

# Public Document Pack



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## DEMOCRATIC SERVICES COMMITTEE

Monday, 5th September, 2022

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The use of Welsh by participants is welcomed. If you wish to use Welsh please inform us by noon, two working days before the meeting

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### S U P P L E M E N T A R Y P A C K

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To consider the draft strategy.

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2.	<b>CONSTITUTION – SECTION 4 - SPEAKING ON MOTIONS</b>
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3.	<b>REPRESENTATION ON COMMITTEES</b>
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## PUBLIC PARTICIPATION STRATEGY 2022-27



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### Introduction

We believe all our stakeholders, including residents, partners, and businesses should have opportunities to participate and engage with us, so their voices influence future decisions and service provision across Powys and we need to show that we are listening to this feedback. We may not always go forward with the public’s preferred option but when we don’t, we need to be clear and transparent, and explain why not.

In line with the [Well-being of Future Generations \(Wales\) Act 2015 sustainable development principles](#), we want communities to feel supported, have a say in what is provided for them locally and feel they play a key role in local service delivery, whilst ensuring that the diversity of the county is reflected in our work. This strategy centres on engaging and working with our community and other partners to promote and strengthen community relationships, development, and resilience to deliver our priorities.

### Our aims

- We will embed a clear and consistent engagement approach that supports our vision for the future in Powys.
- We will empower staff and teams to build collaborative, trusted relationships with our communities, based on honesty, openness, and transparency.

- We will achieve a culture of participation with our communities by enabling people to voice their views, needs and wishes, and to contribute to plans, proposals, and decisions about services.
- We will use innovative accessible approaches to communicate and engage with stakeholders by using a variety of media and clear language to suit their needs while maintaining and improving existing channels.
- We will ensure that we are actively seeking views from groups who are 'seldom heard'.
- We will measure and evaluate engagement effectively and report on how feedback has been used to shape and improve services.

## Legislative duty

This strategy has been developed to identify how we will meet our legislative duty in line with Chapter 2 of the Local Government and Elections (Wales) Act, see below:

Legislation	Duties and Responsibilities	Outcome
<a href="#">Local Government and Elections (Wales) Act Part 3 Promoting Access To Local Government</a>	<p>Chapter 2, Section 39 - Duty to encourage local people to participate in decision-making by principal councils.</p> <ol style="list-style-type: none"> <li>1. A principal council must encourage local people to participate in the making of decisions by the council (including the making of decisions in partnership or in conjunction with any other person).</li> <li>2. In subsection (1), a reference to the making of decisions includes a reference to the making of decisions by a person in relation to the exercise of a function delegated to that person by a principal council.</li> </ol>	A principal council must prepare and publish a strategy ("a public participation strategy") specifying how it proposes to comply with the duty in section 39.

## Glossary of terms

The National Principles of Public Engagement in Wales, produced in 2011 under the guidance of the Participation Cymru Advisory Panel, uses the following working definitions:

- **Participation:** People being actively involved with policy makers and service planners from an early stage of policy and service planning and review, for example [suggesting a topic for discussion by the county council's scrutiny committees](#).
- **Consultation:** A formal process by which policy makers and service providers ask for the views of interested groups and individuals, for example [Statutory consultations for the Transforming Education in Powys 2020-2030 strategy](#)
- **Engagement:** An active and participative process by which people can influence and shape policy and services that includes a wide range of different methods and techniques, for example [Living in Powys engagement exercise to inform the county's next well-being plan](#).
- **Co-production:** An asset-based approach to public services that enables people providing and people receiving services to share power and responsibility, and to work

together in equal, reciprocal and caring relationships, for example our [Housing Services Group 100 \(HSG 100\) and Tenants Scrutiny Panel](#)

## Principles of consultation and engagement

We are signed up to the following sets of principles to ensure conversations with our stakeholders are meaningful, timely and appropriately resourced to ensure consideration is given to public responses and opinions before a decision is made.

- [National Principles for Public Engagement in Wales](#)
- [The Gunning Principles](#)

## Creating awareness of what we do

We have a variety of communication channels available to us which raise awareness of our services and promote opportunities for public participation and engagement, including our website; social media; local and national press; our consultation hub, etc.

Key messages are shared through a variety of channels, and all communications are:

- Relevant, accurate and up to date
- Clear, concise, and free of jargon
- Available bi-lingually in English and Welsh
- Available in different formats, when requested.

