

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO COUNCIL

13 MARCH 2014

REPORT OF THE ASSISTANT CHIEF EXECUTIVE LEGAL & REGULATORY SERVICES DEMOCRATIC SERVICES COMMITTEE – TERMS OF REFERENCE

1. Purpose of Report

- 1.1 The purpose of this report is to clarify the Terms of Reference of the Democratic Services Committee and its Sub-Committee.

2. Connection to Corporate Improvement Plan / Other Corporate Priority

- 2.1 The provision of support provided to elected members is part of the remit of the Democratic Services Committee which contributes to the achievement of all Corporate Priorities.

3. Background

- 3.1 Section 11 of the Local Government (Wales) Measure 2011 requires Local Authorities to appoint a Democratic Services Committees.
- 3.2 The Democratic Services Committee was appointed by Council on 16 May 2012 and its first meeting was held on 25 October 2012. To date the Democratic Services Committee has met eight times.

4. Current situation / proposal

- 4.1 The Local Government (Wales) Measure 2011 sets out the membership of the Democratic Services Committee which is as follows:
- councillors (no co-opted members),
 - only one member of the council's executive may be a member, however the Leader of the Council Executive may not be a committee member.
 - The chair may not be a member of the executive group (save in authorities where all political groups were represented on the authority's executive in which case the chair may not be a member of the executive).
 - The committee membership must reflect the political balance on the full council in line with section 15 of the Local Government and Housing Act 1989.
- 4.2 The Measure allows the Democratic Services Committee to establish sub-committees, which may discharge its functions. The Chairperson of any sub-committees is appointed by the Democratic Services Committee;
- 4.3 The Democratic Services Committee may call witnesses (who will be under a duty to

attend it) if they are members or officers of the authority,

- 4.4 The Democratic Services Committee is required to meet at least once a calendar year, but may meet more frequently than that. In addition, the Democratic Services Committee must meet if Council resolves that it should, or at least one-third of its members request that a meeting be held. Meetings, papers and minutes will be subject to the requirements regarding access, publication and inspection as are set out in Part VA of the Local Government Act 1972.
- 4.5 On 11 December 2013 Council approved the establishment of the Family Absence Panel as a sub-committee of the Democratic Services Committee to facilitate the provisions of the Family Absence for Members of Local Authorities (Wales) Regulations 2013.
- 4.6 The Democratic Services Committee approved proposals for the establishment of the Sub-committee on 23 January 2014.
- 4.7 **Appendix 1** is an extract from the current Bridgend County Borough Council Constitution which states the terms of reference for the Democratic Services Committee and its sub-committee.

5. Effect upon Policy Framework & Procedure Rules

- 5.1 This report has no effect on the Policy Framework or Procedure Rules.

6. Equality Impact Assessment

- 6.1 There are no equality implications.

7. Financial Implications

- 7.1 All activities described in this report will be met from existing budget provisions.

8. Recommendation

The Democratic Services Committee is recommended to:

- 8.1 Note the report and the terms of reference of the Democratic Services Committee and its Sub-Committee.

P. A. Jolley
Assistant Chief Executive Legal & Regulatory Services
& Monitoring Officer

Contact Officer: Gary Jones
Head of Democratic Services

Email: Gary.Jones@Bridgend.gov.uk

Postal Address: Democratic Services
Legal & Regulatory Services
Level 2 Civic Offices
Angel Street
Bridgend
CF31 4WB

Background documents

None

DEMOCRATIC SERVICES COMMITTEE & SUB-COMMITTEE TERMS OF REFERENCE

Committee, Sub-Committee, Panel or other Body	Membership	Functions
Democratic Services Committee	11 County Borough Councillors (as set out in Article 8 of Part 2)	<p>(a) to designate an officer as the Head of Democratic Services,</p> <p>(b) to review the adequacy of provision of staff, accommodation and other resources to discharge democratic services functions, and</p> <p>(c) to make reports and recommendations to Council, at least annually, in relation to such provision.</p> <p>(d) at the request of the Council, review any matter relevant to the support and advice available to members of the Council, and the terms and conditions of office of those members</p> <p>(e) to make reports and recommendations to the Council following a review.</p>

Committee, Sub-Committee, Panel or other Body	Membership	Functions
Democratic Services Sub-Committee	3 County Borough Councillors that are members of the Democratic Services Committee	<p>A Panel constituted under The Family Absence for Members of Local Authorities (Wales) Regulations 2013</p> <p>(a) Determine a complaint made by a Member regarding cancellation of family absence by the authority</p> <p>(b) The Sub-Committee may confirm a decision made or substitute its own decision as to the Member's entitlement to a period of family absence in accordance with the 2013 Regulations.</p> <p>(c) Determine a complaint made by a Member on maternity absence or parental absence regarding a decision made by the chair of the authority as to the Member attending any meeting or performing any duty;</p> <p>(d) The Sub-Committee may confirm the decision of the chair of the authority or substitute its own decision as to the Member attending any meeting or performing any duty;</p> <p>(e) The decision of the Sub-Committee is final.</p>