

Draft Minutes



Democratic Services Committee

Date: 20 February 2020

Time: 10am

Present: Councillors D Fouweather (Chair), M Evans, C Evans, J Clarke, and M Whitcutt

In Attendance: G Price (Head of Law and Regulation), A Jenkins (Governance Team Leader), F Collins (Governance Officer)

Apologies: Councillors T Watkins, J Hughes, K Thomas and G Berry

1 **Declarations of Interest**

None.

2 **Minutes of the Last Meeting**

Minutes of the meeting held on the 24 October 2019 were submitted.

Item 6: Chair of Council

It was felt that the minutes did not reflect the lengthy debate that took place regarding this subject. It was important to note that the additional costs of paying another senior salary was a significant factor and the point of principle on the separation of roles was also of general concern. Therefore, a unanimous decision was taken by the Committee not to recommend to Council the appointment of a Chair of Council/Presiding Member

Item 5: IRP for Wales Draft Annual Report 2020

It was noted by the committee that under matters arising, the final IRP report was received earlier in the week and would be added to the Council Work Programme for April 2020. There were no changes to the draft Report and there would be an inflationary increase of £350 to the basic salary for all Councillors.

3 **Review of the Constitution Revised Officer Scheme of Delegation**

As part of the forward work programme and the terms of reference for Democratic Services Committee, the Committee was required to keep under review the Council's constitutional governance arrangements.

In accordance with the Council's approved scheme of delegation, set out in Part 3 Appendix 3 of the Council's Constitution, a number of statutory functions were delegated to those Heads of Service who were authorised to discharge these duties on behalf of the Council. The Officer Scheme of Delegation was last reviewed and updated in October 2017 and since that time; there had been a few legislative changes and amendments to Council procedures. These changes and amendments needed to be incorporated into a revised and updated scheme of delegation for adoption by full Council.

For the most part, the previous officer scheme of delegation did not require substantive revision. However, since the last review, new legislation was introduced to deal with sustainable drainage systems (“SuDS”) for new developments and additional delegated powers needed to grant the Head of City Services to enable him to determine applications and all other related functions under Schedule 3 of the Flood and Water Management Act 2010 on behalf of the Council as the SuDs Approving Body (“SAB”).

In addition to this, the Committee were informed that amendments had been made to the existing scheme of delegation to Council granting full delegation to the Head of Regeneration Housing and Investment to determine minor property transactions, as previously recommended by Democratic Services Committee at their meeting in November 2018.

Comments from the Committee:

- The Committee asked if there was accountability under this new arrangement and whether members could question delegated decisions. It was advised that as this was now allocated to the Head of Streetscene and City Services, any decisions would be taken by the responsible officer due to the technical complexities of these matters. This was similar to decisions taken by Building Control where a qualified officer would be better placed to take these decisions. There was no system for calling-in these decisions, unlike delegated planning decisions, but the Head of Service would be responsible and accountable for the decisions taken.
- The Committee referred to the Gambling Act and if Newport had powers to allow casinos to operate within the city. This was a matter of policy and there were different types of licenses, some with an element of local discretion. Any policy decision on casino licences would be a matter for full Council. .
- The committee also referred in general to the Scheme of Delegation appointing the Chief Executive as the Council’s Returning Officer. The Committee was informed that the Chief Executive was not currently required be the Returning Officer and in some council’s such as Cardiff, the Head of Finance took on this duty. Newport City Council chose to designate the Chief Executive. New legislation enforced by Welsh Government however, meant that the title of Returning Officer would in future be attached to all Chief Executives within Wales with no extra financial payment for local election fees. A brief discussion ensued regarding the fees and responsibilities of the Returning Officer.

Recommended :

The Committee agreed to the proposed amendments to the Scheme of Delegation to Officers and recommended that it be adopted as Part 3 Appendix 3 of the Constitution at Council on 27 February 2020.

4 Independent Remuneration Panel Supplementary Report

It was felt that members were not taking advantage of the financial support made available to those with primary caring responsibilities for a child or adult and/or personal support needs where these were not covered by statutory benefit or other provision.

