

## Democratic Services Committee

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Meeting Venue

**By Zoom**

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Meeting date

**Monday, 9 January 2023**

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Meeting time

**2.00 pm**

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For further information please contact

**Carol Johnson**

01597 826206

carol.johnson@powys.gov.uk



County Hall  
Llandrindod Wells  
Powys  
LD1 5LG

3 January 2023

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Mae croeso i chi siarad yn Gymraeg neu yn Saesneg yn y cyfarfod.

Rhowch wybod pa iaith rydych am ei defnyddio erbyn hanner dydd, ddau ddiwrnod gwaith cyn y cyfarfod.

You are welcome to speak Welsh or English in the meeting.

Please inform us of which language you wish to use by noon, two working days before the meeting.

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### AGENDA

<b>1.</b>	<b>APOLOGIES FOR ABSENCE</b>
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To receive apologies for absence.

<b>2.</b>	<b>MINUTES OF PREVIOUS MEETING</b>
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To authorise the Chair to sign the minutes of the previous meeting of the Committee as a correct record.

(Pages 3 - 6)

<b>3.</b>	<b>DECLARATIONS OF INTEREST</b>
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To receive and consider declarations of interests from Members relating to items to be considered on the agenda.

<b>4.</b>	<b>CONSTITUTION - SECTION 4 - SPEAKING ON MOTIONS</b>
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To consider the report.

(Pages 7 - 12)

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**MINUTES OF A MEETING OF THE DEMOCRATIC SERVICES COMMITTEE HELD  
AT BY ZOOM ON MONDAY, 5 SEPTEMBER 2022**

**PRESENT**

County Councillor E Vaughan (Chair)

County Councillors G Breeze, L Brighthouse, I Harrison, K Healy, P Lewington,  
P E Lewis and DW Meredith

<b>1.</b>	<b>APOLOGIES FOR ABSENCE</b>
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Apologies for absence were received from County Councillor D Bebb and County Councillor S Williams who was on other Council business.

<b>2.</b>	<b>ELECTION OF VICE CHAIR</b>
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**Resolved that County Councillor G Breeze be elected Vice Chair for the ensuing year.**

<b>3.</b>	<b>MINUTES OF PREVIOUS MEETING(S)</b>
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The Chair was authorised to sign the minutes of the meeting held on 21 February, 2022 as a correct record.

It was noted that the scheduled meeting on 18 July did not go ahead as the meeting was not quorate. The Scrutiny Manager and Head of Democratic Services advised that the draft response to the Local Government: Guidance for Principal Councils - Consultation on Statutory Guidance and Directions was circulated to the Committee members for comment and the final response was sent to the Welsh Government by the due date.

<b>4.</b>	<b>DECLARATIONS OF INTEREST</b>
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There were no declarations of interest.

<b>5.</b>	<b>PUBLIC PARTICIPATION STRATEGY</b>
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The Chair welcomed Catherine James, Head of Transformation and Democratic Services and Lowri Shepstone, Communications & Engagement Officer.

The Committee noted that the draft had been updated to include reference to the Council's ePetition scheme and the consultation dates had been amended. A twelve week consultation would take place, with the aim of publishing the strategy in early 2023.

Comment was made that not all residents had access to information online. It was questioned how they would access information about the Council and also be involved. The officers agreed to look into this issue and reflect this in the draft document.

**Resolved that any comments on the draft would be forwarded to officers within 14 days and then the draft would be subject to 12 weeks consultation.**

<b>6.</b>	<b>CONSTITUTION – SECTION 4 - SPEAKING ON MOTIONS</b>
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The Committee considered the report regarding speaking to motions. It was noted that the revised speaking times were agreed in November 2020 but had not been subject to a review. In addition to this review, the Committee was also being asked to consider the times for Portfolio Holders and speakers in respect of the Closure of Motions, to ensure consistency in timings.

In response to a question the Head of Legal and Monitoring Officer advised that the trial period for the changes in the times for speakers was introduced as it was felt that Council meetings were being lengthened due to repetition by speakers. Returning councillors commented that the trial times had worked well. It was considered that the Portfolio Holders should have a response time of 2 minutes.

