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

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**ELECTION OF CHAIRS AND DEPUTY CHAIRS OF COMMITTEES**

**Reason for Report**

1. The purpose of this report is to facilitate the election of Chairs and Deputy Chairs for each of the committees established by Annual Council.

**Background**

2. Agenda Items 10 and 11 outlined matters relating to the establishment of Committees, together with their composition and allocation of seats and appointments made in accordance with the statutory rules on political balance.

**Issues**

3. The Constitution provides that the Annual Council meeting will elect a Chair and a Deputy Chair for each of the Committees. In order to take those decisions, political groups will need to ensure that formal notice has been given to the Proper Officer (and noted under Agenda item 12) of the group's nomination of any Member who is to be nominated for election as Chair or Deputy Chair of a Committee.
4. Part 6 of The Local Government (Wales) Measure 2011 requires the politically proportional allocation of Scrutiny Chairs for Councils comprised of several political groups. The proportional allocation of Scrutiny Committee Chairs calculated in accordance with the principles set out in section 70 of the Local Government (Wales) Measure 2011, and discussed with the political groups, is shown in the Table A below:

**TABLE A** - Allocation of the five Chairs of Scrutiny in accordance with Political Balance

<b>Labour</b> Group allocation	38 seats of 75 = 50.67% of the 5 Chairs seats available which is $0.5067 \times 5 = 2.53$ seats.	2 Seats The legislation requires the figures for Executive Groups are rounded down.
Opposition Groups are then entitled to the remaining 3 seats; each Opposition Group being entitled to their proportional share of the total Opposition Group seats rounded to the nearest whole number (including zero).		

<b>Conservative</b> Group allocation	21 out of 37 total opposition seats = 56.75% of 3 seats = $0.5675 \times 3 = 1.70$ seats	2 Seats (rounded up)
<b>Lib Dem</b> Group allocation	11 out of 37 = 29.72% of 3 seats = 0.89 seats	1 Seat (rounded up)
<b>Welsh National Party</b> Group allocation	4 out of 37 = 10.81% of 3 seats = 0.32 seats,	0 Seats (rounded down)

5. Once the Council has determined the allocation of Scrutiny Chairs to each political group, the law provides that the appointment of Scrutiny Chairs is to be made by the relevant group. Subject to Council approval of the proportional allocation of Scrutiny Chairs, political groups are requested to provide notice of their proposed appointments to the Proper Officer to enable Annual Council to note the appointments.
6. Nominations for the following Chairs and Deputy Chairs need to be notified to the Proper Officer: -

**TABLE B - Chairs and Deputy Chairs**

	<u>Chair</u>	<u>Deputy Chair</u>
<b><u>Regulatory and Other Committees and Groups</u></b>		
Corporate Parenting Advisory Committee	Deputy Leader	N/A
Constitution Committee		N/A
Council Appeals Committee		N/A
Democratic Services Committee		N/A
Employment Conditions Committee		N/A
Licensing Committee		
Public Protection Committee		
Planning Committee		
Pension Committee		N/A
Bilingual Cardiff Working Group		N/A
School Governor Panel		N/A

*\*\*Note that the law provides that the Chairs of the Audit Committee and the Standards & Ethics Committee are appointed by their respective Committees. (The Chair of the Standards and Ethics Committee must be a non-Council (Independent) Member.)*

	<b><u>Chair</u></b>	<b><u>Deputy Chair</u></b>
<b><u>Scrutiny Committees</u></b>		
Children & Young People Scrutiny		N/A
Community & Adult Services		N/A
Economy and Culture		N/A
Environmental		N/A
Policy Review & Performance		N/A

7. Details of the nominations received will be provided on the amendment sheet at the Annual Council meeting.

### **Legal Implications**

8. The Council Meeting Procedure Rules provide that, at the Annual Council meeting, the Council will elect a Chair and a Deputy Chair for each of the committees (Rule 2(b) (xv)). This report seeks nominations for the positions of Chair and Deputy Chair for each of the listed committees (and notes that nominees must have been validly nominated to the relevant committee under the separate Agenda item 12 on nominations to committees).

There are specific legislative provisions in respect of the Chairs of the following statutory committees:

#### Democratic Services Committee

9. The person appointed to Chair the Democratic Services Committee must not be a Member of the Executive Group i.e. the Chair cannot be a member of any political group included in the Cabinet (pursuant to sections 12 and 14 of the Local Government (Wales) Measure 2011).

#### Audit Committee

10. The Chair of the Audit Committee must be elected by the Committee and may be either a lay member or a non-executive group member (Section 83). The Committee has elected an independent member as Chair of this Committee, who remains in office. This report does not address that Committee.

#### Standards and Ethics Committee

11. The Standards Committees (Wales) Regulations 2001 provide that the Standards Committee Chair and Vice-Chair must be Independent Members of the Committee elected by the Committee (Regulation 22). The Committee has elected its Chair and Vice-Chair, who remain in office. This report does not address that Committee.

## Scrutiny Chairs

12. As noted in the body of the report, Part 6 of the Local Government (Wales) Measure 2011('the 2011 Measure') requires the politically proportional allocation of Scrutiny Committee Chairs. The proportional allocation of Scrutiny Committee Chairs must be calculated in accordance with section 70 of the 2011 Measure and the associated statutory guidance (as shown in paragraph 4, Table A in the body of the report); and approved by Council. Once the Council has determined the allocation of Scrutiny Chairs to each political group, the appointment of Scrutiny Chairs is to be made by the relevant group.

## Financial Implications

13. The costs associated with Chairs and Deputy Chairs, in accordance with the Members' Schedule of Remuneration, are to be contained within the allocated budget.

## RECOMMENDATIONS

The Council is recommended to

- (1) receive nominations and elect the Chairs and Deputy Chairs (as appropriate) to the Regulatory and Other Committees and Groups shown in paragraph 6 – Table B, and or any other such Committees that may be established;
- (2) approve the proportional allocation of Scrutiny Chairs as set out in paragraph 4, Table A of the report; and
- (3) subject to approval of recommendation (2), note the proposed appointments of the Scrutiny Chairs to be made by Party Groups pursuant to Part 6 of The Local Government (Wales) Measure 2011.

**DAVINA FIORE**

**Director Governance & Legal Services and Monitoring Officer**

20 November 2020