



**THE COMMUNITY COUNCIL OF ABERTILLERY & LLANHILLETH
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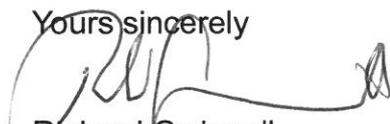
Our Ref: **COUNCIL – NOTICE OF MEETING**

2 May 2018

Dear Councillor

You are summoned to attend the Annual Meeting of the Council of Abertillery & Llanhilleth Community Council, to be held in the Council Chamber, Mitre Street, Abertillery on **Wednesday 9 May 2018 at 6.00pm**. The agenda for the meeting is set out below.

Yours sincerely



Richard Gwinnell
Clerk to the Council

**ANNUAL COUNCIL AGENDA
WEDNESDAY 9 MAY 2018 at 6pm**

1. Apologies for absence

To receive apologies for absence from Councillors.

2. Declarations of interest or dispensations

Members who consider that they have an interest to declare are asked to state the item in which they have an interest and the nature of the interest. Any member who is unsure should seek advice prior to the meeting in order to expedite matters at the meeting itself.

3. Election of Chairman for 2018/19

- (a) To elect a Chairman for the forthcoming municipal year
- (b) Retiring Chairman to hand the Chain of Office to the incoming Chairman
- (c) Incoming Chairman to sign the Declaration of Acceptance of Office

4. Election of Vice-Chairman for 2017/18

- (a) To elect a Vice-Chairman for the forthcoming municipal year
- (b) Incoming Vice-Chairman to sign the Declaration of Acceptance of Office

5. Retiring Chairman's Statement

6. Committees and Outside Bodies (attached)

To appoint committees, working groups, members and Chairs, agree terms of reference and dates and times of meetings and nominate members to outside bodies for the year ahead.

7. Confirmation of Chairman's Charity Appeal 2018/19

8. Members' and Chairman's Allowances 2018/19 (attached)

NB this meeting will be followed at 6.30pm to 9pm by Community Engagement training for all members of the Council

ABERTILLERY AND LLANHILLETH COMMUNITY COUNCIL

**ANNUAL COUNCIL MEETING
9 MAY 2018**

COMMITTEES, WORKING GROUPS AND OUTSIDE BODIES 2018/19

Report of the Clerk to the Council

Purpose of Report

To appoint committees, working groups, members and Chairs, agree terms of reference and dates and times of meetings and nominate members to outside bodies for the year ahead.

Background

The current terms of reference of committees and working groups are set out at appendix A to this report. A proposed change is set out in appendix B. The existing terms of reference were agreed at the Council meeting on 7 June 2017 and later meetings. The current committee memberships are set out at appendix C to this report. These were agreed at the Council meeting on 7 June 2017 and later meetings.

Issues and Findings

Committee and Working Group Structure

The Council has a Planning and Environment Committee, which met once during the last (2017/18) municipal year, a Human Resources (HR) Committee, which met three times during the year, and a Complaints Committee, which met twice during the year. Committees have delegated powers, decided by the Council, so that they are able to decide on the issues they are responsible for and any decisions made by committees can be acted upon without further reference to the Council.

The Council does not have any other committees at present and therefore the Council itself takes all decisions (which are not delegated to the three committees listed above), including all decisions relating to financial matters.

The main purpose of appointing committees is because the “parent” corporate body (i.e. the Council) cannot do everything itself as there is insufficient time and smaller groups of people may more efficiently and effectively carry out specific tasks or take specific decisions, which may not be able to await a Council meeting. Decisions on planning applications, HR and complaints for example sometimes have to be taken by strict deadlines, are better dealt with by fewer people and usually cannot await referral back to the full Council.

The Council also has four working groups, listed in appendices A and C. These working groups act on a “task and finish” basis, in other words they are appointed for so long as they have a specific job to do and can be disbanded when their work is done. Working groups meet on an informal basis (they do not need formal notices, summons, agendas, reports or minutes), so are much more flexible than committees. Working groups have a job to do, but they do not have delegated powers. Therefore, any conclusions they reach must be reported

back to the Council, and the Council ultimately decides on their recommendations (e.g. whether to spend money or allocate staffing resources to a particular project).

Working groups are similar to committees, but members do more of the “working”, as working groups are not supported by officers and do not take decisions. Working groups come up with and discuss ideas, in an informal exploratory way, and members themselves undertake specific research or engage with relevant stakeholders and so on, before reporting their conclusions and recommendations back to the Council to take final decisions.

