

DEMOCRATIC SERVICES COMMITTEE

Minutes of a meeting of the Democratic Services Committee held in CONFERENCE ROOM 1A, COUNTY HALL, RUTHIN on Friday, 31 March 2017 at 10.00 am.

PRESENT

Councillors Bill Cowie, Martyn Holland, Gwyneth Kensler, Barry Mellor (Chair) and Arwel Roberts

Observer: Councillor Meirick Lloyd Davies

ALSO PRESENT

Head of Legal, HR and Democratic Services (Gary Williams), Democratic Services Manager (Steve Price) and Committee Administrator (Sharon Walker).

1 APOLOGIES

Apologies for absence were received from Councillors Joan Butterfield, Stuart Davies, Bob Murray and Merfyn Parry

2 DECLARATION OF INTEREST

Councillors Bill Cowie, Arwel Roberts, Gwyneth Kensler, Meirick Lloyd Davies and Martyn Holland all declared a personal interest in Item 5 – Outside Bodies.

3 URGENT ITEMS AS AGREED BY THE CHAIR

No urgent items were raised.

4 MINUTES OF THE LAST MEETING

The minutes of the meeting of the Democratic Services Committee held on 1 July 2016 were submitted.

Matters arising:

Page 4. Item 6 – Training & Development for Elected Members.

The Democratic Services Manager clarified that the issue of Members attendance could in the future be referred to the Standards Committee.

Within the updated White Paper it had been suggested that if councillors were to be sanctioned due to lack of attendance, it would require 20% of the ward to sign a petition for this to take place.

Member attendance was to be discussed under Item 6 of the current Agenda – Attendance Protocol for Elected Members.

RESOLVED that, subject to the above, the minutes be received and approved as a correct record.

5 OUTSIDE BODIES

The Head of Legal, HR and Democratic Services introduced the report (previously circulated) to seek Members' views on the advantages and disadvantages of the continued appointment of Members to the outside bodies listed in Appendix 1 attached to the report.

In 2012, Cabinet received a report on the appointment of elected Members to outside bodies and was asked to determine which of the bodies then listed should continue to have appointments made to them. As a result of that, the appointment of Members to some outside bodies had been discontinued.

A report was to be presented to the new Cabinet in either June or July 2017 to again determine which of the bodies as listed should continue to have appointments made to them.

Members' views were sought on whether there were outside bodies that Members felt played an important part in helping the council to deliver its corporate priorities.

During discussion, the following points were raised:

- It was important to note that a Member appointed as a Council representative on an outside body should be entitled to include attendance at a meeting of that body for the purposes of determining whether their attendance met the statutory minimum for continuing to hold office. Members were in agreement that a note of their attendance should be a matter of public record and the Democratic Services Manager confirmed he would look into how this could be recorded.
- Rather than go through the list during the meeting, it was confirmed that the list of outside bodies would be circulated to all councillors for their feedback. Committee Members confirmed that the following were no longer in existence:
 - ❖ Denbighshire Enterprise Agency
 - ❖ Denbigh Lower Park Association, and
 - ❖ Heather and Hillforts Partnership Board

Members also confirmed that Denbigh Care & Repair Agency had now amalgamated.

- It was queried as to why representatives sat on both the Deeside and Yale College Shadow Board and the Deeside College Governing Body.
- Councillor Martyn Holland expressed his disagreement with being involved with Limited Companies.
- The issue of the requirement for Members attending outside body meetings to report back to Council was raised to explain the work with that body. It was proposed that Members who were to be appointed to an outside body be required to attend training on being a member of an outside body and also how to report back to Council. Appendix 3 attached to the report contained a draft reporting template for Members to adopt for the Committee's consideration. The recommendation from the Committee was

that the form needed to be simple and include how many meetings had been attended in one year, how many times the Committee met and whether it had been value for money.

- It was confirmed that certain outside bodies e.g. North Wales Fire Authority together with the North Wales Police Authority required a politically balanced committee and the Local Authorities were informed by them specifically which political party members were required.
- Prior to allocation of Members on to the relevant outside bodies, a job description would be circulated confirming the functions of the group. This would enable the Group Leaders to appoint the appropriate person.

RESOLVED that:-

- *The list of outside bodies be distributed to all Councillors for their comments regarding the number of outside bodies which required representation*
- *Members attendance at outside body meetings be shown in their attendance statistics*
- *Feedback from meetings to be collated for presentation to council on a 6 or 12 monthly basis*
- *The committee noted the guidance given to Members on outside bodies in Appendix 2 attached to the report.*

6 ATTENDANCE PROTOCOL FOR ELECTED MEMBERS

The Head of Legal, HR and Democratic Services introduced a verbal report regarding the Attendance Protocol for Elected Members.

It was stated that it was essential for good governance of the Council, that meetings of decision making bodies and Scrutiny Committees were well attended by members who were engaged and well informed. Many members had expressed frustration regarding the level of attendance at many Committees.

The Attendance Protocol sought to clarify:

- What was a relevant meeting for the purposes of the Protocol?
- The minimum level of attendance expected.
- Grounds upon which a member's non-attendance at a particular meeting may be justified.
- The consequences of failing to maintain an acceptable level of attendance.
- The reporting of attendance records.

