



RHONDDA CYNON TAF

RHONDDA CYNON TAF COUNCIL CONSTITUTION COMMITTEE

Minutes of the virtual meeting of the Constitution Committee held on Thursday, 13 May 2021 at
2.00 pm

County Borough Councillors - Constitution Committee Members present : -

Councillor S Powderhill (Chair)
Councillor G Hughes Councillor M Webber
Councillor D Grehan Councillor G Stacey

County Borough Councillors in attendance : -

Councillor P Jarman

Officers in attendance : -

Mr C Hanagan, Service Director of Democratic Services & Communication
Mr A Wilkins, Director of Legal Services and Democratic Services

1 DECLARATION OF INTEREST

In accordance with the Council's Code of Conduct, there were no declarations made pertaining to the agenda.

2 WELCOME

The Presiding Officer welcomed all Members to the meeting with an extended welcome to County Borough Councillor P Jarman, following an invite to the meeting to all Group Leaders.

3 APOLOGIES

Apologies for absence were received from Committee Members County Borough Councillors M Griffiths and G Davies. Apologies were also noted from County Borough Councillor A Morgan and M Powell as Group Leaders.

4 MINUTES

It was **RESOLVED** to approve the minutes of the 2nd May 2019 as an accurate reflection of the meeting.

5 A REVIEW OF MEMBER'S QUESTION AT COUNCIL

The Service Director, Democratic Services & Communications presented the report to Members, which provided members with the opportunity to review the arrangements introduced in May 2019 in respect of 'Members Question on Notice' at full Council meetings and to ensure these arrangements are still fit for purpose.

Discussions ensued and a Member noted her agreement with the recommendations contained within the report and in particular to the 20 minute rule.

Another Member noted that there was previously a maximum of 5 questions from Members and that it's possible that the 5 questions won't be tabled in some cases. The Member felt that at least 5 questions should be asked and that if this goes over the allocated time limit then so be it. The Member also noted that in terms of supplementary questions the Member noted that we should carry on as we are at present and that if a Member has started a question they should be allowed to finish, even if over the allotted time frame. In respect of leaders tabling questions, the Member felt unsure about this aspect and noted that it would be possible to end up in a situation where a Leader tables a question to himself.

The Service Director, Democratic Services & Communications advised Members that a group leader could table a question to themselves but emphasised that this is to allow them to have responsibility for their group and to simplify the process of tabling questions. In respect of supplementary questions, the Presiding Officer noted that it will go to Council, however, he noted his view that he is happy to stick to the allotted time frame for supplementary questions.

Discussions ensued and another Member noted his agreement with the recommendations, particularly in terms of tabling questions. In terms of Leaders tabling questions, a Member sought confirmation that they have the ability to do so but that it isn't enforced so that questions don't need to be tabled through the Leader. The Service Director, Democratic Services & Communications confirmed that the right of Members to table questions would still exist.

Discussions continued and Councillor Jarman noted her view that it would be preferable for Members to submit their own questions without going through the group Leader. In respect of the number of questions that were tabled, Councillor Jarman also noted that only just over 5 questions were actually asked on average per meeting.

In respect of supplementary questions, Councillor Jarman noted her disagreement to the recommendation and queried why the Presiding Officer couldn't allow some flexibility to allow the individual Member to ask the supplementary question. Councillor Jarman further emphasised that every Member of the Council should have the right to send in their individual questions without being 'vetted' by their group Leaders first. The Presiding Officer responded by emphasising that every Member still has the ability to send in a question. The Service Director confirmed this to be correct.

Another Member also emphasised that every individual Member can also email the respective Cabinet Member with any additional question that they may have.

Discussions ensued and a Member noted his view that the average questions per meeting is just over 6 rather than just over 5.

Another Member noted that in terms of supplementary questions, that the group leading the Council is being very dismissive in terms of other Members outside of the leading Group being given an opportunity to question and challenge the Leadership.

Councillor Jarman noted her view that in terms of supplementary questions, it would be useful if the answers were more concise, and that training would be useful for Members in terms of answering questions to allow for more concise answers and to maximise the allotted time allowed for Members.

Councillor Jarman that it is only those asking a supplementary question that will be disadvantaged by the 20 minute rule.