It is proposed for 2018/19 that the current committee and working group structure remains as it is, because:

- the Council is still recovering from a very difficult period in 2016, when there were no staff at all for most of the year and there were very few meetings or decisions
- the working groups and committees appointed in summer 2017 are still bedding in
- most members have been with the Council less than a year, so to change the structure now would be disruptive and confusing
- some people complained in 2016/17 that the Council was not open or transparent
- under the current structure, the Council itself (i.e. all councillors together) takes the vast majority of decisions, in public session, in a consistent way and in meetings which are held on a consistent and well publicised monthly cycle
- under the current structure, the Council itself (i.e. all councillors together) takes all financial decisions, in public session, in well publicised meetings
- the current structure is therefore a very open, transparent and inclusive way of working
- having more committees, with more delegated powers, and fewer members making important decisions, would represent less open, transparent and inclusive working
- committee meetings are best held on an ad hoc basis (i.e. only when decisions are actually needed, not on a pre-programmed basis)
- there are limited staff hours available to the Council and staff time is not best spent attending or preparing agendas, minutes and reports for more formal meetings, or meetings held in the evenings and
- the current structure is working well.

Terms of Reference

It is proposed that terms of reference remain as they were in 2017/18, with one exception.

The terms of reference of the Complaints Committee could usefully be amended slightly, to reflect learning over the last year. At the moment, the Complaints Committee technically only decides on complaints. In April this year, a person asked the Council to undertake an internal review of a decision made under the Freedom of Information (FOI) Act. There was no better available mechanism (than the Complaints Committee), where four members who had not been involved in any previous decisions on the issue were available, so the Complaints Committee undertook this internal review.

It is therefore proposed that the Council amends the name and the terms of reference of the Complaints Committee so that it can also deal with appeals, where appropriate, by adopting the amended name and terms of reference shown in appendix B.

If the Council does not widen the Complaints Committee’s remit, it may need to establish a new committee to deal with any new issues (e.g. a request for an internal review of an FOI

decision), whenever such an issue arose. This would delay decision making on the issue and the Council's consideration (i.e. its discussion about setting up a new committee to deal with the issue) could be prejudicial to the independence of any later review.

Committee and Working Group Memberships

Generally speaking, committees are appointed to deal with specific issues and either make decisions and implement them, or report back to the "parent" body (the Council). It is normal for committees to consist of fewer members than the Council itself. This reflects the extra commitment of time and expertise that committee members need to contribute. Working Groups should also have fewer members than the Council itself, in most circumstances. It is not unusual to appoint all members to the Planning and Environment Committee (to ensure every area is fully represented). However, it is unnecessary to appoint all members to other committees or working groups, unless Council has a particular reason to do so.

It is proposed that the Council appoints the same number of members to committees and working groups in 2018/19 as it did in 2017/18, for the sake of consistency, unless there is a reason to change these numbers. If the numbers of members on committees is changed, terms of reference may need to be reviewed (as the Complaints and HR Committee terms of reference specify a number of members).

The Council is free to appoint whichever members it chooses to serve on committees and working groups. In the case of the Complaints Committee, no members are named, as the membership depends on the nature of the complaint. In the case of the Human Resources Committee, the Chair of the Council, the Vice Chair of the Council and two other members need to be appointed.

All committees have a minimum of four members, to ensure a quorum of three is possible.

Committee and Working Group Chairmanships

The Council decides who it wishes to appoint as Chairs of Committees and Working Groups. The Complaints Committee and the HR Committee terms of reference make clear that these committees elect their own Chairs, so the Council does not need to do that.

Vice-Chairs of Committees

No Committee Vice-Chairs have been appointed or elected in recent years (except for the HR Committee). The HR Committee elects its own Vice-Chair. In the event that a Chair is not able to attend a meeting, remaining members can elect a Chair for that meeting only. There is no need therefore to appoint Vice-Chairs to committees.

Dates and times of meetings

Ordinary Council meetings have in the past been held on the last Wednesday of every month at 7.00pm. It is helpful for everyone to know there is a regular cycle of meetings. The exception is May (where there is no ordinary Council meeting because May contains the annual meeting), August (where there is no ordinary Council meeting as this is traditionally the period of Recess) and December (where the Council meeting is held earlier in the month to avoid Christmas). Exceptions have also been made in the past and meetings have been rearranged to avoid known public holidays and other major events.

