



## **FULL COUNCIL REPORT**

Date Written	30 April 2018
Report Author	Ann Taylor
Service Area	Democratic Services
Committee Division	Annual Council
Committee Date	16 May 2018

*To: Mayor, Ladies and Gentlemen*

### **Appointment to Committees 2018-2019**

#### **1.0 SUMMARY OF THE REPORT**

- 1.1 Full Council is required to consider the appointments of Members and Co-optees to each of Merthyr Tydfil County Borough Council's Committees for the 2018/2019 Municipal Year.
- 1.2 The Council must allocate seats on committees to give effect to the political balance rules, but the proportionality between the two largest Groups has meant that there have been complications filling the positions on all committees. Political balance rules do not apply to the Planning and Regulatory Committee.
- 1.3 Reducing Councillor Membership on the Audit Committee, the Democratic Services Committee and the Scrutiny Committees would ensure that all seats are filled and the appointment of substitutes at AGM would reinforce the efficacy of the changes and associated quorum rules.
- 1.4 It is proposed that the Audit Committee and the Democratic Services Committee each consist of eight elected members. In addition there is a Lay Member on the Audit Committee who would not sit on the Democratic Services Committee.
- 1.5 It is proposed that the Governance, Performance, Business Change and Corporate Services Committee comprise of a Chair, Vice Chair, the Chairs of each of the four Scrutiny Committees and the Chair of the Audit Committee.
- 1.6 Each of the other four Scrutiny Committees will comprise of a Chair, Vice Chair and four other elected members. The Joint Scrutiny Committee will not be affected as its membership comprises all Members of the other five scrutiny committees.

## **2.0 RECOMMENDATIONS THAT**

- 2.1 The appointments to Cabinet be approved.
- 2.2 The amendments to the Audit Committee, the Democratic Services Committee and the Scrutiny Committees and the elected member appointments and substitutions made to each of these committees be approved.
- 2.3 The appointments and substitutions made to each of the other committees listed within the report be approved.

## **3.0 INTRODUCTION AND BACKGROUND**

- 3.1 As required within the Merthyr Tydfil County Borough Council's Constitution, consideration is given at Annual General Meeting to the appointment of Councillors and Co-optees to the Council's committees for the forthcoming Municipal Year.
- 3.2 The appointments to Cabinet are the responsibility of the Leader.
- 3.3 The political balance calculations which allocate the number of seats and senior salary roles to each political group are calculated in accordance with the Local Government and Housing Act 1989.
- 3.4 These political balance calculations do not apply to the Planning and regulatory Committee, whose membership is governed by the Local Authority Planning Committees (Wales) Regulations 2017 which allocates membership on an electoral division basis.

## **4.0 AMENDMENTS TO THE COMMITTEE STRUCTURE**

- 4.1 Since the local election in May 2017, the proportionality between the two largest Groups and requirement for political balance has created obstacles to filling all committee seats. Consideration was given to the structure and whether there would be ways to reduce the number of vacant seats without changing the number of committees.
- 4.2 It was recognised that if the number of elected members on the scrutiny committees was reduced, it was essential to safeguard against undermining the effectiveness of the scrutiny process or increasing the number of inquorate meetings.
- 4.3 The majority of Audit Committee meetings and Democratic Services Committee meetings were held with two vacant seats during the 2017/2018 municipal year, but fortunately no meeting was inquorate, no problems were reported and no additional delegated decisions were made as a direct result of there being two vacant seats. The Audit Committee and the Democratic Services Committee, will both therefore be reduced to 8 elected members including the Chair and Vice Chair.

- 4.4 The size of the Governance, Performance, Business Change and Corporate Services Scrutiny Committee was assessed against the other Scrutiny Committees; and the difference was found to be disproportionate. The new structure will remove the requirement for Vice Chairs of Scrutiny to sit on the Committee.
- 4.5 By also reducing each of the other four Scrutiny Committees to 6 elected members, it would be possible to reduce the overall total number of committee seats by 10, which would alleviate the obstacles to filling all committee seats.
- 4.6 Part 4 of the Council's Constitution allows for the appointment of substitute members of committees who are able to take the place of the ordinary member for whom they are the designated substitute. Including the appointment of substitute members at AGM would streamline the process so that meetings are unlikely to be too small in terms of membership to scrutinise effectively, therefore upholding the current efficient processes even though the size of the committee has reduced.
- 4.7 Members and/or substitute members must notify the Proper Officer by mid-day on the day of the meeting of any intended substitution.

