

COUNCIL: 30 JANUARY 2014

AGENDA ITEM

REPORT OF COUNTY CLERK & MONITORING OFFICER

**APPOINTMENT OF CHAIR AND NOMINATIONS TO COUNCIL
COMMITTEES AND PANELS**

Background

1. The Council at its Annual Meeting on 23 May 2013 elected the Chairs and Deputy Chairs (where appropriate) of Committees established by the Council; and received and approved nominations from political groups to the seats allocated on each Committee. Subsequent changes to the Committee Membership have been reported to Full Council at its meetings on 27 June, 25 July, 26 September and 25 October 2013.

Issues

Committee Membership

2. The Council has the following Member vacancies on Committees:

Constitution Committee	one vacancy
Democratic Services Committee:	one vacancy
Employment Conditions Committee	one vacancy
Community & Adult Scrutiny Committee:	one vacancy
Corporate Parenting Panel	one vacancy
Health & Safety Advisory Committee	two vacancies
Works Council	change of membership

3. Political Groups have been asked to provide formal notification of nominations to the Proper Officer for inclusion on the amendment sheet.

Election of Chair of Employment Conditions Committee

4. To elected a Chair to the Employment Conditions Committee.

Welsh Language Working Group

5. At Council on 24 October 2013, the Leader announced the establishment of a cross party Working Group to focus on Welsh Language issues. Appendix 1 contains the Terms of Reference of this Group and Political Groups have been asked to provide nominations to the Proper Officer for inclusion on the amendment sheet.

Legal Implications

6. Sections 15 to 17 of the Local Government and Housing Act 1989 lay down requirements designed to ensure that there is political balance on Committees (this requirement does not apply to a Standards Committee).
7. Whilst it is for the Council to ensure that there is a balance of political groups within Committees, it is for each political group to determine who should represent that group on the committee. By Section 16 of the 1989 Act, where a local authority has determined the allocation of political groups on a Committee, it is under a duty to give effect to the wishes of those groups with regard to the identities of the persons who are to represent that group on the Committee. Regulation 14 of the Local Government (Committees and Political Groups) Regulations 1990 ('the 1990 Regulations') requires political groups to be notified of their allocation on a Committee in order that they may nominate individuals to serve on that Committee. Regulation 15 contains a residual power for the Council to make appointments if the political groups fail to do so.
8. However, apart from this provision, the Council has no discretion in the matter—its function is simply to give effect to the wishes of the political groups.
9. Under Regulation 13 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.
10. A political group is identified when two or more members of the Council who wish to be treated as a political group write to the proper officer (the Chief Executive) to inform him of that fact and of their name and the identity of their leader. A person joins a particular political group by sending a notice signed by him/her and the leader of the group. People may cease to be members of the group by notifying the Proper Officer (the Chief Executive) of their resignation, joining another group, or being ousted by a notice signed by a majority of the members of the group.
11. For the avoidance of doubt the requirements for political balance do not apply to the Cabinet or a Committee of the Cabinet or to the Standards and Ethics Committee.

Financial Implications

12. Assuming that the number of Committees remains unchanged there are no additional financial implications arising from this report that have not been included within the Council's budget for 2013/14.

RECOMMENDATIONS

The Council

- (1) notes the nominations received for the vacancies on Committees as set out on the amendment sheet;
- (2) elects the Chair of Employment Conditions Committee as set out on the amendment sheet.
- (3) Notes the terms of reference for the Welsh Language Working Group and the nominations as set out on the amendment sheet.

Appendix 1 – Welsh Language Working Group Terms of Reference

MARIE ROSENTHAL
County Clerk and Monitoring Officer
22 January 2014

Appendix 1

WELSH LANGUAGE WORKING GROUP

TERMS OF REFERENCE

AIM

To support the work of the implementation the Welsh Language Scheme and subsequently achieving the standards set by the Welsh Language Commissioner.

OBJECTIVES AND ROLES

- Ensure compliance with the Council's Welsh Language Scheme and the standard set by the Welsh Language Commissioner.
- Feed back on any issues relating to the Welsh language from Service Users or Service Providers to the forum, and vice versa if necessary.
- To review and contribute to the Council's final response for the Annual Monitoring Report with Welsh Language Unit prior to consideration by Cabinet/Council
- Receive feedback from the Welsh Language Coordinators Meeting and work with officer champions to further embed the awareness of Welsh within the Council's corporate culture.
- To contribute to responses on behalf of the Council on Welsh Language consultation issues e.g. to the Welsh Language Commissioner
- To provide a voice for Welsh Language related issues from service users and providers.

MEMBERSHIP

- Councillor Huw Thomas as Cabinet Member responsible for Welsh Language.
- An invitation to each party group to identify at least one Member representative. (Max number of attendees – 12). Members would represent the political balance of the Council and be appointed on a proportional basis.
- The Group would be supported by the Welsh Language Officer
- Other members/officers as deemed necessary
- External guests as invited e.g. Welsh Language Commissioner

ADMINISTRATION

The Chair would be appointed at the first meeting of the Working Group. The Welsh Language Unit shall be responsible for taking minutes in meetings, arranging a suitable meeting space and any other secretarial duties necessary.

RECORD OF MEETINGS

Minutes and Agenda will be prepared by the Welsh Language Unit and distributed by the Welsh Language Officer to all Coordinators. A brief will also be prepared and this will be disseminated by the Welsh Language Officer to the Coordinators who will in turn send on to teams within their service areas.

FREQUENCY OF MEETINGS

The meetings will be held quarterly.