The Ombudsman therefore wanted to remind councillors of this benefit through this supplementary report by way of raising awareness through the Democratic Services Committee. It was felt that due to the publishing of allowances and payments, councillors might also be embarrassed to declare the reimbursement claim however any claim for care would published as an anonymous list.

Comments from Councillors:

- The Chair agreed that most members were very mindful about what allowances they claimed in particular general attendance expenses, as they felt they were under public scrutiny.
- The Committee were informed that this was also available to senior salary holders such as Cabinet Members and for those members attending meetings.
- The Committee agreed that members should be made aware of this additional reimbursement of costs and that the monetary support would be a reassurance to those with children or adults that needed extra care.

Agreed:

The committee agreed that a summary of the supplementary report be circulated to all members for their information by the Governance Team Leader.

5 Support for Councillors in their Ward Work

It was previously agreed that the Democratic Services Committee review support for Councillors in their ward work as part of the work programme for 2018-19. The Committee agreed the scope of a further review of the support and engagement arrangements in July 2018. The previous research had focused predominantly on the engagement methods themselves, and Neighbourhood Committees / ward meetings in particular. The focus therefore of this additional review was specifically in relation to the practical support that Councillors needed to undertake their ward work effectively, through all the different methods available to them.

The Committee received interim presentations on upgrades to Members IT and the development of an on-line members Took-Kit to assist and support Councillors in carrying out their representational roles within their local communities. Due to changes however, in key personnel and membership of the Committee, the outcome of the review was never formally concluded and signed-off. In particular, no final conclusions were drawn on whether the Neighbourhood Committees/ward meeting should continue in their current format in the light of the significant developments in other methods of engaging with local communities within individual wards.

This report therefore summarised the outcome of the review of support for Councillors in their Ward work and invited the Committee to consider the options regarding Neighbourhood Committees/Ward Meetings.

Comments from Committee:

The Committee understood that there was not a consistent approach to ward meetings. It was also noted that not all ward members were able to voice their opinion at this meeting.

- Rogerstone ward members were passionate advocates of ward meetings, which were non-political and helpful for residents from an information perspective. They were also important for constituents raising individual issues with ward members and well attended.
- Some residents that were not using social media found ward meetings helpful, and it was felt that if ward meetings were lost, that councillors would lose their community.
- Ad hoc or side arrangements in place for some wards was still effective, such as holding meetings to discuss the budget or other strategic matters that would affect residents city wide.
- Some ward members did not run ward surgeries however, if constituents had concerns, they would meet with them on a one to one basis, such as Allt-yr-yn.

- It was therefore felt that each ward had an individual way of running their ward meetings and there was an argument for and against, this however should be left for the individual discretion of each ward member.
- Whilst from an officer perspective, it was difficult drawing the line between political support and single ward issues, ward members mentioned that parochial issues would be raised whether they were at ward meetings or surgeries. With an officer in attendance, residents could receive immediate feedback. There was also an audit trail
- There was limited financial resources available but ward meetings would require officer support and attendance.

Recommended:

Regarding the review of support for Councillors in their Ward work, it was agreed to recommend to Council that the current arrangements in relation to ward meetings should continue.

6 **Boundary Commission Review of Electoral Arrangements – Draft Proposals**

The Local Democracy and Boundary Commission for Wales was reviewing the electoral arrangements for the City of Newport with a view to considering and formulating proposals for future arrangements. This was part of the Commission's programme to review all principal councils in Wales, in time for new arrangements to be introduced for the next local government elections in 2022. Newport was the 17th council to be reviewed.

The Commission published initial consultation documents on 30th January 2019, showing the current elector to Councillor ratios in the City and how these compared to their Council Size Policy and ideal ratios. A cross-party working group was set up to review the evidence and options for future electoral arrangements in Newport, and formulate a draft response to the Commission's initial consultation process. The group's final report was presented to full Council on 30th April 2019, when the recommendations were approved and adopted. The Council's proposals and preferred options were then submitted to the Commission for consideration.

The Commission's Draft Proposals were finalised in October 2019 but not published until January 2020. The Council has until 8 April 2020 to formulate and submit any response to the draft proposals. The Commission would then consider any consultation responses before finalising their proposals, which would be submitted to the Welsh Government Ministers for approval, with or without modification. The necessary Order would then be made to implement the new electoral arrangements prior to the next local government elections in May 2022.

