



C O U N C I L S U M M O N S

To all Members of Council

You are hereby summoned to attend a

MEETING OF THE COUNCIL

to be held at 2.00 pm on

FRIDAY 14 February 2020

in the

COUNCIL CHAMBER - PORT TALBOT CIVIC CENTRE

Prayers will be said by the Mayor's Chaplain prior to the commencement of the meeting.

--- A G E N D A ---

PART A

1. Mayor's Announcements
2. Declarations of Interest

PART B

3. Electoral Review: Neath Port Talbot (Pages 3 - 12)
Joint Report of the Chief Executive and Assistant Chief Executive and Chief Digital Officer enclosed
4. Local Government and Election (Wales) Bill (Pages 13 - 34)
Joint Report of the Chief Executive, the Assistant Chief Executive and Chief Digital Officer and the Head of Legal Services enclosed

5. Changes to the Political Proportionality and Membership of Cabinet, Committees and Outside Bodies (Pages 35 - 82)
Report of the Assistant Chief Executive and Chief Digital Officer enclosed
6. Changes to Executive Governance Arrangements in Principal Councils - Welsh Government Consultation Document (Pages 83 - 98)
Report of the Assistant Chief Executive and Chief Digital Officer enclosed.
7. Democratic Services Committee Annual Report (Pages 99 - 108)

PART D

8. Questions from Members, with Notice, under Rule 9.2 of the Council's Procedure Rules
9. Urgent Items
Any urgent items (whether public or exempt) at the discretion of the Mayor pursuant to Section 100B (4) (b) of the Local Government Act 1972.



Chief Executive

**Civic Centre
Port Talbot**

Monday, 10 February 2020

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

COUNCIL

14 FEBRUARY 2020

Report of the Chief Executive and Assistant Chief Executive & Chief Digital Officer

ELECTORAL REVIEW: NEATH PORT TALBOT

Matter for Decision

Wards Affected: Blaengwrach, Bryn & Cwmavon, Bryncoch South, Coedffranc Central, Coedffranc North, Coedffranc West, Crynant, Cwmllynfell, Cymmer, Dyffryn, Glyncorrwg, Glynneath, Gwaun-Cae-Gurwen, Gwynfi, Lower Brynamman, Margam, Onllwyn, Pelenna, Pontardawe, Resolven, Seven Sisters, Taibach, Tonna and Trebanos

Purpose of Report

1. To inform Members of the Local Democracy and Boundary Commission for Wales (“the Commission”) draft proposals following the Commission’s review of electoral arrangements for the County Borough and to consider the Council’s response to those proposals.

Background

2. Section 21(3) of the Local Government (Democracy) (Wales) Act 2013 provides that the Commission in carrying out its duties must seek to ensure effective and convenient local government. This is the paramount and primary function of the Commission and one of the duties provided for by the Act is the conduct of reviews of the electoral arrangements of principal areas.
3. Section 29 of the Act puts a duty upon the Commission to review the electoral arrangements for each principal area at least once every ten years including:
 - The number of Members of the council for the principal area;

- The number, type and boundaries of the electoral wards into which the principal area is for the time being divided for the purpose for the election of Members;
 - The number of Members to be elected for any electoral ward in the principal area; and
 - The name of any electoral ward.
4. The legislation requires the Commission to exercise a balanced judgement taking on board all relevant considerations, with a view to making recommendations for electoral arrangements to meet the objectives outlined below. The Commission has a degree of discretion in the way that it attaches weight to the factors that aid it in making its decision; but are required by Section 30 of the Act to:
- Seek to ensure that the ratio of electors to the number of Members of the council to be elected is, as nearly as may be, the same in every electoral ward of the principal area; and;
 - Have regard, amongst other things, to the desirability of fixing boundaries for electoral wards which are easily identifiable and not breaking local ties when fixing boundaries for wards.
5. The Commission recognises that reviews present a range of issues which require a judgement, taking into account matters, in addition to statutory requirements that include the following:
- Effective and convenient local government;
 - Electoral equality;
 - Community tie arguments that justify typical levels of electoral equality;
 - Topography of the land, hills/rivers creating natural boundaries and motorways/railways forming man-made boundaries;
 - Rural/urban divide;
 - Community area/ward (where community areas are warded) boundaries being used as primary building blocks; and
 - Single versus multi-member wards.
6. The number of electors within electoral wards represented by elected members indicates the electoral ratios for those wards. Setting the number of elected members enables the average electoral ratio for the council to be calculated. Although the Commission will seek to achieve ratios close to the council

average, they acknowledge that there will be variances. When considering what variance is acceptable, the Commission must comply with considerations set out in the legislation that state that they must seek to ensure that *“the ratio of local government electors to the number of members of the council to be elected is, as nearly as may be, the same in every electoral ward of the principal area”*. The Commission takes the view that departing from the average ratio for the council can only be justified by clear evidence of other balancing factors, such as local ties or other relevant considerations.

7. Section 30(2) (a) of the Act places a further requirement on the Commission that account must be taken of *“any discrepancy between the number of local government electors and the number of persons eligible to be local government electors (as indicated by relevant official statistics)”*. The Council has already provided population projection data for the next five year period to the Commission and also highlighted in its response those areas of the Council where there are relatively low rates of electoral registration.
8. On 23 June 2016, the then Cabinet Secretary for Finance and Local Government published a Written Statement requiring the Commission to restart its ten year programme with a prioritised timetable plus an expectation that all 22 electoral reviews be completed in time for new arrangements to be in place for the 2022 local government elections.
9. The Commission attended a meeting of Council on 28 June 2018 as part of their pre-review procedure and provided Members with an overview of the statutory basis of the exercise and the timetable.
10. The Commission also set out their initial assessment and invited the council to put forward proposals to respond to their initial assessment:
 - a. That the councillor to electorate ratio needed to be as close to 1:1,828 as possible. Data was provided by the Commission to illustrate how existing wards varied from this standard
 - b. That having applied the ratio at council level, this indicated that the council size should be reduced to 56 councillors,

revised to 58 in light of the cap that would be applied to any reduction in council size

11. The issues identified above were also the subject of a Member Seminar on 17 July 2018.
12. The initial timetable for submitting options to the Commission was September 2018, however, the Chief Executive negotiated an extension given that the original timetable coincided with council recess.
13. Council considered its response to the Commission on 7th November 2018 and authorised the Chief Executive to submit the Council's response to the Commission. For reference, the Council response included the following:
 - Council Size be reduced to 61 councillors;
 - The number of wards within Neath Port Talbot to be reduced to 33;
 - The number of multi-member wards to be 20;
 - For 22 wards the Council proposed no change to existing boundaries;
 - Merge Crynant, Onllwyn and Seven Sisters into a new single ward resulting in a reduction of three Members to two;
 - Merge Cymmer, Glyncorwg and Gwynfi resulting in a reduction of three Members to two;
 - Merge Gwaun-Cae-Gurwen, Lower Brynamman and Cwmllynfell resulting in a reduction of three Members to two;
 - Merge Glynneath and Blaengwrach resulting in a reduction of three Members to two;
 - Combine the existing Pelenna ward with Bryn and Cwmavon and Cimla wards (the Ponrhydyfen community ward would be combined with Bryn & Cwmavon and the Tonmawr community ward would be combined with Cimla). The number of Members in Bryn & Cwmavon and Cimla would be unchanged but there would be a reduction of one Member overall (from Pelenna);
 - Increase representation in the Coedffranc West ward from one Member to two (largely as a consequence of the University Campus);
 - Transfer circa 550 electors from Coedffranc West to the Coedffranc Central ward;

- Transfer circa 700 electors from Bryncoch South to the Dyffryn ward creating a two Member ward in the latter (this also reflects projected housing developments); and
 - Combine the Pontardawe and Trebanos wards into a three member ward.
14. The Commission published their 'Review of Electoral Arrangements of the County Borough of Neath Port Talbot Draft Proposals Report' on 21st November 2019. The Chief Executive shared (via e-mail), the link to the Commission's Draft Proposals Report on the same day and provided a hard copy of the report to all political group leaders.

The Commission's Draft Proposals for the Electoral Arrangements of the County Borough of Neath Port Talbot

15. The main features of the Draft Proposals are as follows:
- a. The Commission propose to apply a councillor to electorate ratio of 1:1,767 – a slight reduction from their initial proposals but an increase on the current ratio of 1:1,657.
 - b. The council size is proposed to be 60 Members – an increase on the initial proposals but a reduction of 4 on the current council size of 64.
 - c. The county borough is proposed to be divided into 32 electoral wards (a reduction of 10 on the current arrangements), of which 21 are proposed to be multi-member wards.
 - d. The variation in the councillor to electorate ratio is much reduced on this set of proposals - currently, there are wide variances within the county borough ranging from 53% below to 95% above the current ratio of 1,657. The Commission's proposals now bring all wards to within +/-25% of the desired ratio.
16. The Commission have proposed no change for 15 existing wards. This compares with the council's response to the Commission which proposed no changes for 22 wards.
17. The council's response to the Commission proposed change for 10 wards – the Commission has endorsed five.

18. In relation to the five proposals made by the Council that were not endorsed by the Commission, their alternative proposals are set below, together with additional proposals put forward by the Commission that the council has not previously considered:
- a. The Council proposed that Gwaun-Cae-Gurwen, Lower Brynamman and Cwmllynfell be combined to form a two-Member ward. Alternatively, the Commission propose one two-Member ward comprised of Gwaun-Cae-Gurwen and Lower Brynamman and another two-member ward comprised of Cwmllynfell and Ystalyfera.
 - b. The Council proposed that Pelenna be combined with Cimla and Bryn and Cwmavon. The Commission have advised this cannot be supported because of technical criteria in that the Tonmawr Community Ward directly links with the Pontrhydyfen Community Ward. The Commission propose that the whole of Pelenna be combined with Bryn and Cwmavon.
 - c. The Council recommendation that circa 700 electors be transferred from Bryncoch South to the Dyffryn ward creating a two-Member ward in the latter has been supported in part. The Commission support the transfer of electors from Brookfield, Mill Race and Tailwyd Road from Bryncoch South to Dyffryn Ward. They do not support the transfer of Glyneiros Gardens, Llys Y Coed, Neath Road and Roman Way from Bryncoch South and instead propose the transfer of electors from Coedffranc North (Drumau Park and Goshen Park) to Dyffryn as suggested by Dyffryn Clydach Community Council.
 - d. The Council proposed that Cymmer, Glyncorrwg and Gwynfi be combined into a 2-member ward. The Commission proposes the creation of two single member wards, one comprised of Cymmer and Glyncorrwg and the other of Gwynfi and Croeserw.
 - e. The Council proposed that both the Aberavon and Port Talbot wards maintained the current number of councillors however the Commission propose that both these wards would see a reduction from three Members to two.

- f. The Council proposed that the arrangements for Resolven and Tonna be unchanged. The Commission propose that these areas are combined to form a two-Member ward.
- g. The Council proposed that the arrangements for Taibach and Margam be unchanged but the Commission propose these areas be combined to form a three-Member ward.

Officer Assessment

- 19. Accepting that the Commission have been instructed to carry out this review by Welsh ministers within a defined timeframe, given that the Welsh Government are to extend the franchise to 16 and 17 year olds imminently, it seems odd that such a significant change has not been incorporated into the Commission's terms of reference for the current review.
- 20. The Commission's proposals in respect of council size and the proposed councillor to electorate ratio is an improved position on the initial proposals. No further representation is proposed.
- 21. The proposal to combine Gwaun-Cae-Gurwen and Lower Brynamman into one new ward and for Cwmllynfell and Ystalyfera to be combined into one new ward, both represented by two councillors appears to meet the criteria set for the Commission's work. No further representation is proposed
- 22. The proposal to combine Pelenna with Bryn and Cwmavon appears to meet the criteria set for the Commission's work. No further representation is proposed.
- 23. The proposal to move sets of electors between the Dyffryn, Bryncoch South and Coedffranc North wards would benefit from further, detailed review to achieve a more optimal solution. A counter proposal has been suggested by Members to move a number of electors from the area around Stratton Way to the Bryncoch South ward. However, although not problematic in terms of the arithmetic, officers have doubts as to whether that area would identify itself as being part of the Bryncoch South ward due to its longstanding community tie with Neath Abbey which is situated in the Dyffryn ward. The counter proposal also opposes the transfer of Brookfield, Mill Race and Tailwyd Road from the Bryncoch South ward to the Dyffryn ward, based on the natural boundary between Dyffryn ward and the Bryncoch South ward created by the River Clydach and the longstanding community tie with Bryncoch South. However, officers note that the river

- continues through the south end of Taillywd Road where the areas on both sides of the river have remained in the Dyffryn Ward.
24. The proposal to create two single Member wards in the Afan Valley appears to meet the criteria set for the Commission's work, however, it is noted that the way representation for this valley would be organised differs from the way the Commission propose to organise representation in the other valleys within the county borough. No further representation is proposed.
 25. The proposal to reduce the number of Members in the Aberavon and Port Talbot wards appears to meet the criteria set for the Commission's work. No further representation is proposed
 26. The proposal to combine Tonna with Resolven but the number of councillors representing these areas to be unchanged does not appear to meet the criteria in relation to community ties. The only logic to this proposal appears to be to achieve a variation of no greater than +/- 25% from the average councillor to electorate ratio for the county borough. It is proposed that the council makes further representation to maintain the current position.
 27. The proposal to combine the Margam and Taibach wards with no change to the overall number of councillors also appears to be solely motivated by a desire to achieve a variation of no greater than +/- 25% from the average councillor to electorate ratio for the county borough. It is proposed that the council makes further representation to maintain the current position.
 28. The Commission's proposals in relation to the naming of places is another area which would benefit from further review. In particular, where place names have been mutated, the proposed names would not resonate with local people. Additionally, the use of hyphens in place names cannot be accommodated within a number of the ICT systems in use by the Council. It is proposed that the Council makes representation against the proposed place names where mutations have been applied and where it is proposed that names are hyphenated.

