

Minutes



Democratic Services Committee

Date: 13 December 2021

Time: 10.00 am

Present: Councillors C Ferris (Chair), M Whitcutt, P Hourahine, J Clarke, T Watkins, K Thomas, G Giles, M Evans, C Evans and C Townsend, Gareth Price (Head of Law and Regulation), Leanne Rowlands (Democratic Services Manager), Felicity Collins (Governance Officer), Samantha Schanzer (Governance Officer)

1 Apologies

Councillor Townsend.

2 Declarations of Interest

None.

3 Minutes of Meeting held on 11 October 2021

The Minutes of the Last Meeting held on 11 October 2021 were **approved** and accepted as an accurate record.

4 Participation Strategy (Presentation Update)

Invitees:

Leanne Rowlands – Democratic Services Manager
Gareth Price – Head of Law and Regulation

The Democratic Services Manager provided the Committee with a presentation update on where the Council is with the draft participation strategy to encourage citizens in being more involved with Local Authority decision making processes.

Key points:

There are two key requirements in order to promote the council's functions; the first is to reach the public by promoting awareness and providing ways to get members of the public to access the information easily. The Council are looking to draw the constitution into one accessible guide and to improve the Council website's search facility to make it more user friendly to build public engagement.

The second requirement is to promote how to become a Member of the Council in order to represent the residents of their community. The Council are looking to build on the website page on how to become a councillor, the Lead Officer discussed the points in the presentation in detail to the Committee.

Members were advised that this would come back to Committee at the end of January with a full draft document in advance of the consultation period. After the consultation, the full strategy will be presented to the council in March prior to the deadline publication in May.

The Lead Officer mentioned the further actions that the council will take under the act, such as putting a petition scheme in place so residents know the process and Members know

what the council can do when in receipt of the same. The next steps include future members training and to base it around member seminar training including the importance of social media platforms.

Committee raised the following points:

- The Committee agreed they were happy with the return of the documents to come to the Committee in January and noted that the presentation was easy to follow.
- Councillor Giles assured that promotion is good but the language and wording that the council will use needs to be easily understood. The Member mentioned it would be good to learn what has been contributed from the public toward the work, if it includes public comments i.e. if the website suggestions are from feedback and if the officers have taken into account other Local Authorities' practices.

The Democratic Services Manager confirmed that it is embedded in the presentation of what the residents look at – not on the website at present but it usually comes up with a feedback survey asking what their visit was like that day. Customer Services regularly run surveys and also request feedback from residents on the digital provision.

The other local authorities are in the same position in developing a strategy for May 2022. They are also working towards meeting the first publication date but they are in the first stage of publishing the strategy, then after that they look to improve and develop as Newport will be doing also.

The Head of Service informed the Committee that the strategy is intended as live document - as a starter, when the Democratic Services Manager brings the final document to the Members, it will formalise what the council are doing currently. The plan is to keep it constantly under review with actions for improvement over time as once the council has a strategy in place, they can work with the community on how to improve communication on that. It was reiterated that this is the start in terms of codifying a document of what the council currently does now and the first step is to consult with the public in February on what they think of the strategy. When it will be adopted in May, they will use it as a document moving forward to see how to improve things and review with a set of improvement targets.

- A comment was made by Councillor Watkins that as a Councillor he receives continual complaints about the council website being too complicated to operate so will be interested in how the feedback goes out to see if residents mention that.
- Councillor Whitcutt noted that it can be often simpler to google what they need rather than search the council website itself. It was mentioned that the Cabinet Member for Assets and Resources has been raising the issue for a long period of time. The Member echoed Councillor Giles' point about the type of language concerned to encourage the public as the constitution needs to be user friendly yet dealt with a great deal of care.
- Councillor M. Evans agreed with the prior point that the website is not user friendly. The Member mentioned they receive questions from residents about parking permits and that it should be about simplicity. An example was mentioned, if someone wanted to watch the council committee, they would have to go on YouTube and type it in as there is no direct link on the website. With regard to the petition schemes mentioned, the Member recalled a previous mechanism in place to deal with petitions. It was requested to see more information in January such as research on what other councils are doing on engaging with the public on petitions. The Member referred to the concerns that Scrutiny Committee had expressed about the public consultation

public space protection order and that they would be interested to hear about other petition schemes in the United Kingdom.

