

**COUNCIL:**

**29 JUNE 2023**

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**REPORT OF THE DIRECTOR OF GOVERNANCE & LEGAL SERVICES &  
MONITORING OFFICER**

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**COMMITTEE MEMBERSHIP**

**Reason for Report**

1. To receive nominations and make appointments to current committee vacancies as set out in the report and in accordance with the approved allocation of seats and political group wishes.

**Background**

2. The Annual Council meeting 25 May 2023 established the Committees and Panels of the Council and their composition. The seats allocated to political groups on each committee were calculated in accordance with the rules on political balance, and nominations were received for each committee from the political groups.
3. In accordance with the Welsh Audit Office Statement of Action P3b (report March 2016), Membership of Committees is a standing item on monthly Group Whips meetings and Full Council, as appropriate.

**Issues**

4. Current Committee vacancies, in accordance with the approved allocations to political groups, are as follows:

Table A

<b>Committee</b>	<b>Vacancy</b>	<b>Group</b>	<b>Nomination Received</b>
Planning Committee	2 vacancies	2 x Liberal Democrat	
Policy Review & Performance Scrutiny Committee	1 vacancy	1 x Labour	Cllr Graham Hinchey

<b>Committee</b>	<b>Vacancy</b>	<b>Group</b>	<b>Nomination Received</b>
Democratic Services Committee	1 vacancy	1 x Liberal Democrat	Cllr Joe Carter
Glamorgan Archives Joint Committee	1 vacancy	1 x Liberal Democrat	Cllr Jon Shimmin

5. Further nominations to fill existing vacancies received from political groups prior to Full Council on 29 June 2023 will be reported on the amendment sheet.

### **Legal Implications**

6. The Council is required at its Annual Council meeting (and at certain other specified times) to determine the allocation of Committee seats to political groups in accordance with political balance principles set out in Section 15 of Local Government and Housing Act 1989. Having determined the allocations, the Council is under a duty to exercise its power to make appointments to each Committee so as to give effect to the wishes expressed by the relevant political group about who is to be appointed to the seats allocated to their group (section 16 of the 1989 Act).
7. The Local Government (Committees and Political Groups) Regulations 1990 ('the 1990 Regulations') requires political groups to be notified of their allocation on each Committee in order that they may nominate individuals to serve on that Committee (Regulation 14). Regulation 15 contains a residual power for the Council to make appointments if the political groups fail to do so. However, apart from this provision, the Council has no discretion in the matter - its function is simply to make appointments, which give effect to the wishes of the political groups.
8. The wishes of a political group are to be taken as those expressed to the Proper Officer (a) orally or in writing by the leader or representative of the group; or (b) in a written statement signed by a majority of the members of the group. In the event that different wishes of a political group are notified, the wishes notified in accordance with point (b) shall prevail (Regulation 13).

### **Planning Committee**

9. The Size and Composition of Local Planning Authority Committees (Wales) Regulations 2017 (made under s.39 of the Planning Wales Act 2015), provide that, *except in the case of a local authority which is comprised solely of multiple member wards*, only one Member from a multiple member ward may sit on the planning committee, in order to allow other ward Members to perform the representative role for local community interests (Regulation 6 of the Size and Composition of Local Planning Authority Committees (Wales) Regulations 2017). As Cardiff is currently

comprised solely of multiple member wards, this rule is not currently applicable to Cardiff.

### Scrutiny Committees

10. The Local Government Act 2000 requires authorities to set up overview and scrutiny committees. The legislative provisions for overview and scrutiny committees for Wales have been amended and supplemented by the Local Government (Wales) Measure 2011 and Regulations made thereunder. In addition, other legislation imposes requirements regarding scrutiny of particular issues, for example, crime and disorder matters (the Police and Justice Act 2006); and Public Services Board functions (the Wellbeing of Future Generations (Wales) Act 2015). Subject to compliance with the relevant statutory provisions, the size of its scrutiny committees is a matter for each Council to determine.

### Financial Implications

11. There are no financial implications directly arising from this report.

### **RECOMMENDATION**

The Council is recommended to receive a nomination and appoint to the vacancy on the Committee, in accordance with the Party Group wishes, as set out in Table A and on the Amendment Sheet.

**DAVINA FIORE**

**Director Governance and Legal Services**

23 June 2023

*Background Papers*

Council Report, Minutes and Amendment Sheet 26 January 2023