to determine these applications. Although this training will be mandatory for Licensing Committee Members, it will also be available for all Members to access which will make it easier should substitutions at Committee be required, and will increase the awareness of Members who have such sites in their wards.</p>

2.00	REQUIREMENTS OF THE MOBILE HOMES (WALES) ACT 2013
2.01	The Mobile Homes (Wales) Act 2013 came into force on 1 st October 2014. The key aim of the Act is to better protect the rights of people living in residential mobile homes all year round as their primary residence. They are commonly referred to as “park homes”. The Act amends and updates a range of existing provisions relating to mobile homes and introduces a number of new provisions.
2.02	The key provisions of the Act include: <ul style="list-style-type: none"> • An offence to operate a regulated site without a site licence; • Sets a limit of up to 5 years for the duration of a site licence; • A "fit and proper person test" for site managers; • The local authority can attach site conditions to the site licence; • A range of enforcement provisions for the local authority if a site owner fails to comply with licence conditions; • Offence for site owners to block the sale of a mobile home; • No restrictions on sale of the mobile home; • Pitch fee increases restricted to Consumer Prices Index.
2.03	The Act places a responsibility on the Council to: <ul style="list-style-type: none"> • Issue a site licence if it considers appropriate within 2 months of an application being made providing the site has the benefit of planning permission; • Have regard to Model Standards in specifying conditions that may accompany a site licence. These are the Model Standards for Caravan Sites in Wales 2008; • Keep a register of site licences issued in its area open to inspection for the public at all reasonable times;
3.00	THE PROCESS OF DETERMINATION
3.01	Flintshire County Council’s Constitution already allows Licensing Committee to determine Residential Mobile Home licence applications. Following the recommendation of Licensing Committee at its meeting on 4 October 2023, all applications will now be determined by the full Licensing Committee, rather than officers. The number of applications requiring determination can vary from year to year, it is not envisaged there will be more than four per annum.
3.02	Once a licence application is validated by officers, a determination will be required within a two-month window unless a longer timeframe is agreed with the applicant. On that basis additional dates for Licensing Committee will need to be arranged. It should be noted that licensing conditions cannot be applied unless a valid site licence is in place.
3.03	As required by the Notice of Motion, a policy outlining minimum consultation standards will have to be produced. The Monitoring Officer has advised that the finalised policy will need to be approved by Full Council. However, for the policy to be developed it is requested that Members of this Committee support a consultation period of 21 days for

	Ward Members and residents who reside on the site to submit representations in writing. The representations can only be for matters pertaining to the application.
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4.00	RESOURCE IMPLICATIONS
4.01	Increased attendance of Licensing Committee Members to determine residential mobile home licensing. More meetings will need to be diarised from January 2024 onwards to ensure that application deadlines are met. Subject to the agreement of the Chair of Licensing Committee, it is likely that meetings will need to be scheduled at least every two months.
4.02	Additional demands will be placed on officers within the Community and Business Protection Service, Legal Services and Democratic Services. No additional budget has been earmarked for the implementation of the Notice of Motion. It should be noted that the officers who licence residential mobile homes also undertake a number of other statutory duties on behalf of Flintshire County Council, including health and safety enforcement (which includes event safety); work around private water supplies and other public health duties. There is no dedicated officer to support this work, the duties are shared between a small number of existing officers.
4.03	It is anticipated that the services of a specialist Counsel will be required to advise Licensing Committee during such hearings, as there is no in-house capacity to provide this advice. This will have financial implications for the Authority.

5.00	CONSULTATIONS REQUIRED / CARRIED OUT
5.01	As outlined in paragraph 3.01.

6.00	RISK MANAGEMENT
6.01	Increased risk to the Authority of legal challenge, although this risk will be mitigated through the provision of legal advice and the training of Licensing Committee Members and Ward Members.

7.00	APPENDICES
7.01	Notice of Motion – ‘Ensuring Accountability in Flintshire’s Residential Mobile Home Licensing’.

8.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
8.01	Contact Officer: Sian Jones

	Telephone: Community and Business Protection Manager 01352 702132 E-mail: sian-jones@flintshire.gov.uk
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9.00	GLOSSARY OF TERMS
9.01	None required for this report.

Mae'r dudalen hon yn wag yn bwrpasol

Notice of Motion: Ensuring Accountability in Flintshire's Residential Mobile Home Licencing

Proposer: Cllr Sam Swash

Seconder: Cllr Alasdair Ibbotson

This Council notes:

- 1) that within Flintshire, there are a number of residential mobile home sites, licensed by Flintshire County Council under the Mobile Homes (Wales) Act 2013.
- 2) that residential mobile home sites vary in size, with the largest in Flintshire being Willow Park in Mancot, which provides residential mobile housing for more than 200 residents.
- 3) that site owners are licensed by Flintshire County Council to operate sites.
- 4) that currently, neither the residents of the parks, nor elected members, are notified when an application for a site licence is made to the local authority.
- 5) that currently, neither residents of the park, nor elected members, are provided with an opportunity to make representations on the application for a site licence.

This Council believes:

- 1) that the current process for the granting of site licences for residential mobile home sites fails to sufficiently represent the residents of the sites or locally elected members.
- 2) that making decisions that profoundly impact the lives of hundreds of residents without their involvement is fundamentally undemocratic.
- 3) that before granting licences for residential mobile home sites, residents of the site, site owners, and locally elected members should be notified and invited to make representations.
- 4) that, given the size of residential mobile home sites, and the number of our residents which they home across Flintshire, there is a clear public interest in the decision to grant a site licence, and the conditions attached to it.
- 5) that the decision to grant a residential mobile home site licence should be one that is taken democratically by the elected members of the Licencing committee, with representations invited from a) the site owner, b) the residents of the mobile home site, c) the elected representatives of the local ward, and d) any other interested party.

This Council resolves:

- 1) that the decision to issue, renew, extend, vary or not issue site licences for residential mobile home sites should rest with the licencing committee, taking into account the advice of relevant officers;
- 2) that the schedule of officer delegation be amended accordingly;
- 3) that advance notice be given to elected members when a residential mobile home site in their ward will be subject to a decision on the issuing, renewal, extension or variation of a licence, to enable them to make representations;
- 4) that the Constitution and Democratic Services committee shall be tasked with agreeing a policy on minimum standards of resident consultation in respect of residential mobile home licencing ahead of decisions, and,

- 5) that, pending the completion and adoption of this policy, the Council will welcome and acknowledge any written correspondence received from residents of sites subject to licencing decisions, and recommends that requests to make representations to the licencing committee in person in respect of these decisions be handled in the same way as planning applications.