

DEMOCRATIC SERVICES COMMITTEE

Minutes of a meeting of the Democratic Services Committee held in Conference Room 1b, County Hall, Ruthin on Friday, 28 November 2014 at 9.30 am.

PRESENT

Councillors Bill Cowie, Martyn Holland and Barry Mellor (Chair)

ALSO PRESENT

Head of Legal, HR & Democratic Services (GW), Democratic Services Manager (SP), Scrutiny Coordinator (RE) and Democratic Services Officer (KE),

1 APOLOGIES

Apologies for absence were received from Councillors Joan Butterfield and Win Mullen-James.

The Monitoring Officer referred to the Constitution of the Standards Committee and explained the Committee was in inquorate. Members agreed that the meeting proceed on an informal basis and any action taken be approved at the next meeting of the Committee.

2 DECLARATIONS OF INTERESTS

No Members declared any personal or prejudicial interests in any business identified to be considered at the meeting.

3 URGENT MATTERS AS AGREED BY THE CHAIR

No items were raised which in the opinion of the Chair, should be considered at the meeting as a matter of urgency pursuant to Section 100B(4) of the Local Government Act, 1972.

4 MINUTES OF THE LAST MEETING

The minutes of the Democratic Services Committee held on 7 February 2014 were submitted.

Matters arising:-

6. Members questioned whether Councillor Meirick Lloyd-Davies could make recommendations to the Committee as an observer. The Monitoring Officer responded that he could not, but then clarified that Cllr. Lloyd-Davies was given permission to speak by the Chair and made a suggestion. Subsequently 2 members of the committee had proposed and seconded a recommendation.

RESOLVED – *that, subject to the above and confirmation at the next meeting, the Minutes be received and approved as a correct record.*

5 DEVELOPING SCRUTINY IN DENBIGHSHIRE

The DSM introduced the report (previously circulated) explaining that there were proposals to change the way that items were selected for scrutiny, essentially working more efficiently and refocussing on the Corporate Plan and avoiding non-priority items that do not add value to the scrutiny process.

The SC added that often subjects were suggested for scrutiny without being accompanied by sufficient information on the issues requiring scrutiny. . Members and officers then wasted valuable time compiling and presenting reports and scrutinising matters that might not necessarily have addressed the issue that intended to be scrutinised.

The Committee considered the use of scrutiny item proposal forms for adding topics to scrutiny forward work programmes. These forms would be put to the relevant committee or to the Scrutiny Chairs and Vice Chairs Group who would then allocate the item to the relevant Scrutiny Committee. Members agreed in principal to the proposal and sought reassurance that guidance would be available on the allocation of items as either agenda items for scrutiny committees or information reports.

The Committee discussed the possibility of the Chair and Vice Chair of Democratic Services Committee being members of the Scrutiny Chairs and Vice Chairs Group. It was felt that as the Group discussed agenda items and good practice across the Scrutiny committees it would be beneficial for the Democratic Services Committee to be represented. The Scrutiny Chairs and Vice Chairs Group membership would need to be amended by Council for the representation to be formalised.

The SC referred to the Wales Audit Office and Williams Reports relating to scrutiny outcomes and characteristics of effective scrutiny, explaining that there was an expectation that every Authority would measure themselves against those characteristics which would be used by the regulators when reviewing the Scrutiny function. Members discussed at length the characteristic of public engagement and the difficulty in encouraging residents to attend meetings or take part in Scrutiny reviews.

It was suggested that scrutiny committees could invite members of the public to come and speak at committees or contribute to task and finish groups which were less formal and agreed that questions on this and the involvement of expert witnesses be included in the Members' Proposal form. Members queried whether there was a database of community / lobby groups or interested parties that might be used to as an "amplifier" for informing villages and communities on social media etc. of relevant subjects under discussion and associated meetings.

RESOLVED *That the Democratic Services Committee:*

- (i) *Endorses the application of proposal forms for use by members for adding topics to scrutiny committee forward work programmes;*
- (ii) *Recommends that the final proposal form incorporates the guidance flowchart on the rear of the first version appended to the report with the questions in the second version;*
- (iii) *Supports the development activities for the improvement of Scrutiny in Denbighshire that can contribute effectively to the current demands of large budget savings and the achievement of the Corporate Plan targets;*
- (iv) *Endorses the adoption of the outcomes and characteristics for effective scrutiny and principles for public engagement outlined in appendices 3, 4 and 5; and*
- (v) *Recommends to Council that the membership of the Scrutiny Chairs and Vice Chairs Group be amended to include the chair of the Democratic Services Committee*

6 COMMITTEE TIMETABLE FOR 2015 / 2016

The DSM reported that in approving the previous timetable members had requested extending the timetable to cover a longer period. He also reminded the Committee that under the Freedom and Flexibilities exercise members had agreed to drop one meeting per year from each committee. To that end a new 18 month timetable was being prepared for presentation to full Council.

The Committee were appreciative of the difficulty in programming the various meetings to suit all members but asked if particular consideration could be given to:

- avoiding multiple significant meetings in any given week where possible
- the amount of paperwork / reading time required for meetings
- Councillors in employment who might experience difficulty arranging time off.

RESOLVED *that the Democratic Services Committee notes the requirement for committees to reduce the number of their meeting by one per year and supports an 18 month committee timetable*

7 THE FAMILY ABSENCE FOR MEMBERS OF LOCAL AUTHORITIES (WALES) REGULATIONS 2013

The HLHR&DS introduced the report (previously circulated) advising of changes required to Standing Orders to prescribe the conditions whereby a member would be entitled to family absence.

Under current legislation members only needed to attend one meeting in a 6 month period unless permission to extend was sought before that period ended. New regulations would require the Council to make Standing Orders to include 5 different types of family absence that would exempt Councillors from attending meetings provided they satisfied the conditions in the Regulations.

The DSM would be responsible for reviewing applications for family absence and administering the process. If the DSM refused to grant the family absence they would need to inform the Chair of Council and facilitate an appeal. It was recommended that the appeal panel was made up from Democratic Services Committee Members.

If granted a period of absence the member would still be entitled to continue to be paid. Cabinet members on family absence could nominate a substitute. Payment to the substitute would be at the Authority's discretion. If payment was agreed then the Remuneration Panel would have to be notified.

The HLHR&DS would prepare a report to present to Council to add the Standing Orders to the Constitution and specify that the appeal panel should come from the membership of the Democratic Services Committee.

RESOLVED - *That the Democratic Services Committee endorses the following recommendations to be made to full Council:*

- (i) That the Monitoring Officer be given delegated authority to make such changes to the Council's Constitution and Standing Orders as are necessary to give effect to the requirements of the Measure and Regulations; and*
- (ii) That a politically balanced panel of 3 members be drawn from the membership of the Democratic Services Committee to determine any appeals or complaints regarding a refusal by the Head of Democratic Services to grant a period of family absence.*