

DEMOCRATIC SERVICES COMMITTEE

Minutes of a meeting of the Democratic Services Committee held remotely via WebEx on Friday, 2 October 2020 at 10.00 am.

PRESENT

Councillors Rachel Flynn, Hugh Irving, Alan James (Chair), Gwyneth Kensler, Christine Marston, Andrew Thomas, Rhys Thomas and Graham Timms.

Lead Member for Corporate Services and Strategic Direction Councillor Richard Mainon.

Observer: Councillor Peter Scott

ALSO PRESENT

Head of Legal, HR & Democratic Services (GW), The Democratic Services Manager (SP), Scrutiny Coordinator (RE) and Committee Administrators (SAJ and SW).

The Local Democracy Reporter was also in remote attendance to observe proceedings.

POINT OF NOTICE

Due to the current restrictions on travel and requirement for social distancing as a result of the coronavirus pandemic the meeting was held remotely by video conference and was not open to the general public. All members had been given the opportunity to attend as observers and the Local Democracy Reporter had also been invited to observe.

1 APOLOGIES

Apologies were received from Councillor Joe Welch.

2 DECLARATIONS OF INTEREST

The Head of Legal, HR and Democratic Services confirmed that all members present would have a personal interest in agenda item 7 – Independent Remuneration Panel for Wales Annual Report 2020 / 2021, as it determined Councillor salaries. This was not regarded as being a prejudicial interest under the Code of Conduct.

All Councillors present declared a personal interest in the Independent Remuneration Panel for Wales' Annual Report 2020/21.

3 URGENT ITEMS

No urgent matters had been raised.

4 MINUTES

The minutes of the Democratic Services Committee's meeting held on the 04 October 2019 were submitted.

Councillor Rachel Flynn noted that she had sent her apologies for the previous meeting but it had not been recorded. It was:

Resolved: - that the minutes of the Democratic Services Committee meeting held on 04 October 2019 be received and approved as a true and correct record.

5 COVID-19 RECOVERY PLAN FOR DEMOCRATIC SERVICES

The Lead Member for Corporate Services and Strategic Direction introduced the report (previously circulated) and gave a brief background to the work that had taken place during the Covid-19 pandemic. It was highlighted that all involved had worked extremely hard to maintain services where possible. Clarification was provided on the decisions that had been made using the emergency powers. The Leader had the power to make a decision that would otherwise have been made at a Cabinet meeting. This delegated decision process had only been adopted twice to do this and Cabinet members had seen the reports prior to a decision being made.

The Head of Legal, HR and Democratic Services explained to date the only method for holding meetings with a simultaneous translation service was through the platform Zoom. It was confirmed work into implementing Zoom for public meetings was on going. Members were informed on the technical issues that had occurred to update the Council Chamber to enable hybrid meetings, and for those meetings to be webcast. It was confirmed that a number of meetings had resumed with the full schedule of meetings being held from September 2020.

Members thanked the Lead Member and officers for the information provided, during the discussion the following points were raised:

- Prior to the Covid -19 pandemic the law stated that hybrid meetings allowed 70% of members to attend remotely as long as 30% of members attended the meeting room and that all could be seen and heard. It was reported that the Welsh Government had always been keen for local Councils to hold remote meetings. Those regulations had been relaxed during the pandemic stating Local Authorities could hold completely remote meetings. Further regulations and guidance was expected.
- Members felt that the communication with the group leaders during the pandemic had worked well. With group leaders passing on information and comments to members at weekly group meetings, for any feedback to Cabinet.
- The questionnaire asking for feedback on remote meetings had closed, the Democratic Service's Manager (DSM) stated he would see if it was possible to re-open the questionnaire for those who had not completed it. The working group would examine the feedback from the member questionnaire.
- The Council had agreed to hold Zoom meetings for public meetings that required simultaneous translation only, once able to do so. It was witnessed that other Authorities had held Zoom meetings with few problems. The DSM confirmed the intention to publically broadcast and translate meetings to Welsh remained a priority.