In response, the Head of Service explained that the policy mentioned is about how the petitions are presented, the council never had a strategy on how they were dealt with and responded to. The petitions used to be physically presented to the Mayor. A procedure on how petitions should be dealt with and reported is something the council wish to develop. For instance, a policy on how they are responded to and how the council keeps a record to show that they are dealt with properly. Petitions and the website have improvements going forward, and the consultation document is codifying what the council currently does but on the final document the committee can decide what they wish to action and flag up.

- Councillor M. Evans asked to clarify what happens to petitions when they are received by the council.

The Head of Service confirmed that they are dealt with at an operational level and are submitted to the relevant Head of Service, including the relevant Cabinet Member if necessary. However, the outcome and the response is not routinely reported back to any Committee.

- Councillor M. Evans queried if Members could be informed of petitions from the public through a simple system reported to a committee. That way they can promote awareness of the council as the Members would know the process.

The Head of Service confirmed if the Committee would like to make the recommendation then the council can take that on board.

- The Chair added that clarity and better knowledge on how the council receives petitions would be good.

The Head of Service responded that receiving petitions is not the current issue. They are directed to the relevant Head of Service and submitted online as with the Senedd/Houses of Parliament. However the officer recognised that more information on the council website could be put on about how petitions can be submitted. It was acknowledged that what needs to be clearer is what happens to the petitions when they are in the system and to make members aware of how many have been received and how many responded to.

- Councillor K. Thomas commented that she has also received complaints from residents about the website, many of those in relation to parking permits. It was mentioned that officers have not accepted that there is an issue. The Member will be interested to find out should the data show there is an issue such as people going off the website after becoming distressed from the experience. With regard to the petition schemes; the Member went on to advise that with online petitions, they are unaware of how the Senedd conducts them online but mentioned the checks needed and balances available in physical form. The Member used a recent example where a resident mentioned a petition with random individuals signing it but might not understand the necessary qualifications needed for residents to sign i.e. the council would need to know how to check the validity and the address details when received.
- Councillor Hourahine touched on Councillor Whitcutt's comments about the constitution. It was acknowledged as complex and a streamlined constitution is a

major piece of work, it should be reviewed and requested for it to be a possible area of work that the council should consider.

With regard to a committee being informed about petitions, the Member noted that the council should not consider adding another layer of bureaucracy on petitions going ahead as it could take even longer. It was argued that the council does not need a petition monitoring system; but a robust determining strategy of what happens to these petitions.

In response, the Head of Service informed the Members that it is a short term action and not a long term action to re-draft the constitution before May 2022. Members were informed that there is one being done at an all Wales level and when the council receives that, they will re-draft their constitution in the current format to make it more accessible in relevant sections; not to re-write the constitution. Schemes of delegation and terms of reference will be in different sections.

As it is a legal document that the council decision making functions are listed within, there is not much the council can do about its simplicity under new legislation but the council will bring in a 10 page summary of it with links to specific parts.

The Head of Service confirmed they are not suggesting that it goes to a committee beforehand, but more of reporting back to a committee about the numbers received and how many responded to.

- Councillor M. Evans queried with regard to petitions; if a report could be submitted on how many petitions come in and if they have been responded to. The Committee agreed that Members should be aware of how these are logged with Newport City Council.

The Head of Law and Regulation advised Members that instead of an instant decision; the officers can bring more options to them on how that could work in January. The annual reports could be for the Democratic Services Committee or another way of doing it could be service areas to pick up petitions as part of their service plan. An operational reporting plan is also another alternative.

Agreed:

The Committee confirmed they would be happy to make an informed decision in January.

5 **Amendment to the Constitution and Staffing Arrangement (Presentation Update)**

Invitees:

Leanne Rowlands – Democratic Services Manager

Gareth Price – Head of Law and Regulation

The Democratic Services Manager covered the first section of the requirement to update the constitution as part of the Local Government and Elections Act and explained that it is in preparation for a full review.

Key Points:

The Head of Law and Regulation advised the Committee that Members previously considered the option of appointing a Presiding Member 2-3 years, but recommended to Council that the current mayoral role should continue. The officers put it forward to the Members today to reconsider their previous decision about having a presiding member model for the future, in the light of the review of the democratic arrangements, the change to remote/hybrid meetings and the modernisation agenda.

The Head of Service summarised the points in presentation of having a separate member to chair council meetings. It has been introduced through the Local Government & Democracy Wales Act from the Welsh Government as chairing council meetings involves a different skill set from the role of Mayor.

