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THURSDAY, 13 MAY 2021

TO: ALL MEMBERS OF THE COUNTY COUNCIL

I HEREBY SUMMON YOU TO ATTEND THE **VIRTUAL ANNUAL MEETING OF CARMARTHENSHIRE COUNTY COUNCIL** WHICH WILL BE HELD AT **10.00 AM, ON WEDNESDAY, 19TH MAY, 2021** FOR THE TRANSACTION OF THE BUSINESS OUTLINED ON THE ATTACHED AGENDA

Wendy Walters

CHIEF EXECUTIVE

Democratic Officer:	Martin S. Davies
Telephone (direct line):	01267 224059
E-Mail:	MSDavies@carmarthenshire.gov.uk

Wendy Walters Prif Weithredwr, *Chief Executive*,
Neuadd y Sir, Caerfyrddin. SA31 1JP
County Hall, Carmarthen. SA31 1JP

A G E N D A

- 1. APOLOGIES FOR ABSENCE.**
- 2. DECLARATIONS OF PERSONAL INTERESTS.**
- 3. PERSONAL MATTERS / OUTGOING CHAIR'S ANNOUNCEMENTS.**
- 4. ELECTION OF CHAIR OF THE COUNCIL FOR THE 2021-22 MUNICIPAL YEAR.**
- 5. ELECTION OF VICE CHAIR OF THE COUNCIL FOR THE 2021-22 MUNICIPAL YEAR.**
- 6. TO RECEIVE THE LEADER OF THE COUNCIL'S ANNUAL REPORT 2020-21.**
- 7. TO CONFIRM APPOINTMENT OF MEMBERS TO COMMITTEES OF THE COUNCIL FOR THE 2021-22 MUNICIPAL YEAR** 3 - 22
- 8. TO CONSIDER NOMINATIONS RECEIVED AND TO ELECT CHAIRS AND VICE CHAIRS FOR THE COMMITTEES / PANELS OF THE COUNCIL FOR THE 2021-22 MUNICIPAL YEAR.** 23 - 30
- 9. ANNUAL REVIEW OF THE COUNCIL'S CONSTITUTION.** 31 - 236

ANNUAL MEETING OF COUNCIL 19TH MAY 2021

TO CONFIRM APPOINTMENT OF MEMBERS TO COMMITTEES OF THE COUNCIL FOR THE 2021/22 MUNICIPAL YEAR		
RECOMMENDATIONS / KEY DECISIONS REQUIRED:		
To confirm the appointment of members to Regulatory, Scrutiny and Other Committees as set out within Appendix 1 of the report or reported at the meeting.		
Reasons:		
The Council is required to appoint members to serve on its committees.		
Committee seats have been allocated to reflect as closely as possible the political composition of the Council as a whole.		
.		
Relevant scrutiny committee to be consulted	NO	
Exec. Board Decision Required	NO	
Council Decision Required	YES	
EXECUTIVE BOARD MEMBER PORTFOLIO HOLDER:-		N/A
Directorate: Name of Head of Service: Linda Rees Jones Report Author Gaynor Morgan	Designations: Head of Administration & Law Head of Democratic Services	Tel Nos. 01267 224012 LRJ 01267 224026 GM E Mail Addresses: Lrjones@cararthenshire.gov.uk GMorgan@cararthenshire.gov.uk

**EXECUTIVE SUMMARY
ANNUAL MEETING OF COUNCIL
19TH MAY 2021**

**TO CONFIRM APPOINTMENT OF MEMBERS TO COMMITTEES OF THE
COUNCIL FOR THE 2021/22 MUNICIPAL YEAR**

In accordance with the Constitution, the Council is required to appoint members to serve on its committees and to allocate those seats so that they reflect the overall political composition of the Council.

Appendix 1 to the report details the nominations received from the Political Groups to serve on Committees of the Council for the 2021/22 Municipal Year.

DETAILED REPORT ATTACHED?

YES - Appendix 1

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
NONE	YES	NONE	NONE	NONE	NONE	NONE

Legal

The Council is required to appoint members to serve on its committees and to allocate those seats so that they reflect the overall political composition of the Council.

The Council's constitution sets out arrangement for appointment to fill vacancies on Committees.

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** Not applicable
- 2.Local Member(s)** Not applicable
- 3.Community / Town Council** Not applicable
- 4.Relevant Partners** Not applicable
- 5.Staff Side Representatives and other Organisations** Not applicable

EXECUTIVE BOARD PORTFOLIO HOLDER(S) AWARE/CONSULTED	N/A
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**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
The Local Government Act 2000 The Local Government (Wales) Measure 2011		Administration & Law Division, Chief Executive's Department
Group Nominations		Democratic Services Unit, Chief Executive's Department.

**PWYLLGOR CRAFFU CYMUNEDAU & ADFYWIO
13 AELOD**

**COMMUNITY & REGENERATION SCRUTINY COMMITTEE
13 MEMBERS**

GRŴP PLAID CYMRU / PLAID CYMRU GROUP (7)

- | | | |
|----|-----------------------|-------------------|
| 1. | Cynghorydd/Councillor | Handel Davies |
| 2. | Cynghorydd/Councillor | Colin Evans |
| 3. | Cynghorydd/Councillor | Jeanette Gilasbey |
| 4. | Cynghorydd/Councillor | Ken Howell |
| 5. | Cynghorydd/Councillor | Betsan Jones |
| 6. | Cynghorydd/Councillor | Dai Thomas |
| 7. | Cynghorydd/Councillor | Gareth Thomas |

GRŴP LLAFUR / LABOUR GROUP (3)

- | | | |
|----|-----------------------|------------------|
| 1. | Cynghorydd/Councillor | Fozia Akhtar |
| 2. | Cynghorydd/Councillor | Rob Evans |
| 3. | Cynghorydd/Councillor | Shirley Matthews |

GRŴP ANNIBYNNOL / INDEPENDENT GROUP (3)

- | | | |
|----|-----------------------|-----------------|
| 1. | Cynghorydd/Councillor | Anthony Davies |
| 2. | Cynghorydd/Councillor | Irfon Jones |
| 3. | Cynghorydd/Councillor | Hugh Shepardson |

PWYLLGOR CRAFFU ADDYSG A PHLANT
14 AELOD O'R CYNGOR, 2 AELOD ANETHOLEDIG SYDD Â PHLIDLAIS A 3
RHIANT-LYWODRAETHWYR ETHOLEDIG SYDD Â PHLIDLAIS
EDUCATION AND CHILDREN SCRUTINY COMMITTEE
14 COUNCIL MEMBERS, 2 NON ELECTED VOTING MEMBERS AND 3
ELECTED VOTING PARENT GOVERNOR MEMBERS

GRŴP PLAID CYMRU / PLAID CYMRU GROUP (7)

- | | | |
|----|-----------------------|-----------------|
| 1. | Cynghorydd/Councillor | Liam Bowen |
| 2. | Cynghorydd/Councillor | Kim Broom |
| 3. | Cynghorydd/Councillor | Betsan Jones |
| 4. | Cynghorydd/Councillor | Jean Lewis |
| 5. | Cynghorydd/Councillor | Darren Price |
| 6. | Cynghorydd/Councillor | Emlyn Schiavone |
| 7. | Cynghorydd/Councillor | Dorian Williams |

GRŴP LLAFUR / LABOUR GROUP (3)

- | | | |
|----|-----------------------|-------------|
| 1. | Cynghorydd/Councillor | Dot Jones |
| 2. | Cynghorydd/Councillor | Gary Jones |
| 3. | Cynghorydd/Councillor | Bill Thomas |

GRŴP ANNIBYNNOL / INDEPENDENT GROUP (2)

- | | | |
|----|-----------------------|---------------|
| 1. | Cynghorydd/Councillor | Sue Allen |
| 2. | Cynghorydd/Councillo | Edward Thomas |

GRŴP ANNIBYNNOL NEWYDD/NEW INDEPENDENT GROUP (1)

- | | | |
|----|-----------------------|---------------|
| 1. | Cynghorydd/Councillor | Shahana Najmi |
|----|-----------------------|---------------|

HEB GYSYLLTIAD PLEIDIOL/UNAFFILIATED (1)

- | | | |
|----|-----------------------|--------------|
| 1. | Cynghorydd/Councillor | John Jenkins |
|----|-----------------------|--------------|

Aelodau Anetholedig sydd â phleidlais (2) / Non Elected Voting Members (2)

- | | | |
|----|--------------------------|---|
| 1. | Mrs V. Kenny | Yr Eglwys Gatholig Rufeinig/Roman Catholic Church |
| 2. | Y Parch/Rev. D. Richards | Yr Eglwys yng Nghymru/Church in Wales |

Rhiant Lywodraethwyr Etholedig sydd â Phleidlais (3) / Elected Voting Parent Governor Members (3) (Yn dod i ben/Term ends 31/03/2020)

- | | | |
|----|------------------|--|
| 1. | Lle Gwag/Vacancy | Ardal/Area 1 – Dinefwr |
| 2. | Anthony Enoch | Ardal/Area 2 – Caerfyrddin/Carmarthen |
| 3. | Lle Gwag/Vacancy | Ardal/Area 3 – Llanelli |

PWYLLGOR CRAFFU DIOGELU'R CYHOEDD A'R AMGYLCHEDD
14 AELOD
ENVIRONMENTAL AND PUBLIC PROTECTION SCRUTINY
COMMITTEE
14 MEMBERS

GRŴP PLAID CYMRU / PLAID CYMRU GROUP (7)

- | | | |
|----|-----------------------|-------------------|
| 1. | Cynghorydd/Councillor | Mansel Charles |
| 2. | Cynghorydd/Councillor | Karen Davies |
| 3. | Cynghorydd/Councillor | Jeanette Gilasbey |
| 4. | Cynghorydd/Councillor | Dorian Phillips |
| 5. | Cynghorydd/Councillor | Susan Phillips |
| 6. | Cynghorydd/Councillor | Dai Thomas |
| 7. | Cynghorydd/Councillor | Aled Vaughan Owen |

GRŴP LLAFUR / LABOUR GROUP (3)

- | | | |
|----|-----------------------|---------------|
| 1. | Cynghorydd/Councillor | Penny Edwards |
| 2. | Cynghorydd/Councillor | Tina Higgins |
| 3. | Cynghorydd/Councillor | John James |

GRŴP ANNIBYNNOL / INDEPENDENT GROUP (3)

- | | | |
|----|-----------------------|---------------|
| 1. | Cynghorydd/Councillor | Arwel Davies |
| 2. | Cynghorydd/Councillor | Joseph Davies |
| 3. | Cynghorydd/Councillor | Alan Speake |

GRŴP ANNIBYNNOL NEWYDD/NEW INDEPENDENT GROUP (1)

- | | | |
|----|-----------------------|-------------|
| 1. | Cynghorydd/Councillor | Eryl Morgan |
|----|-----------------------|-------------|

**PWYLLGOR CRAFFU POLISI AC ADNODDAU
13 AELOD**

**POLICY AND RESOURCES SCRUTINY COMMITTEE
13 MEMBERS**

GRŴP PLAID CYMRU / PLAID CYMRU GROUP (6)

1. Cynghorydd/Councillor Kim Broom
2. Cynghorydd/Councillor Handel Davies
3. Cynghorydd/Councillor Ken Howell
4. Cynghorydd/Councillor Gareth John
5. Cynghorydd/Councillor Carys Jones
6. Cynghorydd/Councillor Elwyn Williams

GRŴP LLAFUR / LABOUR GROUP (3)

1. Cynghorydd/Councillor Deryk Cundy
2. Cynghorydd/Councillor Kevin Madge
3. Cynghorydd/Councillor John Prosser

GRŴP ANNIBYNNOL / INDEPENDENT GROUP (3)

1. Cynghorydd/Councillor Sue Allen
2. Cynghorydd/Councillor Anthony Davies
3. Cynghorydd/Councillor Giles Morgan

GRŴP ANNIBYNNOL NEWYDD/NEW INDEPENDENT GROUP (1)

1. Cynghorydd/Councillor Jeff Edmunds

**PWYLLGOR CRAFFU GOFAL CYMDEITHASOL AC IECHYD
14 AELOD**

**SOCIAL CARE AND HEALTH SCRUTINY COMMITTEE
14 MEMBERS**

GRŴP PLAID CYMRU / PLAID CYMRU GROUP (7)

- | | | |
|----|-----------------------|-----------------|
| 1. | Cynghorydd/Councillor | Kim Broom |
| 2. | Cynghorydd/Councillor | Karen Davies |
| 3. | Cynghorydd/Councillor | Tyssul Evans |
| 4. | Cynghorydd/Councillor | Jean Lewis |
| 5. | Cynghorydd/Councillor | Emlyn Schiavone |
| 6. | Cynghorydd/Councillor | Gwyneth Thomas |
| 7. | Cynghorydd/Councillor | Dorian Williams |

GRŴP LLAFUR / LABOUR GROUP (4)

- | | | |
|----|-----------------------|-------------|
| 1. | Cynghorydd/Councillor | Rob Evans |
| 2. | Cynghorydd/Councillor | Amanda Fox |
| 3. | Cynghorydd/Councillor | Ken Lloyd |
| 4. | Cynghorydd/Councillor | Kevin Madge |

GRŴP ANNIBYNNOL / INDEPENDENT GROUP (2)

- | | | |
|----|-----------------------|--------------|
| 1. | Cynghorydd/Councillor | Sue Allen |
| 2. | Cynghorydd/Councillor | Ieuan Davies |

GRŴP ANNIBYNNOL NEWYDD/NEW INDEPENDENT GROUP (1)

- | | | |
|----|-----------------------|-----------------|
| 1. | Cynghorydd/Councillor | Louvain Roberts |
|----|-----------------------|-----------------|

**PWYLLGOR APELAU
6 AELOD**

**APPEALS COMMITTEE
6 MEMBERS**

GRŴP PLAID CYMRU / PLAID CYMRU GROUP (3)

1. Cyngorydd/Councillor Kim Broom
2. Cyngorydd/Councillor Ken Howell
3. Cyngorydd/Councillor Dorian Williams

GRŴP LLAFUR / LABOUR GROUP (1)

1. Cyngorydd/Councillor Dot Jones

GRŴP ANNIBYNNOL / INDEPENDENT GROUP (1)

1. Cyngorydd/Councillor Sue Allen

GRŴP ANNIBYNNOL NEWYDD/NEW INDEPENDENT GROUP (1)

1. Cyngorydd/Councillor Eryl Morgan

NI CHANIATEIR EILYDDION MEWN CYFARFODYDD O'R PWYLLGOR YMA

NO SUBSTITUTES ARE ALLOWED AT MEETINGS OF THIS COMMITTEE

PWYLLGOR PENODI A - CYFARWYDDWYR
16 AELOD
APPOINTMENTS COMMITTEE A – DIRECTORS
16 MEMBERS

GRŴP PLAID CYMRU / PLAID CYMRU GROUP (8)

- | | | |
|----|-----------------------|------------------------|
| 1. | Cynghorydd/Councillor | Glynog Davies |
| 2. | Cynghorydd/Councillor | Emlyn Dole |
| 3. | Cynghorydd/Councillor | Hazel Evans |
| 4. | Cynghorydd/Councillor | Tyssul Evans |
| 5. | Cynghorydd/Councillor | Peter Hughes Griffiths |
| 6. | Cynghorydd/Councillor | David Jenkins |
| 7. | Cynghorydd/Councillor | Alun Lenny |
| 8. | Cynghorydd/Councillor | Eirwyn Williams |

GRŴP LLAFUR / LABOUR GROUP (5)

- | | | |
|----|-----------------------|-------------|
| 1. | Cynghorydd/Councillor | Deryk Cundy |
| 2. | Cynghorydd/Councillor | Suzy Curry |
| 3. | Cynghorydd/Councillor | Amanda Fox |
| 4. | Cynghorydd/Councillor | Rob James |
| 5. | Cynghorydd/Councillor | Kevin Madge |

GRŴP ANNIBYNNOL / INDEPENDENT GROUP (3)

- | | | |
|----|-----------------------|---------------|
| 1. | Cynghorydd/Councillor | Philip Hughes |
| 2. | Cynghorydd/Councillor | Mair Stephens |
| 3. | Cynghorydd/Councillor | Edward Thomas |

*Mae rhaid i Bwyllgorau Penodi cynnwys mwyafrif o Aelodau anweithredol /Appointments Committees must comprise a majority of non-executive Board Members.

TREFNIADAU LLUNIO RHESTR-FER

	Llunio Rhestr-fer	Penodiad gan
Y Prif Weithredwr a Phennaeth y Gwasanaethau Cyflogedig	Pwyllgor Penodi "A"	Y Cyngor, ar ôl derbyn argymhellion Pwyllgor Penodi "A"
Cyfarwyddwr(wyr)	Wyth Aelod o Bwyllgor Penodi "A" yn eu tro ar sail cydbwysedd gwleidyddol y Cyngor ac sydd wedi'u dewis yn ôl rota yn nhrefn yr wyddor (gan gynnwys hefyd yr Aelod o'r Bwrdd Gweithredol sy'n gyfrifol am y maes gwasanaeth y mae'r swydd yn rhan ohono)	Pwyllgor Penodi "A"

SHORTLISTING ARRANGEMENTS

	Shortlisting	Appointment by
Chief Executive & Head of Paid Service	Appointments Committee "A"	Council on the recommendation of Appointment Committee "A"
Director(s)	Eight Members of Appointment Committee "A" reflecting the political balance of the Council and chosen on rota via alphabetical order (to also include the Executive Board Member within the service area the post is located)	Appointments Committee "A"

**PWYLLGOR PENODI B - PENNAETHIAID GWASANAETH
10 AELOD**

**APPOINTMENTS COMMITTEE B – HEADS OF SERVICE
10 MEMBERS**

GRŴP PLAID CYMRU / PLAID CYMRU GROUP (5)

- | | | |
|----|-----------------------|----------------|
| 1. | Cynghorydd/Councillor | Cefin Campbell |
| 2. | Cynghorydd/Councillor | Mansel Charles |
| 3. | Cynghorydd/Councillor | Emlyn Dole |
| 4. | Cynghorydd/Councillor | Linda Evans |
| 5. | Cynghorydd/Councillor | Tyssul Evans |

GRŴP LLAFUR / LABOUR GROUP (2)

- | | | |
|----|-----------------------|--------------|
| 1. | Cynghorydd/Councillor | Rob James |
| 2. | Cynghorydd/Councillor | John Prosser |

GRŴP ANNIBYNNOL / INDEPENDENT GROUP (2)

- | | | |
|----|-----------------------|---------------|
| 1. | Cynghorydd/Councillor | Joseph Davies |
| 2. | Cynghorydd/Councillor | Mair Stephens |

GRŴP ANNIBYNNOL NEWYDD/NEW INDEPENDENT GROUP (1)

- | | | |
|----|-----------------------|---------------|
| 1. | Cynghorydd/Councillor | Sharen Davies |
|----|-----------------------|---------------|

*Mae rhaid i Bwyllgorau Penodi cynnwys mwyafrif o Aelodau anweithredol / Appointments Committees must comprise a majority of non-executive Board Members.

TREFNIADAU LLUNIO RHESTR-FER

Llunio Rhestr-fer	Penodiad gan
Y Cyfarwyddwr perthnasol ar gyfer y gwasanaeth o dan sylw, gan ymgynghori ag Aelod(au) perthnasol y Bwrdd Gweithredol a Chadeirydd y Pwyllgor Craffu	Pwyllgor Penodi "B"

SHORTLISTING ARRANGEMENTS

Shortlisting	Appointment by
Relevant Director for the service concerned in consultation with the relevant Executive Board Member(s) and Chair of Scrutiny Committee	Appointment Committee "B"

**PWYLLGOR ARCHWILIO
8 AELOD O'R CYNGOR A 1 AELOD ALLANOL A PHLEIDLAIS**

**AUDIT COMMITTEE
8 MEMBERS PLUS ONE EXTERNAL MEMBER WITH
VOTING RIGHTS**

GRŴP PLAID CYMRU / PLAID CYMRU GROUP (4)

1. Cynghorydd/Councillor Kim Broom
2. Cynghorydd/Councillor Karen Davies
3. Cynghorydd/Councillor Gareth John
4. Cynghorydd/Councillor Elwyn Williams

GRŴP LLAFUR / LABOUR GROUP (2)

1. Cynghorydd/Councillor Tina Higgins
2. Cynghorydd/Councillor Bill Thomas

GRŴP ANNIBYNNOL / INDEPENDENT GROUP (1)

1. Cynghorydd/Councillor Giles Morgan

GRŴP ANNIBYNNOL NEWYDD/NEW INDEPENDENT GROUP (1)

1. Cynghorydd/Councillor Louvain Roberts

AELOD ALLANOL A PHLEIDLAIS / EXTERNAL VOTING MEMBER

(Cyfnod y penodiad - tan etholiadau Llywodraeth Leol ym Mai 2022/

Period of appointment – until the Local Government Elections in May 2022)

1. Mrs Julie James

**PWYLLGOR GWASANAETHAU DEMOCRATAIDD
5 AELOD**

**DEMOCRATIC SERVICES COMMITTEE
5 MEMBERS**

GRŴP PLAID CYMRU / PLAID CYMRU GROUP (3)

1. Cyngorydd/Councillor Tyssul Evans
2. Cyngorydd/Councillor Emlyn Schiavone
3. Cyngorydd/Councillor Dai Thomas

GRŴP LLAFUR / LABOUR GROUP (1)

1. Cyngorydd/Councillor Rob James

GRŴP ANNIBYNNOL / INDEPENDENT GROUP (1)

1. Cyngorydd/Councillor Irfon Jones

**PWYLLGOR CRONFA BENSIWN DYFED
3 AELOD**

**DYFED PENSION FUND COMMITTEE
3 MEMBERS**

GRŴP PLAID CYMRU / PLAID CYMRU GROUP (1)

1. Cynghorydd/Councillor Elwyn Williams

GRŴP LLAFUR /LABOUR GROUP (1)

1. Cynghorydd/Councillor Deryk Cundy

GRŴP ANNIBYNNOL / INDEPENDENT GROUP (1)

1. Cynghorydd/Councillor Jim Jones

DIRPRWY ENWEBEDIG/NOMINATED SUBSTITUTE (1)

Cyng/Cllr Dai Thomas

**PANEL ADOLYGU TAI
8 AELOD**

**HOUSING REVIEW PANEL
8 MEMBERS**

GRŴP PLAID CYMRU / PLAID CYMRU GROUP (4)

1. Cyngorydd/Councillor Jean Lewis
2. Cyngorydd/Councillor Alun Lenny
3. Cyngorydd/Councillor Susan Phillips
4. Cyngorydd/Councillor Gareth Thomas

GRŴP LLAFUR / LABOUR GROUP (1)

1. Cyngorydd/Councillor Andre McPherson

GRŴP ANNIBYNNOL / INDEPENDENT GROUP (1)

1. Cyngorydd/Councillor Ieuan Davies

GRŴP ANNIBYNNOL NEWYDD/NEW INDEPENDENT GROUP (1)