We also provide [guidance to councillors](#) (and internally to our staff) on the benefits of using social media to communicate with our local communities and how it compliments traditional communication channels and opens up new ways to engage with the public etc. We also have an internal 'Use of Social Media' policy and information is available to staff and councillors regarding consent and copyright.

## Generating interest in what we do

Understanding how we work can help residents deal with any issues they may face in their communities and potentially inspire them to get involved with our services and even generate interest in becoming a County Councillor.

Our [website](#) is a source of a variety of information, that aids public participation, including (but not limited to):

- [The council organisation structure](#)
- [Council constitution and corporate governance](#)
- [Find my councillor](#)
- [Council Committees and meetings](#), including ways to comment on agenda items and to suggest a topic for discussion by a scrutiny committee
- [Public Participation at council meetings](#), including putting a question to a Cabinet Member or a Chair of a committee
- [Calendar of meetings](#), including dates of upcoming meetings, links to watch the meetings online and associated papers
- [Consultations in Powys](#), including our consultation hub, consultations by our partners and Powys People's Panel
- [How the council spends money](#)

- [How the council works in partnership](#)
- [Planning and Building Control](#), including searching, viewing, and commenting on planning applications
- [Statistics about your area](#), including census information and the interactive well-being information bank
- [Powys People's Panel](#)
- [How to become a Councillor and what is involved](#)
- [New Councillors' introduction to the Council](#)

## Engaging and interacting with our services/work

For most members of the public, the connection they have with council services is mainly transactional, for example they pay their council tax and/or business rates and receive services in return.

Some, however, are interested in forming a stronger connection with our work and look to share their views and influence decision-making, etc. This might be individually by providing feedback or completing the occasional survey or consultation; starting a petition on a local matter; through a local group or organisation; or in some cases showing an interest in becoming a Councillor and representing their local community as a whole.

There are many levels of involvement in which people might participate with council services depending on their personal circumstances and interest. Whatever the level of public participation, it should be integral to the design, delivery and monitoring of a project, service, or decision.

**Keep informed:** The public should be kept informed of our actions, plans and decisions through balanced and objective communications. For example: Media releases, website, social media, service specific letters/emails.

**Actively Consult:** The public should have the opportunity to formally feedback on proposals affecting them. Clear information should be provided for consideration and adequate time to respond should be provided. Decision makers must ensure they have taken into account all views and information before reaching their final decision. For example: Transforming Education, Powys Local Development Plan, Council Tax Premiums on Second Homes, etc.

**Regularly Involve/Engage:** Opportunities should and do exist for the public to share their views regularly on a variety of topics to influence and feedback on our projects and performance. For example: service specific surveys on our consultation hub, customer services, feedback options on our website and social media channels, joining our Powys People's Panel, being involved in Stakeholder groups and forums, utilising the petitions scheme, proposing topics for discussion at relevant meetings/scrutiny committees, through local councillors and/or town and community councils.

**Collaborate:** We should work with partners in the development of projects and services that benefit local communities. For example: Powys Public Service Board, Regional Partnership Board, Growing Mid Wales.

In planning participation and engagement activities, we will aim to engage with as many people as possible from the following groups:

- The public - residents, businesses, local community groups, and visitors
- Partner organisations, for example Powys Teaching Health Board, PAVO, etc.
- Town and Community Councils and County Councillors
- Council staff and trade union representatives
- Powys People's Panel (3,000+ members who have signed up through their online account, to take part in surveys and other opportunities to express their views on our services and other issues related to living in Powys)

It is important that our participation and engagement activities represent the whole community including those of less vocal and 'seldom-heard' groups. In line with the [Social Model of Disability](#), we will establish new relationships (and maintain existing ones) with local groups and charities to understand access issues and ensure all our residents have equal opportunities to get involved with council services and decisions.

In line with the [Equality Act 2010](#) protected characteristics, no one should be excluded on the basis of their age, disability, gender, marriage or civil partnership, pregnancy and maternity, race, religion or belief, sexual orientation, status, socioeconomic status, preferred language or any other individual characteristic (unless a project is itself characteristic-specific, for example age specific survey for schools).

All engagement activities, on and off-line will be available in accessible formats, including ensuring our online content meets Level A (with the aim to meet Level AA) of the Web Content Accessibility Guidelines (WCAG) 2.1 - the international standard for accessible websites and content.

