

# Public Document Pack



County Hall  
Rhadyr  
Usk  
NP15 1GA

Wednesday, 8 May 2024

## Notice of meeting

# County Council

**Thursday, 16th May, 2024 at 2.00 pm,  
Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA**

## AGENDA

*Prayers will be said prior to the Council meeting at 1.50pm. All members are welcome to join the Chair for prayers should they wish to do.*

Item No	Item	Pages
1.	Apologies for absence	
2.	Declarations of interest	
3.	To elect a Chair of Council for the Civic Year 2024/25	
4.	To appoint a Vice-Chair of Council for the Civic Year 2024/25	
5.	To confirm the minutes of the meeting held on 18th April 2024	1 - 6
6.	To elect a Leader of the County Council and to receive notification of Leader delegations (appointments to Cabinet)	
7.	Representation of Political Groups - Review	7 - 14
8.	Appointments to Committees	15 - 36
9.	Appointments to Outside Bodies	37 - 40
10.	Standards Committee - Appointment of Independent Members	41 - 42
11.	Members Questions:	
11.1.	From County Councillor Lisa Dymock to County Councillor Martyn Groucutt, Cabinet Member for Education	
	Please can the cabinet member for education provide an update on the plans to extend ARW Primary and when will the S106 funding become available	

	from the Church Road Development?
<b>11.2.</b>	<b>From County Councillor Lisa Dymock to County Councillor Catrin Maby, Cabinet Member for Climate Change and the Environment</b>  Please can the cabinet member for climate change and environment provide me an update on when Crick Road (from the B4245 to Main Road Portskewett) be brought up to adequate and safe standard for road users?
<b>11.3.</b>	<b>From County Councillor Richard John to County Councillor Mary Ann Brocklesby, Leader of the Council</b>  What legal advice has the cabinet received since the last council meeting about the administration's tender for dairy products?
<b>11.4.</b>	<b>From County Councillor Jane Lucas to County Councillor Paul Griffiths, Cabinet Member for Planning and Economic Development Deputy Leader</b>  What discussions has the cabinet member had with local business groups about free parking in Monmouth?
<b>11.5.</b>	<b>From County Councillor Tomos Davies to County Councillor Catrin Maby, Cabinet Member for Climate Change and the Environment</b>  To ask the Cabinet Member to confirm the total number of fly tipping cases recorded in the past year and the number of successful prosecutions.
<b>11.6.</b>	<b>From County Councillor Tomos Davies to County Councillor Martyn Groucutt, Cabinet Member for Education</b>  To ask the Cabinet Member to provide an update to the parents of the 17 children rejected a place at Gilwern Primary School of how the authority intends to support and accommodate these pupils.
<b>11.7.</b>	<b>From County Councillor Tomos Davies to County Councillor Angela Sandles, Cabinet Member for Equalities and Engagement</b>  To ask the Cabinet Member to provide an update on Monmouthshire County Council's offer to host the 2026 National Eisteddfod.
<b>11.8.</b>	<b>Urgent question from County Councillor Paul Pavia to County Councillor Martyn Groucutt, Cabinet Member for Education</b>  Will the Cabinet Member provide an update on the development of the new King Henry VIII School?
<b>12.</b>	<b>Next Meeting - 20th June 2024</b>

**Paul Matthews**

**Chief Executive / Prif Weithredwr**



**MONMOUTHSHIRE COUNTY COUNCIL  
CYNGOR SIR FYNWY**

**THE CONSTITUTION OF THE COMMITTEE IS AS FOLLOWS:**

County Councillor Rachel Buckler	Devauden;	Welsh Conservative Party
County Councillor Laura Wright	Grofield;	Welsh Labour/Llafur Cymru
County Councillor Tony Kear	Llanbadoc & Usk;	Welsh Conservative Party
County Councillor Catrin Maby	Drybridge;	Welsh Labour/Llafur Cymru
County Councillor Jan Butler	Goetre Fawr;	Welsh Conservative Party
County Councillor Ian Chandler	Llantilio Crossenny;	Green Party
County Councillor Sara Burch	Cantref;	Labour and Co-Operative Party
County Councillor Alistair Neill	Gobion Fawr;	Welsh Conservative Party
County Councillor Su McConnel	Croesonen;	Welsh Labour/Llafur Cymru
County Councillor Mary Ann Brocklesby	Llanelly Hill;	Labour and Co-Operative Party
County Councillor Fay Bromfield	Llangybi Fawr;	Welsh Conservative Party
County Councillor Jane Lucas	Osbaston;	Welsh Conservative Party
County Councillor Emma Bryn	Wyesham;	Independent Group
County Councillor Peter Strong	Rogiet;	Welsh Labour/Llafur Cymru
County Councillor Meirion Howells	Llanbadoc & Usk;	Independent
County Councillor Paul Griffiths	Chepstow Castle & Larkfield;	Welsh Labour/Llafur Cymru
County Councillor Jackie Strong	Caldicot Cross;	Welsh Labour/Llafur Cymru
County Councillor Rachel Garrick	Caldicot Castle;	Labour and Co-Operative Party
County Councillor Maria Stevens	Severn;	Welsh Labour/Llafur Cymru
County Councillor Steven Garratt	Overmonnow;	Welsh Labour/Llafur Cymru
County Councillor Angela Sandles	Magor East with Undy;	Labour and Co-Operative Party
County Councillor Ben Callard	Llanfoist & Govilon;	Welsh Labour/Llafur Cymru
County Councillor John Crook	Magor East with Undy;	Welsh Labour/Llafur Cymru
County Councillor Tomos Dafydd Davies	Llanfoist & Govilon;	Welsh Conservative Party
County Councillor Dale Rooke	Chepstow Castle & Larkfield;	Welsh Labour/Llafur Cymru
County Councillor Catherine Fookes	Town;	Welsh Labour/Llafur Cymru
County Councillor Sue Riley	Bulwark and Thornwell;	Welsh Labour/Llafur Cymru
County Councillor Jayne McKenna	Mitchel Troy and Trellech United;	Welsh Conservative Party
County Councillor Jill Bond	West End;	Welsh Labour/Llafur Cymru
County Councillor Louise Brown	Shirenewton;	Welsh Conservative Party
County Councillor Lisa Dymock	Portskewett;	Welsh Conservative Party
County Councillor Tony Easson	Dewstow;	Welsh Labour/Llafur Cymru
County Councillor Christopher Edwards	St. Kingsmark;	Welsh Conservative Party
County Councillor Martyn Groucutt	Lansdown;	Welsh Labour/Llafur Cymru
County Councillor Simon Howarth	Llanelly Hill;	Independent Group
County Councillor Richard John	Mitchel Troy and Trellech United;	Welsh Conservative Party
County Councillor David Jones	Crucorney;	Independent Group
County Councillor Penny Jones	Raglan;	Welsh Conservative Party
County Councillor Malcolm Lane	Mardy;	Welsh Conservative Party
County Councillor Phil Murphy	Caerwent;	Welsh Conservative Party
County Councillor Paul Pavia	Mount Pleasant;	Welsh Conservative Party
County Councillor Maureen Powell	Pen Y Fal;	Welsh Conservative Party
County Councillor Frances Taylor	Magor West;	Independent Group

County Councillor Tudor Thomas  
County Councillor Armand Watts  
County Councillor Ann Webb

Park;  
Bulwark and Thornwell;  
St Arvans;

Welsh Labour/Llafur Cymru  
Welsh Labour/Llafur Cymru  
Welsh Conservative Party

## Public Information

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### Watch this meeting online

This meeting can be viewed online either live or following the meeting by visiting [www.monmouthshire.gov.uk](http://www.monmouthshire.gov.uk) or by visiting our Youtube page by searching MonmouthshireCC.

### Welsh Language

Mae'r Cyngor yn croesawu cyfraniadau gan aelodau'r cyhoedd trwy gyfrwng y Gymraeg neu'r Saesneg. Gofynnwn yn barchus i chi roi rhybudd digonol i ni er mwyn darparu ar gyfer eich anghenion. The Council welcomes contributions from members of the public through the medium of Welsh or English. We respectfully ask that you provide us with adequate notice to accommodate your needs.

# Aims and Values of Monmouthshire County Council

## Our purpose

- to become a zero-carbon county, supporting well-being, health and dignity for everyone at every stage of life.

## Objectives we are working towards

- Fair place to live where the effects of inequality and poverty have been reduced;
- Green place to live and work with reduced carbon emissions and making a positive contribution to addressing the climate and nature emergency;
- Thriving and ambitious place, where there are vibrant town centres and where businesses can grow and develop
- Safe place to live where people have a home where they feel secure in;
- Connected place where people feel part of a community and are valued;
- Learning place where everybody has the opportunity to reach their potential

## Our Values

**Openness.** We are open and honest. People have the chance to get involved in decisions that affect them, tell us what matters and do things for themselves/their communities. If we cannot do something to help, we'll say so; if it will take a while to get the answer we'll explain why; if we can't answer immediately we'll try to connect you to the people who can help – building trust and engagement is a key foundation.