1. Cyngorydd/Councillor Louvain Roberts

HEB GYSYLLTIAD PLEIDIOL/UNAFFILIATED (1)

1. Cyngorydd/Councillor John Jenkins

DIRPRWYON ENWEBEDIG/NOMINATED SUBSTITUTES

GRŴP PLAID CYMRU / PLAID CYMRU GROUP (1)

1. Cyngorydd/Councillor Tyssul Evans

GRŴP LLAFUR / LABOUR CYMRU GROUP (1)

1. Cyngorydd/Councillor John James

GRŴP ANNIBYNNOL / INDEPENDENT GROUP (1)

1. Cyngorydd/Councillor Irfon Jones

**PWYLLGOR TRWYDDEDU
14 AELOD**

**LICENSING COMMITTEE
14 MEMBERS**

GRŴP PLAID CYMRU / PLAID CYMRU GROUP (7)

- | | | |
|----|-----------------------|-----------------|
| 1. | Cynghorydd/Councillor | Mansel Charles |
| 2. | Cynghorydd/Councillor | Tyssul Evans |
| 3. | Cynghorydd/Councillor | Ken Howell |
| 4. | Cynghorydd/Councillor | Dorian Phillips |
| 5. | Cynghorydd/Councillor | Susan Phillips |
| 6. | Cynghorydd/Councillor | Eirwyn Williams |
| 7. | Cynghorydd/Councillor | Elwyn Williams |

GRŴP LLAFUR / LABOUR GROUP (4)

- | | | |
|----|-----------------------|-----------------|
| 1. | Cynghorydd/Councillor | Suzy Curry |
| 2. | Cynghorydd/Councillor | Penny Edwards |
| 3. | Cynghorydd/Councillor | Amanda Fox |
| 4. | Cynghorydd/Councillor | Andre McPherson |

GRŴP ANNIBYNNOL / INDEPENDENT GROUP (3)

- | | | |
|----|-----------------------|---------------|
| 1. | Cynghorydd/Councillor | Irfon Jones |
| 2. | Cynghorydd/Councillor | Jim Jones |
| 3. | Cynghorydd/Councillor | Edward Thomas |

NI CHANIATEIR EILYDDION MEWN CYFARFODYDD O'R PWYLLGOR YMA

NO SUBSTITUTES ARE ALLOWED AT MEETINGS OF THIS COMMITTEE

**PWYLLGOR PENODI AELODAU
7 AELOD**

**MEMBER APPOINTMENTS COMMITTEE
7 MEMBERS**

GRŴP PLAID CYMRU / PLAID CYMRU GROUP (3)

1. Cynghorydd/Councillor Mansel Charles
2. Cynghorydd/Councillor Tyssul Evans
3. Cynghorydd/Councillor Jeanette Gilasbey

GRŴP LLAFUR / LABOUR GROUP (1)

1. Cynghorydd/Councillor Suzy Curry

GRŴP ANNIBYNNOL / INDEPENDENT GROUP (2)

1. Cynghorydd/Councillor Anthony Davies
2. Cynghorydd/Councillor Alan Speake

GRŴP ANNIBYNNOL NEWYDD/NEW INDEPENDENT GROUP (1)

1. Cynghorydd/Councillor Jeff Edmunds

PWYLLGOR CYNLLUNIO - 20 AELOD

PLANNING COMMITTEE - 20 MEMBERS

GRŴP PLAID CYMRU / PLAID CYMRU GROUP (10)

- | | | |
|-----|-----------------------|-------------------|
| 1. | Cynghorydd/Councillor | Mansel Charles |
| 2. | Cynghorydd/Councillor | Tyssul Evans |
| 3. | Cynghorydd/Councillor | Jeanette Gilasbey |
| 4. | Cynghorydd/Councillor | Ken Howell |
| 5. | Cynghorydd/Councillor | Carys Jones |
| 6. | Cynghorydd/Councillor | Alun Lenny |
| 7. | Cynghorydd/Councillor | Jean Lewis |
| 8. | Cynghorydd/Councillor | Dorian Phillips |
| 9. | Cynghorydd/Councillor | Gareth Thomas |
| 10. | Cynghorydd/Councillor | Eirwyn Williams |

GRŴP LLAFUR / LABOUR GROUP (4)

- | | | |
|----|-----------------------|-------------|
| 1. | Cynghorydd/Councillor | Deryk Cundy |
| 2. | Cynghorydd/Councillor | John James |
| 3. | Cynghorydd/Councillor | Dot Jones |
| 4. | Cynghorydd/Councillor | Kevin Madge |

GRŴP ANNIBYNNOL / INDEPENDENT GROUP (4)

- | | | |
|----|-----------------------|------------------|
| 1. | Cynghorydd/Councillor | Sue Allen |
| 2. | Cynghorydd/Councillor | Ieuan Wyn Davies |
| 3. | Cynghorydd/Councillor | Joseph Davies |
| 4. | Cynghorydd/Councillor | Irfon Jones |

GRŴP ANNIBYNNOL NEWYDD/ NEW INDEPENDENT GROUP (2)

- | | | |
|----|-----------------------|------------------|
| 1. | Cynghorydd/Councillor | Lle Gwag/Vacancy |
| 2. | Cynghorydd/Councillor | Lle Gwag/Vacancy |

Lle mae gan wardiau fwy nag un aelod etholedig, dim ond un aelod gall eistedd ar y Pwyllgor Cynllunio

Where wards have more than one elected member, only one member may sit on the Planning Committee

NI CHANIATEIR DIRPRWYON AR Y PWYLLGOR CYNLLUNIO
NO SUBSTITUTES ARE ALLOWED ON THE PLANNING COMMITTEE

**PWYLLGOR SAFONAU
9 AELOD**

**STANDARDS COMMITTEE
9 MEMBERS**

AELODAU ANNIBYNNOL / INDEPENDENT MEMBERS(5)

- | | |
|--|--|
| 1 Mrs Mary Dodd
<i>IS-GADEIRYDD/VICE-CHAIR</i> | <i>(Cyfnod y Penodiad/Period of Appointment
15/04/21 – 14/04/25)</i> |
| 2 Mrs Daphne Evans | <i>(Cyfnod y Penodiad/Period of Appointment
13/12/17 – 12/12/23)</i> |
| 3 Mrs Julie James | <i>(Cyfnod y Penodiad/Period of Appointment
13/12/17 – 12/12/23)</i> |
| 4 Mr M. Andre Morgan
<i>CADEIRYDD / CHAIR</i> | <i>(Cyfnod y Penodiad/Period of Appointment
06/12/11 – 04/12/21)</i> |
| 5 Mr Alun Williams | <i>(Cyfnod y Penodiad/Period of Appointment
06/12/11 – 04/12/21)</i> |

Aelod Cymunedol y Pwyllgor / Community Committee Member (1)

(Cyfnod y Penodiad – tan etholiad Llywodraeth Leol Mai 2022

Period of Appointment – until the Local Government Elections in May 2022)

- | | |
|--------------------------------|----------------------|
| 1 Cynghorydd/Councillor | Philip Rogers |
|--------------------------------|----------------------|

Aelodau Etholedig y Cyngor Sir / Elected Members of the County Council (3)

- | | |
|--------------------------------|--------------------------|
| 1 Cynghorydd/Councillor | Jeanette Gilasbey |
| 2 Cynghorydd/Councillor | Rob James |
| 3 Cynghorydd/Councillor | Gareth Thomas |

ANNUAL MEETING OF COUNCIL 19TH MAY 2021

TO CONSIDER NOMINATIONS RECEIVED AND TO ELECT CHAIRS AND VICE CHAIRS FOR THE COMMITTEES / PANELS OF THE COUNCIL FOR THE 2021-22 MUNICIPAL YEAR

RECOMMENDATIONS / KEY DECISIONS REQUIRED:

To consider the nominations received for Chairs and Vice-Chairs of Committees, as per the report, and to make the necessary appointments.

Reasons:

The appointment of Chairs and Vice Chairs of Committees of the Council shall be undertaken by the Council at its Annual Meeting or at an ordinary meeting of Council should a vacancy arise mid term.

To appoint Chairs and Vice-Chair for the forthcoming year.

Relevant scrutiny committee to be consulted NO

Exec. Board Decision Required NO

Council Decision Required YES

EXECUTIVE BOARD MEMBER PORTFOLIO HOLDER:- N/A

Directorate:

Name of Head of Service:
Linda Rees Jones

Report Author
Gaynor Morgan

Designations:

Head of Administration & Law

Head of Democratic Services

Tel Nos.

01267 224012 LRJ

01267 224026 GM

E Mail Addresses:

Lrjones@cararthenshire.gov.uk

GMorgan@cararthenshire.gov.uk

**EXECUTIVE SUMMARY
ANNUAL MEETING OF COUNCIL
19TH MAY 2021**

**TO CONSIDER NOMINATIONS RECEIVED AND TO ELECT CHAIRS AND
VICE CHAIRS FOR THE COMMITTEES / PANELS OF THE COUNCIL FOR
THE 2021-22 MUNICIPAL YEAR**

In accordance with the Constitution, the Council is required to appointment Chairs and Vice Chairs of Committees of the Council at its Annual Meeting or at an ordinary meeting of Council should a vacancy arise midterm.

Where a vote is required on a motion to appoint or elect a member of the Council to a position to be filled by the authority and there are two or more members nominated for that position, the names of all those nominated shall be put to the meeting in alphabetical order of surname. Those entitled to vote shall each vote for only one person. If there is not a majority of those voting in favour of one person, the name of the person having the least number of votes shall be struck off the list and a fresh vote shall be taken, and so on until a majority of votes is given in favour of one person.

There are no contested seats for the 2021-22 municipal year.

DETAILED REPORT ATTACHED?

YES - Nominations Received

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
NONE	YES	NONE	NONE	NONE	NONE	NONE

Legal

The Council's constitution sets out arrangements for nomination and appointment of Chairs and Vice-Chairs of Committees.

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** Not applicable
- 2.Local Member(s)** Not applicable
- 3.Community / Town Council** Not applicable
- 4.Relevant Partners** Not applicable
- 5.Staff Side Representatives and other Organisations** Not applicable

EXECUTIVE BOARD PORTFOLIO HOLDER(S) AWARE/CONSULTED	N/A
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**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
The Local Government Act 2000 The Local Government (Wales) Measure 2011		Administration & Law Division, Chief Executive's Department
Group Nominations		Democratic Services Unit, Chief Executive's Department.

CYFARFOD BLYNYDDOL Y CYNGOR / ANNUAL MEETING OF COUNCIL –

19TH MAY 2021

**ENWEBIADAU A DERBYNIWYD AR GYFER CADEIRYDDION AC IS-
GADEIRYDDION PWYLLGORAU A PHANELAU'R CYNGOR 2021/22**

**NOMINATIONS RECEIVED FOR CHAIRS AND VICE-CHAIRS OF
COMMITTEES/PANELS 2021/22**

<u>PWYLLGORAU CRAFFU / SCRUTINY COMMITTEES:</u>	CADEIRYDD CHAIR	IS-GADEIRYDD VICE-CHAIR
CYMUNEDAU <i>COMMUNITY</i>	I'w benodi gan y Pwyllgor/ To be appointed by the Committee*	Gareth Thomas (PC)
ADDYSG A PHLANT <i>EDUCATION AND CHILDREN</i>	Darren Price (PC)	Edward Thomas (I)
DIOGELU'R CYHOEDD A'R AMGYLCHEDD <i>ENVIRONMENTAL AND PUBLIC PROTECTION</i>	John James(L)	Aled Vaughan Owen (PC)
POLISI AC ADNODDAU <i>POLICY & RESOURCES</i>	Giles Morgan (I)	Gareth John (PC)
GOFAL CYMDEITHASOL AC IECHYD <i>SOCIAL CARE AND HEALTH</i>	Gwyneth Thomas (PC)	Ieuan Davies (I)

<u>PWYLLGORAU ERAILL /</u> <u>OTHER COMMITTEES</u>	CADEIRYDD CHAIR	IS-GADEIRYDD VICE-CHAIR
PWYLLGOR APELAU <i>APPEALS COMMITTEE</i>	Ken Howell (PC)	Sue Allen (I)
PWYLLGOR PENODI "A" – CYFARWYDDWYR <i>APPOINTMENTS COMMITTEE A – DIRECTORS</i>	Emlyn Dole (PC)	Mair Stephens (I)
PWYLLGOR PENODI "B"- PENNAETH GWASANAETH <i>APPOINTMENTS COMMITTEE B – HEADS OF SERVICE</i>	Mair Stephens (I)	Emlyn Dole (PC)
PWYLLGOR GWASANAETHAU DEMOCRATAIDD <i>DEMOCRATIC SERVICES COMMITTEE</i>	Rob James (L)	Tyssul Evans (PC)
PWYLLGOR CRONFA BENSIWN DYFED <i>DYFED PENSION FUND COMMITTEE</i>	Elwyn Williams (PC)	Ddim yn eisiau Not required
PWYLLGOR TRWYDDEDU <i>LICENSING COMMITTEE</i>	Edward Thomas(I)	Elwyn Williams (PC)
PWYLLGOR PENODI AELODAU <i>MEMBER APPOINTMENTS COMMITTEE</i>	Mansel Charles (PC)	Anthony Davies(I)
PWYLLGOR CYNLLUNIO <i>PLANNING COMMITTEE</i>	Alun Lenny (PC)	Irfon Jones (I)
PANEL ADFYWIO TAI <i>HOUSING REVIEW PANEL</i>	Gareth Thomas (PC)	Ieuan Davies (I)

SYLWER:

- 1) Bydd yr aelodau o'r Pwyllgor Craffu Cymunedau, yn eu cyfarfod cyntaf yn dilyn Cyfarfod Blynyddol y Cyngor, yn ethol y Cadeirydd am Flwyddyn y Cyngor 2021/22
- 2) Bydd yr aelodau o'r Pwyllgor Archwilio, yn eu cyfarfod cyntaf yn dilyn Cyfarfod Blynyddol y Cyngor, yn ethol y Cadeirydd a'r Is-gadeirydd am Flwyddyn y Cyngor 2021/22

NOTE:

- 1) Members of the Community Scrutiny Committee will, at their first meeting, following the Annual Meeting of Council, elect their Chair for the 2021/22 municipal year.
- 1) Members of the Audit committee will, at their first meeting, following the Annual Meeting of Council, elect their Chair and Vice-Chair for the 2021/22 municipal year.

3) Bydd yr aelodau o'r Pwyllgor Trwyddedu, yn eu cyfarfod cyntaf yn dilyn Cyfarfod Blynyddol y Cyngor, yn ethol Cadeiryddion y 3 Is-Bwyllgor Trwyddedu am Flwyddyn y Cyngor 2021/22

2) Members of the Licensing Committee will at their first meeting, following the Annual Meeting of Council, elect the Chairs for the 2 Licensing Sub Committees for the 2021/22 municipal year.

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COUNTY COUNCIL 19TH MAY 2021

ANNUAL REVIEW OF THE CONSTITUTION

To update the Constitution to reflect amendments by the Constitutional Review Working Group and the requirement to annually review the Council Constitution.

Recommendations/key decisions required:-

1. In accordance with the determinations made by the Independent Remuneration Panel for Wales, to adopt the Councillors' and Co-opted Members' Salaries and Allowances Scheme for 2021/22, as detailed within Part 6.1 of the Constitution.
2. To approve the constitutional changes, which have come about as a result of the legislative changes in Local Government and Elections (Wales) Act 2021 and any additional recommendations put forward by the Constitutional Review Working Group.
3. 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.
4. That subject to recommendations 1 – 3 above, the Council Constitution be adopted for 2021/22.

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.

A number of changes are proposed to various elements of the Constitution as a result of the Local Government and Elections (Wales) Act 2021.

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

Linda Rees Jones

Head of Democratic
Services

Tel Nos.01267 224026

Report Author:Gaynor Morgan

GMorgan@carmarthenshire.gov
.uk

COUNTY COUNCIL

19TH MAY 2021

ANNUAL REVIEW OF THE 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.

The following changes are recommended to Council by the Constitutional Review Working Group:-

Local Government and Elections (Wales) Act 2021

The Local Government and Elections Wales Act 2021 has and will introduce a number of legislative changes and these changes will come into force on different dates, the constitution has been updated to reflect the changes known to date and further reports will be submitted to CRWG and Council as and when Ministers introduce further parts of the Act. The relevant Articles of the Constitution which have been changed are attached and highlighted in red/strikethrough. Articles of the Constitution which have no changes are not included but are available to view on the Authority's website.

Part 3.2 Scheme of Delegation to officers

The scheme of delegation is currently being updated to reflect the Council's current organisational structure and any legislative changes. These changes will go to CRWG separately and will be subject to a further report to Council

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) determines the amounts to be paid with a view to providing a consistent national framework for councillor remuneration. The report contains the IRPW determinations for 2021/22 which were payable from 1st April 2021. Councillors appointed to new posts Senior/Civic Salaries at the AGM will be paid any revised salary from the start of the municipal year (19th May 2021)

Other than the issues raised, no other amendments are being put forward, and Council is asked to adopt its Constitution for 2021/22..

<p>DETAILED REPORT ATTACHED?</p>	<p>YES – relevant parts which require a change as a result of the LG & Elections Wales Act 2021 and the proposed Scheme of Allowances for 2021-22</p> <p>Part One – Summary and Explanation</p> <p>Part 2 –Articles:-</p> <ol style="list-style-type: none"> 1. The Constitution 2. Members of the Council 3. Citizens and the Council 4. The Full Council 7. The Executive / Board 9. The Standards Committee 10. Joint Arrangements 11. Officers 13. Finance, Contracts and Legal Matters 14. Review and Revision of the Constitution 15. Suspension, Interpretation and Publication of the Constitution <p>Part 3:-</p> <ol style="list-style-type: none"> 1. Responsibility for Functions <p>Part 4:-</p> <ol style="list-style-type: none"> 1. Council Procedure Rules 2. Access to Information Procedure Rules 4. Executive Procedure Rules 8. Officer Employment Procedure Rules <p>Part 5:-</p> <ol style="list-style-type: none"> 4. Officers' Code of Conduct 5. Protocol on Member / Officer Relations <p>Part Six -</p> <ol style="list-style-type: none"> 1. Councillors' & Co-opted Members' Scheme of Allowances 2. Appendix A – Job Profiles for Councillors, Co-opted Members and Office Holders.
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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 Acts 1972 and 2000, Local Government (Wales) Measure 2011, Local Government (Democracy) (Wales) Act 2013 and the Local Government Elections (Wales) Act 2021 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 and Elections (Wales) Act 2021		https://www.legislation.gov.uk/asc/2021/1/contents/enacted
Independent Remuneration Panel for Wales Annual Report (February 2021)		https://gov.wales/sites/default/files/publications/2021-02/Independent%20Remuneration%20Panel%20for%20Wales%20-%20Annual%20Report%202021.pdf

PART 1

SUMMARY AND EXPLANATION

1. **The Council's Constitution**

Carmarthenshire County Council has agreed a constitution which 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. Some of these processes are required by the law, while others are a matter for the Council to choose.

The Constitution is divided into 16 articles which set out the basic rules governing the Council's business. More detailed procedures and codes of practice are provided in separate rules and protocols at the end of the document.

2. **What's in the Constitution?**

- 2.1 Article 1 of the Constitution commits the Council to making decisions in an efficient and effective way, giving leadership within the community, working in partnership with others and taking into account of local views,. Articles 2 –15 explain the rights of citizens and how the key parts of the Council operate. These are:

Members of the Council (Article 2).
Citizens and the Council (Article 3).
Functions and meetings of the Council (Article 4).
Chairing the Council (Article 5).
Scrutiny Committees (Article 6).
The Executive Board – (Article 7).
Regulatory committees (Article 8).
The Standards Committee (Article 9).

Joint arrangements (Article 10)
Officers (Article 11).
Decision making (Article 12).
Finance, contracts and legal matters (Article 13).
Review and revision of the Constitution (Article 14).
Suspension, interpretation and publication of the Constitution (Article 15).

3. **How the Council Operates**

- 3.1 The Council is composed of 74 councillors normally elected every ~~four~~ five-years. Councillors are democratically accountable to residents of their electoral division. The overriding duty of councillors is to the whole community, but they have a special duty to their constituents, including those who did not vote for them.

- 3.2** Councillors have to agree to follow a code of conduct to ensure high standards in the way they undertake their duties. The Standards Committee arranges training and advises them on the code of conduct.
- 3.3** All councillors meet together as the Council, **(a change in rules in 2021 now allows the Council to meet in person, virtually or a hybrid of both)**. Meetings of the Council are normally open to the public, **.and some meetings are also webcast live on the Council's website**. Here councillors decide the Council's overall policies and set the budget each year. The Council has an Executive Board which is responsible in turn for implementing policies agreed by the Council and taking executive decisions on matters which are not the responsibility of the Council or of one of its committees. The Council also approves the Constitution, the forward programme and the rules of debate for meetings of the Council, the Executive Board and Committees

4. How Decisions are made

- a)** The Executive Board is the part of the Council which is responsible for taking most of the major decisions. The Executive Board is made up of a maximum of ten councillors **(subject to paragraph 4 (c) below)**. The Leader is appointed by the Council and then appoints the remaining members of the Executive Board which will include up to 2 Deputy Leaders. The business to be considered by the Executive Board, scrutiny committees and the council as a whole is published in their Forward Programmes. Meetings of the Executive Board, Scrutiny Committees, the Council and other committees are open for the public to attend except where personal or confidential matters are being discussed, as defined by the law. The Executive Board has to make decisions which are in line with the Council's overall policies and budget. If it wishes to make a decision which is outside the budget or policy framework, this will usually be referred to the Council as a whole. There are certain exceptions to this procedure which are set out in the Budget and Policy Framework Procedure Rules which are set out in Part 4 of this Constitution.
- b)** **The Leader may appoint 'Assistants to the Executive' who are not members of the Executive Board but who are entitled to attend, and speak at, any meeting of the Executive Board or any of the Executive Board's Committees. (comes into force 1st May 2022)**
- c)** **The Leader also has the power to appoint a job share Leader and job share Executive Board Members provided that the maximum number on the Board does not exceed thirteen. (comes into force 1st May 2022)**

5. **Scrutiny**

There is a Policy and Resources Scrutiny Committee and 4 other scrutiny committees which support the work of the Executive Board and the Council as a whole. They can review matters within their terms of reference and invite outside representatives to contribute to their proceedings, either on a one off basis or as non voting members. These Committees submit their views and recommendations for consideration by the Executive Board and the Council as a whole on its policy and service delivery. Scrutiny committees also monitor the decisions of the executive. They can 'call-in' a decision which has been made by the Executive Board,

individual Members of the Executive Board or an officer that has not yet been implemented. This enables them to consider whether the decision is appropriate. They may recommend that the decision maker reconsider the decision. They may also be consulted by the Executive Board or the Council on forthcoming items of business in the forward programme

6. **The Council's Staff**

Council employees give advice, implement decisions and manage the day-to-day delivery of its services. Some officers have a specific duty to ensure that the Council acts within the law and uses its resources wisely. A code of practice governs the relationships between officers and members of the council. (Part 5 of the Constitution)

7. **Citizens' Rights**

7.1 Citizens have a number of rights in their dealings with the Council. These are set out in more detail in Article 3. Some of these are legal rights, whilst others depend on the Council's own processes. Where members of the public use specific council services, for example as a parent of a school pupil or as a council tenant, they have additional rights. These are not covered in this Constitution.

