

# LOCAL DEMOCRACY AND BOUNDARY COMMISSION FOR WALES

## MEETING HELD ON 21<sup>st</sup> JULY 2015 AT HASTINGS HOUSE.

**Present:** Mr Owen Watkin (Chair); Mr Ceri Stradling; and, Mr David Powell.

**LDBCW Officers attending:** Mr Steve Halsall (Chief Executive); Mr David Carr (Finance Manager); Mr Tom Jenkins (Review Officer); Mr Ross Evans (Review Officer); and Mr Ralph Handscomb (Review Officer);

**Observing:** Mrs Julie May

**Apologies:** Mrs Rachel Williams (Business Support Manager); Mr Matt Redmond (Deputy Chief Executive); Mrs Catherine Thomas (Review Assistant); and Miss Caroline Roe (Office Assistant)

**Time Started:** 10:20 am

**Time finished:** 1:00 pm

### 1. Declarations of Interest

1.1. No Declarations were made.

### 2. Chairman's Announcements

2.1 The Chair welcomed Mrs Julie May to the meeting. Mrs May had been appointed a Member of the Commission as from September 2015, and had been invited to attend the meeting as an observer.

2.2 The Chair announced that the agents acting for the Administrators of the Commission's lease on its office in Hastings House were in discussion about future use of the Fitzalan Court. It was understood that Hastings House might be excluded from development proposals but that consideration would be given to the matter in the Risk Register.

2.3 Discussion over the draft Direction was still taking place within Welsh Government. Once the issue of councillor numbers is settled and linked to the appropriate map proposals then consultation over the Commission's Policy and Practice can begin.

### 3. Minutes of the Commission meeting held on 16<sup>th</sup> June 2015

3.1 It was **Resolved** to approve the Minutes of the meeting held on 16<sup>th</sup> June 2015 subject to minor amendments to 15.2 to clarify the appointment of Mrs Julie James as the Independent Member of the Audit and Risk Committee.

3.2 It was noted that errors had been made in two recent Reviews and a letter of rectification, and apology, had been sent to the Minister in one case. The view of the Commissioners was that this situation was wholly unsatisfactory and was a potential risk to the reputation of the Commission, especially in the coming period

of intense work and greater scrutiny. The Chief Executive stated that he would raise the importance of Quality Control at the August staff meeting and would consider a review of current practices.

3.3 It was Resolved:

- i) to support the Chief Executive's intention to bring the concerns to the attention of staff, and
- ii) to request a Report to the Commission on Quality Control procedures, to include a clarification of the requirements on Commissioners, and in particular Lead Commissioners, in the assurance processes.

#### 4. Issues Arising

4.1 Consideration was given to the Report dated 8<sup>th</sup> June by the Chief Executive on Issues Arising.

4.2 It was **Resolved** to accept the Report as a whole, and updated progress on the following issues were noted:

- (Issue 2) Post-review and General Questionnaires – The Pembrokeshire questionnaire is to be discussed later in the meeting. Future questionnaires to be further developed and more closely linked with their respective reviews and the general survey is to be placed on hold for the time being. **Ralph Handscomb/ Steve Halsall**
- (Issue 3) Principal areas reviews – desks instructions continue to be developed and updated. November 2015. **Matt Redmond**
- (Issue 4) Community Council Size – to be considered further following Welsh Government's further consideration of local democracy. **Steve Halsall**
- (Issue 5) Community Reviews – desk instructions are being tested as work is undertaken and QA improvements to be incorporated. Ongoing. **Matt Redmond**
- (Issue 6) Community Order making powers. This has been deferred until such time as the powers are required and detail of work required has been finalised with Welsh Government. **Steve Halsall/ Matt Redmond**
- (Issue 7) Meeting of Elections Planning Group – next meeting October 2015, date still to be decided. **Steve Halsall**
- (Issue 9) Travel and Subsistence – investigate insurance cover. Still to be finalised. **Matt Redmond/ Rachel Williams/ Ross Evans**

