

Committee: **Annual Meeting of the Council**

Date of Meeting: **26<sup>th</sup> May 2022**

Report Subject: **Democratic Committee Arrangements 2022**

Portfolio Holder: **Leader of the Council**

Report Submitted by: **Gemma Wasley, Service Manager Performance and Democratic**

Reporting Pathway								
Directorate Management Team	Corporate Leadership Team	Portfolio Holder / Chair	Audit Committee	Democratic Services Committee	Scrutiny Committee	Executive Committee	Council	Other (please state)
	February and March 2022						26 <sup>th</sup> May 2022	Political Groups Monitoring Officer

**1. Purpose of the Report**

1.1 To detail the democratic arrangements for the forthcoming year.

**2. Scope and Background**

2.1 As a result of the reduction in Elected Members from 42 to 33, we have undertaken a comprehensive desk top research exercise to consider where the democratic function of the Council could be strengthened and modernised. The research has included:

- Evaluation comments received from both officers and members;
- Data analysis;
- Network meeting discussions;
- Chairs and Vice Chair meetings;
- Consideration of processes in other areas; and
- Comparative data analysis.

2.2 From the research a number of findings and proposals have been put forward for consideration for implementation as part of the new political cycle 2022.

2.3 The proposals have been considered and a number of new approaches have been identified for implementation for the 2022 cycle. These are detailed below.

**a) The Establishment of a Presiding Member Position**

The Presiding Member will cover the following areas:

- Chair Council Meetings;
- Maintain order and to protect the rights of Members including ensuring that Council business is handled on the basis of equality and impartiality;
- Promote democratic engagement and leadership; and

- Acts as the ambassador for the Council, attending events in order to publicise and raise the profile of the Council.

The role of a Presiding Member is included within the Local Government (Democracy) (Wales) Act 2013 and states:

- Presiding member
  - (1) A principal council may determine to have a presiding member.
  - (2) A presiding member is elected by the principal council from among the councillors.
  - (3) The principal council may determine—
    - (a) the functions of the presiding member, and
    - (b) the term of office of the member (subject to the limits in subsection (6)).
  - (4) The functions of the presiding member may, in particular, include any function of the chairman of the principal council in relation to its meetings and proceedings.
  - (5) A member of the executive of a principal council may not be elected as its presiding member.
  - (6) A presiding member is to continue in office until the occurrence of—
    - (a) the presiding member's resignation or disqualification,
    - (b) a successor becoming entitled to act as presiding member,
    - (c) the principal council determining not to have an office of presiding member, or
    - (d) an ordinary council election under section 26.

The Independent Remuneration Panel also identifies the role of Presiding Members and includes the statement, '*Councils are reminded that if a presiding member is appointed they do not have to be remunerated. If they are remunerated the post will count towards the cap and be paid at a Band 3 senior salary. Band 3 is set at £25,593*'.

## **b) Remits of Scrutiny Committees**

The remits of Scrutiny Committees in Councils are at the discretion of the Local Authority. Research across Wales shows that Committee remits are varied and are set to suit the business and decision making within the Council.

For the 2022 political cycle the Scrutiny Remits are as follows (see next page):

<b>Scrutiny Committee</b>	<b>Remit</b>	<b>Executive Member</b>
People Scrutiny Committee	<ul style="list-style-type: none"> <li>• Social Services</li> <li>• Education</li> <li>• Corporate Safeguarding</li> </ul>	<ul style="list-style-type: none"> <li>• People &amp; Education</li> <li>• People &amp; Social Services</li> <li>• Corporate (for Corporate Safeguarding)</li> </ul>
Place Scrutiny Committee	<ul style="list-style-type: none"> <li>• Regeneration</li> <li>• Community Services</li> <li>• Decarbonisation / Climate Change</li> <li>• Community Safety including CCTV</li> </ul>	<ul style="list-style-type: none"> <li>• Place &amp; Regeneration</li> <li>• Place &amp; Environment</li> <li>• Corporate (for Community Safety and CCTV)</li> </ul>
Partnership Scrutiny Committee	<ul style="list-style-type: none"> <li>• Public Service Board (PSB)</li> <li>• Cardiff Capital Region City Deal (CCRCD)</li> <li>• Education Achievement Service (EAS)</li> <li>• Regional Partnership Board (RPB)</li> <li>• Tech Valleys</li> <li>• Shared Resource Service (SRS)</li> <li>• Aneurin Leisure Trust (ALT)</li> </ul>	<ul style="list-style-type: none"> <li>• All Executive Members</li> </ul>
Corporate and Performance Scrutiny Committee	<ul style="list-style-type: none"> <li>• Former Corporate Overview Remit</li> <li>• Performance</li> <li>• Finance (including remit of the former Joint Budget Scrutiny Committee)</li> </ul>	<ul style="list-style-type: none"> <li>• Corporate &amp; Performance</li> <li>• Other portfolios depending on items</li> </ul>

