

REPORT OF THE CHIEF EXECUTIVE
COUNCIL MEETING 11TH SEPTEMBER 2019
REVIEW OF THE COMPOSITION OF THE COUNCIL'S COMMITTEES AND THE
APPOINTMENT OF MEMBERS TO SERVE UPON THEM

1. INTRODUCTION

The Chief Executive received notice from Councillor Colin Evans on the 28th July 2019 that he had resigned from the Labour Group, and had subsequently joined the Plaid Cymru Group on the 4th September 2019. In accordance with the requirements of the Local Government and Housing Act 1989 the Local Government (Committees and Political Groups) regulations 1990, as amended, and the Local Government Wales (measure) 2011, the Council is required to appoint members to serve on its committees and to allocate those seats so that they reflect the overall political composition of the Council, as far as possible.

2. POLITICAL BALANCE AND COMPOSITION OF COMMITTEES

2.1. Composition of Committees and Panels of the Council

The membership of the political groups as at 5th September 2019 is as follows :-

| Political Group | Number of Members | %of Council Membership |
|-----------------------|-------------------|----------------------------------|
| Plaid Cymru | 38 (+1) | 51.35 |
| Labour | 17 (-1) | 22.97 24.32 |
| Independent | 13 | 17.57 |
| New Independent Group | 5 | 6.76 |
| Unaffiliated | 1 | 1.35 |
| <i>TOTAL</i> | <i>74</i> | <i>100%</i> |

Council at its meeting held on the 24th May 2017 decided that the total number of seats available on Committees is 168 and these seats must be distributed amongst the political groups and unaffiliated member on a politically balanced basis with the seats on committees also being allocated to reflect, as far as possible, the political balance of the Council as a whole.

The Council democratic structure comprises:

| | |
|---------------------------------|---------------------------------------------|
| Executive Board | 10 members |
| 5 X Scrutiny Committees | 68 Members (Non Executive Board Members) |
| Regulatory and other Committees | 100 Members |

Note:

- *Only non Executive Members (64) may serve on the Scrutiny Committees.*
- *The members serving on the Standards Committee do not need to reflect the political balance of the Council as a whole but they have been included within the above figures.*
- *It is not a statutory requirement to ensure that the Audit Committee is politically balanced however the Authority has chosen to include the Audit Committee in its calculations Only one member of the Executive Board can serve on the Audit Committee and this must not be the Leader of the Council.*
- *Only one member of the Executive Board can serve on the Democratic Services Committee and this must not be the Leader of the Council.*

TABLE 1

| ALLOCATION OF SEATS ON REGULATORY, SCRUTINY AND OTHER COMMITTEES AND THE PENSION COMMITTEE | % COUNCIL MEMBER-SHIP | 168 |
|--------------------------------------------------------------------------------------------|-----------------------|--------------------------|
| Plaid Cymru | 51.35 | 86 86.27 (+2) (84) |
| Labour | 22.97 | 39 38.59 (-2) (41) |
| Independent | 17.57 | 30 |
| New Independent Group | 6.76 | 11 |
| Unaffiliated Member | 1.35 | 2 |
| TOTAL NO OF SEATS | 100% | 168 |

Note:

1. *If the allocation of seats on committees is not made on a politically balanced basis then the decision by council to do this must be unanimous “without any member of the authority or committee voting against them.” S17(b) of the Act.*

2. *In accordance with the Local Government and Housing Act 1989, there is a requirement to ensure proportionality across political groups, this does not extend to members who have chosen to be unaffiliated. The Authority has historically assigned any remaining unallocated seats to the unaffiliated members.*

2.2. Allocation of Seats

In order to reflect the new arrangements the Labour Group's representation on Committees will be reduced by 2 seats from 41 to 39, and the Plaid Cymru Group allocation will be increased by 2 seats from 84 to 86. There is no change to the Independent, New Independent or Unaffiliated member allocation.

To accommodate this change in the political composition of the Council the Labour Group must relinquish 1 Scrutiny Committee and 1 regulatory/other seat to the Plaid Cymru Group

In order to ensure that the seats on committees are allocated to reflect, as far as possible, the political balance of the Council **as a whole** the number of scrutiny seats held by the New Independent Group will remain rounded down, based on the lowest percentage rounding, this is due to an anomaly which cannot be rectified if rounding up or down by +/- 1 seat.*

It is suggested that the composition of Committees within the democratic decision making structure be amended as shown in Tables 2 and 3 below with the Seats allocated, to reflect as far as possible, the political balance of the Council as a whole. Resultant membership changes put forward by the Labour & Plaid Cymru Groups are included within this report.