**Fairness.** We provide fair chances, to help people and communities thrive. If something does not seem fair, we will listen and help explain why. We will always try to treat everyone fairly and consistently. We cannot always make everyone happy, but will commit to listening and explaining why we did what we did.

**Flexibility.** We will continue to change and be flexible to enable delivery of the most effective and efficient services. This means a genuine commitment to working with everyone to embrace new ways of working.

**Teamwork.** We will work with you and our partners to support and inspire everyone to get involved so we can achieve great things together. We don't see ourselves as the 'fixers' or problem-solvers, but we will make the best of the ideas, assets and resources available to make sure we do the things that most positively impact our people and places.

**Kindness:** We will show kindness to all those we work with putting the importance of relationships and the connections we have with one another at the heart of all interactions.



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# Public Document Pack Agenda Item 5

## MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of County Council held  
on Thursday, 18th April, 2024 at 2.00 pm

**PRESENT:** County Councillor Meirion Howells (Chair)  
County Councillor Su McConnel (Vice Chair, in the Chair)

County Councillors: Rachel Buckler, Laura Wright, Tony Kear, Catrin Maby, Jan Butler, Ian Chandler, Sara Burch, Alistair Neill, Su McConnel, Mary Ann Brocklesby, Fay Bromfield, Jane Lucas, Emma Bryn, Peter Strong, Paul Griffiths, Jackie Strong, Rachel Garrick, Maria Stevens, Steven Garratt, Angela Sandles, Ben Callard, John Crook, Tomos Davies, Dale Rooke, Catherine Fookes, Sue Riley, Jayne McKenna, Jill Bond, Louise Brown, Lisa Dymock, Tony Easson, Christopher Edwards, Martyn Groucutt, Simon Howarth, Richard John, David Jones, Penny Jones, Malcolm Lane, Phil Murphy, Paul Pavia, Maureen Powell, Frances Taylor, Tudor Thomas, Armand Watts and Ann Webb

### OFFICERS IN ATTENDANCE:

Paul Matthews	Chief Executive
Peter Davies	Deputy Chief Executive and Chief Officer, Resources
Jane Rodgers	Chief Officer for Social Care, Safeguarding and Health
Will McLean	Chief Officer for Children and Young People
Nicola Perry	Senior Democracy Officer
Frances O'Brien	Chief Officer, Communities and Place
Matthew Gatehouse	Chief Officer People, Performance and Partnerships.
Ian Saunders	Chief Officer Customer, Culture and Wellbeing.
James Williams	Chief Officer Law & Governance

### APOLOGIES:

County Councillors

#### 1. Declarations of Interest

None.

#### 2. Chair's Announcement

Noted.

#### 3. To confirm the minutes of the meeting held on the 29th February 2024

The minutes of the meeting held on 29<sup>th</sup> February 2024 were approved as an accurate record.

In doing so County Councillor Neill asked that it be clarified in the minutes that the expectation is that Cabinet Members should answer questions put to them by councillors, and that any report brought to a Full Council meeting should be open to debate. The Monitoring Officer agreed this is confirmed in the Constitution.

<https://www.youtube.com/live/74kF3PYiyF0?feature=shared&t=127>

## **MONMOUTHSHIRE COUNTY COUNCIL**

**Minutes of the meeting of County Council held  
on Thursday, 18th April, 2024 at 2.00 pm**

### **4. URGENT CABINET DECISION TAKEN ON 6th MARCH 2024**

The Cabinet Member for Social Care, Safeguarding and Accessible Health Services, presented the report to update members on a decision taken by Cabinet on 6th March 2024, where call-in was disapplied due to urgency.

**Upon being put to a vote Council resolved to accept the recommendation:**

**That Council notes the decision of Cabinet on 6th March 2024 and the reasons for urgency as set out in the recommendations of the Cabinet report attached at Appendix 1.**

<https://www.youtube.com/live/74kF3PYiyF0?feature=shared&t=451>

### **5. DEVELOPING CHILDREN'S RESIDENTIAL AND 16+ SUPPORTED ACCOMMODATION PLACEMENTS**

The Cabinet Member for Social Care, Safeguarding and Accessible Health Services presented the report in order to set out a proposed approach for the development of children's residential and 16+ supported accommodation placements based on an analysis of current and predicted need.

The report considered two distinct elements of developing placements, these being:

- i) the building-based / accommodation element of the provision; and
- ii) the provision of direct care and support.
- iii) The report locates the development of residential and supported accommodation placements within the context of national and local policy objectives.

**Upon being put to a vote Council resolved to accept the recommendations:**

**Council endorses the approach to developing 'in-house' residential placements and 16+ supported accommodation placements for children who are looked after and young people who are care experienced or homeless.**

**Council endorses the proposal that, in the first instance, Children's Services will look to re-purpose existing assets available to the Council in order to provide children's residential and 16+ supported accommodation placements, subject to appropriate business cases and cabinet approval.**

**Where re-purposing is not viable Council endorses the direct acquisition from the open market of suitable properties or land for the purpose of developing children's residential provision or 16+ supported accommodation, subject to appropriate business cases and cabinet approval.**

**Council agrees that borrowing headroom is increased to up to £3 Million to support the direct acquisition from the open market of suitable properties or land; and / or to support refurbishment or repurposing costs, subject to appropriate business cases and cabinet approval.**

**Council agrees that the any decisions to draw on the borrowing headroom for the purposes set out within this report will be made by Cabinet.**

**Council agrees that a report is provided to Performance and Overview Scrutiny Committee on a six-monthly basis for assurance that we are obtaining value for money**

## MONMOUTHSHIRE COUNTY COUNCIL

### Minutes of the meeting of County Council held on Thursday, 18th April, 2024 at 2.00 pm

with specific acquisitions and that the policy approach is delivering the impact and outcomes expected.

<https://www.youtube.com/live/74kF3PYiyF0?feature=shared&t=951>

#### **6. MOTIONS TO COUNCIL:**

##### **7. Submitted by County Councillor Frances Taylor**

*That this council agree that it is of concern that the chair of Standards Committee has resigned citing that the proper functioning of the Committee, and his role as Independent Chair, has been undermined to the extent that he is not prepared to continue as a member.*

*That this Council commits to upholding standards of conduct in public life to supporting the committee in addressing the issues the independent members of the committee identify as undermining the proper functioning of the committee.*

Upon being put to a vote the motion was accepted.

<https://www.youtube.com/live/74kF3PYiyF0?feature=shared&t=3961>

##### **8. Submitted by County Councillor Richard John**

*This Council:*

- *Recognises the significant public support for local procurement to back Monmouthshire businesses, reduce food miles and minimise the county's carbon footprint.*
- *Deeply regrets the decision of the administration to award a contract for dairy products to a business based over 100 miles away, so Monmouthshire schools, care homes and leisure centres can no longer use milk from Monmouthshire farms.*
- *Instructs the administration to take urgent steps to restore local provision of dairy products.*

Seconded by County Councillor Fay Bromfield.

The Leader of the Council, County Councillor Mary Ann Brocklesby proposed the following amendment:

This Council:

Recognises the significant public support for local procurement to back Monmouthshire businesses, reduce food miles and minimise the county's carbon footprint,

Acknowledges that the decision to join the All Wales framework for food procurement in 2018 was taken to reduce costs and whilst the framework serves Monmouthshire well in many regards, it is not suitable for the Council's milk and dairy requirements,

Supports the intention of the Cabinet to review the supply of milk and dairy products and undertake a procurement separate from the All Wales framework with the objective of achieving greater local sustainability and decarbonisation.

## MONMOUTHSHIRE COUNTY COUNCIL

### Minutes of the meeting of County Council held on Thursday, 18th April, 2024 at 2.00 pm

Seconded by County Councillor Ben Callard.

Upon being put to a vote the amendment was accepted and became the substantive motion. Debate ensued.

Council resolved to accept the motion.

<https://www.youtube.com/live/74kF3PYiyF0?feature=shared>

#### **9. Submitted by County Councillor Tony Kear**

*This Council:*

*Believes that elected members should aspire to the highest possible standards in public life.*

*Expresses concern that opportunities for scrutiny, engagement and public consultation have been eroded over the past two years.*

*Agrees to set up a cross-party working group to review current arrangements and make recommendations to improve accountability in council decision-making.*

Seconded by County Councillor Alistair Neill

*County Councillor Maureen Powell left the meeting at 17:42pm*

*County Councillor Jayne McKenna left the meeting at 18:11pm*

*County Councillor Richard John left the meeting at 18:42pm*

Upon being put to a vote the motion was defeated.

