

REPORT OF THE CHIEF EXECUTIVE
COUNCIL MEETING 10TH NOVEMBER 2021
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 Shahana Najmi on the 24th October 2021 that she had resigned from the New Independent Group, as she had become a member of the Welsh Conservatives Party. As a result Cllr Najmi is now an unaffiliated member of the Council. 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 25th October 2021 is as follows :-

Political Group	Number of Members (+/- seats in brackets)	%of Council Membership
Plaid Cymru	37	50
Labour	17	22.97
Independent	14	18.92
New Independent Group	4 (-1)	5.41
Unaffiliated	2 (+1)	2.70
<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:

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

Note:

- *Executive Members cannot serve on Scrutiny Committees, the remaining 64 members must therefore be allocated the 68 Scrutiny seats.*
- *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 Governance & Audit Committee is politically balanced however the Authority has chosen to include the Governance & Audit Committee in its calculations Only one member of the Cabinet can serve on the Governance & Audit Committee and this must not be the Leader of the Council.*
- *Only one member of the Cabinet 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	50	84
Labour	22.97	39 (38.59)
Independent	18.92	32 (31.78)
New Independent Group	5.41	9 (9.08) 11*
Unaffiliated Member	2.70	4** (4.54) 2*
TOTAL NO OF SEATS	100%	168

(* Seat allocation as at last review / ** seats rounded down.)

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 however historically assigned any remaining unallocated seats to the unaffiliated members.*

2.2. Allocation of Seats

In order to reflect the new arrangements the New Independent Group's representation on Committees will be reduced by 2 seats from 11 to 9, and the unaffiliated members increase from 2 to 4 seats (rounded down from 5 seats due to a) an anomaly which cannot be rectified if rounding up or down by +/- 1 seat, and b) the fact that there is no requirement to ensure proportionality to unaffiliated members. There is no change to the Plaid Cymru, Labour, or Independent Group allocations.

The Scrutiny seats held by the New Independent Group Scrutiny were previously rounded down due to an anomaly in the figures, therefore despite their membership being reduced, there is no requirement for the Group to relinquish a Scrutiny seat as a result of this report. However, to accommodate their reduction in membership and the change in the political composition of the Council the New Independent Group will need to relinquish 2 regulatory/other seats to the unaffiliated Members.

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 New Independent Group and the Unaffiliated Members are included within this report.

TABLE 2a - Scrutiny Committees (68 seats)

5 SCRUTINY COMMITTEES	(+/- seats in brackets)	
Political Group	Number of Seats	Allocation of seats on scrutiny Committees (No Change)
	68	
Plaid Cymru	34	4 X 7 SEATS & 1 X 6 SEATS
Labour	16 (15.62)	1 X 4 SEATS AND 4 X 3 SEATS
Independent	13 (12.86)	3 X 3 SEATS & 2 X 2 SEATS
New Independent	4 (3.68)	4 X 1 SEAT
Unaffiliated Member	1** (1.84)	1 SEAT
	68	

(** rounded down)

It therefore suggested that the allocation of elected member seats on the Scrutiny Committees should remain unchanged.

TABLE 2B

SCRUTINY COMMITTEE	TOTAL NO OF SEATS	PLAID CYMRU GROUP	LABOUR GROUP	IND GROUP	NEW IND GROUP	UNAF
Community	13	7	3	3	0	0
Education & Children	14 + 5 (co-opted)	7	3	2	1	1
Environmental & Public Protection	14	7	3	3	1	0
Policy & Resources	13	6	3	3	1	0
Social Care & Health	14	7	4	2	1	0
Total	68	34	16	13	4	1

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
Governance & Audit	8	4	2	1	1	0
Democratic Services	5	3	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	3	1	2	1	0
Planning	20	10	4	4	0 (-2)	2 (+2)
Standards (+ 4 Independent & 1 Community Rep)	3	2	1	0	0	0
<i>TOTAL</i>	100	50	23	19	5 (-2)	3 (+2)

Following discussion, the New Independent Group have agreed to relinquish 2 x Seats on the Planning Committee (previously not taken up)

The unaffiliated members namely, Councillor John Jenkins and Shahana Najmi have agreed to take up the seats now allocated to them on the Planning Committee.

3. POLITICAL BALANCE AND APPOINTMENT OF PERSONS TO CHAIR OVERVIEW AND SCRUTINY COMMITTEES

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 5.41% = **0**
(0.27 – 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**.