It was also noted that the council has put in a formal bid for the Mayor to be upgraded to Lord Mayor as part of the Queen's Platinum Jubilee honours to be considered next June. If Mayoralty were to be upgraded, there may be more demands on that individual's time as well.

The Officers advised that any changes would take effect as from next May as the move to hybrid meetings requires a different skill set and noted that many other authorities have done this as that Member can hold office to build up that level of expertise.

Committee raised the following points:

- The Chair asked if the Presiding Member post would be a paid post and if there would be two posts; one being the deputy.

The Head of Service confirmed that the Presiding Member could carry an additional salary but the deputy member would not carry the senior salary. The Presiding Member salary would be £25,000.00 per annum. The Council was able to pay an additional senior salary as it was below the maximum number of 18 senior salaries, prescribed by the IRP.

It was highlighted that it would separate the role of Council from the Mayoralty. A Cabinet Member currently has to step down if they wish to become the Mayor as the law states a Cabinet Member cannot chair full council. However, with a separate Presiding Member chairing council, then this would free up a Cabinet Member to become Mayor under the seniority role and to fulfil the civic role, although they would only be eligible to receive one senior salary.

- Councillor Watkins stated that they are happy with the system in place at the moment and noted that if the Mayor's position got upgraded to Lord Mayor; they have a Deputy Mayor who could step into the role as a Presiding Member and therefore does not see the point in making a £25,000.00 salary position.
- Councillor Whitcutt disputed the prior point and stated that it is a skillset to chair a meeting such as full council and stressed that the council needs to modernise the process. It was argued that politics should be set to one side as the Mayor's role is ceremonial. Chairing council is political as they are making decisions and can be a highly contentious role at times. It was mentioned that some Members who have become Mayors, were daunted by chairing large meetings as some can be experienced and others not. Councillor Whitcutt also referred to the salary concern; in comparison to the £270 million budget and stressed it is important for them that the chamber operates efficiently and that the Members have the expertise.
- Councillor Clarke stated that chairing a full council meeting could put Members off wanting to be Mayor as everyone has different skillsets. Especially with the hybrid meetings as the skills required are different from years ago as the role has now changed. It could also free up the Mayor's time.
It was mentioned that other Councils could be looking at this as well, considering there are 18 senior salaries available; there is money available in the budget for the role.
- Councillor Giles agreed with Councillor Whitcutt's point and stated that it is time to develop expertise to ensure efficiency in the decision making process. The Member clarified that this is not a criticism of specific individuals as they are thrown into the position and trying to chair a complicated public meeting can be stressful. Councillor Giles also stated that the application to Lord Mayor status would be a great boost for the City.

- Councillor M. Evans asked the officers to confirm who took the decision to apply for the Lord Mayor status as they had no knowledge of that. The Member argued that just because they allocate a Presiding Member; does not mean they will get someone who is fantastic and agreeing to pay an individual £25,000.00 per annum to chair only seven meetings a year is not something they wish to support. If it were an annual appointment, the group might not like the member's approach and may not be able to remove them. The biggest concern expressed was that a Cabinet Member could also become the Mayor; and anyone who had been the Mayor, knows that is full time occupation.
- Discussion ensued amongst the Members and Councillor Whitcutt disputed the prior point by stating the comment about the salary undervalues the democratic process to put jobs into pounds and pence. The Member reiterated the earlier point that the salary is a comparatively small amount in the budget. It was noted it is a stressful role with a lot of preparation needed. The Mayor takes highly political decisions in full council and argued that they should be divorced from that and passed to a person who should be able to do it. Councillor Whitcutt also mentioned that Mayors could be attacked for things they decide in full council via social media which can lead to personal attacks, which has happened in the past. It could insulate the Mayor from that.
- Councillor Clarke referred to Councillor M. Evans' mention of the Mayor's role being a full time occupation; it will be even more so if the Lord Mayor's Status is granted. Despite only chairing seven meetings, those meetings are the most important meetings that the council and Members have. Therefore they would want the professionalism to come through as everyone has seen examples of videos from other authorities on the internet. As other local authorities have already done this or are moving toward this, the Members should embrace it if they want to keep Newport moving with the times.
- The Chair noted they have observed the diminution of the role of Mayor's office and the role of events they can hold/attend. The council used to have a full office of staff now they do not have the depth of resources that there used to be.