<https://www.youtube.com/live/74kF3PYiyF0?feature=shared&t=12017>

#### **10. MEMBERS QUESTIONS:**

#### **11. From the Independent Group and County Councillor Simon Howarth to County Councillor Ian Chandler, Cabinet Member for Social Care, Safeguarding and Accessible Health Services**

*When will the work on the Melville Theatre in respect of the My Day My Life Base be commenced and when is it anticipated to be concluded?*

<https://www.youtube.com/live/74kF3PYiyF0?feature=shared&t=17294>

#### **12. From the Independent Group and County Councillor Simon Howarth to County Councillor Ian Chandler, Cabinet Member for Social Care, Safeguarding and Accessible Health Services**

## MONMOUTHSHIRE COUNTY COUNCIL

### Minutes of the meeting of County Council held on Thursday, 18th April, 2024 at 2.00 pm

*Please provide an update on the work to support The Gathering's business plan and the projected timeline for The Gathering to occupy Tudor Street?*

<https://www.youtube.com/live/74kF3PYiyF0?feature=shared&t=17679>

**13. From County Councillor Frances Taylor to County Councillor Paul Griffiths, Cabinet Member for Planning and Economic Development Deputy Leader**

*Please provide an update on the Gypsy and Traveller Pitch Provision process in respect of the timelines and the relationship with the timeline for consultation on the Replacement Local Development Plan?*

<https://www.youtube.com/live/74kF3PYiyF0?feature=shared&t=17972>

**14. From County Councillor Simon Howarth to County Councillor Catrin Maby, Cabinet Member for Climate Change and the Environment**

*Would the cabinet member please update the council and the public on the ongoing repairs required to the section off carriageway the A40 from the Hardwick roundabout to the Raglan roundabout? There are many rumours around with reference to the speed reduction.*

<https://www.youtube.com/live/74kF3PYiyF0?feature=shared&t=17972>

**15. From County Councillor Jane Lucas to County Councillor Catrin Maby, Cabinet Member for Climate Change and the Environment**

*Has the Cabinet Member considered introducing free parking in Monmouth at key times to encourage residents to support local businesses through the duration of current disruption?*

<https://www.youtube.com/live/74kF3PYiyF0?feature=shared&t=17972>

**16. From County Councillor Jane Lucas to County Councillor Catrin Maby, Cabinet Member for Climate Change and the Environment**

*Would the Cabinet Member provide an update on the work taking place at the junction of Wonastow Road and Rockfield Road?*

<https://www.youtube.com/live/74kF3PYiyF0?feature=shared&t=17972>

**17. From County Councillor Jane Lucas to County Councillor Catrin Maby, Cabinet Member for Climate Change and the Environment**

*What public consultation and scrutiny has taken place on proposals to partially close Goldwire Lane to traffic?*

<https://www.youtube.com/live/74kF3PYiyF0?feature=shared&t=17972>

**18. From County Councillor Jane Lucas to County Councillor Ian Chandler, Cabinet Member for Social Care, Safeguarding and Accessible Health Services**

**MONMOUTHSHIRE COUNTY COUNCIL**

**Minutes of the meeting of County Council held  
on Thursday, 18th April, 2024 at 2.00 pm**

*Would the Cabinet Member provide an update on the Cabinet decision to purchase a property in Monmouth for a residential children's home?*

<https://www.youtube.com/live/74kF3PYiyF0?feature=shared&t=19409>

**19. From County Councillor Paul Pavia to County Councillor Paul Griffiths, Cabinet Member for Planning and Economic Development Deputy Leader**

*Will the Cabinet Member provide an update regarding improving Chepstow's transport infrastructure?*

<https://www.youtube.com/live/74kF3PYiyF0?feature=shared&t=19494>

**20. Next Meeting 16th May 2024**

Noted.

**The meeting ended at 7.30 pm**

## MONMOUTHSHIRE COUNTY COUNCIL REPORT

**SUBJECT: REPRESENTATION OF POLITICAL GROUPS - REVIEW**  
**MEETING: COUNCIL**  
**DATE: 16 MAY 2024**  
**DIVISION/WARDS AFFECTED: ALL**

### 1. PURPOSE

The Council is required to review at, or as soon as practicable after, the Council's annual general meeting, the representation of different political groups on the bodies to which the Council makes appointments.

### 2. RECOMMENDATIONS

- 2.1 That the Council approves the report as a review under Section 15 of the Local Government and Housing Act 1989 and to allocate ordinary committees with the numbers as indicated below representing political balance.

Committee	Welsh Labour	Welsh Conservatives	Independent Group	Green Independent Group
Scrutiny (x4) (9)	16	15	3	2
Licensing & Regulatory (12)	6	5	1	0
Planning (16)	8	6	1	1
Democratic Services (12)	6	4	1	1
Governance & Audit (8) (excluding lay members)	4	3	1	0
Aggregate Entitlement (84)	40	33	7	4

### 3. KEY ISSUES

- 3.1 The Council must determine the allocation to the different political groups of all the seats to be filled by appointment by the Council and exercise its power of appointment to the body concerned to give effect to such wishes about who is to be appointed to the seats on that body which are allocated to a particular group as are expressed by that group.
- 3.2 Sections 15 to 17 of the Local Government and Housing Act 1989 ("the 1989 Act") and the Local Government (Committees and Political Groups) Regulations 1990 ("the 1990 Regulations") lay down requirements designed to ensure that there is political balance on Committees. The rules apply to all ordinary committees, advisory committees, scrutiny committees, the Democratic Services Committee, and other bodies where the Council appoints three or more seats.

- 3.3 At its AGM, the Council is required to review the political make up of its Committees, and determine the allocation of seats to political groups in accordance with the principles set out in Section 15 of 1989 Act, namely:
- a. not all seats on a Committee should be allocated to the same political group;
  - b. the majority group on the Council should form the majority on the Committee;
  - c. subject to (a) and (b), that the proportion of seats allocated to each political group on the total of all Committees should be the same as the proportion of Council Members who belong to that group; and
  - d. subject to (a)–(c), that the proportion of seats allocated to each political group on each Committee should be the same as the proportion of Council Members who belong to that group.
- 3.4 In certain cases the Council/committee does not have to comply with the statutory requirements. The exceptions are as follows:
- (a) alternative arrangements approved by the Council following notice of the proposed arrangement being included in the agenda for the relevant meeting of Council and without any member of the Council/committee voting against the proposal (s17 and Reg. 20).
  - (b) the committee or sub-committee is established exclusively to discharge functions or to advise in respect of part of the area of the authority and where that area of that part does not exceed one-half of the total area of the authority or the population of that part does not exceed one-half of the total population of the area. In addition, that part must consist of one or more electoral divisions and all the members of the authority who are elected for that electoral division (or those electoral divisions) (and only those members) are entitled to be members of the area committee or sub-committee.
- 3.5 In accordance with s.70 of the Local Government (Wales) Measure 2011, the appointment of Scrutiny Committee Chairs will be done in accordance with the political balance of the Local Authority (rounded to the nearest whole number).

#### **4. REASONS**

To comply with the requirements of the Local Government and Housing Act 1989 and Local Government (Committees and Political Groups) Regulations 1990 as amended.

#### **5. RESOURCE IMPLICATIONS**

None

#### **6. CONSULTEES**

Cabinet  
Group leaders  
SLT  
Democratic Services

#### **7. AUTHOR:**

James Williams



Chief Officer Law & Governance  
Monitoring Officer  
[jameswilliams@monmouthshire.gov.uk](mailto:jameswilliams@monmouthshire.gov.uk)

Appendices:

Appendix A - Methodology applied to calculate political balance  
Appendix B - Appointments by Council

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## APPENDIX A

### Methodology applied to allocations

1. The legislative requirements in relation to political balance are set out at paragraph 3.3 of the main report.
2. Appointments by the Council

The principles are considered separately for ordinary committees, advisory committees and for other bodies to which appointments must be made. Ordinary committees are committees that make decisions on behalf of the Council. The other form of committee, the advisory committee, is one appointed to advise the Council on any matter relating to the discharge of its functions

(a) Ordinary Committees

According to the draft circular issued in 1990, a suitable sequence for applying the principles will be:

- (i) calculate the total seats with votes on all the ordinary committees;
- (ii) calculate the proportion that each political group forms of the total membership of the authority (and that membership does not include a chairman who is no longer a councillor but remains a member of the Council by virtue of section 26 of the 1972 Act); the “total membership of the authority” does, however, include vacant seats;
- (iii) apply those proportions to the total number of ordinary committee seats to give the aggregate entitlement of each group; the requirement (here as elsewhere) to apply the proportions “so far as reasonably practicable” can be met by rounding up entitlements of a half or more; if this results in a greater aggregate than the number of seats available, the fractional entitlement(s) closest to a half should be rounded in the other direction until entitlements balance the available seats;
- (iv) apply the proportions to the number of members on each ordinary committee to give a provisional entitlement to seats on that committee;
- (v) where the provisional entitlement gives only one group the seats on the committee, adjust the entitlement so that the next largest group has a seat;
- (vi) where one group has a majority of the membership of the Council, but does not have a majority on any committee as a result of the provisional entitlement, increase its share on that committee so that it does have a majority;

- (vii) finally, adjust the seats on each committee so that the total allocated to each group is as near as possible to their aggregate entitlement, while preserving the results reached at steps (v) and (vi)

This sequence of steps has been adopted in this report.