- The DSM stated he would email the complete membership of the working group membership to members. Nominations had been sought from groups through the group leaders.
- Remote working would have a benefit to the carbon emissions and footprint for Denbighshire.

Members thanked officers for the detailed response to questions and concerns. It was,

RESOLVED, that members note the recovery plan and the democratic arrangements as set out in the report.

6 ANNUAL REPORT OF THE COUNCIL'S SCRUTINY COMMITTEE 2019/20

The Chair of the Scrutiny Chairs and Vice-Chairs Group (CSCVC), Councillor Graham Timms introduced the report (previously circulated), to seek members' comments prior to its submission to Annual Council.

It was noted that previous annual reports had highlighted key areas of Scrutiny work. It was highlighted this annual report had included concise information on the work of each Scrutiny.

Members were informed of a new feature within the report. This section had focused on the work Scrutiny had done linked to the Corporate Plan. The CSCVC stated this had been received well with the group and showed the important work done by Scrutiny.

Particular reference to the late Councillor Huw Jones had been made within the report, paying tribute to his commitment to his Council work. Thanks to Councillor Hugh Irving for chairing the Performance Scrutiny Committee during the past year had also been noted.

A report on the Joint Overview and Scrutiny Committee had been included which emphasised the difficulty observed arranging these meetings. It was hoped these meetings would continue and develop over the next year. The CSCVC explained brief reports on the task and finish groups and their findings, the scrutiny of Audit Wales Reports and community engagement had been included in the overall report. Members wanted to offer thanks to the Scrutiny Co-ordinator for the time, dedication and hard work that had been put into the report and the ongoing Scrutiny arrangements.

The Scrutiny Co-ordinator (SC) emphasised the difficulty of arranging the Joint Overview Scrutiny. It was confirmed that a meeting had been scheduled for November to be held remotely. It was hoped that this delivery method may be easier for members to attend.

During discussion members were reminded that the role of Scrutiny was to assist and challenge Cabinet and the decisions Cabinet and officers made. Members felt the work of Scrutiny to be very valuable. The SC emphasised the Task and Finish Groups had influenced policies and procedures within the Council.

It was explained that the formal meetings prior to the Covid-19 pandemic had an obligation to publish agendas and papers before the meeting. Those formal meetings had to be made accessible to the public. The committee was reminded that Denbighshire's Welsh Language Standards required public meetings to facilitate bilingual contributions through the use of an interpreter. Until the council was in a position to hold public meetings again the local democracy reporter was being invited to attend Council and committee meetings.

Confirmation was provided by the SC that the Chairs and Vice Chairs group had reviewed the Forward Work Programmes of scheduled reports. Confirmation was given that no reports had been removed due to the Covid-19 pandemic.

Members were pleased to hear that as familiarity with remote meetings grew the pre-meeting briefings for Scrutiny members would recommence.

RESOLVED, that the Democratic Service Committee note the Annual Report of the Scrutiny Committees for 2019/20.

At this juncture (11.15 a.m.) there was a 15 minute break.

The meeting reconvened at 11.30 a.m.

7 INDEPENDENT REMUNERATION PANEL FOR WALES ANNUAL REPORT 2020 / 2021

The Democratic Services Manager (DSM) introduced a report (previously circulated) in respect of the Independent Remuneration Panel for Wales' (IRPW) annual report for 2020 / 21.

The IRPW was required to produce an annual report setting out the levels at which members were paid for various duties and responsibilities for the municipal year. This report was published in February 2020. It was confirmed that the IRPW had decided to provide an increment of £350 to each councillor with no additional increases beyond that to be paid to senior salary holders in 2020.

Denbighshire County Council had a cap of 17 senior salaries that could be paid. The IRPW had requested particular attention by the Democratic Service committee be made to Determination 9 and 10 within the annual report.

