

Report to	Democratic Services Committee
Date of meeting	2 October 2020
Lead Member / Officer	Councillor Richard Mainon / Democratic Services Manager
Report author	Steve Price, Democratic Services Manager
Title	Annual Review of Political Balance and Appointment of Scrutiny Chairs

1. What is the report about?

This report contains information on committee-related issues.

2. What is the reason for making this report?

2.1 The new municipal year has been delayed this year because of the cancellation of meeting as a result of the COVID-19 coronavirus pandemic. The Annual Meeting of Council is being held in October instead of in May. It is appropriate for the committee to consider changes in political balance and to be aware of Scrutiny chairing arrangements.

2.2 The Council currently has 46 elected members with a vacancy for the Corwen ward, following the death in February of Councillor Huw Jones. The Local Government (Coronavirus) (Postponement of Elections) (Wales) Regulations 2020 postpone by-elections of councillors until the period 1 February 2021 and 16 April 2021.

3. What are the Recommendations?

That the Democratic Services Committee considers the political balance position for the allocation of committee seats.

4. Report details

COVID-19 and the Annual Meeting of Council

4.1 The Welsh Government introduced the Local Authorities (Coronavirus)(Meetings)(Wales) Regulations 2020 in April 2020. The measures the Welsh Government put in place to combat COVID-19 included changes to allow entirely remote committee meetings to ensure meetings and business could continue in an environment which was safe for elected members, officers and the public.

4.2 The Regulations provided greater flexibility to local authorities to hold their annual meetings, provided that an annual meeting was held at some point in 2020. The Council meeting on the 13th October will be the Annual Meeting of Council.

Annual review of political balance

4.3 The Local Government and Housing Act 1989 and supporting Regulations make provision for political balance in the membership of the Council to be reflected in the membership of the Council's committees (though Cabinet is not covered by this requirement in the Act).

4.4 The members of the Council are divided into different political groups, a group being two or more councillors who sign a notification to the authority declaring that they wish to be recorded as being a member of a particular group. The Council has an obligation to ensure that the number of seats on certain committees (these are identified by statute) are allocated to each political group in the same proportion as the number of members within a group to the membership of the Council. For example, if Group A's membership represents a third of the members of the Council, then Group A would be allocated a third of the seats on the committees that have to be politically balanced. This requirement can be set aside but only if no member of the Council votes against doing so.

4.5 The Council is required to consider at least annually how the membership of its committees relates to the size of the groups. The political balance figures and membership of the committees at the time this report was written are shown in appendixes 1 and 2 respectively.

Democratic Services Committee

4.6 Section 11 of the Local Government (Wales) Measure 2011 requires the Council to appoint a committee to review the adequacy of provision by the authority of staff, accommodation and other resources to discharge democratic services functions, and to make reports and recommendations to the authority in relation to such provision.

4.7 The members of the Democratic Services Committee must be appointed by full Council. There are to be no co-opted members. Under the Measure there may be no more than one member of the Cabinet on the Committee (who cannot be the Leader), but Council in May 2012 decided that the membership would be 11 councillors and would not include members of the Cabinet.

4.8 The Committee must be politically balanced and Council must appoint its chair who must not be a member of any of the political groups represented on the Cabinet. For Denbighshire, this means that the chair will be a member of the Labour or Plaid Cymru groups. The existing chair is Councillor Alan James who will need to step down from his role on the committee after he is elected Chair of Council at the Annual Meeting of Council in May 2021.

4.9 The existing membership of the Democratic Services Committee is shown in appendix 2.

Appointment of Chairs of Scrutiny Committees

4.10 According to the principles for allocating Scrutiny chairs in the 2011 Local Government (Wales) Measure the Groups represented in the Cabinet (Independents and Conservatives) will be entitled to 1 of the 3 scrutiny chairs, and it will be for those groups to decide amongst themselves which of their eligible members will be a chair. The Labour and Plaid Cymru Groups are entitled to appoint 1 scrutiny chair each.

4.11 Neither the Measure nor the associated statutory guidance make provisions for changing or re-appointing scrutiny chairs, except where the political make-up of Cabinet changes or where a scrutiny chair is vacated for some reason. The appointment of chairs for the new municipal year is therefore a matter for the political groups to consider and to report any changes.

5. How does the decision contribute to the Corporate Priorities?

Political balance arrangements are central to the democratic and committee systems which are essential elements of the Council's governance arrangements, including the Council's corporate priorities.

6. What will it cost and how will it affect other services?

There are no identified costs arising from the recommendations in this report to undertake an annual review of the allocation of committee seats according to political balance requirements.

7. What are the main conclusions of the Well-being Impact Assessment?

A Well-being Impact Assessment is not required for this report.

8. What consultations have been carried out with Scrutiny and others?

Full council will consider a similar report at its meeting on the 13 October and relevant comments from this committee will be reported to Council. The political groups are consulted on committee membership and political balance matters whenever issues arise, for example to fill vacancies on committees.

9. Chief Finance Officer Statement

There are no additional costs arising from the recommendations in this report.

10. What risks are there and is there anything we can do to reduce them?

Failure to review the membership of committees, fill vacancies etc., would be detrimental to the Council's governance arrangements and contrary to statutory requirements.

11. Power to make the decision

Local Government and Housing Act 1989; Local Government (Wales) Measure 2011; Section 111 Local Government Act 1972