

SANDBACH TOWN COUNCIL

LLR and Governance Sub-Committee

Minutes for the meeting held on Tuesday 22 August 2017 at 7.00pm at the Sandbach Literary Institution, Hightown.

In Attendance: Cllr M Forster (Chairman)
Cllr R Hovey(arrived 7.03pm)
Cllr B Davies
Cllr G Merry

There were three members of the public in attendance.

1. APOLOGIES FOR ABSENCE

Cllr S Corcoran
Cllr K Haines

2. DECLARATIONS OF INTEREST

There were none.

There were no declarations of interest.

The Chairman adjourned the meeting to allow questions from members of the public.

Ms Lyndsey McDade

It was acknowledged that .gov email addresses have been provided to Councillors, however it appears that not all are using their .gov address for Council business. The sub-committee was asked what can be done to ensure that members use their new corporate email addresses?

Sandbach Town Council staff have stored and are using all .gov addresses and have removed any old or alternative addresses; regular checks of contact details are undertaken to remove any auto-saved information. If emails are received from Councillors from any other email address, responses are made to their .gov address. As the change to .gov is member driven it is the responsibility of members to ensure that they use their .gov address for all Council business.

A date has been scheduled to transfer the Council's email accounts to Outlook 365, following which members will be reminded to use their new addresses.

Mrs Cathy Bruderer

Reference was made to a decision of Council taken on 20 April, whereby it was agreed that Committee Chairmen would relinquish their position after two years. Mrs Bruderer asked why the Chairman of Assets and Services had allowed herself to be nominated for the role, after completing a two-year period. She also asked why Cllr Merry, who appeared to understand the new ruling at the Finance, Policy and Governance Meeting earlier in the month, had supported the proposal at Assets and Services?

The Sub-Committee Chairman explained that the appointment of Chairman would be a consideration when Standing Orders were reviewed later in the agenda and asked if Mrs Bruderer would await the outcome of that discussion which would likely answer her question.

Concern was expressed, that if the error was not corrected before the next meeting of the Assets and Services Committee, the outcome could be much different.

At the relevant point in the meeting Mr Bruderer was asked if her concern had been addressed. She remained concerned and firmly of the view that the position had been abused.

Ms Mollie Burns

Mollie Burns asked why proposals to de-genderise the Chairman's title had been queried. She felt that such a move was a 'step back' and could put people off entering what is already a male dominated area.

The Sub-Committee Chairman stated that this too would be further considered with the Standing Orders item.

Following the questions, the Chairman reconvened the Meeting.

3. MINUTES OF THE MEETING HELD 27 JUL 2017

The minutes were not attached to the agenda pack, therefore the decision to approve the minutes was deferred to the next meeting of the Sub-Committee.

4. TO REVIEW PROGRESS AGAINST LLR RECOMMENDATIONS

Lead: Martin Forster

The attached schedule of progress against actions was considered, with items in relation to 'Communication' and 'Website' being further discussed:

A response has been received from CEC Legal Services in which they request more information to help them understand what advice to give.

The Lead Member of the Lessons Learned Review agreed to make contact with Legal Services and to provide information requested.

The Clerk reported that some progress has been made against the website review and that a Working Group is now needed to progress the matter. It was

felt that the LLR Sub Committee had fulfilled its remit in relation to this and that the matter of forming a Working Group should be determined by the Community and Environment Committee.

There was discussion about the out-standing recommendation, with the approval of revised Standing Orders and Financial Regulations and the simplification of accounts being viewed as the last significant pieces of work. A final report will need to be presented to Council to confirm that all actions have been satisfactorily implemented.

RESOLVED: that the progress be noted.

5. **STANDING ORDERS**

Lead: Martin Forster

The Sub-Committee Chairman expressed his disappointment and upset regarding the discussion and decisions which were taken at the Finance, Policy and Governance (F,P&G) Committee meeting held on 3 August. He said that revisions to the Standing Orders prepared by the LLR Sub Committee, addressed key issues such as openness and transparency, decision making process and the spreading of responsibility fairly amongst Councillors, all of which had been agreed by Council.

He highlighted several areas that have been recommended for change by the F,P&G Committee and explained why he would object to such changes. The main areas of contention are:

The title Chairman or Chair

Member Briefings

Working Groups and the application of Meeting Rules

Appointment of Committee Chairmen

He suggested that the Sub-Committee present proposals that are in line with the original draft, stating that he stands by the original proposals as a considered piece of work.

There was lengthy discussion, with each of the key areas being reviewed. The Sub-Committee then considered its position with regard to proposing changes and whether their suggestions were true amendments or actual changes to the proposals being presented by the F,P&G Committee.

RESOLVED: that amendments are suggested when the recommendations of the F,P&G Committee are made to Council. Where recommendations are not carried, alternative proposals will be made.

6. **NEXT MEETING**

Tuesday 26 September 2017 at 7pm at the Sandbach Literary Institution.