- (Issue 10) Staff Terms and Conditions – This was due to be considered in July but has now been further deferred until September to prepare a paper for the Workforce Sub-committee. **Steve Halsall**
- (Issue 12) Legal Services. We are still awaiting the response from the Treasury Solicitor but will need to be given higher priority due to concerns around the lease on Hastings House. **Rachel Williams**
- (Issue 13) Commissioner Appointments –It had been previously noted that Mrs Julie May and Mr Theodore Joloza had been appointed by the Minister as Members of the Commission. Induction to be completed by the end of September 2015. **Steve Halsall**
- (Issue 15) One Voice Wales - The Chair gave an address to the One Voice Wales, Larger Councils Conference in Builth Wells on 8<sup>th</sup> July 2015 receiving positive responses from the floor.
- (Issue 15) Welsh Language Scheme Annual Report – submitted to WLC. Receipt acknowledged but still awaiting response before publication. July 2015. **Tom Jenkins**
- (Issue 16) Online Consultation Portal – Invitation to tender sent out, still awaiting response. August 2015. **Matt Redmond**
- (Issue 18) Annual Report – to be signed at ARAC. Publication by August 2015. **Steve Halsall**
- (Issue 19) Inter-Commission Meeting – a provisional date of 17 - 18 November has been set and Welsh Commissions have responded to the invitation. **Steve Halsall/ Commissioners**
- (Issue 20) Welsh Language Standards Investigation – a report of the investigation has been received. An analysis will be prepared for consideration at the 21 July meeting. **Steve Halsall**
- (Issue 22) Bank Mandate – Arrange changes with bank once all senior management available to provide proof of identity. **Dave Carr**

### **New Issue Arising**

- Investors in People – arrangements have been made for reassessment. Interviews and telephone consultation arranged for 18 August 2015. **Steve Halsall/ Rachel Williams**

## 5. Welsh Language Standards Investigation report

- 5.1 Consideration was given to the Report dated 26 June 2015 by the Chief Executive. He reported on the results of a survey undertaken by the Welsh Language Commissioner into the impact of proposed Language Standards. The proposed Standards, if adopted by The National Assembly, would be the subject of Regulations binding the Commission by way of Compliance Notices.
- 5.2 The Report summarised the results of the survey, their potential impact on the Commission, and the large number of issues that required further definition.
- 5.3 It was **Resolved** to:
- i. Explore the means of making representations to Welsh Government on the contents of the potential regulations
  - ii. to analyse the Compliance Note once received.
  - iii. Compare obligations and responses with other similar Assembly Sponsored Bodies.

## 6. Electoral Reviews Planning

- 6.1 Consideration was given to the Report dated 9 July 2015 by the Deputy Chief Executive which introduced the planning for future electoral reviews.
- 6.2 The Commission **Noted** the report and the updated review planning of the two potential Map options for Wales, and considered the possibility for any changes that may occur prior to commencing the initial reviews.
- 6.3 It was **Agreed** that the preferred order for the timetable of initial reviews is as follows.
- West Glamorgan
  - Mid Glamorgan
  - Gwent
  - Dyfed
  - South Glamorgan
  - Gwynedd
  - Clwyd
  - Powys - for future consideration outside the current program
- 6.4 It was **Resolved** to agree the report and the planning of future resource and expenditure, subject to the agreed amendment to the timetabled order of reviews.

## **Action: Deputy Chief Executive**

### **7. Risk Management**

- 7.1 Consideration was given to the Report dated 9 July 2015 by the Finance Manager.
- 7.2 The Commission **Noted** the report; it was Resolved to add the following ,
- Addition of a new emerging risk, CR8, regarding the accommodation issue relating to the potential for disruption if Fitzalan Court were redeveloped as student accommodation and the Commission had to vacate Hasting House on or before the end of its lease period, or if the landlord were not to renew the lease. Inherent Risk Ratings were considered to be 5 for Impact and 3 for Likelihood.
  - In mitigation of the risk, initially advice of the Estates Surveyor of Welsh Government would be sought on applying for a new lease of the existing premises, possible rent level and cost implications with a view to ensuring security of occupation during an intense period of review work.
- 7.3 The Commission **Resolved** to agree the Risk Register subject to the above amendment. **Action: Finance Manager and Chief Executive.**