Extraordinary quarterly meetings of the Council have also been held in the past (and their continuation is recommended for the foreseeable future) to deal with specific financial matters, including annual budget preparation and agreement, quarterly budget updates and annual statements of accounts.

Following this pattern for the year ahead would mean Council meetings on:

- Wednesday 27 June 2018 at 7.00pm
- Wednesday 18 July 2018 at 7.00pm (accounts and budget only)
- Wednesday 25 July 2018 at 7.00pm
- Wednesday 26 September 2018 at 7.00pm
- Wednesday 24 October 2018 at 7.00pm (brought forward a week from 31 October to avoid Halloween, when fewer people are likely to be available for a meeting)
- Wednesday 7 November 2018 at 7.00pm (accounts and budget only)
- Wednesday 21 November 2017 at 7.00pm (brought forward a week from 28 November to reduce the gap between meetings)
- Wednesday 12 December 2017 at 7.00pm (brought forward to avoid Christmas)
- Wednesday 16 January 2019 at 7.00pm (accounts and budget only)
- Wednesday 30 January 2019 at 7.00pm
- Wednesday 20 February 2019 at 7.00pm (brought forward a week from 27 February to avoid half term school holidays, when fewer people are likely to be available)
- Wednesday 27 March 2019 at 7.00pm
- Wednesday 17 April 2019 at 7.00pm (accounts and budget only) #
- Wednesday 24 April 2019 at 7.00pm #
- Wednesday 15 May 2019 (annual meeting) at 7.00pm.

these two meetings are during the Easter school holidays so should be reviewed

Extraordinary Council meetings or unforeseen committee meetings will need to be held when the issue at hand requires it or when the date and time is most suitable for most members.

Appointments to Joint Committees and Nominations to Outside Bodies

The list attached at appendix C includes the members appointed to serve on joint committees or nominated to serve on outside bodies on which the Council is represented. The Council needs to make fresh appointments and nominations at this meeting for the year ahead. It is generally considered good practice to be consistent where possible (i.e. to appoint/nominate members to serve for more than one year).

Policy and Resource Implications

There are no specific policy or resource implications, other than those identified above. The Council is responsible for deciding which committees or working groups to appoint, what they should do, appointing members to serve on them and deciding dates and times of meetings.

Risks

There are no risks to taking these decisions, but there are risks in not doing so, insofar as the Council is responsible for ensuring effective and efficient governance, accountability, decision making and transparency.

Recommendations – that the Council:

- (1) decides what committees and working groups it wishes to appoint for the year ahead
- (2) decides the terms of reference (i.e. powers, functions and other arrangements) for the committees or working groups it appoints
- (3) decides which members to appoint to serve on committees or working groups
- (4) decides who to appoint as the Chair of relevant committees or working groups
- (5) decides the dates and times of Council meetings for the year ahead
- (6) decides which members to appoint to serve on joint committees for the year ahead and
- (7) decides which members to nominate to represent the Council on relevant outside bodies for the year ahead.

Appendices:	A	Existing committee and working group terms of reference
	B	Proposed terms of reference for a Complaints and Appeals Committee
	C	Existing memberships and nominations

Report author: Richard Gwinnell, Clerk to the Council

APPENDIX A – EXISTING

ABERTILLERY AND LLANHILLETH COMMUNITY COUNCIL

TERMS OF REFERENCE OF COMMITTEES 2017-2018

TERMS OF REFERENCE OF THE PLANNING AND ENVIRONMENT COMMITTEE

- 1.1 To consider and respond to consultations and express the views of the community council relating to planning applications and other development control matters within the boundary of the Community Council.
- 1.2 To consider and respond to the Planning Authority in matters relating to statutory structure and local plans.
- 1.3 To consider and respond to the relevant body in respect of highway matters.
- 1.4 To consider and respond to the relevant body in respect of listed buildings.
- 1.5 To consider and respond to the relevant body in respect of conservation orders and environmental matters.
- 1.6 To consider and respond to the relevant body in respect of licensing applications within the boundary of the Community Council.
- 1.7 To consider and respond to the relevant body in respect of tree preservation orders.
- 1.8 To consider and respond to the relevant body in respect of other environmental issues.

TERMS OF REFERENCE OF THE HUMAN RESOURCES COMMITTEE

The Committee will comprise of the Chairman of the Council, Vice Chairman of Council and two other members, to be determined by the Council.