(b) Advisory Committees

The intention of the provision is to ensure that those seats to be filled by councillors are (in the absence of unanimous agreement to the contrary) shared fairly between the political groups.

It is, therefore, necessary for the Council first to decide how many of the seats on each advisory committee are to be filled by members of the Council; the statutory requirements then only apply to those seats; the allocation of those seats can conveniently be made by following steps (ii), (iv), (v) and (vi) above.

(c) Other Bodies

The intention is to ensure a fair distribution of the available seats among the political groups, as a majority group would reasonably be entitled to all the seats where the authority makes only one or two appointments, the duty to allocate seats to political groups only applies where the Council appoints to three or more seats.

The allocation can be made by following steps (ii), (iv), (v) and (vi) above.

3. Appointments by Committees

Where an ordinary committee appoints a sub-committee with executive powers, the allocation can be carried out by following steps (ii), (iv), (v) and (vi) above.

When an advisory sub-committee is appointed, the committee will first need to determine how many seats are to be filled by members of the Council (not just members of the committee). The duty to allocate to political groups then applies only to those seats. The same steps can be followed.

## APPENDIX B

### Appointments by Council

1. The following committees are appointed by the Council with the number of seats shown:

<i>Committee</i>	<i>Seats</i>
Planning	16
Licensing and Regulatory	12
Governance and Audit (excluding 4 lay members)	8
Place Scrutiny	9
People Scrutiny	9
Performance and Overview Scrutiny	9
Public Services Scrutiny	9
Democratic Services	12
<b>Total</b>	<b>84</b>

Note:

- (i) Member/Officer Working Groups are not Committees or Sub-Committees;
- (ii) the Standards Committee is not subject to the political balance rules;
- (iii) the Joint Advisory Group (Teachers/LGE) is a Cabinet advisory committee;
- (iv) political balance rules do not apply to Area Committees;
- (v) SAC will be allocated in accordance with the Constitution.
2. The rest of this appendix deals with the appointment of committees only.
- (a) Total number of members for the purpose of political balance - 46
- |                         |    |
|-------------------------|----|
| Labour                  | 22 |
| Conservative            | 18 |
| Independent Group       | 4  |
| Green Independent Group | 2  |
- (b) Provisional statutory entitlement multiplier (i.e. the relevant number of members divided by 46):
- |                         |       |
|-------------------------|-------|
| Labour                  | 0.478 |
| Conservative            | 0.391 |
| Independent Group       | 0.087 |
| Green Independent Group | 0.043 |
- (c) Aggregate entitlement of seats (i.e. 84 multiplied by the relevant figure in paragraph (b) above):
- |              |        |
|--------------|--------|
| Labour       | 40.152 |
| Conservative | 32.844 |

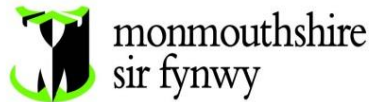
Independent Group	7.30
Green Independent Group	3.65

Rounding up/down gives:

Labour	40 seats
Conservative	33 seats
Independent Group	7
Green Independent Group	4

<b>Total</b>	<b>84 Seats</b>
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Where the Council makes appointments of three seats or more to other bodies, the political balance rules apply, and appointments will be made in accordance with paragraph 3.3 of the main report, taking into account the methodology in Appendix A and applying ratios above.



<b>SUBJECT:</b>	<b>APPOINTMENT OF COMMITTEES</b>
<b>MEETING:</b>	<b>County Council</b>
<b>DATE:</b>	<b>16<sup>th</sup> May 2024</b>
<b>DIVISION/WARDS AFFECTED:</b>	<b>All</b>

## 1. PURPOSE:

To appoint committees together with their membership and terms of reference in accordance with the Council's Constitution.

## 2. RECOMMENDATION:

That the following committees be appointed together with their membership as set below, and their terms of reference attached as appendices.

That Council appoints the Chair of Democratic Services Committee.

### 2.1 GOVERNANCE AND AUDIT COMMITTEE

That the Governance and Audit Committee be appointed, with the terms of reference attached as appendix A.

That the membership of the Committee comprises 8 members of the Council, to be appointed in accordance with political balance, plus four lay members.

That it be noted that the Chair of the Governance and Audit Committee will be appointed by the Committee.

### 2.2 DEMOCRATIC SERVICES COMMITTEE

That a Democratic Services Committee be appointed, with the terms of reference attached as appendix B.

That the membership of the Committee comprises 12 members of the Council, politically balanced.

That the Chair of the Democratic Services Committee be appointed by the Council. In accordance with s14 of the Local Government (Wales) Measure the Chair of the Democratic Services Committee cannot be a Member of the Executive or the Executive Group.

### 2.3 REGULATORY AND OTHER COMMITTEES

That the following Committees, together with their terms of reference, attached as appendix C, be appointed, subject to any changes to be notified by the political groups.

- (a) Planning (16 Members)
- (b) Licensing and Regulatory (12 Members)
- (c) Sub-Committees under the Licensing Act 2003
  - Three sub-committees of three members to be established to meet on Monday, Wednesday and Friday.
  - The Chairman, Vice Chairman and Opposition spokesman of the Licensing and Regulatory Committee to be appointed as Chairman of each sub-committee
  - The nine remaining members be called to attend sub-committee meetings on a rota basis in discussion with the Chairman of the relevant sub-committee.
- (d) Appeals Panel (3 members)
 

3 members to be nominated on an ad hoc basis.
- (e) Appointment of Local Authority Governors Committee (7 Members)
- (f) Standing Advisory Council on Religion, Values and Ethics (SAC)
  - 6 members to represent the County Council.
  - Religions, denominations, and non-religious philosophical convictions: 13 members
 

The Church in Wales	1 member
The Roman Catholic Church	1 member
Free Churches	4 members
Bahá'í Faith	1 member
Buddhist Faith	1 member
Hindu Faith	1 member
Muslim Faith	1 member
Jewish Faith	1 member
Sikh Faith	1 member
Non-religious philosophical convictions	1 member
  - Teachers associations: 7 members
  - Co – opted - 2 members

The Chair of SAC will be the Cabinet Member for Education as agreed by Council in May 2022.

(g) The following committees will be appointed as and when required, based on the below membership arrangements, and the constitution:

- Investigation Committee (3 members)
- Disciplinary Committee (3 members)

## 2.4 SCRUTINY COMMITTEES

That the following Scrutiny Committees be appointed, together with their terms of reference, attached as appendix D:



- People Scrutiny Committee (9 Members)
- Place Scrutiny Committee (9 Members)
- Performance and Overview Scrutiny Committee (9 Members)
- Public Services Scrutiny Committee (9 Members)

That the following members be co-opted to the Performance and Overview Scrutiny Committee

**Voting on Education Issues only**

Church in Wales  
 Parent Governor Representative  
 Parent Governor Representative  
 Catholic Church

**Non-Voting**

ASCL  
 NAHT  
 NASUWT  
 NEU  
 Free Church Federal Council  
 Association of School Governors

That each Select Committee shall be entitled to recommend to Council the appointment of a maximum of five people as non-voting co-optees.

**2.5 STANDARDS COMMITTEE**

That the Standards Committee be appointed with the terms of reference attached as appendix E.

That the membership of the Committee comprise 3 members of the authority other than the Leader, up to 5 voting independent members and one community member.

**3. REASONS**

To ensure the Council is compliant with its constitution.

**4. RESOURCE IMPLICATIONS:**

Members to be remunerated in line with the Independent Remuneration Panel for Wales Annual Report for this Council year unless explicitly requested to opt-out of receiving some or all of their remuneration by individual Members.