In summary the draft proposals would establish a Council of 49 Members and 22 Wards, compared to the current 50 Members and 20 Wards.

The Communities of Wentlooge and Coedkernew would be moved from the current Marshfield Ward and merged with the existing Tredegar Park Ward to form a new Tredegar Park and Marshfield East Ward. The new Ward would have two Members, while the remainder of Marshfield would have one.

Part of the existing community of Graig would be merged with the Community of Rogerstone. The existing Rogerstone Ward would be divided into three new Wards with four members between them.

Part of the existing community of Pillgwenlly would be transferred to Stow Hill, both Wards retaining two Members each.

The Community of Bishton would transfer from Llanwern to Langstone. The Community of Nash would transfer from Liswerry to Llanwern with representation unchanged.

The wards of Bettws and Beechwood would remain unchanged but membership would be reduced from three members to two in each ward.

Comments from the committee:

Lengthy and meaningful discussion ensued regarding recommendations to Council for a corporate response to the draft proposals and after careful consideration the the following points were noted.

- Chair expressed the opinion that an extraordinary council meeting could be held to discuss the proposals and recommendations to take forward to the Boundary Commission.
- The Committee considered that an agreed response at full council would be unachievable, as the political groups would wish to submit their own different views.

The Monitoring Officer advised that the committee could make some general recommendations to Council, about which there was consensus, as a corporate response to the draft proposals. Any points of disagreement on the detailed changes could be left to the political parties. It was an opportunity to express the Council's broad agreement in terms of the general proposals and the revised electoral arrangements, because the changes could have been far more radical.

- Members were asked to consider the proposed reduction of councillors in Bettws and Beechwood wards put forward by the Boundary Commission. If the Committee were to agree at Council that the numbers be retained rather than reduced, this would see an extra two councillors in place, as opposed to the proposed 49 councillors. Single member wards might be something that councillors might agree on and this could be a consistent approach by council in agreeing to this. The overall outcome was not too disappointing and any extra councillors would be within the margins set by the Boundary Commission, allowing the Council to increase by one or two. 51 Councillors would therefore still be acceptable in terms of council size and would leave the door open for additional representation in Llanwern at the next review.
- The Committee generally agreed that Newport was growing and that three members was a viable number. The increase in numbers to four Rogerstone Ward members were also considered a realistic number, although there were differing opinions about whether it should be divided into four separate wards. Bettws and Beechwood wards should be about the same numbers therefore three members per ward should be retained.
- The Committee advised that the individual ward's work load, geography, community, cohesion, trend, growth, etc should be considered, with this in mind Bettws and Beechwood should remain the same and although there was significant variation they were both coherent and large communities. The general consensus therefore was that the Boundary Commission should not take a statistical approach.
- The Boundary Commission were very forthcoming when contacted, this was pointed out in relation to Rogerstone ward. Rogerstone ward members welcomed an extra ward member but did not agree with dividing Rogerstone. From a ratio point of view the Boundary Commission's work was based on people registered to vote. Ward members did however deal with casework of constituents not registered to vote and they felt the logic used by the Boundary Commission was flawed. The Boundary Commission stated that they did not like multi member wards and preferred one member per ward but did not say why. Whilst the Boundary Commission did only record registered voters, they had taken into account the socio-economic factors. After lengthy discussion it was

concluded by that in terms of numbers, Newport came out quite well, and their methodology could not be questioned at this stage..

The Chair also referred to 16 year olds being able to vote. This was also factored in to the figures but did not make any difference to the percentages.

- The Committee was concerned that the situation for Bettws ward in particular, would put strain on two members as they worked extremely hard and reducing the councillors would put more onus on them workwise and the residents would not get the service they deserved.

Recommended:

- After very careful discussion and consideration the Committee recommended that Council on 27 February 2020, should submit a response to the Boundary Commission to the effect that the draft proposals were broadly accepted but Bettws and Beechwood should continue to be three member wards because of the particular social and economic issues in those areas and the amount of work generated for their ward Councillors.

8 Date of next Meeting

Committee Room 1 at 5pm on 21 May 2020.