

# Agenda



## Democratic Services Committee

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Date: Tuesday 13 December 2022

Time: 10am

Venue: Committee Room 1/Microsoft Teams

To: Councillor D Fouweather (Chair), T. Harvey, K. Thomas, P. Hourahine, T. Watkins, A. Sterry, M. Spencer, A. Pimm, Stowell-Corten, Elizabeth Bryant (Assistant Head of Legal Services), Leanne Rowlands (Democratic and Electoral Services Manager), Felicity Collins (Governance Officer)

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Item	Wards Affected
1	<u><a href="#">Apologies</a></u>
2	<u><a href="#">Declarations of Interest</a></u>
3	<u><a href="#">Minutes of Last Meeting</a></u> (Pages 3 - 8)
4	<u><a href="#">Ward Meetings</a></u> (Pages 9 - 16)
5	<u><a href="#">Live Event</a></u> <u><a href="#">Please click here to view the live event</a></u>
6	<u><a href="#">Date of Next Meeting</a></u> Tuesday 21 February 2023 10am – 12pm Committee Room 1

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# Minutes



## Democratic Services Committee

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Date: 18 October 2022

Time: 10.00 am

Venue: Council Chambers – Hybrid Meeting

Present: Councillors D Fouweather (Chair), A Sterry, P Hourahine, E. Stowell-Corten, M Spencer, T Watkins, A Pimm and T Harvey

Elizabeth Bryant (Deputy Monitoring Officer), Gareth Price (Head of Law & Regulation), Leanne Rowlands (Customer Services Manager), Anne Jenkins (Governance Team Leader) Felicity Collins and Pamela Tasker (Governance Officers)

Apologies: Councillor K Thomas

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### 1 Apologies

Councillor Thomas.

### 2 Declarations of Interest

None.

### 3 Minutes of Meeting held on 23 June 2022

The minutes of the last meeting held on 23 June 2022 were **accepted** and approved as an accurate record of the meeting.

### 4 Guide to the Constitution

The Head of Law and Standards provided a brief overview of the requirement for the local authority to publish the new constitution guide which will be public facing and a simplified version of the constitution, which will not be a technical document so members of the public can interact and engage with the document.

It was stressed that this is draft statutory guidance, model produced by the Welsh Government and that the officers have condensed a lot of information from the constitution into a smaller document. The guide has lots of hyperlinks which would direct the members of the public to those parts of the constitution/policies they'd like to access.

Members were advised that the council has to have adopted and published the guide to the constitution as soon as possible after May 2022 to comply with the legislation, so unfortunately there would not be enough time for public consultation.

It was suggested to the Committee that they could recommend to Council in November that this document should be adopted as a starter document to meet the requirements of the

legislation but agree to keep the document under constant review and improve it as they go along in the forward work programme. Public consultation could then be carried out as part of the review of the guide.

Committee raised the following points:

- Councillor Hourahine asked with regard to public feedback; who the wider groups be engaged with would be and when would it be the most likely for the committee to get that first part of public feedback.

In response, the Head of Service explained that it is entirely up to the committee members to decide on how they wish to engage. Councillors have various ways of consulting with the public, such as online questionnaires which could be something they can build into the forward work programme.

The Democratic and Electoral Services Manager added that in May the authority adopted the Participation Strategy in order to comply with the legislation which sets out the starter on how the council can engage with the public. There are key objectives in there and the feedback was that they did a lot to engage online and looked into how to get to groups who are harder to reach. It was mentioned they could always bring that back to future committees to update the Members.

- Councillor Hourahine referred to part 4.5 on page 29 where it states that Councillors can request a recorded vote. The Member asked the officers to clarify how many Councillors would be required to make a recorded vote.

The Head of Law and Standards confirmed that it states in the council standing orders that it requires five Councillors. It was mentioned that the Standing Orders regulated the conduct of meetings and were intended for Councillors, not for members of the public. Therefore, it was unnecessary to repeat this level of detail in the public guide to the constitution.

