

MAGOR WITH UNDY COMMUNITY COUNCIL

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Minutes of an Extra-Ordinary Meeting of Magor with Undy Community Council held remotely on Monday 1st November 2021 at 7pm

COUNCILLORS: Cllr N Baicher, Cllr S Bailey, Cllr M Bisi, Cllr G Cook (Chair), Cllr J Crook, Cllr D James, Cllr P Kirkham, Cllr Plow, Cllr S Raggett, Cllr J Wilson, Cllr F Taylor (7.26pm), Cllr A Zagozda

IN ATTENDANCE: Beverly Cawley – Clerk,
15 Members of the public

APOLOGIES: Cllr C Hopkins

Min
2021/22

Open Forum

Public Open Forum (at discretion of Chair)

The Chair confirmed that the meeting would be recorded.

The Chair asked members of the public for any comments, and asked that any questions relating to the Wales Audit Office report, be directed by email to the Community Council Office, and that Council would respond in full as soon as possible.

A resident (and ex-Councillor) made reference to concerns about the accuracy of some parts of the report, and the fact that some of the detail and evidence provided to the WAO had not been included in the report. The resident wished to know if Council would be questioning WAO as to why evidence had been omitted. The resident believed Council would need to ensure it had a robust action plan to address the issues raised in the report and would need to build a culture of mutual respect and trust.

A resident (and member of the MUCH Group) advised that the National Lottery had 'picked up on the report', and had been in touch regarding the groups lottery bid asking how involved the group were with the Community Council and whether it would have any effect on them.

A resident stated that the report had raised significant concerns and that the Council now needs to demonstrate how it spends the money it raises through 'Council Tax', and needs to ensure that it is getting value for money, and that reading the headlines of the report it seems that there is money being wasted and unlawfully spent. The resident would be keen for Council to improve contract management and financial scrutiny and to go above and beyond what is required to demonstrate that the finances are in safe hands, and in order to regain public confidence in the Council's ability to deliver services.

Another resident advised that he had several questions that he would email direct to the Community Council office for consideration and response.

165 Chair's Announcements

165.1 To receive apologies for absence from Councillors

Apologies had been received as noted above. Cllr Taylor would be arriving late.

166 Declarations of interest in items on the agenda – Forms to be completed

166.1 To receive any declarations of interest in items on the agenda

Cllr James asked if she needed to declare an interest as she had been referred to in the report. The Clerk confirmed that the report related to all Councillors (as a corporate body), and whilst Cllr James' interest was noted, there was no actual requirement for her to declare an interest on this occasion.

167 Audit Wales – Report in the Public Interest – Unlawful Expenditure and Inadequate Arrangements to Secure Value for Money

167.1 To note this meeting had been advertised in line with the Public Audit (Wales) Act 2004 sections 25 to 27

A public notice of the meeting had been advertised in the Monmouthshire Free Press (copy date 20/10/21) in line with the Public Audit (Wales) Act 2004 sections 25 to 27. The meeting had also been advertised on the Council's web and Facebook pages.

167.2 To receive and note the above report issued by the Executive Director, Audit Services for and on behalf of the Auditor General for Wales

All members had received a copy of the Report in the Public Interest – 'Unlawful Expenditure and Inadequate Arrangements to Secure Value for Money' and noted its content.

167.3 Motion (not requiring Written Notice)

The Chair proposed to bring forward agenda item 3.4 (*refers Standing Order 10.a.vi*)

Resolved: *To bring forward agenda item 3.4 relating to recommendations (refers Standing Order 10.a.vi)*

167.4 To consider whether the recommendations in the report are to be accepted

Members had taken the opportunity to comment on the report and recommendations at a recent workshop.

Resolved: *To (unanimously) accept the recommendations as set out in the WAO Report in the Public Interest – 'Unlawful Expenditure and Inadequate Arrangements to Secure Value for Money'.*

167.5 To consider whether the report requires Council to take any action

Members had taken the opportunity to comment on the report at a recent workshop, and were of the belief that it needed to take action.

Resolved: To (unanimously) accept that Council needs to take action in respect of the contents and recommendations as set out in the WAO Report in the Public Interest – ‘Unlawful Expenditure and Inadequate Arrangements to Secure Value for Money’.

167.6

To consider and agree what action (if any) to take in response to the report and recommendations.