The views of Welsh language speakers must always be gathered, and engagement activities should involve and support those who wish to participate through the medium of Welsh including, but not limited to, the use of our Welsh language consultation hub.

When it is not possible to collect information from the whole population, we will use a sample of those whose key characteristics are representative of the target group. More information about Powys demographics can be viewed through our online [well-being information bank](#).

To ensure survey and consultation results are representative of the Powys population, we will aim to receive 384 responses to have a confidence level of 95% (with a margin of error of +/-5%).

## Reporting back to participants

We need to show that we listen to any feedback that we receive through public participation. All views should be considered before a final decision is made. We may not always go forward with the public's preferred option and when we don't, we need to be clear and transparent, and explain why not.

Decisions made after public participation and engagement activities should be communicated through our main channels, for example media releases, website, social

media, service specific letters/emails and published as a follow up on the relevant project on our consultation hub.

## Measures of success

We will monitor and report on all of our public participation activities. At the end of each quarter, data from our ongoing engagement project (which is in place to keep under review the extent to which the council is fulfilling the [Local Government and Elections \(Wales\) Act Part 6, Chapter 1, Section 90](#) performance requirements) will be collated and reported on as part of the Quarterly Performance Reporting to Cabinet. This report will include:

- Number of people who have engaged (taken part) in external engagement and consultation activities
- % of people that are satisfied or very satisfied that they have opportunities to have their say and participate in the Council’s decision-making processes
- % of people that speak positively about the Council (with or without being asked)

At the end of each quarter we will also report on engagement as a whole, including:

- Number of surveys and consultations published (target of 30 or more engagement and consultation activities undertaken each year to engage residents and staff).
- Number of people signed up as members of the Powys People’s Panel
- Number of visitors to the Powys County Council engagement hub

All engagement activities will have follow-up information published online to show how and where public participation has shaped our decision-making.

## Document Control

<b>Title of document:</b>	PCC Public Participation Strategy
<b>Type of document</b>	Strategy
<b>Owner:</b>	Head of Transformation and Communications
<b>Public Consultation:</b>	Monday 9 May 2022 - Thursday 30 June 2022 TBC
<b>Approval process / approving body:</b>	Democratic Services and Powys County Council Cabinet
<b>Approval date:</b>	
<b>Review arrangements:</b>	This strategy will be reviewed after each ordinary election (the first review year being 2027). A consultation exercise on any revisions to the Strategy will be undertaken as part of each review.  To keep the strategy relevant and up to date, necessary minor changes will be made and approved by the Head of Transformation and Communications and Cabinet member for Communications & Engagement.
<b>Next review date:</b>	June 2027

Version	Date	Brief Description of Changes	Comments



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## CYNGOR SIR POWYS COUNTY COUNCIL.

### Democratic Services Committee 05 September, 2022

**REPORT AUTHOR:** Head of Legal and Democratic Services  
**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 Committee 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) for recommendation to the Council for approval.

#### 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 There was a discussion during the previous term of Council whether the length of speeches was too long based on the experience of the consideration of motions at Council and this matter was referred to the Democratic Services Committee for consideration. In November 2020 the Council resolved following the recommendation of the Democratic Services Committee:

- (i) **to reduce the speaking time for proposers and seconders of motions from 10 minutes and 5 minutes to 5 minutes and 2 minutes respectively and that these changes be trialled at three Council meetings [excluding the annual meeting].**
- (ii) **that a trial of nominated speakers on behalf of political groups be undertaken at 3 Full Council meetings, followed by a review of the trial by the Democratic Services Committee.**

- 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) but have not been the subject of a review by the Democratic Services Committee.

- 2.4 Based on the observations of Council meetings 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. However, Members' views are sought based on their experience of speaking at Council.
- 2.5 If the Committee takes the view that the revised times are appropriate the Committee is asked to consider:
- (i) amending Rule 4.47.2 to the effect that the speaking times for proposers, seconders and other speakers relation to motions is as follows - 5 minutes for a proposer of a motion and 2 minutes for a seconder and other speakers.
  - (ii) Whether Portfolio Holders should be given more than 2 minutes to respond. Under Rule 4.54.8.2 ( see paragraph 2.6 below) a Portfolio holder has 5 minutes to respond to an amendment in the event that an amendment is superseded by a closure motion. For the avoidance of doubt and to remove any anomaly, the Committee may consider that Portfolio holders should also have the right to respond for up to 5 minutes ( or for such shorter time as the Committee considers appropriate).
  - (iii) whether this amendment will apply to all motions or will not apply to the following:
    - Annual Meeting of Council (as motions are not considered at this meeting) and
    - Budget meetings (where the current rules are 5 minutes for proposers and 2 minutes for seconders and other speakers), where additional time may be required.
- 2.6 Should the Committee accept paragraph 2.5(i) above, the Committee is 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;