The Presiding Officer emphasised that every individual Member has the right to email individual officers or the respective Cabinet Member with a question and that they do not have to wait for the full Council meeting.

Following discussion, Members **RESOLVED**

- To approve the question arrangements adopted at the Annual General Meeting of the Council in 2019 as outlined within the report;
- To approve the questions posed in 5.9 of the report; and,
- To recommend the current arrangements of Questions on Notice to the twenty sixth Annual Council Meeting on the 26th May 2021.

6 VIRTUAL BUSINESS MANAGEMENT

The Service Director, Democratic Services & Communications presented his report to the Committee and noted the proposals which seek to support the implementation of the Local Government & Election Wales Act (2021) and to support the implementation of hybrid meetings and live broadcasting in the new municipal year.

Discussions ensued and a Member noted that it should be indicative, not prescriptive and that it should be at the discretion of the Presiding Officer. The Service Director also emphasised that these proposals will also be reviewed again in the near future. Another Member noted their agreement to the recommendations. Councillor Jarman noted her agreement to the proposals provided it doesn't disenfranchise all Members of the Council. Councillor Jarman also emphasised the need for good governance by encouraging public participation and that there needs to be a facility whereby members of the public can contribute to the agenda.

Discussions ensued and a Member noted that regard must be given to the difficulties of virtual working, particularly the difficulties of working from home. The Member emphasised that the wider involvement of Elected Members would not be restricted.

Following discussion, Members **RESOLVED**: -

- To recommend the introduction of an indicative time allocation for Council agenda items; and,
- To recommend the Proper Officer propose a suitable amendment to the Council Procedural rules for consideration by Council at the twenty sixth Annual Council Meeting on the 26th May 2021.

7 THE COUNCIL'S CONSTITUTION - PROPOSED AMENDMENTS AND ANCILLARY MATTERS

The Service Director, Democratic Services & Communications presented the report to Members and set out the proposed amendments to the Council's Constitution and ancillary matters as outlined in the report and in accordance with the requirements of the Local Government & Elections (Wales) Act 2021. It was noted that if in agreement, Members were asked to commend the adoption of the proposed amendments to full Council for consideration at the Annual General Meeting of the Council being held on 26th May 2021.

Discussions ensued and a Member sought clarity as to the flexibility of the paperless approach. The Service Director confirmed that the Council will meet the individual needs of Members and that a degree of flexibility will be used. Another Member noted his agreement to the proposals and the opportunity to encourage more people to participate in the democratic process. The Member also sought clarification that in future translation Services will be heard in the recording of meetings and queried who would be responsible for making the decision as to whether a meeting would be webcast. The Service Director confirmed that the decision in respect of webcasting lies with the Head of Democratic Services in consultation with the appropriate Chair and that once a precedent is set that Committee meeting will continue to be recorded and published accordingly. It was also emphasised that anything that is a public facing meeting would be required to be publicised. It was also emphasised that there is a limitation on the number of recording hours and that therefore some meetings may not be recorded. All committees of public interest will be required to be broadcast live. Another Member also emphasised that some meetings could not be publicised due to the confidentiality of some reports. In respect of translation services, the Presiding Officer confirmed that it is possible to speak in Welsh and have the translation service. The Service Director accepted that the translation service provided through the Zoom Application isn't perfect, however, this will be possible through the new Webcasting arrangements.

Discussions continued and Councillor Jarman queried whether social media updates would continue in light of the webcasting arrangements. Councillor Jarman also sought clarification as to whether Members will be treated equally whether they choose to attend the chamber or to attend a meeting remotely under the new hybrid approach to meetings. The Service Director emphasised that each Member will have equal presence to participate in the discussion of the meetings. Members were also advised that in respect of webcasting arrangements, there will be two feeds available so that both English and Welsh will be available on the recording. The Director of Legal also emphasised that in respect of the equality and diversity aspect of the report, the report can be amended prior to going to the Annual General Meeting to reflect that all Members will be allowed access to paper copies where the individual circumstances permit.

Following discussion, Members **RESOLVED** to recommend the amendments and ancillary matters relating to the Council's Constitution to full Council.

This meeting closed at 3.10 pm

**Cllr S Powderhill
Chairman.**