

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

DEMOCRATIC SERVICES COMMITTEE

3rd October 2022

Report of the Head of Legal and Democratic Services- Mr Craig Griffiths.

Matter for Information

Wards Affected:

All Wards

Role and Function of the Democratic Services Committee

Purpose of the Report

- To provide to Members information on the role and functions of the Democratic Services Committee.

Background

- The Council is required by Section 11 (1) of the Local Government (Wales) Measure 2011 to have a Democratic Services Committee.
- The Constitution of Neath Port Talbot Council and the Local Government (Wales) Measure 2011 specifically sets out the role and functions of the Democratic Services Committee and includes the option for the Committee to form a sub-committee as well.
- Membership:
- The Membership of the Democratic Services Committee shall be appointed by Full Council subject to the following rules:
- All members of the Democratic Services Committee shall be elected members of the Council;

- No more than one of the members of the Democratic Services Committee shall be a member of the Council's executive;
- The Leader of the Council's executive is not a member of its Democratic Services Committee;
- If a person ceases to be an elected Member they will cease to be a Member of the Committee; and
- The Chair of the Democratic Services Committee must not be a member of the Executive Group

Functions:

The functions of the Democratic Services Committee are:-

- To exercise the functions of the Council under Section 8(1) Local Government (Wales) Measure 2011 (designation of Head of Democratic Services) (as more particularly described in Section 9(1) of the Local Government (Wales) Measure 2011);
- To review the adequacy of provision by the Council of staff, accommodation and other resources to discharge democratic services functions (including but not limited to councillor training, Improvements and innovations to Council democratic practices;
- To make reports and recommendations to the Council in relation to such provision;
- To determine whether or not the Councillors period of family absence should be cancelled in accordance with Regulation 34 of the Local Government (Wales) Measure 2011.
- To determine whether or not to withhold a Councillor's Remuneration should they fail to return following a period of family absence on the date specified in the notice provided
- To review at the request of Full Council any matter relevant to the support and advice available to Members of the Authority and the terms and conditions of office of those Members provided that the Committee must make reports and recommendations to Council following such review (footnote Section 11A Local Government (Wales) Measure 2011)

- To undertake any additional work that may be set to them by Full Council.

Agenda items:

- Any member of the Democratic Services Committee shall be entitled to give written notice to the Chief Executive at least 8 clear working days before the date of the next meeting that he/she wishes an item relevant to the functions of the Committee to be included on the agenda for, and be discussed at, a meeting of the Committee.
- On receipt of such a request, the Chief Executive shall ensure that it is included on the agenda for the next or subsequent meeting (the determination as to which meeting to rest with the Committee Chair).
- Any Member of the Council who is not a member of the Democratic Services Committee may give written notice to the Chief Executive at least 8 working days before the date of the next meeting that he/she wishes a matter which is relevant to the functions of the committee to be included on the agenda of the Committee.
- If the Chief Executive receives such a notification, then he shall include the item on the agenda for the next or a subsequent meeting (the determination as to which meeting to rest with the Committee Chair). Such member may then attend the Committee to speak, but not vote, nor move, second or amend any motion on that item.
- Any Member of the Council who is not a Member of the Democratic Services Committee may by request to and by agreement of the Committee Chair (subject to any relevant Code provisions) attend in respect of a particular item (or items) of interest. The Member may speak, but not move second or amend a motion. The attendance shall relate to the particular item (or items) on the agenda

Meetings of the Democratic Services Committee:

Unless otherwise agreed by the Chair and Vice Chair there shall be at least two ordinary meetings of the Democratic Services Committee in each year. There must be at least one meeting in each calendar year. In

addition, extraordinary meetings may be called from time to time as and when appropriate.

An Extraordinary Meeting of the Democratic Services Committee shall be convened in the following circumstances:

- The Chair of the Democratic Services Committee so requires it, or
- The full Council resolves that the Democratic Services Committee shall meet, or
- At least one third of the Members of the Democratic Services Committee requisition a meeting by giving one or more notices in writing to the Chair, or
- If the Chief Executive or the Chief Finance Officer or Monitoring Officer or Head of Democratic Services consider it necessary and appropriate

Forward Work Programme:

The Democratic Services Committee will have a Forward Work Programme which will be considered at each meeting. The Head of Democratic Services will include items that need to be considered and the Committee can choose to add items for future consideration.

Task and Finish Reviews:

There is also scope for the Democratic Services Committee to undertake Task and Finish Reviews.

- Where the Democratic Services Committee conducts investigations (e.g. with a view to policy development), the committee may also ask people to attend to give evidence at committee meetings which are to be conducted in accordance with the following principles:-
 - (a) that the investigation is conducted fairly and all members of the committee be given the opportunity to ask questions of attendees, and to contribute and speak;
 - (b) that those assisting the committee by giving evidence be treated with respect and courtesy; and
 - (c) the investigation be conducted so as to maximise the efficiency of the investigation or analysis.

Following any investigation or review, the Democratic Services Committee shall prepare a proposal for submission to the executive and/or Council as appropriate, and shall make its proposal and findings public.

Financial Impact

No impact.

Integrated Impact Assessment

There is no requirement to undertake an Integrated Impact Assessment as this report is in relation to administrative matters only.

Workforce Impacts

No impact.

Risk Management

No impact.

Legal Powers

Local Government (Wales) Measure 2011 (S.11)

- <http://www.legislation.gov.uk/mwa/2011/4/contents>

Valleys Communities Impacts:

There are no specific impacts for valley communities arising from this report.

Consultation

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

Recommendation

That the Democratic Services Committee note the information in relation to its functions and responsibilities.

Reason for report

To note the role and functions of the Democratic Services Committee.

Officer Contacts

Craig Griffiths – Head of Legal and Democratic Services

e-mail: c.griffiths2@npt.gov.uk

Stacy Curran- Democratic Services Manager

Email: s.curran@npt.gov.uk