**5. CONSULTEES:**

Monitoring Officer  
 All Group Leaders

**6. SUSTAINABLE DEVELOPMENT AND EQUALITY IMPLICATIONS:**

None

**7. SAFEGUARDING AND CORPORATE PARENTING IMPLICATIONS:**

None

**8. BACKGROUND PAPERS:**

Draft Monmouthshire County Council Constitution, May 2023  
Education Act 1996

**9. AUTHOR:**

John Pearson, Local Democracy Manager  
Email: [johnpearson@monmouthshire.gov.uk](mailto:johnpearson@monmouthshire.gov.uk)

## **APPENDIX A - TERMS OF REFERENCE FOR THE GOVERNANCE AND AUDIT COMMITTEE**

- (a) to review and scrutinise the authority's financial affairs,
- (b) to make reports and recommendations in relation to the authority's financial affairs,
- (c) to review and assess the risk management, internal control, *performance assessment* and corporate governance arrangements of the authority,
- (d) to make reports and recommendations to the authority on the adequacy and effectiveness of those arrangements,
- (e) to oversee the authority's internal and external audit arrangements, and
- (f) to review the financial statements prepared by the authority.
- (g) to undertake any other functions as the authority considers suitable to be exercised by the Governance and Audit Committee

### Core functions

In order to meet the terms of reference above the Governance and Audit Committee will undertake the following core functions:

- Approve internal audit's strategy, plan and performance.
- Review summary internal audit reports and the main issues arising, and seek assurance that action has been taken where necessary.
- Consider the reports of external audit and inspection agencies.
- Consider the effectiveness of the authority's risk management arrangements, the control environment and associated anti-fraud and anti-corruption arrangements. Seek assurances that action is being taken on risk related issues identified by auditors and inspectors.
- Be satisfied that the authority's assurance statements, including the Statement on Internal Control and Governance Statement, properly reflect the risk environment and any actions required to improve it.
- Ensure that there are effective relationships between external and internal audit, inspection agencies and other relevant bodies, and that the value of the audit process is actively promoted.
- Review the financial statements, external auditor's opinion and reports to members, recommend the adoption of the financial statements by full Council and monitor management action in response to the issues raised by external audit.
- Maintain an overview of the Council's constitution in respect of contract procedure rules and financial regulations
- Make recommendations, as appropriate, to Cabinet and Council on any matters reported through the Governance and Audit Committee.

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## **APPENDIX B - TERMS OF REFERENCE FOR THE DEMOCRATIC SERVICES COMMITTEE**

- (a) To exercise the function of the local authority under section 8(1)(a) (designation of head of democratic services)
- (b) To review the adequacy of provision by the authority of staff, accommodation and other resources to discharge democratic services functions, and
- (c) To make reports and recommendations to the authority in relation to such provision.
- (d) To fully support the non-executive role of councillors.
- (e) To undertake pieces of work aimed at improving the democratic function, in line with the ethos of the Local Government Measure 2011.
- (f) To draw up a job description for elected members and improve clarity, transparency and public engagement.
- (g) To review the ICT policy for members.

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## **APPENDIX C - TERMS OF REFERENCE FOR REGULATORY AND OTHER COMMITTEES**

### **(a) PLANNING**

With delegated powers:

#### **1. Planning and conservation**

Functions relating to town and country planning and development control as specified in Schedule 1 to the Local Authorities Executive Arrangements (Functions and Responsibilities) (Wales) Regulations 2007 as amended ('the Functions Regulations') save in relation to footpaths and bridleways.

2. Powers relating to the preservation of trees, the protection of important hedgerows and the power to make limestone pavement order.

### **(b) LICENSING AND REGULATORY**

With delegated powers:

To determine traffic orders.

To act as the Licensing Committee designated for the purpose of Section 6 of the Licensing Act 2003.

To carry out all other functions and powers specified in Schedule 1 to the Functions Regulations, save in relation to the duty to approve the Authority's Statement of Accounts etc., the power to make Standing Orders, to appoint staff and to consider adverse reports from the Local Commissioner, all of which shall be reserved to Full Council.

To carry out all other Licensing functions in accordance with Part 2 of the Licensing Act 2003.

### **(c) SUB-COMMITTEES UNDER THE LICENSING ACT 2003**

With delegated powers:

The discharge of all functions relating to licensable activities, as described in the Licensing Act 2003.

### **(d) APPEALS COMMITTEE**

With delegated authority to determine appeals in accordance with the County Councils' constitution, e.g. School Transport Appeals, Discretionary Housing Payments Appeals

### **(e) APPOINTMENT OF LOCAL AUTHORITY GOVERNORS COMMITTEE**

With plenary powers to act in accordance with the Code of Practice set out below:

1. LA Governors are appointed representatives of the LA on a school's governing body. They are not delegates, but can be removed at the discretion of the LA. Appointments are made on merit, irrespective of political persuasion and in the best interests of the children and school. Nominations of elected members will be viewed in exactly the same way as any other nominations.

2. They may represent the LA view, but in all cases the interests of the school are paramount and all governors shall abide by the governing body's rules and code of conduct.

3. A governor appointed by the LA must, like all governors be in a position to:

- Offer time, commitment and energy to the role.
- Become well informed about current educational thinking.
- Know about the needs of the school, its staff and pupils.
- Visit the school with purpose, sensitivity and understanding.
- Undertake training as necessary.
- Attend meetings regularly.
- Conform to agreed procedures at meetings, including the need for confidentiality concerning certain matters discussed in Governing Body meetings especially in relation to individual staff, pupils and parents.
- Undertake appropriate preparation and reading.
- Work co-operatively as a member of a team, accepting collective responsibility for decisions made.
- Share responsibilities including service on committees
- Find out as much as possible about the community served by the school.
- Understand that the position does not offer a personal or political platform.
- Offer commitment to raising education standards to enable every child and young person to reach their full potential

4. When an LA governor vacancy occurs, the school may advise the LA of its needs in terms of balance of skills, gender or other considerations for the good of the school. It shall have the right to submit names for consideration.

5. When an LA Governor vacancy occurs, the County Councillor in whose electoral area the school is situated, will be informed. (All other County Councillors will be advised by e mail of the vacancy for information.) They should consult the school's headteacher and chairman of governors as well as fellow Councillors in cases where pupils are drawn from beyond his/her electoral division. They may recommend names for consideration.

6. The LA will appoint the persons most suitable to be governors according to the criteria set out above. The appointment will be made as soon as possible after the vacancy arises, recognising the serious operational difficulties which may occur when governing bodies are incomplete.

7. The LA is able to remove governors which it has appointed by giving written notice to the clerk to the Governing Body and to the governor who is to be



removed. The governor will be given the opportunity to make written representation before removal. The LA will only remove a governor for a good reason.

8. Whilst it is anticipated that such procedures will be used infrequently, it is important for there to be a mechanism in place, if required, for the removal of local authority governors in order to ensure that difficulties, if they arise, can be dealt with in a consistent way. It is expected that these procedures would be used, for example, where there is evidence that the governor concerned has seriously or persistently breached their Governing Body's Code of Conduct, or there are significant other issues such as those detailed below. Removal of a local authority governor from office will only be used as a last resort after seeking to resolve any difficulties or disputes in a constructive way. Before the LA begins a formal process of removal, LA Officers will offer some form of conciliation, if appropriate, to seek to resolve the situation. Where there is no effective remedy, then the governor may be considered for removal from office.

9. All requests to remove a local authority governor from office would in the first instance be referred to the Chief Officer, Education who will consider the grounds for removal. The Chief Officer will then make a recommendation to the Chair of the LA Governor Appointments Committee on whether there are grounds for removal and they will take a decision. If the Chair of the Committee decides that there are no grounds for removal, they will write to the proposer and if appropriate, the governor concerned, setting out the reasons for the decision and advising, where appropriate, on a way forward to resolve any remaining difficulties. If the Chair of the LA Governor Appointments Committee decides that there may be grounds for removal, they will write to the governor concerned setting out the reasons why the matter has been referred for decision by the Committee and invite the governor to make written representation.

10. Reasons for the removal from office include, but may not be limited to, any of the following:

- Conduct that is inconsistent with the ethos or religious character and has or is likely to bring the school, the governing body or their office as a governor, or the LA into disrepute.
- Serious failure to co-operate with the LA, governors or the governing body as a whole.
- Irretrievable breakdown in relationship between the governor and the governing body and/or local authority.

11. The LA Governor Appointments Committee will meet and make a decision on the matter following receipt of the written representations from both parties. If necessary, both parties may be called to a meeting to give an account of their representation.

12. If a decision to remove is made, the Chair of the LA Governor Appointments Committee will write to the governor dismissing them from the Governing Body of the School, setting out the reasons for the decision. A copy of the letter will be copied to the clerk to the Governing

Body. If the proposal is not agreed, the Chair of the LA Governor Appointments Committee will write to the proposer and governor concerned, setting out the reasons for the decision and advising, where appropriate, on a way forward to resolve any remaining difficulties. Any governor who is removed from office may not be appointed to a governing body as a LA governor for a period of twelve months from removal. Should the governor concerned hold office on another governing body, that position would not necessarily be affected by his/her removal from the governing body the removal relates to; however, consideration would be given to this at the same time.

## **(f)STANDING ADVISORY COUNCIL ON RELIGION, VALUES AND ETHICS(SAC)**

### 1. Function

To advise the local authority, in accordance with section 391(1A)(a) of the Education Act 1996, upon matters connected with:

- (i) religious worship in community schools, and
- (ii) the provision of teaching and learning, under the Curriculum and Assessment (Wales) Act 2021, either in respect of the mandatory element of Religion, Values and Ethics (within the meaning of that Act) (“RVE”), or under section 60 of that Act (post-compulsory education in maintained schools: Religion, Values and Ethics), as the authority may refer to SAC or as SAC may see fit.