The Committee will meet at least once per year, with additional meetings when required as determined by the Chair of the Committee and the Clerk.

The Committee will elect its own Chair and Vice Chair for the year at its first meeting following the Council's annual meeting.

The quorum of the Committee will be no less than three members.

The Committee will exercise on behalf of the Council its powers relating to:

1. Recruitment, rates of remuneration, termination of service, education, training, conditions of service, career development and all other similar matters relating to employees and where relevant (such as in matters of training) members of Council.
2. Performance reviews, annual appraisals, Investors in People.
3. All matters concerning working conditions, employee service, staff welfare, agreements concerning salaries, sickness and grievance procedures, disciplinary measures, disputes and consultations with employees and their representatives.
4. All matters relating to safety at work, risk assessment and safety policies.
5. The exercise of any discretion in respect of any employee under the Local Government Superannuation Act and regulations.
6. All other routine Human Resource matters within the general policies of the Council.
7. To undertake the annual review of staffing and pay structure.

TERMS OF REFERENCE OF THE COMPLAINTS COMMITTEE

A Complaints Committee will be summoned to meet when required.

The Committee will consist of four members of the Council, to be determined by the Chairman of the Council and the Clerk, depending on the nature of the complaint. Where appropriate this will include the Chair of the most relevant Committee.

The Complaints Committee will carry out its function in accordance with the Council's Complaints Policy.

In most instances it is not intended that political proportionality will be considered when appointing members to a Committee. However, if all members of a political group could be deemed to have a bias about a complaint, then, where practicable, the membership will consist of members of more than one political group.

The Complaints Committee cannot hear complaints regarding members or their compliance with the Member Code of Conduct. These must be referred to the Public Services Ombudsman for Wales.

TERMS OF REFERENCE OF THE CENTENARY EVENTS 2018 WORKING GROUP

To plan and prepare an events programme for the 2018 Centenary of the end of the First World War and report back to the Council with recommendations.

TERMS OF REFERENCE OF THE SHOP LOCAL WORKING GROUP

To discuss with local traders' representatives and other members of the public any matter pertaining to the promotion of local shopping areas including a "Shop Local" campaign, to develop plans and report back to the Council with recommendations.

TERMS OF REFERENCE OF THE CHRISTMAS LIGHTS WORKING GROUP

To discuss options relating to Christmas lighting and report back to the Council with recommendations.

TERMS OF REFERENCE OF THE WELL-BEING WORKING GROUP

To consider how to move forward effectively, in the context of the Well-being of Future Generations (Wales) Act 2015, the Blaenau Gwent Public Service Board's draft Well-being Plan and the Welsh Government Review of the Town and Community Council Sector in Wales, and to come up with a shared vision for the future and specific proposals for future well-being initiatives and report back to the Council with recommendations.

APPENDIX B – PROPOSED

TERMS OF REFERENCE OF THE COMPLAINTS AND APPEALS COMMITTEE

A Complaints *and Appeals* Committee will be summoned to meet when required.

The Committee will consist of four members of the Council, to be determined by the Chairman of the Council and the Clerk, depending on the nature of the complaint *or appeal*. Where appropriate this will include the Chair of the most relevant Committee.

The Complaints *and Appeals* Committee will carry out its function in accordance with the Council's Complaints Policy, *where it is dealing with a complaint*.

In most instances it is not intended that political proportionality will be considered when appointing members to a Committee. However, if all members of a political group could be deemed to have a bias about a complaint *or appeal*, then, where practicable, the membership will consist of members of more than one political group.

The Complaints *and Appeals* Committee cannot hear complaints *or appeals* regarding members or their compliance with the Member Code of Conduct. These must be referred to the Public Services Ombudsman for Wales.

