

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL
CYNGOR BWRDEISTREF SIROL CASTELL NEDD PORT TALBOT

ANNUAL MEETING OF COUNCIL – 25TH JUNE 2004

REPORT OF THE CHIEF EXECUTIVE

1. INTRODUCTION

The principal purpose of the Annual Meeting of Council is to elect the Mayor and Deputy Mayor for the ensuing Civic Year, together with the Leader and Deputy Leader of the Council.

There are also a number of other matters for the Council to determine at its Annual Meeting (set out below), some of which may be adjourned to another meeting the following week.

2. THE CURRENT STRUCTURE

The Council has a Constitution based on a Leader and Cabinet Executive. Part 3 of the Constitution summarises the discharge of functions by:-

- (i) Cabinet and Cabinet Committees
- (ii) Overview and Scrutiny Committees
- (iii) Other Committees of the Council.

The next sections of this report set out the decisions required for the Civic Year 2004/05 based on the current Constitution provisions.

Appendix 'A' summarises the current democratic structure/system arrangements. It is for the Council to determine whether the current arrangements continue into 2004/05; and if so, to agree that they be subject to review for 2005/06.

3. **DECISIONS REQUIRED FOR CIVIC YEAR 2004/05**

(1) **APPOINTMENT OF CABINET AND CABINET COMMITTEES**

To affirm the size of the Cabinet and the Cabinet Committees in accordance with the Constitution; and to appoint Members thereto. The constitution provides as follows:-

- (i) Cabinet of 10 Members including the Leader;
- (ii) the following Cabinet Committees:-
 - Policy and Resources Cabinet Committee
(2 Members holding Cabinet Portfolios 1 and 2)
 - Economic, Environment and Consumer Services Cabinet Committee
(2 Members holding Cabinet Portfolios 3 and 4)
 - Education, Lifelong Learning and Leisure Services Cabinet Committee
(2 Members holding Cabinet Portfolios 5 and 6)
 - Technical Services Cabinet Committee
(2 Members holding Cabinet Portfolios 7 and 8)
 - Social Services and Housing Cabinet Committee
(2 Members holding Cabinet Portfolios 9 and 10)
- (iii) Portfolios of Cabinet Members:-
 - Portfolio 1 – Policy, Strategic Resources and Community Planning
 - Portfolio 2 – Performance/Service Improvement; Communications/E-Government; Operational Finance
 - Portfolio 3 – Economic Development/Regeneration
 - Portfolio 4 – Environment, Sustainable Development and Consumer Services

- Portfolio 5 – Education, School Improvement and Lifelong Learning
- Portfolio 6 – Leisure/Cultural Services and Community Safety
- Portfolio 7 – Transportation, Highways, Engineering and Streetcare Services
- Portfolio 8 – Property/Staffing Resources and Equalities
- Portfolio 9 – Health/Community Care and Housing/Building Services
- Portfolio 10 – Commissioner for Children, Young People & Families; and for Communities & Social Inclusion.

Council is requested to consider the arrangements in (i) (ii) and (iii) above, and to appoint Members of the Cabinet, and to Cabinet Portfolios.

It is also suggested that the Cabinet Committees be described in practice as “Cabinet Boards” and that any references in the Constitution to Cabinet Committees be construed accordingly.

(2) **APPOINTMENT OF COMMITTEES**

The following Committees are proposed for appointment, and to be responsible for the functions set out in the Constitution:-

(i) Overview and Scrutiny Committees

- | | |
|-------------------------------------------------------------------------------------|-------------------------------------------------------------|
| • Policy and Resources Overview and Scrutiny Committee | 16 Members
(incl. 4
Chairs of
other O/S
Cttees. |
| • Economic, Environment and Consumer Services Overview and Scrutiny Committee | 12 Members |
| • Education, Lifelong Learning and Leisure Services Overview and Scrutiny Committee | 15 Members
(plus 4 voting/
4 non voting
co-optees) |
| • Technical Services Overview and Scrutiny Committee | 12 Members |
| • Social Services and Housing Overview and Scrutiny Committee | 12 Members |

(ii) Other Committees

- | | |
|----------------------------------------------------------------------------------------------------------|------------|
| • Planning and Development Control Committee | 40 Members |
| • Registration, Licensing and Highways Regulatory Committee
(see also supplementary note (iii) below) | 15 Members |
| • Personnel Committee
(with some Cabinet Members attending as non voting advisers as necessary) | 12 Members |

- Special Appointments Committee 9 Members
(a core membership of 8 with 1 additional member who will vary according to the appointing Directorate).
- Audit Committee 12 Members
- Appeals Committee 5 Members
(plus 20 substitutes)
- Standards Committee 2 Members
(plus 1 substitute)