Citizens have the right to:

- vote at local elections if they are registered;
- contact their local councillor about any matters of concern to them;
- obtain a copy of the Constitution;
- attend meetings of the Executive Board, the Council and its committees as observers (except during discussion of personal or confidential matters);
- petition to request a referendum on a mayoral form of executive;
- **petition the Authority on any matter in relation to which the authority has functions, or which affects the area of the authority, or part of it, or the inhabitants of that area, or some**

of them. The Council's petition scheme is published on the Council's website.

- ~~participate in the Council's question time.~~ The public provided they are residents of the County, own a business located within the County or are employed within the County may ask questions of members of the Executive at ordinary meetings of the Council. ~~present petitions and participate in the way in which the Council operates~~ in accordance with the rules set out in Part 4 of this Constitution.
- To participate in the decision making of the Council including the making of decisions, (in partnership or in conjunction with any other person) as explained in the Council's 'Public participation strategy'. The Public Participation Strategy is published on the Council's website.
- find out, from the forward work programme, what business is to be considered by the executive, scrutiny committees or the council as a whole;
- see reports and background papers considered by the Executive Board , the Council and any of its committees and the record of any decisions made by the Council, its committees and the Executive Board , except where they contain personal or confidential information;

- complain to the Council about any matter of concern regarding service delivery. The council treats any expression of dissatisfaction about service delivery as a complaint. Complaints can be made in person, by telephone, in writing or by e-mail. They are dealt with by the relevant department and there is a right of appeal, eventually to the Chief Executive if complainants are dissatisfied with the response received. The Council uses complaints as a way of bringing about continuous service improvement, by looking at the reasons for complaints, taking appropriate action to resolve problems and addressing shortcomings in processes and procedures.
- complain to the Ombudsman if they think they have suffered injustice because the Council has not followed its procedures properly. However, they are encouraged only to do this after using the Council's own complaints process;
- complain in writing to the Ombudsman if they have evidence which they think shows that a councillor or co-opted member of the council has not followed the Members' Code of Conduct; and
- inspect the Council's accounts and make their views known to the external auditor.

7.2 The Council welcomes participation by its citizens in its work. For further information on your rights as a citizen, please contact Linda Rees-Jones, Head of Administration and Law Phone 01267 224010 or e-mail LRJones@carmarthenshire.gov.uk

7.3 The Council's statement of the rights of citizens to inspect agendas and reports and attend meetings is set out in the Access to Information Procedure Rules in Part 4 of the Constitution.

Article 1 The Constitution

1.01 Powers of the Council

The Council will exercise all its powers and duties in accordance with the law and this Constitution.

1.02 The Constitution

This Constitution, and all its appendices, is the Constitution of the Carmarthenshire County Council. **A guide to the Constitution which explains in ordinary language its contents, is published on the Council's website.**

1.03 Purpose of the Constitution

The purpose of the Constitution is to:

1. Put on a formal basis the arrangements introduced under the modernising local government legislation
2. enable the Council to provide clear leadership to the community in partnership with citizens, businesses and other organisations;
3. support the active involvement of citizens in the process of local authority decision-making;
4. help councillors represent their constituents more effectively;
5. enable decisions to be taken efficiently and effectively;
6. create a powerful and effective means of holding decision-makers to public account;
7. ensure that no member will review or scrutinise a decision in which he/she was directly involved;
8. ensure that those responsible for decision making are clearly identifiable to local people and that they explain the reasons for decisions; and
9. provide a means of improving the delivery of services to the community.

1.04 Interpretation and Review of the Constitution

Where the Constitution permits the Council to choose between different courses of action, the Council will always seek to choose that option which it thinks is closest to the purposes stated above.

The Council will monitor and evaluate the operation of the Constitution, as set out in Article 14

Article 2 Members of the Council

2.1 Composition and eligibility

- (a) Composition. The Council comprises 74 members, otherwise called councillors. All councillors will be elected by the voters of each electoral division in accordance with a scheme drawn up by the Local Government Boundary Commission in Wales and approved by the Wales Government.
- (b) Eligibility. To be elected as a member of the County Council a person must be at least 21 years of age and a Commonwealth citizen, a citizen of the Republic of Ireland or a citizen of another Member(s) State of the European Community. And either:-
 - (i) is and continues to be a local government elector for the area of the authority; or
 - (ii) has during the whole of the preceding twelve months occupied as owner or tenant any land or other premises in the area of the authority; or
 - (iii) is a person whose principal or only place of work has been in the area of the authority; or
 - (iv) has resided in the area of the authority during the whole of the preceding twelve months.

2.2 Election and term of office of councillors

Elections for all members of the council normally take place every five years. The terms of office of councillors will start on the fourth day after being elected and will finish on the fourth day after the date of the next regular election.

2.3 Roles and functions of all councillors

The Job Profile and Person Specifications for a Councillor can be found in Part 6 of this Constitution within the Councillors' and Co-opted Members' Allowances Scheme

(NOTE:-

Non-executive offices in principal councils

The following non executive offices will be eligible for job share applications, and any such applications must be considered by the full Council (comes into force at a date to be appointed by Welsh Government Ministers) :

- a) Chair of a Principal Council
- b) Vice-chair of a Principal Council
- c) Presiding member of a Principal Council
- d) Deputy Presiding member of a Principal Council
- e) Chair of a committee or sub-committee of a Principal Council;
- f) Vice-chair or deputy chair of a committee or sub-committee of a Principal Council;
- g) deputy mayor in a mayor and cabinet executive)

2.4 Rights and Duties – Members’ Access to Files

Councillors will have such rights of access to such documents, information, land and buildings of the Council as are necessary for the proper discharge of their functions and in accordance with the law.

Councillors will not make public information which is confidential or exempt without the consent of the Council or divulge information given in confidence to anyone other than a councillor or officer entitled to know it.

For these purposes, "confidential" and "exempt" information are defined in the Access to Information Rules in Part 4 of the Constitution.

All such requests for access to documents will be made to the Chief Executive or other appropriate Chief Officer who will decide whether access is necessary for the proper discharge of a member’s functions and in accordance with the law. The Monitoring Officer will be consulted by the relevant officer, if so required.

2.5 Conduct

Councillors will at all times observe the Members’ Code of Conduct and the Protocol on Member/Officer Relations set out in Part 5 of this Constitution.

2.6 Allowances

Councillors will be entitled to receive allowances in accordance with the Members’ Allowances Scheme set out in Part 6 of the Constitution.

Article 3 Citizens and The Council

3.1 Citizens' Rights

Citizens have the following rights. Their rights to information and to participate are explained in more detail in the Access to Information Rules in Part 4 of this Constitution:

- (a) **Voting and petitions.** Citizens on the electoral roll for the area have the right to vote and sign a petition to request a referendum for an elected mayor form of constitution.
- (b) **Right to petition in accordance with the Council's petition scheme.**
- (c) **Information.** Citizens have the right to:
 - (i) attend meetings of the Council, the Executive Board and its committees as observers except where confidential or exempt information is likely to be disclosed, and the meeting is therefore held in private; (Where these meetings are physical meetings citizens will have the right to attend the meeting venue; where they are virtual they can observe the webcast (if provided) and where hybrid they will be entitled to attend the meeting venue or observe the webcast, as they choose). The Council will decide if the meetings are to be physical presence, virtual or a hybrid of both
 - (ii) participate in the Council's question time. The public provided they are residents of the County, own a business located within the County or are employed within the County may ask questions of members of the Executive at ordinary meetings of the Council. present petitions and participate in the way in which the Council operates in accordance with the rules set out in Part 4 of this Constitution.
 - (iii) find out from the forward work programme what decisions will be taken by the Executive Board or Council and which issues the scrutiny committees will be considering, and when these matters will be discussed;
 - (iv) see reports and background papers, and any records of decisions made by the Council and the Executive Board; and
 - (v) inspect the Council's accounts and make their views known to the external auditor.

- (d) **Participation.** Citizens have the right to participate in the Council's ~~question time, present petitions and decision making in accordance with the Council's participation Strategy and participate in the way in which the Council operates in accordance with the rules set out in Part 4 of this Constitution.~~ **Where these meetings are physical meetings citizens will have the right to attend the meeting venue; where the meetings are virtual citizens will be admitted to the meeting online to ask their question, present their petition or participate (via Video conference or teleconference) and where hybrid they will be entitled to attend the meeting venue or be admitted virtually, as they choose).**
- (e) **Complaints.** Citizens have the right to complain :
- (i) to the Council itself under its complaints scheme;
 - (ii) to the Ombudsman about any injustice they consider they have suffered as a result of maladministration, but they are encouraged to use the Council's own complaints scheme first;
 - (iii) to the Ombudsman where they believe a member or co-opted member of the council has breached the Member's Code of Conduct.

3.2 Citizens' responsibilities

Citizens must not be violent, abusing or threatening to councillors or officers and must not wilfully harm things owned by the council, councillors or officers.

Article 4 The Full Council

4.1 Meanings

(a) **Budget and Policy Framework.**

The budget and policy framework means the following plans and strategies and other strategies that may from time to time be determined, as being appropriate, for adoption by the Council:-

The Corporate Strategy (Including Well-being Objectives)

Strategic Equality Plan

Plans and alterations which together comprise the

Unitary ~~Local~~ Development Plan

Local Transport Plan

Welsh Language Scheme (including Welsh Language Standards)

~~Improvement Plan~~

~~Children and Young People's Plan*~~

~~Community Strategy~~

~~Crime and Disorder Reduction Strategy~~

~~Health, Social care and Well Being Strategy~~

~~Youth Justice Plan~~

~~The Corporate Strategy~~

~~Housing Strategy~~

~~*This plan includes the Single Education Plan, the Young People's Strategic Partnership Plan and the Children and Young People's Framework Partnership~~

- (b) **Budget.** The budget includes the allocation of financial resources to different services and projects, proposed contingency funds, the council tax base, setting the council tax and decisions relating to the control of the Council's borrowing requirement, the control of its capital expenditure and the setting of virement limits.
- (c) **Housing Land Transfer.** Housing Land Transfer means the approval or adoption of applications (whether in draft form or not) to the Welsh Government for approval of a programme of disposal of 500 or more properties to a person under the Leasehold Reform, Housing and Urban Development Act 1993 or to dispose of land used for residential purposes where approval is required under sections 32 or 43 of the Housing Act 1985.

4.2 Functions of the full Council

The Council will exercise the following functions:

- (a) adopting and changing the Constitution;
- (b) approving or adopting the Budget and Policy Framework, authorisation of the making of an application in respect of Housing Land Transfer under paragraph 4(5) of the Regulations, and setting Housing Rents;
- (c) subject to the urgency procedure contained in the Local Authorities (Executive Arrangements) (Discharge of Functions) and/or (Decisions, Documents and Meetings) (Wales) Regulations 2001 (as amended from time to time), making decisions about any matter in the discharge of an executive function which is covered by the Policy Framework or the Budget where the decision maker is minded to make it in a manner which would be contrary to the Policy Framework or contrary to/or not wholly in accordance with the Budget;
- (d) appointing the Leader;
- (e) to determine which Committees and Advisory Panels etc, shall be established, the terms of reference of each body, the number of members (voting and non-voting) that each consists of and to make the necessary appointments to the bodies;
- (f) agreeing and/or amending the terms of reference for committees, deciding on their composition and making appointments to them;
- (g) appointing representatives to outside bodies unless the appointment is an executive function or has been delegated by the Council;
- (h) adopting a scheme for Members allowances;
- (i) changing the name of the area, conferring the title of honorary alderman or to admit to be an honorary freeman;
- (j) appointment of the **Chief Executive** ~~Head of Paid Service~~, and designating the Monitoring Officer and Section 151 Officer;
- (k) making, amending, revoking, re-enacting or adopting bylaws and promoting or opposing the making of local legislation or personal Bills;
- (l) adopting a Code of Conduct for Members;
- (m) All functions set out in Table 1 of Part 3 of this Constitution**
- (n) all local choice functions set out in table 2 of Part 3 of the constitution which the Council decides should be undertaken by itself rather than the Executive Board; and not delegated to any of its committees or officers;
- (o) taking decisions in respect of functions which are not the responsibility of the Executive Board and which have not been delegated by the Council to committees or officers. These include:
 - i. Power to submit proposals to the Welsh Government for an Order under Section 10 of the Representation of the People Act 2000;
 - ii. Power to change the name of a community;
 - iii. Power to make rules of procedure;

- (p) approve delegation of non-executive functions to committees and officers;
- (q) all other matters which, by law, must be reserved to the Council;
- (r) to provide a means whereby Members may ask questions on matters relevant to the Council's purview and to bring forward motions for debate;
- (s) to receive reports from Committees on matters which have been delegated to them and providing an opportunity for Members to ask questions thereon;
- (t) to receive and confirm or otherwise the recommendations of Committees on non-executive functions not within their delegation or which a Committee has referred to the Council for decision, to enable Members to ask questions, propose amendments, or to pass such resolution or resolutions thereon as may be deemed appropriate;
- (u) to approve the annual pay statement.
- (v) to determine the level, and any change in the level, of the remuneration to be paid to a chief officer.
- (w) Approving Job Share applications by the Chair of Council, Vice-Chair of Council, Presiding Member, Deputy Presiding member, Chair of a Committee, Vice Chair of a Committee, Chair of Vice-Chair of a Sub Committee, deputy mayor in a mayor and cabinet executive when the regulations come into force.

4.3 Council meetings

There are three types of Council meeting:

- the annual meeting;
- ordinary meetings;
- extraordinary meetings;

and they will be conducted in accordance with the Council Procedure Rules as set out in Part 4 of this Constitution.

4.4 Responsibility for functions

The Council will maintain the tables in Part 3 of this Constitution setting out the responsibilities for the Council's functions which are not the responsibility of the Executive Board.

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Article 7 The Executive Board

7.1 Role The Executive Board will carry out all the local authority's functions which are not the responsibility of the Council whether by law or under these executive arrangements. The Executive Board, in exercising these functions will do so within the Budget and Policy Framework set by the Council in accordance with these arrangements. The Executive Board also has a key role in proposing the Budget and Policy Framework to the Council and in implementing and monitoring its Treasury Management Policies and Practices. In addition, the Executive Board and its members will lead the Community Planning process; the drive for continuous service improvement through the Wales Programme for Improvement; lead the preparation of and subsequently oversee them implementation of the Council's policies; take in-year decisions on resources and priorities subject to the Budget and Policy Framework Procedure Rules; and be the focus for forming partnerships with other local public, private, voluntary and community sector organisations to address local needs. The Executive Board will also consider and respond to any recommendations and reports from scrutiny committees, regulatory and other committees, advisory panels and the Standards Committee.

7.2 Roles and functions of the Leader, Deputy Leader(s) and Executive Board Members

The Job Profile and Person Specifications for the Leader, Deputy Leader(s) and Executive Board Members can be found in the Councillors and Co-opted Members' Allowances Scheme (Part 6.1 of this Constitution).

7.3 Form and Composition of the Executive Board

The Council's executive is to be known as the "Executive Board" and will comprise the Leader elected to that position by the Council and up to ~~nine~~ **twelve** other Councillors appointed by the Leader (including up to two Deputy Leaders). Only Councillors may be appointed to the Executive Board.

The Leader also has the power to appoint a job share Leader and job share Executive Board Members provided that the maximum number on the Board does not exceed thirteen . (comes into force 1st May 2022).

The Leader may appoint 'Assistants to the Executive' who are not members of the Executive Board but who are entitled to attend, and speak at, any meeting of the Executive Board or any of the Executive Board's Committees . (comes into force 1st May 2022).

(There shall be no co-optees and no deputies or substitutes for Executive Board Members. Neither the Chair nor Vice Chair of the Council may be appointed to the Executive Board and members of the Executive Board may not be members of a Scrutiny Committee.)

A member may be appointed to the Executive Board on a temporary basis to cover an Executive Board Member that has exercised his/her right to a family absence under Part 2 of the Local Government (Wales) Measure 2011.

The Leader of the Council will hold office until the next election of the Council or until whichever of the following (a) – (d) is the earliest:

- (a) s/he resigns from the office; or
- (b) s/he is suspended from being a Councillor under Part 3 of the Local Government Act 2000 (although s/he may resume office at the end of the period of suspension); or
- (c) s/he is no longer a councillor;
- (d) s/he is removed from office by resolution of the Council.

Executive Board Councillors will hold office until the next election of the Council or until whichever of the following (a) – (c) is the earliest:

- (a) they resign from office or are removed from office by the Leader;
- (b) they are suspended from being councillors under part iii of the Local Government Act 2000 (although they may resume office at the end of the period of suspension); or
- (c) they are no longer councillors.

EBM PORTFOLIOS ARE INCLUDED AS PART OF THE LEADER'S JOB PROFILE WITHIN THE COUNCILLORS' & CO-OPTED MEMBERS' ALLOWANCES SCHEME

7.4 PROCEEDINGS OF THE EXECUTIVE BOARD

Proceedings of the Executive Board shall take place in accordance with the Executive Procedure Rules set out in Part 4 of this Constitution.

7.5 RESPONSIBILITY FOR FUNCTIONS

Each Executive Board Member shall have delegated authority for the exercise of all powers relating to the functions of the County Council relating to the portfolio they hold, subject to:

- (a) the exercise of powers delegated to Officers;
- (b) those functions not being exercised in a way which would:
 - (1) change approved policies or strategies;
 - (2) create new policies or strategies;
 - (3) take decisions on the withdrawal or modification of a public service;
 - (4) decide on significant new powers or duties arising from new legislation;
- (c) those decisions being taken at Executive Board Member Decision Meetings formally convened and recorded by the Chief Executive.

7.6 SCRAP METAL DEALERS ACT 2013

To undertake oral “Application Hearings” against the refusal of applications by Officers

7.7 EXECUTIVE BOARD MEMBERS ACTING AS TRUSTEES

To take decision in relation to Trusts of which the Council is Corporate Trustee.

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Article 9 The Standards Committee

9.1 Standards Committee

The Council has a Standards Committee with the following membership, working arrangements and terms of reference.

9.2 Composition

(a) Membership

The Standards Committee has 9 members made up as follows:

- i. 5 'independent' members who are not elected members of the Council;
- ii. 3 County Councillors;
- iii. 1 member of a community council in the area called a 'community committee member.

(b) Terms of Office

- i. Independent members are initially appointed for a period of 4 to 6 years and may be reappointed for a further period of up to 4 years.
- ii. Members of the local authority who are members of the standards committee will serve until the next ordinary local government election following their appointment. They may be re-appointed for 1 further consecutive term.

(c) Quorum

A meeting of the Standards Committee shall only be quorate when:

- i. at least three members, including the chair, are present; and
- ii. at least half the members present (including the chair) are independent members.

(d) Voting

Independent members and community committee members are entitled to vote at meetings.

(e) Community committee member

A community committee member shall not take part in the proceedings of the standards committee when any matter relating to his/her community council is being considered.

(f) Chairing the Committee

- i. Only an independent member of the standards committee may be the chair or vice-chair.
- ii. The chair and vice-chair will be elected by the members of the standards committee for a period of between 4 and 6 years .The chair and the vice chair can be re-appointed for one further period of up to 4 years.

9.3 Role and Function

The Standards Committee has the following functions:

(a)	To promote and maintain high standards of conduct by councillors, co-opted members.
(b)	To assist councillors and co-opted members to observe the Members' Code of Conduct.
(c)	To advise the Council on the adoption or revision of the Members' Code of Conduct.
(d)	To monitor the operation of the Members' Code of Conduct.
(e)	To advise, or arrange training for councillors and co-opted members on matters relating to the Members' Code of Conduct.
(f)	To grant dispensations to councillors and co-opted members where the councillor or co-opted member has a personal and prejudicial interest under the Members' Code of Conduct, subject to legal requirements.
(g)	To deal with any reports from the Adjudication Panel for Wales, a case tribunal or interim case tribunal established by the Adjudication Panel, any report from the monitoring officer on any matter referred to that officer by the Public Services Ombudsman for Wales, or a report from the Public Services Ombudsman for Wales.
(h)	The exercise of (a) to (g) above in relation to the community and town councils wholly or mainly in its area and the members of those community and town councils.
(i)	To receive annual reports on the operation of the Council's complaints procedure and the whistle-blowing policy with a view to incorporating references to those matters in the Committee's Annual Report to Council.
(j)	To present an Annual Report to full Council.
(k)	monitoring compliance by leaders of political groups on the council with their duties under section 52A(1) of the Local Government Elections (Wales) Act 2021 and advising, training or arranging to train leaders of political groups on the council about matters relating to those duties. (Coming into force 5 th May 2022)

Article 10 – Joint Arrangements

10.1 Arrangements to promote well-being

The Council or the Executive Board in order to promote the economic, social or environmental well-being of its area, may:

- (a) enter into arrangements or agreements with any person or body;
- (b) co-operate with, or facilitate or co-ordinate the activities of, any person or body; and
- (c) exercise on behalf of that person or body any functions of that person or body.

10.2 JOINT ARRANGEMENTS

- (a) The Council may establish joint arrangements with one or more local authorities and/or their executives to exercise functions which are not executive functions in any of the participating authorities, or advise the Council. Such arrangements may involve the appointment of a joint committee with these other local authorities.
- (b) The Executive Board may establish joint arrangements with one or more local authorities to exercise functions which are executive functions. Such arrangements may involve the appointment of joint committees with these other local authorities.
- (c) Except as set out below, the Executive Board may only appoint executive board members to a joint committee and those members need not reflect the political composition of the local authority as a whole.
- (d) The Executive Board may appoint members to a joint committee from outside the executive where the joint committee has functions for only part of the area of the authority, and that area is smaller than two-fifths of the authority by area or population. In such cases, the executive may appoint to the joint committee any councillor who is a member for an electoral division which is wholly or partly contained within the area. The political balance requirements do not apply to such appointments.

~~Details of joint arrangements including any delegations to joint committees are as follows:~~

~~Local Service Board~~

~~South West Wales Integrated Transport Consortium Joint Committee (SWWITCH)~~

~~South West Wales Regional Joint Waste Management Committee~~

10.3 CORPORATE JOINT COMMITTEES

(a) Any two or more principal councils may jointly make an application to the Welsh Ministers for arrangements to be made to establish a Corporate Joint Committees to exercise a function of those councils or the economic well-being function of those councils in relation to the principal areas of those councils.

(b) the Welsh Ministers may by regulations establish a body corporate (to be known as a Corporate Joint Committee) to exercise in relation to the principal areas specified in the regulations a function a function specified in the regulations.

On the 17th of March 2021 Welsh Ministers made regulations which established a body Corporate to be known as the South West Wales Corporate Joint Committee.

10.4 Access to information

- (a) The Access to Information Rules in Part 4 of this Constitution apply.
- (b) If all the members of a joint committee are members of the executive in each of the participating authorities then its access to information regime is the same as that applied to the executive.
- (c) If the joint committee contains members who are not on the executive of any participating authority then the access to information rules in Part VA of the Local Government Act 1972 will apply.

