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| Meeting of: | ANNUAL MEETING OF COUNCIL |
| Date of Meeting: | 14 MAY 2025 |
| Report Title: | APPOINTMENTS TO THE COUNCIL COMMITTEES AND OTHER COUNCIL BODIES |
| Report Owner / Corporate Director: | CHIEF OFFICER, LEGAL AND REGULATORY SERVICES, HR AND CORPORATE POLICY |
| Responsible Officer: | RACHEL KEEPINS DEMOCRATIC SERVICES MANAGER |
| Policy Framework and Procedure Rules: | The provisions and recommendations of the report accord with the Council's Procedure Rules as outlined in the Constitution. |
| Executive Summary: | This report sets out the process and seeks approval for the Council's appointment to all Committees, Sub-Committees, Panels and bodies that deal with matters that are neither within the Council or Executive functions. |

1. Purpose of Report

1.1 The purpose of this report is to seek Council approval to:

- Appoint the 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 the Council nor are executive functions;
- Approve amendments to the Constitution;
- Approve amendments to the Council's Schedule of Remuneration.

2. Background

2.1 The Council is required by legislation 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.

3. Current situation/ proposal

3.1 The Constitution 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.

3.2 Governance and Audit Committee

- 3.2.1 Members will recall that under the Local Government and Elections (Wales) Act 2021 it is a legislative requirement for one third of the membership of the Committee to be lay persons. The membership of the Committee therefore consists of 8 Bridgend County Borough Council (BCBC) Members and 4 lay persons to ensure it is compliant with the legislation. The allocation of seats to the Committee has been determined in accordance with the political composition of the Council.
- 3.2.2 Section 115 of the Local Government and Elections (Wales) Act 2021 requires the chair to be a lay person and for the member appointed as the deputy chair not to be a member of the Authority's executive or an assistant to its executive. The chair and deputy chair will be appointed at the first scheduled meeting of the Committee following the Annual Meeting of Council (AGM).

3.3 Overview and Scrutiny Committees

- 3.3.1 On 9 April 2025, Council approved amendments to the Overview and Scrutiny Committee (OVSC) structure and membership following a review of Scrutiny. The new structure will take effect following the AGM on 15 May 2025 providing for four committees with Corporate OVSC and three formally themed Committees; the names of which have subsequently been agreed by the Group Leaders as follows:

- Social Services, Health and Wellbeing OVSC
- Education and Youth Services OVSC
- Communities, Environment and Housing OVSC

Council also approved in principle the remuneration of an additional Scrutiny Chair.

- 3.3.2 The Local Government (Wales) Measure 2011 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 Measure with regard to the allocation of Overview and Scrutiny Chairs, these should be allocated to the following political groups:

| Political Group | Number of Chairs to be allocated |
|------------------------------|---|
| Labour | 2 Chairperson |
| Bridgend County Independents | 1 Chairperson |
| Democratic Alliance | 1 Chairperson |

3.4 Development Control Committee

- 3.4.1 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.

3.5 Democratic Services Committee

- 3.5.1 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.

3.6 Standards Committee

- 3.6.1 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 eight members, namely:-

Five Independent Members
Two County Borough Council Members
One Town/Community Council Member

- 3.6.2 There are currently two Independent Member vacancies on the Committee following the resignation of Mr Shawn Cullen and Mr Phillip Clarke's term of office ceasing. The Council has previously provided delegated authority to the Monitoring Officer to oversee recruitment processes and appointment to the Standards Committee, and to report back to Council any successful appointment. In accordance with the Regulations, the Monitoring Officer has gone through the usual process of advertising the current vacancies in two newspapers circulating in the area and a Panel (consisting of not more than five Members and at least one Independent Member and one Town and Community Council Member) will now be convened by the Standards Committee to consider applications and conduct interviews. Following interviews, the Panel will make a recommendation on the appointments to Council.

- 3.6.3 Council is 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 Committee;
- Not more than one Cabinet Member may be a member of the Committee;
- A County Borough Council Member can only be re-appointed for one further term;
- Membership of the Committee is not subject to political balance requirements.

It is proposed that the County Borough Members on this Committee be agreed via nominations from the political groups of Labour and Bridgend County Independents.

3.7 Appointments Committee

- 3.7.1 The Council has in place a Committee to interview and where appropriate appoint to designated positions such as the Chief Executive, Corporate Directors and Heads of Service. The appointment of a Chief Executive is made by Full Council. 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 the following membership:

- Leader (Chairperson)
- Deputy Leader
- Cabinet Member (of relevant portfolio to the post)
- 2 x Bridgend County Independents
- 2 x Democratic Alliance
- 1 x Labour

3.7.2 The Appointments Committee will also facilitate the JNC Determination and JNC Appeals Panels. These Panels will comprise of 3 members each, with the Leader or Deputy Leader chairing the Panel, supported by 1 representative from the Democratic Alliance and 1 representative from Bridgend County Independents.

3.7.3 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.

3.8 Remit and functions of Committees and other bodies of the Council

3.8.1 The current remit and functions of Committees and other bodies of the Council are detailed within the Constitution and set out at **Appendix 1**, noting that the remit and functions of the Overview and Scrutiny Committees and the Cabinet Committee Equalities and Employees Relations are set out separately at **Appendices 4 and 5**.

3.9 Political Balance

3.9.1 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 and has been amended to reflect changes resulting from the recent By-election. As can be seen from **Appendix 2**, these changes maintain the political balance ensuring that the variance is no more or less than 1 seat.