- Councillor Hourahine felt that the number clarifying would help everyone reading the document and also referred to page 34 regarding the Standards Committee whereby ex-councillors are not allowed to sit on that committee but it does not state that in the document.

The Head of Service clarified that the document is a simplified guide where the council has tried to keep it as short as possible. Apologies were made if the Members feel they have taken out details that they think are relevant.

Members were reminded that the information on such matter mentioned are all set out in the constitution itself but reiterated that officers cannot input a lot of detail for each committee and how they all operate as the document is meant to be an overview. If individuals would like to know the rules, they would then be directed to the relevant part of the constitution.

- Councillor Hourahine referred to page 57, where if a Member were to raise an issue with Overview Scrutiny Management Committee, there is no mechanism to see how that would be achieved. It was asked if this is something new.

In response, the Head of Service advised Members that this is not new and that goes back to the original Act from 2000. Individual Councillors have always had the right to take issues of their choice to scrutiny, members are able to request items for the work programme.

- Councillor Hourahine asked if there has ever been a referral and vote.

The Head of Service clarified that this right of referral had been used occasionally in the past. Usually the committee would collectively select the issues they would like to discuss. It was stressed that there is scope for individual Councillors to raise such issues which can be discussed with the chairs of such committees.

- The Chair commented that the call in process for Cabinet Member decisions has always been there.

The Lead Officer explained that there has always been a call in process but only for unlawful or un-constitutional decisions. We don't have a call in process on merits of the decision. There is a subtle difference in the Newport City Council's call in system works. Thankfully never had a successful call-in as decisions should not be let through if unlawful or un-constitutional. Newport has a comprehensive system of a pre-decision consultation so all Members can see the report and have a chance to make comments on the decision before it is made.

- Councillor Watkins expressed his concern that the Committee has been asked to adopt the draft report in November, as he felt that they do not know of the legislation that would come forward after that.

The Head of Service advised the Member that the legislation is already in force and clarified that the officers recommended that the Members adopt it to comply with the legislation. As the authority is currently waiting for the final guidance from the Welsh Government, Members were assured that the officers have had the draft guide for a while. It was stressed that the document is dynamic and the Officer suggested that the Committee could keep it under review.

If there would be any change in the guidance, the officers would bring it to committee for discussion.

- Councillor Watkins asked when the council receives the guide if it could come to committee for approval prior to council for approval. The Chair agreed to the suggestion.

Members of the Committee noted the content of the report and approved of it to be passed to full Council for adoption in November.

**Committee wished to make the following recommendation:**

The draft guide to the Constitution to be approved and referred to Council for adoption.

**5 Amendment to the Constitution - Cabinet Job-sharing and Executive Assistants**

The Head of Law and Standards provided the Committee with a brief overview of the legislative changes with the right for the Cabinet Member post to be shared and the right for leaders to appoint assistants to the executive. It was explained that the report updates the relevant parts of the constitution to reflect how it works in practice.

Members were advised that the Leader of the Council appoints the Cabinet Members and can decide which post could be job shared.

The Officer noted how there are a number of reasons for job sharing, which is not to increase the number of posts or sharing the workload, but more about improving diversity and succession planning.

The Head of Service informed the Members on how the Cabinet Member decision making would work, as the two Members would have a single vote between them. If the Cabinet Members cannot agree on their vote jointly, then their vote would be invalid and would be

disregarded. With the individual Cabinet Member decisions for signing off a report, this would be delegated to the Cabinet Members as stated in the scheme of delegation. If there were a disagreement amongst the two Cabinet Members, the written report would go to the Leader of the Council for the decision.

Members were also informed how the assistants to executives do not have vote in cabinet, nor a senior salary. They are entitled to speak at Cabinet meetings but are not responsible for the decisions made by the Cabinet Member. It was stressed that the legislation needs provision for those to be appointed and to update the constitution so there is discretion. This would have no financial implication as the officers have amended the relevant part of the constitution but intend for these changes in practice to be reflected.