Conclusions

29. There are no perfect or completely symmetrical solutions on offer across the County Borough. There are arguments that can be made both for and against the proposals and there are alternatives.

30. Taking account of all the factors described above, officers propose that Council submits a further response to the Commission based on the assessment set out in the body of this report.

Next Steps

31. Following the period of consultation, the Commission will consider the representations it has received and publish its Final Recommendations and submit them to Welsh Government. There is no further period of consultation with the Commission. It is then for Welsh Government to decide how it wishes to proceed on the recommendations. Ordinarily, after a period of at least six weeks, an Order would be made, which may contain minor modifications.

Financial & Workforce Implications/Integrated Impact Assessment

32. None/not required.

RECOMMENDATION

That Members authorise the Chief Executive to immediately submit a response to the Commission based on the officer assessment contained in this report.

Reasons for proposed decision

To enable the Council to respond by the deadline of 19 February 2020.

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NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Council

14th February 2020

LOCAL GOVERNMENT AND ELECTIONS (WALES) BILL

Joint Report of the Chief Executive (S Phillips), the Assistant Chief Executive and Chief Digital Officer (K Jones) and the Head of Legal Services (C Griffiths) in discussion with the Leader of Council, Councillor R G Jones

Author: Mrs K Jones, Assistant Chief Executive and Chief Digital Officer

Matter for Decision

Wards Affected: All wards

Purpose of Report

1. To bring the Local Government and Elections (Wales) Bill to the attention of all Members of Council.
2. To invite Members of Council to comment on the proposals contained therein.
3. To authorise the Chief Executive to prepare and submit the Council's response to the proposals via the Welsh Local Government Association.

Executive Summary

On 18th November 2019, the Welsh Government published the Local Government and Elections (Wales) Bill. The Bill aims to reform and strengthen local government and to improve electoral arrangements.

The Bill contains wide ranging proposals that, if implemented, will have a significant impact on the Council. The main components of the Bill seek to:

- enable 16 and 17 year-olds and foreign citizens living in Wales to vote in council elections;
- ensure councils encourage local people to take part in local government;
- ensure councils are open and transparent; and

- ensure councils have the tools and powers they need to work well, both on their own and with other councils.

The Welsh Local Government Association (WLGA) has been working with Welsh Government and with local government stakeholders to assess the suitability of the proposals and the impact (including the financial impact) of the range of new duties that would be introduced by this proposed legislation. Attached at Appendix 1 is the evidence submitted by the WLGA to the Equality, Local Government and Communities Committee of the National Assembly for Wales which, in the opinion of officers, provides a measured assessment of the proposals.

Members are invited to consider the WLGA position set out in Appendix 1 and indicate whether they support this position, or wish to offer alternative views on the Welsh Government's proposals.

Financial Appraisal

There are significant new financial impacts that arise from a number of the proposed new duties which are highlighted in the analysis undertaken by WLGA. It is essential that these additional financial burdens are reflected in new financial allocations to local government by Welsh Government if these proposals are to be implemented. There is no capacity to implement these proposals within the existing financial constraints.

There is a proposed new duty of general competence within the proposals which has the potential to assist the Council in raising new sources of income. However, as presently drafted, there is concern that power may be a power of last resort rather than first resort.

Integrated Impact Assessment

There is no requirement for the Council to undertake an impact assessment as these are Welsh Government's proposals and it is for the Welsh Government to undertake its own impact assessment. The WLGA have sought to identify the impacts on local government if these proposals are to be taken forward and this forms part of the evidence attached at Appendix 1.

Valleys Communities Impact

There are no specific valleys impacts that arise from these proposals.

Workforce Impact

The new duties will create additional workloads and responsibilities for a number of functions within the Council including the Elections Team, Democratic Services, Corporate Strategy, Finance and Legal Services. There will also be further impacts arising from these duties on the wider organisation eg training and development will be required to implement the new performance management framework that will need to be developed to comply with the proposed new duties.

Legal Impact

The proposed legislation will repeal the 2009 Local Government (Wales) Measure which is to be welcomed as the performance duties set out in that legislation are widely regarded as being no longer fit for purpose.

The proposed legislation will impose significant new duties on the Council but will also provide a new power of general competence. The WLGA analysis highlights the risks and opportunities these arrangements will create for local government.

Risk Management

Without adequate lead in times and new financial resources to accompany the implementation of the provisions set out in the Bill, there is a high risk that the Council will not be able to fully comply with the proposed new duties or take advantage of opportunities presented by new powers.

The WLGA assessment suggests that some of the proposals could increase complexity and dilute/weaken democratic accountability. The WLGA have drawn attention to these risks in their evidence with counter-proposals to address such risks.

Consultation

There is no requirement under the Constitution for external consultation on this item.

Recommendations

1. Members note Welsh Government's proposals to reform and strengthen local government and to improve electoral arrangements as set out in the Local Government and Elections (Wales) Bill.
2. Members consider the evidence presented by the Welsh Local Government Association to the Equality, Local Government and Communities Committee and if thought appropriate, endorse the position as set out in Appendix 1.
3. Members authorise the Chief Executive to formally respond to the proposals on behalf of this Council through the Welsh Local Government Association.

Reason for Proposed Decision

To ensure Members of Council are formally briefed on the content of the proposed legislation and the likely impacts of those proposals on local government. Further, that Members of Council have an opportunity to formally indicate their position on the proposals and communicate this to Welsh Government via the Welsh Local Government Association.

Implementation of Decision

The decision is proposed for immediate implementation in order to meet the consultation deadline set by Welsh Government.

Appendices

Appendix 1 - WLGA Evidence: Stage 1: Local Government and Elections (Wales) Bill, Equality, Local Government and Communities Committee
National Assembly for Wales, January 2020

List of Background Papers

Local Government and Elections (Wales) Bill

Officer Contact:

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WLGA Evidence

Stage 1: Local Government and Elections (Wales) Bill

Equality, Local Government and Communities Committee

National Assembly for Wales

January 2020

Introduction

1. The Welsh Local Government Association (WLGA) represents the 22 local authorities in Wales. The three national park authorities and the three fire and rescue authorities are associate members.
2. The WLGA is a politically led cross-party organisation, with the leaders from all local authorities determining policy through the Executive Board and the wider WLGA Council. The WLGA works closely with and is often advised by professional advisors and professional associations from local government, however, the WLGA is the representative body for local government and provides the collective, political voice of local government in Wales.
3. It seeks to provide representation to local authorities within an emerging policy framework that satisfies priorities of our members and delivers a broad range of services that add value to Welsh Local Government and the communities they serve.
4. The Local Government and Elections (Wales) Bill [the Bill] is a significant and substantial piece of legislation covering a broad range of democratic, governance, organisational and structural reforms and is the culmination of several years of policy consultation, including a Draft Bill and successive Green and White Papers.
5. The WLGA welcomes the opportunity to provide evidence to the Equality, Local Government and Communities Committee National Assembly for Wales's Stage 1 consideration of the Bill.
6. The WLGA has particularly welcomed the constructive dialogue and engagement with the Minister for Housing and Local Government. Local government reform has been discussed with leaders during the past 18 months initially through the Local Government Working Group chaired by Derek Vaughan and subsequently via the Local Government Sub-Group of Partnership Council.
7. Under the auspices of these groups, there has also been constructive engagement between officials from Welsh Government and local government

to consider the implications of some of the anticipated reforms and what future statutory guidance or regulations might need to include.

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8. The Regulatory Impact Assessment [RIA] estimates that the total cost of the Bill to local government over 10 years would be £16.3m (including transitional costs of £2.95m and recurrent costs of £13.35m). The WLGA considers some of the estimated costs in more detail in the response below. The WLGA's core stance is that the Welsh Government should fully fund any new national initiatives or the implications of any legislation on local authorities.

Part 1: Elections

9. The proposals for electoral reform include several that were included in the Welsh Government's Consultation on Electoral Reform in 2017 and align with many of the wider electoral reforms to be introduced through the Senedd and Elections (Wales) Bill.

10. These are some of the most fundamental reforms included in the Bill, and will have a significant impact on local democracy, local authorities and, in particular, electoral services administration.

Extending the franchise to 16-17 year olds (Section 2)

11. The WLGA supports this proposal as a key part of widening democratic engagement and participation.

Extending the local government franchise to citizens from any country (Section 2)

12. The WLGA agrees that citizens from any country who have moved and settled in Wales should have the right to vote in local elections.

13. The Welsh Government recognises that the extension of the franchise to 16-17 year olds and foreign citizens will have an impact on local electoral administration. The WLGA welcomes the Minister for Housing and Local Government's commitment (in her letter to the Committee on 19th December) to provide an £1m additional funding for 2020-21 and will 'consider the need for financial support'.

14. The Regulatory Impact Assessment (RIA) however estimates an additional cost of extending/promoting the franchise of £912,000 in both 2020-21 and 2021-22, as well as an extra £267,000 in any election year. The RIA also notes that the Welsh Government had estimated that the Senedd and Elections (Wales) Bill would incur £636,000 cost to local government for the changes to the EMS software.

Two voting systems (Section 5)

15. The WLGA does not support the proposal to allow authorities to choose their own voting system as it believes there should be a clear and consistent voting system across all local authorities to avoid complexity and risk of voter confusion.

16. When this was previously considered as part of the Consultation on Electoral Reform, the WLGA was supportive of the Electoral Commission's response in 2017 stated:

"...we would note that allowing councils to decide which electoral system to use in their own area could create significant risks and challenges, particularly in relation to voter understanding of how to cast their vote...The question of public awareness around two different electoral systems for one set of elections is likely to be a major challenge and one where there is a very real risk of confusion to electors if this type of change is implemented."

17. Furthermore, it would be administratively complex and confusing if an STV election was held on the same day as 'first past the post' community and town council elections and that larger electoral wards would need to be created which may undermine the local links between a councillor and his/her community.

Change of electoral cycle for principal councils from four years to five years (Section 14)

18. The WLGA supports the proposed extension from 4 year terms to 5 years.

Qualification and Disqualification for election and being a member of a local authority (Sections 24-26)

19. The WLGA supports approaches to make it easier for people to stand for election and encourage a broader cross-section of the community to consider standing.

20. The WLGA therefore supports proposed changes to the eligibility criteria allow a citizen of any country to stand for election.

21. The WLGA however does not support the proposal to allow council staff to stand for election in their own authority. Lifting such a restriction is unlikely to have a significant impact in encouraging more candidates to stand but would disproportionately impact on good governance and employment relations. There would be a risk of increased employer-employee tensions, potential conflicts of interest and team and managerial relationships being undermined. Staff at all levels have to demonstrate impartiality and a responsibility to serve the council as a whole; this risks being compromised should an employee stand or serve as a councillor. There is a risk that where an individual is unsuccessful,

he or she may have implicitly or explicitly publicly criticised colleagues, councillors or council policies during campaigning, which may affect their ability to continue in their employed role following the elections.

22. The WLGA supports proposed amendments to disqualify individuals, from standing for election, or holding office as a member of a principal council or community council in Wales, if they are subject to a the notification requirements of, or an order under, the Sexual Offences Act 2003.

Meeting expenditure of returning officers (Section 28)

23. The Bill clarifies that Returning Officers can only claim expenses properly incurred in the running of a local government elections. Personal fees in respect of services rendered during the conduct of a local government elections could not in future be claimed as they would not be deemed as “expenses”.

24. The Welsh Government has opted not to proceed with the previously consulted upon proposal to incorporate the Returning Officer role within that of the Chief Executive. The WLGA did not support this proposal on grounds of local discretion, as not all Chief Executives acted as Returning Officers; the Welsh Government’s position is therefore welcome.

25. When the Welsh Government previously consulted on the removal of Returning Officer fees, the WLGA’s view was that an option would be for any remuneration for the oversight of local elections to be included within a single consolidated salary for the position (of whichever senior officer fulfilled the Returning Officer role).

26. Such an approach, and the removal of a specific Returning Officer fee, would require a proper re-evaluation of the post which had incorporated the substantial Returning Officer role, as noted in ALACE’s submission to the Committee. The additional demands, responsibilities and personal risks of being a Returning Officer are significant and should not be dismissed. A form of this arrangement is already operated by several employing councils in Wales, where the Chief Executive is also contracted to be the Returning Officer but for no additional fee beyond their evaluated salary.

Part 2: General Power of Competence

27. The WLGA welcomes the proposed introduction of the power of general competence in Wales and has long called for the introduction of the power.

28. Whilst this new power is welcomed as it provides confidence and reinforces local government’s core community leadership role. The LGA’s submission notes that the power’s introduction in England

'...has assisted in providing councils greater confidence in some areas of activity and led to less legal resource being spent on considering whether an action is vires (within their authority), it has not made a radical change for councils to date.

29. The power, as drafted, is however constrained by pre-commencement limitations. As noted in the Lawyers in Local Government Wales (LLG) submission to the Committee, there are 42 UK wide and 3 Wales-only Measures/Acts with 'Local Government' in the title and wider local government-related legislation may have pre-commencement limitations on Welsh authorities. The interplay between the power and a range of other legislation creates complexity and multiple possible risks. These limitations are likely to constrain creative use of the power, which may instead be used as a power of last resort rather than first resort.