APPENDIX C – EXISTING

ABERTILLERY AND LLANHILLETH COMMUNITY COUNCIL

MEMBERSHIP OF COMMITTEES 2017/18

<p>PLANNING AND ENVIRONMENT COMMITTEE – COUNCILLORS:</p>	<p>HUMAN RESOURCES COMMITTEE - COUNCILLORS:</p>
<p>Peter Adamson Stephen Bard – Chairman Ivor Beynon Keri Bidgood Gill Clark Roger Clark Tracey Dyson Julie Holt Ross Leadbeater Mark Lewis Perry Morgan Robert Phillips Allen Rees Nick Simmons Glyn Smith Bernard Wall Graham White Trudy Williams</p>	<p>Stephen Bard - Chairman (and Chairman of the Council) Ivor Beynon Julie Holt (Vice-Chair of the Council) Graham White</p>
<p>COMPLAINTS COMMITTEE</p>	<p>CHRISTMAS LIGHTS WORKING GROUP – COUNCILLORS:</p>
<p>4 members to be decided upon by the Chairman of the Council and the Clerk, depending on the subject nature of the complaint</p>	<p>Gill Clark – Chair Julie Holt Robert Phillips Glyn Smith Graham White</p>
<p>CENTENARY EVENTS 2018 WORKING GROUP</p>	<p>WELL-BEING WORKING GROUP – COUNCILLORS:</p>
<p>Councillor Tracey Dyson Councillor Perry Morgan – Chairman Councillor Allen Rees Councillor Glyn Smith Councillor Graham White Non-Councillor co-optees - Royal British Legion representatives: Geoff Nash Don McCulloch Non-Councillor co-optees - Royal Welsh Regimental Association representatives: Tony Baghurst Martin Parfitt</p>	<p>Peter Adamson Keri Bidgood Gill Clark Tracey Dyson Julie Holt Perry Morgan Robert Phillips Nick Simmons – Chairman Graham White Trudy Williams</p>

SHOP LOCAL WORKING GROUP – COUNCILLORS:	
Stephen Bard Perry Morgan Mark Lewis – Chairman Robert Phillips	
JOINT COMMITTEES	COUNCILLORS
JOINT COMMITTEE OF LOCAL COUNCILS IN BLAENAU GWENT (5 representatives)	Ivor Beynon Perry Morgan Robert Phillips Glyn Smith Bernard Wall
CONSULTATION WITH COUNTY BOROUGH COUNCIL (out of Joint Committee) (2 representatives) (usually Chairman plus one other) + Clerk)	Stephen Bard Robert Phillips
OUTSIDE BODIES	COUNCILLORS
ONE VOICE WALES GWENT VALLEYS AREA COMMITTEE (2 representatives) NB Clerk also welcome to attend	Ivor Beynon Glyn Smith
ONE VOICE WALES LARGER LOCAL COUNCILS COMMITTEE (1 rep) NB Clerk also welcome to attend	Glyn Smith
ABERTILLERY AND DISTRICT TWINNING ASSOCIATION (2 representatives)	Robert Phillips Tracey Dyson
SCHOOL GOVERNING BODIES (1 rep on each)	
St Illtyd's Community Primary Soffrydd Primary Ysgol Gymraeg Bro Helyg	Gill Clark Allen Rees Ivor Beynon
ABERTILLERY REGENERATION (2 reps)	Nick Simmons Glyn Smith
BLAENAU GWENT HERITAGE FORUM	Gill Clark Mark Lewis
BLAENAU GWENT ARMED FORCES COVENANT STEERING GROUP	Tracey Dyson
LOCAL LIST OF BUILDINGS OF INTEREST – ABERTILLERY AND DISTRICT WORKING GROUP	Gill Clark Graham White

ABERTILLERY AND LLANHILLETH COMMUNITY COUNCIL (A&LCC)

**ANNUAL COUNCIL MEETING
9 MAY 2018**

MEMBERS' ALLOWANCES 2018/19

Report of the Clerk to the Council

Purpose of Report

To seek decisions on the above.

Background

The Independent Remuneration Panel (IRP) for Wales has responsibility for deciding on allowances to be paid to local councillors and members of various other public bodies in Wales. Relevant excerpts from their 2018 report are attached as appendix A to this report. The whole report can be viewed at: <https://gov.wales/docs/dsjlg/publications/localgov/180226-annual-report-2018-en.pdf>

Issues and Findings

For the first time this year, the IRP has decided that community and town councils in new Groups A and B **must** make payments available to each member of £150 per year for costs they incur in respect of telephone usage, information technology, consumables etc.

Abertillery and Llanhilleth Community Council (A&LCC) is in Band B, so it no longer has a choice (as it did in previous years) of whether or not to make such payments to its members.

“Cost of care” reimbursement is now also a mandatory requirement, so the Council’s choice of whether or not to pay this, on production of receipts, where necessary, has been removed.

Councils in Group B (including A&LCC) now also have the power, if they wish, to pay £500 each (on top of the basic £150) to up to 5 members in senior roles, in recognition of their specific responsibilities (e.g. committee chairs). This is a permissive power, not an obligation.