It was recommended to the Committee that the Members take the report to full council in November in order to accept and reflect the changes.

**Committee wished to make the following recommendation:**

The Committee noted the content of the report and agreed to take the report to council in November for adoption of the changes to the Constitution.

**6 Independent Remuneration Panel - Draft Annual Report**

The Committee were informed that there was not that much change to the report, just that the basic salaries for the Members will be increased by 4.76% in line with inflation. Members were reminded that normally committee would not comment on the same but the IRP had asked specific consultation questions about the process of consultation and determination, which the Committee may wish to consider. Members were informed all other allowances, such as the co-opted Members will not change, as of next April.

Committee made the following comments:

- Councillor Watkins asked if it would be appropriate for the Committee to comment on the document as it affects all Councillors and could be a conflict of interest.

The Head of Service advised the Members that they are being asked on how the salary is based, not the pay itself.

Following agreement from the Chair, the Head of Law and Standards ran through each consultation question to provide Members with an opportunity to make comments on the same.

Members were informed it is a draft report which is subject to consultation comments, the next report would come to Committee around February/March to form the new scheme of allowances for next year. The Head of Service appreciated that with the first question, where it discusses basing allowances on average salaries and may feel too much of an interest to express their opinion on that.

Consultation Questions:

- - 1. Members agreed to select the no opinion option.
  - 2. Members agreed to select the no opinion option.
  - 3. Members agreed to select the yes option.
  - 4. Members wished for the report to carry on as it is so selected the yes option for that.
  - 5. Members agreed to selection the yes option.

The Officer thanked the Members for their responses.

## 7 **Date of next Meeting**

Tuesday 21 February - 10am - Committee Room 1

The Committee agreed on the meeting being held in a committee room for the next meeting. Reservations were expressed over the facility of the broadcasting visibility. Members were informed by the Democratic and Electoral Services Manager that the screens now allow the officers to zoom which would work for the size of the committee.

The Head of Service informed Committee that due to the September meeting being cancelled so the Committee is out of sync in terms of meetings, the Democratic Services Committee Annual Report is due to go to Council in November.

The Officer suggested to the Members that the Officers could draft the report and email it to the Members for comment to produce it collectively by agreement to take to Council in November. Members were advised it would be better than waiting for the report in the New Year otherwise it would be a big gap from previous years.

Councillor Watkins commented that would be fine with regard to the annual report. The Member assumed that as Democratic Services Committee is a public meeting, if people would like to watch it, would that be facilitated in the committee rooms?

The Head of Service confirmed that Committee Room 1 has a public seating area on the side.

Meeting terminated 10:47 hrs

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# Report



## Democratic Services Committee

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### Part 1

Date: 13<sup>th</sup> December 2022

**Subject** Participation Strategy: Ward Meetings

**Purpose** To consider the role of ward meetings under the Participation Strategy which was implemented by the Council in May 2022.  
To make any comments on the proposed framework to support ward meetings.

**Author** Democratic and Electoral Services Manager

**Ward** City wide

**Summary** Under the Local Government and Elections (Wales) Act 2021 Local Authorities are required to publish a Participation Strategy that supports residents to become more involved in decision-making and to encourage more diversity in decision-makers.

Democratic Services Committee supported the development of the Strategy, which was adopted by the Council in May 2022.

Key objectives under this strategy include;

- (a) ways of promoting awareness among local people of the principal council's functions;
- (c) ways of facilitating access for local people to information about decisions made, or to be made, by the principal council;
- (d) ways of promoting and facilitating processes by which local people may make representations to the principal council about a decision before, and after, it is made;

Feedback from residents regarding the Strategy indicated that indicate that respondents felt that there was room to improve in terms of citizen engagement and involvement in the democratic process. Ward meetings are one of many ways that the Council is able to support public involvement in decision-making; defining an agreed framework for the ward meetings, including the support available for ward councillors will promote consistency and equality in line with the principle aims of the Participation Strategy.