It was moved and duly seconded to recommend to Council the officer's recommendations and also that Portfolio Holders should have a response time of 2 minutes.

<b>Recommendation to Council:</b>	<b>Reason for Recommendation:</b>
<p><b>1. That the speaking times in relation to motions be amended on a permanent basis to 5 minutes and 2 minutes.</b></p> <p><b>2. That the speaking time allowed for Portfolio Holders is 2 minutes.</b></p>	<p><b>To revise the speaking time for motions in Section 4 of the constitution following the trial agreed by Council in November 2020.</b></p>

<b>Resolved that:</b>	<b>Reason for Decision:</b>
<p><b>That the Head of Legal Service and the Monitoring Officer prepares a draft revision of Section 4 of the Constitution to reflect the decisions in 1 and 2 above for consideration by the Council.</b></p>	<p><b>To revise the speaking time for motions in Section 4 of the constitution following the trial agreed by Council in November 2020.</b></p>

<b>7.</b>	<b>REPRESENTATION ON COMMITTEES</b>
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The Committee considered the report regarding Representation on Committees.

It was noted that the Group Leaders had asked for a review due to the fact that the number of councillors had reduced from 73 to 68 at the last election and some Groups were finding it difficult to fill vacancies on Committees. However, it was noted that where Groups have vacant seats on a committee they can and do offer these to other Groups and non-affiliated members, where appropriate. Comment was made that a reduction of 7% in councillors would only equate to a one less member of a committee of 21. It was noted that many newly appointment councillors work. In response to a comment the Head of Legal and Monitoring Officer advised that the scope of the review could be widened to look at the participation of councillors, as some non-affiliated members may not be a member of any committee and receive the same salary as other councillors who participate in committees.

It was moved and duly seconded to agree the officer's recommendation and to widen the review to consider participation of councillors in committees.

Resolved that:	Reason for decision
<p><b>1. A review of the numbers of seats on Committees (with the exception of Finance Panel, the Governance and Audit Committee and the Pensions and Investment Committee) be undertaken.</b></p> <p><b>2. the review also includes the councillors' participation in committees and</b></p> <p><b>3. officers (a) commence discussions with Chairs and Members of the Committees; (b) obtain benchmarking information if possible and (c) report back to the Committee at its next meeting.</b></p>	<p><b>To consider revising the numbers of seats on the Council's Committees following the reduction in the size of the Council from 73 to 68 Members.</b></p>

With the agreement of the Chair the following item was considered.

### **Broadcasting of committee meetings.**

Concerns were raised regarding the changes to the broadcasting of committee meetings and the responses provided by the Leader to questions raised by councillors. It was considered that not having access to "live" meetings was in contradiction to the Leader being Cabinet Member for an Open and Transparent Powys.

It was moved and duly seconded that a recommendation from the Democratic Services Committee to Full Council for an immediate return of press and public access to live broadcasts of planning, scrutiny, employment, democratic services and any other meetings which were previously accessible.

The Head of Legal and Monitoring Officer advised that prior to the pandemic only Council and Cabinet meetings were broadcast live. Members of the public and press could however attend in person other committee meetings. During Covid all committee meetings were streamed "live" using Teams, at no extra cost to the Council but Welsh translation was not available. Since May 2022 the new equipment in the Chamber, County Hall had allowed hybrid meetings with Welsh translation. This system was being used for Council and Cabinet meetings as budget was available for these. The Committee noted that officers were testing various systems to enable all meetings to be broadcast "live", with Welsh translation. The Committee was advised that, if the same system as used for broadcasting Council meetings was used, the extra cost for webcasting all committee meetings could be between £80k - £90k per annum.

The Chair noted the issues regarding systems and costs raised by officers but there was a principle of accessibility and openness. He suggested that in light of

the work being undertaken by officers to find a solution that a timescale is set at three months or 60 days from the Council meeting for this to be resolved. The proposer and seconder agreed to the addition of 60 days from the Council meeting on 6 October for this to be resolved to be added to the motion.

