

# CONSTITUTION COMMITTEE

**MINUTES of the meeting of the Constitution Committee held on Wednesday 4th February, 2015 commencing at 2.00 pm.**

## **PRESENT MEMBERSHIP:**

Cllr Colin Guyton	Cllr Nigel Moor
Cllr Mark Hawthorne	Cllr Brian Oosthuysen
Cllr Paul Hodgkinson	Cllr Ray Theodoulou
	Cllr Will Windsor-Clive

**Substitutes:** Cllr Iain Dobie (in place of Cllr Jeremy Hilton)  
Cllr Paul McMahon (in place of Cllr Lesley Williams)

**Apologies:** Cllr Jeremy Hilton and Cllr Lesley Williams

**Also in attendance:** Richard Blamey, Chairman of the Independent Remuneration Panel

**Officers:** Jane Burns, Director of Strategy and Challenge and Monitoring Officer  
Christine Wray, Head of Legal Services  
Graham Collins, Commercial Manager  
Graham Burrows, Head of Pension Fund  
Simon Harper, Head of Democratic Services  
Joanne Bolton, Democratic Services Adviser

## **1. MINUTES**

The minutes of the previous meeting of 10 December 2014 were approved as a correct record and signed by the Chairman.

## **2. PUBLIC QUESTIONS**

No public questions were received.

## **3. MEMBERS' QUESTIONS**

No questions from members were received.

## **4. REPORT OF THE INDEPENDENT REMUNERATION PANEL**

4.1 Richard Blamey, Chairman of the Independent Remuneration Panel (IRP), attended the meeting and presented the panel's report and recommendations for the 2015-16 revision of the Members' Allowances Scheme.

- 4.2 Mr Blamey, on behalf of the Panel, paid thanks to the Panel's previous Chairman, William Alexander, for his significant involvement in developing the current allowances scheme. Mr Alexander had stood down from the Panel after more than 10 years' service.
- 4.3 Mr Blamey informed the Committee that the Panel had conducted an in-depth review of all matters relating to the remuneration of members. Interviews with 22 councillors were conducted on 6, 8 and 10 October 2014. Members were asked about their roles both at the Council and within their communities; they were also invited to give their views on the current allowances scheme.
- 4.4 He explained that the Panel was of the view that the current Basic Allowance of £9000 undervalued the role of county councillors, and that the appropriate rate for the Basic Allowance should be at least £10,000, which would then be more in line with the level of member remuneration in other benchmark authorities.
- 4.5 Mr Blamey explained that the Panel had recognised the difficulties involved with increasing the Basic Allowance to £10,000 in the short-term, given the severe financial constraints being faced by local authorities. Consequently, the IRP were recommending an increase in the Basic Allowance from £9,000 to £9,150 for 2015-16. Mr Blamey explained that this was a majority view, with one Panel member feeling strongly that the allowance should be set at a higher figure to ensure progress towards achieving the £10,000 goal.
- 4.6 The Chairman, on behalf of the Committee, thanked Mr Blamey for the Panel's report, and expressed his appreciation for the work and time commitment involved.
- 4.7 After full consideration, the Committee did not feel it could support this level of increase when it would equate to more than the recent pay increase of Council staff. The Committee agreed instead that the increase to the Basic Allowance should broadly be in line with the recent pay increase of Council staff.
- 4.8 Cllr Brian Oosthuysen moved and Cllr Paul McMahon seconded a proposal that the Basic Allowance should be increased by £100 and not £150 as recommended by the IRP. This would result in a Basic Allowance of £9,100 for 2015-16. They also proposed that the Basic Allowance should continue to be used as the 'building block' for the Special Responsibility Allowances with the exception of the payments to the Political Group Leaders and Shadows which would be maintained as set figures.
- 4.9 Two members questioned why the Special Responsibility Allowances for the Group Leaders and Shadows did not follow the 'building block' principle used for the other allowances. They accepted the proposal on the table for 2015-16 but requested that the IRP look at this in future years to prevent the allowances for Group Leaders and Shadows falling behind the other allowances.
- 4.10 **RESOLVED TO RECOMMEND TO THE COUNCIL**

*(a) To increase the Basic Allowance from £9,000 to £9,100 from 1 April 2015.*

*(b) To adopt the Special Responsibility Allowances as amended. (A copy of the revised Special Responsibility Allowances is included in the signed copy of the minute book marked 'Appendix 1').*

## **5. PENSIONS BOARD - TERMS OF REFERENCE**

5.1 The Public Service Pensions Act 2013 requires each Local Government Pension Scheme (LGPS) to set up a Local Pension Board. The LGPS Funds are expected to have agreed terms of reference in place by April 2015.

5.2 The Committee was informed that a first draft of the terms of reference was considered by the Pension Committee on 28 November 2014, and comments from that meeting along with advice from the Head of Legal had been included in the terms of reference.

5.3 It was reported that the final regulations on Pension Boards had now been issued from the Department of Communities and Local Government; the terms of reference had been revised accordingly. The updated terms of reference were tabled at the meeting.

5.4 Following detailed consideration, it was recommended that a series of amendments be made to the terms of reference to specify the involvement of the Constitution Committee members in the selection process of Pension Board members, and in any review of tenure of Pension Board Members.

5.5 The Committee also recommended that the terms of reference would be amended so that if there was a need for an additional meeting of the Board, this would be determined by the Chair of the Board, rather than the Scheme Manager. The final change recommended was to remove the right of the Chair of the Board to have a second or casting vote. This followed the provisions of the new regulations. A copy of the amended terms of reference (showing the tracked changes) is included in the signed copy of the minute book.

5.6 ***RESOLVED TO RECOMMEND TO THE COUNCIL that***

*(a) the revised Pension Board terms of reference be approved.*

*(b) The following consequential changes be made to the duties of the Pension Committee in Table 3.6 of Part 3 of the Constitution:*

*Minutes subject to their acceptance as a correct record at the next meeting*

11. *To consider advice and recommendations from the Pension Board on areas that may improve the governance of the Pension Fund (the remit of the Pension Board is detailed in its Terms of Reference).*

12. *To consider the Pension Board's proposed business plan for the forthcoming financial year and annual budget request.*

## **6. CONTRACT STANDING ORDERS**

6.1 The Committee considered the report which set out the new Contract Standing Orders (CSOs). The new CSOs reflected the updated commercial roles and practice within the Council.

6.2 The Committee was informed of the key changes:

- the language in the CSOs had been modernised and simplified;
- the role of Commercial Services in high value/high risk procurement activity and contract management had been reflected;
- value thresholds had been removed and reference made to OJEU limits;
- the use of electronic tendering was now enforced through the CSOs.

6.3 ***RESOLVED TO RECOMMEND TO THE COUNCIL*** that the new Contract Standing Orders be approved and adopted.

## **7. MONITORING OFFICER CHANGES TO THE CONSTITUTION**

7.1 The Committee noted the amendment to the Rules of Procedure, Part 4, Section 15.2 of the Constitution, which related to the addition of an explanatory note regarding the Chairperson's casting vote.

7.2 ***RESOLVED TO RECOMMEND TO THE COUNCIL*** to ratify the changes to the Constitution made by the by the Monitoring Officer under delegated powers.

## **CHAIRPERSON**

Meeting concluded at 3.00 pm