

Minutes



Democratic Services Committee

Date: 18 March 2024

Time: 11.00 am

Present: Councillors R Mogford (Chair), E Stowell-Corten, M Spencer, B Perkins, P Hourahine, K Thomas and A Sterry

In Attendance: Leanne Rowlands (Democratic and Electoral Services Manager), Mike Wallbank (Interim Head of Law and Standards and Monitoring Officer), Tracy McKim (Head of People, Policy and Transformation), Simon Richards (Governance Officer), Emily Mayger (Governance Officer)

1 Apologies

Councillor Tim Harvey

2 Declarations of Interest

None

3 Minutes of the Previous Meeting

The minutes of the previous meeting held on **20th November 2023** were **accepted as a true and accurate record**.

4 Scheme of Delegation for Assets

The Head of People, Policy and Transformation gave an overview of the report to the Committee.

The following was discussed:

- The Committee enquired about the process for disposal of assets. The Head of People, Policy and Transformation (PPT) informed the Committee that it would go out for general consultation.
- The Committee enquired about the delete clause mentioned in the report and asked if new domains that have been added can be highlighted. The Head of PPT informed the Committee that it is under the Proposed Delegation column of point three on the report. The Monitoring Officer informed the Committee that if there is likely to be an impact on the community or the decision may be contentious, there is a requirement to consult with ward members.
- The Committee highlighted their concerns that less experienced officers might not know the implications of a decision and enquired whether these decisions are passed through a line manager. The Monitoring Officer informed the Committee that it is a

delegation to the Head of Service level only. The Head of PPT informed the Committee that even if it were not a corporate asset, it would still come back to the Head of Service and Legal would need to be assured that it has been recorded in the appropriate way.

- The Committee raised concerns about wayleaves in general as other local authorities have found they are unenforceable and enquired how robust wayleave documents are under scrutiny. The Monitoring Officer informed the Committee that a wayleave is a generic document provided by the company, which the officer would consider the appropriateness of during consultation with ward members. The Head of PPT noted that wayleaves are generally in favour of a utility company, are approved regularly on an annual basis and are fairly routine.
- The Committee enquired about how a relationship is maintained with developers in respect of repairs and used a damaged streetlight in Mon Bank estate as an example. The Monitoring Officer informed the Committee that this falls outside the scope of this report as it is about Council land and assets and how decisions are made.
- The Committee enquired how the figure of £100,000 as the threshold was decided on. The Head of PPT informed Committee that this was in line with other arrangements within the Council, such as contracts. The Monitoring Officer added that this was on a par with other local authorities.
- The Committee noted the proposal to review and propose the recommendations in this report for a decision by full Council in April 2024.

5 Implementing the Model Constitution

The Interim Head of Law and Standards and Monitoring Officer gave an overview to the Committee.

The following was discussed:

- The Committee enquired what percentage of the Model Constitution would be used. The Monitoring Officer informed the Committee that it would be around 50:50 and any parts of the Model Constitution used would also need to be reviewed.
- The Committee queried about the robustness of the Standing Orders. The Monitoring Officer informed the Committee that they are generally good but can be altered following Elected Members comments.
- The Committee asked when the Model Constitution was released. The Monitoring Officer informed the Committee that it was released in April 2022.
- The Committee stated that the timescale to review all the Constitution seems tight and extending it to November's meeting might be better and enquired how much resource it would take. The Monitoring Officer informed the Committee that it would be done by themselves, but some might be able to be delegated. They informed the Committee that they will bring a report in June's meeting providing an update on progress and then can look at whether timescales need to be amended.
- The Committee raised their concern about the amount of work that needs to be carried out and about officer fatigue. The Monitoring Officer informed the Committee that the Constitution needs to be changed but they want to ensure it is done correctly, with updates brought to future meetings for committee consideration.
- The Committee agreed to the suggested timescales for the draft and final versions of the Constitution to return to the Committee, being June, September and November 2024.

6 Review of Standing Order, Leaders Questions (Discussion)

The Committee debated the impact of the changes to Standing Order 4.2 and the consensus was to retain them as they are at present with the option to review them again in the future if there is an appetite to do so.

7 Member Training

The Democratic and Electoral Services Manager gave an overview to the Committee.

The following was discussed:

- The Committee queried how training for Scrutiny Chairs differs from training for Chairs of other Committees. The Democratic and Electoral Services Manager informed the Committee that the training session focused on the role of Scrutiny which has its own specific terms of reference and was around effective questioning however training for chairing committees in general could be explored.
- The Committee highlighted that not all councillors can attend training sessions, especially if they are during the working day. The Committee suggested resources being made available following training would be welcomed to ensure more members can access the training.
- The Committee noted the report summarising training delivered in 2023/24 and considered the planned approach to Member training for 2024/25.

8 Final Independent Remuneration Report (IRP) (Information Only Update)

The Democratic and Electoral Services Manager informed the Committee that the final IRP report has been published and can be viewed online here

<https://www.gov.wales/independent-remuneration-panel-wales-annual-report-2024-2025-html#:~:text=The%20Panel%20has%20therefore%20determined,of%20all%20Wales%2022%20ASHE.>

9 Forward Work Programme

The Democratic and Electoral Services Manager informed the Committee of the Forward Work Programme.

June 2024
Model Constitution Update
Register of Interests
Meeting Records
Member Survey Results
Forward Work Programme 2024/25

September 2024
Head of Democratic Services Annual Report

Democratic Services Committee Annual Report
IRP Consultation, Draft Report
Model Constitution Update and Draft Report

November 2024
Participation Strategy
Model Constitution Update and Draft Report

March 2024
Member Training
IRP Final Report