**Resolved that the Democratic Services Committee recommends to Full Council on October 6 for an immediate return of press and public access to live broadcasts of planning, scrutiny, employment, democratic services and any other meetings which were previously accessible and that the issue of “live” broadcasts is resolved within 60 days of this Full Council meeting.**

**County Councillor E Vaughan (Chair)**

## CYNGOR SIR POWYS COUNTY COUNCIL.

Democratic Services Committee  
09 January, 2023

REPORT AUTHOR: Head of Legal Services and the Monitoring Officer

SUBJECT: Constitution – Section 4 - Speaking on Motions

REPORT FOR: Decision

**1. Purpose of Report**

1.1 This matter was referred back to the Committee for further consideration by Full Council at its meeting on 13<sup>th</sup> October, 2022.

**2. Background**

2.1 The Committee considered this matter on 9<sup>th</sup> September, 2022 and its recommendation was considered by the Council on 13<sup>th</sup> October, 2022. A copy of the report to Council is attached as **Appendix 1**.

2.2 The minute of the Council meeting held on 13<sup>th</sup> October, is set out below:

“Council considered the recommendations of the Democratic Services Committee on speaking times on motions at Council meetings. For some time the Council had trialled five minutes for proposers and everyone else two minutes and the Democratic Services Committee had recommended that this become a permanent change.

Concern was expressed that two minutes was not long enough to allow for debate and it was proposed that the Democratic Services Committee should look at this again. The Chair of the Committee accepted the point and said that he would be happy for the Committee to look at this again. It was proposed by County Councillor Aled Davies and seconded by County Councillor Elwyn Vaughan and unanimously

**RESOLVED to refer this back to the Democratic Services Committee for further consideration.”**

2.3 It would appear that there was no dissent by Full Council to the speaking time for proposers of 5 minutes and that the issue is only around the speaking time for seconders and other speakers (including Portfolio Holders) (proposed as 2 minutes).

Recommendation:	Reason for Recommendation:
<p>1. That the Committee decides whether it wishes to recommend amend the speaking times in relation to motions to 5 minutes for proposers of motions on a permanent basis.</p> <p>2. That the Committee decides</p>	<p>To revise the speaking time for motions in Section 4 of the constitution following the trial agreed by Council in November 2020.</p>

<p><b>whether it wishes to recommend amending the speaking times in relation to seconders of motions and other speakers on a permanent basis</b></p> <p><b>3. That the Committee decides the speaking time allowed for Portfolio holders</b></p> <p><b>4. That the Head of Legal Service and the Monitoring Officer be asked to prepare a draft revision of Section 4 of the Constitution to reflect the decisions in 1 to 3 above for consideration by the Council.</b></p>	
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<b>Relevant Policy (ies):</b>			
<b>Within Policy:</b>	<b>Y</b>	<b>Within Budget:</b>	<b>Y</b>

<b>Relevant Local Member(s):</b>	<b>N/A</b>
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<b>Person(s) To Implement Decision:</b>	<b>Clive Pinney</b>
<b>Date By When Decision To Be Implemented:</b>	

<b>Contact Officer:</b>	Wyn Richards, Scrutiny Manager and Head of Democratic Services.
<b>Tel:</b>	01597-826375
<b>Email:</b>	wyn.richards@powys.gov.uk

**Background Papers used to prepare Report:**



**CYNGOR SIR POWYS COUNTY COUNCIL.**

**County Council  
13 October, 2022**

**REPORT AUTHOR: Head of Legal and Monitoring Officer**  
**SUBJECT: Constitution – Section 4 - Speaking on Motions**

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**REPORT FOR: Decision**

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**1. Purpose of Report**

- 1.1 The Council is asked to consider an amendment to Rule 4.47.1 of the Constitution in relation to speaking times for motions together with consequential amendments to Rules 4.54.8.2 and 4.54.8.4 (if required). This was considered by the Democratic Services Committee on 5<sup>th</sup> September, 2022.

