

# Agenda



## Democratic Services Committee

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Date: Thursday, 6 June 2024

Time: 10.00 am

Venue: Committee Room 1 - Civic Centre

To: Councillors W Routley (Chair), J Mudd, T Watkins, T Harvey, P Hourahine, K Thomas, J Hughes, S Cocks and A Sterry

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Item	Wards Affected
1 <u>Apologies</u>	
2 <u>Declarations of Interest</u>	
3 <u>Minutes of the Previous Meeting</u> (Pages 3 - 6)	
4 <u>Model Constitution Update</u> Information Update	
5 <u>Register of Interests</u> (Pages 7 - 10) Information Update	
6 <u>Member Survey Results</u> (Pages 11 - 18) In person presentation	
7 <u>Forward Work Programme 2024/2025</u> (Pages 19 - 20)	
8 <u>Date of next Meeting</u> Date of the next Meeting is Thursday 5 <sup>th</sup> September at 10am	
9 <u>Webcast of the Committee</u> <a href="#">Democratic Services Committee Meeting - 6th June 2024</a>	

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Date of Issue: Thursday, 30 May 2024

All meeting recordings can be found [here](#).

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# Minutes

## Democratic Services Committee

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Date: 18 March 2024

Time: 11.00 am

Present: Councillors R Mogford (Chair), E Stowell-Corten, M Spencer, B Perkins, P Hourahine, K Thomas and A Sterry

In Attendance: Leanne Rowlands (Democratic and Electoral Services Manager), Mike Wallbank (Interim Head of Law and Standards and Monitoring Officer), Tracy McKim (Head of People, Policy and Transformation), Simon Richards (Governance Officer), Emily Mayger (Governance Officer)

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### 1 Apologies

Councillor Tim Harvey

### 2 Declarations of Interest

None

### 3 Minutes of the Previous Meeting

The minutes of the previous meeting held on **20th November 2023** were **accepted as a true and accurate record**.

### 4 Scheme of Delegation for Assets

The Head of People, Policy and Transformation gave an overview of the report to the Committee.

The following was discussed:

- The Committee enquired about the process for disposal of assets. The Head of People, Policy and Transformation (PPT) informed the Committee that it would go out for general consultation.
- The Committee enquired about the delete clause mentioned in the report and asked if new domains that have been added can be highlighted. The Head of PPT informed the Committee that it is under the Proposed Delegation column of point three on the report. The Monitoring Officer informed the Committee that if there is likely to be an impact on the community or the decision may be contentious, there is a requirement to consult with ward members.
- The Committee highlighted their concerns that less experienced officers might not know the implications of a decision and enquired whether these decisions are passed through a line manager. The Monitoring Officer informed the Committee that it is a

delegation to the Head of Service level only. The Head of PPT informed the Committee that even if it were not a corporate asset, it would still come back to the Head of Service and Legal would need to be assured that it has been recorded in the appropriate way.

- The Committee raised concerns about wayleaves in general as other local authorities have found they are unenforceable and enquired how robust wayleave documents are under scrutiny. The Monitoring Officer informed the Committee that a wayleave is a generic document provided by the company, which the officer would consider the appropriateness of during consultation with ward members. The Head of PPT noted that wayleaves are generally in favour of a utility company, are approved regularly on an annual basis and are fairly routine.
- The Committee enquired about how a relationship is maintained with developers in respect of repairs and used a damaged streetlight in Mon Bank estate as an example. The Monitoring Officer informed the Committee that this falls outside the scope of this report as it is about Council land and assets and how decisions are made.
- The Committee enquired how the figure of £100,000 as the threshold was decided on. The Head of PPT informed Committee that this was in line with other arrangements within the Council, such as contracts. The Monitoring Officer added that this was on a par with other local authorities.
- The Committee noted the proposal to review and propose the recommendations in this report for a decision by full Council in April 2024.

## **5 Implementing the Model Constitution**

The Interim Head of Law and Standards and Monitoring Officer gave an overview to the Committee.

