

COORDINATING COMMITTEE

Monday, 24 June 2013

<u>Present:</u>	Councillor	S Whittingham (Chair)	
	Councillors	S Foulkes A Hodson A Brighthouse RL Abbey P Doughty M McLaughlin B Mooney	D Roberts J Stapleton D Elderton L Fraser A Sykes S Williams
<u>In attendance:</u>	Councillors	Phil Davies Adrian Jones Ian Lewis Pat Glasman	Leader of the Council Cabinet Member Lead Call-In Signatory Call-In Witness
<u>Deputies</u>	Councillor	J Salter (in place of Councillor P Glasman)	

1 APOLOGIES FOR ABSENCE

Councillor John Salter advised the Committee that he was attending as deputy for Councillor Pat Glasman, who had been called to give evidence to the Committee as a named call-in witness.

2 CODE OF CONDUCT - DECLARATIONS OF INTEREST RELEVANT AUTHORITIES (DISCLOSABLE PECUNIARY INTERESTS) REGULATIONS 2012, INCLUDING PARTY WHIP DECLARATIONS

Members were reminded of their responsibility to declare any disclosable pecuniary interest and/or any other relevant interest in any item of business on the agenda, no later than when the item was reached.

Members were reminded that they should also declare whether they were subject to a party whip in connection with any item(s) to be considered at this meeting and, if so, to declare it and state the nature of the whipping arrangement.

No such declarations were made.

A Member sought advice as to whether it was appropriate for those Members of the Committee who were signatories to the call-in, to be involved in its determination. The Head of Legal and Member Services commented that there was nothing to prevent call-in signatories being Members of the Committee, if they had not pre-determined the issue in advance of any evidence being presented. The Conservative Group spokesperson assured the Committee that Members of his group had not pre-determined the outcome of the call-in process.

In response to further comments in relation to the consideration of written submissions from witnesses who had been unable to attend, the Head of Legal and Member Services advised that it was a matter for the Committee as to how much weight they attached to a written submission, given that there was no opportunity for questioning or clarification of the evidence.

3 TERMS OF REFERENCE OF THE CO-ORDINATING COMMITTEE

The Head of Legal and Member Services presented the Terms of Reference of the Co-ordinating Committee, which had agreed at the Extraordinary meeting of the Council held on 30 April 2013.

Resolved – That the Terms of Reference be noted.

4 CALL-IN PROCEDURE

The Committee was asked to consider the proposed procedure for dealing with a decision that had been subject to the Council's call-in process. A summary of the witnesses that had been requested to attend the call-in and an outline of the nature of the information they had been asked to provide was also detailed.

Resolved – That the procedure be agreed and adopted for managing the present call-in, in relation to the LGA Annual Conference and Exhibition.

5 CALL-IN OF A DELEGATED DECISION - LGA ANNUAL CONFERENCE AND EXHIBITION

In accordance with the procedure agreed by the Committee (see minute 4 ante), the Chair referred to the decision of the Cabinet Member for Central and Support Services, which approved the attendance of Members at the LGA Annual Conference and Exhibition to be held in Manchester from 2 – 4 July 2013 at a cost of £495 per person plus travel.

The decision had been called-in by Councillors Ian Lewis, Chris Blakeley, Lesley Rennie, Paul Hayes, Leah Fraser, Steve Williams, Simon Mountney, Andrew Hodson, Les Rowlands, John Hale and Kathy Hodson, on the following grounds –

1. That sending five Councillors, in addition to any officers who may also be attending, at a cost of £2475 plus travel costs is excessive at a time when the Council is struggling to control spending.
2. That the LGA has, as we know, been providing peer group support to the political leaders, at significant cost, and that a conference is unlikely to provide further guidance or clarification that has not been given already.
3. That, in the absence of any clear objective or specific benefit for the Council or the taxpayers of the Borough, the decision be reviewed and assessed for value for money.