The Council can also choose, if it wishes, to pay a Civic Head payment to the Chairman (of up to a maximum of £1,500) and to the Vice-Chairman (of up to £500), to undertake the functions of those offices. These payments are also in addition to the basic £150 allowance.

It is important to note that the Civic/Deputy Civic Head Honoraria are payments which may be made to the Chairman/Vice-Chairman, to reflect the extra work they do in those roles, and to be retained at their discretion. This could be used by them to offset the extra costs they incur as a result of their particular roles. This for example could be costs to the Chairman or Vice-Chairman of attending regular community events, meetings or civic functions on behalf of the Council, extra telephone calls or visits to the office, small gifts (e.g. flowers) for constituents celebrating significant milestones (e.g. 100th birthdays) and the like.

The Civic/Deputy Civic Head Honoria are not a budget for mayoral/chair activities and are not to be used to fund other council spending (e.g. the costs of a community event or Chairman's Appeal event).

The Council can also choose to pay travel and subsistence costs to members if it wishes to do so, as well as financial loss compensation, in line with the rates set out in the IRP report.

In the case of all allowances, any individual member may make a personal decision to elect to forego part or all of their entitlement to these allowances. They must give notice in writing to the Proper Officer of the Council (i.e. the Clerk) if they wish to do that.

Last year, the Council decided to pay the basic allowance to those members who claimed it, to pay a Chairman's Allowance of up to £800 (if claimed), to pay travel and subsistence costs if claimed and to pay "cost of care" reimbursement if claimed. It decided not to pay any special responsibility allowances, not to pay a Vice-Chair's Allowance and not to pay financial loss compensation.

In the past year, the basic allowance has been claimed by 4 members and two mileage claims have been paid. These will be published and sent to the IRP by 30 September, in line with the statutory requirements. Any payments made to individual members need to be publicised and provided to the Independent Remuneration Panel (IRP) for Wales. No other allowances have been claimed in the last year.

Resource Implications

The Council decided its budget for 2018/19 on 17 January 2018. Included in the budget is £500 for travel and mileage, £800 for the Chairman's Allowance and £2,800 (£150 each for 19 members), in case members claim their basic allowances during the year.

Paying increased members' allowances (particularly "cost of care" reimbursement) could have a significant additional budgetary impact on the Council but the quantum cannot be known in advance, as it depends on what allowances are claimed and by how many members. In future years, additional amounts will need to be built into the budget, in preparation for this. This year, any claims will have to be paid and compensating savings will need to be made elsewhere, or reserves will have to be called on.

Policy Implications

There are no policy implications except that the Council is obliged to consider whether to pay non-mandated members' allowances annually and from the date of its annual meeting.

Risks

There are no obvious risks if the Council decides not to pay non-mandated allowances, or to continue to pay allowances which are already budgeted for. There is a risk in deciding to pay more allowances, if there is insufficient financial provision in place. There is clearly a risk if the Council does not comply with the new mandatory requirements imposed by the IRP. There may also be public perception risks associated with these decisions.

Recommendations:

that the Council:

- (a) notes that paying members a basic allowance of £150 each per year is now a mandatory requirement
- (b) notes that providing for the reimbursement of necessary costs of care of dependent children and adults and for personal assistance needs up to a maximum of £403 per member per month, for the additional costs incurred by members in order for them to carry out their approved duties, on production of receipts, is now a mandatory requirement
- (c) decides whether to pay any members (up to 5) an additional allowance of up to £500 each for specific responsibilities/senior roles within the Council (e.g. committee chairs)
- (d) decides whether to pay a Civic Head Honorarium to the Chairman of the Council (up to £1,500) – and if it chooses to do so, how much to pay
- (e) decides whether to pay a Deputy Civic Head Honorarium to the Vice-Chairman of the Council (up to £500) – and if it chooses to do so, how much to pay
- (f) decides whether to pay members' travel costs for approved duties in line with the rates in the IRP report
- (g) decides whether to pay members' subsistence costs in line with the rates in the IRP report and
- (h) decides whether to pay financial loss compensation to members in line with the rates in the IRP report.

