

Report

Democratic Services Committee

Part 1

Date: 24 May 2018

Item: 5

Subject Annual Report of the Democratic Services Committee

Purpose To present a draft Annual Report of this committee for consideration and agreement.

Author Democracy and Communication Manager

Ward All wards

Summary The Local Government (Wales) Measure 2011 requires each council to establish a Democratic Services Committee. The Measure prescribes the functions of the committee and requires the committee to make a report at least annually to the Council.

This report proposes the content of the Democratic Services Committee's annual report for 2017-18.

Proposal To consider and agree the Committee's annual report to the Council in order to meet the requirements of the Local Government Measure.

Action by Democracy and Communication Manager

Timetable Immediate

This report was prepared after consultation with:

- Chief Executive
- Head of Law and Regulation
- Head of Finance
- Head of People and Business Change

Background

The Local Government (Wales) Measure 2011 requires each council to establish a Democratic Services Committee. The Measure prescribes the functions of the committee and requires the committee to make a report at least annually to the Council.

This report proposes the content of the draft Democratic Services Committee's annual report for 2017-18, for the Committee's consideration, and for the Committee to agree the final report to be presented to the July 2018.

Financial Summary

The Chair of the Democratic Services Committee is entitled to a special responsibility allowance in accordance with the prescribed members' allowances scheme. There are no specific costs associated with the running of this committee other than those involved in the cost of administration of this and other council functions within the democratic process.

Risks

Risk	Impact of Risk if it occurs* (H/M/L)	Probability of risk occurring (H/M/L)	What is the Council doing or what has it done to avoid the risk or reduce its effect	Who is responsible for dealing with the risk?
Non-compliance with the requirements of the Local Government Measure	H	L	This report presents a draft annual report to the committee for approval in line with the requirements of the Measure.	Democracy and Communication Manager / Head of Law and Regulation.

* Taking account of proposed mitigation measures

Links to Council Policies and Priorities

Consideration of this report meets the requirements of the Local Government Measure.

Proposal

To consider and agree the Committee's annual report to the Council in order to meet the requirements of the Local Government Measure.

Comments of Chief Financial Officer

The chair of the democratic services committee is entitled to a special responsibility allowance in accordance with the prescribed members' allowances scheme. There are no specific costs associated with the establishment of this committee other than those involved in the cost of administration of this and other council functions within the democratic process. These are met from existing budgets.

Comments of Monitoring Officer

There are no legal issues arising from the Report. The Annual Report sets out the work of the Committee over the past year and confirms that it has discharged its responsibilities in terms of the democratic services function in accordance with the Local Government (Wales) Measure 2011.

Comments of Head of People and Business Change

There are now staffing implications arising from the report.

As the report outlines, by ensuring the effectiveness of the Council's corporate governance and decision-making processes, the Council will ensure that requirements of the Wellbeing of Future Generations (Wales) Act 2015 are met and the principles of the Act are able to be properly embedded within the Council's governance and decision making structures.

Wellbeing of Future Generations (Wales) Act 2015

The Democratic Services Annual Report outlines how the Committee has discharged its responsibilities in terms of the democratic services function in accordance with the Local Government (Wales) Measure 2011. Part of its role is to review and monitor the effectiveness of the Council's corporate governance and decision-making processes and the terms of the Council's Constitution.

Through ensuring the effectiveness of the Council's corporate governance and decision-making processes, the Council will ensure that requirements of the Wellbeing of Future Generations (Wales) Act 2015 are met and the following principles of the act are able to be properly embedded within the Council's governance and decision making structures:

- Long term: the importance of balancing short- term needs with the need to safeguard the ability to also meet long – term needs
- Prevention: How acting to prevent problems occurring or getting worse may help us meet our objectives
- Integration: Consider how the proposals will impact on our wellbeing objectives, our wellbeing goals, other objectives or those of other public bodies
- Collaboration: have you considered how acting in collaboration with any other person or any other part of our organisation could help meet our wellbeing objectives
- Involvement: The importance of involving people with an interest in achieving the wellbeing goals, and ensuring that those people reflect the diversity of the City.

Background Papers

The Local Government (Wales) Measure 2011
Newport City Council Constitution

Dated: 17 May 2018

Democratic Services Committee Annual Report 2017-18

1. Introduction

The Local Government (Wales) Measure 2011 requires each council to establish a Democratic Services Committee. The Measure prescribes the functions of the committee and requires the committee to make a report at least annually to the Council.

2. Terms of reference

The terms of reference for the committee are set out in the constitution, and meet the requirements of the prescribed functions within the Measure.