The Committee was invited to consider the decision that had been made and determine, in the light of evidence to be presented, the most appropriate course of action. The Committee had no power to overturn a Cabinet Member's decision, or to substitute its own decision in place of the original. The options open to the Committee were –

- to take no further action, in which case the original decision shall take immediate effect and may be implemented;
- to refer the decision back to the Cabinet Member for reconsideration, setting out in writing the nature of the Committee's concerns;
- to refer the matter to the Council, if the Committee believes that the decision was outside the policy framework or contrary to or not wholly in accordance with the budget

Explanation of the Call-In by the Lead Signatory

Councillor Ian Lewis provided a brief rationale for the call-in of the Cabinet Member's decision which, he confirmed, related only to attendance at the LGA Conference and not the provision of accommodation, which had been subject to a separate decision. He commented that the signatories to the call-in believed the costs of attending the conference to be excessive, in a time of austerity and he welcomed an explanation as to how the attendance of seven Members and officers would be of value or benefit to the Council.

Members of the Committee questioned the legitimacy of the call-in, given that the decision to approve the attendance of Members from each political group had been taken in the light of all-party support from the Members' Training Steering Group (MTSG). In addition, call-in signatories had themselves previously attended similar events. In response, Councillor Lewis stated that none of the call-in signatories were attending the LGA Conference and he believed that in the present economic climate, attendance this year could not be justified.

Explanation of the Decision Taken by Cabinet Member

Councillor Adrian Jones (Cabinet Member for Central and Support Services) commented that the date of the LGA Conference had been known for some considerable time and that no views had been expressed previously that Wirral should not send delegates to it. All party support of the MTSG had been a significant factor in him agreeing to approve attendance which, as in previous years, included amongst others, the Leader of the Conservative Group, who had declined to attend the event after the booking had been made. He commented that Wirral's attendance at this year's LGA Conference was of particular importance in view of the opportunity it afforded to lobby Government ministers for an improved financial settlement for Wirral. He suggested that a failure to do so would be a dereliction of duties to the people of Wirral.

Members sought the views of the Cabinet Member in relation to a number of local authorities, including Liverpool City Council, having left the LGA, if it was considered to be of such vital importance and value. He was also asked whether he had considered attendance at the conference to be good value for money and whether or not it would be more beneficial to meet with

Government ministers, solely/specifically to address issues relevant to Wirral, rather than at a conference with large numbers of other delegates making similar representations.

In response, Councillor Jones was pleased to advise that Liverpool City Council would be attending this year's conference, although he could offer no insight as to why other local authorities may have resigned their LGA membership. Wirral Council had always recognised the importance of the LGA Conference and with all-party support from the MTSG, he had no reason to question their recommendation. Had he believed they had come to a wrong conclusion, he would have challenged it; but on this occasion, he considered it to be right and accordingly, took the decision to approve attendance. He confirmed that various other opportunities were taken to lobby ministers but a distinct advantage of the LGA Conference was the combined weight of many other local authorities expressing views.

In response to a question from the Chair in relation to the reasoning applied to a separate decision he had taken in relation to the approval of accommodation costs, the Cabinet Member advised that he had approved the provision of accommodation for two Members at a cost of £75 per person per night, for two nights. He had based that decision upon an evaluation of the accommodation costs, offset against the costs of travel each day and that many of the other events associated with the conference, to be attended by Members, would take place early morning or in the evening. On that basis, he did not consider the costs of accommodation to be excessive.

Evidence from Call-In Witnesses

Group Representatives of the Members' Training Steering Group (MTSG)

Members of the MTSG had been invited to attend to answer questions from the Committee in relation to the role of the MTSG and the reasoning for supporting attendance at the LGA Conference being designated an approved duty.

Councillor Pat Glasman, in response to questions from Members, confirmed that there had been all-party support from the MTSG for attendance at the LGA Conference. A composite training request form had been circulated by officers, detailing which Members were to attend. She confirmed that although parts of the form, concerning the benefits of the event, had not been completed, she believed attendance at the LGA Conference to be of clear value to the authority, as it was requested on the same basis as in previous years.