Meeting Closed at 8.42pm

Cllr M Forster

Chairman

ALB

LESSONS LEARNED REVIEW

RECOMMENDATIONS AS AGREED BY STC 15.11.16

RECOMMENDATION REVIEW

To be considered by the Lessons Learned Review Sub-Committee 22 August 2017

	RECOMMENDATION / ACTION	ACTION / IMPLEMENTATION	EFFECTIVENESS / ISSUES
1	<i>Apology "The Council recognises the hurt, anger and mistrust that has been caused by the Market Hall Project. We apologise unreservedly to all those affected by it. We wish to reassure those affected that the project has now been cancelled, and that in future any such project will be conducted in a fully open and transparent manner. The Council wishes to reassure the public that it will be actively working with the market traders to improve the indoor market for the future."</i>	<p>A complete apology was made by Sandbach Town Council on 15.11.16. The whole apology was recorded within the minutes of the meeting.</p> <p>The Council has been actively working with Traders through a Market Hall Group. Proposals were presented to Council on 20 July, with approval of the outline requirements and permission to appoint a Project Manager being granted.</p>	<p>The apology was made, however the Council has to re-build trust, by showing that it is willing to work with the market traders and other interested bodies.</p> <p>The Market Hall WG has worked well collaboratively and supportively.</p>
2	<i>That key stakeholders must in future be clearly identified and involved in the very early stages of project planning.</i>	A Project Management Guidance Document was adopted by Council on 20 April 2017, in which it outlines the involvement of stakeholders.	Two significant projects are presently being run by the Council, assurance was given at the meeting of STC held on 20 July that adopted PM guidelines have and will continue to be applied to the Market Hall project.
3	<i>That Councillors be reminded of the importance of working within the Standing Orders and that the Council implements a review of the standing orders and schemes of delegation to ensure that weaknesses highlighted in</i>	A review of Financial Regulations and Standing Orders has been undertaken. Revised versions of both documents were presented to Council on 20 July 2017. They were not adopted but deferred to FP&G to	New SO and FR to be implemented following 20.4.17. No review of effectiveness has been undertaken. There been a larger degree of Councillor interest than in previous reviews, which is evidenced by the request for more time to consider. They are due to be

	<i>this review are properly addressed. This should include a review of the financial regulations and these should be reviewed regularly as per the standing orders.</i>	allow members more time to consider and debate.	presented again to Council o 21 September for adoption.
4	<i>That STC Committee Quorum requirements be revisited to guard against minority decision making in future.</i>	The LGA1972 (Sch12) states that a quorum will be three or a third – this is the statutory requirement and as such cannot be changed in the Standing Orders, however, contained within the ‘draft’ revised Standing Orders is line which reads: <i>Sandbach Town Council has resolved that its quorum will be four or one third, whichever is the greater (adopted 20.4.17). nb This applies to all meetings of the Council, Committees, Sub-committees, and Working Groups.</i> It is also noted that through this revision, it confirms that the attendance of the Mayor as ex-officio member also counts towards the quorum.	
5	<i>That working groups which are established for the progression of a given piece of work are genuinely working groups. No binding decision making power should be delegated to them. No financial power should be delegated to working groups.</i>	Working Group Rules were agreed by Council on 20 April 2017. These state that ‘unless clearly specified within the Council/Committee resolution, WGs have no delegated authority.’ And Working Groups have no power to incur expenditure.	

6	<i>That oversight of working groups or project teams be carried out by full Council or an appropriate Council Committee/Sub-Committee.</i>	Working Group rules state that the Lead Member is responsible for 'reporting to the parent body'.	
6a	<i>There should not be a Working Group comprising of all councillors.</i>	Working Group rules state (underlined): <u>There should never be a WG that comprises of all members of the Council.</u>	
7	<i>The practice of all Councillors meeting behind closed doors without published agendas or minutes should be for the purpose <u>only</u> to report recommendation to Full Council or appropriate Committee to enable full discussion in public.</i>	Standing Orders are applied, with each meeting determining whether items require private discussion and taking a vote on the matter. Working Group rules state: All WG meetings will be open to public observation as appropriate.	This has presented some problem. Members understand and agree with the intention of openness and transparency, however there does appear to be a requirement for the occasional 'members briefing' purely information sharing, with no intention of making decisions. It is also to be noted that WG Lead Members are reacting at different rates to making agenda and minutes available publicly.
8	<i>Where an item needs, for valid reasons, to be considered by the Council confidentially the letter of the Public Bodies (Admissions to Meeting Act) 1960 should be followed; the council should resolve in public to defer the agenda item to part II, giving reasons for doing so. Clear records of the justification for items being considered in part II must be kept to assist future auditing of those decisions.</i>	As 7 above. Standing Orders are applied.	