## **5.0 CABINET APPOINTMENTS**

### **Chair and Council Leader**

Councillor Kevin O'Neill

### **Vice Chair and Deputy Leader – Learning**

Councillor Lisa Mytton

### **Governance and Corporate Services**

Councillor Andrew Barry

### **Neighbourhood Services, Planning and Countryside**

Councillor Kevin Gibbs

### **Regeneration and Public Protection**

Councillor Geraint Thomas

### **Social Services**

Councillor David Hughes

## **6.0 SCRUTINY COMMITTEE APPOINTMENTS**

Each Scrutiny Committee may include co-opted members in accordance with the requirements of the Constitution. Appointments will be made by the individual Scrutiny Committee and all co-opted members are expected to follow the Authority's Code of Conduct for Members and Co-opted members.

## 6.1 GOVERNANCE, PERFORMANCE, BUSINESS CHANGE AND CORPORATE SERVICES SCRUTINY COMMITTEE

The size of the Governance, Performance, Business Change and Corporate Services Scrutiny Committee was assessed against the other Scrutiny Committees and the difference was found to be disproportionate. The requirement for Vice Chairs to sit on Governance, Performance, Business Change and Corporate Services Committee will therefore be removed.

**Chair:** Councillor Tanya Skinner

**Vice Chair:** Councillor Tony Rogers

### **Elected Committee Members (x5)**

Councillor Harvey Jones (Chair Learning and LAESCYP)

Councillor Declan Sammon (Chair Neighbourhood Services, Planning & Countryside)

Councillor Julian Amos (Chair Regeneration and Public Protection)

Councillor Bill Smith (Chair Social Services)

Councillor Darren Roberts (Chair Audit)

### **Substitute Committee Members:**

Councillor Sherelle Jago

Councillor David Jones

### **Co-opted Committee Members (x4)**

Jeff Beard – Public (non-voting)

Alison Harris – Public (non-voting)

Kaitlin Sutton - Merthyr Tydfil Borough Wide Youth Forum (non-voting)

Vacant - Voluntary Sector (non-voting)

## 6.2 NEIGHBOURHOOD SERVICES, PLANNING AND COUNTRYSIDE SCRUTINY COMMITTEE

The size of the Scrutiny Committee has been reduced to the Chair, Vice Chair and four additional elected members, with the understanding that substitutions may be appointed.

**Chair:** Councillor Declan Sammon

**Vice Chair:** Councillor David Jones

### **Elected Committee Members (x4)**

Councillor Rhonda Braithwaite

Councillor Malcolm Colbran

Councillor Lee Davies

Councillor Clive Jones

### **Substitute Committee Members:**

Councillor Clive Tovey

Councillor Bill Smith

**Co-opted Committee Members (x4)**

Robert Holdaway (Public, non-voting)  
John McCarthy (Public, non-voting)  
Ethan Scriven (Youth Forum, non-voting)  
Vacancy (Voluntary Sector, non-voting)

**6.3 REGENERATION AND PUBLIC PROTECTION (inc. Crime and Disorder) SCRUTINY COMMITTEE**

The size of the Scrutiny Committee has been reduced to the Chair, Vice Chair and four additional elected members, with the understanding that substitutions may be appointed.

**Chair:** Councillor Julian Amos

**Vice Chair:** Councillor Brent Carter

**Elected Committee Members (x4)**

Councillor Chris Barry  
Councillor Paul Brown  
Councillor Malcolm Colbran  
Councillor Gareth Lewis

**Substitute Committee Members:**

Councillor Lee Davies  
Councillor Gareth Richards  
Councillor Tony Rogers

**Co-opted Committee Members (x4)**

Hilary Hopkins (Public, non-voting)  
Howard Jackson (Voluntary Sector, non-voting)  
Morgan Ellis (Youth Forum, non-voting)  
Vacancy (Public, non-voting)

**6.4 LEARNING AND LAESCYP SCRUTINY COMMITTEE**

The size of the Scrutiny Committee has been reduced to the Chair, Vice Chair and four additional elected members, with the understanding that substitutions may be appointed.