To provide particular advice in respect of the above matters around the methods of teaching, the choice of materials and the provision of training for teachers (section 391(2), Education Act 1996).

To carry out, in accordance with section 391(1A)(b) of the Education Act 1996, the functions conferred on SAC by section 394 of the same Act (determination of cases in which requirement for Christian collective worship is not to apply).

Where the representative groups so demand (other than the group consisting of persons appointed to represent the local authority), to require the local authority, in accordance with section 391(3) of the Education Act 1996, to review and establish the RVE agreed syllabus via an agreed syllabus conference in accordance with paragraph 3 of Schedule 31 to the same Act. In accordance with Welsh Government guidance, SAC should request a review of the RVE agreed syllabus at least once every 5 years.

To publish in each year a report as to the exercise of its functions and any action taken by its representative groups in terms of requesting a review of the RVE agreed syllabus during the last preceding year (section 391(6)-(7), Education Act 1996). A copy of that report must be sent to the Department for Education and Skills, Welsh Government

To handle legacy advisory functions formerly the responsibility of the Monmouthshire Standing Advisory Council on Religious Education (“SACRE”), relating to the RE syllabus for those school years in which the RVE agreed syllabus has not yet been implemented.

To meet at least once a term (i.e. 3 meetings per academic year), but meetings can be arranged as required. The duty to convene a SAC implies a duty to fund the body satisfactorily. The local authority shall provide a clerk and sufficient funds for it to perform its functions.

2. SAC shall consist of representation from:

- Christian denominations and other religions and religious denominations, and non-religious philosophical convictions, the number of members appointed to the group to represent a religion, denomination or non-religious philosophical conviction being broadly reflective, so far as is consistent with the efficient discharge of the group's functions, of the proportionate strength of the religion, denomination or non-religious philosophical conviction in the area;
- Such associations representing teachers as, in the opinion of the authority, ought to be represented; and
- The local education authority.

It may also appoint co-opted members if required although these members have no voting rights.

It is for the local authority to appoint the members of the three groups.

Each group has a single vote on any matter to be decided by SAC.

It is open to the local authority to appoint the chairperson, or to allow a SAC to appoint its own chair from its members.

Composition:

Local authority - 6 places representing Monmouthshire County Council

Religions, denominations and non-religious philosophical convictions – 13 places:

- Representing the Church in Wales (1)
- Representing the Roman Catholic Church (1)
- Representing the Free Church Council (4)
- Representing the Bahai'i Faith (1)
- Representing the Buddhist Faith (1)
- Representing the Hindu Faith (1)
- Representing the Muslim Faith (1)
- Representing the Jewish Faith (1)
- Representing the Sikh Faith (1)
- Representing non-religious philosophical convictions (1)

Representing the Teachers Associations 7 places

Co-opted Members 2 places

The representative for non-religious philosophical convictions shall not participate or vote when SAC determines legacy SACRE matters.

#### Membership of WASACRE

Monmouthshire SAC is a member body of the Welsh Association of SACREs. Four SAC representatives are nominated for attendance at WASACRE but these may be substituted as required.

The RE Adviser to SAC shall act for the local authority at WASACRE meetings.

Supply cover and travel expenses will be paid to teacher representatives attending meetings.

Religious representatives and those representatives representing non-religious philosophical convictions may claim expenses from their respective organisations.

Any member who has not attended three consecutive meetings without apology will lose the right to their place.

Supply cover will be paid for teachers' attendance at meetings.

#### 7. Membership of WASACRE

Monmouthshire SAC is a member body of the Welsh Association of SACs. Four SAC representatives are nominated for attendance at WASACRE but these may be substituted as required.

The RE Adviser to SAC shall act for the LA at WASACRE meetings.\*  
Supply cover and travel expenses will be paid to teacher representatives attending meetings.  
Religious representatives may claim expenses from their respective organisations.

#### **(g) INVESTIGATION COMMITTEE**

Appointed pursuant to the Council's Officer Employment Procedure Rules relating to the Head of Paid Service, Chief Finance Officer and Monitoring Officer

#### **(h) DISCIPLINARY COMMITTEE**

Appointed pursuant to the Council's Officer Employment Procedure Rules relating to the Head of Paid Service, Chief Finance Officer and Monitoring Officer

## APPENDIX D – SCRUTINY COMMITTEE TERMS OF REFERENCE

Scrutiny Committee Terms of Reference	
<b>Number of Committees:</b>	<b>4</b>
<b>Frequency of Meetings:</b> (Additional meetings called as appropriate)	<b>People Scrutiny Committee</b> ~ 6 annually <b>Place Scrutiny Committee</b> ~ 6 annually <b>Performance and Overview Scrutiny Committee</b> ~ 6 annually <b>Public Services Scrutiny Committee</b> ~ 6 annually
<b>Committees and Terms of Reference:</b>	
<ul style="list-style-type: none"> <li>• Two thematic Scrutiny Committees, <b>‘People’</b> and <b>‘Place’</b>, engage the public in the design of policy and services, reflecting the public voice to the Cabinet in advance of decisions being taken. These committees are vehicles through which the public can voice their opinion on major decisions, assisting the committees in drawing conclusions and making recommendations to the Cabinet. Members may engage with their communities by holding informal face-to-face meetings in the community or conducting surveys in their local area. The public is also able to submit audio, video and written submissions to these Scrutiny Committees and attend their meetings.</li> <li>• The <b>‘Performance and Overview’</b> Scrutiny Committee provides constructive challenge to the Cabinet, holding them to account for the performance of service delivery and risk management. It also conducts robust financial monitoring and scrutinises the Council’s performance in delivering the corporate objectives outline in its Corporate Plan.</li> <li>• The <b>‘Public Services’</b> Scrutiny Committee scrutinises the effectiveness of strategic partnerships (including the Public Service Board) and other public service providers to ensure that services delivered in partnership with other bodies are accountable and deliver improved outcomes for residents.</li> <li>• Topics suggested for scrutiny are assessed against the ‘scrutiny topic criteria’ to determine the committee best placed to undertake the scrutiny. The Scrutiny Committees are role-based, so policy or service changes are scrutinised by the two thematic policy development committees, and performance reports or reports on risks or financial matters are scrutinised by the Performance and Overview Scrutiny Committee. Work programmes are planned and agreed by the Scrutiny Committees.</li> </ul>	

**APPENDIX D – SCRUTINY COMMITTEE TERMS OF REFERENCE**

<b>People Scrutiny Committee</b>	<b>Place Scrutiny Committee</b>	<b>Performance and Overview Scrutiny Committee</b>	<b>Public Services Scrutiny Committee</b>
<p>To scrutinise policy and services delivered to adults, children and young people that promotes their health, education and well-being and can include scrutiny of the following:</p> <ul style="list-style-type: none"> <li>• Education (schools and adult learning), Additional Learning Needs, Pupil Support Services, Learning Disability Services.</li> <li>• Safeguarding vulnerable adults and children, children in care.</li> <li>• Family Support Services, support for carers and young carers, respite provision.</li> <li>• Social care and health; including domiciliary, residential, nursing home and community care, occupational therapy, reablement, assistive technology, Disability Services, Community Meals</li> </ul>	<p>To scrutinise policy and services delivered to residents that promotes community safety and well-being and supports sustainable, resilient communities.</p> <p>To ensure that policy and services are responsive to the needs of businesses and visitors and promote economic activity.</p> <p>This can include scrutiny of the following:</p> <ul style="list-style-type: none"> <li>• Housing (Jointly with People Scrutiny Committee).</li> <li>• Public Health, Environmental Health and Trading Standards.</li> <li>• Community Safety</li> <li>• Highways, Transport and Traffic Management.</li> <li>• Street Lighting.</li> <li>• Grounds Maintenance.</li> <li>• Countryside management.</li> </ul>	<p>To scrutinise the ongoing performance of all Council services and ensuring that the Cabinet is held to account.</p> <p>To scrutinise the Council’s delivery against its corporate objectives, corporate risks and to conduct budget monitoring for all services.</p> <p>Scrutiny also includes the following:</p> <ul style="list-style-type: none"> <li>• The Planning Function: Building Control, Development Control.</li> <li>• Asset Management.</li> <li>• Corporate Procurement.</li> <li>• School Performance, Scrutiny of the Educational Achievement Service (EAS)</li> <li>• Management of Individual Schools Budgets, Schools Delegated Budgets, the Authority’s Schools</li> </ul>	<p>To constructively challenge (where powers allow) the work and effectiveness of strategic partnerships (including the Public Service Board) and other public service providers to ensure public accountability of collaborative services, value for money and improved outcomes for people in Monmouthshire.</p> <p>To influence the decisions, policy and practice of public service providers by gathering evidence to make recommendations on effective multi-agency action to improve public service delivery.</p> <p>This can include scrutiny of the following:</p> <ul style="list-style-type: none"> <li>• Key services provided in partnership to local communities, such as those</li> </ul>