30. This is further expanded in the LGA and LLG submissions to the Committee and the LLG Wales submission outlines some potential improvements to the proposed power.

Part 3: Promoting Access to Local Government

Duty to encourage local people to participate in local government (Section 46)

Strategy on encouraging participation (Section 47)

31. The WLGA is supportive of the spirit of the Welsh Government's ambitions as councils are committed to promoting democratic engagement, public participation and openness and transparency.

32. There is already a requirement on local authorities to 'involve' the public through the Wellbeing of Future Generations (Wales) Act 2015 and it is therefore not clear what additional value a new 'public participation duty' on local authorities would achieve.

33. The Bill proposes a duty on local authorities to encourage 'local people to participate in the making of decisions by the council' and lists several areas to be covered in a participation strategy (S47 (2) a-f). Authorities promote and publish much of this information currently, have engagement strategies and involve the public, through various consultation and engagement processes around budget-setting, service design and development of strategies.

34. Councils are also increasingly involving the public in service delivery through alternative delivery models or asset transfers to community and town councils and community groups. Many councils already provide for public involvement in formal council decision-making processes, for example, through questions to cabinet, committees or councils and some already provide for submission of public petitions.

35. The WLGA however recognises that there is always potential for improvement, innovation and sharing of good practice; the latest National Survey for Wales show that only 19% of people agreed that they could influence local area decisions. There are some paradoxes in terms of public perception and public engagement in decision making and public services generally¹, however, councils are committed to improve their approaches to public participation. This will be a core theme within the WLGA's future improvement support programme for local government, which the Minister for Housing and Local Government has agreed to resource.

36. The WLGA does not support that the proposed participation duty or strategy duty (to be placed on councils) should extend to cover other 'connected authorities' such as community and town councils and national park authorities (S46 (2&3)). Although local authorities work in partnership with those bodies, such a proposed 'hierarchical' relationship undermines their own status, accountability and sovereignty as separate For example Hansard's annual Audit of Political Engagement typically reveals mixed levels of public involvement in participative activity (such as consultations or petitions) and a Welsh Government survey of public engagement in 2015 showed that 59% of those surveyed said they would not participate in local consultation (33% were too busy and 26% were not interested) and only 45% were interested in having a say in local government activity or how local government is run in Wales <https://gov.wales/docs/caecd/research/2015/150612-public-views-opinions-community-engagement-localgovernment-final-en.pdf>

Furthermore, this will inevitably have resource implications for councils and, critically, clouds accountability and responsibility for delivering on any public participation duties. A local authority cannot be responsible for the participation in other levels of government as the responsibility (and risk of non-compliance) should rest with them as separately accountable bodies.

37. If such participation duties are to be introduced, they should apply separately to each of the specified bodies. As noted by the South Wales Fire and Rescue Authority's response, this duty was to apply to Fire and Rescue Authorities when first proposed in the 2016 Draft Bill, however, these bodies have not been included in this Bill.

Duty to make petition scheme (Section 49)

38. The WLGA supports the replacement of community polls with a duty to make a petition scheme; this reform will reduce burden and costs for local authorities, as well as encouraging a more accessible and immediate mechanism for communities to express their views.

Duty on principal councils to publish official addresses (Section 50)

39. The proposed duty is supported as permits councils to provide a general council contact address for councillors, rather than councillors' personal addresses. This is an approach several councils have already adopted and is a reform which the WLGA has called for, given some members' concerns about privacy in the current environment where intimidation and harassment is a risk.

Electronic broadcasts of meetings of certain local authorities (Section 53)

40. Most councils already webcast many of their meetings and are committed to openness and transparency. Most authorities are concerned about the potential increase in cost, and the balance of this additional cost with public interest, particularly for some committee meetings.

41. Public viewing figures and engagement with council webcasts however varies and tends to be limited. Viewing figures vary from authority to authority and from meeting to meeting, with full council meetings and planning meetings tend to be most popular, but only receiving between 100-350 views (depending on the size of the council). Other committees tend to have low viewing figures and local authorities therefore question the added value of additional costs and administrative burdens of broadcasting all meetings.

42. Webcasting can be costly, in terms of broadcast equipment, server and/or streaming costs and additional staff for administration and technical support. A duty to broadcast all public meetings is likely to require (based on a typical council experience) an increase from broadcasting 7 committees (Full Council, Cabinet, 4 Scrutiny committees and 1 planning committee) to an additional 13 committees, although some of these may meet less frequently, plus any joint meetings that the authority hosts.

43. Webcasting all public meetings may reduce councils' ability to hold formal meetings in communities, as mobile equipment is more expensive, requires additional technical support and broadband/data availability may be problematic. This would particularly impact scrutiny meetings where good practice for community engagement includes holding meetings in community venues. There is also a risk that a requirement to broadcast all public meetings could result in a reduction in the quality, navigability and retention of broadcasts for the viewer if this is to be met within available funding.

44. The Regulatory Impact Assessment indicates that the additional costs of broadcasting all council meetings would be in the region of £12,000 per authority per annum, based on a single contract for Wales. It remains unclear whether such a single, all Wales contract is feasible or whether an all-Wales solution could be developed by local government in the future.

45. The RIA is likely therefore to be a significant underestimate, although it is difficult to provide an accurate estimate. Most councils' broadcasting services are provided by one company, although other suppliers are used and one council uses YouTube to broadcast meetings. The navigability of the webcasts and access to meeting documents and archives varies depending on supplier. Councils also broadcast a different number of meetings and different hours of broadcast per year and have different arrangements for archiving broadcasts so that they can be viewed retrospectively.

46. Some councils do not anticipate a significant additional cost (depending on their current coverage or provision), but the average increase of those authorities who have provided estimates is an additional c£24,000 annual costs (with one projecting up to £70,000).

47. Some councils also estimate significant investment in additional equipment with one estimating an initial investment of £250,000 to equip all committee rooms with necessary equipment (should all public meetings are to be broadcast, authorities report the need to equip additional rooms as meetings some meetings will inevitably run simultaneously.) The RIA does not take account of the additional administrative burdens and implications of broadcasting all council meetings; generally broadcasting meetings requires additional staffing resources, including committee and technical staff.

48. LLG Wales' submission notes that there may be implications between this duty and other existing legislative responsibilities such as the Public Sector Equality Duty. When webcasting meetings councils will need to consider possible detriment to those with audio/visual impairments (see S51(1)(a) as well as providing translation via the webcast even where this is not provided within the meeting itself.

Conditions for remote attendance of members of local authorities (Section 54)

49. The WLGA supports the proposed amendments.

50. The WLGA supported the concept of remote attendance when first proposed as it supported access and flexibility for members, but expressed concern during the passage of the Local Government (Wales) Measure 2011 as the legislation made the provisions restrictive and effectively unworkable.

51. The WLGA therefore supports proposals to streamline the remote attendance arrangements in order to promote accessibility and support flexibility for members to attend meetings remotely, reflecting advancements and availability of modern technology.

52. As noted by LLG Wales, a saving provision was not included within the 2011 Measure's proposals for remote attendance but one has been included to ensure the validity of proceedings in the event of broadcasting failing during a meeting (S53(6)). Modern technology is not infallible and data and WIFI services

can be variable and remote attendance could be subject to disruption, therefore an equivalent provision ensuring the validity of proceedings where remote attendance is not available should also be included in the Bill.

Part 4: Local Authority Executives, Members, Officers and Committees

53. This WLGA supports most reforms outlined in Part 4 of the Bill, including:

- Appointment of Chief executives (rather than a head of paid service);
 - appointment of assistants to cabinets and allowing job-sharing leaders or cabinet members;
 - updating family absence provisions in line with those available to employees;
- and
- requiring leaders of political groups to take steps to promote and maintain high standards of conduct by members of their groups.

54. The WLGA particularly welcomes the proposals to extend family absence provisions, which is in response to a WLGA request.

55. The WLGA also supports the focus on promoting high standards of members' conduct; although standards are generally good and formal complaints to the Public Services Ombudsman are low, the WLGA has committed to championing high standards and challenging poor political discourse through the recently launched Civility in Public Life campaign, working with the LGA, COSLA and NILGA2.

56. The WLGA agrees that chief executives should be subject to robust and effective performance management and local authorities already implement a range of performance management arrangements for their chief executives and senior officers.

57. The WLGA shares a number of ALACE's concerns about some of the provisions of S60 regarding the process for performance management:

- the Bill should be less prescriptive and allow local flexibility for authorities to determine who should conduct a performance review (the Bill suggests the 'senior executive member', however, councils may also wish to involve other members or external peers as appropriate);
<https://www.local.gov.uk/civility-public-life>
- Clause 60(3), which provides for the possibility of publication of performance reviews of chief executives, should be removed. No public employee should have their performance review published. The review should be confidential to members of the council and the chief executive;
- In order to protect personal information, the Bill needs to reference that a report about the review (shared with members) shall be exempt from publication under paragraph 12 of Schedule 12A to the Local Government Act

1972 as such a report contains “information relating to a particular individual”; and

- The WLGA has previously expressed concern regarding Ministerial Guidance making powers with regards the performance management of Chief Executives as there are potential risks of Welsh Ministerial intervention in local relations and arrangements between a local authority or leader and a chief executive.

Part 5 Collaborative Working by Principal Councils

58. Local authorities are committed to working collaboratively with each other and other public services to deliver improved outcomes and has a track record of collaboration and of sharing services.

59. Councils are already delivering radical responses to the challenges faced. The city deals and growth bids, for example, are some of the most ambitious, strategic regional regeneration programmes in a generation - these have come from local leadership, collective investment, risk and reward.

60. Such a commitment to collaboration is underpinned by the fundamental principle that collaboration is a ‘means to an end not an end to itself’. The WLGA has therefore set out a framework of guiding principles to ensure that any collaborative reforms are rooted in clear and viable business cases and subject to local democratic decision-making.

Collaboration Principles

Collaboration, shared services or voluntary mergers should:

- *Be locally-driven and subject to local democratic direction.*
- *Be underpinned by a locally agreed business case that:*

Outlines mutual benefit and a clear understanding of shared costs

focuses on outcomes and whether, on balance, it is likely to lead to better public service outcomes - a service collaboration or shared services is not an

outcome, but a means to an end. be centred on the delivery of clear

outcomes/benefits for the citizens and communities. and ensuring accessible and seamless delivery of services to stakeholders and customers.

- *Where appropriate, take account of existing collaborative arrangements e.g. City deals, Growth Deals and or shared services.*

- *Be shaped by appropriate engagement with service users and stakeholders*

- *Seek to strengthen strategic and operational collaboration and improve the integration of front line services across public service providers.*

- *Maintain transparent and flexible governance with clear local democratic accountability and appropriate scrutiny arrangements established from the start*

- *Be developed with due consideration of “Prosperity for All” and the Wellbeing of Future Generations Act and, in particular, the ‘5 ways of working’.*

In addition, collaborative arrangements or shared services:

- *Will be treated like all services and will be subject to scrutiny and will be reviewed periodically; if an established collaborative arrangement or shared service is underperforming or is not providing value for money for one or more local authorities, it may be appropriate to review, reform or even withdraw from such arrangements. Such decisions will not be made lightly and withdrawal from an established collaborative arrangement should not be viewed as a rejection of the concept of collaboration or a lack of a commitment to reform, but a business decision based on performance, delivery of outcomes or value for money.*

61. The WLGA has also produced a Collaboration Compendium³ which lists over 300 local, regional or national collaborative arrangements or shared services ranging from coordination or delivery of technical services to large-scale, strategic services. The WLGA Council has agreed that the Compendium will be updated and reported annually to encourage a review of existing and consider new potential new collaborations.

62. Authorities already work together collaboratively through various governance mechanisms, including joint appointments, lead local authority models, shared services, local authority owned companies or joint committees (established under the Local Government Act 1972).

63. The WLGA and authorities are therefore supportive of the introduction of *voluntary* Corporate Joint Committees (described in S75 ‘Application by principal councils to establish a corporate joint committee’) as it would provide an additional collaborative model for authorities to choose where appropriate.

64. Several leaders have expressed concern about a Ministerial power to ‘mandate’ regional structures or services, as this would undermine local democracy and accountability. Furthermore, some authorities are concerned about risks to local accountability, increased complexity and administrative burden of alternative regional governance arrangements.

65. Some leaders however regard Corporate Joint Committees as an evolution from existing regional arrangements such as City Deal, school improvement consortia and regional planning and transport arrangements.

66. The WLGA Council has therefore passed a resolution noting that it: ‘...has fundamental concerns over the principle of mandation which is seen as undermining local democracy but will continue to engage and seek to co-produce the Corporate Joint Committee proposals.’

<https://www.wlga.wales/SharedFiles/Download.aspx?pageid=62&fileid=2408&mid=665>

67. Much of the detail around how Corporate Joint Committees will be established and how they will operate will be determined through Regulations. This detail includes which specific areas of the listed functions would be delivered through Corporate Joint Committees, which services would be delivered locally or concurrently as well as the governance arrangements of the committees themselves.

68. The proposed Corporate Joint Committees have been the subject of extensive dialogue between the Minister for Housing and Local Government and leaders and has been considered at several WLGA meetings.

69. The Minister has been keen to involve local government in the co-production of any guidance or regulations that might be required following the Bill and the WLGA has committed to engaging with the Minister and officials in developing the concept further. WLGA officials and Monitoring Officers are therefore involved in ongoing discussions to consider the governance arrangements and implications of other relevant statutory requirements should Corporate Joint Committees be introduced in the future.

Part 6: Performance and Governance of Principal Councils

70. The Bill proposes a new performance framework for local government, repealing the Wales Programme for Improvement and performance provisions of the Local Government (Wales) Measure 2009.

