

Minutes



Democratic Services Committee

Date: 18 February 2016

Time: 5.00 pm

Present: Councillors C Ferris (Chair), T Bond, M Evans, J Mudd, K Thomas, T Watkins and D Mayer

In Attendance: G Price (Head of Law & Regulation), R Jefferies (Head of Democratic Services) and J Howells (Democratic Services Support Officer)

Apologies: Councillor D Harvey, Will Godfrey (Chief Executive)

1 Apologies for Absence

As noted above.

2 Minutes of the Previous Meeting

The minutes of the meeting held on 17 December 2015 were confirmed as a true record.

Item 3 Review of the Constitution: Role Descriptions. The Head of Democratic Services confirmed that he would be making some amendments to the descriptions and will then circulate to the committee.

Item 4 Scrutiny Committee Structure. The political groups are looking at the new suggested structure before it comes back to Council.

3 Draft Local Government (Wales) Bill

The Bill initially refers to the new Council areas that are to operate from 1 April 2020. Newport is included in a new Local Government area along with the county of Monmouthshire and the county boroughs of Blaenau Gwent, Caerphilly and Torfaen. Elections will be held in May 2019 and the new authorities will operate in Shadow form until April 2020.

The Draft Bill outlines:

- The establishment of new Counties by the merger of existing Counties and County Boroughs; and
- A new and reformed legislative framework for Local Government democracy, accountability, performance and finance;

The accompanying documentation seeks further views on other proposals which have not as yet been drafted as legislation. The preparatory work and consultation around the Draft Bill will provide a new Welsh Government a 'ready-made' reform bill which could be introduced soon after the Assembly elections.

The Democratic Services Committee was asked if it wished to make a non-party political response to the Consultation document. Clearly the political groups will wish to make their own submissions.

To assist the discussion, the responses made by the Welsh Local Government Association were included in the report.

In producing the Draft Bill, the Welsh Government had responded to many of the concerns and views expressed by councils during the White Paper consultation. There are therefore a number of proposals that would be welcomed by councils including:

- The non-introduction of some of the more controversial White Paper proposals such as term limits for councillors, review of members' remuneration and elections by thirds;
- Proposed power of general competence;
- The proposed clarification and simplification of authorities' executive and full council functions;
- Improving and streamlining of some existing burdens and duties on councils, including remote attendance and community polls; and
- A reformed improvement regime based on self-improvement and proportionate external regulation.

Members considered that some proposals were overly-prescriptive and would create additional burdens, resource implications and/or complexity for local authorities. There were also some proposals which will have an impact on local democracy and are inconsistent with expectations and arrangements of other tiers of government. Such proposals include:

- 'Performance duties' for councillors;
- Establishment of 'Community Area Committees' (CACs);
- Introduction of 'improvement requests';
- Councils' duties over other public bodies, such as provision of training to community councils and public participation duties over fire and rescue and national park authorities;
- The consistency of the proposed improvement and corporate planning regime with the new duties of the Wellbeing and Future Generations Act.
- Ministerial powers to direct or issue guidance to local authorities, for example on workforce matters.

The establishment of new Counties by the merger of existing Counties and County Boroughs remains an issue under debate and discussions are continuing in relation to the proposed merger plans. Nevertheless the consultation document sets out a number of other proposals that impact on the governance arrangements of the Council and therefore fall within the remit of the Democratic Services committee. The views of the WLGA were included in this report.

Several concerns in addition to those raised by the WLGA were raised by the Committee:

1. Community Area Committees (CACs) appear to be another tier of government bridging the gap between the public and the larger merged councils.
2. Concerns that there could be a conflict of interest with members of Public Service Boards defining the community areas for CACs and that the pattern of CACs will be agreed by a mainly non-elected body.
3. Concern on the practicality of broadcasting all meetings, in addition to the pressure on resources both in terms of staff and monies.

4. Both self and peer assessment needed to be consistent across all authorities. Assessments could vary enormously if carried out by different people, as opposed to one appointed body.

Agreed

Head of Democratic Services to draft a reply in line with the WLGA response plus additional points raised by the Committee. The reply would be circulated to committee members.

4 Induction for New Members in 2017

Local Authorities and the Welsh Local Government Association have traditionally worked together to plan and support induction activities for new members in Wales following local elections. The WLGA considers that the 2017 elections will bring fresh challenges for members and authorities and a new approach may be required.

The WLGA had prepared a discussion document for consideration, to inform joint working and the sharing of resources. The document referred to the limited budgets available for the WLGA and for local authorities generally and made the point that there are fewer resources, both locally and nationally, to support the induction of new and returning members. There will also inevitably be fewer opportunities for authorities to use outside providers for councillor development and authority officers may have less time to provide sessions themselves.

- A 'curriculum' for induction might be useful to share and agree among authorities as a first stage. This should dovetail with role descriptions and the *Wales Councillor Development Framework* and most importantly be agreed by current members as useful.
- An agreement on which aspects of councillor development should be mandatory. Although the Local Government Wales Bill suggests that each local authority would decide which training for councillors should be mandatory, a shared agreement across Wales would strengthen arrangements and facilitate resource sharing. The Welsh Government have agreed that they would welcome suggestions from the Network about what training should be recommended as mandatory if this becomes law.

The Committee agreed that the following training should be mandatory.

For all councillors

- Code of Conduct and Ethics
- Constitutional matters including meeting participation Standing Orders etc.
- Introduction to Equalities
- Safeguarding
- Data Management and Freedom of Information
- Corporate Parenting
- Finance including budgeting and treasury management

For specific committee members

- Planning for Planning Committee members
- Standards for Standards Committee members
- Licencing for Licencing committee members
- Audit for Audit committee members
- Appointments for appointment committees
- Scrutiny for Scrutiny Members

For Chairs

- Meeting management skills for all chairs and vice chairs
- Effective scrutiny chairing for scrutiny chairs and vice chairs

More training should be available online and therefore it was imperative that IT training be provided.

It was agreed that training should be carried out on a regular basis and not merely at the outset of a member's term of office.

The committee also queried whether those persons appointed to Public Services Bodies and Community Area Committees would also receive training applicable to their new roles.

Agreed:

Head of Democratic Services to draft a reply to the WLGA and circulate to all committee members.

5 Date of Next Meeting

The next meeting is scheduled for Thursday 21 July 2016 at 9.30am.