Councillor Tom Harney stated that in relation to such requests for training, the MTSG merely expressed a view, to assist the Cabinet Member in considering whether a request should be approved or not. He indicated that although training request forms should ideally be fully completed, they occasionally were not, as many opportunities for training were subject to late notification and were time critical for bookings and travel arrangements to be confirmed. He had attended the LGA Conference in 2012 and believed that it represented value for money. He accepted that there was a need to carefully

review such events for VFM, but that such a review should have been undertaken earlier in the year.

Melissa Holt (Organisational Development Manager)

The Council's Organisational Development Manager was in attendance to provide the Committee with information and to answer questions upon procedural and administrative processes related to Member training/conferences.

In response to a question from a Member in relation to the process that should be followed in relation to seeking approval for attendance to be designated an approved duty, she commented that there were key differences between a Learning and Development activity and a conference. Whereas there was an expectation that the MTSG would consider the suitability of events that would impact on the Members' training budget, a number of conferences attended by Members were booked direct by Departments and were paid for from departmental budgets. She had become aware of an invoice for the LGA Conference on 29 May which, this year, was to be paid from the Members' training budget, the booking having been made by the Chief Executive's Office. Although the invoice had not yet been paid, she confirmed that the Council was contractually bound to pay it, as the date for cancellation had passed. Conscious of the timeline for securing approval for attendance, she had completed a composite training form on behalf of the attendees and circulated this to the MTSG for consideration. The MTSG had expressed the view that the LGA Conference should be approved and the Cabinet Member had then been asked to take the decision, which was then published and notified to all Members.

Tom Sault (Head of Financial Services)

The Head of Financial Services had been requested to attend in order to outline the cost of LGA membership and the cost of conferences attended by Members. He indicated that the cost to the Council of a group of delegates attending the LGA Conference in previous years was in the region of £3000 per annum. Although it was to be funded from the training budget this year, it had in previous years been funded from the Members' Expenses Budget. In response to further questions, he confirmed that the cost to the Council of its membership of the LGA was £54,000 in 2012/2013.

Members commented that the cost of LGA membership was not relevant and expressed concern that if the true purpose of the call-in was to debate the Council's membership of the LGA, it should have made this clear.

Graham Burgess (Chief Executive)

In response to questions from Members, the Chief Executive confirmed that he had issued the instruction for places to be booked for Members on the same basis as previous years. He considered it essential that a delegation from Wirral should attend the LGA Conference as he believed that the Council would gain great benefit from it. Both the Wirral/LGA Improvement Board and the Peer Review Group had identified a need for the authority to learn from best practice elsewhere. He stated that Members and officers had a responsibility to be more outward looking and to gain knowledge and

experience from other local authorities to ensure that problems of the recent past were not repeated.

The conference provided an opportunity to challenge ministers and civil servants and a failure to attend would impact adversely upon Wirral's influence. There were many other meetings that delegates could attend, in addition to the main programme, some starting at as early as 8.00am or as late as 6.30pm. When the costs and time of travel each day were taken into account, he considered that the conference fees and the costs of overnight accommodation represented good value for money for Wirral.

In response to questions from Members, he indicated that attendance at many of the fringe meetings would not be possible to non-delegates, as they would be held in or adjacent to the conference hall. When questioned on compliance with the Council's procedures for securing approval for attendance, the Chief Executive stated that the process would be reviewed in the future. However, he had a mandate to make the arrangements on the basis as previous years and stressed the need for the Council to move forward to demonstrate its continued improvement. He proposed that a feedback report would be prepared following the conference and a full account would also be provided in relation to any hospitality received by Wirral delegates.

Evidence from Cabinet Member's Witness

Councillor Phil Davies (Leader of the Council)

Councillor Davies had been invited to attend the meeting to outline the benefits of attending the LGA Conference and the wider membership of the LGA.