Appendices: A Excerpts from the IRP report February 2018

Report author: Richard Gwinnell, Clerk to the Council

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13. Payments to Members of Community and Town Councils

- 13.1 The Panel has had responsibility for the remuneration of community and town councils since the Measure of 2011 and its first determinations for such members came into effect in the financial year 2013/2014. Subsequent Annual Reports have developed ideas for remuneration of community and town councillors, allowing flexibility to meet appropriate responsibilities.
- 13.2 The Panel recognises a wide variation in geography, scope and scale across the 735 community and town councils in Wales, from small community councils with relatively minimal expenditure and few meetings to large town councils with significant assets and responsibilities.
- 13.3 Since producing its last report, the Panel met with 104 Councillors and Clerks representing 68 Community and Town Councils in 4 meetings it held across Wales. The discussions confirmed the widely held view that the roles individual councils undertake varied significantly. Subsequent research the Panel undertook into councils' income and expenditure and councillor to population ratios further supported the wide variation.
- 13.4 The Panel is of the view that in accordance with this wide variation, the responsibilities and accountabilities of councillors must also vary. Councillors managing income or expenditure of £1m and those delivering significant services, including some that might have been delegated from principal councils, are operating in a much more complex environment than a council with an annual budget of less than £30,000.
- 13.5 Therefore the Panel is proposing to form groups of Community and Town Councils to reflect these differences. The Panel examined a range of measures they could use as the basis for any groupings and it considers that 3 groups based on the level of income *or* expenditure, whichever is the highest, in the previous financial year, is most appropriate. Using income *or* expenditure figures better reflects the activity levels of a council than population ratios which the Panel found did not correlate to income or expenditure. It is also easy for councils to understand which group they belong to.
- 13.6 In the draft report the Panel proposed a range of mandatory payments for councils. As part of the consultation on the draft report, the Panel received some helpful feedback from councils with income or expenditure of less than £30,000 which outlined the disproportionate impact this would have on their precept and administrative costs. The Panel has considered this and adjusted its groupings as set out in table 7 below.

In creating these three groups it has reflected that councils with income or expenditure in excess of £200,000 are subject to section 40 of the Wellbeing of Future Generations Act; approximately 50% have income or expenditure

below £30,000; and those councils with income or expenditure of between £30,000 and £200,000 are likely to have a greater range of responsibilities.

The Panel has reflected different payment requirements for councils in each of these three groups as set out in the remainder of this report. The Panel will be considering further differentiations based on the groups in the future.

Table 7: Community and Town Council Groupings

Community and Town Council Group	Income or Expenditure in 2017-18 of:
A	£200,000 and above
B	£30,000 - £199,999
C	Below £30,000

- 13.7 The Panel is of the view that Community and Town Councillors are not volunteers because further to the democratic process they have accepted formal responsibilities and all face some degree of liability, in respect of the Council functions they are running. Also, the Panel wants any member who has personal support needs and / or caring responsibilities to be able to fulfil their role. To reflect this, the Panel is mandating payment of a contribution to costs and expenses for members of councils in Groups A and B; and authorising payment of a contribution to costs and expenses to be made available for members of councils in Group C as set out in determinations 44 and 45. The Panel is also mandating reimbursement of cost of care for all members of Community and Town Councils as set out in determination 51.
- 13.8 The Panel is also of the view that Councils in Group A are likely to have a greater number of committees reflecting its level of activity; and therefore is additionally mandating the payment for senior roles as set out in Determination 46.
- 13.9 Where not mandated, each determination requires a formal decision by each of these community or town councils annually. A Council can adopt any or all of the non-mandated determinations but if it does make such a decision, it must apply to all its members.
- 13.10 In all cases, any individual member may make a personal decision to elect to forgo part or all of the entitlement to any of these payments by giving notice in writing to the proper officer of the council.
- 13.11 In the event of a member of the council standing down during the year, it is a matter for the council to decide whether or not to reclaim any payments made.
- 13.12 Members in receipt of a Band 1 or Band 2 senior salary from a principal council cannot receive any payment from any Community or Town Council, other than travel and subsistence expenses and reimbursement of costs of care. However, this does not preclude them from holding a senior role.

Payments towards costs and expenses

13.13 The Panel is mandating payment of a contribution to costs and expenses for members of councils in Groups A and B; and authorising payment of a contribution to costs and expenses to be made available for members of councils in Group C. Receipts are not required for these payments.

Determination 44: Community and town councils in Groups A and B must make available a payment to each of their members of £150 per year for costs incurred in respect of telephone usage, information technology, consumables etc.