71. It is widely recognised that the Wales Programme for Improvement as introduced by the 2009 Measure is no longer fit for purpose; it imposed a range of duties and features that were administratively bureaucratic which has promoted a regulatory burdensome output-oriented rather than outcome-oriented performance framework.

72. Furthermore, many of the objective-setting, planning and reporting aspects of the 2009 Measure have been superseded by the Wellbeing of Future Generations (Wales) Act 2015, which has caused additional complexity (see joint WLGA, WAO and Future Generations Commissioner guidance note4).

73. The Bill outlines a new performance duty based on self assessment and peer (or panel) assessment. Both concepts are well-established and are existing features of the Wales Programme for Improvement currently, but the streamlined performance duties will allow councils to better shape the assessments for organisational self-awareness and self-improvement rather than to meet external regulatory expectations.

74. The WLGA has previously provided extensive support around developing and strengthening self assessment approaches (through the Improvement Grant until 2015), which included guidance, local support and challenge and

the development of a set of core characteristics⁵ to ensure that a self assessment was robust.

<https://www.wlga.wales/future-generations-and-improvement>

<https://www.wlga.wales/self-assessment>

Further self-assessment guidance and frameworks have been developed since, for example, the Future Generations Commissioner's Self Reflection Tool⁶.

75. Self assessment is an established and core feature of both the English and Scottish local government improvement regimes, for example, the Scottish Improvement Service promotes and supports the roll-out of self-assessment through the Public Service Improvement Framework⁷.

76. Councils are committed to improving services and delivering better outcomes for their communities; the WLGA is confident therefore that councils' self assessments will be rounded, robust and used to drive improvements in governance and service provision.

77. There will remain several 'checks and balances' in the system to ensure self assessments are robust; scrutiny and the new governance and audit committees will play a key role, as will informal and formal peer challenge as well as the proposed statutory Panel Assessments. It should also be noted that the Wales Audit Office will retain an audit role through the Public Audit (Wales) Act 2004 and can undertake 'sustainable development' examinations through the Wellbeing of Future Generations (Wales) Act 2015.

78. The Minister for Housing and Local Government has confirmed that she intends to provide improvement grant funding to the WLGA to re-establish a sector-led improvement support resource for Welsh local government. This development is very welcome and will allow the WLGA to provide guidance, promote good practice as well as coordinate peer support and challenge to authorities. The WLGA is currently discussing the scope of the funding and remit with the Welsh Government and intends to work closely with the LGA in developing and coordinating peer challenge arrangements in Wales.

79. The WLGA has previously not supported the introduction of statutory Panel Assessments. The WLGA does not believe these corporate peer assessments should be made statutory as councils would undertake them on a voluntary basis. Making them statutory could turn an existing effective self-improvement process into a quasiregulatory arrangement, which could stifle engagement, openness and ownership and undermine their value. The WLGA and local government professionals are however engaged in constructive discussions with Welsh Government officials to explore how Panel Assessments may be coordinated and delivered as effectively as possible and the WLGA's view is that any guidance should allow local flexibility in terms of panel make-up

and focus, to ensure an authority can tailor it to its own needs and priorities. 80. Corporate peer challenges are credible, effective and well regarded. Peer challenges are independent and can provide some challenging messages to an authority, therefore concerns about any future Panel Assessment's objectivity are unfounded. The effectiveness and value of corporate peer reviews has been endorsed by an independent evaluation by Cardiff Business School in 20178.

https://futuregenerations.wales/resources_posts/self-reflection-tool-2019/

<http://www.improvementservice.org.uk/psif.html>

<https://www.local.gov.uk/sites/default/files/documents/Rising%20to%20the%20Challenge%20February%202017%20-%20FINAL.PDF>

017%20-%20FINAL.PDF

81. Prior to changes in the WLGA's previous improvement role, the WLGA Council had agreed that every council would receive a corporate peer review once during a rolling four year period (as is the case in England) and the WLGA had coordinated 8 peer reviews between 2013-15. Pembrokeshire County Council has commissioned the LGA (supported by the WLGA) to deliver a Corporate Peer Review in February 2020.

82. The proposed Ministerial powers to provide support and assistance and direction (as a last resort) are broadly supported as they largely reflect existing powers. The WLGA however does not support S102 which proposes a Ministerial power to direct a council to provide support and assistance to another council. This should be amended to a Ministerial power to 'request' support from another authority. Councils are committed to providing mutual improvement support and already share expertise and peer support where appropriate; such powers to direct are therefore unnecessary and undermine local democracy. Should an authority decide that it was unable to provide particular support to another authority, such a decision would not be taken lightly and is likely to be due to capacity or resource constraints which may have negative consequences on the performance of the authority itself.

Governance and Audit Committees

83. The WLGA supports the proposed role of new Corporate Governance and Audit Committees. The relationship with and role of councils' overview and scrutiny committees will however need to be reviewed in the new constitutional arrangements to avoid confusion and duplication of roles.

84. The WLGA does not support the proposed changes to the membership of corporate governance and audit committees. Lay members are valued members of audit committees currently, but the balance of membership should be left to local discretion. The proposal to increase the proportion of lay membership and that the chair must be a lay member fetters local discretion

and undermines local democracy, particularly as the reformed committees will have an enhanced role in terms of overseeing the governance and service performance of councils.

Part 7 Mergers and Restructuring of Principal Areas

85. The WLGA and local government are supportive of the concept of voluntary mergers as such reforms are a matter for local discretion and if individual councils jointly develop a business case and agree a merger locally, then they should be supported in their local reforms.

86. A draft 'Prospectus for Voluntary Mergers' outlining guidance and support for authorities has been co-developed through the Local Government Working Group, which was chaired by Derek Vaughan.

Parts 8 and 9: Finance and Miscellaneous Reforms

87. The WLGA supports the provisions to allow PSBs to demerge.

88. The proposed changes to the performance arrangements of Fire and Rescue Authorities have been generally welcomed by Fire and Rescue Authorities. The move away from the current performance management arrangements under the 2009 Measure are supported, as the arrangements are no longer suitable. Whilst there is support for a new performance management system grounded in the National Framework for Fire and Rescue Services, the Bill does not include significant detail and the new performance management system should reflect the differences in risk within communities and across the authority areas, as noted in the submissions from the Mid and West Wales and South Wales Fire Authorities.

89. The WLGA shares the concerns outlined by the Fire Authority submissions regarding the proposal to amend the public inquiry criteria where changes are proposed to any of the elements of the Combination Scheme Order that establishes the Fire and Rescue Authority and Fire and Rescue Service. The public inquiry provisions were introduced in 2004 to ensure due regard was given to the safety of firefighters or the community before significant reforms could be introduced. The proposed amendment would mean that a public inquiry would no longer be held for several areas of significant reform of Fire and Rescue Authorities including changes to the funding mechanisms, governance structures and systems and appointment of officers.

90. There is general support for the proposals which relate to supply of information and power to inspect. The power to give Billing Authorities the right to inspect properties will potentially incur additional costs and the

recognition of this is welcomed. The proposal linking the NDR multiplier increase to the Consumer Price Index in line with England is also welcomed. 91. The Bill also modifies the Local Government Finance Act 1992 to abolish the power for local authorities to apply to consign an individual to imprisonment for non-payment of council tax. This power has already been taken away by regulation and this further change is to place it in primary legislation. Although there may be a slight deterioration in the collection rate as a result, we will continue to work with Welsh Government to consider whether any future amendments to legislation are needed to prevent loss of income through falling collection rates.

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

COUNCIL

14th February 2020

**REPORT OF THE ASSISTANT CHIEF EXECUTIVE AND CHIEF
DIGITAL OFFICER**

SECTION A – MATTER FOR DECISION

WARDS AFFECTED: ALL

**CHANGES TO THE POLITICAL PROPORTIONALITY AND
MEMBERSHIP OF CABINET, COMMITTEES AND OUTSIDE
BODIES**

Purpose of the Report

1. To authorise changes to the allocation of seats on council committees to the political groups.
2. To authorise a reduction in the size of the Cabinet.
3. To approve the portfolios of the nine Cabinet members.
4. To approve the appointment of the Deputy Leader of Council
5. To authorise changes proposed by Group leaders to the membership of committees.
6. To authorise consequential changes to the Council's representation on outside bodies.

Summary

As a result of the recent Rhos by election and the decision of Cllr D M Peters to sit as an unaffiliated Member, the political makeup of the Council has changed. Consequently, changes are needed to the allocation of seats between political groups and consequential changes are also needed to the membership of committees and outside bodies.

Additionally, a vacancy has arisen in the Cabinet and the Leader of Council proposes that the size of the Cabinet should be reduced to nine members with the political portfolios to be adjusted accordingly.

a) Allocation of Seats amongst political groups

The proposed proportional allocation of seats to each relevant committee is enclosed at Annex A for Council approval. Consultation has taken place with the Group Leaders of the three political groups on the proposed allocations. The Group Leaders also support the proposed allocation of two seats to the unaffiliated Member.

b) Changes to the size of the Cabinet

The Leader has reviewed the size of the Cabinet following a vacancy occurring within the Cabinet. He proposes that the size of the Cabinet be reduced from ten Cabinet Members to nine Cabinet Members.

c) Cabinet Portfolios

Subject to Council approving a reduction in the size of the Cabinet set out in b) above, the Leader proposes that Cabinet Portfolios be as set out in Annex B.

d) Appointments to the Cabinet

Council is asked to approve the appointment of Cllr E V Latham as the Council's Deputy Leader and Cabinet Member for Streetscene and Engineering. All other Cabinet appointments remain as approved by Council at the Annual Meeting.

e) Membership of the Council's Committees

Group Leaders have notified the Chief Executive of changes that they propose should be made to the membership of committees. The changes are specified below with the full detail of the proposed revised committee membership arrangements set out in Annex C:

Labour Group Nominations

Cllr S M Penry be removed as a member of the Licensing and Gambling Acts Committee.

Cllr S M Penry be removed as a member of the Registration and Licensing Committee.

Cllr R Mizen be appointed to the vacancy on the Audit Committee (formerly Cllr A L Thomas).

Cllr E V Latham replace Cllr A J Taylor on the Democratic Services Committee.

Cllr S Pursey be appointed to the Income Generation Panel and Cllr C Clement Williams be appointed Chairperson.

f) Changes to the Council's Representation on Outside Bodies

Finally, Council is asked to approve the amended schedule of appointments to Outside Bodies contained in Annex D.

Financial Impact

There are no financial impacts.

Integrated Impact Assessment

There is no requirement to undertake an Integrated Impact Assessment.

Workforce Impacts

There are no workforce Impacts.

Legal Powers

Section 15 of the Local Government and Housing Act 1989
<http://www.legislation.gov.uk/ukpga/1989/42/contents>

Risk Management

There are no risk management issues that require attention.

Consultation

There is no requirement under the Constitution for external consultation on this item.

Recommendations

That Council approves:-

1. The proportional allocation of seats to the political groups as contained in Annex A.
2. A reduction in the size of the Cabinet from ten Cabinet members to nine Cabinet members;
3. The proposed political portfolios of the nine Cabinet members as set out in Annex B;
4. The appointment of Cllr E V Latham as Deputy Leader of Council and the Cabinet Member for Streetscene and Engineering.
5. The changes to the membership of committees as contained in Annex C;
6. The Council's representation on outside bodies as contained in Annex D.

Reason for Proposed Decisions:

To update the Council's membership arrangements.

Implementation of Decisions

The decisions are for immediate implementation.

List of Background Papers

Neath Port Talbot County Borough Council Constitution.

Officer Contact

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SIZE OF COUNCIL COMMITTEES AND APPORTIONMENT OF SEATS TO THE POLITICAL GROUPS – 14th February 2020

COUNCIL COMMITTEES	TOTAL NO. OF SEATS	Labour	Plaid Cymru	Independent Democrats	Unaffiliated
	64	39	15	9	1
CABINET SCRUTINY COMMITTEE	16	10	4	2	
P 0639 SOCIAL CARE, HEALTH AND WELLBEING SCRUTINY COMMITTEE	13	8	3	2	
EDUCATION, SKILLS AND CULTURE SCRUTINY COMMITTEE	15† (+8)	9	4	2	
LEISURE AND CULTURE SCRUTINY SUB-COMMITTEE	9	6	2	1	
REGENERATION AND SUSTAINABLE DEVELOPMENT SCRUTINY COMMITTEE	12	7	3	2	

COMMUNITY SAFETY AND PUBLIC PROTECTION SCRUTINY SUB-COMMITTEE	9	6	2	1	
STREETSCENE AND ENGINEERING SCRUTINY COMMITTEE	12	7	3	2	
PLANNING COMMITTEE	12	8	3	1	
REGISTRATION AND LICENSING COMMITTEE φ	15	9	3	2	1
LICENSING AND GAMBLING ACTS COMMITTEE φ	15	9	3	2	1
<i>*Licensing and Gambling Acts Sub Committee</i>	3				
AUDIT COMMITTEE	12†(+1)	8	3	1	
DEMOCRATIC SERVICES COMMITTEE	12	7	3	2	
PERSONNEL COMMITTEE	12	7	3	2	

SPECIAL APPOINTMENTS COMMITTEE	10/11	6/7	2	2	
TOTALS	174/175	107/108	41	24	2
<i>*APPEALS PANEL</i>	<i>(5)</i>				
<i>*(Appeals Panel Substitutes)</i>	<i>(20)</i>				
<i>†(STANDARDS COMMITTEE)</i>	<i>(2)</i>				
<i>φ(Standards Committee Substitute)</i>	<i>(1)</i>				
STAFF COUNCIL	11	Cabinet Members	Opposition Leader or sub	Opposition Leader or sub	

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- Notes:** (1) † In context of voting co-optees - 4 voting Co-optees (with 4 non voting Co-optees) for the Scrutiny Committee; 1 voting Lay Member for the Audit Committee.
(2) φ Registration and Licensing / Licensing and Gambling Acts Committees – same Chair/Vice Chair and Committee Membership.
(3) # Comprises Chair & Vice Chair of the Committee plus one other Member on a rota/availability basis
(4) * 1989 Act does not apply. Separate substitute arrangements also.

