



## COUNCIL - 10TH JUNE 2014

**SUBJECT: AMENDMENTS TO THE COUNCIL'S CONSTITUTION**

**REPORT BY: INTERIM MONITORING OFFICER**

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### **1. PURPOSE OF REPORT**

- 1.1 To ask members to note the content of the report.
- 1.2 To recommend to Members the changes to the Council's Constitution in order to reflect current arrangements.
- 1.3 To seek approval to make the necessary changes to the Constitution as set out in the recommendation.

### **2. LINKS TO STRATEGY**

- 2.1 The review of the constitutional arrangements and approval of the recommendations in this report supports the Council's objectives to strengthen existing governance arrangements.

### **3. SUMMARY**

- 3.1 This report outlines the proposed changes to the Council's constitution to reflect current arrangements.

### **4. THE REPORT**

#### **Background**

- 4.1 The Council's Constitution sets out how the Council operates, how decisions are made and the procedures, which are followed to ensure that these are efficient, transparent and accountable to local people.
- 4.2 The current Constitution has been reviewed and revised periodically on an ad hoc basis to take into account such matters as changes to secondary legislation, to update protocols and procedures and to review the responsibility of functions.
- 4.3 Members will be aware that the Wales Audit Office published a report in the Public Interest in March 2013. In response to this report Council, at its meeting on 23rd April 2013, approved the implementation of an Action Plan which was prepared to strengthen and improve the Council's governance processes and procedures. One of the requirements identified in the Action Plan is a review of the Council's Constitution. As a result a detailed refresh and review of the Constitution was considered and approved by Council on 28th January 2014.

4.4 The Constitution is a “living document” in that it is continuously being updated and revised to reflect new legislation, improvement in procedures and changes to working practices. In this regard members will be aware that since January this year Council has received a number of reports, which have resulted in further changes to the Constitution.

4.5 This report seeks member's approval in respect of the following changes:-

4.6 S66-75 Local Government (Wales) Measure 2011

4.6.1 Sections 66 to 75 of the Local Government (Wales) Measure 2011 require that the Council's Constitution makes provision to reflect the different procedures in the appointment of Chairs of Overview and Scrutiny Committees depending on the political composition of Councils.

4.6.2 These procedures have been adopted by the Council and Chairs appointed in accordance with the relevant legislation. However it has been recognised that the Council's Constitution needs to be amended to reflect the relevant provisions of the measure. As a result it is recommended that the Council's Constitution is amended to reflect that the arrangements included in sections 66-75 of the Local Government Measure 2011 will be followed for appointing persons to chairs of Scrutiny committees.

4.7 Joint Arrangements

4.7.1 Article 11 of the Council's Constitution includes detailed provisions in relation to the establishment of joint arrangements with one or more local authority.

4.7.2 During the ongoing review of the Constitution it has been recognised that Part 3 of the Constitution requires updating to include reference to the current joint arrangements the Council has entered into with other Local Authorities. The current Joint Committees are as follows

Glamorgan Archives Joint Committee

Greater Gwent Cremation Joint Committee

Gwent Frailty Joint Committee

Gwent Archives Joint Committee

Welsh Purchasing Consortium and associated joint arrangements.

4.7.3 In order to reflect current arrangements it is therefore recommended that the Joint Committee arrangements listed above are listed in the Council's Constitution.

**5. EQUALITIES IMPLICATIONS**

5.1 The Council's Constitution takes account of all equality related issues.

**6. FINANCIAL IMPLICATIONS**

6.1 None arising from the Report.

**7. PERSONNEL IMPLICATIONS**

7.1 None arising from the Report.

## **8. CONSULTATIONS**

8.1 The Report reflects the views of the Consultees.

## **9. RECOMMENDATIONS**

9.1 It is recommended that Council:-

9.1.1 Note the contents of the Report.

9.1.2 Approve the recommendations to amend the Constitution set out in paragraphs 4.6.2 and 4.7.3 of the Report.

9.1.3 That the Interim Head Monitoring Officer be given delegated authority to make the necessary changes to the Council's Constitution.

## **10. REASONS FOR THE RECOMMENDATIONS**

10.1 To ensure that the Councils Constitution is updated to reflect current arrangements.

## **11. STATUTORY POWER**

11.1 Local Government Acts 1972 and 2000.

Author: Gail Williams, Interim Monitoring Officer  
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Nicole Scammell, Acting Director of Corporate Services & S151 Officer  
Cllr B Jones, Deputy Leader  
Cllr C Forehead, Cabinet Member

Background Papers: None

Appendices:  
Appendix 1 Council's Constitution (not attached) (see Council's website) (hard copy in Members Library)