

**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL  
MUNICIPAL YEAR 2017-2018**

**COUNCIL**

**17 MAY 2017**

**REPORT OF THE DIRECTOR OF LEGAL  
AND DEMOCRATIC SERVICES**

**URGENT ITEM  
Agenda Item No. 19**

**APPOINTMENT OF  
COMMITTEES, REVIEW OF  
POLITICAL BALANCE AND  
APPOINTMENT OF CHAIRS  
AND VICE-CHAIRS  
FOR THE MUNICIPAL YEAR  
2017- 2018**

**1. PURPOSE OF THE REPORT**

To consider the appointment of the Council's Committees, advise Members of the outcome of the review of the Political Balance of the Council and appoint Chairs and Vice-Chairs for the Council's Committees for the Municipal Year 2017-2018.

**2. RECOMMENDATIONS**

**APPOINTMENT OF COMMITTEES**

2.1 To appoint the under-mentioned Committees for the 2017-2018 Municipal Year:-

- Planning and Development Committee (subject to the approval of the change in name of this Committee as at Agenda Item 6) (x11 Members)
- Licensing Committee (x11 Members)
- Appointments Committee (x5 Members)
- Appeals/Employee Appeals/Chief Officer Appeals Committee (x5 Members)
- Overview and Scrutiny Committee (x11 Members)
- Finance and Performance Scrutiny Committee (x11 Members)
- Public Service Delivery, Communities and Prosperity Scrutiny Committee (x11 Members)
- Children and Young People Scrutiny Committee (x11 Members) plus Statutory Co-optees
- Health and Well-Being Scrutiny Committee (x11 Members)
- Audit Committee (x11 Members) plus 1 Lay Member
- Democratic Services Committee (x11 Members)

- Corporate Governance and Constitution Committee (x8 Members)
- Pension Fund Committee (x5 Members)

2.2 To appoint x5 Members to the Cwm Taf Public Services Board Joint Overview and Scrutiny Committee, the Members of which are to be nominated from the Council's Overview and Scrutiny Committee.

### POLITICAL BALANCE

2.3 That the scheme for the allocation of seats to the different political groups and bodies to which Section 15 of the Local Government and Housing Act 1989 applies, as detailed in Appendix 1 to this report, be adopted.

2.4 That the Director of Legal and Democratic Services be authorised to make appointments to politically balanced bodies upon receipt by him as Proper Officer, of notification of the wishes of the political groups subject, in the case of subsequent requests for amendment of membership of Committees, being referred to Council.

2.5 To note that Members of the Cabinet are not eligible for appointment to the Overview and Scrutiny Committee or Scrutiny Committees.

2.6 To note that at least one Member of the Cabinet can sit on the Audit and Democratic Services Committees but the Council Leader is excluded from the positions.

### APPOINTMENT OF CHAIRS AND VICE-CHAIRS

2.7 To appoint the Chairs and Vice-Chairs to the Committees listed in paragraph 6 of this report, viz:

- Planning and Development (subject to the approval of the change in name of this Committee as at Agenda Item 6)
- Licensing
- Appointments
- Appeals/Employee Appeals/Chief Officer Appeals Committees
- Pension Fund Committee

2.8 To appoint the Chair and Vice-Chair of the Democratic Services Committee subject to the conditions laid down in the Local Government (Wales) Measure 2011.

- 2.9 To note that under the requirements of the Local Government (Wales) Measure 2011, the Chair of the Audit Committee is to be appointed by the Audit Committee.
- 2.10 To agree that the responsibility for the appointment of the Vice-Chair of the Audit Committee be delegated to the Audit Committee.
- 2.11 To determine which two Scrutiny Committee Chairs are to be allocated to the Plaid Cymru Group.
- 2.12 To seek nominations from the appropriate Political Groups for the appointment of Chairs to the following Scrutiny Committees, viz:
- Overview and Scrutiny
  - Finance and Performance Scrutiny Committee
  - Public Service Delivery, Communities & Prosperity Scrutiny Committee
  - Children & Young People Scrutiny Committee
  - Health & Well-Being Scrutiny Committee
- 2.13 To appoint the Chair of the Cwm Taf Public Services Board Joint Overview and Scrutiny Committee `JOSC` who must be a Member of the Council's Overview and Scrutiny Committee and will be Chair until May 2018 (as agreed at the Inaugural Meeting of the JOSC on the 20<sup>th</sup> February 2017).
- 2.14 To seek nominations for the appointment of Vice-Chairs to the following Scrutiny Committees viz:
- Overview and Scrutiny
  - Finance and Performance Scrutiny Committee
  - Public Service Delivery, Communities & Prosperity Scrutiny Committee
  - Children & Young People Scrutiny Committee
  - Health & Well-Being Scrutiny Committee
- 2.15 To note that the Vice-Chair of the Cwm Taf Public Services Board Joint Overview and Scrutiny Committee is to be nominated by Merthyr Tydfil County Borough Council.
- 2.16 To appoint the Scrutiny Performance Management Co-ordinator.
- 2.17 That in accordance with the decision made at the Council's Annual Meeting held on the 20<sup>th</sup> May 2015, to note the appointment of the Mayor and Deputy Mayor as the Chair and Vice-Chair to the Corporate Governance and Constitution Committee.