**Chair:** Councillor Harvey Jones

**Vice Chair:** Councillor Chris Davies

**Elected Committee Members (x4)**

Councillor David Chaplin  
Councillor Lee Davies  
Councillor Sherelle Jago  
Councillor Scott Thomas

**Substitute Committee Members:**

Councillor Declan Sammon

Councillor Clive Jones

**Co-opted Committee Members (x8)**

Rosa Lazell (Parent Governor, Secondary/Special, voting)

Claire Brown (Primary, voting)

Alan Rees (Public, non-voting)

Anne Roberts (Voluntary Sector, non-voting)

Ryan Crowley (Youth Forum, non-voting)

Michelle Pedro (Merthyr Tydfil Association of School Governors, non-voting) (*appointment pending*)

Vacancy (Public, non-voting)

Vacancy (Diocesan Representative, Catholic Diocesan, voting)

**6.5 SOCIAL SERVICES SCRUTINY COMMITTEE**

The size of the Scrutiny Committee has been reduced to the Chair, Vice Chair and four additional elected members, with the understanding that substitutions may be appointed.

**Chair:** Councillor Bill Smith

**Vice Chair:** Councillor Sherelle Jago

**Elected Committee Members (x4)**

Councillor Gareth Richards

Councillor Tony Rogers

Councillor Declan Sammon

Councillor Ian Thomas

**Substitute Committee Members**

Councillor Lee Davies

Councillor Brent Carter

Councillor Julian Amos

**Co-opted Committee Members (x4)**

Michael Elford (Public, non-voting)

Brian Lewis (Voluntary Sector, non-voting)

Vacancy (Public, non-voting)

Vacancy (Youth Forum, non-voting)

**6.6 JOINT SCRUTINY COMMITTEE****Chair**

Chair of the Governance, Performance, Business Change and Corporate Services Scrutiny Committee

**Vice Chair**

Vice Chair of the Governance, Performance, Business Change and Corporate Services Scrutiny Committee

Membership of this Committee comprises **all** Councillors and Co-opted Members of the Governance, Performance, Business Change and Corporate Services Scrutiny Committee, Learning and LAESCYP Scrutiny Committee, Neighbourhood Services and Public Protection Scrutiny Committee, Regeneration, Planning and Countryside Scrutiny Committee and the Social Services Scrutiny Committee.

## 6.7 **CWM TAF PUBLIC SERVICE BOARD JOINT OVERVIEW AND SCRUTINY COMMITTEE**

### **Chair**

Councillor Tanya Skinner, who was the Vice Chair appointed by MTCBC for 2017/2018.

### **Vice Chair**

The appointment will be made at the next JOSC Meeting, and the position will be held by RCTCBC for the period up to AGM 2019.

### **Elected Committee Members for MTCBC (x5)** (This includes the Chair)

Councillor Julian Amos  
Councillor Chris Barry  
Councillor David Isaac  
Councillor Declan Sammon

## 7.0 **AUDIT COMMITTEE APPOINTMENTS**

The majority of the Audit Committee meetings and the Democratic Services Committee meetings were held with two vacant seats during the 2017/2018 municipal year, but no meeting was inquorate, no problems were reported and no additional delegated decisions were made as a direct result of there being two vacant seats.

The Committee will therefore be reduced to 8 Members and 1 Lay Member. The Audit Committee appoints its own Chair from the full membership of the Committee.

### **Elected Committee Members (x8)**

Councillor Darren Roberts  
Councillor Chris Barry  
Councillor Julian Amos  
Councillor Clive Jones  
Councillor Gareth Lewis  
Councillor Declan Sammon  
Councillor Clive Tovey  
Councillor John Thomas

**Lay Member:** David Gibby – Public (voting)

### **Substitute Committee Members**

Councillor Lee Davies  
Councillor David Chaplin  
Councillor Tony Rogers

## **8.0 DEMOCRATIC SERVICES COMMITTEE APPOINTMENTS**

The functions of the Democratic Services Committee will be performed by the Audit Committee, excluding the Independent Lay Member.

## **9.0 STANDARDS COMMITTEE**

A Committee of 3 elected members, 5 independent persons and 1 community council representative. Only an independent member of the Standards Committee may be the Chairperson. The Chair and Vice Chair will be elected by the Standards Committee for a term of no more than 6 years.