The Chair advised that an Extra-Ordinary Meeting would be called for Monday 22nd November 2021 at 7pm to discuss actions required in finer detail, and to finalise an action plan.

Members went through each of the recommendations and highlighted the basic actions needed.

R1 *The Responsible Finance Officer should ensure that three quotes are obtained for goods and service under £25,000*

The Financial Regulations need to be scrutinised and changed if necessary to ensure this is met so that we get value for money at all times.

R2 *The Council should have a contract in place for all services which are going to take place long term (links to R1)*

Council needs to formalise its current appointment of service providers with a detailed contract ensuring it is value for money for the next 12 months.

R3 *The Council should review its scheme of delegations to ensure that it is fit for purpose.*

Although Council has already reviewed its scheme of delegation, it will again revisit and scrutinise its Standing Orders and Financial Regulations to ensure it's scheme is fit for purpose.

R4 *The Council should ensure at least one person has access to its bank accounts, as per the Financial Regulations*

This was in place. But Council will revisit its signing authority again, when it reviews all other actions, to ensure it is fit for purpose.

R5 *An independent review of the bank reconciliations needs to be completed at least quarterly.*

This is due to be reviewed at the Ordinary Meeting on 8/11/21 to replace the Chair as the nominated person. Some members thought someone independent of the Council could undertake this task.

R6 *The Council should develop, approve and adopt a recruitment policy*

Council has already appointed a specialist firm Ellis Whittam to review all its personnel and Health & Safety issues and policies. This company will be undertaking a revision of the draft recruitment policy as part of its remit.

R7 *All recruitment should be subject to a competitive process and where there are interim personnel in post, they should not be involved in the process*

This in effect has been actioned, as this issue was due to mitigating circumstances during the clerk's absence, and in theory it should not happen as the clerk would be responsible for the recruitment process of staff, or Council would appoint an independent body to recruit should the position of clerk need to be advertised.

R8 *All employees should be issued with employment contracts*

This has been actioned. All staff have contracts. The HR consultants Ellis Whittam are however reviewing all contracts in place to ensure they are fit for purpose going forward.

R9 *The Independent Remuneration Panel guidelines for allowances should be adhered to*

This was actioned as soon as it was flagged up. Council questioned the IRPW's guidance which it had followed at the time. Guidance has since been changed by the IRPW to clarify the issue.

R10 *The Council should ensure that its disclosure of payments to councillors accurately reflects the payments made*

This was in place. Council have been publishing details of payments on their website for some years. The issue was down to wording of an item.

Resolved: To review all recommendations, whether already actioned, partially actioned or requiring action at an Extra-ordinary Meeting on Monday 22nd November 2021 at 7pm, when Council would look at detail and draw up an action plan for implementation.

CLLR TAYLOR ENTERED THE MEETING AT 19.26PM

167.7

To prepare a written response to the report for consideration and approval by the Executive Director, Audit Services prior to being published in the public domain.

Following comments on the report made at the recent workshop, two draft responses had been sent out to members as a starting point for discussion and final agreement.

It appeared that the majority of members were in favour of the second version, which Cllrs Taylor and Bisi had further amended (*this was shared on screen with the members of the public present*). It was felt that Council should wholeheartedly agree and accept the overriding key messages and findings of the report and act upon them in the best interest of stewarding the Precept for the community, taking and giving assurance that its processes will be totally robust in the future. There was some discussion over the particular wording of one section, on whether to refer to 'councillors' or 'Council' as a whole when noting omissions or inaccuracies, or whether that section should be taken out and dealt with separately.

The Vice Chair reminded members that they were elected on to the Council, a corporate body, and by doing so take responsibility for the actions of the Council, and should move away from being individuals, and take a 'one-line strap' as Full Council.

Member felt the detail of the response was almost there, but it was proposed that the final decision on the response be deferred until a future meeting. The Clerk read out, at the request of the Chair points 36 & 37 of the report which advised Council what steps it needed to take. There was no timeline/deadline detailed for when the written response to the report needed to be submitted for consideration and approval by the Executive Director, Audit Services.

Resolved: That the final decision on the response that needs to go for approval to the Executive Director, Audit Services be deferred to the Ordinary Meeting to be held on Monday 8th November 2021.

The Chair thanked members of the public for attending, stating that problems had been encountered, and the Council were genuinely working towards solutions and monitoring the situation.

MEETING CLOSED AT 19.59PM