

BRIDGEND COUNTY BOROUGH COUNCIL
REPORT TO ANNUAL MEETING OF COUNCIL
17 MAY 2017

REPORT OF THE MONITORING OFFICER

APPOINTMENTS TO COUNCIL COMMITTEES AND OTHER COUNCIL BODIES

1. Purpose of Report.

- 1.1 The purpose of this report is to seek Council approval for the appointment of Overview and Scrutiny Committees and such other Committees, Sub-Committees, Panels and bodies as the Council considers appropriate, to deal with matters which are neither reserved to full Council nor are executive functions.

2. Connection to Corporate Improvement Plan / Other Corporate Priority.

- 2.1 The establishment of the Committees and other bodies will fulfil the requirements of the Constitution and enable the Council to work towards the successful achievement of all the following Corporate Priorities:-

1. **Supporting a successful economy** – taking steps to make the county a good place to do business, for people to live, work, study and visit, and to ensure that our schools are focused on raising the skills, qualifications and ambitions of all people in the county.
2. **Helping people to be more self-reliant** – taking early steps to reduce or prevent people from becoming vulnerable or dependent on the Council and its services.
3. **Smarter use of resources** – ensuring that all its resources (financial, physical, human and technological) are used as effectively and efficiently as possible and support the development of resources throughout the community that can help deliver the Council's priorities.

3. Background.

- 3.1 The Council is required by legislation and the provisions of Part 4 of the Rules of Procedure (Council Procedure Rules) of the Constitution, to undertake arrangements which will continue to facilitate and carry out the decision making processes of the Authority. The recommendations of this report, if adopted, will seek to ensure that this will be successfully achieved.

4. Current situation / proposals.

- 4.1 Part 3 of the Council's Constitution entitled Responsibility for Council Functions, sets out the Council's Committees, Sub-Committees, Panels and other bodies currently in place. Detailed below are certain Committees, some of which are governed by provisions of the Local Government (Wales) Measure 2011, in terms of their composition and/or appointment of Chairpersons.

4.2 Audit Committee

- 4.2.1 The Measure made a number of requirements in relation to the Audit Committee's membership, including Lay Membership and the appointment of the Chairperson. The Chairperson under the Measure, is required to be appointed by the Audit Committee at its first scheduled meeting which is scheduled for 29 June 2017.
- 4.2.2 In terms of the Lay Membership of this Committee, it is proposed that the current Lay Member Ms J Williams remains as the lay member. Ms. Williams has completed one term of office in this role, and in accordance with the Measure she is allowed to do a maximum of two terms on the Committee in this capacity. Council are asked to note that not more than one Member of the Audit Committee may be a Member of the Executive (and should not be the Leader), whilst the Chairperson of the Committee must also not be a Member of the Executive group.

4.3 Democratic Services Committee

- 4.3.1 The Democratic Services Committee must comprise solely of Councillors and cannot include more than one member of the Executive, who must not be the Leader of the Council. It is a function of Council to appoint the Chairperson of this Committee, who must not be a Member of any of the political groups represented on the Executive.

4.4 Standards Committee

- 4.4.1 It is proposed that Council makes certain changes in respect of its appointment to the Standards Committee. The Committee comprises eight members, namely:-

Four Independent Members (No current vacancies);
Two County Borough Council Members (Two vacancies);
Two Town/Community Council Members (Two vacancies);

- 4.4.2 The Independent Members and the Town and Community Council Members have previously been appointed by Council for a 4 year term of office, and none of these members have yet completed this term other than the representative of Pencoed Town Council, Councillor J Hancock. Councillor AE Davies was also formerly a Member of the Standards Committee as a representative of Porthcawl Town Council. However, following the recent elections she no longer a Member of the Town Council and therefore she cannot remain a Member of the Committee in this capacity. It is therefore recommended that delegated powers be granted to the Monitoring Officer to undertake any necessary processes to facilitate and appoint two Town and Community Council representatives to the Standards Committee as replacements for the above Members.
- 4.4.3 Council is also requested to nominate two County Borough Councillors to sit on the Standards Committee, having regard to the following requirements in terms of the representation of County Borough Council Members only:-
- The Leader may not be a member of the Standards Committee;
 - Not more than one Cabinet Member may be a member of the Standards Committee;

- A County Borough Council Member can only be re-appointed for one further term;
- Membership of the Standards Committee is not subject to political balance requirements.

4.5 Appointments Committee

4.5.1 The Council currently has in place an Appointments Committee in order to interview and appoint JNC level staff, which includes designated positions such as the Chief Executive, Directors and Heads of Service. In order to ensure that this Committee is politically balanced in accordance with the composition of political groups that form the Council, it is recommended that the Committee comprises of the following membership:-

- Leader (Chairperson)
- Deputy Leader
- Cabinet Member (of relevant portfolio to the post)
- 1 x Conservative Member
- 1 x Independent Member
- 1 x Plaid Cymru Member

4.5.2 The Appointments Committee will also facilitate the JNC Determination and JNC Appeals Panels. These will comprise of 3 members each with the Leader or Deputy Leader chairing the panel, supported by 1 representative each from the Conservative and Independent groups.

4.5.3 Substitution of Appointments Committee members is permissible but only for the whole of an appointments process. The JNC Panels cannot be substituted and must be comprised from the original membership of the Appointments Committee.

4.5.4 Due to the revised composition of the Committee as detailed above, Part 3, 2 (a) of the Constitution entitled Responsibility for Council Functions which contains the role, remit and terms of reference of Committees, Sub-Committees, Panels and other bodies, requires amending to reflect the proposed political group changes on the Committee as outlined in paragraph 4.5.1.