Proposed Cabinet Portfolios (14th February 2020)

The Council may determine at any time that individual cabinet members can discharge executive functions. But in the absence of any such formal delegations, the Council will in any event determine “cabinet portfolios” for individual cabinet members – a “portfolio” being a range of issues apportioned to a cabinet member but without authority to formally discharge executive functions individually unless so authorised by Council in this Constitution. Such delegated authority is not currently given under this Constitution to cabinet members to discharge executive functions individually. The broad range of cabinet portfolio issues are set out below:

1. Community and Strategic Leadership

- Political Leadership
- Policy and Strategic Resource Planning
- Democratic Services/Member Support
- Well-being Plan/Public Services Board
- Overview of regional and wider area collaborative working arrangements
- Corporate governance and risk management
- Corporate communications and marketing functions
- West Glamorgan Trust Fund

Related Strategies/Themes

- Well-being Plan
- Corporate Plan, including well-being objectives, well-being statement and improvement objectives
- Annual Governance Statement
- Corporate Communications and Community Relations Strategy

Other

- Monitor quarterly budget and performance in securing continuous improvement of the functions listed above

- Any overview issues related to the corporate management of the Chief Executive's Office as a whole
- Public Services Board matters
- Innovation and best practice related to the above listed functions

2. Deputy Leader and Cabinet Member for Streetscene and Engineering

- Deputising for the Leader of Council
- Co-ordination of the Forward Work Programme
- Engineering and Highways
- South Wales Trunk Agency
- Coastal Protection
- Road Safety
- Highway Development Control – including sustainable urban drainage (SUD) approval body
- Traffic Orders
- Transport Policy
- Concessionary Fares
- Passenger/community transport
- Land Drainage
- Flood Defence
- Fleet Management and Maintenance
- Highways Maintenance and Operations
- In-house Building Services
- Public Lighting
- Neighbourhood Services and Management
- Grass Verge and associated landscaping
- On and off street parking – including CCTV mobile enforcement
- Highway Asset Management
- Maintenance and management of other parks, playgrounds, sports fields, bowling greens etc
- Grounds maintenance, arboricultural services
- Japanese Knotweed
- Cemeteries
- Waste Management, including recycling
- Regional waste plan
- Dog and animal impounding

- Pest control
- Litter enforcement
- Bus shelters

Related Strategies/Themes

- Local transport plan
- Waste strategy
- Active travel plan

Other

- Functions of Schedule 2 of the 2007 Regulations in respect of the maining of agreements for the executive of highways works
- NPT Waste Management Company Limited (as shareholder)
- Monitor quarterly budget and performance in securing continuous improvement of all the functions listed above.
- Innovation and best practice related to the above listed functions

3. Finance

- Budget Strategy and Forward Financial Plan
- Budget monitoring
- Treasury management
- Income Generation
- Revenues and housing benefits
- Debt write off

Related Strategies and Themes

- Forward Financial Plan
- Budget
- Income Generation

Other

- Functions in respect of calculation of council tax base, as as specified in Schedule 2 of the Local Authorities (Executive Arrangements) (Functions and Responsibilities) (Wales) Regulations 2007 as amended hereafter the 2007 Regulations being

sections 33 (1), 44(1), 34(3), 45(3), 48(3), and (4) of the Local Government Act 1992

- Monitor quarterly budget and performance in securing continuous improvement of the functions listed above.
- Any overview issues related to the corporate management of the Finance and Corporate Services Directorate as a whole.
- Innovation and best practice related to the above listed functions

4. Corporate Services and Equalities

- Corporate support and performance management
- Social inclusion, including welfare reform, poverty, equalities, Welsh language, community development, BME Forum, disability groups, Lesbian, Gay, Bisexual, Transgender + Forum
- Executive personnel policy/issues
- Occupational health and safety as an employer
- Customer services
- ICT
- Procurement
- Trade union relationships/Staff Council
- Legal service, including Coroner and Registration
- Digital Champion
- Voluntary Sector and external partnerships overview

Related Strategies/Themes

- Voluntary Sector Compact
- Smart and Connected
- Procurement Strategy
- Freedom of Information and Data Protection
- Corporate Workforce Plan
- Strategic Equality Plan
- Welsh Language Standards
- Pay Policy

Other

- Monitor quarterly budget and performance in securing continuous improvement of all the functions listed above.
- Innovation and best practice related to the above listed functions

5. Community Safety and Public Protection

- Community safety matters
- Counter-terrorism and extremism
- Violence against women, domestic abuse and sexual violence
- Anti-social behaviour
- Substance misuse and Area Planning Board
- Business continuity planning and emergency planning
- CCTV
- Environmental Health, including pollution control and contaminated land, food safety, private drains and sewers, housing enforcement, tobacco protection.
- Trading Standards, including animal welfare
- Licensing Executive function

Related Themes/Strategies

- Trading Standards Performance Plan
- Food Law Enforcement Plan
- Community Safety Strategy
- Violence Against Women, Domestic Abuse and Sexual Violence Strategy
- Area Planning Board Commissioning Strategy
- Major Incident Plan and related plans
- Air Quality Strategy

Other

- Monitor quarterly budget and performance in securing continuous improvement of the functions listed above.
- Community Safety and related community safety partnership matters, including drug and alcohol misuse, anti-social behaviour enforcement.
- Area Planning Board

- Violence Against Women, Domestic Abuse and Sexual Violence Leadership Group

Functions of Schedule 2 of the 2007 Regulations as follows:

- Any function related to contaminated land
- The discharge of any function relating to the control of pollution or the management of air quality
- The service of an abatement notice in respect of a statutory nuisance
- The passing of a resolution that Schedule 2 to the Noise and Statutory Nuisance Act 1993 should apply in the authority's area
- The inspection of the authority's area to detect any statutory nuisance
- The investigation of any complaint as to the existence of a statutory nuisance
- Innovation and best practice related to the above listed functions

6. Adult Social Services and Health

- Adult community care services
- Older people's community care services
- Welfare rights
- Older persons generally
- Health partnerships and integrated services
- Homelessness
- Supporting people
- Safeguarding
- Support to fostering and adoption panels
- Housing, including private sector renewal, disabled facilities grants, registered social landlords, housing association partnerships, housing strategy.

Related Strategies/Themes

- Older Persons Strategy
- Supporting People, Older Persons and Carers Champion
- Population Assessment and Area Plan
- Retained strategic housing responsibilities
- Local housing strategy and relevant sub-strategies

Other

- Adult social services functions under the Social Services and Wellbeing (Wales) Act 2014
- Monitor quarterly budget and performance in securing continuous improvement of the all the functions listed above
- Any overview issues related to the corporate management of the Social Services, Health and Housing Directorate as a whole
- West Glamorgan Health and Social Services Collaborative
- Innovation and best practice related to the above listed functions

7. Children's Social Services

- Children in need and families
- Youth offending service
- Hillside Secure Unit
- Team around the family
- Corporate parenting
- Safeguarding
- Adoption and fostering arrangements

Related strategies/themes

- Youth Justice Plan
- Population Assessment and Area Plan

Other

- Children and young people social services functions under the Social Services and Wellbeing (Wales) Act 2014
- Monitor quarterly budget and performance in securing continuous improvement of all the functions listed above
- West Glamorgan Health and Social Services Collaborative
- Innovation and best practice related to the above listed functions

8. Education, Skills and Culture

- Integrated planning and commissioning for children's services – under Part 5 – Children's Act 2004 (Cabinet Member is Lead Member as required in the Act)
- Think Families Partnership
- Children's Rights
- Children's Playschemes
- Youth Service
- Youth Council
- School Improvement and Inclusion
- Lifelong Learning, adult education, post-16 provision
- School governors
- School reorganisation (Strategic School Improvement Programme)
- Communities first and community development
- Children's zones
- Libraries
- Country parks, including Margam Park, Gnoll Park, Afan Argoed
- Sports development and leisure services
- Cultural services
- Additional learning needs

Related Strategies/Themes

- Play Strategy
- Childcare Strategy
- Welsh in Education strategic plan
- Youth engagement and progression framework
- Families First Plan
- Leisure and Culture Strategy

Other

- Education Trust Fund
- As local education authority
- Monitor quarterly budget and performance in securing continuous improvement of all the functions listed above
- Any overview issues related to the corporate management of the Education, Leisure and Lifelong Learning Directorate as a whole

- Educational Regional Working (ERW)
- Functions specified in Schedule 2 of the 2007 Regulations in respect of approval by a local authority under section 51 or a determination by a local authority under section 53 of the School Standards and Organisation (Wales) Act 2013
- WESP Forum
- Innovation and best practice related to the above listed functions

9. Regeneration and Sustainable Development

- Sustainability
- Environmental stewardship/quality including biodiversity
- Countryside access including footpaths, bridleways, public paths, rights of way, definitive map
- Active travel
- Canals
- Economic development and regeneration
- Business services and grants/loans to businesses
- Industrial estates
- Baglan Energy Park
- Coed Darcy
- Aberavon Seafront Strategy
- Town centre strategies
- Valley strategies
- Employability programmes
- Europe and European funding
- Planning policy and guidance
- Regional plan
- High hedges
- Architectural design
- Construction project management
- Promotion of high quality design
- Asset management and asset sponsorship
- Estate management (non-housing/non-operational property)
- Estates and valuation (including acquisition and disposal of land/property)
- Facilities management, including catering and cleaning
- Energy management

- Enterprise Zone
- Street naming
- Development management
- Building control

Related Strategies/Themes

- Regional economic development strategy/City Region
- Local Development Plan
- Supplementary planning guidance
- Regional Plan
- Asset Management Strategy
- Environmental Strategy
- Biodiversity Strategy
- Existing Route Map
- Decarbonisation Strategy
- Integrated Network Map

Others

- Residual planning functions – eg preparation of supplementary planning guidance, designation of conservation areas, areas of archaeological interest and nature reserves, removal of permitted development rights through Article 4 directions
- Obtaining particulars of persons interested in land (s16 Local Government [Miscellaneous Provisions] Act 1976)
- Monitor quarterly budget and performance in securing continuous improvement of all the functions listed above
- Any overview issues related to the corporate management of the Environment Directorate as a whole
- Obtaining of information under section 300 Town and Country Planning Act 1990 as to interest in land
- Functions of Schedule 2 of the 2007 Regulations relating to the obtaining of information under section 330 of the Town and Country Planning Act 1990 as to interests in land and the obtaining of particulars of persons interested in land under section 16 of the Local Government [Miscellaneous Provisions] Act 1976
- City Region Partnership

- Innovation and best practice related to the above listed functions

The Cabinet Committees are also delegated to discharge executive functions as follows in relation to the matters referred to above:

- a) Deal with any matters referred from Cabinet
- b) Work closely with the relevant Overview and Scrutiny Committees, particularly in pre-decision scrutiny
 - I. Monitor the performance of services, paying particular attention to the priorities for improvement set out in the Corporate Plan
 - II. Compare the performance of council services over time and with other authorities who provide similar services
 - III. From time to time consider whether to exercise the power to collaborate
- c) Implement and monitor improvement actions following improvement or efficiency reviews
- d) Implement and monitor service related requirements arising from the Wales Audit Office Annual Improvement Report
- e) Manage operational land and property
- f) Authorise expenditure from approved budget limits on matters within their purview and recommend and virements, where appropriate to Cabinet or Council
- g) Any executive matters which are otherwise delegated to officers which relate to the functions of the Committee
- h) The other general matters specified for the Cabinet in Annex G as they relate to the functions of the Cabinet Committees

Cabinet Committees

- **Cabinet (Finance) Sub-Committee**

Two Members holding portfolios 3 and 4

- **Education Leisure and Lifelong Learning Cabinet Committee**

Two Members holding portfolios 7 and 8

- **Social Care, Health and Wellbeing Cabinet Committee**

Two Members holding portfolios 6 and 7

- **Regeneration and Sustainable Development Cabinet Committee**

Two Members holding portfolios 5 and 9

- **Streetscene and Engineering Cabinet Committee**

Two Members holding portfolios 2 and 9

SCRUTINY COMMITTEES

CABINET (16)	
Chairperson:	Cllr.M.Harvey
Vice Chairperson:	Cllr.S.Rahaman
Members: Labour	Cllrs.S, ap Dafydd, S.Freeguard, S.Miller, R.Mizen, S.Paddison, S.M.Penry,S.Reynolds and A.N.Woolcock
Members: Plaid Cymru	Cllrs. L.M.Purcell, A.Llewelyn, J.D.Morgan and N.T.Hunt
Members: Independent Democrats	Cllrs. S.K.Hunt and S.Knoyle

SOCIAL CARE, HEALTH AND WELLBEING (13)	
Chairperson:	Cllr.L.M.Purcell
Vice Chairperson:	Cllr.C.Galsworthy
Members: Labour	Cllrs.A.P.H.Davies, O.S.Davies, J.Miller, S.Paddison, S.Reynolds, D.Whitelock and A.N.Woolcock
Members: Plaid Cymru	Cllrs.C.Edward and W.Griffiths
Members: Independent Democrats	Cllrs. H.C.Clarke and N.J.Davies

