

**BRIDGEND COUNTY BOROUGH COUNCIL**  
**REPORT TO ANNUAL MEETING OF COUNCIL**  
**30 SEPTEMBER 2020**

**REPORT OF THE MONITORING OFFICER**

**APPOINTMENTS TO THE COUNCIL COMMITTEES AND OTHER COUNCIL BODIES IN ACCORDANCE WITH THE PROVISIONS OF THE LOCAL GOVERNMENT ACT 1972 AND THE LOCAL GOVERNMENT ACT 2000**

**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 well-being objectives / other corporate priorities**

- 2.1 This report assists in the achievement of the following corporate well-being objectives under the **Well-being of Future Generations (Wales) Act 2015:-**
1. **Supporting a successful sustainable economy** – taking steps to make the county borough a great place to do business, for people to live, work, study and visit, and to ensure that our schools are focussed on raising the skills, qualifications and ambitions for all people in the county borough.
  2. **Helping people and communities to be more healthy and resilient** - taking steps to reduce or prevent people from becoming vulnerable or dependent on the Council and its services. Supporting individuals and communities to build resilience, and enable them to develop solutions to have active, healthy and independent lives.
  3. **Smarter use of resources** – ensure that all resources (financial, physical, ecological, human and technological) are used as effectively and efficiently as possible and support the creation of resources throughout the community that can help to deliver the Council's well-being objectives.

**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/proposal**

- 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. Under the Measure the Chairperson is required to be appointed by the Audit Committee at its first scheduled meeting which is scheduled for 12 November 2020. Council are requested 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.
- 4.2.2 In terms of the Lay Membership of this Committee, the current Lay Member Ms J Williams was reappointed for a further term at the Annual Meeting of Council on 17 May 2017 and in accordance with the Measure she is allowed to sit for a maximum of two terms on the Committee in this capacity. This term will expire in May 2022.
- 4.2.3 The Local Government and Elections (Wales) Bill which was presented to the National Assembly for Wales in November 2019 proposes a number of changes to reform and strengthen local government and to improve electoral arrangements. The Bill proposes changes to reform Audit Committees including, renaming it the Governance and Audit Committee. A few local authorities in Wales have already renamed their Audit Committee to that proposed in the legislation and it is recommended that the Council rename its Audit Committee to that of the Governance and Audit Committee in advance of the legislation coming into effect. It is also recommended that the Terms of Reference of the Audit Committee within Part 3 of the Constitution be amended accordingly to reflect the change in name of the Audit Committee.
- 4.2.4 Both the Audit Committee and the Standards Committee have within their Terms of Reference the remit "*To monitor the Council's Whistleblowing Policy*". It is recommended that the Terms of Reference of the Audit Committee within Part 3 of the Constitution be amended to remove the reference to the Whistleblowing Policy accordingly and that the Policy's operation continues to be monitored by the Standards Committee.

## 4.3 Chairpersons of Overview and Scrutiny Committees

- 4.3.1 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. In line with the political composition of the Council, and the formula used under the Local Government (Wales) Measure with regard to the allocation of Overview and Scrutiny Chairs, these should be allocated to the following political groups:

<b>Political Group</b>	<b>Number of Chairs to be allocated</b>
Labour	1 Chairperson
Independent Alliance	1 Chairperson
Conservative	1 Chairperson
Llynfi Independents	0 Chairperson
Plaid Cymru	0 Chairperson

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

#### 4.4 Registered Representatives

4.4.1 Registered representatives of the Church and School Governors will be included with any of the Subject Committees which are dealing with an Education topic.

#### 4.5 Development Control Committee

4.5.1 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.

#### 4.6 Democratic Services Committee

4.6.1 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.

#### 4.7 Standards Committee

4.7.1 In accordance with the Standards Committees (Wales) Regulations 2001 the Committee shall consist of not less than five nor more than nine members at least two of which shall be County Borough councillors. The Standards Committee currently comprises seven members, namely:-  
Four Independent Members;  
Two County Borough Council Members;  
One Town/Community Council Member.

#### 4.8 Remit and functions of Committees and other bodies of the Council

4.8.1 The current remit and functions of Committees and other bodies of the Council remain unchanged as detailed in Part 3 of the Constitution – Responsibility for Council Functions and are attached at **Appendix 1**.

#### 4.9 Political Balance

4.9.1 Political balance is essential to determine the allocation of seats on Committees. The current political balance of Committees and other bodies is shown at **Appendix 2** of the report.

#### 4.10 Committee Structure

4.10.1 The current committee structure is shown at **Appendix 3** of the report.

#### 4.11 Membership of Committees

4.11.1 The existing membership of committees which will form the basis of any changes to the membership of the committees is attached at **Appendix 4**.

### **5. Effect upon policy framework and 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. Well-being of Future Generations (Wales) Act 2015 implications**

7.1 The Act provides the basis for driving a different kind of public service in Wales, with 5 ways of working to guide how public services should work to deliver for people. The following is a summary to show how the 5 ways of working to achieve the well-being goals have been used to formulate the recommendations within this report:

- Long-term - The approval of this report will assist in the long term planning of the business of the Council in both the short term and in the long-term.
- Prevention - The proper composition of Council Committees meets the requirements of the Local Government and Housing 1989 Act in achieving political balance and the allocation of Committee seats which supports the effective decision making of the Council.
- Integration - The report supports all the wellbeing objectives.
- Collaboration - Consultation has taken place with the Group Leaders and Independent Members regarding the allocation of memberships of Committees and other bodies and the allocation of Chairs.
- Involvement - Advance public notice of the Programme of meetings can ensure that the public and stakeholders can engage in Council and Committee meetings. Agendas and minutes of all public meetings will be available in the Welsh language in compliance with the Welsh Language Standards.



- Development Control Committee Chairperson and Vice-Chairperson
- Licensing Committee & Licensing Act 2003 Committee Chairperson and Vice-Chairperson
- Town and Community Council Forum Chairperson and Vice-Chairperson

(8) Receive nominations and appoint the Chairpersons of the following Overview and Scrutiny Committees in accordance with the provisions of paragraph 4.3 of the report:

- Subject Overview and Scrutiny Committee 1
- Subject Overview and Scrutiny Committee 2
- Subject Overview and Scrutiny Committee 3

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**11 September 2020**

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**Background documents** None.