

# Minutes of Special Council Meeting

21 November 2019

**MINUTES** of the **SPECIAL MEETING of MUMBLES COMMUNITY COUNCIL** held in the Minor Hall, Victoria Hall, Dunns Lane, Mumbles on Thursday, 21 November 2019

**Present:**

**495.11 Councillors**  
**.19** Pam Erasmus  
Rebecca Fogarty  
Gareth Ford  
Richard Jarvis

**Councillors**  
Sara Keeton  
Rebecca Singh  
Carrie Townsend Jones

**496.11 In attendance:**

Steve Heydon (Clerk) and Paul Beynon (RFO/Assistant Clerk)

**497.11 Apologies for Absence**

**Councillors:** Tim Bull, Adam Gilbert, Mike Griffiths, Myles Langstone, Rob Marshall, Martin O'Neill, Philip Reason, Ian Scott, Carwyn Thomas, Will Thomas, and Linda Tyler-Lloyd

**498.11 Declarations of Interest**

None

**499.11 Report in the Public Interest – Expenditure on Planning Consultants – Mumbles Community Council**

The meeting was **SUSPENDED** to allow the members of the public present to ask any questions on the report issued by the Auditor General for Wales. However, the members of the public requested that the time for public questions be allowed after the report has been discussed by the Council therefore the meeting was **RE-CONVENED**.

The Council was required to hold a meeting of the full Council within 1 month of the date of the issue of the report to decide

- Whether the report requires it to take any action
- Whether the recommendations in the report are to be accepted

- What action (if any) to take in response to the report and recommendations

The Council is required to prepare a written response and agree the wording of the response with the Auditor General for Wales before it is published.

The Council went through the report page by page and discussed the issues identified by the Auditor General for Wales.

**RESOLVED** that the Council is required to take action in response to the report to improve its financial procedures and controls.

**RESOLVED** that the following actions be taken in response to the recommendations made in the report

**Recommendation 1** – the Council should review its standing orders and financial regulations and ensure that these documents are drafted in a way which is clear and free from ambiguity and are internally consistent.

The recommendation is **agreed** and the Council will review its Financial Regulations in line with the new guidance issued by NALC and One Voice Wales in 2019. The Council will ensure its Standing Orders and Financial Regulations are consistent and unambiguous. The review of Standing Orders and Financial Regulations will be completed by 29/02/2020

**Recommendation 2** – the Council should review its arrangements for appointing consultants to ensure it complies with its own standing orders and financial regulations.

The recommendation is **agreed** and the RFO has been tasked with preparing a specification for each contractor currently used by the Council and seeking quotes or tenders depending on the likely value of the contract. This exercise will commence when the updated Standing Orders and Financial Regulations have been approved by Council in February 2020 and will be reviewed periodically, probably every 3 years. The review will be completed by 30/09/2020.

**Recommendation 3** – the Council should ensure that it has an appropriate contract terms of reference setting out the nature of the relationship between the Council and each of its contractors.

The recommendation is **agreed** and will follow on from the review of contractors shown above in response to Recommendation 2. Legal advice will be sought on the contract terms for all contracts in excess of £25,000 and for any contracts below that figure where it is thought to be advisable due to the nature of the contract. This will be completed by 30/09/2020.

**Recommendation 4** – the Council should ensure that when ad-hoc requests for planning and other forms of advice are made, it is clear how the costs of advice will be met from revenue budgets or other resources.

The recommendation is **agreed** and the RFO will ensure that any requests or recommendations to spend will include the budget that the expenditure is to be charged to. Where possible a fixed price will be obtained which will not be exceeded. Where it appears that a budget will be exceeded for whatever reason the Committee will be required to follow the Council's Virement Policy which is currently being prepared. Monthly budget monitoring reports will be presented to each Well-Being Committee and the RFO will identify any budgets where it appears that there is a potential risk of an under or overspend and the Well-Being Committee will be required to take action in response to the potential under or overspends identified. The Virement Policy will be approved by 31/01/2020 and the other controls identified are already in place.

**RESOLVED** that the following actions will also be taken in response to the report

The Council will take any action required in response to the report based on the advice obtained from the City and Country of Swansea's Monitoring Officer. It was noted that the Council is not permitted to make a referral to the Public Service Ombudsman for Wales as this is a personal responsibility of each councillor under the Code of Conduct.

The Clerk and the RFO will issue guidance to councillors on the level of relationships permitted under Standing Orders between outside bodies, chairs, individual councillors, Clerk and RFO.

The meeting was **SUSPENDED** at 8.10pm to allow the members of the public present to ask any questions on the report issued by the Auditor General for Wales and the discussion of the report by the Council.

Members of the public asked questions on a number of issues relevant to the report and where possible answers were provided.

The meeting was **RE-COVENED**.

**RESOLVED** that a written response be prepared to the report and agreed with the Auditor General for Wales prior to being published.

The meeting ended at 8.30pm