EDUCATION, SKILLS AND CULTURE (15)	
Chairperson:	Cllr.S.Reynolds
Vice Chairperson:	Cllr.R.Mizen
Members: Labour	Cllrs.S.ap Dafydd, M.Crowley, D.Keogh, S.Miller, M.Protheroe, S.Renkes and D.Whitelock
Members: Plaid Cymru	Cllrs.J.D.Morgan, R.Phillips, J.Hale and A.J.Richards
Members: Independent Democrats	Cllrs S.Harris and J.Jones
*Co-opted Voting Members: (4)	Marie Caddick, Adam Amor, L.Newman and 1 vacancies
*Co-opted Non-Voting Members: (4) <i>(*for education matters)</i>	Roberto De Benedictis and 3 vacancies

Membership of the Sub Committee be drawn from the membership of the Education, Skills And Culture Scrutiny Committee:

Leisure And Culture Scrutiny Sub Committee (9)	
Chairperson:	Cllr.S.Reynolds
Vice Chairperson:	Cllr.R.Mizen
Members: Labour	Cllrs.D.Keogh, S.Miller, S.Renkes and D.Whitelock
Members: Plaid Cymru	Cllrs.J.Hale and A.J.Richards
Members: Independent Democrats	Cllr. J.Jones

REGENERATION AND SUSTAINABLE DEVELOPMENT(12)	
Chairperson:	Cllr.S.K.Hunt
Vice Chairperson:	Cllr.R.L.Taylor
Members: Labour	Cllrs.D.Cawsey, C.J.Jones, H.N.James, S.M.Penry, S.Pursey and S.Rahaman
Members: Plaid Cymru	Cllrs.N.T.Hunt, S.Bamsey and J.Evans
Members: Independent Democrats	CHAIRPERSON and Cllr.S.Knoyle

Membership of the Sub Committee be drawn from the membership of the Regeneration and Sustainable Development Scrutiny Committee

Community Safety And Public Protection Scrutiny Sub Committee (9)	
Chairperson:	Cllr.S.K.Hunt
Vice Chairperson:	Cllr.R.L.Taylor
Members: Labour	Cllrs D.Cawsey, S.M.Penry, C.J.Jones, S.Pursey and S.Rahaman
Members: Plaid Cymru	Cllrs.N.T.Hunt and S.Bamsey
	CHAIRPERSON

Members: Independent Democrats	
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STREETSCENE AND ENGINEERING (12)	
Chairperson:	Cllr.S.M.Penry
Vice Chairperson:	Cllr.R.Wood
Members: Labour	Cllrs.S.ap Dafydd, A.R.Aubrey, C.Galsworthy, D.Keogh and A.Mcgrath,
Members: Plaid Cymru	Cllrs.W.F.Griffiths, R.Davies and J.Hale
Members: Independent Democrats	Cllrs.S.Knoyle and J.Hurley

REGULATORY AND OTHER COMMITTEES
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PLANNING COMMITTEE (12)	
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Chairperson:	Cllr.S.Paddison
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Cllr.S.Paddison

Vice Chairperson:	Cllr.S.Purse
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Cllr.S.Purse

Members Labour:	Cllrs. S.Renkes, C.Jones, D.Keogh, R.Mizen, M.Protheroe and A.N.Woolcock
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Cllrs. S.Renkes, C.Jones, D.Keogh, R.Mizen, M.Protheroe and A.N.Woolcock
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Members Plaid Cymru:	Cllrs.R.Davies, C.Williams and S.Bamsey
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Cllrs.R.Davies, C.Williams and S.Bamsey
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Members Independent Democrats:	Cllr.S.K.Hunt
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Cllr.S.K.Hunt

<i>Note: the Cabinet UDP/LDP Member to be invited to attend as a non voting Member.</i>

Same Chair as Registration and Licensing Committee

*REGISTRATION AND LICENSING COMMITTEE (15)	
Chairperson:	Cllr.S.Paddison
Vice Chairperson:	Cllr.D.Whitelock
Members: Labour	Cllrs.A.P.D.Davies, S.Freeguard, C.James, C.Jones, J.Miller, R.Mizen. M.Protheroe
Members: Plaid Cymru	vacant, C.Edwards and H.Jones
Members: Independent Democrats	Cllrs.J.Jones and N.J.Davies
Unaffiliated	Cllr D M Peters

* Same Membership for both these Committees

* LICENSING AND GAMBLING ACTS COMMITTEE (15)	
Chairperson:	Cllr.S.Paddison
Vice Chairperson:	Cllr.D.Whitelock
Members: Labour	Cllrs.A.P.D.Davies, S.Freeguard, C.James, C.Jones, J.Miller, R.Mizen. M.Protheroe
Members: Plaid Cymru	vacant, C.Edwards and H.Jones
Members: Independent Democrats	Cllrs.J.Jones and N.J.Davies
Unaffiliated	Cllr D M Peters

LICENSING AND GAMBLING ACTS SUB COMMITTEE (3)	
Chairperson:	Cllr.S.Paddison
Vice Chairperson:	Cllr.D.Whitelock
Members:	Plus one Member drawn on a rota/availability basis from the remainder of the Members of the Licensing and Gambling Acts Committee

Note: if the Chair or Vice Chair are unavailable, then other Members of the Sub-Committee be utilised for the purpose of maintaining a quorum of three Members for each Sub Committee meeting.

PERSONNEL COMMITTEE (12)

Chairperson:	Cllr.D.Jones
Vice Chairperson:	Cllr.S.Paddison
Members: Labour	Cllrs.R.G.Jones, A.J. Taylor, S.Freeguard, E.V.Latham and S.Miller
Members: Plaid Cymru	Cllrs. S.Bamsey, J.Hale and N.J.Hunt
Members: Independent Democrats	Cllrs.S.Knoyle and J.Jones

Note: Remaining Cabinet Members to attend as non-voting advisers as necessary

SPECIAL APPOINTMENTS COMMITTEE (10/11)**Chairperson:**

Cllr.D.Jones

Vice Chairperson:

Cllr.S.Paddison

Members: LabourCllrs.R.G.Jones, M.Harvey,
S.Reynolds

*and **one** of the following Cabinet Members for Heads of Service appointments: **two** of the following Cabinet Members for Corporate Directors appointments

*Chief Executive's and Finance and Corporate Services
Social Care, Health and Well-being
Education, Skills and Culture
Regeneration and Sustainable Development
Streetscene and Engineering*

**In relation to the post of Assistant Chief Executive this would include the Leader and the Deputy Leader.*

Members: Plaid Cymru

Cllrs. L.Purcell and A.Llewelyn

Members: Independent Democrats

Cllrs.S.Knoyle and J.Jones

Note: the relevant Regulatory Chairs or relevant Scrutiny Chair to be invited to attend as a non voting advisers as appropriate to the appointment

AUDIT COMMITTEE (12) + 1	
Chairperson:	J.D.Morgan
Vice Chairperson:	Cllrs.L.M.Purcell
Members: Labour	Cllrs.S.ap Dafydd, S.Renkes, S.Freeguard, J.Miller, R.W.Wood, R.Mizen, O.S.Davies and A.N.Woolcock
Members: Plaid Cymru	A.J.Richards
Members: Independent Democrats	Cllr.H.C.Clarke
Voting Lay Member:	Mrs J Jenkins

DEMOCRATIC SERVICES COMMITTEE (12)	
Chairperson:	J.D.Morgan
Vice Chairperson:	Cllr.A.R.Aubrey
Members: Labour	Cllrs.S.ap Dafydd, M.Harvey, S.Miller, S.Purseley, S.Renkes and E V Latham
Members: Plaid Cymru	Cllrs. A.Llewelyn and A.J.Richards
Members: Independent Democrats	Cllrs.S.K.Hunt and J.Hurley

APPEALS PANEL (5)	
Chairperson:	Cllr.D.Keogh
Vice Chairperson:	Cllr.S.Renkes
Members: Labour	Cllr.D.Cawsey
Members: Plaid Cymru	Cllr.S.Bamsey
Members: Independent Democrats	Cllr. J.Jones
Substitutes: Labour	Cllrs. C.Galsworthy and A.McGrath,
Substitutes: Plaid Cymru	Cllrs.R.Phillips, R.Davies, L.M.Purcell, N.J.Hunt and A.J.Richards
Substitute: Independent Democrats	Cllrs.S.Knoyle and S.Harris

STANDARDS COMMITTEE (7)	
*Chairperson:	C.L.Jones
*Vice Chairperson:	B.Richards
*Independent Members:	L.Fleet and T.Ward Plus 1 vacancy
NPTCBC Members:	Cllrs.S.Freeguard and D.Keogh
Community Council Member: <i>(* independent members)</i>	C.Williams
Substitutes: For NPTCBC Members: For Community Council Member	Cllr.R.Wood G.Reynolds

OTHER MEMBER GROUPS

STAFF COUNCIL (11)	
Chairperson:	Cllr.D.Jones
Members Labour:	Cllrs.C.Clement-Williams, L.Jones, R.G.Jones, E.V.Latham, A.R.Lockyer, P.A.Rees, P.D.Richards, A.Wingrave
Members: Plaid Cymru	Cllr.J.Hale
Members: Independent Democrats	Cllr.S.K.Hunt

CORPORATE PARENTING PANEL (13)	
Chairperson:	Cllr.A.R.Lockyer
Members:	Cllrs. P.A.Rees, S.Reynolds, S.Rahaman, R.L.Taylor, R.Wood, C.Galsworthy, S.ap Dafydd, S.Miller, S.Paddison, R.Mizen, J.Hale and J.Jones

SCHOOLS STANDARDS PARTNERSHIP GROUP (6)

Chairperson:	Cllr. P.A.Rees (sub A.R.Lockyer)
Members:	Cllrs.S.Reynolds (sub R.Mizen) S. ap Dafydd (sub M.Protheroe) S.Renkes (sub D.Whitelock) J.Evans (sub J.Hale) S.Harris (sub J.Jones)

INCOME GENERATION PANEL (5)

Chairperson:	Cllr. C Clement - Williams
Members Labour:	Cllrs. S Pursey and M.Protheroe
Members: Plaid Cymru	Cllr.W.Griffiths
Members: Independent Democrats	Cllr.J.Jones

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<u>Name of Outside Body</u>	<u>Councillor Reps</u>
The Pension Fund Committee (City and County of Swansea)	P.A.Rees
Local Pension Board (City and County of Swansea)	A.R.Lockyer
South Wales Police and Crime Panel	P.A.Rees
Mid and West Wales Fire Authority	M.Crowley, S.Freeguard, A.Llewelyn and A.N.Woolcock
SWW Trade Union Consultative Committee	D.Jones
S.A.C.R.E. (Neath Port Talbot)	L.Jones, P.A.Rees, H.N.James, R.Mizen, S.Reynolds, D.Whitelock, R.Davies Director of Education, Leisure and Lifelong Learning
Welsh Association of S.A.C.R.E.	P.A.Rees
Tai Tarian Ltd	S.Reynolds and S.ap Dafydd

Abertawe Bro Morgannwg Community Health Council	A.Aubrey, C.Edwards and C.Galsworthy
Local Government Association (England & Wales) Groups	R.G.Jones, E Latham and C.Clement-Williams
Welsh Local Government Council/General Assembly	R.G.Jones, E Latham and C.Clement-Williams (substitute)
Welsh Local Government Association Executive Board	R.G.Jones
WLGA – South West Wales Regional Board	R.G.Jones and Chief Executive
Care and Repair Western Bay – Board of Management	P.D.Richards
ATC Port Talbot 499 Squadron	S.Paddison
Wales Territorial Auxiliary and Volunteer Reserve Association	A.R.Lockyer
NPT Menter Iaith (formerly Neath Port Talbot Welsh Language Initiative)	A.N.Woolcock

Afan Tawe Nedd Crime Prevention Panel	L.Jones, H.N.James and Scrutiny Chair (Community Safety and Public Protection) and Community Safety Manager
Neath Port Talbot Council for Voluntary Services	R.Wood, S.M.Penry and Assistant Chief Executive and Chief Digital Officer
Neath Port Talbot Black and Minority Ethnic Community Association	D.Jones. S.Rahaman and L.Jones plus Assistant Chief Executive and Chief Digital Officer and Equalities Officer (as Observers)
Regeneration NPT (Formerly NPT Local Regeneration Partnership Board	C.Clement-Williams (Chair) and R.L.Taylor (Substitute)
Neath Town Centre Consortium Executive Group	R.G.Jones/E Latham, A.R.Lockyer, S.M.Penry and M.Protheroe
Central and South West Wales Regional Partnership Forum	R.G.Jones
S.P.O.R.T.L.O.T. Community Chest Committee	M.Harvey, E.V.Latham, P.A.Rees and the PASS Development Officer
The Industrial Communities Alliance (incorporating CC/SteelAction)	A.Wingrave, D.Cawsey and R.Wood and Director of Environment

Welsh Books Council	S.ap Dafydd
West Glamorgan Crimebeat Committee	S.Pursey and Community Safety Manager
Court of Swansea University (formerly Court of Governors)	P A Rees and Director of Education, Leisure and Lifelong Learning
Welsh Joint Education Committee Ltd.	A.R.Lockyer
National Youth Orchestra of Wales Advisory Panel	P A Rees
Llewellyn Almshouses Trustees	H.N.James, J.Warman, and A.R.Lockyer
Swansea Bay Port Health Authority	O.Davies, A.P.H.Davies J.Warman, S.K.Hunt, N.Hunt and D.Keogh (Until next LG Elections)
Vision Impaired West Glamorgan	C.James, R.Mizen, R.Taylor and M.Protheroe
Wales Council for the Deaf	R.Mizen and Director of Social Services, Health and Housing
Swansea Bay City Deal Joint Committee	R.G.Jones or nominated representative