10.5 Delegation to and from other local authorities

- (a) The Council may delegate non-executive functions to another local authority or, in certain circumstances, the executive of another local authority.
- (b) The executive may delegate executive functions to another local authority or the executive of another local authority in certain circumstances.
- (c) The decision whether or not to accept such a delegation from another local authority shall be reserved to the Council meeting.

10.6 Contracting out.

The Council and the Executive Board may contract out to another body or organisation functions which may be exercised by an officer and which are subject to an order under section 70 of the Deregulation and Contracting Out Act 1994, or under contracting arrangements where the contractor acts as the Council's agent under usual contacting principles, provided there is no delegation of the Council's discretionary decision making.

Article 11 – Officers

11.1 Management structure

- (a) **General.**
The full Council may engage such staff (referred to as officers) as it considers necessary to carry out its functions.
- (b) **Chief Officers.**
The full Council will engage persons for the following posts, who will be designated chief officers:

Post	Functions and areas of responsibility
<p>Chief Executive (and Head of Paid Service) The functions and areas of responsibility identified opposite will be discharged by the Chief Executive or an officer nominated by the Chief Executive.</p>	<p>Overall corporate management and operational responsibility (including overall management responsibility for all staff); The provision of professional and impartial advice to all parties in the decision making process the Executive Board, overview and scrutiny committees, the full council and other committees; Together with the monitoring officer, responsibility for a system of record keeping for all the authority's decisions (executive or otherwise); Representing the Authority on partnership and external bodies (as required by statute or the Council); and service to the whole Council, on a politically neutral basis. Legal and governance support, Customer Service Centres, central and administrative support services and Statutory Services; Information Technology. Economic Development, Corporate Policy and Partnership, Electoral Services, Information Governance, Marketing and Media, Performance Management, Property and Major Projects, Registration Services. Corporate Property</p>
<p>Director of Resources Corporate Services</p>	<p>Financial Services; Revenues; Audit; Procurement and Risk Management, Corporate Property</p>
<p>Director of Regeneration and Policy</p>	<p>Economic Development, Corporate Policy and Partnership, Electoral Services, Information Governance, Marketing and Media, Performance Management, Property and Major Projects, Registration Services.</p>
<p>Director of Social Care Health and Housing Community Services</p>	<p>Adult Services; Housing Services, Public Protection, Health Co-ordination; Leisure; Statutory Director of Social Services.</p>

Post	Functions and areas of responsibility
Director of Education & Children's Services	School Support Services , Education Standards and Lifelong Learning Children and Family Services, Facilities Management; Support Services, Library Services Modernising Education Programme; School Estate Management; Planning School Places
Director of Technical Services Environment	Building Services, Consultancy; Street Scene; Transport; Trunk Road Advisor Planning Services; Highways & Transport; Waste & Environmental Services; Property Services;

(c) **Chief Executive** ~~Head of Paid Service~~, - **Monitoring Officer and Chief Financial Officer**

The Council will designate the following posts as shown. ~~(The designation in respect of the Chief Finance Officer (Section 151 Officer) will be determined upon the appointment of the Director of Resources).~~

Post	Designation
Chief Executive	Head of Paid Service Chief Executive
Head of Administration and Law	Monitoring Officer
Director of Corporate Services Resources	Chief Finance Officer / Section 151 Officer

Such posts will have the functions described in Articles 11.2–11.4 below.

(d) **Structure.**

The ~~Head of Paid Service~~ **Chief Executive** will determine and publicise a description of the overall departmental structure of the Council showing the management structure and deployment of officers. This is set out at Part 7 of this Constitution.

11.2 Functions of the ~~Head of Paid Service~~ Chief Executive

(a) **Discharge of functions by the Council.**

The ~~Head of Paid Service~~ **Chief Executive** will report to full Council on the manner in which the discharge of the Council's functions is co-ordinated, the number and grade of officers required for the discharge of functions and the organisation of officers.

(b) **Restrictions on functions.**

The ~~Head of Paid Service~~ **Chief Executive** may not be the Monitoring Officer but may hold the post of Chief Finance Officer if a qualified accountant.

11.3 Functions of the Monitoring Officer

(a) **Maintaining the Constitution.**

The monitoring officer will maintain an up-to-date version of the Constitution and will ensure that it is widely available for consultation by members, staff and the public.

(b) **Ensuring lawfulness and fairness of decision making.**

After consulting with the ~~Head of Paid Service~~ Chief Executive and Chief Finance Officer, the Monitoring Officer will report to the full Council or to the Executive Board in relation to an executive function if he or she considers that any proposal, decision or omission would give rise to unlawfulness or if any decision or omission has given rise to maladministration. Such a report will have the effect of stopping the proposal or decision being implemented until the report has been considered.

(c) **Supporting the Standards Committee.**

The Monitoring Officer will contribute to the promotion and maintenance of high standards of conduct through provision of support to the Standards Committee.

(d) **Receiving reports.**

The Monitoring Officer will receive and act on reports made by the Ombudsman and decisions of the case tribunals.

(e) **Conducting investigations.**

The Monitoring Officer will conduct investigations into matters referred by the Ombudsman and make reports or recommendations in respect of them to the Standards Committee.

(f) **Proper officer for access to information.**

The Monitoring Officer will ensure that Executive Board decisions, together with the reasons for those decisions and relevant officer reports and background papers are made publicly available as soon as possible.

(g) **Advising whether decisions of the Executive Board – are within the budget and policy framework.**

The Monitoring Officer will advise whether decisions of the Executive Board– are in accordance with the budget and policy framework.

(h) **Providing advice.**

The Monitoring Officer will provide advice on the scope of powers and authority to take decisions, maladministration, probity and budget and policy framework issues to all councillors.

(i) **Restrictions on posts.**

The Monitoring Officer cannot be the Chief Finance Officer or the Chief Executive ~~Head of Paid Service~~.

11.4 Functions of the Chief Finance Officer

- (a) **Ensuring lawfulness and financial prudence of decision making.**
After consulting with the ~~Head of Paid Service~~ **Chief Executive** and the Monitoring Officer, the Chief Finance Officer will report to the full Council or to the Executive Board in relation to an Executive Board function and the Council's external auditor if he or she considers that any proposal, decision or course of action will involve incurring unlawful expenditure, or is unlawful and is likely to cause a loss or deficiency or if the Council is about to enter an item of account unlawfully.
- (b) **Administration of financial affairs.**
The Chief Finance Officer will have responsibility for the administration of the financial affairs of the Council.
- (c) **Contributing to corporate management.**
The Chief Finance Officer will contribute to the corporate management of the Council, in particular through the provision of professional financial advice.
- (d) **Give financial information.**
The Chief Finance Officer will provide financial information to the media, members of the public and the community.

11.5 Duty to provide sufficient resources to the Monitoring Officer and Chief Finance Officer

The Council will provide the Monitoring Officer and Chief Finance Officer with such officers, accommodation and other resources as are in their opinion sufficient to allow their duties to be performed.

11.6 Conduct

Officers will comply with the Officers' Code of Conduct and the Protocol on Member/Officer Relations set out in Part 5 of this Constitution.

11.7 Employment

The recruitment, selection and dismissal of officers will comply with the Officer Employment Rules set out in Part 4 of this Constitution.

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Article 14 – Review and Revision of the Constitution

14.1 Duty to monitor and review the constitution

The Monitoring Officer will monitor and review the operation of the Constitution to ensure that the aims and principles of the Constitution are given full effect and to formulate recommendations for changes to better achieve the purposes set out in Article 1.

In undertaking this task the Monitoring Officer will:

observe meetings of different parts of the member and officer structure;
undertake an audit trail of a sample of decisions;

record and analyse issues raised with him/her by members, officers, the public and other relevant stakeholders; and

compare practices in this authority with those in other comparable authorities, or national examples of good practice.

14.2 CHANGES TO THE CONSTITUTION

(a) **Approval.**

Changes to the Constitution will only be approved by the full Council after consideration of the proposal by the Monitoring Officer in consultation **and agreement** with the Leader and the Leaders of the political groups. **Constitutional Review Working Group.**

(b) **Change from a Leader and Cabinet form of Executive to alternative arrangements, or vice versa.**

The Council will take reasonable steps to consult with local electors and other interested persons in the area when drawing up proposals for consideration by ~~the National Assembly for Wales~~ **Senedd Cymru/Welsh Parliament.**

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PART 3

3.1 RESPONSIBILITY FOR FUNCTIONS

Introduction

Section 13 of the Local Government Act 2000 makes the Executive Board responsible for all the functions of the Council with the exception of those functions specified in the Local Authorities (Executive Arrangements)(Functions and Responsibilities)(Wales) Regulations 2007 as not being the responsibility of the Executive Board to some extent.

Schedule 1 to the Regulations lists those functions that must not be the responsibility of the Executive Board. Accordingly, these functions have been allocated to the Council as set out in **table 1** below. Some Council functions are delegated to Committees of the Council, the terms of reference and composition for which are set out in **table 3**.

Schedule 2 to the Regulations sets out those functions that may be (but need not be) the responsibility of the Executive Board. These functions (also known as “local choice” functions) are listed in **table 2** below, each function being allocated to either the Council or the Executive Board as indicated in the second column of the table.

Schedule 3 to the Regulations contains a list of those functions that cannot be the sole responsibility of the Executive Board. These functions relate to various corporate strategies and plans, responsibility for which is shared between the Council and the Executive Board, as set out in **paragraph 4.1 of Article 4 of Part 2 to the Constitution**.

Other functions that are commonly exercised solely by the Executive Board are set out in **table 4** but the list is not exhaustive and so if a function is not specifically listed in any of the tables then it will by default be the Executive Board that has responsibility for that function.

Council and/or Executive Board functions may be delegated to other decision-making bodies or officers and where applicable this is indicated in the right hand column of the relevant table. However, the Council and/or Executive Board still retain responsibility for the function even though it has been delegated.

Where functions are shown as being delegated to officers in any of the tables, the circumstances in which officers may exercise delegated functions are set out in the **Scheme of Delegation**, a copy of which is enclosed at the end of Part 3.

TABLE 1 - COUNCIL FUNCTIONS

A. Functions Relating to Town & Country Planning & Development Control

Function	Provision of Act or Statutory instrument	Delegated to
1. Power to determine applications for planning permission	Sections 70(1) (a) and (b) and 72 of the Town and Country Planning Act 1990	Planning Committee. The Chief Executive or any relevant Director or Head of Service.
2. Power to determine applications to develop land without compliance with conditions previously attached	Section 73 of the Town and Country Planning Act 1990	Planning Committee. The Chief Executive or any relevant Director or Head of Service.

Function	Provision of Act or Statutory instrument	Delegated to
3. Power to grant planning permission for development already carried out	Section 73A of the Town and Country Planning Act 1990	Planning Committee. The Chief Executive or any relevant Director or Head of Service.
4. Power to decline to determine applications for planning permission	Section 70A of the Town and Country Planning Act 1990	Planning Committee. The Chief Executive or any relevant Director or Head of Service.
5. Duties relating to the making of determinations of planning applications	Sections 69, 76 and 92 of the Town and Country Planning Act 1990 and Articles 8, 10 to 13, 15 to 22 and 25 and 26 of the Town and Country Planning (General Development Procedure) Order 1995 (S.I. 1995/419) and directions made there under	Planning Committee. The Chief Executive or any relevant Director or Head of Service.
6. Power to determine applications for planning permission made by a local authority, alone or jointly with another person	Section 316 of the Town and Country Planning Act 1990 and the Town and Country Planning General Regulations 1992 (S.I. 1992/1492)	Planning Committee.
7. Power to make determinations, give approvals and agree certain other matters relating to the exercise of permitted development rights	Parts 6, 7, 11, 17, 19, 20, 21 to 24, 30 and 31 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 (S.I. 1995/418)	Planning Committee. The Chief Executive or any relevant Director or Head of Service.
8. Power to enter into planning obligation, regulating development or use of land	Section 106 of the Town and Country Planning Act 1990	Planning Committee. The Chief Executive or any relevant Director or Head of Service.
9. Power to issue a certificate of existing or proposed lawful use or development	Sections 191(4) and 192(2) of the Town and Country Planning Act 1990	Planning Committee. The Chief Executive or any relevant Director or Head of Service.
10. Power to serve a completion notice	Section 94(2) of the Town and Country Planning Act 1990	Planning Committee. The Chief Executive or any relevant Director or Head of Service.

Function	Provision of Act or Statutory instrument	Delegated to
11. Power to grant consent for the display of advertisements	Section 220 of the Town and Country Planning Act 1990 and the Town and Country Planning (Control of Advertisements) Regulations 1992	Planning Committee. The Chief Executive or any relevant Director or Head of Service.
12. Power to authorise entry onto land	Section 196A of the Town and Country Planning Act 1990	The Chief Executive or any relevant Director or Head of Service.
13. Power to require the discontinuance of a use of land	Section 102 of the Town and Country Planning Act 1990	Planning Committee. The Chief Executive or any relevant Director or Head of Service.
14. Power to serve a planning contravention notice, breach of condition notice or stop notice	Sections 171C, 187A and 183(1) of the Town and Country Planning Act 1990	The Chief Executive or any relevant Director or Head of Service.
15. Power to issue an enforcement notice	Section 172 of the Town and Country Planning Act 1990	The Chief Executive or any relevant Director or Head of Service.
16. Power to apply for an injunction restraining a breach of planning control	Section 187B of the Town and Country Planning Act 1990	The Chief Executive or any relevant Director or Head of Service.
17. Power to determine applications for hazardous substances consent, and related powers	Sections 9(1) and 10 of the Planning (Hazardous Substances) Act 1990	Planning Committee The Chief Executive or any relevant Director or Head of Service.
18. Duty to determine conditions to which old mining permissions, relevant planning permissions relating to dormant sites or active Phase I or II sites, or mineral permissions relating to mining sites, as the case may be, are to be subject	Paragraph 2(6)(a) of Schedule 2 to the Planning and Compensation Act 1991, paragraph 9(6) of Schedule 13 to the Environment Act 1995 and paragraph 6(5) of Schedule 14 to that Act	Planning Committee The Chief Executive or any relevant Director or Head of Service.
19. Power to require proper maintenance of land	Section 215(1) of the Town and Country Planning Act 1990	Planning Committee. The Chief Executive or any relevant Director or Head of Service.

Function	Provision of Act or Statutory instrument	Delegated to
20. power to determine applications for listed building consent, and related powers	Sections 16(1) and (2), 17 and 33(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990	Planning Committee The Chief Executive or any relevant Director or Head of Service.
21. Power to determine applications for conservation area consent	Section 16(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as applied by section 74(3) of that Act	Planning Committee. The Chief Executive or any relevant Director or Head of Service.
22. Duties relating to applications for listed building consent and conservation area consent	Section 13(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and regulations 3 to 13 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990 and paragraph 127 of the Welsh Office circular 61/96: Planning and the Historic Environment: Historic Buildings and Conservation Areas	Planning Committee. The Chief Executive or any relevant Director or Head of Service.
23. Power to serve a building preservation notice, and related powers	Sections 3(1) and 4(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990	The Chief Executive or any relevant Director or Head of Service.
24. Power to issue a listed building enforcement notice	Section 38 of the Planning (Listed Buildings and Conservation Areas) Act 1990	The Chief Executive or any relevant Director or Head of Service.
25. Powers to acquire a listed building in need of repair and to serve a repairs notice	Sections 47 and 48 of the Planning (Listed Buildings and Conservation Areas) Act 1990	Planning Committee. The Chief Executive or any relevant Director or Head of Service.
26. Power to apply for an injunction in relation to a listed building	Section 44A of the Planning (Listed Buildings and Conservation Areas) Act 1990	The Chief Executive or any relevant Director or Head of Service.

Function	Provision of Act or Statutory instrument	Delegated to
27. Power to execute urgent works	Section 54 of the Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990	The Chief Executive or any relevant Director or Head of Service.
28. Power related to mineral working	Schedule 9 of the Town and Country Planning Act 1990	Planning Committee. The Chief Executive or any relevant Director or Head of Service.
29. Power related to footpaths and bridleways	Section 257 of the Town and Country Planning Act 1990	Planning Committee. The Chief Executive or any relevant Director or Head of Service.
30. Power as to certification of appropriate alternative development	Section 17 of the Land Compensation Act 1961	Planning Committee. The Chief Executive or any relevant Director or Head of Service.
31. Duties in relation to purchase notices	Sections 137-144 of the Town and Country Planning Act 1990	The Chief Executive or any relevant Director or Head of Service.
32. Powers related to blight notices	Sections 149-171 of the Town and Country Planning Act 1990	The Chief Executive or any relevant Director or Head of Service.

B. Licensing & Registration Functions (in so far as not covered by any other paragraph in the remainder of Table 1).

Function	Provision of Act or Statutory Instrument	Delegated to
1. Power to issue licences authorising the use of land as a caravan site ("site licences")	Section 3(3) of the Caravan Sites and Control of Development Act 1960	The Chief Executive or any relevant Director or Head of Service
2. Power to license the use of moveable dwellings and camping sites	Section 269(1) of the Public Health Act 1936	The Chief Executive or any relevant Director or Head of Service

Function	Provision of Act or Statutory instrument	Delegated to
3. Power to license hackney carriages and private hire vehicles	(a) as to hackney carriages, the Town Police Clauses Act 1847, as extended by Section 171 of the Public Health Act 1875 and section 15 of the Transport Act 1985; and sections 47, 57, 58, 60 and 79 of the Local Government (Miscellaneous Provisions) Act 1976 (b) as to private hire vehicles, sections 48, 57, 58, 60 and 79 of the Local Government (Miscellaneous Provisions) Act 1976	Licensing Committee. The Chief Executive or any relevant Director or Head of Service
4. Power to license drivers of hackney carriages and private hire vehicles	Sections 51, 53, 54, 59, 61 and 79 of the Local Government (Miscellaneous Provisions) Act 1976	Licensing Committee. The Chief Executive or any relevant Director or Head of Service
5. Power to license operators of hackney carriages and private hire vehicles	Sections 55 to 58, 62 and 79 of the Local Government (Miscellaneous Provisions) Act 1976	Licensing Committee. The Chief Executive or any relevant Director or Head of Service
6. Power to register pool promoters	Schedule 2 to the Betting, Gaming and Lotteries Act 1963	Licensing Committee. The Chief Executive or any relevant Director or Head of Service
7. Power to grant track betting licenses	Schedule 3 to the Betting, Gaming and Lotteries Act 1963	Licensing Committee. The Chief Executive or any relevant Director or Head of Service
8. Power to license inter-track betting schemes.	Schedule 5ZA to the Betting, Gaming and Lotteries Act 1963	Licensing Committee
9. Power to grant permits in respect of premises with amusement machines	Schedule 9 to the Gaming Act 1968	Licensing Committee
10. Power to register societies wishing to promote lotteries	Schedule 1 to the Lotteries and Amusements Act 1976	Licensing Committee. The Chief Executive or any relevant Director or Head of Service
11. Power to grant permits in respect of premises where amusements with prizes are provided	Schedule 3 to the lotteries and Amusements Act 1976	Licensing Committee. The Chief Executive or any relevant Director or Head of Service

Function	Provision of Act or Statutory instrument	Delegated to
12. Power to issue entertainments licenses	Section 12 of the Children and Young Persons Act 1933	Now superseded by the Licensing Act 2003
13. Power to license sex shops and sex cinemas	Section 2 and Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982	Licensing Committee.
14. Power to license performances of hypnotism	The Hypnotism Act 1952	Licensing Committee. The Chief Executive or any relevant Director or Head of Service
15. Power to license premises for acupuncture, tattooing, ear piercing and electrolysis	Sections 13 to 17 of the Local Government (Miscellaneous Provisions) Act 1982	Licensing Committee. The Chief Executive or any relevant Director or Head of Service
16. Power to license pleasure boats and pleasure vessels	Section 94 of the Public Health Acts Amendment Act 1907	Licensing Committee. The Chief Executive or any relevant Director or Head of Service
17. Power to license market and street trading	Part III of, and Schedule 4 to, the Local Government (Miscellaneous Provisions) Act 1982	Licensing Committee. The Chief Executive or any relevant Director or Head of Service
18. Duty to keep list of persons entitled to sell non-medicinal poisons	Sections 3(1)(b)(ii), 5, 6 and 11 of the Poisons Act 1972	The Chief Executive or any relevant Director or Head of Service
19. Power to license dealers in game and the killing and selling of game	Sections 5, 6, 17, 18 and 21 to 23 of the Game Act 1831; sections 2 to 16 of the Game Licences Act 1860, section 4 of the Customs and Inland Revenue Act 1883, and section 27 of the Local Government Act 1894, and section 213 of the Local Government Act 1972	The Chief Executive or any relevant Director or Head of Service
20. Power to register and license premises for the preparation of food	Section 19 of the Food Safety Act 1990	The Chief Executive or any relevant Director or Head of Service
21. Power to license scrap yards	Section 1 of the Scrap Metal Dealers Act 1964	The Chief Executive or any relevant Director or Head of Service
22. Power to issue, amend or replace safety certificates (whether general or special) for sports grounds	The Safety of Sports Grounds Act 1975	The Chief Executive or any relevant Director or Head of Service

Function	Provision of Act or Statutory instrument	Delegated to
23. Power to issue, cancel, amend or replace safety certificates for regulated stands at sports grounds	Part III of the Fire Safety and Safety of Places of Sport Act 1987	The Chief Executive or any relevant Director or Head of Service
24. Duty to promote fire safety	Section 6 of the Fire and Rescue Services Act 2004	The Chief Executive or any relevant Director or Head of Service
25. Power to license premises for the breeding of dogs	Section 1 of the Breeding of Dogs Act 1973 and section 1 of the Breeding and Sale of Dogs (Welfare) Act 1999	The Chief Executive or any relevant Director or Head of Service
26. Power to license pet shops and other establishments where animals are bred or kept for the purposes of carrying on a business	Section 1 of the Pet Animals Act 1951; section 1 of the Animal Boarding Establishments Act 1963; the Riding Establishments Acts 1964 and 1970; section 1 of the Breeding of Dogs Act 1973, and sections 1 and 8 of the Breeding and Sale of Dogs (Welfare) Act 1999	The Chief Executive or any relevant Director or Head of Service
27. Power to register animal trainers and exhibitors	Section 1 of the Performing Animals (Regulation) Act 1925	The Chief Executive or any relevant Director or Head of Service
28. Power to license zoos	Section 1 of the Zoo Licensing Act 1981	The Chief Executive or any relevant Director or Head of Service
29. Power to license dangerous wild animals	Section 1 of the Dangerous Wild Animals Act 1976	The Chief Executive or any relevant Director or Head of Service
30. Power to enforce regulations in relation to animal by-products	Regulation 49 of the Animal By-products (Wales) Regulations 2006	The Chief Executive or any relevant Director or Head of Service
31. Power to license the employment of children	Part II of the Children and Young Persons Act 1933, byelaws made under that Part, and Part II of the Children and Young Persons Act 1963	The Chief Executive or any relevant Director or Head of Service
32. Power to approve premises for the solemnisation of marriages and the registration of civil partnerships	Section 46A of the Marriage Act 1949, section 6A of the Civil Partnership Act 2004 and the Marriages and Civil Partnerships (Approved Premises) Regulations 2005 (S.I. 2005/3168)	The Chief Executive or any relevant Director or Head of Service

