



# MINUTES

## CONSTITUTION AND ACCOUNTS COMMITTEE

MONDAY, 9 JANUARY 2006

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### COMMITTEE MEMBERS PRESENT

Councillor Terl Bryant  
Councillor Peter Martin-Mayhew  
Councillor Mrs. Linda Neal (Chairman)

Councillor John Wilks  
Councillor Mike Williams

### OFFICERS

Chief Executive  
Corporate Manager Democratic and Legal Services  
Principal Accountant  
Civic Support Officer  
Committee Support Officer

### OTHER MEMBERS

Councillor Gerald Taylor

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### 20. MEMBERSHIP

The Committee were notified that Councillor Bryant was substituting for Councillor Lovelock for this meeting only.

### 21. APOLOGIES

Councillor Lovelock sent his apologies.

### 22. DECLARATIONS OF INTEREST

None.

### 23. MINUTES OF THE MEETING HELD ON 20TH OCTOBER 2005

The minutes of the meeting held on 20th October were confirmed as a correct record of the decisions taken.

### 24. CIVIC BUDGET UPDATE

#### Decision

*That the Constitution and Accounts Committee recommends that the use of own vehicle for the Chairman be increased to £1,000 and the Vice-Chairman travel expenses be increased to £150 both for the coming*

***financial year but that the remainder of the budget be determined through the Council's budget setting process with a recommendation that it be based upon civic budget gross expenditure out turn figure plus inflation.***

Members had before them report CS2 from the Civic Support Officer which detailed how the civic budget to the end of December 2005 had been spent. The Civic Support Officer drew members' attention to the fact that the transport costs had been fully allocated and there was still four months of the civic year to go. All known functions had been included within the transport costs for the next four months. Additional invites to functions during the next four months would be restricted. Also circulated to members was a very comprehensive report which the Chairman of the Council had produced, as he was unable to attend the meeting. The Corporate Manager Democratic and Legal Services read the report out to members. The report referred to the three significant changes that had occurred which were:

- the loss of a full time Chairman's Officer/Driver.
- the loss of a part time Chairman's/Vice- Chairman's Driver.
- the loss of the "official" car.

These had been replaced by utilizing the services of the Chief Executive's personal assistant on a pro rata basis and contracting out the provision of a vehicle and driver. These had worked out very well and he commended the dedication of the Civic Support Officer and the support he had received from her. The contracting out of the hiring of a driver and vehicle had also been successful and the contractor provided an exemplary service both in the vehicles and drivers he supplied. The Chairman of the Council referred to the online access to the Civic Budget via a dedicated link which enabled him along with the Civic Support Officer to manage the budget on a day to day basis. The report then gave an overview of the invitations that the Chairman received and approximately one-third of the 100 or so functions attended to date had been undertaken by self-drive. He referred to the elements of the driver and vehicle contract and despite the large number of self drives that had been undertaken and taking into account the known commitments to the end of the civic year the travel element of the Civic Budget was all but expended. He referred to the sale of the Civic car and whether some of the proceeds could be used to enable further additional invitations to be accepted. The report concluded by referring to the number of self-drives and the consideration of an increase in the budget head for Use of Own Vehicle. He also referred to the location of where the Chairman lived within the district as this would also impact on the travel budget and suggested that maybe the Chairman's Civic Budget should be combined into one budget heading. Although he appreciated that there was great flexibility between three of the four elements of the budget. His final comment again referred to the work that the Civic Support Officer undertook which left noting to be desired.

The Vice-Chairman of the Council who attended the meeting asked to speak to which the Committee agreed and he fully endorsed what the Chairman of the Council had written.

Members discussed the Chairman of the Council's report and all agreed that he had been an exemplary Chairman of the Council. Questions were asked about the self-drive element of the budget and the costs incurred and it was agreed that this element be increase from £100 to £1,000 for the next year. Also the travel expenses of the Vice-Chairman be increased from £100 to £150. It was suggested that the Use of Own Vehicle and the Travel Expenses-Vice Chairman be combined, however, the Chief Executive indicated that for audit purposes it was better if they were on separate lines. The issue of the Chairman's retiring gift was also referred to but the budget would take account of this element.