**Chair:** Jeffrey Morgan

**Vice Chair:** Ian Cathrew

### **Independent Members**

Nathan Fear

David McCarthy

Anne Morgan

### **Community Council Member**

Mrs Helen Thomas

### **Elected Committee Members (x3)**

Councillor Julian Amos

Councillor Gareth Richards

Councillor Clive Tovey

## **10.0 PLANNING, REGULATORY AND LICENSING COMMITTEES**

### **10.1 PLANNING, REGULATORY AND LICENSING COMMITTEE**

A committee of 11 elected members, x1 from each electoral Ward:

**Chair:** Councillor Howard Barrett (Vaynor Ward)

**Vice Chair:** Councillor Clive Tovey (Gurnos Ward)

### **Elected Committee Members (x9)**

Councillor Julian Amos (Dowlais Ward)

Councillor David Chaplin (Cyfarthfa Ward)

Councillor Malcolm Colbran (Bedlinog Ward)

Councillor Ernie Galsworthy (Treharris Ward)

Councillor Kevin Gibbs (Penydarren Ward)



Councillor Clive Jones (Park Ward)  
Councillor Gareth Lewis (Plymouth Ward)  
Councillor John Thomas (Town Ward)  
Councillor Scott Thomas (Merthyr Vale Ward)

#### 10.2 LICENSING SUB COMMITTEE

A Committee of 3 Members consisting of the Chairperson and/or Vice Chairperson of the Planning, Regulatory and Licensing Committee together with 1 or 2 Members.

#### 10.3 STATUTORY LICENSING COMMITTEE (LICENSING ACT AND GAMBLING ACT)

A committee of 11 elected members, x1 from each electoral Ward:

**Chair:** Councillor Howard Barrett (Vaynor Ward)

**Vice Chair:** Councillor Clive Tovey (Gurnos Ward)

##### **Elected Committee Members (x9)**

Councillor Julian Amos (Dowlais Ward)  
Councillor David Chaplin (Cyfarthfa Ward)  
Councillor Malcolm Colbran (Bedlinog Ward)  
Councillor Ernie Galsworthy (Treharris Ward)  
Councillor Kevin Gibbs (Penydarren Ward)  
Councillor Clive Jones (Park Ward)  
Councillor Gareth Lewis (Plymouth Ward)  
Councillor John Thomas (Town Ward)  
Councillor Scott Thomas (Merthyr Vale Ward)

#### 10.4 STATUTORY LICENSING SUB COMMITTEE

A Committee of 3 Members consisting of the Chairperson and/or Vice Chairperson of the Statutory Licensing Committee together with 1 or 2 Members.

#### 10.5 APPEALS COMMITTEE

**Chair:** Councillor Clive Tovey

**Vice Chair:** TBC

##### **Elected Committee Members**

Councillor Malcolm Colbran  
Councillor Chris Davies  
Councillor David Isaac  
Councillor Clive Jones  
Councillor Gareth Richards  
Councillor John Thomas

## 10.6 OBJECTIONS AND APPEALS SUB COMMITTEE

A Committee of 3 Members consisting of the Chairperson and/or Vice Chairperson of the Appeals Committee together with 1 or 2 Members.

## 10.7 RIGHTS OF WAY COMMITTEE

A committee of 5 Members consisting of the Chairperson and/or Vice chairperson of the Planning, Regulatory and Licensing Committee together with 3 or 4 Members.

## 11.0 SACRE (STANDING ADVISORY COUNCIL FOR RELIGIOUS EDUCATION)

The Chair and Vice Chair are appointed by the SACRE committee.

### **MTCBC Elected Member Representatives (x5)**

Councillor Ernie Galsworthy

Councillor Chris Davies

Councillor David Hughes

Councillor Ian Thomas

Councillor Lee Davies

## 12.0 FINANCIAL IMPLICATION(S)

12.1 There are no additional financial implications associated with this report.

## 13.0 EQUALITY IMPACT ASSESSMENT

13.1 An Equality Impact Assessment (EqIA) form has been prepared for the purpose of this report. It has been found that a full assessment is not required at this time. The form can be accessed on the Council's website/intranet via the 'Equality Impact Assessment' link.

**GARETH CHAPMAN**  
**CHIEF EXECUTIVE**

**COUNCILLOR KEVIN O'NEILL**  
**LEADER OF THE COUNCIL**

<b>BACKGROUND PAPERS</b>		
<b>Title of Document(s)</b>	<b>Document(s) Date</b>	<b>Document Location</b>
No Background Papers		
<b>Does the report contain any issue that may impact the Council's Constitution?</b>		<b>Yes</b>

***Consultation has been undertaken with the Corporate Management Team in respect of each proposal(s) and recommendation(s) set out in this report.***