Function	Provision of Act or Statutory instrument	Delegated to
<p>33. Power to register common land or town or village greens, except where the power is exercisable solely for the purpose of giving effect to:</p> <p>(a) an exchange of lands effected by an order under section 19(3) of, or paragraph 6(4) of Schedule 3 to, the Acquisition of Land Act 1981 or</p> <p>(b) an order under section 147 of the Inclosure Act 1845</p>	Regulation 6 of the Commons Registration (New Land) Regulations 1969 (S.I. 1969/1843)	Head of Administration and Law to consider and determine on their legal merits applications for the registration of Common Land and Village Greens brought under the Commons Registration Act 1965 including the appointment of an inspector and the holding of a public inquiry when advised to do so by Counsel and where such an enquiry is held, to implement the recommendations contained in the Inspector's report.
34. Power to register variation of rights of common	Regulation 29 of the Commons Registration (General) Regulations 1966 (S.I. 1966/1471)	The Chief Executive or any relevant Director or Head of Service
35. Power to issue a permit to conduct charitable collections	Section 68 of the Charities Act 1992	Licensing Committee. The Chief Executive or any relevant Director or Head of Service
36. Power to grant consent for the operation of a loudspeaker	Schedule 2 to the Noise and Statutory Nuisance Act 1993	The Chief Executive or any relevant Director or Head of Service
37. Power to grant a street works licence	Section 50 of the New Roads and Street Works Act 1991	The Chief Executive or any relevant Director or Head of Service
38. Duty to register the movement of pigs	Regulations 21(3) and (4) of the Pigs (Records Identification and Movement) (Wales) Order 2004 (S.I. 2004/996)	The Chief Executive or any relevant Director or Head of Service
39. Power to enforce regulations in relation to the movement of pigs	Regulation 27 (1) of the Pigs (Records, Identification and Movement) (Wales) Order 2004/996	The Chief Executive or any relevant Director or Head of Service
40. Power to issue a licence to move cattle from a market	Article 5(2) of the Cattle Identification Regulations 1998 (S.I. 1998/871)	The Chief Executive or any relevant Director or Head of Service

Function	Provision of Act or Statutory instrument	Delegated to
41. Power to sanction use of parts of buildings for storage of celluloid	Section 1 of the Celluloid and Cinematograph Film Act 1922	The Chief Executive or any relevant Director or Head of Service
42. Duty to enforce and execute Regulations (EC) No. 852/2004 and 853/2004 in relation to food business operators as further specified in the regulation 5 of the Food (Hygiene) (Wales) Regulations 2006	Regulation 5 of the Food (Hygiene) (Wales) Regulations 2006	The Chief Executive or any relevant Director or Head of Service
43. Functions in respect of establishing a Licensing Committee	Section 6 of the Licensing Act 2003	Council

C. Functions Relating to Health and Safety at Work

Function	Provision of Act or Statutory Instrument	Delegated to
1. Functions under any of the “relevant statutory provisions” within the meaning of Part I (health, safety and welfare in connection with work, and control of dangerous substances) of the Health and Safety at Work etc Act 1974, to the extent that those functions are discharged otherwise than in the authority’s capacity as an employer	Part I of the Health and Safety at Work etc Act 1974	The Chief Executive or any relevant Director or Head of Service

D. Functions relating to elections

Function	Provision of Act or Statutory Instrument	Delegated to
1. Duty to appoint an electoral registration officer	Section 8(2A) of the Representation of the People Act 1983	The Chief Executive or any relevant Director or Head of Service
2. power to assign officers in relation to requisitions of the registration officer	Section 52(4) of the Representation of the People Act 1983	The Chief Executive or any relevant Director or Head of Service
3. Power to dissolve community councils	Section 28 of the Local Government Act 1972	Council.

Function	Provision of Act or Statutory instrument	Delegated to
4. Power to make orders for grouping communities	Section 29 of the Local Government Act 1972	Council.
5. Power to make orders for dissolving groups and separating community councils from groups	Section 29A of the Local Government Act 1972	Council.
6. Duty to appoint returning officer for local government elections	Section 35 of the Representation of the People Act 1983	Council.
7. Duty to provide assistance at European Parliamentary elections	Section 6(7) and (8) of the European Parliamentary Elections Act 2002	The Chief Executive or any relevant Director or Head of Service
8. Duty to divide constituency into polling districts	Section 18 of the Representation of the People Act 1983	Council.
9. Power to divide electoral divisions into polling districts at local government elections	Section 31 of the Representation of the People Act 1983	Council.
10. Powers in respect of holding of elections	Section 39(4) of the Representation of the People Act 1983	The Chief Executive or any relevant Director or Head of Service
11. Power to pay expenses properly incurred by electoral registration officers	Section 54 of the Representation of the People Act 1983	The Chief Executive or any relevant Director or Head of Service
12. Power to fill vacancies in the event of insufficient nominations	Section 21 of the Representation of the People Act 1985	The Chief Executive or any relevant Director or Head of Service
13. Duty to declare vacancy in office in certain cases	Section 86 of the Local Government Act 1972	The Chief Executive or any relevant Director or Head of Service
14. Power to change the Voting system that applies to elections of Council	Section 8 of the Local Government and Elections (Wales) Act 2021	Council.

Function	Provision of Act or Statutory Instrument	Delegated to
15. Duty to give public notice of a casual vacancy	Section 87 of the Local Government Act 1972	The Chief Executive or any relevant Director or Head of Service
16. Power to make temporary appointments to community councils	Section 91 of the Local Government Act 1972	The Chief Executive or any relevant Director or Head of Service
17. Power to determine fees and conditions for supply of copies of, or extracts from, elections documents	Rule 48(3) of the Local Elections (Principal Areas) Rules 1986 (S.I. 1986/2214) and rule 48(3) of the Local Elections (Parishes and Communities) Rules 1986 (S.I. 1986/2215)	The Chief Executive or any relevant Director or Head of Service
18. Power to submit proposals to the Secretary of State for an order under section 10 (pilot schemes for local elections in England and Wales) of the Representation of the People Act 2000	Section 10 of the Representation of the People Act 2000	Council. The Chief Executive or any relevant Director or Head of Service
19. Miscellaneous electoral functions under Part II (S.I. 2003/284)	The National Assembly for Wales (Representation of the People) Order 2003 (S.I. 2003/284)	The Chief Executive or any relevant Director or Head of Service

E. Functions relating to the name and status of areas and individuals

Function	Provision of Act or Statutory Instrument	Delegated to
1. Power to change the name of a county or county borough	Section 74 of the Local Government Act 1972	Council.
2. Power to change the name of a community	Section 76 of the Local Government Act 1972	Council.
3. Power to confer title of honorary alderman or to admit to be an honorary freeman	Section 249 of the Local Government Act 1972	Council.
4. Power to petition for a charter to confer county borough status	Section 245A of the Local Government Act 1972	Council.

F. Power to make, amend, revoke or re-enact byelaws

Function	Provision of Act or Statutory Instrument	Delegated to
Power to make, amend, revoke or re-enact byelaws	Any provision of any enactment (including a local Act), whenever passed, and section 14 of the Interpretation Act 1978	Council.

G. Power to promote or oppose local or personal bills

Function	Provision of Act or Statutory Instrument	Delegated to
Power to promote or oppose local or personal bills	Section 239 of the Local Government Act 1972	Council.

H. Functions relating to pensions etc

Function	Provision of Act or Statutory Instrument	Delegated to
1. Functions relating to local government pensions etc	Regulations under section 7, 12 or 24 of the Superannuation Act 1972 Public Services Pensions Act 2013 and the Local Government Pension Scheme (Amendment) (Governance) Regulations 2014	Council. The Chief Executive or any relevant Director or Head of Service Local Pension Board
2. Functions relating to pensions, allowances and gratuities	Regulations under section 18 (3A) of the Local Government and Housing Act 1989	Council. The Chief Executive or any relevant Director or Head of Service
3. Functions under existing pension schemes as respects persons employed by the fire and rescue authorities pursuant to section 1 of the Fire and Rescue Services Act 2004	Sections 34 and 36 of the Fire and Rescue Services Act 2004	Council. The Chief Executive or any relevant Director or Head of Service

I. Miscellaneous functions

Function	Provision of Act or Statutory Instrument	Delegated to
1. Duty to approve authority's statement of accounts, income and expenditure and balance sheet or record of receipts and payments (as the case may be)	The Accounts and Audit (Wales) Regulations 2005	Audit Committee.
2. Functions relating to sea fisheries	Sections 1, 2, 10 and 19 of the Sea Fisheries Regulation Act 1966	The Chief Executive or any relevant Director or Head of Service
3. Powers relating to the preservation of trees	Sections 197 to 214D of the Town and Country Planning Act 1990 and the Town and Country Planning (Trees) Regulations 1999 (S.I. 1999/1892)	The Chief Executive or any relevant Director or Head of Service.
4. Powers relating to the protection of important hedgerows	The Hedgerows Regulations 1997 (S.I. 1997/1160)	The Chief Executive or any relevant Director or Head of Service.
5. Power to make standing orders	Section 106 of, and paragraph 42 of Schedule 12 to, the Local Government Act 1972	Council
6. Appointment and dismissal of staff	Section 112 of the Local Government Act 1972 and sections 7 and 8 of the Local Government and Housing Act 1989	See table 3 below and the Officer Employment Procedure Rules
7. Power to make standing orders as to contracts	Section 135 of the Local Government Act 1972	Audit Committee
8. Power to consider report from the Public Services Ombudsman for Wales	Section 19 of the Public Services Ombudsman (Wales) Act 2005	Council
9. Power to make an order identifying a place as a designated public place for the purposes of police powers in relation to alcohol consumption	Section 13(2) of the Criminal Justice and Police Act 2001	Licensing Committee
10. Powers in respect of registration of motor salvage operators	Part 1 of the Vehicles (Crime) Act 2001	Licensing Committee. The Chief Executive or any relevant Director or Head of Service

Function	Provision of Act or Statutory Instrument	Delegated to
11. Power to appoint officers for particular purposes (appointment of “proper officers”)	Section 270(3) of the Local Government Act 1972	Council
12. Duty to designate an officer as the head of the authority’s paid-service , Chief Executive and to provide staff etc	Section 4(1) of the Local Government and Housing Act 1989	Council
13. Duty to designate an officer as the monitoring officer and to provide staff etc	Section 5(1) of the Local Government and Housing Act 1989	Council
14. Duty to determine affordable borrowing limit	Section 3 of the Local Government Act 2003	Council.
15. Approval of annual investment strategy in accordance with guidance	Section 15 of the Local Government Act 2003	Council.
16. Duty to make arrangements for proper administration of financial affairs	Section 151 of the Local Government Act 1972	Director of Resources.

TABLE 2 - LOCAL CHOICE FUNCTIONS

Function	Decision making body	Delegated to
1. Any function under a local Act other than a function specified or referred to in Table 1 above	The Council	The Chief Executive or any relevant Director or Head of Service
<p>2. The determination of an appeal against any decision made by or on behalf of the authority.</p> <p>(a) any matter set out in table 3</p> <p>(b) any other matter</p>	The Council The Executive Board	<p>Appeals Committee</p> <p>The Chief Executive or any relevant Director or Head of Service</p>
3. Functions in relation to the revision of decisions made in connection with claims for housing benefit or council tax benefit and for appeals against such decisions under section 68 of and schedule 7 to the Child Support , Pensions and Social Security Act 2000	The Council	The Chief Executive or any relevant Director or Head of Service
4. The making of arrangements in relation to appeals against the exclusion of pupils in maintained schools under Section 52 of the Education Act 2002	The Council	The Chief Executive or any relevant Director or Head of Service (Note:- this includes the appointment of an independent education appeals panel)
5. The making of arrangements pursuant to section 94(1), (1A) and (4) of, and Schedule 24 to, the School Standards and Framework Act 1998 (admission appeals).	The Council	The Chief Executive or any relevant Director or Head of Service (Note:- this includes the appointment of an independent education appeals panel)

Function	Decision making body	Delegated to
<p>6. The making of arrangements pursuant to section 95(2) of the School Standards and Framework Act 1998 (children to whom section 87 applies: Appeals by governing bodies).</p>	<p>The Council</p>	<p>The Chief Executive or any relevant Director or Head of Service (Note:- this includes the appointment of an independent education appeals panel)</p>
<p>7 – The School Standards and Organisation (Wales) Act 2013 and School Organisation Code 2013</p> <p>“School Organisation Decision Making and Determination Process”</p> <p>Stage 1 (Permission to Consult)</p> <p>Stage 2 (Permission to Notice)</p> <p>Stage 3 (Permission to Implement).</p> <p>*Revised process as agreed by Council on the 13th January 2021 – Minute 7.2 refers)</p>	<p>Stage 1 – Executive Board following consultation with the Education & Children Scrutiny Committee.</p> <p>Stage 2 – Executive Board (no Scrutiny consultation required)</p> <p>Stage 3 –County Council following Executive Board recommendation (no Scrutiny consultation Required)</p>	
<p>8. The making of arrangements under section 20 (questions on police matters at council meetings) of the Police Act 1996 for enabling questions to be put on the discharge of the functions of a police authority.</p>	<p>The Council</p>	
<p>9. The making of appointments under paragraphs 2 to 4 (appointment of members by relevant councils) of Schedule 2 (police authorities established under section 3) to the Police Act 1996.</p>	<p>The Council</p>	
<p>10. The conducting of best value reviews in accordance with the provisions of any order for the time being having effect under section 5 (best value reviews) of the Local Government Act 1999.</p>	<p>The Executive Board and the relevant Scrutiny Committee.</p>	<p>The Chief Executive or any relevant Director or Head of Service, after consultation with the Leader or the appropriate</p>

Function	Decision making body	Delegated to
		Executive Board Member(s)
11. Any function relating to contaminated land.	The Council	The Chief Executive or any relevant Director or Head of Service
12. The discharge of any function relating to the control of pollution or the management of air quality	The Council	The Chief Executive or any relevant Director or Head of Service
13. The service of an abatement notice in respect of a statutory nuisance	The Council	The Chief Executive or any relevant Director or Head of Service
14. The passing of a resolution that Schedule 2 to the Noise and Statutory Nuisance Act 1993 should apply in the authority's area.	The Council	The Chief Executive or any relevant Director or Head of Service
15. The inspection of the authority's area to detect any statutory nuisance.	The Council	The Chief Executive or any relevant Director or Head of Service
16. The investigation of any complaint as to the existence of a statutory nuisance.	The Council	The Chief Executive or any relevant Director or Head of Service
17. The obtaining of information under section 330 of the Town and Country Planning Act 1990 as to interests in land	The Council	The Chief Executive or any relevant Director or Head of Service
18. The obtaining of particulars of persons interested in land under section 16 of the Local Government (Miscellaneous Provisions) Act 1976.	The Council	The Chief Executive or any relevant Director or Head of Service
19. The making of agreements for the execution of highways works.	The Council	The Chief Executive or any relevant Director or Head of Service
20. The appointment of any individual:- (a) to any office other than an office in which he is employed by the authority; (b) to any body other than:- (i) the authority;	The Council	Member Appointments Committee Where representation on an outside body requires the views of the Council to

Function	Decision making body	Delegated to
(ii) a joint committee of two or more authorities; or (c) to any committee or sub-committee of such a body, and the revocation of any such appointment.		be represented as part of its decision making processes and its functions fall within those allocated to the Executive Board then the Executive Board will make the appointment.
21. Power to make payments or provide other benefits in cases of maladministration etc.	The Council	The Chief Executive or any relevant Director or Head of Service
22. The discharge of any function by an authority acting as a harbour authority.	The Council	The Chief Executive or any relevant Director or Head of Service
23. Functions in respect of the calculation of council tax base in accordance with any of the following: (a) The determination of an item under section 33 (1) and 44(1) of the Local Government Finance Act 1992 (b) The determination of an amount for an item under sections 34 (3), 45 (3), 48 (3) and 48 (4) of the Local Government Finance Act 1992 (c) The determination of an amount required for determining an amount for the item mentioned paragraph (a) or (b) above	Executive Board	
24. Licensing functions in accordance with Part 2 of the Licensing Act 2003 except section 6	The Council	1. Any application; (a) for personal licence (b) to vary designated premises supervisor (c) for transfer of premises licence (d) for interim authorities (e) by community premises to remove the mandatory condition requiring a designated premises supervisor:- If police objection then Licensing Sub-committee.

Function	Decision making body	Delegated to
		Otherwise the Chief Executive or any relevant Director or Head of service.
<p>24.continued Licensing functions in accordance with Part 2 of the Licensing Act 2003 except section 6</p>	The Council	<p>2. In cases involving;</p> <p>(a) application for personal licence with unspent convictions</p> <p>(b) application to review premises licence/club premises certificate</p> <p>(b) decision to object when the Council is a consultee and not the relevant authority considering the application</p> <p>(c) determination of a Police objection to a temporary event notice:-</p> <p>Licensing sub-Committee.</p> <p>3 Any application;</p> <p>(a) for premises licence/club premises certificate</p> <p>(b) for provisional statement</p> <p>(c) to vary premises licence/club premises certificate;-</p> <p>If relevant representation is made then Licensing Sub-committee. Otherwise the Chief Executive or any relevant Director or Head of Service.</p> <p>4 In cases involving a:</p> <p>(a) request to be removed as Designated Premises Supervisor</p>

Function	Decision making body	Delegated to
		(b) decision on whether a complaint is irrelevant frivolous vexatious etc:-
<p>24.continued Licensing functions in accordance with Part 2 of the Licensing Act 2003 except section 6</p>	<p>The Council</p>	<p>The Chief Executive or any relevant Director or Head of Service.</p> <p>5 Application for a minor variation:-</p> <p>The Chief Executive or any relevant Director or Head of Service</p> <p>6. Suspension or Revocation of a personal licence:-</p> <p>Licensing sub-committee in all cases</p> <p>7. Film Classification Request:-</p> <p>Where Film not previously classified – Licensing Sub Committee</p> <p>Where previously classified film to be shown at different premises – the Chief Executive or any relevant Director or Head of Service</p>

Function	Decision making body	Delegated to
<p>25. Functions in respect of gambling in accordance with any of the following:</p> <ul style="list-style-type: none"> (a) a resolution not to issue casino licences in accordance with section 166 of the Gambling Act 2005 (b) Prescribing of fees in accordance with Section 212 of the Gambling Act 2005. (c) Making an order disapplying Section 279 or Section 282 (1) of the Gambling Act 2005 in accordance with Section 284 of the Gambling Act 2005. (d) Authorised persons in accordance with Section 304 of the Gambling Act 2005. (e) Prosecutions by a licensing authority in accordance with Section 346 of the Gambling Act 2005. (f) 3-year licensing policy in accordance with Section 349 of the Gambling Act 2005. 	<p>The Council</p>	<p>Licensing Committee. The Chief Executive or any relevant Director or Head of Service</p>
<p>26. Scrap Metal Dealers Act 2013 To undertake oral “Application Hearings” against the refusal of applications by Officers (EB Minute 7 - 30th September 2013)</p>	<p>Executive Board</p>	

TABLE 3 - COMMITTEES OF THE COUNCIL

Committee	Functions	Delegation of Functions
<p>Appeals Committee 6 Members</p>	<p>In relation to item 6 of Part I (Miscellaneous Functions) of table 1 above:-</p> <p>To determine:</p> <p>Appeals by members of staff in respect of disciplinary matters which have led to dismissal, save for any dismissal relating to the Chief Executive, any Director or Head of Service.</p> <p>Appeals relating to student awards.</p>	
<p>Appointments Committee “A” for Directors 16 Members (Must comprise a majority of Non Executive Board Members)</p>	<p>In relation to item 6 of part I of table 1 above:-</p> <p>(a) To make recommendations to the County Council in respect of the appointment of the Head of Paid Service Chief Executive.</p> <p>(b) To appoint Directors.</p>	
<p><u>Appointments Committee “B” for Heads Of Service</u> 10 Members (Must comprise a majority of Non Executive Board Members)</p>	<p>In relation to item 6 of part I of table 1 above:-</p> <p>To appoint Heads of Service and the Head of Democratic Services.</p>	<p>All appointments below Head of Service level are to be dealt with in accordance with the Officer Employment Procedure Rules.</p>

Committee	Functions	Delegation of Functions
<p>Governance & Audit Committee 8 members +1 Co-opted Voting External Lay Member</p>	<p>(1) to review and scrutinise the Authority’s financial affairs,</p> <p>(2) to make reports and recommendations in relation to the authority’s financial affairs,</p> <p>(3) to review and assess the risk management, internal control and corporate governance arrangements of the authority,</p> <p>(4) to make reports and recommendations to the authority on the adequacy and effectiveness of those arrangements,</p> <p>(5) to oversee the authority’s internal audit & risk management arrangements including:</p> <ul style="list-style-type: none"> (a) monitoring the adequacy & effectiveness of Internal Audit & Risk Management and the extent to which Management fulfil their responsibilities for ensuring an adequate control environment exists throughout the organisation; (b) approving the Authority’s Audit Charter; (c) receiving an Annual Internal Audit Plan from the Head of Revenues and Financial Compliance Internal Audit and monitoring progress against the Plan; (d) receiving an Annual Internal Audit Report from the Head of Revenues and Financial Compliance Audit & Risk Management at the end of the audit year; (e) receiving and considering major internal audit findings and recommendations; (f) receiving the minutes of the Authority’s Risk Management Steering Group and receiving reports in relation to significant risks identifying significant control failings or weaknesses, their potential or real impact and the corrective action required or being taken; (g) monitoring Management’s response to major findings and the implementation of key recommendations (h) review the assessment of fraud risks and potential harm to the Council from fraud and corruption. (i) monitor the counter fraud strategy, actions and resources. 	