### **c) Size of Committees**

Moving forward, the number of members sitting on committees will be a total of nine.

The exception to this will be the Planning, Regulatory & General Licensing Committee and Statutory Licensing Committee who will have 11 members (as the statutory minimum).

Note that the Governance and Audit Committee is required in legislation to be made up of 1/3 lay persons, including the Chair.

A number of Committees are required to be proportionate to reflect the political make up of the Council. The current calculation is 2:1 per committee i.e. a committee of nine members will be six from the Labour Group and three from the Independent Group.

Note, if a member chooses to identify as an Independent and not part of a political group, it will be at the discretion of the Leader whether those members get a seat on a committee or not.

#### **d) Scrutiny Agendas**

Having small, focussed and succinct agendas for Scrutiny is key to supporting effective decision making. It is recognised nationally that agendas should focus on quality and not quantity and that Scrutiny should be able to influence the policies and decisions of the Council. No item should just be for monitoring, for information or to note.

The Local Government and Elections (Wales) Act 2021 states:

- All scrutiny committees should adopt the most effective ways of working to ensure that they are able to fulfil their role.
- Councils should ensure that the number of items on an agenda does not make it difficult for members to consider the matter in question in depth
- Consideration should be given to single-item committee agenda.

Moving forward, Scrutiny agendas will include a maximum of two items under the following categories:

- Pre decision; or
- Performance.

Any other item will be provided to Members as part of the Member Development Programme so that members are kept informed of areas within the Council, but are only scrutinising what is necessary.

#### **e) Minutes of Committees Meetings**

Owing to the statutory requirement to broadcast committee meetings, and the Council's approach to recording all meetings, Members, Officers and the public are able to view the full verbatim discussion online via the Blaenau Gwent website. This provides real time access to the meeting detail.

The process for the minutes in previous cycles has meant that they could not be viewed until the following meeting (up to 8 weeks in some cases), however, decision sheets were made available by the following day.

Under the Welsh Language Standards, Blaenau Gwent Council is required to translate all of its minutes. This is a costly process, for example, from June 2020 to December 2021 the translation costs of the minutes amounted to £19,279.

The Welsh Government guidance on multi location meetings states that Local Authorities should be more innovative on how agendas and paperwork are produced and presented.

Research has been undertaken across Wales which shows that Blaenau Gwent has one of the largest lengths of minutes. It has also shown that some areas, such as Cardiff City Council, only produce decision sheets and the full detail of the meeting can be found on their website via meeting recordings.

For 2022 onwards, the minutes will only include:

- Attendance;
- Apologies;
- Declaration of Interest; and
- Decisions / Recommendations.

The minutes will sit alongside the recording on the meeting found on the Council's website.

#### **f) Timings of Meetings Survey**

As set out under Section 6 of the Local Government (Wales) Measure 2011, councils are required to review the times, frequency and length of meetings at least once every term.

Legislation, including the Wellbeing of Future Generations (Wales) Act 2015, the Local Government and Elections (Wales) Act 2021 and the Local Government (Wales) Measure 2011, all include detail on the need to consider the timing of meetings and to have regard for equality and diversity when considering the length, times, intervals and locations of meetings which are convenient to its members. Some Members may find attending meetings in the day is incompatible with their paid employment and certain times of day are challenging for people with other needs such as caring responsibilities.

The Measure states that it is important that councils do not simply continue to hold their meetings at the same time, in the way as they always have done. What may have been tradition or an arrangement which suited the previous cohort of councillors will not necessarily serve the interests of the current one.

In order to support the needs to the specific members sitting on each committee a timings of meeting survey will be provided to Members so that they can identify the most suitable time for each committee meeting. This survey will be provided to members once we have been provided with the names of each Member on each committee.