In response, the Head of Service pointed out that there has been no diminution in the role of the Mayor. Due to budget cuts and austerity measures, the amount of the Mayoral budget they spent on hosting Council events has been reduced, but the Mayor continues to be fully supported in attending external events. Although there was no longer a dedicated mayoralty officer, the support work was being picked up by all of the Governance Team, so there was no reduction in support. There was no restriction previous to that and the council does not wish to diminish the role of the Mayor due to less resources. Torfaen Borough Council has abolished the Mayoralty all together – Newport has never countenanced this.

The Head of Service clarified there would be no reduction in the role over the years. In terms of costs, the £25,000.00 is not an additional sum as it includes the Members' basic salary. It would be an extra £9-10,000.00 on top of the basic member salary is paid.

In response to Councillor M. Evans' point on Cabinet Members doubling up as Mayors, the Head of Service clarified they did not suggest they could double up but the legal impediment would be removed as the Cabinet Member's chairing full council meant they could not run as Mayor.

It was mentioned to the Members that they can recommend that the Mayoral procedure continues and they were not suggesting that it could happen however the

Cabinet Member is a full time commitments as is the role of the Mayor and the Lord Mayor could elevate that status.

- The Chair queried if the office for Mayoralty would be upgraded with more resources should Newport City Council get awarded with the Lord Mayor status.

The Head of Service responded that they have not removed support for the Mayor but the budget for the Mayor and hospitality has been reduced due to the need to make budget savings. It was highlighted that there is not a single mayoral officer, but a number of Governance Officers to support the Mayor and chauffeurs. If the Mayor were to get the Lord Mayor status, the council should be able to accommodate that with the current resources.

- Councillor M. Evans thanked the officers for the clarification on the Cabinet Members. And enquired about how the council agreed on the application for Lord Mayor status as other Members will raise questions that there will be additional work as the Mayor. And with the title change; how that could create additional work.

In response, the Head of Law and Regulation confirmed it was through a re-application as the council applied for Lord Mayor status back in 2011. This application was prepared by a team of officer led by the Democratic Services Manager and the events team. The Leader of Newport City Council supported it and the council was encouraged by the office of the Lord Lieutenant to apply. An expression of interest was submitted.

On the second point in terms of the workload; there would be more because of the status and different types of events. There would be no increase in volume of workload as the council works with all the Mayors to agree a work programme that fits in with what they can/want to do as Mayors. It is important that Mayors enjoy their role in office and that the council does not burden them with workloads.

- Councillor C. Evans used an example of the public speaker role in parliament to see how they are elected to ensure impartiality. It was suggested that on the election of the speaker, they would need at least three nominations from different parties. In order to show transparency and lack of bias, the Presiding Officer could write in line with the constitution if someone wants the position, they would have to canvas support and get a significant amount of the opposition party to also agree. In terms of pay, it cannot be about political convenience as has been regarded as a pittance in earlier discussion. The appointment should be done on talent and the Newport City Council could copy the mechanism of the House of Commons. It was suggested they could embed it into the constitution where a Member must self-nominate and be transparent in line with Welsh Government to ensure the role is not just handed out.
- The Chair of the Committee asked if the bid for Lord Mayor Status fails, would the appointment for the Presiding Member fail also.

The Head of Service confirmed that the appointment for the Presiding Officer would not fail. As the justification for the role is the skill set for the arrangements for the hybrid meetings going forward so the question would still remain.

The Head of Law and Regulation responded by stating if the council went down that route; the council would appoint the position. It was confirmed there has been no suggestion for it to be a political position and when they appoint a Presiding Member; the way they dispose that role must be apolitical. This would be for council to agree if Committee took the recommendation to council.

- Councillor C. Evans added that the Welsh Government model differs from the Houses of Parliament model so it would have to be transparent on the appointment and it could be recommended that Members look at the model to elect a potential Presiding Member with using reference from the mechanisms used to elect the public speaker of the House of Commons.
- The Chair of the Committee expressed their approval of the current system for the Mayoralty carrying out civic duties as the swearing of impartiality stands well with presiding over council meetings and noted that the natural turnover of that position yearly is healthy for council meetings.

Recommendations:

The Committee voted on the recommendation of the new model. The vote result was a tied vote with 4 in favour of appointing a Presiding member and 4 against (Councillor Hourahine had left the meeting by this time and did not cast a vote). The Chair did not wish to exercise a second and casting vote as the recommendation would need to be considered by full Council.

Agreed:

The Committee agreed for the decision to be taken to Council.

6 **Date of Next Meeting**

Tuesday 18 January 10am – 12pm

7 **Live Event**

[Democratic Services Committee, 13 December 21 - YouTube](#)

The meeting terminated at 11:52am