Committee	Functions	Delegation of Functions
Governance & Audit Committee Continued...	<p>(6) to oversee the authority's external audit arrangements, including</p> <ul style="list-style-type: none"> (a) monitoring the adequacy and effectiveness of the External Audit service and to respond to its findings; (b) discuss with the external auditor the nature and scope of the audit of the County Council's services & functions, and consider the external audit fee and terms of engagement; (c) receiving and considering external audit reports and management letters and advising Full Council as appropriate; (d) monitoring Management's response to the external auditor's findings and the implementation of the external auditor's recommendations <p>(7) To review and assess the authority's ability to handle complaints effectively and to make reports and recommendations in relation to the authority's ability to handle complaints effectively</p> <p>(8) to approve the financial statements prepared by the Authority</p> <p>(9) to scrutinise the Authority's Annual Statement of Accounts and any supplementary statements as required by the Accounts & Audit (Wales) regulations eg. Annual Governance Statement</p> <p>(10) to approve the Dyfed Pension Fund's Annual Statement of Accounts</p> <p>(11) to consider and approve amendments to the Contract procedure Rules</p> <p>(12) to consider and approve amendments to the Financial Procedure Rules</p> <p>(13) to interview applicants for the position(s) of Lay Member(s) of the Committee and to recommend an appointment (s) to the Council.</p>	

Committee	Functions	Delegation of Functions
Democratic Services Committee 5 members	(1) review the adequacy of provision by the authority of staff, accommodation and other resources to discharge democratic services functions, and (2) make reports and recommendations to the authority at least annually in relation to such provision. (3) To secure the provision of reasonable training and development opportunities for Councillors and prepare reports and recommendations to Council in relation to such provision; (4) To appoint the Council's Member Development Champion; (5) To be consulted on the implementation of reports issued by the Independent Remuneration Panel for Wales in respect of members allowances etc. (6) To promote and support good governance by the Council. (7) at the request of the authority, review any matter relevant to : (a) the support and advice available to members of that authority, and (b) the terms and conditions of office of those members.	
Housing Review Panel 8 Members +1 permanent substitute per group	To determine Introductory Tenancy Reviews and demoted tenancy reviews (excluding rent arrears).	
Investigation Committee "A" For Directors * Membership to be considered as and when required.	In relation to item 6 of part I of table 1 above:- To investigate matters relating to the conduct of JNC officers in accordance with agreed JNC procedures and to determine action to be taken.	
Investigation Committee "B" For Heads Of Service * Membership to be considered as and when required.	In relation to item 6 of part I of table 1 above:- To investigate matters relating to the conduct of JNC officers in accordance with agreed JNC procedures and to determine action to be taken.	

[* Please refer to delegated powers of the Chief Executive contained in Part 3.2]

Committee	Functions	Delegation of Functions
<p>Dyfed Pension Fund Committee 3 Members + 1 Permanent Substitute</p>	<p><u>Dyfed Pension Panel</u></p> <p>To decide on all the policy matters and strategic direction relating to the investments of the Pension Fund. To review and monitor the investment performance of the Fund. To review and determine on all Pension Fund Valuation matters of the fund To determine on Administering Pension Fund Authority policy and strategic matters.</p> <p>Operational matters of both the Investments and Administration Functions are delegated to Director of Resources</p> <p><u>Dyfed Welsh Church Fund</u> To decide on the strategic direction relating to the investments of the Church Fund. To review and monitor the investment performance of the Fund.</p>	
<p>Licensing Committee 14 members</p>	<p>All those functions specified as such in table 1 (parts B and I) and table 2 above. To recommend to the Council additions and/or amendments to policy in relation to the functions of the Committee.</p> <p>To determine applications for the initial granting or renewal of licences to drive a hackney carriage or a private hire vehicle. To determine applications for the initial grant or renewal of operators licences. To determine applications and requests for licence reviews under the Licensing Act 2003 and the Gambling Act 2005.</p> <p>To determine applications for permits for house to house and street collections. To suspend, vary, revoke or refuse house to house, street collections, drivers, operators and vehicle licences.</p> <p>To determine contentious applications under the Motor Salvage Operators’ Registration Scheme.</p> <p>Licensing Sub Committee to determine applications for the grant of 3 or more gaming machines on alcohol licensed premises, or applications which are subject to objection, under section 34 of the Gaming Act 1968. the Gambling Act 2005.</p>	<p>All matters other than policy matters.</p>

Committee	Functions	Delegation of Functions
Members' Appointments Committee 7 Members	To determine the appointment of members to serve on outside bodies Where representation on an outside body requires the views of the Council to be represented as part of its decision making processes and its functions fall within those allocated to the Executive Board then the Executive Board will make the appointment.	
Planning Committee 20 Members **	Planning and conservation. Functions relating to town and country planning and development control as specified in part A of table 1 above, together with functions under items 3 and 4 of part I of table 1. Matters relating to Public Rights of Way as set out in table 1 and non-executive highways functions and functions relating to trees, hedgerows and pavements. To determine "departure applications"	All matters other than those relating to the Unitary Development Plan
Standards Committee 3 Members + 5 Independent Voting Members + 1 Co-opted Voting Community Member	As set out in Article 9 of Part 2 to the Constitution	

Footnote: Where a Committee is appointing or dismissing officers on behalf of the Council then the Local Authorities (Standing Orders)(Wales) Regulations 2006 require that at least one member of the Committee is an Executive Board Member. However, not more than half of the members of the Committee may be Executive Board Members.

**** Planning Committees:-**

The Size and Composition of Local Planning Authority Committees (Wales) Regulations 2017 require Planning Committees in Wales to be structured and operated in accordance with the following requirements:-

- *The Planning Committee must contain no fewer than 11 members and no more than 21 members, but no more than 50% of the Authority members (rounded up to the nearest whole number);*
- *Where wards have more than one elected member, only one member may sit on the Planning Committee in order to allow other ward members to perform the representative role for local community interests.*

In addition, the Local Authorities (Standing Orders)(Wales)(Amendment) Regulations 2017 require:-

- *Each meeting of the Planning Committee must have a quorum of 50% to make decisions; and*
- *The use of substitute members is prohibited.*

TABLE 4 - EXECUTIVE BOARD FUNCTIONS

Executive Board functions comprise all the functions of the Council, with the exception of;

1. Council functions set out in table 1 above
2. Those local choice functions allocated to the Council set out in table 2 above
3. Functions that cannot be the sole responsibility of the Executive Board as set out in article 4.01 of part 2 of the Constitution
4. Potential decisions that conflict with;
 - the Council's budget or borrowing plans
 - financial regulations or financial standing orders
 - the Council's overall strategy or policy framework

and in such cases the Executive Board must pass the decision to the Council for final determination.

Function	Delegated to
<p>(a) The Corporate Governance and Resources function</p> <ul style="list-style-type: none"> • Proper financial planning budgeting and control • Control of the Authority's resources • Land and Property management • Information Technology Services • Personnel Services • Financial Services • Electoral Registration • Legal Services • Audit Services • Procurement Services • Democratic Services • Emergency Planning • Registrars of Births, Deaths & Marriages • Property Services • Calculation of the Council Tax Base • covert surveillance, freedom of information and data protection 	<p>The Chief Executive or any relevant Director or Head of Service.</p>
<p>(b) The Personnel function All aspects of the Council's functions as an employer including the oversight of recruitment, grievances, terms and conditions of employment, conduct and discipline, structural review and the consequences thereof.</p>	<p>The Chief Executive or any relevant Director or Head of Service (except for approving indemnities for libel proceedings, which shall be reserved to the Executive Board)</p>

Function	Delegated to
<p>(c) The Social Care Health and Housing function</p> <ul style="list-style-type: none"> • Strategic issues in relation to the provision of adult-services Commissioning for Social Services • All client care services in residential settings (including accommodation services) • Meals on wheels • All client care services in home settings • All client care providing in day care settings • Hospital resettlement programme • Private Housing Enforcement (including Houses in Multiple Occupation, clearance, compulsory purchase orders, renewal areas and all types of renovation grants) • Housing Agency Service • Landlord Services, Housing Technical Services and Strategy and Resources 	<p>The Chief Executive or any relevant Director or Head of Service.</p>
<p>(d) The Education & Children's Services function</p> <ul style="list-style-type: none"> • Children's social services • Early years services • Education psychology, education welfare, behavioural support and managing pupil exclusions • The discharge of the Council's obligations as Local Education Authority under statute • The implementation of the School Standards and Framework Act 1998 • Local Management of Schools and Fair Funding • Governor support and training • Schools data support • Forward Planning re. school places, home-school transport, school admissions • Modernisation of Education Provision • School improvement • Youth Offending & Prevention Service • Youth Support Services • Adult & Community Learning • Student awards • School catering & cleaning • Public Libraries and Schools Library service • Museums • Planning and Partnerships for children & Young People, including the Children & Young People's Partnership and the Local Safeguarding Children Board 	<p>The Chief Executive or any relevant Director or Head of Service.</p>

Function	Delegated to
<p>(e) The Environmental Health, Trading Standards and Housing function</p> <ul style="list-style-type: none"> • Pollution Control (including noise, litter and illicit tipping, air and water quality, contaminated land) • Public Health (including infectious diseases, statutory nuisance, sewer/drains, health promotion/education) • Trading Standards Enforcement • Food Safety Enforcement • Health and Safety Enforcement of commercial premises • Corporate Health and Safety including liaison with the Health and Safety Executive • Community Safety • Pest Control, Dog Warden, Animal Trespassing Services • Animal Health and Welfare Enforcement • Licensing • Scrap Metal Dealers Act 2013 	<p>The Chief Executive or any relevant Director or Head of Service.</p> <p>Sub Committee of 5 members of the Executive Board to undertake oral “Application Hearings” against the refusal of applications by Officers</p>
<p>(f) The Transportation function</p> <ul style="list-style-type: none"> • Highways Maintenance, to include powers to:- permit the deposit of builders skips on the highway; license the planting, retention and maintenance of trees etc. in part of the highway; license works in relation to buildings etc. which obstruct the highway; consent to temporary deposits or evacuations in streets; dispense with obligation to erect a hoarding or fence; restrict the placing of rails, beams etc. over highways; consent to the construction of cellars etc. under streets; consent to the making of openings into cellars and pavement lights and ventilators and to remove things so deposited on highways as to be a nuisance. Also, the duty to assert and protect the rights of the public to use and enjoyment of highways. • Transportation Planning and Improvements • Engineering Services • Public Transport • Land Reclamation • Land Drainage • Road Safety Education and Training (including Gwent Consultancy) • Welsh Water Contract • Public Services including refuse collection, disposal, street cleaning, community skips, public conveniences, cemeteries • Stopping up orders under the planning Acts 	<p>The Chief Executive or any relevant Director or Head of Service.</p>

Function	Delegated to
<p>(g) The Best Value Community Planning & Business function</p> <ul style="list-style-type: none"> • The development of a Best Value programme across the Authority in accordance with the provisions of the Local Government Act 1999 • The development and implementation of the Council's Corporate Plan and corporate themes and the development and co-ordination through a multi-agency approach of community planning of the delivery of services to achieve the Council's strategic objectives • The administration of the Cabinet's business programme in consultation with the Cabinet Secretary 	<p>The Chief Executive or any relevant Director or Head of Service.</p>
<p>(h) The Regeneration and Leisure function</p> <ul style="list-style-type: none"> • Economic and Community Development • Tourism • Inward Investment • Business development • The maximisation of funding opportunities from external funding including funding from European and domestic sources. • Planning - Development Services and Building Control • Planning - Urban Renewal • Planning - Countryside and Landscape Conservation Services, including the determination of public rights of way issues arising under the Wildlife and Countryside Act 1981 and the Highways Act 1980. 	<p>The Chief Executive or any relevant Director or Head of Service.</p>
<p>(i) The power to enter into joint or delegated function arrangements with one or more other authorities or bodies as permitted by law from time to time and to delegate executive functions.</p>	<p>The Chief Executive or any relevant Director or Head of Service.</p>

Function	Delegated to
(j) Any executive functions not allocated in accordance with the executive arrangements of the Council. Section 15(4) Local Government Act 2000	The Leader
(k) The power to set up committees of the Executive Board for any purpose and to delegate to that committee such power or powers as may be appropriate.	
(l) Emergency action where this is necessary to protect the Council's interests.	The Chief Executive or any relevant Director or Head of Service.
(m) Implementation and monitoring of the Council's Treasury Management policies and practices	
(n) appointments to outside bodies where representation requires the views of the Council to be represented as part of their decision making processes and their functions fall within those allocated to the Executive Board.	

PART 4.1

RULES OF PROCEDURE

(STANDING ORDERS)

COUNCIL PROCEDURE RULES

Preliminaries – Definitions

CPR 1	Annual meeting of the Council
CPR 2	Ordinary meetings
CPR 3	Extraordinary meetings
CPR 4	Appointment of Committees and Members of Committees and arrangements for meetings
CPR 5	Time and place of meetings
CPR 6	Notice of and summons to meetings
CPR 7	Chair of meeting
CPR 8	Quorum
CPR 9	Duration of meeting
CPR 10	Questions by the public and presentation of petitions
CPR 11	Questions by members
CPR 12	Motions on notice
CPR 13	Motions without notice
CPR 14	Rules of debate
CPR 15	Previous decisions and motions
CPR 16	Voting
CPR 17	Minutes
CPR 18	Record of attendance
CPR 19	Exclusion of public
CPR 20	Members' conduct
CPR 21	Disturbance by public
CPR 22	Filming During Meetings
CPR 23	Suspension and amendment of Council Procedure Rules
CPR 24	Application to Committees

PRELIMINARY DEFINITIONS

- (1) In these Council Procedure Rules, unless the context otherwise demands, the following terms have the meaning assigned to them:

"Authority" - Carmarthenshire County Council acting by any means which they may lawfully adopt;

"County" - County of Carmarthenshire;

"Chief Executive" - the person designated as such by the authority who shall also be the "head of the authority's paid service" under Section 4(1) of the ~~Local Government and Housing Act, 1989~~; **54 of the Local Government and Elections (Wales) Act 2021**

"Chief Officer" - a person designated as such by the authority;

"Committee" - a committee of the authority;

"Director" - a person designated as such by the authority;

"The Leader of the Council" - the Leader – the executive leader elected by the County Council and as defined in section 11 (3) (a) of the Local Government Act 2000;

Deputy Leader of the Council –the Deputy Leader - a member elected as such by the County Council to deputise for the Leader of the Council;

"Executive Board" - the Council's Executive as defined in section 11 of the Local Government Act 2000;

"Executive Board Members" the Leader and Deputy Leader(s) of the Council and any Councillor appointed by the Leader of the Council pursuant to section 11 (3) (b) of the Local Government Act 2000 and notified by the Leader to the County Council;

"Executive Board Portfolio" - an area of County Council activity allocated by the Leader of the Council to an Executive Board Member and notified by the Leader to the Council;

"Hybrid Meeting" means a mixture of physical and virtual attendance

"the Local Councillor(s)" means the Councillor(s) for any electoral area(s) to which a Council matter under consideration relates;

"Proper Officer" shall be taken to mean the officer appointed by the County Council for the purpose of this scheme, or in default of such appointment the Chief Executive/~~Head of Paid Service~~ of the Council.

"Statutory Officer" means:

- (a) the ~~Head of Paid Service~~ **Chief Executive** in respect of the manner in which the co-ordination by the Council of the discharge of their different functions is co-ordinated, the number of staff required for the discharge of those functions, the organisation of those staff and the appointment and proper management of those staff;
- (b) the Monitoring Officer in respect of any proposal, decision or omission which has given rise to or is likely to give rise to a breach of law or of any statutory code of practice, or maladministration;
- (c) the Chief Finance Officer in respect of the proper administration of the Council's financial affairs (Local Government Finance Act 1972, section 151).

"Majority group" - a political group to which belong either:-

- (a) more than half of the members of the Council; or
- (b) exactly half of the number of members of the Council, including the Chair;

"Meeting" - a meeting of the Council or a committee **as the case may be which may be physical, virtual or hybrid**

"Member" - in relation to the Council, a member of the Council; in relation to any committee a person appointed as a member of that committee whether or not entitled to vote;

"Number of members" - in relation to the Council, the number of persons who may act at the time in question as members of the Council, and in relation to a committee or the number of persons who may act at the time in question as voting members of that body;

"Person Presiding" - the person entitled, or appointed to preside at any meeting;

Physical meeting (members attend physically in the meeting venue – usually the Council Chamber, but not necessarily)

"Political Group" - a political group as defined in the Local Government (Committees and Political Groups) Regulations 1990 as amended by the (Amendment) Regulations of 1991 and 1993;

"the 1972 Act" - the Local Government Act 1972;

"the 1989 Act" - the Local Government and Housing Act 1989;

"the 2000 Act" - the Local Government Act 2000;

"Virtual meeting" means via Videoconference and/or teleconference

"Without Comment" - in relation to the moving, seconding or putting of a motion without any person speaking except to indicate the wording of the motion, the fact that it is being moved, seconded or put, or (in the case of the person presiding) the effect of adopting the motion;

"Working Day" - a weekday during which the offices of the Authority are normally open for business.

- (2) Unless the context otherwise requires, the singular includes the plural and the plural includes the singular.
- (3) Any reference in any Council Procedure Rule to a numbered paragraph is, unless the context otherwise requires, a reference to the paragraph of that Council Procedure Rule bearing that number.

CPR 1 - ANNUAL MEETING OF THE COUNCIL

1.1 IN A YEAR WHERE THERE IS AN ORDINARY ELECTION OF COUNCILLORS

In a year when there is an ordinary election of Councillors, the annual meeting will take place within 21 days of the retirement of the outgoing Councillors. In any other year, the annual meeting will take place on a date in May.

The business to be transacted shall be as follows:

- (a) to receive any declarations of interest from members;
- (b) to elect a person to preside if the Chair of Council is not present;
- (c) to elect the Chair of Council;
- (d) to elect the Vice Chair of Council;
- (e) to approve the minutes of the last meeting;
- (f) to receive any announcements from the Chair and/or **Chief Executive** ~~Head of the Paid Service~~;
- (g) to elect the Leader of the Council;
- (h) to be informed by the Leader of the Council of the name(s) of the Councillors he/she has chosen to be members of the Executive Board;
- (i) to appoint scrutiny committees, the Standards Committee and such other committees as the Council considers appropriate to deal with matters which are neither reserved to the Council nor are executive functions (as set out in Part 3 of this Constitution);
- (j) to decide the size and terms of reference for those committees;
- (k) to decide the allocation of seats to political groups in accordance with the political balance rules;
- (l) to receive nominations of Councillors to serve on each committee and outside body; and
- (m) to appoint to those committees and outside bodies except where appointment to those bodies has been delegated by the Council to a committee;
- (n) to elect Chairs and Vice Chairs of Committees of the Council;
- (o) to agree such parts of the scheme of delegation as the Constitution determines it is for the Council to agree (as set out in Part 3 of this Constitution);
- (p) to consider any other business set out in the notice convening the meeting

1.2 ANNUAL MEETING OF THE COUNCIL IN A YEAR WHERE THERE IS NO ELECTION OF COUNCILLORS

In a year when there is no ordinary election of Councillors, the annual meeting will take place on a date in May to be agreed by the Council and the business to be transacted shall be as follows:-

- (a) to receive any declarations of interest from members;
- (b) to elect a person to preside if the Chair of Council is not present;
- (c) to elect the Chair of Council;
- (d) to elect the Vice-Chair of Council;
- (e) to receive any announcements from the Chair, Leader and/or the ~~Head of the Paid Service;~~ Chief Executive
- (f) to elect Chairs and Vice-Chairs of Committees of the Council;
- (g) to appoint members to fill vacancies on committees;
- (h) to approve the minutes of the last meeting;
- (i) to consider any business set out in the notice convening the meeting that has been agreed by the Chief Executive in consultation with the Chair, as being in need of urgent consideration (i.e. cannot be delayed until the next ordinary meeting of the Council);
- (j) if the Chair decides that an item of business not included on the agenda for the meeting sent with the summons for the meeting may be taken for reasons of urgency, that item shall, subject to any direction or resolution under paragraph (k) be taken at the end of the other items of business;
- (k) the order of business in paragraphs (e)-(i) above be varied by invitation of the Chair.

CPR 2 – ORDINARY MEETINGS

- (1) Ordinary meetings of the Council will take place in accordance with the diary of meetings drawn up by the Chief Executive.
- (2) The order of business at every meeting of the Council shall be arranged by the Chief Executive so as to give priority to items requiring decisions. Items for consideration may include:-
 - a. In the absence of the Chair and Vice-Chair, to choose a member of the Council to preside;
 - b. to receive any declarations of interest from members;
 - c. to receive any announcements from the Chair, Leader, members of the Executive Board or the ~~Head of Paid Service;~~ Chief Executive,
 - d. to deal with reports that require decision
 - e. any business remaining from the last Council meeting;
 - f. to elect Chairs and Vice-Chairs of Committees in the event of a vacancy arising midterm;
 - g. to consider the recommendations of the Executive Board;
 - h. to receive the reports from the Executive Board and receive questions and answers on any of those reports;
 - i. to receive reports about and receive questions and answers on the business of joint arrangements and external organisations;
 - j. to consider motions of which notice has been given;
 - k. to receive questions from members of the public
 - l. to receive petitions;
 - m. to receive questions on notice from members,
 - n. to appoint a Committee arising from an item on the summons for the meeting;

- o. to appoint members to fill vacancies on Committees;
- (3) The order of business in paragraphs (a)-(o) above may be varied by invitation of the Chair;
- (4) If the Chair decides that an item of business not included on the agenda for the meeting sent with the summons for the meeting may be taken for reasons of urgency, that item shall, subject to any direction or resolution under paragraph (3), be taken at the end of the other items of business.

CPR 3 – EXTRAORDINARY MEETINGS

Those listed below may request the Chief Executive to call Council meetings in addition to ordinary meetings:-

- the Council by resolution;
- the Chair of the Council;
- the Monitoring Officer; or
- five members of the Council if they have signed a requisition presented to the Chairperson of the Council and he/she has refused to call a meeting or has failed to call a meeting within seven days of the presentation of the requisition.

No business shall be transacted at any extraordinary meeting except such as shall be specified in the notice convening the meeting.

CPR 4 - COMMITTEES – APPOINTMENT, MEMBERS, SUBSTITUTE MEMBERS AND ARRANGEMENTS FOR MEETINGS

- (1) Every person appointed as a voting member of a committee and every person appointed to exercise other functions in relation to a committee shall continue as such until the appointment is terminated by the authority.
- (2) The appointment of Chairs and Vice Chairs of Committees of the Council shall be undertaken by the Council at its Annual Meeting or at an ordinary meeting of Council should a vacancy arise mid term.

Nominations for Chairs or Vice Chairs of Committees should be delivered in writing or by electronic mail to the Chief Executive (for the attention of the Democratic Services Manager) no later than midday 7 working days before the day of the meeting giving details of the proposer and seconder for each nomination. The nominations received will then be considered and voted upon by the Council in accordance with CPR 17.6.

- (3) In the absence of the Chair at a meeting of committee, the Vice-Chair shall preside.
- (4) If the persons appointed under paragraph (2) of this Procedure Rule are absent, a meeting of a committee shall appoint, from among the voting members present, a person to preside at the meeting. The motion, and any amendments,

shall be put to the meeting in accordance with Procedure Rule 17(6) (voting on appointment or election of members).

- (5) A member of the Council who is not otherwise entitled to attend a committee meeting may do so but at such meeting he/she shall not be entitled to vote and may speak only:-
 - (a) during the consideration of any motion of which notice in accordance with Procedure Rule 12 (motions on notice) has been given which he/she has moved or seconded at a meeting of the Council and which has been referred to that committee or which has been deemed to have been referred to that committee or meeting; or
 - (b) with the agreement of the person presiding at the meeting.
- (6) The Chair and the Leader of the Council may attend and speak at a meeting of a committee of which they are not voting members.
- (7) Subject to there being sufficient business to be transacted, ordinary meetings of committees shall be convened in accordance with the diary of meetings drawn up by the Chief Executive.
- (8) A special meeting of a committee may only be convened following the agreement of the Chief Executive in consultation with the relevant Chair.
- (9) The membership of all committees shall be generally reviewed by the council at its annual meeting and also as and when changes in the political make up of the Council arise.