Council is requested to consider the following:-

- (a) to appoint the above Committees for the Civic Year 2004/05 (i.e. the period to the next Annual Meeting) and to determine the number of places thereon;
- (b) to confirm the apportionment of seats amongst the constituted Political Groups (refer to **Appendix 'B'** - to follow) - but to unanimously resolve that pursuant to Section 17 of the Local Government and Housing Act 1989 the political balance requirements of Sections 15 and 16 do not apply to the Appeals Committee; Note: for the Appeals Committee, the substitute Members will be identified once the Political Groups are known.
- (c) to approve the Members (and substitutes where relevant) to serve on each Committee on the basis of the wishes of each Political Group and also the appointment of voting and non voting co-optees on the Education, Lifelong Learning and Leisure Services Overview and Scrutiny Committee for Education matters;
- (d) to appoint the Chairs and Vice Chairs of the Committees;
- (e) to appoint the Neath Port Talbot Council Members, and the Community Committee Member to the Standards Committee for the ensuing year (together with substitutes i.e. one for NPT Member, one for Community Committee Member).

It is also suggested that the Overview and Scrutiny Committees be described in practice as “Scrutiny Committees” and that any references in the Constitution to Overview and Scrutiny Committees be construed accordingly.

(iii) New Licensing Committee and Sub Committee

The Licensing Act 2003, and related Regulations and statutory Guidance, will require a Licensing Committee and a Sub Committee to be appointed under the Act for the statutory purposes therein (the licensing facilities being related to the sale of alcohol; public entertainment and late night refreshment).

It is unlikely that this Committee, for legal reasons, will be able to be combined with the current Registration, Licensing and Highways Regulatory Committee (which is appointed under the Local Government Act 1972).

But in practice, the expected recommendation will be for both Committees to have the same Chair, Vice Chair and Members.

A further report will be submitted to Council once the statutory requirements became clearer, as matters are still under debate in Parliament.

What is likely however that during the “first transitional” period (probably commencing in the Autumn) the Licensing Members will have to meet quite frequently to deal with matters under the 2003 Act, where there are objections or representations. A separate timetable will be drawn up for this purpose.

(3) **APPOINTMENT OF STAFF COUNCIL AND OTHER MEMBER/OFFICER GROUPS**

It is proposed that a Staff Council of 12 Members be appointed for the Civic Year 2004/05, together with a Local Government Services Sub Group (6 Members) and a Schools Sub Group (7 Members). Council is asked to appoint a Chairman and Members thereto. There will also be appropriate Trade Union representatives.

During 2004/05, there were four Member Briefing/Advisory Groups (chaired by the relevant Cabinet Member), namely:-

- (i) Community Safety Group (13 Members)
- (ii) Communities First Group (all ward Members for the CF areas)
- (iii) Environment/Sustainability Group (13 Members including 2 other Cabinet Members)
- (i) Modernisation Group (10 Members)

These are not Groups with decision making powers, but provide opportunities for Members to be informed/briefed on issues, and to be able to input views from a Member/Ward perspective (thus also assisting policy development/decision processes).

(4) **APPOINTMENTS TO JOINT COMMITTEES, OUTSIDE AND OTHER PUBLIC BODIES**

Details of the appointments for 2003/04 can be found in **Appendix 'C'**. Council is asked to determine new appointments for the Civic Year 2004/05.

For Joint Committees, the Assembly now permits non executive Members to serve on such Committees where they deal with executive functions. The Members will however represent the executive, be accountable to the executive and thus the Cabinet is responsible for making such appointments.

(5) **TIMETABLE AND CYCLE OF MEETINGS**

The proposals here are set out in **Appendix 'D'** for Council's consideration and approval.

(6) **CONSTITUTION**

The newly created Constitution requires regular review and updating. The latest proposed revisions are in **Appendix 'E'** for Council's consideration and approval. (Note: some of these will have already been approved since 21st January 2004, but are set out in the Appendix for record purposes).

(7) **APPOINTMENT OF SUB COMMITTEES**

The Sub Committees below will be dealt with by the relevant Committees:-

- Planning (Site Visits) Sub Committee – 12 Members (with local ward members and UDP Cabinet Member attending in a non voting capacity)
- Appointments Sub Committee – 4 Members (a core membership of Chair and Vice of Personnel Committee with an additional 2 members varying according to the appointing Directorate). Substitute arrangements also to apply, plus the relevant Regulatory Chair attending as a non voting adviser as appropriate.
- Children's Services (Overview and Scrutiny) Sub Committee – 7 Members

K.R. Sawyers
Chief Executive

Background Papers – Constitution Document.

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