9	<i>That STC considers whether existing guidelines, headed PROJECT GOVERNANCE, are fit for purpose in the light of the Market Hall Project and re-worked accordingly.</i>	Project Management Guidance documentation was reviewed, with the revision being adopted by Council on 20 April 2017	
10	<i>That, for major work, STC employs an independent professional project manager, appointed following the processes set out in the standing orders and financial regulations. The meaning of major work to be defined by STC in adopting the methodology discussed in recommendation 9. Where consultants are appointed, their role is clearly specified and that action is taken to ensure that they do not present themselves as acting for the Council in a role not assigned to them.</i>	This is defined within the revised Project Management Guidance document, but has not yet been implemented. Approval is in place to use a Project Manager for delivering the Market Hall proposals.	
11	<i>That any spend of public money should be authorised by a clear decision from an officer or body authorised to spend it. Where, by reason of value, the spend requires the approval of a Committee or the Council, that authorisation must take the form of a minute of that body.</i>	In accordance with Standing Orders and Financial Regulations.	There needs to be more clarity in terms of exact and specific minutes authorising payments. Refer to 'Events' spend issues.
12	<i>That no statement by a third party be used in Council communication without that person's written approval.</i>	Improved awareness amongst councillors and council staff. There is no written policy.	
13	<i>That financial figures issued in the name of the Council be appropriately scrutinized; where possible, they should</i>	Improved awareness amongst councillors and council staff. There is no written policy.	

	<i>be approved by the Finance Committee, or by the Council itself. If approval by the Finance Committee, or by the Council is not possible, the Chair of the Finance Committee or RFO should be consulted and proper records of that consultation be made.</i>		
14	<i>That urgency powers should not be used for contentious decisions, and where they are used, strong and robust reasoning must be recorded, along with a record of alternative courses of action considered.</i>	This is made clear in the revised Standing Orders	
15	<i>Removed – merged with 10 above</i>	Removed.	
16	<i>Good communication is key to healthy public perception of the work of the Council. All Council staff and Councillors should be mindful at all times to communicate in a respectful and professional manner towards members of the public and stakeholders. Communication training may be appropriate.</i>	Communication Policy written but not adopted by Council. Policy has been referred to CE Monitoring Officer for guidance to ensure it complements but does not conflict with the Code of Conduct (sent 8.6.17)	Staff are aware of the need to be helpful and courteous.
17	<i>That STC consider reviewing the Town Hall project including the appointment of the architects, and previous discussions with SLI trustees and discussions around accommodation to assess whether there are lesson to be learned from them.</i>	This was presented to Council 20.4.17. RESOLVED: that, the Council invites the LLR and Governance Subcommittee to consider the Town Hall Report may be used to inform the work already being done to implement the recommendations of the 2016 Lessons Learned Review."	The final implementation of Lessons Learned Review recommendations, should ensure that any issues arising from the Town Hall project are covered.

18	<i>That the Council review its document storage and management policies with a view to introducing a numerical record keeping system with proper version control mechanisms to allow more rapid recovery of information.</i>	A full review of the electronic filing system has been undertaken, with changes being implemented. Version control is managed by a front page template. File path footers are added to all electronic documents, making retrieval easier.	
19	<i>All email communication regarding council business is conducted using council provided email addresses to ensure a complete and visible audit trail.</i>	.gov.uk email addresses have been in use since 10 July 2017. Approval has been granted to transfer to Outlook later this year, providing a more robust and secure operation, along with added capacity to store and access all Council documents from the Cloud.	
20	<i>It is recommended Finance committee look into how accounts can be easily presented and managed. A simple income and expenditure spreadsheet with breakdowns of costings would be clearer and easier to understand.</i>	No progress.	
21	<i>That these recommendations, as amended, be taken in good faith as a plan to improve confidence in Sandbach Town Council.</i>		AB View, the changes should be embraced. Change is always difficult to manage, however there is sensible justification behind the majority of recommendations. We should view the Lessons Learned Review as a positive experience.
	<i>A final Recommendation was made: That the LSD Steering Group, the LSD Working Group and the Lessons</i>	Dissolved at full council meeting on 15 November 2016.	

	<i>Learned Review Group all be dissolved with immediate effect.</i>		
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ADDITIONAL ITEMS TO BE CONSIDERED BY THE SUB-COMMITTEE (ARISING THROUGH NORMAL BUSINESS)

Town Councillors are asked to review this list and to submit any comments to the LLR Sub-Committee via the Clerk or Chairman.

22	Councillor Metrics – develop a way of monitoring member engagement.	This was not progressed.
23	Use/issue of tablet devices, to reduce paperwork and improve member access to information.	This was not progressed.
24	Management/monitoring of undischarged resolutions	Schedules are presented to each Council and Committee meeting for review and noting.
25	Working Group – definition and guidance	This has been done and was adopted by Council 20 April 2017.
26	Criteria for the Legitimate closure of meetings to the public/press.	This has been done and was adopted by Council 1 June 2017.
27	Naming of public in minutes? [Ref email from Steve Kirkham 27.1.17]	Public will continue to be named in minutes.
28	Communication Policy	This was drafted but not adopted. Referred to CE Monitoring Officer for guidance 8.6.17
29	Formation of Committees and Chairmanship	This has been done, adopted by Council and incorporated into the revised Standing Orders (due to be approved 20.7.17).