

<b>ISLE OF ANGLESEY COUNTY COUNCIL</b>	
<b>Report to</b>	<b>Executive and Council</b>
<b>Date</b>	<b>17<sup>th</sup> February 2014 and 27<sup>th</sup> February 2014</b>
<b>Subject</b>	<b>Presiding Member</b>
<b>Portfolio Holder(s)</b>	<b>Alwyn Rowlands</b>
<b>Lead Officer(s)</b>	<b>Lynn Ball – Head of Function (Council Business)/Monitoring officer</b>
<b>Contact Officer</b>	<b>Lynn Ball, Head of Function (Council Business) / Monitoring Officer</b>
<b>Nature and reason for reporting</b>	
<p>1.1 To seek a view on suggested amendments to the Constitution to reflect the Local Government Democracy (Wales) Act 2013.</p> <p>1.2 The Executive is asked to make a recommendation to the full Council regarding the appointment of a presiding member.</p>	

<b>A – Introduction / Background / Issues</b>
<p><b><u>Effect of new legislation</u></b></p> <p>2.1 The new legislation allows (but does not compel) the Council to separate the functions traditionally undertaken by the chairperson of the Council, to create a structure by which:-</p> <ul style="list-style-type: none"> <li>a. The governance and administrative functions of the position would be taken over by the presiding member; and</li> <li>b. The ceremonial and civic functions would become a stand alone role to be undertaken by the civic chairperson.</li> </ul> <p>2.2 The Council may determine the term of office of the presiding member; which may be for the full term of the Council.</p>

2.3 Functions of the presiding member may include any function of the current chairperson in relation to its meetings and proceedings but his/her main role would be to chair meetings of the Council.

2.4 A member of the Executive may not be elected as presiding member.

2.5 A presiding member will continue in office until the presiding member's resignation/disqualification; a successor becoming entitled to act as a presiding member; the Council deciding to abolish the office of presiding member or an ordinary Council election taking place.

2.6 A deputy presiding member will also need to be appointed; as will a deputy civic chair.

### **Effect on Senior Salaries**

2.7 Currently the Council pays senior salaries to 14 of its members. The current cap set by the Independent Remunerations Panel for Wales (IRP) on senior salaries which the Council is allowed to pay is 15.

2.8 The presiding member's salary would fall within the cap, according to the IRP's Report of 2014/2015 dated February 2014, would have a salary of £22,000 (which includes the basic allowance).

2.9 The salary bracket payable to the council chairperson according to the Annual Report of 2014/2015, shall be £19,000 - £24,000. If the role is split, it is suggested that a salary of £19,000 be payable to the civic chairperson given that the presiding member role associated with his/her post would be undertaken separately.

2.10 Should the Council choose to appoint a presiding member and a civic chair, with the senior salary of the civic chair pitched at the bottom of the salary bracket, then the additional cost to the Council of splitting the current chairman's role, would be £8,700 per annum,

2.11 The role of the deputy presiding member will be unpaid and will not fall within the cap. Similarly the role of deputy civic chairperson.

2.12 With the agreement of the group leaders the author of this report has submitted a formal request for the cap of 15 senior salaries to be increased to 16 to account for the potential appointment of a presiding member. The IRP has refused this request, although the Council, should it choose to do so, would nevertheless be able to pay one additional senior salary, without the need to increase the cap in any event.

**B - Considerations**

1. In the event of a presiding member being appointed a deputy presiding member must also be appointed to do anything authorised/required to be done by the presiding member and in their absence.
2. The presiding member should be provided with the casting vote at Council meetings. The civic chairperson would lose the casting vote.

**C – Implications and Impacts**

<b>1</b>	<b>Finance / Section 151</b>	
<b>2</b>	<b>Legal / Monitoring Officer</b>	Author of this Report.
<b>3</b>	<b>Human Resources</b>	Not applicable
<b>4</b>	<b>Property Services</b> (see notes – separate document)	Not applicable
<b>5</b>	<b>Information and Communications Technology (ICT)</b>	Not applicable
<b>6</b>	Not applicable	Not applicable
<b>7</b>	<b>Anti-poverty and Social</b> (see notes – separate document)	Not applicable
<b>8</b>	<b>Communication</b> (see notes – separate document)	Not applicable
<b>9</b>	<b>Consultation</b> (see notes – separate document)	Chief Executive and Group Leaders
<b>10</b>	<b>Economic</b>	Not applicable

<b>C – Implications and Impacts</b>		
<b>11</b>	<b>Environmental</b> (see notes – separate document)	Not applicable
<b>12</b>	<b>Crime and Disorder</b> (see notes – separate document)	Not applicable
<b>13</b>	<b>Outcome Agreements</b>	Not applicable

<b>CH - Summary</b>
<p>The new statutory framework allows for the election by Council of a “presiding member” in addition to a civic chairperson of the Council. If Council choose to appoint a presiding member, the legislation provides for Council to grant the presiding member any of the functions of the current chairperson of Council. It is recommended that any presiding member’s role should be to chair Council meetings, together with all administrative powers and duties linked thereto eg prohibition on call in; dealing with requests for extraordinary meetings.</p>

<b>D - Recommendation</b>
<p>That the Executive make a recommendation to the Council.</p> <p>If the Council decides to effect the legislative change permitted then a decision will be required along the following lines:-</p> <ol style="list-style-type: none"> <li>1. To split the current functions of the chairperson of the Council and to create the new posts of presiding member and civic chairperson.</li> <li>2. The presiding member to undertake the role of chairing Council meetings and to exercise all administrative functions and powers linked thereto with all civic duties and responsibilities becoming the remit of the civic chairperson.</li> <li>3. To appoint a deputy presiding member and a deputy civic chairperson; to which no senior salaries attach.</li> <li>4. Subject to the caveats described in the Report, that the term of office of the presiding member shall be for the duration of the Council; or some other lesser term as Council thinks fit.</li> </ol>

5. Subject to the caveats described in the Report, that the term of office of the deputy presiding member shall be for the duration of the Council; or some other lesser term as Council thinks fit.
6. To confirm that the chairperson's casting vote will sit with the presiding member.
7. To decide appropriate salaries for the role of presiding member and civic chairperson in accordance with paragraph 2.7 and 2.8 of this report.
8. To confirm that the role of civic chairperson of the Council and deputy civic chairperson of the Council will continue to be filled on an annual basis.

**Appendices:**

N/A

**Background papers**

1. The Local Government Democracy (Wales) Act 2013 -  
[http://www.legislation.gov.uk/anaw/2013/4/pdfs/anaw\\_20130004\\_en.pdf](http://www.legislation.gov.uk/anaw/2013/4/pdfs/anaw_20130004_en.pdf)
2. IRP Draft Report 2013/2014 -  
<http://wales.gov.uk/irpwsb/home/publication/201415/draft-annual-report-1415/?lang=en>