**APPENDIX D – SCRUTINY COMMITTEE TERMS OF REFERENCE**

<p>Service and Sensory Impairment Services.</p> <ul style="list-style-type: none"> <li>• Mental Health Services.</li> <li>• Homelessness prevention and housing.</li> <li>• Poverty prevention and Social Justice.</li> <li>• Youth Services.</li> <li>• Youth Justice and youth offending service.</li> <li>• Leisure services (in terms of health outcomes).</li> <li>• Welfare Rights.</li> <li>• Community Legal Service.</li> </ul>	<ul style="list-style-type: none"> <li>• Climate Change and Sustainability</li> <li>• Waste and Recycling.</li> <li>• Tourism and Destination Management</li> <li>• Public realm – Culture, libraries, museums, and theatre.</li> <li>• Economic growth, Place shaping and enterprise.</li> <li>• Local Development Planning, Economic Development Planning</li> <li>• Digital Infrastructure</li> <li>• Job creation and vocational skills.</li> <li>• Estates Management</li> </ul>	<p>Individually Managed Budgets.</p> <ul style="list-style-type: none"> <li>• Chief Executive’s Function.</li> <li>• Revenues, Council Tax, Non-Domestic Rates and Finance.</li> <li>• Corporate Costs and Levies.</li> <li>• Facilities and Accommodation Management.</li> </ul>	<p>delivered by the Regional Partnership Board.</p> <ul style="list-style-type: none"> <li>• The Council’s interface with the Voluntary Sector.</li> <li>• Any collaborative initiatives, including: <ul style="list-style-type: none"> <li>- Shared Resource Service (SRS)</li> <li>- Integrated Adults Services with Health Partners.</li> <li>- Domestic Violence Service, Drug and Alcohol Services.</li> <li>- Public health and well-being.</li> </ul> </li> <li>• Crime and Disorder Scrutiny in line with the Police and Justice Act (2006) and Welsh Government Guidance published in 2010.</li> </ul>
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**The Scrutiny Chairs Group**

The Scrutiny Chairs Group comprises the four Scrutiny Chairs and the Chair of the Governance and Audit Committee and meets every 9 weeks to discuss forward Work Programmes to ensure a coordinated approach. The group will also consider periodically: Scrutiny Member Development, Scrutiny Self-evaluation, Public Engagement, Corporate Assessments, Corporate Planning, Risk Management, and other relevant scrutiny matters as appropriate.

## APPENDIX D – SCRUTINY COMMITTEE TERMS OF REFERENCE

**Terms of Reference:**

- To ensure clear purpose and role for topics being tabled to Scrutiny Committees;
- To co-ordinate scrutiny and audit workstreams to avoid duplication, whilst recognising scrutiny has a clear and distinct role in the accountability for performance and scrutiny of budgets from that of the Governance and Audit Committee.



**APPENDIX D – SCRUTINY COMMITTEE TERMS OF REFERENCE**

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## **APPENDIX E – STANDARDS COMMITTEE TERMS OF REFERENCE**

### **EXTRACT FROM THE COUNCIL’S CONSTITUTION**

#### **11 THE STANDARDS COMMITTEE**

##### **11.1 Composition**

###### **11.1.1 Membership.**

The Standards Committee will be composed of 9 members. Its membership will include:

- (a) up to 5 independent members, who are not either a councillor or an officer or the spouse of a councillor or an officer of this council or any other relevant authority as defined by the Act, appointed in accordance with the procedure set out in the Standards Committees (Wales) Regulations 2001 (as amended);
- (b) 3 county councillors other than the Leader and not more than one member of the executive;
- (c) one member of a town or community council wholly or mainly in the Council’s area (a ‘community committee member’).

###### **11.1.2 Term of office:**

- (a) independent members are appointed for a period of not less than 4 nor more than 6 years and may be reappointed for one further consecutive term not exceeding 4 years;
- (b) members of the local authority who are members of the Standards Committee will have a term of office of no more than 5 years or the period until the next ordinary local government election following their appointment, whichever is the shorter. They may be reappointed for one further term;
- (c) a community committee member will have a term of office of no more than 5 years or the period until the next ordinary local government election following their appointment, whichever is the shorter. They may be reappointed for one further term.

###### **11.1.3 Quorum.**

A meeting of the standards committee shall only be quorate when:

- (a) at least 3 members, including the Chairman, are present, and
- (b) at least half the members present (including the Chairman) are independent members.

###### **11.1.4 Voting.**

Independent members and community committee members will be entitled to vote at meetings.

###### **11.1.5 Community committee members.**

A community committee member shall not take part in the proceedings of the standards committee when any matter relating to their town or community council is being considered.

###### **11.1.6 Chairing the Committee:**

- (a) only an independent member of the standards committee may be the Chairman;

- (b) the Chairman will be elected by the members of the standards committee for a period not exceeding one year. The Chairman is eligible for re-election;
- (c) the election of a Chairman will be the first item of business for the standards committee at the commencement of each municipal year.

## 11.2 Role and Function

11.2.1 The Standards Committee will have the following roles and functions:

- (a) promoting and maintaining high standards of conduct by councillors, co-opted members and church and parent governor representatives;
- (b) assisting the councillors, co-opted members and church and parent governor representatives to observe the Members' Code of Conduct;
- (c) advising the Council on the adoption or revision of the Members' Code of Conduct;
- (d) monitoring and from time to time reviewing the operation of the Members' Code of Conduct and protocols which apply to members of the Council, employees, contractors and other parties or organisations associated with Council activity;
- (e) advising, training or arranging to train councillors, co-opted members and church and parent governor representatives on matters relating to the Members' Code of Conduct;
- (f) granting dispensations to councillors, co-opted members and church and parent governor representatives from requirements relating to interests set out in the Members' Code of Conduct;
- (g) dealing with any reports from a case tribunal or interim case tribunal, and any report from the Monitoring Officer on any matter referred to that officer by the Public Services Ombudsman for Wales;
- (h) mentoring and supporting the Council's Monitoring Officer in the discharge of their role;
- (i) receiving and investigating (where statute permits) reports and complaints relating to the Members' Code of Conduct and protocols approved by the Council from time to time;
- (j) the exercise of (a) to (i) above in relation to the town and community councils wholly or mainly in its area and the members of those town and community councils.

## MONMOUTHSHIRE COUNTY COUNCIL REPORT

<b>SUBJECT:</b>	<b>APPOINTMENTS TO OUTSIDE BODIES</b>
<b>MEETING:</b>	<b>County Council</b>
<b>DATE:</b>	<b>16<sup>th</sup> May 2024</b>
<b>DIVISION/WARDS AFFECTED:</b>	<b>All</b>

### 1. PURPOSE:

- 1.1 To appoint representatives to serve on outside bodies.

### 2. RECOMMENDATIONS:

- 2.1 That Council notes the appointments made at its 2022 AGM for the term of Council and confirms or amends the appointments that require annual renewal as well as confirming appointments to new positions.

### 3. REASONS:

- 3.1 The Council is required to appoint members to sit on outside bodies and represent the interests of the Council with various stakeholders and partners.
- 3.2 A schedule of appointments to outside bodies is attached. With some exceptions, appointments are normally made for the term of the Council.
- 3.3 New appointments for this year are included in the report with regard to the establishment of the South East Wales Corporate Joint Committee.
- 3.4 Appointments need to be confirmed to the following positions:
- CJC Regional Transport Sub Committee – to be the Cabinet member with responsibility for Transport
  - CJC Strategic Development Sub Committee – Cabinet Member with responsibility for Planning
  - CJC Governance and Audit Sub-Committee – 1 non executive member
  - CJC Joint Overview & Scrutiny Committee – 1 non executive member appointed as the primary representative with voting rights. A second non executive member with voting rights only in the absence of the primary member.

### 4. RESOURCE IMPLICATIONS:

- 4.1 In most cases members will be able to claim travel allowances from the County Council. In some cases these expenses are payable by the appropriate outside body.