<b>Recommendation:</b>	<b>Reason for Recommendation:</b>
<p><b>1. That the Committee decides whether it wishes to recommend amend the speaking times in relation to motions to 5 minutes and 2 minutes on a permanent basis.</b></p> <p><b>2. That the Committee decides the speaking time allowed for Portfolio holders</b></p> <p><b>3. 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 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>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>	

Contact Officer:	Wyn Richards, Scrutiny Manager and Head of Democratic Services.
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**Background Papers used to prepare Report:**

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## CYNGOR SIR POWYS COUNTY COUNCIL.

### Democratic Services Committee 05 September, 2022

**REPORT AUTHOR:** Head of Legal Services

**SUBJECT:** Representation on Committees

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**REPORT FOR:** Decision

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#### 1. Purpose of Report

- 1.1 The Committee is asked to consider whether there is a need to amend the numbers of Members sitting on Committees following the reduction in the overall numbers of Members from 73 to 68.

#### 2. Background

- 2.1 The allocation of the numbers of seats on the Council's Committees is based on a formula which provides (as far as possible) representation in proportion to the size of the political group as a percentage of the overall numbers on Council, so for example a political group with numbers which equates to 50% of the size of the Council would be allocated 50% of seats on a committee
- 2.2 With the election of the new Council in May came the implementation of the changes to the Council's electoral divisions effectively reducing the Councillor numbers from 73 to 68. The Council has also seen a significant change in its membership with more Councillors having other employment as well as undertaking the role of Councillor. This has led to some difficulties for new Councillors in being able to undertake their various responsibilities. In addition, the current numbers of Members sitting on committees is based on a Council of 73 and has not been amended to reflect the reduced numbers and has caused some difficulties for political groups in filling their allocation of seats. Group Leaders suggested following the election that a review of seats on committees was required.
- 2.3 As it is early in the new term of Council, it is probably appropriate for a review to be considered. The current numbers of Members sitting on Committees are as follows:

<b>Committee</b>	<b>Councillors</b>	<b>Co-Opted Members</b>
Planning, Taxi Licensing, Rights of Way	21	0
Health and Care	14	0
Learning and Skills	14	4
Economy Residents Communities	14	1
Employment Appeals	14	0
Democratic Services	14	0
Licensing Act 2003	14	0
Finance Panel	9	1
Governance and Audit	6	3
Pensions and Investment	5	0

- 2.4 As the numbers for the Finance Panel and the Governance and Audit Committee have only recently been revised and come into operation from May, and as the number of the Pensions and Investment committee is small, it is not considered that there should be any change to these three committees.
- 2.5 In the circumstances, the Committee is asked to consider whether or not it would like officers to undertake a review of the numbers sitting on committees ( with the exception of Finance Panel , the Governance and Audit Committee and the Pensions and Investment committee ). Any such review would include taking the views of Chairs and Members of each Committee and obtaining some benchmarking data from other Welsh Local Authorities ( if possible) .
- 2.6 The Committee is asked to consider:
- (i) Whether or not there is a need to review the numbers of seats on Committees ( with the exception of Finance Panel, the Governance and Audit Committee and the Pensions and Investment committee ) .
  - (ii) If the response to (i) is yes, to authorise officers to (a) commence discussions with Chairs and Members of the Committees; (b) obtaining benchmarking information if possible and (c ) to report back to the Committee at its next meeting.

<b>Recommendation:</b>	<b>Reason for Recommendation:</b>
<p>1. To decide whether or not there is a need to review the numbers of seats on Committees ( with the exception of Finance Panel , the Governance and Audit Committee and the Pensions and Investment committee).</p> <p>2. If the response to 1 is yes, to authorise officers to (a) commence discussions with Chairs and Members of the Committees; (b) obtaining benchmarking information if possible and (c ) to report back to the Committee at its next meeting.</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>

<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>As soon as possible</b>

Contact Officer:	Wyn Richards, Scrutiny Manager and Head of Democratic Services.
Tel:	01597-826375
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**Background Papers used to prepare Report:**