Appropriate training shall be provided for those committees. In the case of the Licensing and Planning Committee it is a prerequisite that members shall have attended appropriate training prior to attending their first Committee meeting.

- (10) Where an ordinary member of a committee will be absent for the whole of the meeting a political group shall be permitted to substitute any of its members from members of that same group, who are not already members of that particular Committee, save for the Planning, Licensing and Appeals Committees where no substitution will be allowed.

Any member of the Licensing Committee may, however, act as a substitute member for a member of one of the three sub-committees of the Licensing Committee referred to in Part 3 Table 3 of this Constitution.

- (11) Executive Board Members may not act as substitutes for members of scrutiny committees.
- (12) Substitute members may attend meetings in that capacity only:
 - (a) to take the place of the ordinary member for whom they are substituting;
 - (b) after the absent member or political group leader has notified the Chief Executive or his/her representative before the commencement of the meeting of the intended substitution;

- (c) if he/she takes his/her place by the commencement of the meeting.
- (13) Substitute members will have all the powers and duties of any ordinary member of the committee but will not be able to exercise any special powers or duties exercisable by the person they are substituting e.g. Chairing the meeting.

CPR 5 - TIME AND PLACE OF MEETINGS

The time and place of meetings (whether physical, virtual or a hybrid) will be determined by the Chief Executive and notified in the summons.

CPR 6 - NOTICE OF AND SUMMONS TO MEETINGS

The Chief Executive will give notice to the public of the time and place of any meeting in accordance with the Access to Information Rules. At least three clear days before a meeting, the Chief Executive will publish a summons and email to ~~send a summons signed by him or her by post to every member of the Council or leave it at their usual place of residence.~~ The summons will give the date, time and place of each meeting and specify the business to be transacted, and will be accompanied by such reports as are available.

CPR 7 - CHAIR OF MEETING

The person presiding at the meeting may exercise any power or duty of the Chair. Where these rules apply to committee meetings, references to the Chair also include the Chair of a committee.

CPR 8 - QUORUM

- (a) The quorum of a meeting of the Council and all its Committees (save for the Planning Committee) will be one third of the members rounded up, with a minimum of 3;
- (b) The quorum of a meeting of the Planning Committee will be one half of the members of the Planning Committee, rounded up;
- (c) During any meeting if the Chair counts the number of members present and declares there is not a quorum present, then the meeting will adjourn immediately. Remaining business will be considered at a time and date fixed by the Chief Executive in consultation with the Chair. If he/she does not fix a date, the remaining business will be considered at the next ordinary meeting;
- (d) The quorum of the Executive Board shall be one third of the Executive Board members rounded up.

CPR 9 - DURATION OF MEETING

9.1 DURATION OF MEETING

If the business of the meeting has not been concluded within three hours of its commencement the Chair will draw attention to that fact and any member speaking

must immediately sit down. The Chair will call for the vote immediately on the item under discussion. The vote will then be taken in the usual way without any further discussion. (The Council or Committee can continue with its remaining business provided that a motion is passed to suspend Council Procedure Rules [CPR 23.1]).

9.2 MOTIONS AND RECOMMENDATIONS NOT DEALT WITH

If there are other motions or recommendations on the agenda that have not been dealt with at this juncture, they shall be formally moved and seconded (together with any amendments) and voted upon in the usual way. No speeches will be allowed on these items.

9.3 RECORDED VOTE (AT A MEETING OF COUNCIL)

If a recorded vote is called for during this process it will be taken immediately.

9.4 MOTIONS WHICH MAY BE MOVED

During the process set out in Rules 9.1–9.3 above, the only other motions which may be moved are that a matter be withdrawn or that a matter be delegated or referred to an appropriate body or individual for decision or report.

9.5 CLOSE OF THE MEETING

When all motions and recommendations have been dealt with, the Chair will declare the meeting closed.

CPR 10 - QUESTIONS FROM THE PUBLIC AND PRESENTATION OF PETITIONS

PART A – PUBLIC QUESTIONS AT COUNCIL - GENERAL

**(CPR 10 PART A shall apply to meetings of the Executive Board.
For Questions at Scrutiny Committees rf. Scrutiny Procedure Rules Part 4.5
Constitution)**

10.1 MEMBERS OF THE PUBLIC

Members of the public, provided that they are residents of the County, own a business located within the County or are employed within the County may ask questions of members of the Executive Board at ordinary meetings of the Council.

10.2 ORDER OF QUESTIONS

Questions will be asked in the order notice of them was received, except that the Chair may group together similar questions.

10.3 NOTICE OF QUESTIONS

A question may only be asked if notice has been given by delivering it in writing or by electronic mail to the Chief Executive (e-mail chiefexecutive@cararthenshire.gov.uk) no later than 10.00 a.m. 7 clear working days before a meeting (i.e. clear days does not include the day the question is received or the day of the meeting). Each question must give the name and address of the questioner and must name the member of the Council to whom it is to be put.

10.4 NUMBER OF QUESTIONS

Normally at any one meeting no person may submit more than one question and no more than one such question may be asked on behalf of one organisation.

10.5 SCOPE OF QUESTIONS

The Chief Executive may reject a question if it:

- (a) is not about a matter for which the county Council has a responsibility or which affects the County;
- (b) is defamatory, frivolous or offensive;
- (c) is substantially the same as a question which has been put at a meeting of the Council in the past six months; or
- (d) requires the disclosure of confidential or exempt information.

10.6 RECORD OF QUESTIONS

The Chief Executive will enter each question in a book open to public inspection and will immediately send a copy of the question to the member to whom it is to be put. Rejected questions will include reasons for rejection. Copies of all questions will be circulated to all members and will be made available to the public attending the meeting.

10.7 ASKING THE QUESTION AT THE MEETING

The Chair will invite the questioner to put the question to the member named in the notice. If a questioner who has submitted a written question is unable to be present, they may ask the chair to put the question on their behalf. The Chair may ask the question on the questioner's behalf, indicate that a written reply will be given or decide, in the absence of the questioner, that the question will not be dealt with.

10.8 SUPPLEMENTARY QUESTION

A questioner who has put a question in person may also be allowed to put normally no more than one supplementary question without notice to the member who has replied to his or her original question. A supplementary question must arise directly out of the original question or the reply. The Chair may reject a supplementary question on any of the grounds in Rule 10.5 above. A written reply may be given if the information relevant to the response is not available.

10.9 WRITTEN ANSWERS

Any question which cannot be dealt with during public question time, either because of lack of time or because of the non-attendance of the member to whom it was to be put, will be dealt with by a written answer.

10.10 REFERENCE OF QUESTION TO THE EXECUTIVE BOARD OR A COMMITTEE

Unless the Chair decides otherwise, no discussion will take place on any question, but any member may move that a matter raised by a question be referred to the Executive Board or the appropriate committee. Once seconded, such a motion will be voted on without discussion.

PART B – PRESENTATION OF PETITIONS

10.11 Any member of the Council or any local government elector of the County may, forward to the Chief Executive a written petition which is relevant to some matter in relation to which the authority have functions, or which affects the area of the authority, or part of it, or the inhabitants of that area, or some of them provided however that such written petition must be signed by not fewer than fifty registered electors of the County who are not members of the Council and that it has been delivered in writing to the Chief Executive no later than 10.00 a.m. 7 clear working days (i.e. clear days does not include the day the petition is received or the day of the meeting) before the day of the meeting it is proposed to be presented at.

10.12 The Chief Executive shall indicate the receipt of any request for presentation of a petition in the agenda of the relevant meeting of Full Council in the order in which he /she received those requests.

10.13. In the case of a petition on a Council function the petitioner will be invited to present the petition formally to the Council save that in the case of a petition on a Council function delegated to a Council Committee (e.g. a planning or licensing matter) the petitioner will be given a choice to elect to formally present their petition to that relevant Committee. Where the petitioner elects to present the petition to the relevant Committee Council shall nevertheless debate the matter at its meeting and refer the petition and its deliberations upon it to the next meeting of that relevant Committee to inform its decision in the matter.

10.14. In the case of a petition on an executive function the petitioner will be given a choice to elect to formally present their petition to the County Council, the Executive Board, or where relevant, the relevant Executive Board member save that the eventual executive decision shall be a matter for the Executive Board or Executive Board Member. Where the petitioner elects to formally present the petition to the Executive Board of Executive Board Member Council shall nevertheless debate the matter at its meeting and refer the petition and its deliberations upon it to the next meeting of the Executive Board or Executive Board member to inform its decision on the matter.

10.15 In the case of a petition being referred to an Executive Board Member he/she will meet the petitioners, accept the petition and make a brief response. He/she will then refer the petition to the relevant officers to prepare a report on the matter for consideration at one of his/her decisions meetings.

10.16 The presentation of a petition at a meeting of the Council, Executive Board, relevant Committee or to the relevant Executive Board Member shall be limited to not more than five minutes, and shall be confined to reading out or summarising the prayer of the petition, indicating the number and description of the signatories, and making such further supporting remarks to the petition as the person presenting it shall think fit

10.17 At a meeting of Council or a relevant committee the Leader or the relevant Executive Board Member or Committee Chair shall be entitled to make a brief response to the presentation

CPR 11- QUESTIONS BY MEMBERS

11.1 ON REPORTS OF THE EXECUTIVE BOARD OR COMMITTEES

A member of the Council may ask the Leader or the Chair of a committee any question without notice upon an item of the report of the Executive Board or a committee when that item is being received or under consideration by the Council.

11.2 QUESTIONS ON NOTICE AT FULL COUNCIL

Subject to Rule 11.4, a member of the Council may ask:-

- (a) the Chair of the Council;
- (b) a member of the Executive Board; or
- (c) the Chair of any committee;
- (d) a question on any matter in relation to which the Council has powers or duties or which affects the area of the authority, or part of it, or the inhabitants of that area, or some of them.

11.3 QUESTIONS ON NOTICE AT COMMITTEES

Subject to Rule 11.4, a member of a committee may ask the Chair of it a question on any matter in relation to which the Council has powers or duties or which affect area of the authority, or part of it, or the inhabitants of that area, or some of them and which falls within the terms of reference of that committee.

11.4 NOTICE OF QUESTIONS

A member may only ask a question under Rule 11.2 or 11.3 if either:

- (a) they have given notice in writing of the question to the Chief Executive by 10 a.m. 7 clear working days (i.e. clear days does not include the day the question is received or the day of the meeting) before the day of the meeting; or
- (b) the question relates to urgent matters, they have the consent of the person to whom the question is to be put and the content of the question is given to the Chief Executive by 09.00 hours on the day of the meeting.

11.5 ORDER OF QUESTIONS

Questions of which notice has been given under rule 11.2 or 11.3 will be listed on the agenda in the order received by the Chief Executive

11.6 CONTENT OF QUESTIONS

Questions under rule 11.2 or 11.3 must:-

- (a) be concise;
- (b) be in the form of a question rather than a statement; and
- (c) relate to matters in relation to which the Council has powers and duties or which affect the area of the Authority, or part of it, or the inhabitants of that area, or some of them.

11.7 RESPONSE

An answer may take the form of:-

- (a) a direct oral answer;
- (b) a written answer;
- (c) where the desired information is in a publication of the Council or other published work, a reference to that publication;

11.8 SUPPLEMENTARY QUESTION

A member asking a question under Rule 11.2 or 11.3 may ask one supplementary question without notice of the member to whom the first question was asked. The supplemental question must arise directly out of the original question or reply.

CPR 12 - MOTIONS ON NOTICE

12.1 NOTICE

Except for motions which can be moved without notice under CPR 13 and in cases of urgency, written notice of every motion, must be delivered to the Chief Executive either in hard copy (to be signed by a proposer and seconder) or by email (the proposer is required to copy in the seconder of the motion) not later than 10 a.m. 7 clear working days (i.e. clear days does not include the day the motion is received or the day of the meeting) before the Council meeting at which it is to be considered. Motions received will be entered in a book open to public inspection.

12. 2 MOTIONS SET OUT IN AGENDA

Motions for which notice has been given will be listed on the agenda in the order received by the Chief Executive

12. 3 SCOPE

Motions must be about matters for which the Council has a responsibility or which affect the wellbeing of the administrative area of the Council.

12. 4 ONE MOTION PER MEMBER

No member may give notice of more than one motion for any Council meeting except with the consent of the Chair

12. 5 ALTERATION OF MOTION

- (a) Written amendments of Notices of Motion must be received by the Chief Executive 24 hours before the relevant Council meeting signed by the mover and seconder, and will be circulated to members by electronic means as soon as possible after receipt;
- (b) Only alterations which could be made as an amendment may be made i.e.:-
 - (i) to refer the matter to an appropriate body or individual for consideration or reconsideration;
 - (ii) to leave out words;
 - (iii) to leave out words and insert or add others; or
 - (iv) to insert or add words as long as the effect is not to negate a motion.

CPR 13 - MOTIONS WITHOUT NOTICE

The following motions may be moved without notice:

- (a) to appoint a Chair of the meeting at which the motion is moved;
- (b) in relation to the accuracy of the minutes;
- (c) to change the order of business in the agenda;
- (d) to refer something to an appropriate body or individual;
- (e) to appoint a committee or member arising from an item on the summons for the meeting;
- (f) to receive reports or adopt recommendations of committees or officers and any resolutions following from them;
- (g) to withdraw a motion;
- (h) to amend a motion;
- (i) to proceed to the next business;
- (j) that the question be now put;
- (k) to adjourn a debate;
- (l) to adjourn a meeting;
- (m) that the meeting continue beyond three hours in duration;
- (n) to suspend a particular Council procedure rule;
- (o) to exclude the public and press in accordance with the Access to Information Rules;
- (p) to not hear further a member named under Rule 20.3 or to exclude them from the meeting under Rule 20.5; and
- (q) to give the consent of the Council where its consent is required by this Constitution.

CPR 14 - RULES OF DEBATE

- (a) In all proceedings of the Council, the Executive Board and meetings of Committees the Welsh language and the English language shall have the same status and validity.
- (b) All persons shall have the right when addressing the Council to speak in Welsh or English.
- (c) Simultaneous translation facilities shall be provided at all meetings referred to in paragraph (a) above.

14.1 NO SPEECHES UNTIL MOTION SECONDED

No speeches may be made after the mover has moved a proposal and explained the purpose of it until the motion has been seconded.

14.2 RIGHT TO REQUIRE MOTION IN WRITING

Unless notice of the motion has already been given, the Chair may require it to be written down and handed to him/her before it is discussed.

14.3 SECONDER'S SPEECH

When seconding a motion or amendment, a member may reserve his/her speech until later in the debate.

14.4 CONTENT AND LENGTH OF SPEECHES

Speeches must be directed to the question under discussion or to a personal explanation or point of order. No speech may exceed four minutes without the consent of the Chair.

14.5 WHEN A MEMBER MAY SPEAK AGAIN

A member who has spoken on a motion may not speak again whilst it is the subject of debate, except:

- (a) to speak once on an amendment moved by another member;
- (b) to move a further amendment if the motion has been amended since he/she last spoke;
- (c) if his/her first speech was on an amendment moved by another member, to speak on the main issue (whether or not the amendment on which he/she spoke was carried);
- (d) in exercise of a right of reply;
- (e) on a point of order; and
- (f) by way of personal explanation.

14.6 AMENDMENTS TO MOTIONS

- (a) An amendment to a motion must be relevant to the motion and will either be:
 - (i) to refer the matter to an appropriate body or individual for consideration or reconsideration;
 - (ii) to leave out words;
 - (iii) to leave out words and insert or add others; or
 - (iv) to insert or add words as long as the effect of (ii) to (iv) is not to negate the motion.

- (b) Only one amendment may be moved and discussed at any one time. No further amendment may be moved until the amendment under discussion has been disposed of by being voted upon.
- (c) If an amendment is not carried, other amendments to the original motion may be moved.
- (d) If an amendment is carried, the motion as amended takes the place of the original motion. This becomes the substantive motion to which any further amendments are moved.
- (e) After an amendment has been carried, the Chair will read out the amended motion before accepting any further amendments, or if there are none, put it to the vote.

14.7 ALTERATION OF MOTION

- (a) A member may alter a motion which he/she has moved without notice with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion.
- (b) Only alterations which could be made as an amendment may be made.

14.8 WITHDRAWAL OF MOTION

A member may withdraw a motion which he/she has moved with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion. No member may speak on the motion after the mover has asked permission to withdraw it unless permission is refused.

14.9 RIGHT OF REPLY

- (a) The mover of a motion has a right to reply at the end of the debate on the motion, immediately before it is put to the vote.
- (b) If an amendment is moved, the mover of the original motion has the right of reply at the close of the debate on the amendment, but may not otherwise speak on it.
- (c) The mover of the amendment has no right of reply to the debate on his or her amendment.

14.10 MOTIONS WHICH MAY BE MOVED DURING DEBATE

When a motion is under debate, no other motion may be moved except the following procedural motions:-

- (a) to withdraw a motion;
- (b) to amend a motion;
- (c) to proceed to the next business;
- (d) that the question be now put;
- (e) to adjourn a debate;
- (f) to adjourn a meeting;
- (g) that the meeting continue beyond three hours in duration;
- (h) to exclude the public and press in accordance with the Access to Information Rules; and
- (i) to not hear further a member named under Rule 20.3 or to exclude them from the meeting under Rule 20.4.

14.11 CLOSURE MOTIONS

- (a) A member may move, without comment, the following motions at the end of a speech of another member:-
- (i) to proceed to the next business;
 - (ii) that the question be now put;
 - (iii) to adjourn a debate; or
 - (iv) to adjourn a meeting.
- (b) If a motion to proceed to next business is seconded and the Chair thinks the item has been sufficiently discussed, he or she will give the mover of the original motion a right of reply and then put the procedural motion to the vote.
- (c) If a motion that the question be now put is seconded and the Chair thinks the item has been sufficiently discussed, he/she will put the procedural motion to the vote. If it is passed he/she will give the mover of the original motion a right of reply before putting his/her motion to the vote.
- (d) If a motion to adjourn the debate or to adjourn the meeting is seconded and the Chair thinks the item has not been sufficiently discussed and cannot reasonably be so discussed on that occasion, he/she will put the procedural motion to the vote without giving the mover of the original motion the right of reply.

14.12 POINT OF ORDER

A member may raise a point of order at any time. The Chair will hear the point of order immediately. A point of order may only relate to an alleged breach of these Council Rules of Procedure or the law. The member must indicate the rule or law and the way in which he/she considers it has been broken. The ruling of the Chair on the matter will be final.

14.13 PERSONAL EXPLANATION

A member may make a personal explanation at any time. A personal explanation may only relate to some material part of an earlier speech by the member which may appear to have been misunderstood in the present debate. The ruling of the Chair on the admissibility of a personal explanation will be final.

CPR 15 - PREVIOUS DECISIONS AND MOTIONS

15.1 MOTION TO RESCIND A PREVIOUS DECISION

A motion or amendment to rescind a decision made at a meeting of Council within the past six months cannot be moved unless it is recommended by the Executive Board or a committee or notice in accordance with Procedure Rule 12 Motions on Notice has been given by as many members as would constitute a quorum of the Council.

15.2 MOTION SIMILAR TO ONE PREVIOUSLY REJECTED

A motion or amendment in similar terms to one that has been rejected at a meeting of Council in the past six months cannot be moved unless the notice of motion or

amendment is signed by at least as many members as would constitute a quorum of the Council. Once the motion or amendment is dealt with, no one can propose a similar motion or amendment for six months.

CPR.16 - VOTING

16.1 MAJORITY

Unless these rules provide otherwise, any matter will be decided by a simple majority of those members voting and present in the ~~room~~ meeting at the time the question was put.

**16.2 The members of the executive who share the same office (job share) have between them one vote in respect of any matter on which they have a right to vote because they are a member of the executive) (coming into force 5th May 2022)
Separate regulations will be laid for non-executive offices**

16.3 CHAIR'S CASTING VOTE

If there are equal numbers of votes for and against, the Chair will have a second or casting vote. There will be no restriction on how the Chair chooses to exercise a casting vote.

16.4 SHOW OF HANDS

Unless a recorded vote is demanded under Rule 16.4, the Chair will take the vote by show of hands, or if there is no dissent, by the affirmation of the meeting.

16.5 RECORDED VOTE

If 10 members present at the meeting demand it, the names for and against the motion or amendment or abstaining from voting will be taken down in writing and entered into the minutes (but only in relation to meetings of Council).

16.6 RIGHT TO REQUIRE INDIVIDUAL VOTE TO BE RECORDED

Where any member requests it immediately after the vote is taken, their vote will be so recorded in the minutes to show whether they voted for or against the motion or abstained from voting.

16.7 VOTING ON APPOINTMENT OF ELECTED MEMBERS TO POSITIONS TO BE FILLED BY THE AUTHORITY

Where a vote is required on a motion to appoint or elect a member of the Council to a position to be filled by the authority and there are two or more members nominated for that position, the names of all those nominated shall be put to the meeting in alphabetical order of surname. Those entitled to vote shall each vote for only one person. If there is not a majority of those voting in favour of one person, the name of

the person having the least number of votes shall be struck off the list and a fresh vote shall be taken, and so on until a majority of votes is given in favour of one person.

16.8 VOTING ON STAFF APPOINTMENTS

Where a vote is required on a motion to appoint a person to any paid office of employment under the authority voting shall be by ballot and where there are two or more candidates for that appointment, their names shall be put to the meeting in alphabetical order of surname. Those entitled to vote shall each vote for only one person. If there is not a majority of those voting in favour of one person, the name of the person having the least number of votes shall be struck off the list and a fresh vote shall be taken, and so on until a majority of votes is given in favour of one person.

CPR 17 – MINUTES

17.1 SIGNING THE MINUTES

The Chair will sign the minutes of the proceedings at the next appropriate meeting. The Chair will move that the minutes of the previous meeting be signed as a correct record. The only part of the minutes that can be discussed is their accuracy.

17.2 Where in relation to any meeting, the next meeting for the purpose of signing the minutes is a meeting called under paragraph 3 of schedule 12 to the Local Government Act 1972 (an Extraordinary Meeting), then the next following meeting (being a meeting called otherwise than under that paragraph) will be treated as a suitable meeting for the purposes of paragraph 41(1) and (2) of schedule 12 relating to signing of minutes.

17.3 FORM OF MINUTES

17.3.1 The decision records for executive decisions and minutes of Council and committee meetings will as appropriate record:-

- (a) the decision made;
- (b) the date the decision was made;
- (c) the reasons for that decision;
- (d) any personal interest declared;
- (e) any dispensation to speak granted by the authority's standards committee;
- (f) any consultation undertaken prior to the decision and, if such consultation has not taken place, the reason why.

17.3.2 In addition the minutes of Council and committee meetings will be proportionate to the matters under discussion. They will comprise a reasonably fair and coherent record of proceedings. Where the substance of the matter demands, they will contain in the preamble to each minute a brief summary of the matter under discussion and the principal points made during any debate without attributing views or opinions to any members by name.