TABLE 2a - Scrutiny Committees (68 seats)

| 5 SCRUTINY COMMITTEES | | |
|-----------------------|------------------------------|-------------------------------------------------------|
| Political Group | Number of Seats 68 | NEW Allocation of seats on scrutiny Committees |
| Plaid Cymru | 35 (+1) (34.92) | 1 X 8 SEATS; 3 X 7 SEATS & 1 X 6 SEATS |
| Labour | 16 (-1) (15.62) 47 | 1 X 4 SEATS AND 4 X 3 SEATS |
| Independent | 12 | 2 X 3 SEATS & 3 X 2 SEATS |
| New Independent | 4 * | 4 X 1 SEAT |
| Unaffiliated Member | 1 | 1 SEAT |
| | 68 | |

It therefore suggested that the allocation of elected member seats on the Scrutiny Committees should be amended as follows:-

TABLE 2B

| SCRUTINY COMMITTEE | TOTAL NO OF SEATS | PLAID CYMRU GROUP | LABOUR GROUP | IND GROUP | NEW IND GROUP | UNAF |
|-----------------------------------|----------------------|-------------------|---------------|-----------|---------------|----------|
| Community | 13 | 7 (+1) | 3 (-1) | 3 | 0 | 0 |
| Education & Children | 14 + 5 (co-opted) | 7 | 3 | 2 | 1 | 1 |
| Environmental & Public Protection | 14 | 8 | 3 | 2 | 1 | 0 |
| Policy & Resources | 13 | 6 | 3 | 3 | 1 | 0 |
| Social Care & Health | 14 | 7 | 4 | 2 | 1 | 0 |
| Total | 68 | 35 | 16 | 12 | 4 | 1 |

Following discussion, the Labour Group has agreed to relinquish the following seat:-

1 x Seat on the Community Scrutiny Committee (seat previously held by Councillor Colin Evans)

The Plaid Cymru Group has nominated Cllr Colin Evans to fill its additional seat on the Committee.

TABLE 3 - REGULATORY AND OTHER COMMITTEES (100 SEATS)

It is therefore suggested that the allocation of elected member seats on the Regulatory/Other Committees should be amended as follows:-

| COMMITTEE/ PANEL | TOTAL NO OF SEATS | PLAID CYMRU GROUP | LABOUR GROUP | IND GROUP | NEW INDEPENDENT GROUP | UNAFFILIATED |
|--------------------------------------------------------------------------------|----------------------------------|--------------------------|---------------------|------------------|--------------------------------------|---------------------|
| Appeals | 6 | 3 | 1 | 1 | 1 | 0 |
| Appointments A Directors (Leader + 6 EBM's + 9 non executive members) | 16 | 8 | 5 | 3 | 0 | 0 |
| Appointments B Heads of Service (4 EBM's + 6 non- executive members) | 10 | 5 | 2 | 2 | 1 | 0 |
| Audit | 8 | 4 | 2 | 1 | 1 | 0 |
| Democratic Services | 5 | 3 (+1) | 1 (-1) | 1 | 0 | 0 |
| Housing Review Panel +1 sub per group | 8 | 4 | 1 | 1 | 1 | 1 |
| Dyfed Pension Fund Committee + 1 permanent sub | 3 | 1 | 1 | 1 | 0 | 0 |
| Licensing | 14 | 7 | 4 | 3 | 0 | 0 |

| | | | | | | |
|-----------------------------------------------|-------------------|------------------------------------------------|------------------------------------------------|-----------|----------|----------|
| | | | | | | |
| Members' Appointments | 7 | 4 | 1 | 1 | 1 | 0 |
| Planning | 20 | 10 | 4 | 4 | 2 | 0 |
| Standards (+ 4 Independent & 1 Community Rep) | 3 | 2 | 1 | 0 | 0 | 0 |
| <i>TOTAL</i> | <i>100</i> | <i>51 (+1)</i> <i>(51.35)</i> | <i>23 (-1)</i> <i>(22.97)</i> | 18 | 7 | 1 |

Following discussion, the Labour Group has agreed to relinquish 1 x Seat on the Democratic Services Committee (seat previously held by Councillor Dot Jones).

The Plaid Cymru Group has nominated Cllr Emlyn Schiavone to fill its additional seat on the Democratic Services Committee.

Part 6 of the Local Government Wales 2011 Measure deals with sets out the requirements for the appointment of Persons to Chair Overview and Scrutiny Committees.

The Measure states that in respect of Council's with two or more political groups and multiple scrutiny committees the political groups represented in the executive can only appoint as many chairs as are proportionate to their combined share of the council's overall membership, **rounding down** if this does not equal a whole number of chairs. It is for the executive groups together to decide upon the allocation of their entitlement to chairs between them. The rest of the Scrutiny Chairs are the "property" of those groups not represented in the Executive. If there is only one such group, that group is entitled to all the remaining Chairs, if there is more than one non-executive group, each gets a share of the chairs in proportion to their membership, rounding to the nearest whole number including zero.

Allocation of the 5 Scrutiny Chairs:-

Plaid Cymru and Independent Executive 68.92% = **3**
(3.45 - rounded down)

Labour 22.97% = 1
(1.15 % rounded to nearest whole number)

New Independent Group 6.76% = 0
(0.34 – rounded to nearest whole number)

As there is one unallocated Chair following the above calculation, then, under the Measure, the Chair is appointed by the members of that Committee.

Having taken into account the revised political composition, the allocation of the 5 Scrutiny Chairs is **unchanged**.