The issue of combining all four elements into one heading was then discussed, however it was felt that if members wished to go down this path then they would need to specify if the Chairman held a Civic dinner, Civic Service etc and members agreed to leave the budget headings as they were.

The issue of the sale of the Civic vehicle was then discussed and whether the money from the vehicle was available to increase the budget or not. The Principal Accountant informed the Committee that the receipt from the sale of the Civic vehicle had been allocated to the Civic budget and was available if they Committee wished to increase the budget. Due to the difficulties that had been encountered with the Civic Budget in the past, the Committee felt that the budget as they set it should be adhered to with no increase; therefore the General Fund would absorb any under-spend by the Civic budget. Members agreed that the budget for the next year should be set as shown in the outrun for the year plus inflation with the increase in the Use of Own Vehicle from £100 to £1000 and Vice-Chairman expenses to increase from £100 to £150.

## **25. RECOMMENDATIONS FROM THE SCRUTINY CO-ORDINATING GROUP**

### **Decision**

***To request the Council to approve the following amendments to the Constitution:***

- 1) That the right of Chairmen or Vice-Chairmen (at the request of the Chairmen) to attend open and private cabinet meetings and speak on behalf of their DSP on relevant matters provided that the Chairman (or Vice-Chairman on behalf of the Chairman) reflect the views of the Panel and undertake to communicate those deliberations of the cabinet meeting back to the DSP.***
- 2) That reciprocal arrangements be granted to the Cabinet Portfolio Holders to attend and speak at relevant DSP meetings.***
- 3) That provision for Chairmen or Vice-Chairmen of DSP's should be made within the Constitution to allow them to speak at Cabinet meetings before debate of a relevant DSP item.***

Members had before them report DLS50 which concerned recommendations that had come out of a recent Scrutiny Co-ordinating Group meeting. The report dealt with attendance of Chairmen or Vice-Chairmen of DSP's attending Cabinet meetings. Members of the Scrutiny Co-ordinating group felt that the Constitution should be revised to ensure that it is the right of Chairmen or Vice-Chairmen of DSP's to address the Cabinet on behalf of their Panel on any item of relevance to that Panel. Also that Chairmen or Vice-Chairman should be able to attend private cabinet meetings.

Members had mixed views over the proposals but the consensus was that private cabinet meetings should remain private. The Chief Executive did clarify that a private cabinet meeting had not been held over the last year. Private briefings had taken place but no decisions were taken at these meetings and it would be a rare occurrence where a decision had to be taken in camera which would necessitate a private cabinet meeting. Members felt that the DSP Chairmen and Vice-Chairmen were given the opportunity to speak at Cabinet and the Leader of the Council said that she had never denied any of the Councillors the opportunity to and never would.

The Chief Executive said that the Chairmen and Vice-Chairmen of the DSP's were trying to achieve better pre-scrutiny of issues on the forward plan which was behind their request. It was felt that if the recommendation was agreed that it should state that the Chairman/Vice-Chairman was properly reflecting the views of the Panel and that the findings of the meeting should be reported back to the Panel.

A comment was then made about the call-in procedure and reference was made to the last call-in and its validity. The Corporate Manager Democratic and Legal Services clarified to the Committee the role of the DSP's and the call-in procedure rules as defined in the Local Government Act 2000. The Chief Executive said that questions had certainly been discussed at the call-in and responses given.

An amendment was proposed and seconded that arrangements be made for the Portfolio Holders to speak at DSP meetings. On being put to the vote the amendment was lost. The original recommendation was then proposed with the addition that the Chairman or Vice Chairman (who attended at the Chairman's request) reflect the views of the Panel to the Cabinet and that the outcome of the meeting be reported back to the DSP. This was proposed and seconded and the recommendation carried.

**26. ANY OTHER BUSINESS, WHICH THE CHAIRMAN, BY REASONS OF SPECIAL CIRCUMSTANCES, DECIDES IS URGENT**

None.

**27. CLOSE OF MEETING**

The meeting closed at 4.15pm.