#### **g) Council Representatives on Outside Bodies and Other Bodies**

The AGM will appoint Members to the essential outside bodies including:

- Silent Valley Waste Services Limited;
- Tai Calon Board;
- Brecon Beacons National Park Authority;

- Gwent Police and Crime Panel;
- Cardiff Capital City Region City Deal; and
- South Wales Fire and Rescue Authority

In addition to the above, Democratic Services will look to undertake a review of the membership to other outside bodies, to working groups where Members are represented, and also to the member champion roles in advance of nominations being sought at a future Council meeting.

### 3. **Options for Recommendation**

*To include Recommendation(s) / Endorsement by other groups, e.g. CMT/Committees/Other groups)*

- 3.1 The report is presented as information to the AGM setting out the democratic arrangements moving forward.

### 4. **Evidence of how does this topic supports the achievement of the Corporate Plan / Statutory Responsibilities / Blaenau Gwent Well-being Plan**

- 4.1 The report supports a number of legislative requirements including:

- Wellbeing of Future Generations (Wales) Act 2015
- Local Government and Elections (Wales) Act 2021
- Local Government (Wales) Measure 2011
- Equality Act 2010

### 5. **Implications Against Each Option**

***Impact on Budget (short and long term impact)***

- 5.1 The Presiding Member does not have to be remunerated but, if the post is remunerated, it must be paid at Band 3 which is set at £25,593. If this is the case, the post will contribute to the total number of Senior Salary Holders.

- 5.1.2 The reduction of the minutes will provide a substantial cost saving as we will no longer be paying for large translation costs.

- 5.1.3 There will be additional costs to support the legislative requirement of having 1/3 of the Governance and Audit Committee as lay persons, to support expenses etc.

- 5.1.4 The other arrangements identified above are cost neutral and should provide a more modern approach to supporting the democratic process.

### 5.2 ***Risk including Mitigating Actions***

As identified above, there are a number of legislative requirements and considerations that we need to consider in order to support equalities and diversity with Elected Members and also the public.

### 5.3 ***Legal***

All arrangements above are within the legal boundaries as set out in various legislation.

### 5.4 ***Human Resources***

The arrangements above enable the Head of Democratic Services to review the support arrangements to members via the Democratic Team and will look to identify more modern and efficient support to members.

## 6. **Supporting Evidence**

### 6.1 ***Performance Information and Data***

Extensive desk top research and discussion with colleagues across Wales has been undertaken to gather data and evidence to support the proposals identified within the report.

### 6.2 ***Expected outcome for the public***

The recording of meetings and the consideration for the timings of meetings supports engagement with the public by enabling them to be involved in local democracy in a variety of ways.

Note, additional work is being undertaken as part of the Diversity in Democracy Action Plan to further support engagement in the democratic process as a requirement of the Local Government and Elections (Wales) Act 2021.

### 6.3 ***Involvement (consultation, engagement, participation)***

Discussion has taken place with the colleagues across Wales.

Consultation on the process has been held with Corporate Leadership Team, the Monitoring Officer and both political groups.

### 6.4 ***Thinking for the Long term (forward planning)***

The arrangements identified above look to modernise the Council's democratic approach by recording meetings and considering the needs of Members and the public.

### 6.5 ***Preventative focus***

The arrangements should provide focus for members when in meetings, ensuring they are able to consider and discuss items that they can contribute to and make a difference with.

6.6 ***Collaboration / partnership working***

The arrangements include a specific committee dedicated to the scrutiny of partnerships.

6.7 ***Integration (across service areas)***

The Monitoring Officer and Corporate Leadership Team have been consulted as part of this process and are in agreement with the proposals.

6.8 ***Decarbonisation and Reducing Carbon Emissions***

The modernisation of the democratic arrangements enables Members and officers to attend meetings without the need for travelling.

6.9a ***Socio Economic Duty Impact Assessment (complete an impact assessment to consider how the decision might help to reduce the inequalities of outcome associated with socio-economic disadvantage).***

A socio economic impact assessment is not required for this report.

6.9b ***Equality Impact Assessment (screening and identifying if full impact assessment is needed)***

The arrangements set out above look to support equalities and diversity for all Members.

7. **Monitoring Arrangements**

7.1 ***State how the work will be monitored e.g. through scrutiny or directorate performance management arrangements***

The arrangements can be reviewed at any time as required.

**Background Documents /Electronic Links**

- N/A