### **8. Budget Report**

- 8.1 Consideration was given to the Report dated 8 July 2015 by the Finance Manager.
- 2.4 The Commission Noted the budget position to the end of June 2015 and the £21,000 underspend which was mainly due to the continuing staff vacancy, although an appointment had been made and it was expected that the new staff member would take up the post of Review Officer at the start of August 2015.
- 8.2 Other underspends noted, such as translation, printing and postage, were due to funds which would be expended on the coming review work. There were also some instances of overspending noted, such as Staff training, Secretariat T&S and Stationary due to training Review Officers on the new MapInfo v12.5 software and replenishing toner cartridge stock, but it was expected that these would revert back within budget in coming months or be allocated funds from elsewhere within the budget.
- 8.3 The Commission **Resolved** to agree the Budget report.

### **9. Business Continuity Plan Test**

- 9.1 Consideration was given to the Report dated 17 June 2015 by the Finance Manager to inform members of the recent walkthrough test of the LDBCW Business Continuity Plan.
- 9.2 The Commission **Noted** the report and attached minutes from the test meeting on 11 June 2015, and considered the updates that had been recommended in the Report.
- 9.3 It was **Resolved** to agree the report and the recommended changes to the previous version of the Business Continuity Plan.

## **10. Code of Conduct for Commission Members**

- 10.1 Consideration was given to the Report dated 23 June 2015 by the Finance Manager, which was in response to an update of Board Members Code of Conduct template recently issued by Welsh Government.
- 10.2 The Commission **Noted** the previous code of conduct was based on a Cabinet Office template and incorporated into the Corporate Governance Manual. The following was **agreed**:
- The previous Code of Conduct based on the Cabinet Office version was preferred to the Welsh Government template as it contained more detail regarding roles and responsibilities of the Members and Accounting Officer etc. and would therefore be retained;
  - The Code of Conduct for Members would remain part of the Corporate Governance Manual rather than a stand-alone document;
  - Paragraph 1 of the Code of Conduct for Members would be deleted; and
  - Paragraph 2 would be reviewed for accuracy.
- 10.3 It was **Resolved** to Agree the new Code of conduct template, and await an updated version reflecting the recommended changes. **Action: Finance Manager**

## **11. Flintshire Community Review**

- 11.1 Consideration was given to the Report dated 9 July 2015 by the Review Officer.
- 11.2 The Review Officer will send an updated version of the Final Proposals Report to the Lead Commissioner.
- 11.3 The Report was **Noted**.

## **12. Pembrokeshire Post-Review Survey**

- 12.1 Consideration was given to the Report dated 30 June by the Review Officer. The Commission **Noted** the report.
- 12.2 The Commission felt that the questionnaire was a worthwhile exercise, and **Agreed** to issue the questionnaire for the Rhondda Cynon Taf review following the end of the six week consultation period.

### **13. Code of Practice on Access to Information**

- 13.1 Consideration was given to the Report dated 3 July by the Chief Executive. The report was **Noted**.
- 13.2 The Commission **Agreed** to adopt the code following drafting amendments.

### **14. Reviews Progress Report**

- 14.1 Consideration was given to the Report dated 14 July 2015 by the Deputy Chief Executive.
- 14.2 The Final Proposals Rhondda Cynon Taf Community Arrangements report has been published.
- 14.3 A final version of The Final Proposals Flintshire Community Review will be considered with the aim of publication in September

### **15. Calendar of Events**

- 15.1 Consideration was given to the date of the November Commission meeting. It was **Agreed** that the meeting would be held on the 17<sup>th</sup> of November.
- 15.2 The Calendar was **Noted**.

### **16. Any other Relevant Business**

- 16.1 The Commission considered the report by the Chief Executive on the possible requirement that the Commission conduct a review of local authority boundaries to accommodate the proposed Swansea Bay Lagoon. The Chief Executive would be at a meeting with the developer on 23 July to gather more information and will report further to the Commission
- 16.2 The Commission was informed that the UK Government had announced that Individual Electoral Registration will be coming into effect in December 2015. The impact on the work of the Commission would be the subject of further Reports

### **17. Date of Next Meeting: Thursday 13 August 2015**