The following was discussed:

- The Committee enquired what percentage of the Model Constitution would be used. The Monitoring Officer informed the Committee that it would be around 50:50 and any parts of the Model Constitution used would also need to be reviewed.
- The Committee queried about the robustness of the Standing Orders. The Monitoring Officer informed the Committee that they are generally good but can be altered following Elected Members comments.
- The Committee asked when the Model Constitution was released. The Monitoring Officer informed the Committee that it was released in April 2022.
- The Committee stated that the timescale to review all the Constitution seems tight and extending it to November's meeting might be better and enquired how much resource it would take. The Monitoring Officer informed the Committee that it would be done by themselves, but some might be able to be delegated. They informed the Committee that they will bring a report in June's meeting providing an update on progress and then can look at whether timescales need to be amended.
- The Committee raised their concern about the amount of work that needs to be carried out and about officer fatigue. The Monitoring Officer informed the Committee that the Constitution needs to be changed but they want to ensure it is done correctly, with updates brought to future meetings for committee consideration.
- The Committee agreed to the suggested timescales for the draft and final versions of the Constitution to return to the Committee, being June, September and November 2024.

## **6 Review of Standing Order, Leaders Questions (Discussion)**

The Committee debated the impact of the changes to Standing Order 4.2 and the consensus was to retain them as they are at present with the option to review them again in the future if there is an appetite to do so.

## 7 Member Training

The Democratic and Electoral Services Manager gave an overview to the Committee.

The following was discussed:

- The Committee queried how training for Scrutiny Chairs differs from training for Chairs of other Committees. The Democratic and Electoral Services Manager informed the Committee that the training session focused on the role of Scrutiny which has its own specific terms of reference and was around effective questioning however training for chairing committees in general could be explored.
- The Committee highlighted that not all councillors can attend training sessions, especially if they are during the working day. The Committee suggested resources being made available following training would be welcomed to ensure more members can access the training.
- The Committee noted the report summarising training delivered in 2023/24 and considered the planned approach to Member training for 2024/25.

## 8 Final Independent Remuneration Report (IRP) (Information Only Update)

The Democratic and Electoral Services Manager informed the Committee that the final IRP report has been published and can be viewed online here

<https://www.gov.wales/independent-remuneration-panel-wales-annual-report-2024-2025-html#:~:text=The%20Panel%20has%20therefore%20determined,of%20all%20Wales%2022%20ASHE.>

## 9 Forward Work Programme

The Democratic and Electoral Services Manager informed the Committee of the Forward Work Programme.

June 2024
Model Constitution Update
Register of Interests
Meeting Records
Member Survey Results
Forward Work Programme 2024/25

September 2024
Head of Democratic Services Annual Report

Democratic Services Committee Annual Report
IRP Consultation, Draft Report
Model Constitution Update and Draft Report

<b>November 2024</b>
Participation Strategy
Model Constitution Update and Draft Report

<b>March 2024</b>
Member Training
IRP Final Report

# Report



## Democratic Services Committee

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### Part 1

Date: 6th June 2024

Item No:

**Subject** Register of Interests

**Purpose** To provide an update to Committee on amendments by the Standards Committee to the arrangements for the registration of interests by Members.

**Author** Democratic and Electoral Services Manager

**Ward** General

**Summary** As part of their terms of reference, the Standards Committee are required to promote and maintain high standards of conduct by councillors. The Committee recently considered the arrangements in place to support elected members in meeting their statutory responsibilities in declaring personal or financial interests that may affect their decision-making or influence their conduct in public office. The Standards Committee made amendments to the declaration form and submission process to provide greater clarity for elected members on their obligations to declare personal and financial interests.

**Proposal** To note the change in protocol for members' gifts and hospitality.

**Action by** Democratic and Electoral Services Manager

**Timetable** Changes to be implemented from 1<sup>st</sup> May 2024

## Background

Registers of Interest are documents that record the personal and financial interests of councillors and council employees that may affect their decision-making or influence their conduct in public office. They are intended to promote transparency, accountability, and public trust in local government.

The Local Government Act 2000 and the Local Authorities (Model Code of Conduct) (Wales) Order 2008 set out the statutory framework for Registers of Interest for principal councils in Wales. The Act requires every principal council to adopt a Code of Conduct for its members and employees, which must include provisions for the registration and disclosure of interests. The Council's Code of Conduct can be found in Appendix A. This is part of the Constitution and sets out the types of interests that must be registered and disclosed, and the procedures for doing so.

The process for registering and disclosing interests as set out in the Council's Constitution specifies that:

- Interests must be registered within 28 days of taking office or becoming aware of the interest.
- Interests must be disclosed at any meeting where they are relevant to the business being discussed, and the person must withdraw from the meeting unless they have obtained a dispensation.
- Interests must be updated or removed from the register as soon as possible after any change of circumstances.
- Interests must be made available for public inspection at the council's offices and on its website.