### **3. BACKGROUND**

- 3.1 Following publication of the AGM Agenda I was notified that a political group, namely the Conservative Group, consisting of four Members had been created. As the published Agenda did not reflect the formation of this group, and with the consequential affect it has on the Political Balance of the Council, it would have meant not being able to deal with certain Agenda items at the AGM and that the democratic functions of the Council would not be able to operate until a revised report was presented to the next Council meeting. To avoid that situation I have prepared this report which reflects the revised Political Balance, which the Mayor has agreed should be dealt with by way of urgent business.

### **4. APPOINTMENT OF COMMITTEES**

- 4.1 Following consideration of the revised Political Balance it became apparent that Scrutiny, Audit and Democratic Services Committees consisting of x10 Members (as originally detailed in Agenda Item 7) would have meant the Conservative Group not gaining a seat on those Committees. It is therefore proposed that the membership of those Committees be increased to x11 Members which would mean the Conservative gaining one seat on each Committee.

- 4.2 The Council is requested to consider the appointment of the following Committees for the 2017-2018 Municipal Year: -

- Planning and Development Committee (subject to the approval of the change in name of this Committee as at Agenda Item 6) (x11 Members)
- Licensing Committee (x11 Members)
- Appointments Committee (x5 Members)
- Appeals/Employee Appeals/Chief Officer Appeals Committee (x5 Members)
- Overview and Scrutiny Committee (x11 Members)
- Finance and Performance Scrutiny Committee (x11 Members)
- Public Service Delivery, Communities and Prosperity Scrutiny Committee (x11 Members)
- Children and Young People Scrutiny Committee (x11 Members) plus Statutory Co-optees
- Health and Well-Being Scrutiny Committee (x11 Members)
- Audit Committee (x11 Members) plus 1 Lay Member
- Democratic Services Committee (x11 Members)

- Corporate Governance and Constitution Committee (x8 Members)
- Pension Fund Committee (x5 Members)

4.3 To appoint x5 Members to the Cwm Taf Public Services Board Joint Overview and Scrutiny Committee, which are to be nominated from the membership of the Council's Overview and Scrutiny Committee.

## 5. **POLITICAL BALANCE**

5.1 Section 15 of the Local Government and Housing Act 1989 makes provisions for securing the political balance on certain relevant Authorities, Committees and Bodies. In the case of the Council, it is a requirement that the representation of the different political groups to secure political balance is reviewed at, or as soon as practicable after the annual meeting of the Council.

5.2 Subject to the adoption of the scheme, at Appendix 1 to the report, it will be the duty of the Council to make appointments to those seats in accordance with the wishes of the political groups and to facilitate this process, it has been previous practice for power to be delegated to myself to accept and make the appointments notified to me by the political groups. However, in the case of subsequent requests for amendments to the membership of Committees, they should be the subject of a report to the Council.

5.3 Members are requested to note that:

- A Member of the Cabinet may not be a member of the Overview and Scrutiny Committee or any of the Scrutiny Committees
- At least one Member of the Cabinet can sit on the Audit and Democratic Services Committees but the Council Leader is excluded from the positions.

## 6. **APPOINTMENT OF CHAIRS AND VICE-CHAIRS**

6.1 The Council is requested to appoint Chairs and Vice-Chairs to the under-mentioned Committees:

- Planning and Development Committee (subject to the approval of the change in name of this Committee as at Agenda Item 6)
- Licensing Committee
- Appointments Committee

- Appeals/Employee Appeals/Chief Officer Appeals Committee
- Pension Fund Committee

6.2 APPOINTMENT OF DEMOCRATIC SERVICES COMMITTEE CHAIR

6.3 In accordance with the requirements of the Local Government (Wales) Measure 2011 (the 'Measure'), the Council must appoint the Chair of the Democratic Services Committee and that Chair must not be a Member who belongs to a group with Members in the Executive. Council may also appoint the Vice-Chair.