4.6 Chairpersons of Overview and Scrutiny Committees

4.6.1 The Measure also established procedures whereby Overview and Scrutiny Committee Chairs are nominated and appointed. The Measure requires that as a minimum the Chairpersons of these Committees be appointed based on the size and political balance of each of the groups that make up the Council. To that end, with 4 Overview and Scrutiny Committees existing in the Authority, the Chairpersons of these should be allocated to the following political groups:

Political Group	% of Seats in Council	Number of Chairs to be allocated
Labour	48.15%	1.93 chairs = 1 chairperson
Conservative	20.37%	0.81 of a chair = 1 chairperson
Independent Alliance	18.67%	0.74 of a chair = 1 chairperson
Lynfi Independents	05.56%	0.22 of a chair = 0 Chairpersons
Plaid Cymru	05.56%	0.22 of a chair = 0 Chairpersons

Notes:

1. The number of scrutiny chairs allocated by to the Executive group must be rounded down to the nearest whole number of chairs.
2. The number of chairs provided to non-executive group are rounded to the nearest whole number (including zero.)

4.6.2 The Chairperson of the Corporate Scrutiny Committee is unallocated and therefore in accordance with the Measure, is to be appointed by the members of the Corporate Scrutiny Committee from one of the Chairpersons of the Scrutiny Subject Committees but it cannot be The Chairperson representing the Executive group.

4.7 Registered Representatives

4.7.1 Registered representatives of the Church and School Governors will be included with any of the Subject Committees which are dealing with an Education topic. There is now a Primary school vacancy on the Committee, by virtue of Mr. Tim Thomas who previously occupied this role now being an Elected Member of Bridgend County Borough Council. The recruitment and appointment of this post will be undertaken in due course.

4.8 Development Control Committee

4.8.1 Under The Size and Composition of Local Planning Authorities Committees (Wales) Regulations 2017, in the case of a multiple member ward, only one of the local authority members of that ward is eligible for appointment to the Development Control Committee. This does not apply to an Authority which is comprised solely of multiple member wards.

5. Effect upon Policy Framework & Procedure Rules.

5.1 The provisions and recommendations of the report accord with the Council's Procedure Rules outlined in Part 4 of the Constitution.

6. Equality Impact Assessment

6.1 There are no equality implications attached to this report.

7. Financial Implications.

7.1 There are no financial implications attached to this report.

8. Recommendations.

8.1 Council is recommended to:-

- (1) Appoint the Overview and Scrutiny Committees and such other Committees as the Council considers appropriate to deal with matters which are neither reserved to the Council nor are executive functions as detailed in **Appendix 1** to the report. .

- (2) Determine the size and terms of reference for those Committees with the exception that the terms of reference of the Subject and Corporate Overview and Scrutiny Committees will be presented to a subsequent meeting of Council.
- (3) Approve the allocation of seats to political groups in accordance with political balance rules, based on the percentages shown in **Appendix 3** of the report;
- (4) Receive nominations from the political groups and appoint Councillors to serve on each of the following Committees and other bodies:-

Appeals Panel
 Audit Committee
 Licensing Committee
 Development Control Committee (*noting the provisions of paragraph 4.8.1 of the report*)
 Town and Community Council Forum
 Scrutiny Subject Committee 1(Education)
 Scrutiny Subject Committee 2(Social Services)
 Scrutiny Subject Committee 3
 Democratic Services Committee
(noting the provisions of paragraph 4.3.1 of the report)
 Appointments Committee
(noting the provisions of paragraph 4.5.1 of the report)
 Standards Committee (
noting the provisions of paragraph 4.4.3 of the report)

- (5) Receive nominations and appoint the Chairpersons and Vice-Chairpersons of the following Committees, Panels or other bodies (as indicated) with it being noted that the Audit Committee at its first scheduled meeting will appoint a Chairperson and Vice-Chairperson:-

Appeals Panel	Chair and Vice-Chairperson
Licensing Committee	Chair and Vice-Chairperson
Development Control Committee	Chair and Vice-Chairperson
Town and Community Council Forum	Leader of the Council
Democratic Services Committee	Chairperson

- (6) Approve that the current Lay Member on the Audit Committee Ms. J Williams remains as a Member of this Committee for a second term of office, in accordance with a provision of the Local Government (Wales) Measure 2011, and have regard to paragraph 4.2.2 of the report in terms of the composition of the Committee.
- (7) Approve that delegated power be granted to the Monitoring Officer to facilitate and appoint two Town/Community Council representatives on the Standards Committee, in accordance with the provisions of paragraph 4.4.2 of the report.
- (8) Approve the amendment of Part 3, 2 (a) of the Constitution entitled Responsibility for Council Functions to be amended in order to reflect the

revised composition of the Appointments Committee, in accordance with paragraph 4.5.4 of the report and note that an amendment of the Constitution relating to Scrutiny will be provided at the next meeting of Council.

- (9) Elect Chairpersons from those Members appointed to the Overview and Scrutiny Committees in accordance with the provisions of paragraph 4.6 of this report and note that the Chairperson of the Corporate Scrutiny Committee is unallocated and therefore will be appointed by the members of the Corporate Scrutiny Committee from the existing Chairpersons appointed to the Scrutiny Subject Committees but noting that it cannot be the Chairperson representing the Executive group.
- (10) Note that recruitment and appointment of a replacement Registered Representative will be undertaken in accordance with the provisions of paragraph 4.7.1 of the report.

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Background documents

None.