He indicated that there were a number of key considerations which made attendance at this year's conference vital for Wirral –

- (i) There were 15 or 16 sessions in the conference programme with direct relevance to our improvement and growth agenda, including Shared Services, Commissioning, Co-operative Councils, Staff-Led Mutuals, additional ways to raise finance and Neighbourhood/Community Budgets.
- (ii) There was an opportunity to showcase Wirral's achievements and good practice and to highlight what had been done to secure improvement.
- (iii) It was an opportunity to hear and respond to the latest statements on government policy, given that the conference followed the Comprehensive Spending Review.

For those reasons, the Leader of the Council expressed the view that attendance at the conference was essential for the Council. He hoped that the Leader of Conservative Group would reconsider his position or, alternatively, that his place be taken up by another Member. He accepted that there was a need for the Council to spend wisely and indicated that this was the only conference he had attended this year. He agreed that feedback would be of value and that this could be done by the production of a composite report or a

briefing session for all Members, dependent upon what Members of the Council considered to be of greater value.

Summary of the Lead Call-In Signatory

Councillor Ian Lewis provided a brief summary of the key points of evidence given in support of the call-in –

- That the LGA Conference was not a training event and should not be funded from the Members' training budget
- That the Council's procedures had not been adhered to and the Chief Executive should ensure that the procedures are reviewed to ensure future compliance.
- That the cost of the conference was roughly equal to 100 Wirral residents paying the bin tax

He considered that the only benefit of attendance at the LGA Conference would be a detailed feedback from Wirral's delegates. However, he had heard nothing during the call-in process that justified the expenditure as representing value for money. Accordingly, he asked that the Committee support the call-in and refer the matter back to the Cabinet Member to be reconsidered, in the light of the evidence presented.

Summary of the Cabinet Member

Councillor Adrian Jones provided a brief summary of the key points of evidence given in support of his original decision to designate attendance at the LGA Conference as an Approved Duty.

He stated that the issues raised by the call-in could, and should have been raised weeks or months ago and he was dismayed at the publicity that had been sought by some Members. He indicated that when the benefits of attendance at the Conference were measured, together with the costs associated with the call-in process, the propaganda would be exposed. He highlighted the importance of the LGA Conference and stated that the Labour Group would attend, to do all that was possible to protect Wirral's interests. He hoped that Councillor Green would also be able to reconsider his position and join with the other conference delegates to stand up for Wirral.

Having heard all of the evidence, the Chair invited Members of the Coordinating Committee to consider whether the decision of the Cabinet Member represented value for money.

Members commented that, in reality, this year was not significantly different in terms of financial pressures, to previous years when the control of the Council was in the hands of other political groups, who had each attended the LGA Conference and, presumably, considered it to represent value for money. Members suggested that this debate around issues highlighted by the call-in was being had at the wrong time however, and if the real reason for the call-in was to focus upon the Council's membership of the LGA, it should have been clearly stated.

Members commented further that there may be some value from the call-in process, if it highlighted the importance of the LGA Conference and the opportunity it provided for Wirral's delegates to challenge government ministers and to raise Wirral's profile at a national forum.

Signatories to the call-in accepted that its timing was not ideal but, there had been no clear indication of the situation in relation to the payment of conference fees not being refundable. In addition, it had exposed issues of non-compliance with the Council's processes, which would hopefully be addressed.

Having carefully considered the options that were open to the Committee, it was moved by the Chair, Councillor Stuart Whittingham and seconded by Councillor Ron Abbey –

“(1) That the decision of the Cabinet Member be upheld and implemented with immediate effect.

(2) That the Leader of the Conservative Group be urged to take up the conference place booked for him or alternatively that consideration be given to another member taking up the place.”

The motion was put and carried (10:5)

Resolved (10:5) –

(1) That the decision of the Cabinet Member be upheld and implemented with immediate effect.

(2) That the Leader of the Conservative Group be urged to take up the conference place booked for him or alternatively that consideration be given to another member taking up the place.