3.10 Committee Structure

3.10.1 The proposed committee structure is shown at **Appendix 3** of the report.

3.11 Amendments to the Constitution and Schedule of Remuneration

3.11.1 On 9 April 2025, Council approved amendments to the Overview and Scrutiny Committee structure following a scrutiny review as outlined at paragraph 3.3.1 above. The Overview and Scrutiny Procedure Rules within Section 7 of the Constitution and the size and Terms of Reference of those committees have been amended accordingly to incorporate the required changes and is attached as **Appendix 4** of the report for approval.

3.11.2 Following a desktop review, the Cabinet Committee Equalities has been renamed Cabinet Committee Equalities and Employee Relations. A revised Terms of Reference was presented to the meeting of Cabinet on 13 May 2025 to take effect following the AGM and is attached as **Appendix 5** for information.

- 3.11.3 On 12 March 2025, Council approved amendments to the Contract Procedure Rules within the Constitution following the commencement of the Procurement Act 2025. The Monitoring Officer in accordance with paragraph 2.6 of the Constitution can make minor changes to the Constitution to ensure consistency. Rule 3.6A of the CPRs has therefore been amended to deal with transitional arrangements for contracts procured before the new regime came into effect. The change to rule 3.6A within the CPRs is below:

3.6A These Contract Procedure Rules reflect the requirements of the Act and Regulations and will be applicable for all relevant procurements commenced after the Act came into effect on 24th February 2025. Contracts procured before 24th February 2025 remain regulated by the Public Contracts Regulations 2015. Subject to the prior approval of the Monitoring Officer an existing contract procured under the Public Contracts Regulations 2015 may be modified in accordance with the regulatory safe harbours available under regulation 72 of the Public Contracts Regulations 2015.

Additionally, following a recommendation by the Governance and Audit Committee to include reference to the Contractor Safeguarding Protocol within the CPRs, Rule 2 has been amended:

2.1.8 Be procured in accordance with the Contractor Safeguarding Protocol.

The Monitoring Officer is required to report any changes to the next meeting of Full Council for information.

- 3.11.4 Should Council approve the remuneration of an additional OVSC Chair as outlined at paragraph 3.3, the Schedule of Remuneration (**Appendix 6**) will require amendment and approval. To ensure no increase in the overall Members remuneration budget it is proposed that the Chair of the Appeals Panel be no longer remunerated.

4. Equality implications (including Socio-economic Duty and Welsh Language)

- 4.1 The protected characteristics identified within the Equality Act, Socio-economic Duty and the impact on the use of the Welsh Language have been considered in the preparation of this report. As a public body in Wales the Council must consider the impact of strategic decisions, such as the development or the review of policies, strategies, services and functions. It is considered that there will be no significant or unacceptable equality impacts as a result of this report.

5. Well-being of Future Generations implications and connection to Corporate Well-being Objectives

- 5.1 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 previously 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.

6. Climate Change Implications

6.1 There are no Climate Change Implications as a result of this report.

7. Safeguarding and Corporate Parent Implications

7.1 There are no Safeguarding or Corporate Parent implications arising from this report.

8. Financial Implications

8.1 Should there be an additional remunerated Scrutiny Chair, the allowance would have to come from within the existing Members budget, which would result in the removal of allowances for other roles and an amendment to the Schedule of Remuneration.

9. Recommendations

9.1 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;
- (2) Determine the size and Terms of Reference for those Committees as set out in **Appendix 1** of the report;
- (3) Determine the allocation of seats to political groups in accordance with the political balance rules as set out in **Appendix 2** of the report;
- (4) Note which political groups represented at Council are entitled to make appointments of Overview and Scrutiny Committee Chairpersons;

- (5) Receive nominations and appoint Councillors to serve on each of the Committees, Panels and other bodies (as indicated):

- Appeals Panel
- Appointments Committee
- Governance and Audit Committee
- Democratic Services Committee
- Development Control Committee
- Licensing Committee
- Licensing Act 2003 Committee
- Town and Community Council Forum
- Standards Committee
- Corporate OVSC
- Social Services, Health and Wellbeing OVSC
- Education and Youth Services OVSC
- Communities, Environment and Housing OVSC

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

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| • Appeals Panel | Chairperson and Vice-Chairperson |
| • Democratic Services Committee | Chairperson |
| • 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 |

- (7) Note the nominations from the Group Leaders in accordance with the provisions of paragraph 3.3 of the report, and appoint those nominees to the following Overview and Scrutiny Committees:

Corporate OVSC
Social Services, Health and Wellbeing OVSC
Communities, Environment and Housing OVSC
Education and Youth Services OVSC

- (8) Approve the remuneration of an additional OVSC Chair and subject to that approval, approve amendments to the Council's Schedule of Remuneration to reflect those changes as outlined at paragraph 3.11.4 (**Appendix 6**);
- (9) Approve the amendments to the Overview and Scrutiny Committee Procedure Rules within the Constitution and approve the size and Terms of Reference for the Overview and Scrutiny Committees (**Appendix 4**);
- (10) Note the amendments to the Constitution in relation to the Contract Procedure Rules and the revised Terms of Reference for the Cabinet

Committee Equalities and Employee Relations (**Appendix 5**) as outlined at paragraphs 3.11.2 and 3.11.3.

Background documents

None