**Proposal** To note the report and consider the proposed framework to support ward meetings prior to the commencement of public consultation

**Action by** Democratic Services Manager

### **Timetable**

This report was prepared after consultation with:

- Head of Law and Regulation
- Chief Executive
- Directors
- Heads of Service

### **Background**

In line with The Local Government and Elections (Wales) Act 2021 the Council published a Participation Strategy in May 2022. The Council already has experience in participation, engagement, consultation and co-production. The expectation is that the Strategy will support the organisation to build on this experience and move towards greater participation over time.

The Act states that a public participation strategy must, in particular, address:

- (a) ways of promoting awareness among local people of the principal council's functions;
- (c) ways of facilitating access for local people to information about decisions made, or to be made, by the principal council;
- (d) ways of promoting and facilitating processes by which local people may make representations to the principal council about a decision before, and after, it is made;

The Strategy aims to be open and responsive to the needs of citizens and communities. This includes engaging local people in participative processes, by which residents can influence and shape policy and services.

Participation is about sharing decisions with those affected by them and must be an integral part of the Council's work. Whilst participation is not about giving groups or individuals whatever they ask for, residents should always have a degree of decision-making power so that they feel listened to and understood.

Participation supports residents to be 'actively involved with policy makers and service planners from an early stage of policy and service planning and review' (Participation Cymru, 2012). Participation should include a wide range of different methods and techniques. Feedback from the consultation on the Participation Strategy indicated that the public would like the Council to be visible to residents, to explore alternative methods of consultation and to ask residents what matters to them.

As public participation is a challenging aspect of council business, it is expected that this strategy will evolve and improve over time as the benefit of experience and good practice becomes evident.

## **Ward meetings**

The 'Practitioners' Manual for Public Engagement' (Participation Cymru, 2012) defines consultation as '*a formal process by which policy makers and service providers ask for the views of interested groups and individuals*'. Ward meetings clearly meet the definition of participation under this standard.

Ward meetings were previously held within communities, at the request of elected members, with senior officer and administrative support. Ward meetings did not have a standard framework and ran on an ad-hoc basis, with varied agendas.

Whilst ward meetings offer a valuable opportunity to engage with residents, the inconsistent approach to their content meant that the exchange of information varied depending on location. Adopting a standard framework to support ward meetings will establish a consistent and holistic approach to engaging with communities under the public participation strategy, while making the best use of limited resources. This approach will support the aims of the Participation Strategy by sharing key information about the Council and council service provision, and by engaging with residents on key decisions that will impact their communities in a timely manner.

## **Framework and Support**

Formalising the approach to ward meetings will ensure a consistent and equitable approach to the dialogue for residents in all wards, supporting the aims of the participation strategy.

Over the cycle of the municipal year, there are key corporate decisions such as budget setting and the medium term financial plan that the Council routinely engages with citizens on. Methods of engagement include consultation that can be accessed online, and as a gateway to the public Wi-Fi available across the City. Utilising one of the regular ward meetings to focus on budget setting and supporting residents to engage with this process on a face-to-face basis will encourage rich and meaningful feedback that shapes the outcome of the decisions being made. The budget setting cycle would require the ward meeting to take place in November to support the collection of meaningful feedback to inform the decision making process.

In addition, a second supported ward meeting approximately six months after the budget setting ward meeting would provide a further opportunity to promote awareness of the Council's functions including a summary of progress against key objectives and projects. This would amount to two ward meetings per ward on an annual basis, or forty-two in total.

Whilst the proposed framework would support two meetings per year in each ward, it would remain within the remit of the ward member/s to determine whether the ward meetings are held in their own community. If members prefer to communicate with their residents in a different way, then they don't have to have these bi-annual ward meeting. However, for those wards who want the meetings, then this is a consistent way of organising and structuring the meetings.

