

CONSTITUTION COMMITTEE

MINUTES of the meeting of the Constitution Committee held on Tuesday 5th February, 2013 commencing at 10.00 am.

PRESENT MEMBERSHIP:

Cllr Phil Awford	Cllr Ceri Jones
Cllr Mark Hawthorne	Cllr Antonia Noble
Cllr Tony Hicks	Cllr Ray Theodoulou
Cllr Jeremy Hilton	Cllr Lesley Williams

Apologies: Cllr William Windsor-Clive

Officers: Jane Burns, Monitoring Officer,
Christine Wray, Assistant Director of Law and Administration,
Dilys Wynn, Director of People Services,
Simon Harper, Lead Democratic Services Adviser,
Joanne Bolton, Democratic Services Adviser.

Others: William Alexander – Chairman of the Independent Remuneration Panel

28. MINUTES

28.1 THAT the minutes of the meeting held on 7 November be approved as a correct record and signed by the Chairman.

29. PUBLIC QUESTIONS

29.1 No public questions were received.

30. MEMBERS' QUESTIONS

30.1 No members' questions were received.

31. INDEPENDENT REMUNERATION PANEL

31.1 William Alexander, Chairman of the Independent Remuneration Panel, presented the panel's report in respect of members' allowances for 2013/14.

31.2 He explained that the panel recommended no change to the basic rate of allowance for 2013-14, and that the level of special responsibility allowances in the scheme should remain unchanged for 2013-14.

- 31.3 One member, who was the chairman of a scrutiny committee, suggested that consideration should be given to extending the scheme of special responsibility allowances to include committee lead members alongside the committee chairs, in order to recognise the key role they played in the committee's work.
- 31.4 One member explained that the role of chairman of the Pensions Committee had changed significantly over the years, in terms of the training requirements and the time invested. He suggested that in order to recognise this consideration should be given to the chairman of the Pensions Committee being included in the scheme of special responsibility allowances.
- 31.5 In response to the comments raised, the chairman of the Independent Remuneration Panel explained that a more in-depth review of the special responsibility allowances in the scheme would be undertaken by the panel and asked members to forward any comments and suggestions to him via Simon Harper, Lead Democratic Services Adviser. He anticipated that recommendations would be brought forward to the committee later on in the year.
- 31.6 The chairman of the Independent Remuneration Panel reported that the panel had recognised that the mileage allowance payable to Council staff was being brought into line with the HM Revenue and Customs rate. Consequently the panel had recommended that the mileage allowance payable to councillors from April 2013 should be brought into line with the HM Revenue and Customs rate. The committee supported this recommendation.
- 31.7 The panel had noted that the councillors representing some of the more rural divisions travel significant distances to parish and town council meetings and this was an important part of their representative role. The panel had therefore recommended that in future the costs of travelling to and from parish and town council meetings should be formally recognised in the allowance scheme.
- 31.8 Whilst some members were in support of this recommendation particularly as the forthcoming boundary changes post elections in May 2013 would mean fewer councillors, and councillors representing larger areas of the county, others felt that the recommendation could not be justified. One member suggested that the travel costs to parish and town council meetings would already be covered in the councillors' basic allowance, paid in recognition of the duties they undertook in representing and serving the local community.
- 31.9 The committee noted that the panel had also recommended that the council should offer councillors the opportunity to join the Local Government Pension Scheme based on the basic allowance.

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

31.10 In response to a question the committee was informed that currently approximately a third of all councillors in the UK had the option to join the Local Government Pension Scheme, however the number taking up this offer was low, as the payout on a basic allowance was minimal.

31.11 The committee noted that the Department for Communities and Local Government had recently undertaken consultation on the proposal that there would be no access for councillors to the Local Government Pension Scheme in England from April 2014. A decision on this was expected to be published in the coming weeks.

31.12 The chairman of the Independent Remuneration Panel took the opportunity to express his gratitude to Sharon Clutterbuck and Julie Hill for their past assistance, and to Simon Harper who was currently advising the panel.

31.13 The committee resolved:

TO RECOMMEND THAT COUNCIL consider the following recommendations from the Independent Remuneration Panel:

- (a) That no change be made to the Basic Allowance for 2013/14.*
- (b) That the level of special responsibility allowances in the scheme remain unchanged for 2013/14.*
- (c) That Gloucestershire County Council revert to the Inland Revenue's authorised mileage allowance rate current at the time with effect from 1 April 2013.*
- (d) That travelling allowances are payable to councillors on journeys to and from parish and town council meetings within their division.*
- (e) That, in line with recommendations made in previous years, councillors should be given the opportunity to join the Local Government Pension Scheme based on the basic allowance.*

32. AMENDED EMPLOYEE CODE OF CONDUCT

32.1 The Director of People's Services presented the revised Employee Code of Conduct.

32.2 The committee noted that the recommendations set out in Graham Garbutt's review of the Cotswold Water Park included the need for revised codes of conduct for both members and employees.

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32.3 The committee considered the section on the membership of clubs, societies and other organisations in the Employee Code of Conduct, which had been redrafted to include a paragraph outlining the purpose of recording this information, and to include a paragraph to set out examples of potential conflict of interests.

32.4 Whilst the committee agreed with the inclusion of the paragraph outlining the purpose of recording the information, on reflection they did not feel that the inclusion of the detailed examples of potential conflicts of interests was necessary and agreed that this paragraph should be removed.

32.5 The committee resolved:

TO RECOMMEND TO COUNCIL that the council adopts the revised Employee Code of Conduct

33. NEW COMMITTEE STRUCTURE - MAY 2013

33.1 The committee noted that a revised scrutiny structure and a new approach to corporate parenting would be presented to the next meeting of the Constitution Committee on 5 March 2013.

34. CHANGES TO THE CONSTITUTION

34.1 The committee considered a report of the Director of Law and Administration relating to changes to the constitution made by the Monitoring Officer. This was in relation to Procedural Standing Order 27.1 (application of procedural standing orders to other Council bodies) being amended to include reference to Procedural Standing Order 2.3.

The committee resolved:

TO RECOMMEND TO COUNCIL that the amendments to Procedural Standing Order 27.1 be approved.

CHAIRPERSON

Meeting concluded at 11:05