Swansea Bay City Region Joint Scrutiny Committee	M.Harvey, S.Freeguard and A.Llewelyn
Western Bay Area Planning Board	Assistant Chief Executive and Chief Digital Officer (No Member representation)
Association for Public Service Excellence (and APSE Wales)	D.Jones, E.V.Latham and A.N.Woolcock and Head of Streetcare
Consortium of Local Authorities Wales (C.L.A.W.)	E.V.Latham, A.Wingrave and Head of Property and Regeneration
Joint Working Party On Animal Trespass	A.N.Woolcock, S.Reynolds and H.Jones
PATROLAJC (formerly National Parking Adjudication Service Joint Committee)	E.V.Latham (Substitute – S.M.Penry)
Neath Port Authority (Previously Neath Harbour Commissioners)	A.Wingrave (until 30/09/19) and Director of Environment
Neath Port Talbot Local Access Forum	A.Wingrave and Jonathan Griffiths (Officer)

National Eisteddfod Council	A.N.Woolcock
FLEXIS Advisory Board (FAB)	Chief Executive (no Member representation)
West Glamorgan Partnership Board	R.G.Jones, P.D.Richards, A.R.Lockyer and Chief Executive and Director of Social Services
ERW Joint Committee	P.A.Rees
Neath Port Talbot Biodiversity Forum	A.Wingrave
Neath Inspired (formerly Neath Business Improvement District (BID))	M.Protheroe
The Joint Council for Wales	D.Jones and D.Cawsey (Deputy - A.N.Woolcock)
Neath Town Centre Redevelopment Group	R.G.Jones,(Leader), S.Knoyle and J.Evans, Cabinet Members for Regeneration and Sustainable Development (A.Wingrave), Streetscene and Engineering (E.V.Latham), Education, Skills and Culture (P.A.Rees), Local Member (M.Protheroe), Scrutiny Member (S.M.Penry) and Chief Executive, Director of Environment and Director of Finance and Corporate Services

Adoption Panel	A.R.Lockyer
Foster Panel	A.R.Lockyer
Secure Review Panel	A.R.Lockyer and Head of Children and Young People Services, Legal Childcare Services Manager, Member of Panel of Independent Persons
The Schools Admissions Forum	P.A.Rees, S.Reynolds, R.Mizen and N.Hunt

Meetings Administered by Democratic Services.

County Borough Council/Community Councils Liaison Forum	Cabinet Members, Leaders of other Political Groups, Chief Executive, Assistant Chief Executive and Chief Digital Officer and Corporate Directors
Neath Port Talbot Public Services Board	(R.G.Jones) Leader
NPT/Older Persons Council Liaison Forum	All Cabinet Members, Chief Executive, Assistant Chief Executive and Chief Digital Officer and Corporate Directors and representatives from Older Persons Council

NPT/Youth Council Liaison Forum	All Cabinet Members, Chief Executive, Assistant Chief Executive and Chief Digital Officer and Corporate Directors, Head of Participation and representatives from Youth Council
Voluntary Sector Liaison Forum	Cabinet Members S.ap Dafydd, R.Wood, S.M.Penry, R.Davies and S.K.Hunt
Joint Archives Committee (Administered by Swansea Dem Services)	P A Rees, R.Mizen, H.N.James, A.Aubrey and W.F.Griffiths
Margam Crematorium Joint Committee	E.V.Latham, R.Taylor, S.M.Penry, R.G.Jones, and S.Bamsey
South West Wales Regional Waste Management Joint Committee	E.V.Latham, S.M.Penry and A.Wingrave
Tata Steel Joint Consultative Group	A.Wingrave, R.Taylor, D.Keogh, S.Rahaman, M.Crowley, E.V.Latham, S.Purseley, S.ap Dafydd, R.Wood, S.K.Hunt, L.Jones, A.Llewelyn and O.S.Davies

**NEATH PORT TALBOT COUNTY BOROUGH COUNCIL
COUNCIL**

14th FEBRUARY 2020

**REPORT OF THE ASSISTANT CHIEF EXECUTIVE AND CHIEF
DIGITAL OFFICER**

MRS K JONES

**CHANGES TO EXECUTIVE GOVERNANCE ARRANGEMENTS IN
PRINCIPAL COUNCILS – WELSH GOVERNMENT CONSULTATION
DOCUMENT**

Matter for Information

Wards Affected: All wards

Purpose of Report

1. To bring the Welsh Government's consultation document – "Changes to executive governance arrangements in principal councils" to the attention of all Members of Council.

Background

2. Under current legislation, the executive governance arrangements of principal councils (of which Neath Port Talbot County Borough Council is one) can be changed to a model with an elected mayor taking responsibility for the discharge of executive functions. An elected mayor would have the right to appoint a new cabinet and might choose to replace the cabinet, which was in place before they were elected.

3. The executive governance arrangements of a principal council can be changed in the following ways:
 - Part 4 of the Local Government (Wales) Measure 2011 enables a principal council to draw up proposals to vary or replace their executive governance arrangements and to approve them by means of a resolution;
 - The Local Authorities (Referendums) (Petitions and Directions) (Wales) Regulations 2001, made under section 34 of the Local Government Act 2000, enable electors within a principal council area to petition for a change in their principal council's executive governance arrangements;
 - The Local Authorities (Referendums) (Petitions and Directions) (Wales) Regulations 2001 also enable the Welsh Ministers to direct a principal council to hold a referendum on whether they should operate executive arrangements involving an elected mayor and cabinet; and
 - Section 36 of the Local Government Act 2000 enables the Welsh Ministers to make an order requiring every principal council or every principal council falling within any description of authority specified in the order to hold a referendum on whether they should operate executive arrangements involving an elected mayor and cabinet.
4. All four methods require approval in a referendum if either the existing form of executive or proposed form of executive is a mayor and cabinet executive.
5. The Welsh Government have recently produced a consultation document entitled "Changes to executive governance arrangements in principal councils" which aims to make potential changes to these requirements. The precise elements being set out in Appendix 1 to this report. In summary these include:
 - Possible changes to the way councils can change to and from an elected mayor by introducing a deadline of eighteen months before the next set of ordinary elections for petitions, resolutions, orders and regulations to change the executive governance arrangements of a principal council
 - The introduction of a provision which ensures that when the executive governance arrangements of a principal council

have been changed, that same arrangement must be used for at least the next two electoral cycles

- the acceptance of electronic petitions to hold a referendum to change executive arrangements and their publication on council's website in addition to publication in a newspaper
- number of electorate required to trigger a referendum (currently 10% in Wales)

Financial Appraisal

6. No implications.

Integrated Impact Assessment

7. There is no requirement to undertake an Integrated Impact Assessment as this report is for information purposes.

Valleys Communities Impact

8. No implications.

Workforce Impact

9. No implications.

Legal Impact

10. No implications. In the event that any changes are to be implemented, legislation will have to be passed by Welsh Government to allow for such amendments to be made.

Risk Management

11. No implications.

Consultation

12. There is no requirement under the Constitution for external consultation on this item.

Recommendation

13. That Members note the enclosed consultation document – “Changes to executive governance arrangements in principal councils” and the consultation deadline of 27th February 2020.

Reason for Proposed Decision

14. This is a matter for information therefore no decision is required.

Implementation of Decision

15. This is a matter for information therefore no decision is required.

Appendix 1 – Welsh Government – Consultation Document – Changes to executive governance arrangements in principal councils.

List of Background Papers

None

Officer Contact:

Mrs K Jones, Assistant Chief Executive and Chief Digital Officer, Tel: 01639 763284 or e-mail k.jones3@npt.gov.uk

Mr C Griffiths, Head of Legal Services, Tel: 01639 763767 or e-mail: c.griffiths2@npt.gov.uk



Welsh Government
Consultation Document

Changes to executive governance arrangements in principal councils

Date of issue: 5 December 2019
Action required: Responses by 27 February 2020

Mae'r ddogfen yma hefyd ar gael yn Gymraeg.
This document is also available in Welsh.

Overview	This consultation is to gather views on amending provisions which govern mayoral elections.
How to respond	<p>Please respond by completing the questionnaire at the back of this respond document and sending it to :</p> <p>LGDTmailbox@gov.wales</p>
Further information and related documents	<p>Large print, Braille and alternative language versions of this document are available on request.</p> <p>More details about the Act can be found on the Welsh Government website:</p> <p>Local Government (Wales) Measure 2011 Local Government Act 2000 Local Authorities (Conduct of Referendums) (Wales) Regulations 2008 Local Authorities (Mayoral Elections) (England and Wales) Regulations 2007 Local Authorities (Referendums) (Petitions and Directions) (Wales) Regulations 2001</p>
Contact details	<p>For further information please contact:</p> <p>LGDTmailbox@gov.wales</p> <p>Local Government Democracy Division Welsh Government Cathays Park CARDIFF CF10 3NQ</p>

General Data Protection Regulation (GDPR)

The Welsh Government will be data controller for any personal data you provide as part of your response to the consultation. Welsh Ministers have statutory powers they will rely on to process this personal data which will enable them to make informed decisions about how they exercise their public functions. Any response you send us will be seen in full by Welsh Government staff dealing with the issues which this consultation is about or planning future consultations. Where the Welsh Government undertakes further analysis of consultation responses then this work may be commissioned to be carried out by an accredited third party (e.g. a research organisation or a consultancy company). Any such work will only be undertaken under contract. Welsh Government's standard terms and conditions for such contracts set out strict requirements for the processing and safekeeping of personal data.

In order to show that the consultation was carried out properly, the Welsh Government intends to publish a summary of the responses to this document. We may also publish responses in full. Normally, the name and address (or part of the address) of the person or organisation who sent the response are published with the response. If you do not want your name or address published, please tell us this in writing when you send your response. We will then redact them before publishing.

You should also be aware of our responsibilities under Freedom of Information legislation. If your details are published as part of the consultation response then these published reports will be retained indefinitely. Any of your data held otherwise by Welsh Government will be kept for no more than three years.

Your rights

Under the data protection legislation, you have the right:

- to be informed of the personal data held about you and to access it
- to require us to rectify inaccuracies in that data
- to (in certain circumstances) object to or restrict processing
- for (in certain circumstances) your data to be 'erased'
- to (in certain circumstances) data portability
- to lodge a complaint with the Information Commissioner's Office (ICO) who is our independent regulator for data protection.

For further details about the information the Welsh Government holds and its use, or if you want to exercise your rights under the GDPR, please see contact details below:

Data Protection Officer:
Welsh Government
Cathays Park
CARDIFF
CF10 3NQ

e-mail:

Data.ProtectionOfficer@gov.wales

The contact details for the Information Commissioner's Office are:

Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Tel: 01625 545 745 or
0303 123 1113

Website: <https://ico.org.uk/>

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Introduction

Principal council executive governance arrangements

At present, all 22 principal councils in Wales operate a 'leader and cabinet' model of executive governance arrangements. Following a principal council election, the principal council will appoint a leader, who will normally then appoint a cabinet of members of the principal council.

Under current legislation, the executive governance arrangements of principal councils can be changed to a model with an elected mayor taking responsibility for the discharge of executive functions. An elected mayor would have the right to appoint a new cabinet and might choose to replace the cabinet, which was in place before they were elected.

The executive governance arrangements of a principal council can be changed in the following ways:

1. Part 4 of the Local Government (Wales) Measure 2011 enables a principal council to draw up proposals to vary or replace their executive governance arrangements and to approve them by means of a resolution;
2. The Local Authorities (Referendums) (Petitions and Directions) (Wales) Regulations 2001, made under section 34 of the Local Government Act 2000, enable electors within a principal council area to petition for a change in their principal council's executive governance arrangements;
3. The Local Authorities (Referendums) (Petitions and Directions) (Wales) Regulations 2001 also enable the Welsh Ministers to direct a principal council to hold a referendum on whether they should operate executive arrangements involving an elected mayor and cabinet; and
4. Section 36 of the Local Government Act 2000 enables the Welsh Ministers to make an order requiring every principal council or every principal council falling within any description of authority specified in the order to hold a referendum on whether they should operate executive arrangements involving an elected mayor and cabinet.

All four methods require approval in a referendum if either the existing form of executive or proposed form of executive is a mayor and cabinet executive.

What are we proposing?

We are proposing that petitions should be able to be presented, proposals for resolutions be drawn up by principal councils and directions and orders be made by the Welsh Ministers from the day following an ordinary election. We propose that the deadline should be eighteen months before the date of the next set of ordinary elections.

The intention is that, following a successful petition, resolution, direction or order, there would be sufficient time for a referendum to take place and enable any mayoral election to be held at the same time as the next set of ordinary elections.

We also want to introduce a provision which ensures that when the executive governance arrangements of a principal council have been changed, that same arrangement must be used for at least the next two electoral cycles.

Why do we want to make changes?

At present, a principal council is able to draw up proposals for a resolution proposing a referendum to change its executive governance arrangements at **any time** during the electoral cycle (subject to the restriction that having passed a resolution, the council may not re-visit the issue in that same electoral cycle). The Welsh Ministers may also direct or order principal councils to hold a referendum at any point during the electoral cycle.

Petitions for a change of executive governance arrangements in principal councils are subject to a strict timetable and must commence during a set window which opens at a specified point one year before the next anticipated ordinary elections and remains open for six months.

