

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

OBSERVATION OF MEETINGS

Reason for this Report

1. To allow the Committee to consider the feedback provided by Committee members following observation of meetings of the Council and Community Councils.

Background

2. The Committee has agreed that observation of Council, Committee and Community Council meetings is helpful for members, in particular the Independent Members of the Committee, to gain experience of the Council and Committee processes, and to provide opportunities for first hand feedback to the Committee of any issues relating to standards and conduct.
3. The Committee has approved a feedback proforma for use by the Members of the Committee when observing meetings. Members have been asked to complete a form for each meeting they attend and submit it for consideration at the next appropriate Committee meeting.

Issues

4. Meeting observation feedback has been received in respect of the St. Fagans Community Council AGM and Ordinary Meeting held on 10th May 2021 (one feedback form completed in relation to both meetings); and the Planning Committee meeting held on 6th June 2021. The completed observation forms are appended as **Appendix A**.
5. Members will note that all three meetings observed were held virtually (remotely) using video conferencing facilities, in line with the legislative requirements of the Local Government and Elections (Wales) Act 2021, which requires all authorities (including principal authorities and community councils) to make arrangements to allow remote attendance at their meetings.

6. Members will also note that the feedback on all three meetings is positive in relation to standards of conduct as well as the management of the meeting.
7. The feedback in relation to their meetings has also been shared with the Clerk to St. Fagans Community Council and the Planning Committee Chair respectively, for their information.
8. In relation to the Community Council meeting, Members will note the feedback indicating that the agendas were published on the website and made available at the meeting, but the minutes of the previous meetings and the documents being considered at the meeting were not available on the website. The Clerk to the Community Council has responded to this feedback to say that the minutes were in fact published on the website and he supplied a website link to confirm this.
9. Community Councils are required to publish electronically the agenda and minutes of the proceedings of the council's meetings and, in so far as reasonably practicable, any documents relating to the business to be transacted at the meeting (sections 55 and 57 of the Local Government and Democracy (Wales) Act 2013).
10. Members may recall considering this issue previously, at its meeting in December 2020, in relation to feedback on another community council meeting. At its meeting in December 2020, the Committee made a recommendation to that community council that, as a matter of best practice, to facilitate transparency and public engagement, the community council should consider also publishing:
 - i. draft minutes, clearly marked as 'draft', rather than waiting for minutes to be approved before publishing them (as well as approved minutes which were published); and
 - ii. any reports relating to business items to be discussed at the meeting.
11. It was also agreed that the Monitoring Officer would be asked to raise the general issue of publishing meeting documents with Clerks at the next quarterly meeting to make the same recommendation to other Community Councils; and this issue was duly discussed at the Monitoring Officer's meeting with Clerks in January 2021.
12. Members may also wish to note that new legislation, which comes into effect in May 2022, will place a duty on community councils to give members of the public reasonable opportunities to make representations about any item of business due to be discussed at the meeting (section 48 of the Local Government and Elections (Wales) Act 2021). Community Councils will have discretion on what opportunities to provide, but must have regard to any statutory guidance on this matter.
13. All forthcoming Cardiff Council and Committee meetings are to be held remotely until further notice, due to Covid-19 restrictions. Details of all meetings are listed in the calendar of meetings, which is regularly circulated to Standards and Ethics Committee members and is published on the Council's website, here: <http://cardiff.moderngov.co.uk/mgCalendarMonthView.aspx?GL=1&bcr=1&LLL=0> Independent members, and in particular, newly appointed members, are encouraged to observe a full Council meeting and a Committee meeting.

14. Details of forthcoming Community Council meetings are published on the respective Councils' websites. Members are similarly encouraged to observe a Community Council meeting. Members are advised to contact the Clerk to confirm the meeting is going ahead and to check arrangements for attending. Community Council website links and Clerks contact details are accessible here:

<https://www.cardiff.gov.uk/ENG/Your-Council/Voting-and-elections/Community-councils/Pages/Community-councils.aspx>

Legal Implications

15. There are no direct legal implications arising from the content of this report.

Financial Implications

16. There are no direct financial implications arising from this report.

RECOMMENDATION

The Committee is recommended to:

- (1) Note the meeting observation feedback received, as set out in **Appendix A** to the report;
- (2) Consider whether to make any recommendations or further comments in relation to the feedback, having regard to the information set out in the report; and
- (3) Continue to observe appropriate meetings of the Council, Committees and Community Councils and provide feedback to the Committee.

Davina Fiore

Director of Governance and Legal Services and Monitoring Officer

1st July 2021

Appendix

Appendix A Meeting Observation Feedback Forms for St Fagans Community Council AGM and Ordinary Meeting on 10th May 2021; and Planning Committee meeting on 6th June 2021

Background papers

Standards & Ethics Committee report, 'Observation of Council, Committee and Community Council Meetings, December 2020