The following areas were discussed in greater depth by members:

- The senior salary provided to the leader of the largest opposition group was a salary the authority has to make. Some members raised concerns that the other group leaders were not getting the same financial recognition as the Leader of the largest opposition group. Members asked for the DSM to feedback to the IRPW their concerns on the legal requirement to offer a salary to the Leader of the largest opposition group and not all group leaders. Clarification and reasoning from the IRPW was sought.

- Denbighshire County Council currently have 2 Senior Salaries available. Confirmation that the decision of who received the senior salary roles was a Full Council decision.
- Members felt caution was needed when looking at the allocation of Senior Salaries to members. The Head of HR, Legal and Democratic Services explained how the current allocation of senior salaries was distributed.
- The diversity aspect of the report was important. Confirmation that the Welsh Government had an action plan for diversity within local authority representation was provided.
- Members felt that a good broadband connection was essential. With the introduction of remote meetings, it would be crucial for a good internet connection to enable members to access meetings. The IRPW report had no additional funding available to support the addition of technology, devices and broadband connection. These would be issues to be resolved by individual local authorities.
- Members asked if the allocation of the senior salary payments could be reviewed by the new ways of working group. Any work that would be made by that working group would be presented back to the Democratic Service Committee. Councillor Timms felt that the decision to review the salaries of senior members was a decision for the next Council not present members, he was not in agreement that the working group needed to review the current arrangements.

It was;

RESOLVED, that

- the Democratic Services Committee notes the determinations of the Independent Remuneration Panel for Wales for 2020/21 in respect of the payment of basic, senior and civic salaries and payments to co-opted members.*
- That the Democratic Services Committee considered the level of support provided to members to carry out their duties, with regard to 'Determinations' 9 and 10 of the Annual Report.*
- That a request would be made to the new ways of working group to look at the allocation of senior salaries to report back to this committee.*

8 ANNUAL REVIEW OF POLITICAL BALANCE AND APPOINTMENT OF SCRUTINY CHAIRS

The Democratic Services Manager (DSM) guided members through the report (previously circulated), presenting the membership details for each committee. He highlighted the committees that required representation from groups to complete their membership.

During the discussion members referred to recent changes in Scrutiny membership that had been required from changes to political group membership. It was noted that the changes to group membership had resulted in a change of political balance that affected certain committees and groups.

Emphasis was given to the difficulties certain political groups experienced. Particular reference was made to the difficulties faced for Planning Committee

membership due to the Welsh Government regulations in place relating to multi-member wards. Confirmation was given that the group leaders and members would discuss and agree membership for the Planning Committee where 2 members of the same ward expressed an interest in being on the committee.

The Head of Legal, HR and Democratic Services (HLHDS) suggested that the concerns of the committee be highlighted to group leaders to look at membership of committees with particular emphasis on Planning Committee membership. Members were in agreement that such concerns should be raised with group leaders.

The Chair thanked the officers for the report, he stated it was very informative and useful. It was,

RESOLVED, that the Democratic Service Committee note the report on the political balance position for the allocation of committee seats. It was agreed that the HLHDS would ask group leaders to review the current membership for the Planning Committee.

9 COMMITTEE TIMETABLE 2021

The Democratic Service Manager (DSM) guided members through the proposed Committee timetable for the next meeting cycle (previously circulated). The DSM gave thanks to the Committee Clerk Kath Jones for producing the proposed timetable.

Members were informed that the timetable would be presented for approval at the next meeting of Full Council. Previous agreements on how the timetable was developed had been adhered to where possible. The August recess had been included as seen in previous years. The decision to change the cycle of meetings was for Full Council.

The Chair and members thanked the DSM and Committee staff for the work that had gone into preparing the report. It was,

RESOLVED, that the Democratic Services Committee recommend the approval of the committee timetable for 2021 to full Council.

10 FORWARD WORK PROGRAMME

The Democratic Service Manager (DSM) introduced a verbal report on the Committee's forward work programme.

The members were informed that the work programme was currently unpopulated but would be populated following the timetable for 2021 meetings being approved by full Council.

RESOLVED that the verbal update be noted.

The meeting concluded at 12:45 p.m.