The Committee's terms of reference are:

- a) To appoint the Head of Democratic Services
- b) To consider reports by the Head of Democratic Services in accordance with Section 9(1)(h) of the Local Government (Wales) Measure 2011 (adequacy of resources to discharge democratic services functions) within 3 months and make recommendations to Council, as appropriate
- c) To ensure that all reports of Democratic Services Committee under Section 11 of the Local Government (Wales) Measure 2011 (recommendations regarding the adequacy of resources to discharge democratic services functions) are circulated to all Members and considered within 3 months
- d) To require the attendance of any Members or officers of the Council to answer questions and invite other persons to attend meetings, as required
- e) To require any Member or officer attending meetings to answer any questions (unless they are to refuse on legal grounds)
- f) To appoint one or more sub-committees and to arrange for the discharge of any of its functions by such a sub-committee
- g) To review and monitor the effectiveness of the Council's democratic services functions, including:
 - the provision of support and advice to meetings of the Council, committees, sub-committees and joint-committees
 - promoting the role of Overview and Scrutiny
 - the provision of support and advice to Overview and Scrutiny
 - the provision of support and advice to individual Councillors in carrying out their roles as Members
 - such other democratic services functions as may be prescribed from time to time by Regulations made by the Welsh Ministers
 - and make recommendation to Cabinet and Council, as appropriate.
- h) To review the adequacy of the Council's democratic services resources and to make recommendations, where necessary
- i) To review and monitor the effectiveness of the Council's corporate governance and decision-making processes and the terms of the Council's Constitution and make recommendations, as necessary, to Cabinet and/or the Council.

3. Structure and Membership

The Committee comprises

- [Councillor Charles Ferris](#) (Chair)
- [Councillor Chris Evans](#)
- [Councillor Matthew Evans](#)
- [Councillor Yvonne Forsey](#)
- [Councillor Ibrahim Hayat](#)
- [Councillor Rehmaan Hayat](#)
- [Councillor Laura Lacey](#)
- [Councillor Kate Thomas](#)
- [Councillor Trevor Watkins](#)

This is a politically balanced group comprising members with various roles in the Council and varying levels of experience. This group works well together and shares a joint aim of seeking to improve the way the Council works.

Councillors from the various groups work together in a non-partisan way to consider various aspects of the Constitution and other matters that impact on the governance of the Council. The apolitical stance taken by members of the committee has encouraged interesting discussions on the topics presented to the Committee.

4. Activities in 2017-18

In the past year the Democratic Services Committee has considered the following:

i) Terms of Reference

At its first meeting, the Committee reviewed its terms of reference to ensure all Members understood the role and function of the Committee.

ii) Member Development

In consultation with the Cabinet Member for Member Development, the Committee reviewed the requirements of the WLGA Member Development Charter, and agreed to develop an action plan to begin working towards achievement of the Charter.

iii) Independent Remuneration Panel

The committee reviewed the IRP's draft annual report and agreed a formal response on behalf of the Council.

iv) Mayoralty Protocol

The Committee received a referral from Council to review the Mayoralty Protocol.

v) Work Programme

The Committee developed a work programme to help plan and organise its meetings.

5. Work Planned for 2018-19

The Committee has agreed to include the following items on its work programme:

i) Constitution Review

In September 2015 the Committee agreed the format for a new model constitution. Part of this was agreeing the WLGA role descriptions, which had now been adopted by Council. This Committee needs to oversee the reorganisation of the rest of the constitution which had been amended previously in a piecemeal fashion.

ii) WLGA Member Development Charter

The WLGA Charter sets out a framework for supporting effective Member Training and Development activity. With a new Cabinet lead for Member Development in place, and the WLGA role descriptions adopted, Newport are well placed to embark on the self-assessment process with a view to achieving the Charter accreditation. It was suggested that, as a cross-party group with responsibility for Member support, the Democratic Services Committee could oversee and drive this process, in collaboration with the Cabinet Member.

iii) Support for Councillors in their ward work

The Democratic Services team had recently reviewed the guidance for Members on ward meetings. The actual system of ward meeting support for Members was last updated in 2014 and focussed only upon ward meetings, not other ward activity. As few wards hold ward meetings a review was needed of this as well as the general support offered to all Members for ward work. This could also include the issue raised at the Committee's February meeting, highlighting the need for a protocol regarding enquiries from/about other wards.

iv) Boundary Commission Review of Communities

A "Community" is the unit of local government that lies below the level of the principal council. From time to time, because of developments of shifts of population, it may be necessary to make changes to community areas and boundaries.

The Council has a duty to monitor the communities in its area and, where appropriate, the electoral arrangements of such communities. The Council also has a duty to report to the Boundary Commission for Wales every ten years on its community arrangements. A review is due, and it was suggested that the Committee would be an appropriate body to oversee the process and consultation for this, and report any necessary changes back to Council.

v) Democratic Services Annual Reports

Both the Committee and the Head of Democratic Services are required to produce an annual report to Council each year, so this would be built into the programme.

Councillor Charles Ferris
Chair of the Democratic Services Committee

Eleanor Mulligan
Democracy and Communication Manager