



ANNUAL MEETING OF COUNCIL – 19TH MAY 2022

SUBJECT: CHANGES TO THE CONSTITUTION

REPORT BY: MONITORING OFFICER AND HEAD OF LEGAL SERVICES

--

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to recommend to Council to approve changes to the Constitution in light of the Local Government and Elections Act 2021 ('the Act').
- 1.2 The changes to the Constitution include a new Multi Location Meetings Policy. The aim of the policy is to outline the arrangements in place which will ensure that council meetings can be held regardless of where the participants are situated. This will enable persons who are not in the same location to attend meetings. These meetings are referred to as multi location meetings and often termed hybrid meetings.

2. SUMMARY

- 2.1 The Act has brought about a number of changes to the Constitution. Some of these are minor, such as referring to the Chief Executive as 'Chief Executive' rather than the Head of Paid Service. Other changes are more substantial such as the introduction of Corporate Joint Committees which will become important bodies during the life of the council.
- 2.2 The constitution also includes at Part 5 a Multi Locational Meetings Policy to give the Council the ability to convene meetings in a way to achieve greater accessibility and improved public participation in local government.
- 2.3 The powers to introduce multi location meetings are closely connected with the new requirement for relevant authorities to broadcast (by audio and/or video) certain meetings, the provisions of which are set out in section 46 of the 2021 Act.

3. RECOMMENDATIONS

- 3.1 Council is asked to approve the changes to the Constitution attached at appendix 1.

4. REASONS FOR THE RECOMMENDATIONS

- 4.1 To comply with the requirements of the Local Government and Elections Wales Act 2021 and associated statutory guidance.

5. THE REPORT

- 5.1 Changes have been made to the Constitution that are required by the passing of the Act. Helpfully the Monitoring Officers of Wales worked together to agree a set of necessary changes and these have been incorporated in the Constitution at appendix 1. Members will note that changes have been made to parts 1, 2, 3 and 5.
- 5.2 In part 2, changes include in article 2, the new council comprises of 69 members rather than 73, through the decision of the Local Democracy and Boundary Commission for Wales. Reference has been made to Corporate Joint Committees at Articles 4 and 11. Article 8 has been amended to reflect the Act's changes to rename the Audit Committee to the Governance and Audit Committee, and the membership must include a third being lay members, with the Chair being a lay member. In Article 9, the Standards Committee must prepare an annual report to Council on it's work over the previous year.
- 5.3 In part 3 of the Constitution, the functions have been amended to take account of the Council's responsibilities under the Counter Terrorism and Security Act 2015. These changes are independent of the Act and have been requested by the Head of Public Protection, Community and Leisure Services.
- 5.4 The Council Procedure Rules have been amended in Part 4 mainly to reflect the changes brought about by multi locational.
- 5.5 Part 5 has been amended to include the Multi Location Meetings Policy and the e-Petition Scheme, both requirements of the Act. The e-Petition Scheme will allow members of the public to petition the Council electronically, via their local member, in addition to the normal methods of petitioning the Council under rule 28 of the Council Procedure Rules. Democratic services are currently working to develop the e-petition facility details of which will be added to this document.
- 5.6 The Multi Location Meetings Policy will allow members to take part in meetings from a number of locations. Members have become familiar with joining meetings via 'Teams' from their homes through the pandemic, and the policy is the next phase as the world returns to normal post pandemic. A "multi-location meeting" is a meeting whose participants are not all in the same physical location. It is envisaged that some members will be in the chamber whilst others will be joining the same meeting from their homes. Members of the public will be able to view the meeting from the gallery in the chamber and from their homes via a live-stream.

6. ASSUMPTIONS

- 6.1 The changes to the Constitution are necessary due to the implementation of the Act.

7. SUMMARY OF INTEGRATED IMPACT ASSESSMENT

- 7.1 Due to the nature of this report, there is no requirement for an IIA to be undertaken.

8. FINANCIAL IMPLICATIONS

- 8.1 The purchase of the new software and hardware to allow the chamber, Sirhowy and Ebbw rooms to be suitable for multi locational meetings has already been approved by the Cabinet. The purchase of new IT equipment required by members after the election has been sourced and will be met out of the members reserve budget.

9. PERSONNEL IMPLICATIONS

- 9.1 The staffing requirements for multi-location meetings will be resource intensive, with support being provided via the Democratic Services team. The use of the equipment, training and ongoing technical support will also be provided within IT services.

10. CONSULTATIONS

- 10.1 Due to the election, the ability to consult has been limited but as the changes are required by legislation, the council has to adopt the suggested changes.

11. STATUTORY POWER

- 11.1 Local Government and Elections Wales Act 2021

Author: Robert Tranter, Head of Legal Services & Monitoring Officer
Consultees: Christina Harry Chief Executive
Richard (Ed) Edmunds Corporate Director Education and Corporate Services
Lisa Lane, Deputy Monitoring Officer & Head of Democratic Services

Appendices:
Appendix 1 Amended constitution