Following a successful resolution, a referendum must be held within the period that begins two months after, and ends six months after the day on which the principal council sends the Welsh Ministers the copy of the proposals. If the result of the referendum is to approve the change of arrangements, the change must happen within the period of six months beginning with the day on which the referendum is held.

Following a successful petition, a referendum must be held within six months from the date that the petition is submitted to the principal council, and if the Welsh Ministers direct a principal council to hold a referendum, the referendum must be held six months from the date the direction is made.

It is highly likely that the election of an elected mayor would not coincide with the date of ordinary election, potentially resulting in a leader and cabinet being appointed, only to be replaced by an elected mayor and a new cabinet a short time later.

This would be politically disruptive and costly.

It is not our intention to impede any proposals to change executive governance arrangements that might be planned for the next set of ordinary elections, therefore the policies outlined in this consultation will not commence until after the 2022 ordinary elections.

Introduce a deadline eighteen months before the next set of ordinary elections for petitions, resolutions, orders and regulations to change the executive governance arrangements of a principal council.

We propose that the existing window for a petition to change the executive governance arrangements of a principal council is replaced with a specific deadline eighteen months before the next set of ordinary elections. This would mean that a petition could be submitted between the day following ordinary elections until eighteen months before the next set of ordinary elections.

An equivalent deadline of eighteen months would also apply to resolutions to change a principal council's executive governance arrangements and also to orders and directions for the same purpose made by the Welsh Ministers.

Any referendum would be held within one year from the deadline and a clear period of six months would then be allowed before the next set of ordinary elections.

This would allow sufficient time to ensure that, in the event of either a petition, resolution, order or regulations for a referendum to change executive governance arrangements, any resulting mayoral elections would be held at the same time as the next set of ordinary elections.

Introduce a provision which ensures that when the executive governance arrangements of a principal council have been changed, that same arrangement must be used for at least the next two electoral cycles.

The number of referendums a principal council can hold is limited by section 45(1) of the Local Government Act 2000 to one in any period of five years. Also, the Local Government (Wales) Measure 2011 limits the number of times that a principal council can make a resolution to change its executive arrangements to one per electoral term. However, the current situation still has the potential to create considerable political instability with what could amount to a change of executive arrangements during each electoral cycle.

In order to minimise the risk of political instability, we propose that where the executive arrangements of a principal council have been changed, no further changes can be made to them until two complete electoral cycles have passed.

Electronic Petitions and publication

We propose that legislation be amended to require local authorities to accept electronic petitions to hold a referendum to change executive arrangements.

Currently, the Local Authorities (Conduct of Referendums) (Wales) Regulations 2008 specify that public notice of a forthcoming referendum must be published in a newspaper. To bring this in line with more up-to-date methods for publishing information, we propose that a notice of referendum should be published on a principal council's website, in addition to publication in a newspaper. This will help ensure that local referendums are more accessible to a wider range of constituents and that there is more openness and transparency.

Number of electorate required to trigger a referendum

Principal councils in England require 5% of registered electors to sign a petition to trigger a referendum for a change in executive governance arrangements. In Wales 10% of registered electors are required to trigger a referendum.

We are taking this opportunity to seek views as to whether the 10% requirement should be changed.

**Consultation
Response Form**

Your name:

Organisation (if applicable):

email / telephone number:

Your address:

The purpose of this consultation is to seek your views on the above proposals.

1. Limiting the timeframe for the introduction of proposals to change executive governance arrangements

- a. Do you agree that petitions, resolutions, directions and orders to change executive governance arrangements should all be subject to a deadline?

Yes

No

- b. If so, do you agree that the deadline should be set to eighteen months before the next set of local elections, therefore facilitating any referendum to take place before the next ordinary elections?

Yes

No

- c. If no to any of these questions, why not? Please provide further details

2. Change of governance arrangements

- a. Do you agree that, where the executive governance arrangements of a principal council have been changed, the principal council must maintain those arrangements for two full electoral cycles?

Yes

No

b. If no, why not? Please provide further details

3. Electronic petitions

a. Do you agree that legislation should be amended to require principal councils to accept petitions in electronic format?

Yes

No

b. Do you also agree that the notice of referendum should be published on a principal council's website, in addition to publication in a newspaper?

Yes

No

c. Are you content with the current bilingual provisions for petitions?

Yes

No

d. If no, why not? Please provide further details

4. Number of electorate required to trigger a referendum

Principal councils in England require 5% of registered electors to sign a petition to trigger a referendum for a change in executive governance arrangements. In Wales 10% of registered electors are required to trigger a referendum.

a. Do you believe that the threshold to trigger a referendum needs to be changed?

Yes

No

b. If you would like to express any views on this, please provide further details:

5. We would like to know your views on the effects that proposals to amend primary legislation which enables principal councils to change executive governance arrangements would have on the Welsh language, specifically on opportunities for people to use Welsh and on treating the Welsh language no less favourably than English.

What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?

6. Please also explain how you believe the proposed policy on proposals to amend primary legislation which enables principal councils to change executive governance arrangements could be formulated or changed so as to have positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language, and no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

7. We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

Returning this form

The closing date for replies is **27 February 2020**

Please send this completed form by email to

LGDTmailbox@gov.wales

If you are sending your response by email, please mark the subject of your e-mail: **Consultation on proposals to amend primary legislation which enables principal councils to change executive governance arrangements**

Publication of responses

Responses to consultations may be made public – on the internet or in a report. Normally the name and address (or part of the address) of its author will be published along with the response, as this helps to show the consultation exercise was carried out properly.

Responses to consultations are likely to be made public, on the internet or in a report. If you would prefer your response to remain anonymous, please tick here:

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2018/2019

Democratic Services Committee

Annual Report

1. Chairperson's Foreword

It is with great pleasure that I present the Annual Report for the Democratic Services Committee for the 2018/2019 civic year.

It is the second such report to be produced by the committee, having produced its initial Annual Report following the 2017/2018 civic year. Its publication is an attempt to provide an element of good practice for Members in addition to the production of an appropriate yardstick with which to approach the generation of future reports.

The committee's forward work programme is agreed by members on a rolling basis. Whilst the committee takes decisions and provides direction for the Council on several key matters relating to member support and associated issues, members remain mindful that it is the cabinet and ultimately Council that has overall responsibility for all strategic and far reaching decision making on behalf of Neath Port Talbot Council.

However, members are also mindful that they are charged with the duty of carrying out all of the statutory requirements provided for this committee under the Local Government (Wales) Measure 2011. In this respect, I am delighted to report on the success of the committee during the last civic year.

2. Purpose of Annual Report

The main aim of this report is to highlight the work that has been undertaken by the Democratic Services Committee during 2018/19.

The document may also facilitate discussions on additional items that could be included within the work programme for 2019/2020.

3. Committee Membership

The members of the Democratic Services Committee were:

Councillors J.D.Morgan, M.Harvey,
S. ap Dafydd, S.K.Hunt, S.Miller, M.Protheroe,
S.Pursey, S.Renkes, A.J.Richards, A.J.Taylor,
R.L.Taylor and A.Llewelyn

The committee Chair was Cllr. Dr. Del Morgan, and the Vice Chair was Cllr. Mike Harvey.

4. Number of Meetings Held

The committee formally met three times during 2018/19. The committee is also responsible for forming a number of specific task and finish groups as appropriate to look at particular key topics in more detail. These groups are then able to feed back to the committee with a set of recommendations, as appropriate. During 2018/2019, the following task and finish groups were active: Members' IT Reference Group and the Disability Audit Working Group.

5. Issues Considered During 2018/2019

The following topics were discussed:

Members' Personal Development Review (PDR) Process

In September 2018, the committee received the findings of the task and finish group set up to consider the Members' Annual Personal Development Review (PDR) process.

The council is required to make arrangements to secure reasonable training and development opportunities for elected members and specifically that each elected member should have the opportunity for an interview with a suitably qualified person each year to advise about their training and development needs. As part of their review, the members of the task and finish group considered the statutory guidance and scheme already in place.

The following recommendations of the task and finish group were supported by the committee:

1. That the current Annual Personal Development Review Scheme for elected members be retained and all members be reminded on an annual basis of their entitlement to participate;
2. That alongside the Annual Personal Development Review Scheme all members are reminded on an annual basis of the alternative ways their training and development needs can be met alongside the scheme; and
3. That a small group of councillors be nominated from the individual political groups to undertake training to allow them to be 'reviewers' for the purpose of the Scheme, and that the Head of Democratic Services also be identified as a 'reviewer' to undertake Annual Personal Development Reviews with elected members if they so choose, reflecting the preference of a number of members who are already addressing their development needs in this way.

Following receipt of the above recommendations, a cohort of members were identified, along with the Head of Democratic Services, as reviewers and received the necessary training to undertake PDR's. All members were reminded of the entitlement to participate in the scheme.

Members' IT Reference Group

During 2018, the group was re-established and its terms of reference reviewed to reflect the focus of the work of the group:

- To provide a structured and focussed opportunity for members to consider the extent to which the ICT equipment, support and training meets members' needs;
- To provide a structured mechanism to shape the use of the committee administration system Modern.Gov to best suit members' needs.

On 21 February 2019, the group met to discuss the issues and challenges members have when using information technology (IT) devices, such as iPad's, laptops and mobile phones. During 2019/2020 it is planned for the group to explore the new skype and Office 365 systems that will be introduced to members and staff. Going forward, this group will be utilised as a forum to pilot the systems, to ensure a seamless roll out to the wider group of members.

Member Annual Report Scheme

In September 2018, the committee received the findings of the task and finish group set up to consider the Member Annual Report Scheme. Members of the task and finish group considered the guidance and template already in place and the ways in which information was disseminated to their constituents.

The following recommendations of the task and finish group were supported by the committee:

1. That the design of the current Annual Report Template be improved

- to make it more dynamic;
2. That members be reminded of the Scheme and be provided with a copy of the improved template;
 3. That training be provided for those members interested in the use of Social Media, and to receive appropriate support including training on analytics;
 4. That a tool kit be developed to assist members in designing their newsletters.

Members' Apologies at Meetings

In September 2018, the Democratic Services Committee reviewed and updated the current Members' Apologies Policy, which was then approved by Council in December 2018.

Guidance Note for Members on Declarations of Interest and Decision Making Issues

In November 2018, members considered a draft guidance note prepared by the Head of Legal Services. Following consideration, members requested some minor amendments before the guidance note was issued to all members.

Disability Audit Working Group

During 2019, the committee commissioned an external organisation to carry out a disability audit of members' facilities in both Port Talbot and Neath Civic Centres. Following an invitation to all members to be involved in this work, a working group was established chaired by Cllr. Sandra Miller. The disability design and access audit was undertaken in April 2019 and the working group will shortly be considering how to progress the recommendations and report back its findings to the committee.

Members' Development and Training Programme

In September 2018, the committee considered the results of the Members' Development Survey which was undertaken during May and

June 2018 to provide a steer on how the information should be used to inform the Member Development Programme for 2018/2019.

Following consideration of the feedback, members identified the following priority areas for training for the remainder of the civic year 2018/19:

- Social Media
- Charing Skills (for Council meetings and meetings within community wards)
- Committee Procedures (following the update to the Constitution by the Head of Legal Services)
- Income Generation and Commercialisation

IRPW (Independent Remuneration Panel for Wales)

In November 2018, the committee considered the Draft Report of the Independent Remuneration Panel for Wales. The committee discussed the proposed changes to be implemented in 2019/2020 which informed the Council's formal response to the proposals.

In March 2019, the committee noted the final IRPW Report and forwarded their concerns to the IRPW on the Carers' Allowance being classified as an income rather than a reimbursement.

Member Scrutiny Champion – Update Report

In March 2019, the committee received an update from the Member Scrutiny Champion, Cllr Arwyn Woolcock, following the conclusion of recent observations of various scrutiny committee meetings.

Following consideration of the content of the Member Scrutiny Champion's update, at the request of the committee, an e-mail was circulated by the Assistant Chief Executive and Chief Digital Officer to all members reminding them that grammatical issues contained in reports and minutes are to be raised with relevant officers and dealt with outside of meetings.

The committee also requested that a report be prepared to the next meeting (2019/2020 Civic Year) regarding non-committee member

attendance at meetings and that the attendance of members at pre-briefings be monitored by the chairs and vice chairs of Scrutiny Forum.

Rules of Procedure

In November 2018, the committee considered and agreed two amendments to the Rules of Procedure to the Council's scrutiny meetings which were subsequently approved at Council. Those amendments were the replacement of the existing paragraph 12.4 with the following:

"12.4 Content and Length of Speeches and Questions

Speeches must be directed to the question under discussion or to a personal explanation or point of order. No speech may exceed 5 minutes without the consent of the chairman save for non-executive Council Committees and Sub-Committees (including the Audit, Standards and Scrutiny Committees) where the time allowed for speeches and/or questions shall be at the discretion of the Chairperson (as a guide around 10 minutes per member)"

and the amendment to the Constitution that the person who is appointed chair to a meeting is to go by the title of "Chairperson".

Democratic Services Staffing Structure

In March 2019, the committee noted the updated staffing structure, which was subsequently endorsed by Council.

Forward Work Programme

Progress made on the items contained in the FWP as at the beginning of this Civic Year:

IT Ref Group this has been established and is meeting regularly

Members' Development and Training Programme is being progressed

Constitutional Issues reports have been submitted to Council in relation to the definition of Chairperson. The Head of Legal Services has also commenced a review of the Constitution.

Disability Audit this has been carried out and the results of this are being analysed.

Cllr. Dr. Del Morgan, Chairperson
September 2019

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