

ANNUAL MEETING OF THE COUNCIL

16TH MAY 2018

COUNCIL CONSTITUTION

To update the Constitution to reflect amendments by the Constitutional Review Working Group and the requirement to annually review the Councillors' and Co-opted Members' Salaries and Allowance Scheme.

Recommendations/key decisions required:-

1. To amend Part 4.1 of the constitution to clarify that a proposer and seconder are required for Motions on Notice and to allow Motions on Notice to be submitted electronically. (CPR 12.1)
2. To adopt the Councillors' and Co-opted Members' Salaries and Allowances Scheme for 2018/19, (Part 6.1) subject to the following inclusions:-
 - a) attendance by the Chair of Council, Leader and Deputy Leader of the Opposition and the relevant Scrutiny Committee Chair at meetings of the Executive Board (Section 4.5 – Approved duties)
 - b) attendance by a Councillor at meetings or events to which the Councillor has been formally appointed or nominated by the Council in a Champion or Ambassador role e.g. Armed Forces Champion, Disability Ambassador etc (Section 4.5 – Approved duties)
 - c) Member Champion/Ambassador role description (Appendix D)
3. To approve any necessary membership changes to the Constitution arising from decisions made earlier in the meeting.
4. That the Monitoring Officer be authorised to make any minor amendments, correct typographical or drafting errors and ensure all cross-references within the Constitution are correct and that these be reported to the Constitutional Review Working Group as and when necessary.
5. That subject to recommendations 1 – 4 above, the Council Constitution be adopted for 2018/19.

Reasons:

Under Article 14 of the Constitution the Monitoring Officer has a duty to monitor and review the operation of the Constitution to ensure that the aims and principles contained therein are given full effect and to formulate recommendations for changes. Changes to the Constitution will only be approved by the full Council.

Relevant scrutiny committee to be consulted NO

Exec Board Decision Required NO

Council Decision Required YES

EXECUTIVE BOARD MEMBER PORTFOLIO HOLDER:- Leader of the Council

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COUNTY COUNCIL ANNUAL MEETING 16TH MAY 2018

COUNCIL CONSTITUTION

Council is required to review its Constitution on an annual basis, and has established the Constitutional Review Working Group to present recommendations for constitutional change.

There have been no legislative changes requiring amendments to the Constitution during 2017/18 however, the Council will need to amend Part 6.1 of the Constitution to reflect the IRPW prescribed amounts to be paid to Councillors for 2018/19 and to consider any recommendations made by the Constitutional Review Working Group.

Councillors' and Co-opted Members' Salaries and Allowances Scheme (Part 6.1)

Constitutionally, responsibility for adopting a Scheme of Members' Allowances rests with the Council but the Independent Remuneration Panel for Wales (IRPW) now prescribes the amounts to be paid with a view to providing a consistent national framework for councillor remuneration. Council considered the IRPW determinations and recommendations from the Democratic Services Committee for 2018/19 at its meeting on the 18th April 2018 (Minute 15 refers), and approved the report subject to one amendment, in that it determined that the Authority would publish the total amount reimbursed by the authority during the year for costs of care, rather than details of the amounts reimbursed to named members.

The Constitutional Review Working Group at its meetings held on the 12th February 2018 and 20th April 2018, also agreed to recommend to Council the following amendments to the scheme:-

Approved Duties (Section 4.5)

- Inclusion of attendance by the Chair of Council, Leader and Deputy Leader of the Opposition and the relevant Scrutiny Committee Chair at meetings of the Executive Board; and
- Inclusion of attendance by a Councillor at meetings or events to which the Councillor has been formally appointed or nominated by the Council in a Champion or Ambassador role e.g. Armed Forces Champion, Disability Ambassador etc

Job Descriptions (Appendix D of the Salaries and Allowance Scheme scheme)

- To include within the Job Descriptions a role description for Member Champions.

A copy of the proposed 2018/19 scheme, with suggested amendments is attached for Council's approval (Appendix 1).

Rules of Procedure (Part 4.1) – Motions on Notice (CPR 12)

The Constitutional Review Working Group at its meeting held on the 20th February 2018 considered and approved, as a recommendation to Council, a request to clarify the requirement for a proposer and seconder for Motions on Notice. The Group also agreed to update CPR12.1 in order to allow Motions on Notice to be submitted electronically. A copy of Part 4.1 of the Constitution is attached with suggested revised text for CPR 12.1. (Appendix 2).

Other than the issues raised, no other amendments are being put forward.

DETAILED REPORT ATTACHED ?	Appendix 1 – Part 6.1 Councillors' & co-opted member's scheme of allowances Appendix 2 - Part 4.1 – Council Procedure Rules
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IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: **Linda Rees Jones** **Head of Administration & Law**

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
YES	YES	NONE	NONE	NONE	NONE	NONE

1. Policy, Crime & Disorder and Equalities

Adoption and any amendment to the Constitution is a matter for Full Council

2. Legal

The Council is required to comply with the Local Government Act 2000 and in the drafting and subsequent operation of the Constitution.

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed **Linda Rees Jones** **Head of Administration & Law**

1. Scrutiny Committee

N/A

2. Local Member(s)

N/A

3. Community / Town Council

N/A

4. Relevant Partners

N/A

5. Staff Side Representatives and other Organisations

N/A

Section 100D Local Government Act, 1972 – Access to Information

List of Background Papers used in the preparation of this report:

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Carmarthenshire Council Constitution		http://www.carmarthenshire.gov.wales/home/council-democracy/the-council/councils-constitution/
Local Government Act 2000		http://www.legislation.gov.uk/ukpga/2000/22/pdfs/ukpga_20000022_en.pdf
Independent Remuneration Panel for Wales Report – February 2018		http://gov.wales/docs/dsjlg/publications/localgov/180226-annual-report-2018-en.pdf