Administrative support to schedule and arrange ward meetings will be provided via Democratic Services. Further administrative support will be provided by officers from across the Council to ensure that feedback from residents is recorded and collated centrally to support consultation and feed into the decision-making process. Support from Senior Officers will continue to be provided to ward members at each ward meeting. This will be on a pre-planned, rostered basis so that there is appropriate assistance whilst continuing to support the work-life balance of officers when working outside of usual office hours.

This framework will support the development of more participative decision making with the community whilst balancing the resource requirements needed to provide appropriate support.

## Consultation

Statutory consultation concerning the Participation Strategy was open for 30 days in February and March 2022.

The feedback received as part of the consultation supported the actions outlined in the strategy to encourage participation. The full response to the consultation can be found in Appendix B. The responses to questions and comments feedback indicates that residents are interested in the decisions that the Council makes, and would welcome having more of a voice as part of the decision making process. The feedback gathered as additional comments in the responses indicate that respondents felt that there was room to improve in terms of citizen engagement and involvement in the democratic process. The respondents felt that the actions outlined in the strategy would help residents to become more involved in decision making. The insights gained through the additional comments indicate that residents would like engagement to focus on more varied and alternative methods of communication, particularly with potentially harder to reach groups.

## Financial Summary

There are no direct financial implications associated with the proposed framework.

## Risks

Risk	Impact of Risk if it occurs* (H/M/L)	Probability of Risk occurring	What is the Council doing or what has it done to avoid the risk or reduce it's effect	Who is responsible for dealing with the Risk?
Failure to support residents to participate via ward meetings in a fair and equitable way	H	L	Framework in place to support consistent approach to ward meetings	Democratic Services Manager

\*Taking account of proposed mitigation measures.

## Links to Council Policies and Priorities

Whilst the Corporate Plan is still in development at the time of preparing this report, the Participation Strategy will be embedded as part of the Corporate Plan. This will be reflected throughout the strategic plans, right down to the service plans in each area.

Other Council strategies and plans that link closely to this work are The Strategic Equality Plan 2020-24 and the Newport Well-being Plan 2017-22. The commonality with the Equality Plan is involving local people in the decisions that affect them, considering diverse needs when developing services and helping people to feel connected to the place that they live.

The goals that the Strategy shares with the Newport Well-being Plan relate to Sustainable Development principles under the Wellbeing and Future Generations (Wales) Act 2015. Specifically, Involving People and developing solutions in partnership with local people and communities, and ensuring they are involved in decisions that affect them. The aim under the Well-being Plan is that people and communities are friendly, confident and empowered

to improve their well-being. This plan is also currently under revision but will continue to support the principles of the Wellbeing and Future Generations (Wales) Act 2015.

## **Options Available and Considered**

1. Approve the framework moving forward..
2. Do not approve the framework and make further amendments at this stage. This would mean a delay in the timeline of delivery, which may mean that the budget consultation for 2023/24 budget setting is missed.

## **Preferred Option and Why**

Option 1. The Committee is asked to note the report, and approve the ward meeting framework for adoption.

## **Comments of Chief Financial Officer**

There will be no adverse budgetary impact as a result of these proposals, the proposed framework to support ward meetings will be fully funded through existing budgets. Any further development to this level of support would require additional budget or grant to be identified so that the support remains fully funded.

## **Comments of Monitoring Officer**

The proposed action is in accordance with the Council's statutory duty under section 39 of the Local Government & Elections (Wales) Act 2021 to encourage local people to participate in decision-making. The proposed framework for ward meetings is also consistent with the Council's Participation Strategy, under section 40 of the Act, and the promotion of increased public engagement and consultation.