**5. CONSULTATION:**

Monitoring Officer  
Group Leaders

**6. BACKGROUND PAPERS:**

List of Appointments to Outside Bodies

**7. AUTHOR:** John Pearson – Local Democracy Manager  
johnpearson@monmouthshire.gov.uk

**MCC Representation on Outside Bodies (May 2023)**

No.	Body / Organisation	Term of Office	Source of Expenses	No. of Reps	Councillor Appointed	Date Apointed
A	Category A - Regional/National					
1	Brecon Beacons National Park Authority	Term of Council	National Park	1	Simon Howarth	19/05/22
2	Oldbury Power Station Stakeholder Group	Term of Council	Council	1	John Crook	19/05/22
3	Gwent Police and Crime Panel	Term of Council	Police & Crime Commissioner	2	Tony Easson / Tony Kear	19/05/22
4	Joint Council for Wales	1 year	Council	2 (plus 1 sub)	Phil Murphy / Catherine Fookes	19/05/22
5	Gwent Internal Drainage District Engagement Group	Term of Council	Drainage Board	9	Tony Easson / John Crook / Jan Butler / Emma Bryn / Ian Chandler / Cabinet Member for Climate Change & Environment	04/01/24
6	Cardiff Capital Region Joint Cabinet Committee	1 year		2	Leader / Deputy Leader	19/05/22
7	Regional Transport Authority	1 year		1	Catrin Maby	19/05/22
8	Local Governemnt Association	1 year	LGA	2	Leader / Deputy	19/05/22
9	Local Government Association - Rural Commission	1 year	LGA	2	Steven Garratt / Sue Riley	19/05/22
10	Wye Valley AONB Joint Committee	Term of Council	Council	4	Dale Rooke / Steven Garratt / Ann Webb / Emma Bryn	19/05/22
11	Welsh Local Government Association	Term of Council	WLGA	2	Leader / Deputy Leader	19/05/22
12	WLGA Executive Board	Term of Council	Council	1	Leader	19/05/22
13	Welsh Centre for International Affairs	Term of Council	Council	1	Laura Wright	19/05/22
14	Institute of Welsh Affairs	Term of Council	Council	1	Laura Wright	19/05/22
15	Reserve Forces and Cadets Association for Wales	Term of Council		1	Lisa Dymock	19/05/22
16	South Easy Wales Strategic Planning Group	Term of Council	Council	2	Sara Burch / Chair of Planning	19/05/22
17	Welsh Books Council	Term of Council	Council	1	Emma Bryn	19/05/22
18	Scrutiny Champions Wales Network	Term of Council	Council	1	Tony Easson	19/05/22
19	Monmouthshire Adoption Panel	Term of Council	Council	1	Penny Jones	19/05/22
20	Monmouthshire Fostering Panel	Term of Council	Council	1	Angela Sandles	19/05/22
21	Living Levels Partnership Board	Term of Council	Council	2	Catrin Maby / Frances Taylor	19/05/22

No.	Body / Organisation	Term of Office	Source of Expenses	No. of Reps	Councillor Appointed	Date Apointed
B	Category B - Joint Committees (Appointments made by Cabinet)					
1	Gwent Archives Joint Committee	Term of Council	Council	2	Peter Strong / Fay Bromfield	19/05/22
2	Gwent Joint Cremation Committee	Term of Council	Council	2	Tudor Thomas / Malcolm Lane (must be at least 1 CM)	19/05/22
3	National Joint Committee for the National Adoption Service and Foster Wales	Term of Council	Council	1	Cabinet Member for Social Care	01/05/24
4	Prosiect Gwyrdd Joint Committee	Term of Council	Council	2	Catrin Maby / Rachel Garrick	19/05/22

No.	Body / Organisation	Term of Office	Source of Expenses	No. of Reps	Councillor Appointed	Date Apointed
C	Category C - Joint Committees and Local Authority Companies (appointments made by Council)					
1	Aneurin Bevan Community Health Council	Term of Council	Council	3	Jill Bond / Jan Butler	19/05/22
2	Aneurin Bevan Local Health Board - Stakeholder Reference Group	Term of Council	Council	1	Maria Stevens	19/05/22
3	Education Achievement Service	Term of Council	Council	2	Martyn Groucutt (CM for Education) / Paul Griffiths	19/05/22

No.	Body / Organisation	Term of Office	Source of Expenses	No. of Reps	Councillor Appointed	Date Apointed
4	EAS Audit & Risk Assessment Committee	Term of Council	Council	2	Chair and Vice Chair of P&O Scrutiny	19/05/22
5	SRS Public	Term of Council	Council	1	Cabinet Member for Resources)	19/05/22
6	YPrentis	Term of Council	Council	1 Member and 1 Officer	Cartherine Fookes	19/05/22
7	CS Foundry Board	Term of Council	Council	1	Paul Griffiths	19/05/22

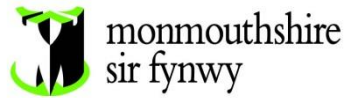
No.	Body / Organisation	Term of Office	Source of Expenses	No. of Reps	Councillor Appointed	Date Apointed
D	Category D - Voluntary Organisations					
1	Monmouthshire and Brecon Canal Working Group	Term of Council	Council	1	Dale Rooke	19/05/22
2	Wales Council for the Blind	Term of Council	Council	2	Sue Riley / Jan Butler	19/05/22

No.	Body / Organisation	Term of Office	Source of Expenses	No. of Reps	Councillor Appointed	Date Apointed
E	Category E - Local Interest					
1	Monmouthshire County Citizens Advice Bureau	Term of Council	Council	2	Jackie Strong / Phil Murphy	19/05/22
2	The Palmer Centre	Term of Council	Council	3	Armand Watts / Sue Riley / Paul Pavia	19/05/22
3	Raglan Community Centre Committee	Term of Council	Council	1	Penny Jones	19/05/22
4	Monmouth School and Haberdashers' Monmouth School for Girls	Term of Council	Council	1	Steven Garratt	19/05/22
5	Abergavenny Educational Foundation of King Henry VIII- Governors	Term of Council	Council	5	Martyn Groucutt / Ben Callard / Laura Wright / Malcolm Lane / Jan Butler	19/05/22
6	Wye Navigation Advisory Committee	Term of Council	Council	1	John Crook	19/05/22
7	Pratts Charity, Mathern - Charity to change its term of reference and appointments to lapse during 2024.	4 years from appointment	Council	2	Lousie Brown / Phil Murphy	19/05/22
8	Monmouthshire Local Access Forum	Term of Council	Council	1	Sara Burch	19/05/22

No.	Body / Organisation	Term of Office	Source of Expenses	No. of Reps	Councillor Appointed	Date Apointed
F	Category F - Other					
1	Gwent Association of Voluntary Organisations	Term of Council	Council	1	Jackie Strong	19/05/22
2	Local Government Flood Forum	Term of Council	Council	1	Ian Chandler	19/05/22
3	Armed Forces Champion	Term of Council	Council	1	Peter Strong	19/05/22
4	LGBTQ+ Champion	Term of Council	Council	1	Ian Chandler	19/01/23

South East Wales Corporate Joint Committee		Term of Office	Source of Expenses	No. of Reps	Councillor Appointed	Date Apointed
1	CJC Governance and Audit Sub-Committee			1	Non-Executive	
2	CJC Regional Transport Sub-Committee			1	Cabinet Member for Transport	
3	CJC Strategic Development Sub-Committee			1	Cabinet Member for Planning	
	CJC Joint Overview & Scrutiny Committee	Term of Council		2	(Primary Member) & (Deputy Member)	





<b>SUBJECT:</b>	<b>STANDARDS COMMITTEE – APPOINTMENT OF INDEPENDENT MEMBERS</b>
<b>MEETING:</b>	<b>COUNCIL</b>
<b>DATE:</b>	<b>16<sup>th</sup> May 2024</b>
<b>DIVISION/WARDS AFFECTED:</b>	<b>ALL</b>

## 1. PURPOSE

- 1.1 To appoint two independent members to the Council's Standards Committee.

## 2. RECOMMENDATIONS

- 2.1 Council appoints Andrew Blackmore and Ruth Price as Independent Members of the Council's Standards Committee.

## 3. KEY ISSUES

- 3.1 The composition of the Council's Standards Committee is set out the Council's Constitution which in turn reflects the requirements set out within The Standards Committees (Wales) Regulations 2001 ("the Regulations").
- 3.2 An advertisement was placed in two newspapers and shared online. Following a shortlisting exercise of all applications received, interviews were conducted on 8<sup>th</sup> May 2024 by a panel constituted in accordance with the Regulations.
- 3.3 The panel has recommended that Andrew Blackmore and Ruth Price be appointed by Council as independent members of the Standards Committee.

## 4. EQUALITY AND FUTURE GENERATIONS EVALUATION

- 4.1 A correctly constituted Standards Committee is a legal requirement and fundamental to the governance of local government. The criteria demanded a high calibre individual to fill each post, but there will be no bar to selection based upon any other criteria or protected characteristic.

## 5. RESOURCE IMPLICATIONS

- 5.1 Standards Committee members are entitled to £210 over 4 hours and £105 up to 4 hours. The Chair of the committee is entitled to £268 for over 4 hours and £134 up to 4 hours.

Author: James Williams  
Chief Officer Law & Governance (Monitoring Officer)  
[jameswilliams@monmouthshire.gov.uk](mailto:jameswilliams@monmouthshire.gov.uk)

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