The types of interests that must be registered and disclosed include:

- Employment, business, or professional activities that relate to the functions or business of the council.
- Contracts, land, or securities that involve the council or may be affected by its decisions.
- Gifts, hospitality, or benefits received from any person or body that has dealings with the council.
- Membership or position of control or influence in any public, private, or voluntary organisation that has dealings with the council.

It is important that the public are aware of the interests members may have or hold, in particular where those interests could influence the decisions they may be involved in making in their role or roles on the council. Recent statutory and non-statutory guidance from Welsh Government is mindful of the need to protect members' safety and welfare, whilst ensuring all relevant interests are captured, and openness and transparency is maintained.

However, it is the view of the Welsh Government that while members have an obligation to declare interests and not to participate in or influence council business, there is no requirement for members to include their full primary address (or any other address) when registering beneficial interests in land in the authority's area. It would be sufficient for members to state that they own a property in the authority's area (for example identifying the road or ward), in order to discharge their duties under the Code. This includes any land and property in the authority's area in which members have a beneficial interest (or a licence to occupy for more than 28 days).

In addition, elected members need not include information relating to any of the members' personal interests that is deemed sensitive information. In the Model Code of Conduct



(Appendix B), "sensitive information" means the availability of the information for inspection by the public creates, or is likely to create, a serious risk that the member or a person who lives with the member may be subjected to violence or intimidation.

### **Statutory and non-statutory guidance for principal councils**

Currently, elected members are prompted to complete a Register of Interest form when they have been elected as a ward councillor, which is currently every five years, or following a by-election. Elected members must autonomously notify Democratic Services of any changes to circumstances requiring a new form outside of these touch points, within 28 days of becoming aware of a change to circumstances affecting their interests.

### **Forms**

The original form for registering an interest is attached in Appendix C. The original form complied with Section 81 of the Local Government Act 2000, but lacked detail concerning the types of interests that must be disclosed. The form had not been updated since 2018.

The revised version of the form agreed by Standards Committee is presented in Appendix D. Whilst the substance of the form has not changed, more detail has been included to support elected members in completing the form and meeting legislative requirements.

Whilst it is the duty of elected members to advise the Monitoring Officer of any changes to their interests within 28 days of becoming aware of a change to circumstances, Democratic Services will also issue a reminder and request an updated form on an annual basis. This will assist in ensuring that the Register remains relevant and up to date.

The updated form also makes reference to the changes under the Model Code of Conduct which now states that it would be sufficient for members to state that they own a property in the authority's area (for example identifying the road or ward), in order to discharge their duties under the Code, rather than having to give a full address for the publication of the register.

An all-member seminar is scheduled for 29<sup>th</sup> May to provide a recap on Code of Conduct and ethical standards. Following the session Democratic Services will prompt members to review their declarations and submit an updated form.

## **Background Papers**

Dated: 31<sup>st</sup> May 2024

### **Appendices**

Appendix A – Code of Conduct, under Newport City Council's Constitution

[5.1.1 Code of Conduct.pdf \(newport.gov.uk\)](#)



Appendix A 5.1.1  
Code of Conduct.pdf

Appendix B – Model Code of Conduct

[Local Authorities \(Model Code of Conduct\) \(Wales\) Order 2008](#)



Appendix B Local  
Authorities (Model Co

Appendix C – previous declaration of interest form



Form 2 - ALL -  
Register of Interests.d

Appendix D –revised and updated declaration of interest form agreed by Standards Committee



Appendix D Draft  
Register of Interests F



**NEWPORT**

CITY COUNCIL

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## **Ward Meeting – Survey Results**

Katharine Majer

Deputy Democratic and Electoral Services Manager

# Background

- Revised Framework adopted by Council in 2023
- Supports the Council's Participation Strategy
- One of a range of ways that elected members can engage with residents
- Opportunity for residents to be more involved with decision making

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[Participation Strategy 2022-2026](#)



