



ANNUAL COUNCIL – 14TH MAY 2015

SUBJECT: CONSTITUTIONAL MATTERS

REPORT BY: INTERIM HEAD OF LEGAL SERVICES & MONITORING OFFICER

1. PURPOSE OF REPORT

- 1.1 To deal with those matters that require consideration at the Annual Meeting of the Council in accordance with the Council Procedure Rules.
- 1.2 To consider a recommendation to amend the Council's Constitution.

2. SUMMARY

- 2.1 This report sets out details of those matters that require consideration at the Annual General Meeting of Council. It also proposes an amendment to the current Constitution to add details of new legislation and joint committees.

3. LINKS TO STRATEGY

- 3.1 The requirement to establish and maintain the Council's Constitution is set out in the Local Government Act 2000.

4. THE REPORT

- 4.1 The Council's Procedure Rules require the Annual Meeting to appoint at least one overview and scrutiny committee, a Standards Committee and such other Committees the Council considers appropriate to deal with the matters which are neither reserved to the Council nor are executive functions. The Constitution provides for the appointment of the following committees:-

- 1) Audit Committee
- 2) Democratic Services Committee
- 3) Licensing Committee
- 4) Planning Committee
- 5) Policy and Resources Scrutiny Committee
- 6) Education for Life Scrutiny Committee
- 7) Health, Social Care and Wellbeing Scrutiny Committee
- 8) Regeneration and Environment Scrutiny Committee
- 9) Standards Committee
- 10) Investigating and Disciplinary Committee
- 11) Appeals Committee
- 12) Appointments Committee
- 13) Rights of Way Sub Committee

4.2 It is not proposed that any changes be made to the current arrangements in relation to the committees at this Annual Meeting. This includes the number of members allocated to each committee. The current arrangements reflect a fair political balance. Members are therefore asked to note the existing arrangements.

4.3 The nominations for the members to each Committee will be reported verbally at the Council meeting.

5. TERMS OF REFERENCE OF COMMITTEES

5.1 There are no changes to the terms of reference for any of the Committees. Members are therefore recommended to note the existing Terms of Reference set out in Part 2 of the Constitution.

6. POLITICAL BALANCE - ANNUAL REVIEW

6.1 The Annual Meeting is required to decide the allocation of seats to political groups in accordance with the Political Balance Rules contained in the Local Government and Housing Act 1989 and the Local Government (Committees & Political Groups) Regulations 1990 as amended.

6.2 The basis of the statutory requirements provide that committee seats should be allocated to political groups in so far as practicable in the same proportion as these groups have to be total membership of the Council.

6.3 There has been no change to political balance of the Authority and Members are therefore asked to note that the current allocations remain as present.

7. SCHEME OF DELEGATION

7.1 There is no proposal to vary the current Scheme of Delegation and the Members of the Council are therefore asked to note the existing Scheme set out at Part 3 of the Council's Constitution.

7.2 In light of the continuing review of relevant new legislation, it is proposed to add the Consumer Rights Act 2015 to Part 3 (page 19 and page 37) and Local Government Byelaws (Wales) Act 2012 to Part 3 (page 20 and Page 38.).

7.3 Part 3 (page 43) includes details of the Joint Committees, which have been established with other Local Authorities. It is proposed that the following Joint Committees are added to this list and details of when they were established are given in the background papers:-

Heads of the Valleys Organic Waste Procurement Joint Committee
Joint Supplies Service Joint Committee.

8. EQUALITIES IMPLICATIONS

8.1 There are none arising from the contents of this Report.

9. FINANCIAL IMPLICATIONS

9.1 There are none arising from the contents of this Report.

10. PERSONNEL IMPLICATIONS

10.1 There are none arising from the contents of this Report.

11. CONSULTATIONS

11.1 The Report reflects the views of the consultees (where appropriate).

12. RECOMMENDATIONS

12.1 Members are asked to note the information provided at paragraphs 4, 5 and 6 of the Report in relation to the Constitutional arrangements.

12.2 Members are asked to consider the recommendation set out at paragraph 7 of the Report.

12.3 If Members are minded to approve the recommendation authorisation be given to the Council's Interim Head of Legal Services and Monitoring Officer to update the Constitution as appropriate.

13. REASONS FOR THE RECOMMENDATIONS

13.1 To comply with the requirements of the Council's Constitution.

14. STATUTORY POWER

14.1 Local Government Act 2000.

Author: Angharad Price, Interim Head of Democratic Services/Deputy Monitoring Officer
Consultees: Chris Burns, Interim Chief Executive
Nicole Scammell Acting Director Corporate Services
Cllr K. Reynolds Deputy Leader
Cllr C. Forehead, Cabinet member
Lisa Lane, Corporate Solicitor

Background Papers:

Report to Cabinet: Heads of Valleys Waste Procurement 16th February, 2010

Report to Cabinet: Joint Supplies Services 1st April, 2015

Council Constitution (LINK TO WEB SITE)