Relevant meetings for the purposes of the Protocol were:

- Full Council meetings.
- Council Briefing meetings to include Budget Workshops.
- All meetings of Committees of which the Councillor was a standing member.
- Meetings of internal bodies such as Boards, Task and Finish Groups and Service Challenge meetings where the Councillor was the relevant Lead Member or the nominated representative of a Scrutiny Committee.

The level of attendance expected set out in the role descriptions of the Constitution was that elected members would attend all relevant meetings. In adopting this Protocol, members accepted that they could reasonably be expected to attend all

relevant meetings unless there was a legitimate reason outside of their control, for their non-attendance.

If any member would be unable to attend they were to inform Democratic Services as soon as they become aware of their inability to attend, and in any event, before the meeting was due to take place.

Apologies would not be accepted if given at the meeting on a member's behalf by other members other than in urgent circumstances.

In the case of repeated absence, the Monitoring Officer may request evidence of the reason for absence and determine whether or not the continued absence was justified and continued to be recorded as such. Any member aggrieved by any decision of the Monitoring Officer could refer the matter to the Chief Executive.

RESOLVED that Democratic Services Committee agreed to the Attendance Protocol for Elected Members.

At this juncture (11.25 a.m.) there was a 10 minute break.

The meeting reconvened at 11.35 a.m.

7 CONDUCT OF BUSINESS AT COUNCIL MEETINGS

The Head of Legal, HR and Democratic Services introduced a verbal report regarding the Conduct of Business at Council Meetings.

It was confirmed that Full Council was the largest of the meetings and in many ways could be the most difficult for the Chair to manage. Several Members had expressed frustration with the way in which meetings were conducted and the potential reputational damage that could result therefrom.

The meeting was broadcast live to the public via the Council's webcast system and could be viewed on the Council's website for up to six months after the meeting. There would be a reputational issue for the Council if meetings were not perceived to be ordered and professional.

The way in which meetings were conducted should assist and not hinder the ability of the public to follow the proceedings and be able to understand both the issue under consideration and the decision reached.

It was suggested a measure of discipline and order be instilled to assist the chair and Members to achieve these goals.

Political groups met prior to each Full Council and it had been suggested that the Political Groups identify, before the meeting, a spokesperson to speak on behalf of their Group on any particular issue.

Such a spokesperson would present the views of the Group making it easier for other Members and the public to follow the debate.

Wherever possible, questions of clarification or detail should be referred to the report author in advance of the meeting.

If a Member wished to propose an amendment to a recommendation, it would be of assistance if it was made by the nominated spokesperson for the Group. It would also be of assistance if the Monitoring Officer / Head of Legal, HR & Democratic Services were informed prior to the meeting of the intended amendment, in writing if possible, so that he could consider whether the amendment were permissible under the Council's Procedure Rules.

Points of order should only be raised by Members seeking advice on the Council's Procedure Rules contained in the Constitution, or a question of law.

RESOLVED that the Committee agreed to the conduct of business at Council meetings.

8 MEMBER TRAINING

The Democratic Services Manager introduced the report (previously circulated) to seek the views of the Committee on the content and direction of the training and development programme.

Information reported had indicated that the training programme in 2008 had been inadequate but that the training programme in 2012 had been too intensive. Therefore, the current training programme was devised to include e-learning modules for Members, enabling training and briefings to be undertaken at times and locations of the Members' choosing. Some of the modules could supplement conventional sessions where appropriate.

The Local Government (Wales) Measure 2011 required that a Personal Development Review (PDR) be made available to each Councillor. The PDR was not a Performance Appraisal but intended to be a means of supporting and developing Members. Members were not obliged to undertake a PDR but the opportunity would be offered to each Councillor during 2017.

The Member Training and Development Programme had been developed in consultation with portfolio holder Councillor Barbara Smith and an earlier draft of the Training Programme had been considered by elected Members at a Council Briefing session on 6 March 2017.

Members who had attended the Council Briefing session had been supportive of the aims and objectives of the Training and Development Programme. Officers had and would continue to be involved in the development of the Programme.

Members questioned who would be responsible for the payment of the residential courses which were to be delivered by the WLGA on 7-8 November and 12-13 December. Also who would be responsible for the payment of the WLGA Regional Workshop on 3 November, or would it be free of charge? The Democratic Services

Manager confirmed he would establish who was responsible and forward the information to Members.

RESOLVED that Members note the Member Training and Development Programme.

9 ICT FOR MEMBERS

The Democratic Services Manager introduced a verbal report regarding ICT for Members.

A trial of four Window devices had taken place but the feedback for all four had been negative. The decision was, therefore, to distribute ipads to all Councillors in May following the election.

RESOLVED that Members noted the information provided regarding ICT for Members.

10 FORWARD WORK PLAN

The Democratic Services Manager introduced the Forward Work Programme.

He informed Members that the Democratic Services Committee was held bi-annually and if Members needed items adding to the Forward Work Programme, to contact him directly.

RESOLVED that Members noted the Forward Work Programme.

At this juncture, the Chair, Councillor Barry Mellor stated that as it was the final Democratic Services Committee meeting prior to the May Election, he wanted to take the opportunity to thank Councillor Bill Cowie (who was not standing for re-election) for all his hard work on the Committee.

The meeting concluded at 12.35 p.m.