

Minutes



Democratic Services Committee

Date: 24 October 2019

Time: 5.00 pm

Present: Councillors D Fouweather (Chair), M Evans, R Hayat, L Lacey, K Thomas, T Watkins and H Thomas

In Attendance: Lisa Davies (Governance Officer), Gareth Price (Head Of Law & Regulation)

Apologies: Councillors C Evans and Y Forsey

1 Declarations of Interest

None

2 Minutes of the Last Meeting

Minutes of the meeting held on the 14th February 2019 were accepted as a true and accurate record

In relation to the minutes from the previous meeting, a Member questioned the sentence 'A Member asked whether the change was due to Councillors having failed previously?' on page 8 of the minutes. They stated that they felt that the grammar was incorrect

The minutes of the meeting held on 25th July 2019 were approved as a true and accurate record.

3 Annual Report by the Head of Democratic Services

The Head of Law and Regulation gave an update on the Annual Report of the Head of Democratic Services

Under the Local Government (Wales) Measure 2011, the Democratic Services Committee is required to keep under review the provision of staff, accommodation and other resources made available to the Head of Democratic Services, to ensure that adequate resources were provided for the responsibilities of the post.

The annual report provided an outline of the resources made available in support of these functions, so that the Committee could fulfil its responsibilities under the Measure.

Agreed:

The Committee endorsed the annual report of the Head of Democratic Services and the proposals as outlined within the report.

4 **Annual Report of the Democratic Services Committee**

The Head of Law and Regulation gave an update on the Annual Report of the Democratic Services Committee.

The Local Government (Wales) Measure 2011 required each council to establish a Democratic Services Committee. The Measure prescribes the functions of the committee and requires the committee to make a report at least annually to the Council.

This report proposed the content of the Democratic Services Committee's annual report for 2018-19. It also provided evidence that the committee had carried out its required function by reviewing the adequacy of staff to support members. The Committee requested clarification of the recommendation regarding Residential Homes rota visits and whether this should be three or four members.

Agreed:

The Committee endorsed the annual report of Democratic Services Committee and the proposals as outlined within the report, for presentation to full Council.

5 **Independent Remuneration Panel for Wales Draft Annual Report 2020**

The Head of Law and Regulation gave an update on the Annual Report 2020.

In 2017 the Panel visited each of the 22 principal councils and met with many members and officers. Since then they had met with all Fire and Rescue and National Park Authorities and continued with the programme of meetings with Community and Town Councillors and Clerks. In this draft Annual Report, the IRP continued to reflect some of the issues that have arisen during their visits. The IRP had previously indicated that payments to councillors had not kept pace with the original comparator the Panel used to establish an appropriate level of remuneration because of pressures on public expenditure. The effect of this can be seen in the tables and graphs in section 3. A more detailed paper will be available on the IRP website.

The IRP proposed an increase in the basic salary of elected members of principal councils and members of both Fire and Rescue Authorities and National Park Authorities to take account of the current rate of inflation which will help prevent further erosion.

The IRP acknowledged that there may be some concerns about the financial impact of this increase when local government in Wales continues to be financially stretched. However, they had to balance the issue of affordability with fairness to members of local councils and recognise that the current level of payments means that many of them struggle financially. As the IRP have consistently indicated, representative democracy does not come without a cost. In the current circumstances the IRP considered that the determinations set out in this Report achieve this balance.

The Committee agreed in principle with the report and had no further comments.

Agreed:

That the draft annual report be noted by the Committee.

6 **Chair of Council**

The Head of Law and Regulation gave an update on the Chair of Council/Presiding Officer;

The Local Government (Democracy) Wales Act 2013 gave local authorities the power to appoint a Presiding Member (and Deputy Presiding Member) to act as Chair of Council and discharge any other non-executive functions, as determined by the Council. The purpose of having a stand-alone Chair of Council was to reflect the specific role of presiding over Council meetings and the skills required to manage Council business in a fair and efficient manner. These roles and responsibilities are quite distinct and different from the other civic, ambassadorial and ceremonial roles discharged by the Mayor (and Deputy Mayor) as the first Citizen of the City. Many councils in Wales have now gone down this route and have appointed a specialist Presiding Member to chair council meetings.

A Member of the Executive may not be elected as Presiding Member/Chair of Council, but can be elected as a stand-alone Mayor. If remunerated, a Presiding Member is entitled to a Band 3 Senior Salary of (currently) £22,568 and the post would count towards the Senior Salary cap for the Council of 18 posts.

Where a Presiding Member is appointed, the Council must appoint a Deputy Presiding Member. A Deputy Presiding Member cannot be a member of the Executive and is not entitled to be remunerated.

Consequential amendments would be required to the Council's Constitution to reflect the separation of the Chair of Council and Mayoral roles.

The Committee made the following recommendations;

- That the Council should not appoint a Chair of Council/Presiding Member.
- If full Council decided to appoint a Presiding Member, then it was recommended that there should be a rule prohibiting any serving Cabinet Member from being appointed as the Mayor and carrying out a dual role.

7 **Draft Work Programme**

The Head of Law and Regulation gave an update to the Committee on the Draft Work Programme.

The purpose of a work programme is to enable the Committee to plan, organise and prioritise its workload. Previously, reports have been brought to the Committee on an ad hoc basis, as and when work was referred. By adopting the suggested work programme in this report, the Committee will be able to plan out its projects and meetings, be clear on its aims and objectives, and properly assess at the end of the year the extent to which its aims have been achieved.

Agreed:

That the Committee endorse the Draft Work Programme and the proposals as outlined within the report.

8 **Date of next Meeting**

20 February 2020