**2. Background**

- 2.1 Section 4 of the Constitution currently states in relation to speaking on Motions at Council:

**Content and Length of Other Speeches**

4.47.1 Non aligned Members and a nominated principal speaker from each Political Group will be able to speak on each motion with all Members having a right to speak to raise additional or different issues in the debate.

4.47.2 Speeches in accordance with 4.47.1 above must be directed to the motions under discussion or to a personal explanation, point of order or right of reply. The proposer of a motion may speak for no more than 10 minutes; otherwise no speech may exceed 5 minutes without the consent of the Chair. ▲ ■

- 2.2 The previous Council agreed to undertake a trial reducing the time allowed for speeches from 10 and 5 minutes to 5 and 2 minutes.
- 2.3 The revised speaking times have been utilised at Council meetings since November 2020, (with the exception of the Annual Meeting and Budget Meetings) and were reviewed by the Democratic Services Committee on 5<sup>th</sup> September, 2022 who have made the following recommendation to Council on the basis that the trial times (5 minutes and 2 minutes) have not appeared to have restricted Members' ability to propose the motion, second it or make comments upon it within those timescales. The Chair of Council also does have discretion to allow a Member additional time if required. The Democratic Services Committee was of the view that the revised timescales were working well and should be adopted on a permanent basis.
- 2.4 The Democratic Services Committee in considering these issues were also asked for consistency to consider amending the following Rules in relation to speaking times for seconders and other speakers which would also become 2 minutes each:

**Closure Motions**

4.54.8.2 if an amendment has been moved and seconded before a closure motion has been passed by Full Council, that amendment must be discussed immediately but will be subject to the following restrictions:

- The debate on the amendment cannot exceed a maximum of 30 minutes in total, save for the exercising of the Chair’s discretion.
- the proposer will have a maximum of 5 minutes to speak on the amendment;
- the relevant Portfolio Holder(s) will have a maximum of 5 minutes to speak on the amendment;
- the seconder and all other speakers will have a maximum of 3 minutes to speak on the amendment;

4.54.8.4 a single new amendment to the substantive motion (as amended if appropriate) will be allowed if properly seconded, but will be subject to the following restrictions:

- the first new amendment proposed and seconded will be considered and no further proposed amendments will be considered;
- The debate on the new amendment cannot exceed a maximum of 30 minutes in total, save for the exercising of the Chair’s discretion.
- the proposer will have a maximum of 5 minutes to speak on the new amendment;
- the relevant Portfolio Holder will have a maximum of 5 minutes to speak on the new amendment;
- the seconder and all other speakers will have a maximum of 3 minutes to speak on the new amendment;

2.5 The Democratic Services Committee was supportive of amending the rules in respect of speaking at Council meetings and made the following recommendations to the Council. A revised version of Section 4 of the Constitution is attached as an Appendix:

<b>Recommendation to Council:</b>	<b>Reason for Recommendation:</b>
<p><b>1. That the speaking times in relation to motions be amended on a permanent basis to 5 minutes and 2 minutes.</b></p> <p><b>2. That the speaking time allowed for Portfolio Holders is 2 minutes.</b></p> <p><b>3. That the revisions to Section 4 of the Constitution as attached to the report are approved.</b></p>	<p><b>To revise the speaking time for motions in Section 4 of the constitution following the trial agreed by Council in November 2020.</b></p>

<b>Relevant Policy (ies):</b>	
<b>Within Policy:</b>	<b>Y</b>
<b>Within Budget:</b>	<b>Y</b>

<b>Relevant Local Member(s):</b>	<b>N/A</b>
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<b>Person(s) To Implement Decision:</b>	<b>Clive Pinney</b>
<b>Date By When Decision To Be Implemented:</b>	

<b>Contact Officer:</b>	<b>Wyn Richards, Scrutiny Manager and Head of Democratic Services.</b>
<b>Tel:</b>	<b>01597-826375</b>

Email: wyn.richards@powys.gov.uk

**Background Papers used to prepare Report:**

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