

# ANNUAL MEETING OF THE COUNCIL

## 15<sup>TH</sup> MAY 2019

### 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 adopt the Councillors' and Co-opted Members' Salaries and Allowances Scheme for 2019/20 as detailed within the report.
2. To approve any necessary membership changes to the Constitution arising from decisions made earlier in the meeting.
3. To amend Part 3.1 Table 2 Local Choice functions - Function 23 – Licensing functions in accordance with the revised Licensing Policy approved by Council on the 12<sup>th</sup> December 2018.
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 2019/20.

### 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

|                               |                              |                                |
|-------------------------------|------------------------------|--------------------------------|
| Directorate Chief Executive's | Designations:                | Tel Nos.01267 224010           |
| Name of Head of Service:      | Head of Administration & Law | LRJones@carmarthenshire.gov.uk |
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| Gaynor Morgan                 |                              |                                |

# COUNTY COUNCIL ANNUAL MEETING 15<sup>th</sup> MAY 2019

## 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 during 2018/19 which require changes to be made to the Council's Constitution 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 2019/20 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 for 2019/20 at its meeting on the 10<sup>th</sup> April 2019.

The IRPW has issued a mandatory pro-forma for all local authorities for 2019 therefore the format of the allowances scheme differs from previous years. The Authority has also removed the requirement for Democratic Services to annually check members' car insurance certificates and driving licences. Members will, as at present, be required to confirm both documents are valid and appropriate as part of their monthly claim forms.

### Constitutional Review Working Group Recommendation – Licensing Functions.

The Constitutional Review Working Group at its meeting held on the 8<sup>th</sup> May 2019, considered a report on an amendment to Licensing functions in accordance with the revised Licensing Policy approved by Council on the 12<sup>th</sup> December 2018, and proposed amendments to Part 3.1 Table 2 Local Choice functions are included within this report.

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

#### DETAILED REPORT ATTACHED ?

Appendix 1 – Part 3.1 Table 2

Appendix 2 – Part 6.1 Councillors' & co-opted member's scheme of allowances (including Member Job profiles)

## 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 |
|---|------------|-------------|-------------|------------------------|-----------------------|-----------------|
| <b>YES</b>                              | <b>YES</b> | <b>NONE</b> | <b>NONE</b> | <b>NONE</b>            | <b>NONE</b>           | <b>NONE</b>     |

### 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                            |              | <a href="http://www.carmarthenshire.gov.wales/home/council-democracy/the-council/councils-constitution/">http://www.carmarthenshire.gov.wales/home/council-democracy/the-council/councils-constitution/</a> |
| Local Government Act 2000                                       |              | <a href="http://www.legislation.gov.uk/ukpga/2000/22/pdfs/ukpga_20000022_en.pdf">http://www.legislation.gov.uk/ukpga/2000/22/pdfs/ukpga_20000022_en.pdf</a>   |
| Independent Remuneration Panel for Wales Report – February 2018 |              | <a href="http://gov.wales/docs/dsjlg/publications/localgov/180226-annual-report-2018-en.pdf">http://gov.wales/docs/dsjlg/publications/localgov/180226-annual-report-2018-en.pdf</a>                         |