# First year

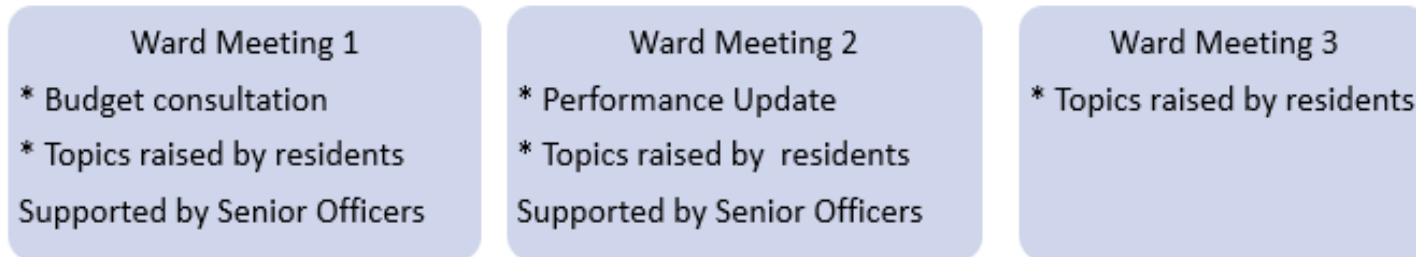
## Summer/Autumn 2023

- Meetings were held in 5 wards
- Corporate Plan

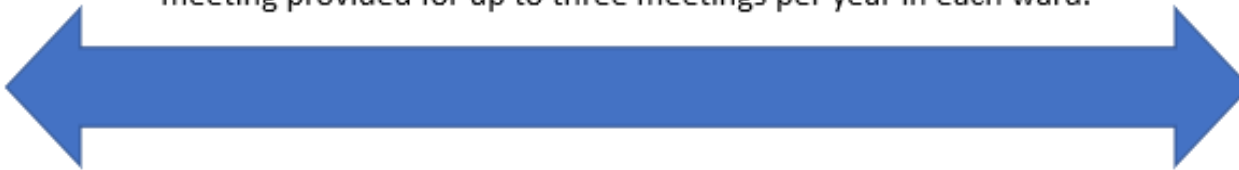
## January/February 2024

- Meetings were held in 19 wards
- Budget 2024/25 Consultation

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Administrative support to secure a venue and promote the meeting provided for up to three meetings per year in each ward.



# Survey

## Why?

Finding out more about the member and officer experience of the support in place to underpin the framework. Feedback will help to improve the provision of support under the ward meeting framework.

## Who?

Ward Members who carried out Ward Meetings in the period 2023/24.

Senior Officers who supported the delivery of these meetings.

## When?

The survey was open to Members and Officers from 8<sup>th</sup> – 22<sup>nd</sup> April 2024.

## Completion rate

Members - 53% (27 out of 51 Members)

Officers - 56% (15 out of 27 Officers)

# Feedback - Members

## Statistics

- **71%** rated the organisation process for Ward Meetings between 3 and 5 out of 5 in terms of ease (with 5 being extremely easy)
- **48%** rated the Ward Meeting guidance as “good” or “excellent”
- **17%** Members had not read the guidance
- **56%** rated communication with Lead and Support Officers as “good” or “excellent”
- **86%** rated their Ward Meeting venue as “good” or “excellent”

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## Key Themes

- Generally, Members are content with the support in place to facilitate ward meetings.
- The main area of concern for Members is around sufficient time to organise and promote meetings to the public. Several members expressed their wishes to promote ward meetings in channels other than social media.
- One Member thought that printing flyers for Ward Meetings was not necessary due to social media channels.

# Feedback - Officers

## Statistics

- **47%** rated their experience of Ward Meetings as “good”. None rated it as “excellent”.
- **53%** rated the Ward Meeting guidance as “good”.
- **40%** rated communication with the Democratic Services team as “Ok”. **20%** rated it as “poor”.
- **80%** rated communication with Ward Members as “good” or “very good”.
- **60%** rated their Ward Meeting venue as “good” or “excellent”.

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## Key Themes

- Short notice of meeting dates was raised as an issue, along with unsociable hours and health and safety concerns visiting certain venues.
- A number of Officers stated that they would like more information prior to the meeting for example, a Teams meeting ahead of the next round to fully brief staff on requirements.
- A number of Officers experienced issues with the venue and/or equipment.



## Next steps

- Review guidance for Members and Officers
  - Reissue revised versions before next round of meetings.
- Democratic Services / Lead and Support Officers
  - Officer briefings will be arranged to support clarity and understanding of roles under the framework and guidance.
- Advertising
  - Work with each ward area to establish their requirements in terms of advertising rather than take a blanket approach to printing flyers
- Review of suitable venues in each ward to be explored with ward members.

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# Agenda Item 7

<b>June 2024</b>
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