Neighbourhood Committees were originally introduced by the Council in the 1990's and, at the time, this was an innovative approach to engaging with the public in the local ward areas. The meetings were formal in nature and organised on traditional committee lines, with the senior ward member chairing the meeting and published agendas and minutes. However, they were never decision-making bodies and therefore not strictly Council "committees". Over time, the role of the Neighbourhood Committees changed significantly, particularly with the development of Executive governance arrangements and advancements in technology, with more effective ways of communicating and engaging with much larger numbers of local residents. Following a review in 2011, the structured arrangements for quarterly Neighbourhood Committee meetings in each ward were changed to a more flexible approach to ward meetings. The meetings were held at times and at venues agreed with the ward Councillors, supported by senior officers, who also set the topics for discussion at the public meetings. There were no longer any formal agendas reports or minutes and the ward meetings were conducted on a more informal basis, as a means of engagement and communication with the public. Although there was a limit of three ward meetings in any calendar year, it was left to the discretion of the members in each ward as to how and when any meetings were arranged, if at all.

Prior to the suspension of ward meetings during the Covid-19 lock-down period, some wards held ward meetings on a regular basis, others only held meetings in response to specific issues, for example as part of a consultation exercise. Some wards did not use ward

meetings at all, as they found that other communication methods with their residents were more effective.

This proposal would involve the reintroduction of discretionary ward meetings, but on a more structured basis and in accordance with the new Participation Strategy. Where ward members wish to hold ward meetings, then they will focus on key areas of consultation and participatory decision making, namely the budget and delivery of the corporate plan and well-being objectives. However, the ward meetings are only one of a number of tools available to elected members and the Council to engage with residents and, where other methods of consultation are considered to be more effective, then residents in those areas will receive the same information and opportunities to respond. Therefore, ward members will still have the choice of whether or not to hold these consultation meetings in their wards.

### **Comments of Head of People and Business Change**

The Council's Participation Strategy aims to strengthen engagement with residents, increase their involvement in decision making and their understanding of the democratic process. The particular focus is the relationship between Ward members and the Council as a democratic body and local people. This report outlines a framework for consistent and supported Ward meetings across the local authority area. It also sets out a focus for Ward Meetings, centred around the budget setting process which had previously only engaged with a relatively small proportion of the population in a centralised manner. The introduction of face-to-face ward meetings will complement the increasing use of electronic forms of public engagement helping ensure the Council is inclusive of more societal and equalities groups and avoiding digital exclusion.

### **Local Issues**

Not applicable.

### **Equalities Impact Assessment and the Equalities Act 2010**

A fairness and equalities impact assessment has been drafted and will be updated following further consultation.

### **Wellbeing of Future Generations (Wales) Act 2015**

The support framework supports the development of A More Equal Wales; achieving more diversity and inclusion in the voices that are heard in decision-making will help to reduce inequalities. The Strategy does not adversely affect any of the other Well-being Goals for Wales.

The Strategy supports The Well-being Plan 2018-23 objective;

3) People and communities are friendly, confident and empowered to improve their well-being

This will be supported through working with residents and communities to develop solutions and empowering the community as part of the decision making process.

The Strategy supports the Equality Plan 2020-2024 objectives;

1. Leadership, Governance and Involvement.
2. Community Cohesion

By supporting residents to be involved in making the decisions that affect them, considering diverse needs when developing services and helping people to feel connected to the place that they live.

The framework supports the long-term development of better engagement and involvement of residents over time so that it continues to meet the changing needs of local people.

## Consultation

Full details of public consultation are outlined in an earlier section of this report. Consultation concerning the proposed strategy will be open for 30 days commencing in October 2022.

## Background Papers

- <https://www.newport.gov.uk/documents/Council-and-Democracy/Participation-Strategy-Final-Format.pdf>
- [The Strategic Equality Plan 2020-2024](#)
- [Well-being Plan 2018-2023](#)

## Appendices

### Appendix A

Responses to Consultation



Consultation  
Results Participator

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