

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Council

23rd December 2020

Report of the Chief Executive

Matter for Decision

Wards Affected:

All wards

Annual General Meeting 2020

Purpose of the Report:

To ensure meetings of the Council and its Executive and Committees are constituted in compliance with the Local Government Act 1972, Local Government Act 2000 and Local Government (Wales) Measure 2011, as amended by the Local Authorities (Coronavirus) (Meetings) (Wales) Regulations 2020.

Background:

In accordance with the Council's Constitution, the Council is obliged at its annual meeting to undertake the following:

- (a) elect a person to preside if the Chair of Council is not present; but no member of the Executive can preside, or be Chair or Vice Chair of the Council;
- (b) elect the Chair of the Council (who will be entitled "Mayor");
- (c) appoint the Vice Chair of the Council (who will be entitled "Deputy Mayor");
- (d) receive any announcements from the Chair and/or Chief Executive;

- (e) elect the Leader and Deputy Leader of the Council;
- (f) agree the number of Members to be appointed to the Executive;
- (g) appoint Scrutiny Committees, a Standards Committee and such other Committees as the Council considers appropriate to deal with matters which are neither reserved to the Council nor are executive functions (as set out in Part 3 of this Constitution)
- (h) agree such delegations as the Constitution determines it is for the Council to agree (as set out in Part 3 of this Constitution)
- (i) approve a programme of ordinary meetings of the Council and its Committees for the year, and
- (j) consider any business set out in the notice convening the meeting.

The Local Authorities (Coronavirus) (Meetings) (Wales) Regulations 2020 (“the Regulations”) were passed in April 2020 which amended some of the usual rules about meetings.

Part 3 removed the requirement for the 2020 annual meeting of a principal council to be held in March, April or May 2020. The Regulations enable the annual meetings of principal and community councils in 2020 to be held on such day in 2020 as the proper officer (Chief Executive) may determine.

The Regulations also make temporary provision in relation to the election of mayors and Council is asked to endorse these arrangements. Regulation 11 provides that if there is no election of a chair at the annual meeting of the council in 2020, the person holding office as chair immediately before the annual meeting of the Council in 2020 may continue to hold office. Accordingly, if the Council does not wish to elect a new mayor for the civic year 2020-21 the mayor elected in the 2019-20 civic year continues in the role. The three political group leaders agreed earlier this year to support the continuation of the current Mayor Cllr Scott Jones as mayor for the civic year 2020-21 and of the current Deputy Mayor Cllr John Warman.

In order to meet the requirements of the Regulations and our Constitution, attached at Appendix 1 are the proposed arrangements for the civic year 2020-21 which require confirmation by Council:

Annex A:	Executive Arrangements;
Annex B:	Size of Committees and apportionment of seats to the political groups
Annex C:	Scrutiny Committees
Annex D:	Other Committees;
Annex E:	Joint Committees, Outside & Other Public Bodies;
Annex F:	Cycle and Timetable of Meetings plus schedule of Seminar Dates
Annex G:	Distribution of Senior Salaries
Annex H:	Terms of Reference – Member Panel Coronavirus
Annex I:	Democratic Services Structure and Staffing Resources

Financial Impacts:

There are no new financial impacts associated with these recommendations

Integrated Impact Assessment:

There is no requirement for an Integrated Impact Assessment as this is a report in respect of governance arrangements only

Valleys Communities Impacts:

There are no valley community impacts

Workforce Impacts:

The report details the outcome of the latest assessment undertaken by the Head of Democratic Services in relation to the staff resources needed to deliver Democratic Services and has been supported by the Democratic Services Committee.

Legal Impacts:

The report discharges duties placed on the Council under the Local Government Act 1972, the Local Government (Wales) Measure 2011 and the Local Authorities (Coronavirus) (Meetings) (Wales) Regulations 2020. The report also authorises senior salary payments eligible under the Independent Remuneration Panel for Wales arrangements.

Risk Management Impacts:

Failure to ensure that the appropriate appointments are made could render the Council in breach of its statutory duties.

Consultation:

There will be no requirement for any consultation at this stage.

Recommendations:

It is recommended that:

- (a) Councillor Scott Jones be confirmed Mayor for the remainder of the Civic Year 2020/21 pursuant to Section 23(1) of the Local Government Act 1972 and Local Authorities (Coronavirus) (Meetings) (Wales) Regulations 2020.
- (b) Councillor John Warman be confirmed the Deputy Mayor for the Civic Year 20/21 pursuant to Section 24(1) of the Local Government Act 1972 and Local Authorities (Coronavirus) (Meetings) (Wales) Regulations 2020.
- (c) Pursuant to Part 4, Section 1(1.1) of the Constitution, Councillor R.G.Jones be elected Leader of the Council and Councillor E. Latham be elected Deputy Leader of the Council for the remainder of Civic Year 2020/21.
- (d) The proposed executive arrangements for the remainder of the Civic Year 2020/21 is a Cabinet of nine Members, including the Leader in respect of the size of the Cabinet. The relevant Portfolios for each of the Executive Posts, the number and size of Cabinet Boards and their respective Functions and Councillor appointments being as set out in Appendix 1, Annex A.

- (e) That the size of committees and proposed apportionment of seats to the political Groups for the relevant committees for the remainder of the Civic Year 2020/21 be as set out in Appendix 1, Annex B (but it be unanimously resolved that pursuant to Section 17 of the Local Government and Housing Act 1989, the political balance requirements of Sections 15 and 16 should not apply to the Appeals Panel, Standards Committee and the Licensing and Gambling Acts Sub Committee).
- (f) The proposed structure of the five Scrutiny Committees and their functions and the apportionment of chairs of scrutiny committees amongst the constituted Political Groups and the member appointments to each Scrutiny Committee in accordance with the wishes of the political groups together with the re-appointment of the co-opted members to the Education Skills and Culture Scrutiny Committee for the remainder of the Civic Year be as set out in Appendix 1, Annex C.
- (g) The Committees set out in Appendix 1, Annex D be re-constituted under the existing arrangements for the remainder of the Civic Year 2020/21 with the members appointed to each Committee being as set out in Appendix 1 Annex D. The chair and vice chair of the Audit Committee to be drawn from the opposition members of the committee and to be determined by the Audit Committee. The Chair and Vice Chair of the Licensing Sub-Committee to be determined by the Sub-Committee.
- (h) The proposed appointment (once approved by Cabinet) of Member/Officer appointments to Joint Committees, Outside and Other Public Bodies for the remainder of the Civic Year 2020/21 set out in Appendix 1, Annex E be noted.
- (i) The proposed Committee Cycle and Timetable for the remainder of the Civic Year 2020/21 (including Member Seminars) set out at Appendix 1, Annex F be approved.
- (j) That the distribution of the available Senior Salaries as contained in Appendix 1, Annex G be approved.
- (k) The terms of reference and membership of the Member Panel – Coronavirus set out at Appendix 1, Annex H be approved.
- (l) The structure for Democratic Services set out at Appendix 1, Annex I be endorsed.

Reasons for Proposed Decision:

To meet the requirements of the Local Government Act 1972, the Local Government (Wales) Measure 2011 and the Local Authorities (Coronavirus) (Meetings) (Wales) Regulations 2020

Implementation of Decision:

The decision is proposed for implementation immediately.

Appendices:

None

List of Background Papers:

Constitution of Neath Port Talbot County Borough Council

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