Determination 45: Community and town councils in Group C are authorised to make available a payment to each of their members of £150 per year for costs incurred in respect of telephone usage, information technology, consumables etc.

Senior roles

13.14 The Panel recognises that specific member roles especially within the larger community and town councils, for example a committee chair, will involve greater responsibility. It is also likely that larger councils will have a greater number of committees, reflecting its level of activity. The Panel has therefore determined that councils in Group A must make available a payment for a minimum of one senior role and a maximum of five senior roles. Councils in Groups B and C are authorised to pay up to five responsibility payments for specified roles.

Determination 46: Community and town councils in Group A must make available an annual payment of £500 each to a minimum of 1 and a maximum of 5 members in recognition of specific responsibilities. This is in addition to the £150 payment for costs and expenses.

Determination 47: Community and town councils in Groups B or C are authorised to make an annual payment of £500 each to up to 5 members in recognition of specific responsibilities. This is in addition to the £150 payment for costs and expenses if that is claimed.

Reimbursement of travel costs and subsistence costs

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

where the council area is geographically large and/or when engaging in duties outside this area.

Determination 48: Community and town councils are authorised to make payments to each of their members in respect of travel costs for attending approved duties.⁸ Such payments must be the actual costs of travel by public transport or the HMRC mileage allowances as below:

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

Determination 49: If a community or town council resolves that a particular duty requires an overnight stay, it may authorise reimbursement of subsistence expenses to its members at the maximum rates set out below on the basis of receipted claims:

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

Compensation for financial loss

13.16 The Panel has retained the facility which councils may pay as compensation to their members where they suffer financial loss when attending approved duties.

Determination 50: Community and town councils are authorised to pay financial loss compensation to each of their members, where such loss has actually occurred, for attending approved duties as follows:

- Up to £34.00 for each period not exceeding 4 hours:
- Up to £68.00 for each period exceeding 4 hours but not exceeding 24

⁸ Where a member who is on official business is driven by a third party (not a member or officer of that authority), the member can claim mileage at the prescribed rates plus any parking or toll fees provided the authority is satisfied that the member has incurred these costs.

hours.

Reimbursement of the costs of care

13.17 The purpose of this is to enable people who have personal support needs and or caring responsibilities to carry out their duties effectively as a member of an authority. The Panel believes that the additional costs of care required to carry out approved duties should not deter people from becoming and remaining a member of an authority or limit their ability to carry out the role.

13.18 The Panel recognises the issues relating to the publication of this legitimate expense. This is reflected in the options for publication as set out in Annex 4. To support current members and to encourage diversity the Panel urges authorities to promote and encourage greater take-up of the reimbursement of costs of care.

Determination 51: All community and town councils must provide for the reimbursement of necessary costs for the care of dependent children and adults (provided by informal or formal carers) and for personal assistance needs up to a maximum of £403 per month. Reimbursement must be for the additional costs incurred by members in order for them to carry out their approved duties. Reimbursement shall only be made on production of receipts from the carer.

Civic Head / Deputy Civic Head Honoraria

13.19 Recognising that some mayors and chairs of community and town councils and their deputies are very active during their year of office, the Panel has determined that community and town councils should be authorised to pay an honorarium for these roles. In previous annual reports the Panel did not determine a maximum level of payment to mayors/chairs and their deputies.

13.20 The Panel's consultation meetings this year, confirmed that the majority of community and town councils make no or very modest payments to their civic leaders and that some of them are reporting the budget allocated for civic functions and civic expenditure rather than the amount paid as personal senior salary to the individual.

13.21 The Panel is concerned only with the amount paid to the mayors/chairs as an honorarium to be used or retained at their discretion. This is separate from a budget for mayoral/chair activities. The Panel has determined that the maximum amount to be paid to a chair/mayor of a community or town council in this way shall be £1,500. The maximum amount to be paid to a deputy mayor/chair in this way shall be £500.

Determination 52: Community and town councils are authorised to provide a Civic Head payment to the mayor/chair of the council up to a maximum of £1,500 to undertake the functions of that office. This is in addition to the £150 payment for costs and expenses and the £500 senior salary if these are claimed.

Determination 53: Community and town councils are authorised to provide a Deputy Civic Head payment to the deputy mayor/deputy chair of the council up to a maximum amount of £500 to undertake the functions of that office. This is in addition to the £150 payment for costs and expenses and the £500 senior salary if these are claimed.

Publicity requirements

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