6.4 APPOINTMENT OF AUDIT COMMITTEE CHAIR

6.5 In accordance with the requirements of the Measure, the Chair of the Audit Committee is to be appointed by the Audit Committee.

6.6 At last year's Annual General Meeting, the Council decided that the appointment of Vice-Chair of the Audit Committee would be delegated to that Committee and it is proposed to continue with this process for 2017/18.

6.7 APPOINTMENT OF SCRUTINY COMMITTEE CHAIRS

6.8 The appointment of the persons to Chair the Scrutiny Committees must comply with the requirements set out in the Measure.

6.9 In light of the Political Balance report and that there are two or more Political groups with multiple Scrutiny Committees, the application of the procedures set out in Section 70 of the Measure results in the allocation set out below:

Labour Group 3  
Plaid Cymru Group 2  
Conservative Group 0

6.10 The Council must determine, which of the following two Scrutiny Committees are to be Chaired by the Plaid Cymru Group.

- Overview and Scrutiny
- Finance and Performance Scrutiny Committee
- Public Service Delivery, Communities & Prosperity Scrutiny Committee
- Children & Young People Scrutiny Committee
- Health & Well-Being Scrutiny Committee

- 6.11 Nominations can then be received from appropriate Group Officers to fill the outstanding Scrutiny Chair posts.
- 6.12 The Council will need to appoint the Vice-Chairs of the five Scrutiny Committees.
- 6.13 The Council also needs to appoint the Scrutiny Performance Management Co-ordinator.
- 6.14 APPOINTMENT OF CORPORATE GOVERNANCE AND CONSTITUTION COMMITTEE
- 6.15 The Local Government Act 2000 requires the Council to keep its Constitution under review and up to date and the Corporate Governance and Constitution Committee has been appointed for this purpose. The Committee is a body to which the political balance requirement of the Local Government and Housing Act 1989 applies.
- 6.16 The Council is requested to note that at the Annual Meeting held on the 20<sup>th</sup> May 2015, the appointment of the Chair and Vice Chair of this Committee is to be allocated to the Mayor and Deputy Mayor respectively.





**APPENDIX 1****POLITICAL BALANCE 2017/18****TABLE A**

		<i>Labour</i>	<i>Plaid</i>	<i>Conservative</i>	<i>Unallocated</i>
<b>Members</b>	75	47	18	4	6
	<b>Total</b>				
<b>Political Balance</b>	<b>Seats</b>				
Planning & Development	11	7	3	1	
Licensing	11	7	3	1	
Constitution	8	5	3	0	
Appointments	5	4	1	0	
Pensions	5	4	1	0	
Appeals	5	4	1	0	
<b>Total</b>	<b>45</b>	<b>31</b>	<b>12</b>	<b>2</b>	<b>0</b>

**TABLE B****TABLE TO CALCULATE POLITICAL BALANCE FOR INDIVIDUAL COMMITTEES**

<b>Total Seats</b>	<b>Labour</b>	<b>Plaid</b>	<b>Conservative</b>
3	2	1	
4	3	1	
5	4	1	
6	4	2	
7	5	2	
8	5	2	1
9	6	2	1
10	7	3	
11	7	3	1
12	8	3	1
13	9	3	1
14	9	4	1
15	10	4	1
16	11	4	1
17	12	4	1
18	12	5	1
19	13	5	1
20	14	5	1
21	14	6	1
22	15	6	1

**INDIVIDUAL COMMITTEES SUBJECT TO POLITICAL BALANCE**

	<b>Seats</b>	<b>Labour</b>	<b>Plaid</b>	<b>Conservative</b>
Overview & Scrutiny	11	7	3	1
Finance & Performance Scrutiny	11	7	3	1
Public Service Delivery, Communities & Prosperity Scrutiny	11	7	3	1
Children & Young People Scrutiny	11	7	3	1
Health & Well-Being Scrutiny	11	7	3	1
Democratic Services	11	7	3	1
Audit	11	7	3	1

**LOCAL GOVERNMENT ACT 1972**

**AS AMENDED BY**

**THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT  
1985**

**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

**COUNCIL**

**17 MAY 2017**

**AGM**

**REPORT OF THE DIRECTOR, LEGAL & DEMOCRATIC SERVICES**

**Appointment of Committees, review of political balance and  
appointment of Chair and Vice-Chairs for the Municipal Year 2017-  
2018**

**Background Papers**

Local Government & Housing Act 1989  
Local Government (Committees and Political Groups) Regulations  
1990

Freestanding Matter