17.3.3 Where parts of the minutes are excluded because they refer to exempt information and the minutes available do not provide a reasonably fair and coherent

record, a written summary will be provided which provides such a record without disclosing the exempt information.

17.3.4 Minutes will contain all motions and amendments in the exact form and order the chair put them.

CPR 18 - RECORD OF ATTENDANCE

All members present during the whole or part of a meeting must **if physically present** sign their names on the attendance sheets before the conclusion of every meeting to assist with the record of attendance.

A record of attendance will be kept by Democratic Services.

CPR 19 - EXCLUSION OF PUBLIC

Members of the public and press may only be excluded either in accordance with the Access to Information Rules in Part 4 of this Constitution or Rule 21 (Disturbance by Public).

CPR 20 - MEMBERS' CONDUCT

20.1 STANDING TO SPEAK (WHEN PHYSICALLY PRESENT AT MEETINGS)

When a member speaks at full Council he/she must stand, unless disabled from doing so or attending remotely, and address the meeting through the Chair. If more than one member stands, the Chair will ask one to speak and the others must sit. Other members must remain seated whilst a member is speaking unless they wish to make a point of order or a point of personal explanation.

Members attending remotely will not be required to stand.

20.2 CHAIR STANDING

When the Chair stands during a debate, any member speaking at the time must stop and sit down. The meeting must be silent.

For virtual meetings, should Chair demand it all members will be muted.

20.3 MEMBER NOT TO BE HEARD FURTHER

If a member persistently disregards the ruling of the Chair by behaving improperly or offensively or deliberately obstructs business, the Chair may move that the member be not heard further. If seconded, the motion will be voted on without discussion.

20.4 MEMBER TO LEAVE THE MEETING

If the member continues to behave improperly after a motion is carried under CPR 20.3 above, the Chair may move that either the member leaves the meeting or that the meeting is adjourned for a specified period **or that the member is virtually removed**. If seconded, the motion will be voted on without discussion.

20.5 GENERAL DISTURBANCE

If there is a general disturbance making orderly business impossible, the Chair may adjourn the meeting for as long as he/she thinks necessary.

CPR 21 - DISTURBANCE BY PUBLIC

21.1 REMOVAL OF MEMBER OF THE PUBLIC

If a member of the public interrupts proceedings, the Chair will warn the person concerned. If they continue to interrupt, the Chair will order their removal from the meeting room. The Chair may adjourn the meeting for as long as he/she thinks necessary.

21.2 CLEARANCE OF PART OF MEETING ROOM

If there is a general disturbance in any part of the meeting room open to the public, the Chair may call for that part to be cleared. The Chair may adjourn the meeting for as long as he/she thinks necessary.

CPR 22 – FILMING DURING MEETINGS

Save during parts of the meeting when the public are excluded under CPR 19 above filming and recording shall be permitted so long as there is no disturbance to the conduct of the meeting. ~~and only when meetings are also being webcast by the Authority.~~

CPR 23 - SUSPENSION AND AMENDMENT OF COUNCIL PROCEDURE RULES

23.1 SUSPENSION

All of these Council Rules of Procedure except Rule 16.6 and 17.2 may be suspended by motion on notice or, without notice if at least one half of the whole number of members of the Council or a Committee are present. Suspension can only be for the duration of the meeting.

Planning Committee membership as detailed within CPRs 4(9), 4(10) and 8 cannot be suspended as these are subject to the Size and Composition of Local Planning

Authority Committees (Wales) Regulations 2017 and the Local Authorities (Standing Orders)(Wales)(Amendment) Regulations 2017.

23.2 AMENDMENT

Any motion to add to, vary or, revoke these Council Rules of Procedure will, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.

CPR 24 - APPLICATION TO COMMITTEES

All of the Council Rules of Procedure apply to meetings of full Council. None of the rules apply to meetings of the Executive Board except CPR10 (Part A), CPR14 (a-c) and CPR 22. Only Rules 4–9, 11–14, 16–18 (but not rule 16.4), 19–23 (but not Rules 20.1, nor 22 (save for meetings of the Planning Committee)) apply to meetings of committees and sub-committees of the Licensing Committee.

Part 4.2 - Access to Information Procedure Rules

1. SCOPE

These rules apply to all meetings of the Council, the Executive Board, the Standards Committee and all other committees.

2. ADDITIONAL RIGHTS TO INFORMATION

These rules do not affect any more specific rights to information contained elsewhere in this Constitution or the law.

3. RIGHTS TO ATTEND MEETINGS

Members of the public may attend all meetings subject only to the exceptions in these rules.

4. NOTICES OF MEETING

The Council will give at least three clear days notice of any meeting by posting details of the meeting at County Hall , Carmarthen and on the Council's web site. However, an exception will arise where the Council has received an application from the Police under section 53A of the Licensing Act 2003 for the summary review of a premises licence (The Council being required to decide on whether to take any preliminary measures within 48 hours of receiving the application), the Council may give less than 3 clear days notice of the meeting of the Licensing Committee meeting called to consider the application.

5. ACCESS TO AGENDA AND REPORTS BEFORE THE MEETING

The Council will make copies of the agenda and reports open to the public available for inspection **on the Authority's website and** at the designated office at least three clear days before the meeting. If an item is added to the agenda later, the revised agenda (where reports are prepared after the summons has been sent out, the Chief Executive will make each such report available to the public as soon as the report is completed and sent to Councillors) will be open to inspection for the time the item was added to the agenda.

6. ACCESS TO AGENDA AND REPORTS

The Chief Executive will make paper copies available to the public for inspection at County Hall, Carmarthen for a period of one month after the date of the meeting otherwise details can be viewed on the Council's website.

7. ACCESS TO MINUTES ETC. AFTER THE MEETING

The Council will make available to view on its website copies of the following for a period of six years after a meeting:

- (a) the minutes of the meeting or record of decisions taken by the Executive Board , excluding any part of the minutes of proceedings when the meeting was not open to the public because exempt or confidential information was being considered;
- (b) a summary of any proceedings not open to the public where the minutes open to inspection would not provide a reasonably fair and coherent record;
- (c) the agenda for the meeting; and
- (d) reports relating to items when the meeting was open to the public.

8. BACKGROUND PAPERS

8.1 List of background papers

The Chief Executive will set out in every report a list of those documents (called background papers) relating to the subject matter of the report which in his/her opinion:

- (a) disclose any facts or matters on which the report or an important part of the report is based; and
- (b) which have been relied on to a material extent in preparing the report but does not include published works or those which disclose exempt or confidential information (as defined in Rule 10).

8.2 Public inspection of background papers

The Council will make available for public inspection for four years after the date of the meeting one copy of each of the documents on the list of background papers.

9. SUMMARY OF PUBLIC'S RIGHTS

These rules constitute the written summary of the public's rights to attend meetings and to inspect and copy documents as required by Sections 100A – H and schedule 12A of the Local Government Act 1972.

Copies will be available to inspect by the public at County Hall, Carmarthen, **and on the Authority's website.** ~~Town Hall, Llanelli, Municipal Offices Llandeilo, Town Hall Ammanford. They can also be viewed on the Council's web site.~~

10. EXCLUSION OF ACCESS BY THE PUBLIC TO MEETINGS

10.1 Public and private meetings of the Executive Board

The Executive Board may only make decisions in relation to its functions and conduct formal business in a properly constituted meeting that complies with Article 12 and these procedure rules. This does not prevent the Executive Board from holding informal deliberations in private, with or without officers present, but these meetings shall not take decisions.

10.2 Confidential information – requirement to exclude the public

The public must be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that confidential information would be disclosed.

10.3 Exempt information – discretion to exclude public

The public may be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that exempt information would be disclosed.

Where the meeting will determine any person's civil rights or obligations, or adversely affect their possessions, Article 6 of the Human Rights Act 1998 establishes a presumption that the meeting will be held in public unless a private hearing is necessary for one of the reasons specified in Article 6.

10.4 Meaning of confidential information

Confidential information means information given to the Council by a Government Department on terms which forbid its public disclosure or information which cannot be publicly disclosed by Court Order.

10.5 Meaning of exempt information

Information falling within the scope of paragraphs 12 to 18 of Part 4 of Schedule 12A to the Local Government Act 1972, subject to the qualifications and interpretation set out in Parts 5 and 6 of the Schedule, a summary of which is set out below:

CATEGORY OF EXEMPT INFORMATION	QUALIFICATION
12. Information relating to a particular individual	Public interest test applies (see below)
13. Information which is likely to reveal the identity of an individual.	Public interest test applies (see below)
14. Information relating to the financial or business affairs of any particular person (including the authority holding that information)	Information falling within paragraph 14 is not exempt information by virtue of that paragraph if it is required to be registered under- the Companies Act 1985; the Friendly Societies Act 1974; the Friendly Societies Act 1992; the Industrial and Provident Societies Acts 1965 to 1978; the Building Societies Act 1986; or the Charities Act 1993 Public interest test applies (see below)
15. Information relating to any consultations or negotiations, or contemplated consultations or negotiations in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.	Public interest test applies (see below)
16. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.	(No public interest test)
17. Information that reveals that the authority proposes; (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or (b) to make an order or direction under any enactment.	Public interest test applies (see below)

CATEGORY OF EXEMPT INFORMATION	QUALIFICATION
18. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.	Public interest test applies (see below)
(in relation to a meeting of a standards committee, or a sub-committee of a standards committee, which is convened to consider a matter referred under the provisions of section 70(4) or (5) or 71(2) of the Local Government Act 2000): 18A. Information which is subject to any obligations of confidentiality 18B. Information which relates in any way to matters concerning national security. 18C. The deliberations of a standards committee or a sub-committee of a standards committee established under the provisions of Part 3 of the Local Government Act 2000 in reaching any finding on a matter referred to it.	Public interest test applies (see below)
	Information is not exempt if it relates to proposed development for which the local planning authority may grant itself planning permission pursuant to regulation 3 of the Town and Country Planning General Regulations 1992

Public Interest Test

Information which-

- (a) falls within any of paragraphs 12 to 15, 17 and 18 above
- (b) is not prevented from being exempt by virtue of the qualifications above

is exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

INTERPRETATION: WALES

(1) In Parts 4 and 5 and this Part of this Schedule —

“employee” means a person employed under a contract of service;

“financial or business affairs” includes contemplated, as well as past or current, activities;

“labour relations matter” means —

(a) any of the matters specified in paragraphs (a) to (g) of section 218(1) of the Trade Union and Labour Relations (Consolidation) Act 1992 (matters which may be the subject of a trade dispute, within the meaning of that Act); or

(b) any dispute about a matter falling within paragraph (a) above;

and for the purposes of this definition the enactments mentioned in paragraph (a) above, with the necessary modifications, shall apply in relation to office-holders under the authority as they apply in relation to employees of the authority;

“office-holder”, in relation to the authority, means the holder of any paid office appointments to which are or may be made or confirmed by the authority or by any joint board on which the authority is represented or by any person who holds any such office or is an employee of the authority;

“registered” in relation to information required to be registered under the Building Societies Act 1986, means recorded in the public file of any building society (within the meaning of that Act).

(2) Any reference in Parts 4 and 5 and this Part of this Schedule to “the authority” is a reference to the principal council or, as the case may be, the committee or sub-committee in relation to whose proceedings or documents the question whether information is exempt or not falls to be determined and includes a reference —

(a) in the case of a principal council, to any committee or sub-committee of the council; and

(b) in the case of a committee, to —

(i) any constituent principal council;

(ii) any other principal council by which appointments are made to the committee or whose functions the committee discharges; and

(iii) any other committee or sub-committee of a principal council falling within subparagraph (i) or (ii) above; and

(c) in the case of a sub-committee, to —

(i) the committee, or any of the committees, of which it is a sub-committee; and

(ii) any principal council which falls within paragraph (b) above in relation to that committee”.

11. EXCLUSION OF ACCESS BY THE PUBLIC TO REPORTS

If the Monitoring Officer thinks fit, the Council may exclude access by the public to reports which in his or her opinion relate to items during which, in accordance with Rule 10, the meeting is likely not to be open to the public. Such reports will be marked "Not for publication" together with the category of information likely to be disclosed.

12. THE FORWARD WORK PROGRAMME

12.1 Period of forward work programme

The forward work programme will be prepared by the Chief Executive to cover a period of one year. It will be updated quarterly.

12.2 Contents of forward work programme

The forward work programme will contain matters which the Executive Board, scrutiny committees and full Council are likely to consider. It will contain information on:

- (a) the timetable for considering the budget and any plans forming part of the Budget and Policy Framework and requiring Council approval, and which body is to consider them;
- (b) the timetable for considering any plans which are the responsibility of the executive;
- (c) any individual matters on which the executive intends to consult in advance of taking a decision, and the timetable for consultation and decision;
- (d) the work programme of the scrutiny committees, to the extent that it is known.

The forward work programme will be published at least 14 days before the start of the period covered. The Chief Executive will also publish the programme on the Council's web site.

13. CONSULTATION ON PROPOSALS TO BE CONSIDERED BY THE EXECUTIVE

13.1. At least 4 weeks should be permitted in the forward plan timetable for consultation with relevant scrutiny committees and ward members where a matter is to be considered by the executive and is not urgent (as defined below) or confidential or exempt (as defined in para 10).

13.2 A matter may be considered urgent where the events to which it is addressed were unforeseen at the time that the last forward work programme was produced and a decision is required within 4 weeks.

13.3 A decision can only be treated as urgent if the decision taker (if an individual) or the chair of the body making the decision obtains the agreement of the chair of a relevant scrutiny committee that the taking of the decision cannot be reasonably deferred. If there is no chair of a relevant scrutiny committee, or if the chair of each relevant scrutiny committee is unable to act then the agreement of the Chair of the Council, or in his/her absence the Vice Chair will suffice. Any decisions taken under this urgency procedure will be recorded as having been taken in the absence of consultation in the decision record.

14. RECORD OF DECISIONS OF THE EXECUTIVE

14.1 The decision record

A written record will be made of every executive decision made by the Executive Board and its committees (if any) and individual members, and by joint committees whose members are all members of a local authority executive.

This decision record will include a statement, for each decision, of:

- the decision made;
- the date the decision was made;
- the reasons for that decision;
- any personal interest declared;
- any dispensation to speak granted by the authority's standards committee;
- the consultation undertaken prior to the decision and, if such consultation has not taken place, the reason why.

14.2 Preparing the decision record

14.2.1 The Chief Executive or an officer designated by him when attending any meeting of the Executive Board or, where an individual member has made any executive decision, will produce a decision record, normally within three working days of the meeting. The decision will not be implemented until the decision record has been produced, subject to paragraph 14.2.2 below.

14.2.2 Where the date by which an executive decision made by an individual member must be implemented makes compliance with 14.2.1 above impracticable, the decision may be implemented if the decision maker has the agreement of the Chair of the relevant scrutiny committee, or if there is no such person or that person is unable to act, the Chair of the Council, or if there is no Chair of the relevant scrutiny committee or the Council, the Vice-Chair of the Council that the making of the decision is urgent and cannot reasonably be deferred.

15. DECISIONS BY AN INDIVIDUAL MEMBER OF THE EXECUTIVE BOARD

15.1 Reports intended to be taken into account

Where an individual member of the Executive Board receives a report which he/she intends to take into account in making any decision, then he/she will not make the decision until at least 3 clear days after receipt of that report.

15.2 Provision of copies of reports to scrutiny committees

On giving of such a report to an individual decision maker, the Chief Executive will give a copy of it to the Chair and members of every relevant scrutiny committee as soon as reasonably practicable, and make it publicly available at the same time.

15.3 Record of individual decision

The decision recording rules in para. 14 will apply.

16. SCRUTINY COMMITTEE MEMBERS' ACCESS TO DOCUMENTS

16.1 Rights of access

Subject to Rule 16.2 below, a scrutiny committee will be entitled to access any document which is in the possession or control of the Executive Board or its committees and which contains material relating to:

- (a) any business transacted at a meeting of the Executive Board [or its committees if any;
or
- (b) any decision taken by an individual member of the Executive Board.

16.2 Limit on rights

A scrutiny committee will not be entitled to any part of a document that contains:

confidential or exempt information, or advice provided by a political advisor or assistant, unless that information is relevant to an action or decision that is being reviewed or scrutinised or, any review contained in a programme of work of that committee.

17. ADDITIONAL RIGHTS OF ACCESS FOR MEMBERS

17.1 Rights of access

All members will be entitled to inspect any document which is in the possession or under the control of the Executive Board or its committees if any and contains material relating to any business transacted at a meeting of the Executive Board or by an individual Executive Board member.

17.2 Limitation on rights

A member will not be entitled to any part of a document where it would disclose exempt information falling within paragraphs 1 to 6, 9, 11, 12 and 14 of Part 1 of Schedule 12A of the Local Government Act 1972, or it would disclose advice of a political advisor or assistant.

17.3 Nature of rights

These rights of a member are additional to any other right he/she may have.

Part 4.4 – Executive Procedure Rules

1.1 Who may make executive decisions?

The arrangements for the discharge of executive functions are set out in Part 3 of this Constitution. If they are not set out there, then the Leader may decide how they are to be exercised. In either case, the arrangements or the Leader may provide for executive functions to be discharged by:

- i. the Executive Board as a whole;
- ii. A committee of the Executive Board;
- iii. an individual member of the Executive Board;
- iv. an officer;
- v. joint arrangements; or
- vi. another local authority.

1.2 Scheme of Delegation

At the first annual meeting of the Council following a Council election the Council will approve a written scheme of delegations made which may include delegation by the leader for inclusion in Part 3 to this Constitution. They will contain the following information about executive functions in relation to the coming year.

- (i) The names, addresses and electoral divisions of the people appointed to the Executive Board by the Leader;
- (ii) The extent of any authority delegated to executive members individually including the details of the limitation of their authority;
- (iii) The terms of reference and constitution of such Executive Board Committees, if any, as the Leader may appoint and the names of executive Board members appointed by them;
- (iv) The nature and extent of any delegation of executive functions to area committees, any other authority or any joint arrangements and the names of those executive members appointed to any joint committee for the coming year; and
- (v) The nature and extent of any delegation to officers with details of any limitation on that delegation, and the title of the officer to whom the delegation is made.

1.3 Sub-delegation of executive functions

- (a) Where the Executive Board, a committee of the Executive Board or an individual Executive Board Member is responsible for an executive function,

they may delegate further by making joint arrangements, or by delegating to an officer;

- (b) Unless the Council directs otherwise, if the leader delegates functions to the executive Board then the Executive Board may delegate further to a committee of the Executive Board or to an officer;
- (c) Unless the Leader directs otherwise, a committee of the executive Board to whom functions have been delegated by the Leader may be delegated further to an officer;
- (d) Even where executive functions have been delegated, that fact does not prevent the discharge of delegated functions by the person or body who delegated.

1.4 The Council's scheme of delegation and executive functions

- (a) Subject to (b) below the Council's Scheme of Delegation will be subject to adoption by the Council and may only be amended by the Council. It will contain the details required in Article 7 and set out in part 3 of this Constitution.
- (b) If the Leader of the Council is able to decide whether to delegate executive functions he/she may amend the scheme of delegation relating to executive functions at any time during the year. To do so, the Leader must give written notice to the Chief executive and to the person, body or committee concerned. The notice must set out the extent of the amendment to the scheme of delegation, and whether it entails the withdrawal of delegation from any person, body, committee or executive as a whole. The Chief executive will present a report to the next ordinary meeting of the Council setting out the changes made by the Leader.
- (c) Where the Leader seeks to withdraw delegation from a committee, notice will be deemed to be served on that committee when he/she has served it on the chair.

1.5 Conflicts of Interest

- (a) Where the Leader has a conflict of interest this should be dealt with as set out in the Council's Code of Conduct for Members in Part 5 of this Constitution.
- (b) If every member of the executive has a conflict of interest this should be dealt with as set out in the Council's Code of Conduct for Members in Part 5 of this Constitution
- (c) If the exercise of an executive function has been delegated to a committee of the executive, an individual Executive Board Member or an officer, and should a conflict of interest arise, then the function will be exercised by the person or body by whom the delegation was made.

1.6 Executive meetings – when and where?

The executive will meet at least 12 times per year at times and locations to be agreed by the Chief Executive.

1.7 Quorum

The quorum for a meeting of the Executive Board, or a committee of it, shall be four members.

1.8 How are decisions taken by the Executive ?

- (a) Executive Board decisions which have been delegated to the executive Board as a whole will be taken at a meeting convened in accordance with the Access To Information Rules in Part 4 of the Constitution.
- (b) Where executive decisions are delegated to a committee of the executive Board the rules applying to executive decisions taken by them shall be the same as those applying to those taken by the executive as a whole.

2. How are the executive meetings conducted?

2.1 Who presides?

If the Leader is present he/she will preside. In his / her absence a Deputy Leader will preside, in the absence of the Leader and Deputy Leader(s) then a person will be appointed to preside by those present.

If there are equal numbers of votes for and against a proposal, the person presiding will have a second or casting vote. There will be no restriction on how the person presiding chooses to exercise a casting vote.

2.2 Who may attend?

(i) Meetings will be open to the public and to other members of the authority subject to the access to information rules set out in Part 4 of this Constitution.

(ii) Members of the Council who are not members of the Executive Board may attend open meetings of the Executive Board and may speak at the discretion of the Chair.

(iii) 'Assistants to the Executive' who are not members of the Executive Board are entitled to attend, and speak at, any meeting of the Executive Board or any of the Executive Board's Committees (comes into force 5th May 2022).

(iv) Members of the Council who are not members of the Executive Board may not attend closed sessions of the Executive Board save that the Executive Board will allow the Chair of Council, Leader and the Deputy Leader of the Opposition and the Chairs of the Scrutiny Committees to attend those closed sessions and speak at the discretion of the Chair.

2.3 What business?

At each meeting of the executive the following business will be conducted:

- i. consideration of the minutes of the last meeting;
- ii. declarations of interest, if any;
- iii. questions by members of the public;
- iv. matters referred to the executive whether by a scrutiny committee or by the Council for reconsideration by the executive in accordance with the provisions contained in the Scrutiny Procedure Rules set out in Part 4 of this Constitution;
- v. consideration of reports from scrutiny committees; and
- vi. matters set out in the agenda for the meeting.

2.4 Consultation

All reports to the Executive Board from any member of the executive or an officer on proposals relating to the budget and policy framework must contain details of the nature and extent of consultation with stakeholders and relevant scrutiny committees, and the outcome of that consultation. Reports about other matters will set out the details and outcome of consultation as appropriate. The level of consultation required will be appropriate to the nature of the matter under consideration.

2.5 Who can put items on the executive agenda?

The Leader and / or the Chief Executive will decide upon the agenda for the meetings of the Executive Board.

2.6 Questions by Members of the Public

The provisions of CPR 10 in relation to members of the public's ability to ask questions of the executive shall apply to meetings of the executive

2.7 Filming and Recording of Meetings

Save for such parts of the meeting where the public have been excluded under CPR 19 meetings of the Executive Board shall be webcast. In addition the provision of CPR 22 in relation to filming and recording of meetings by members of the public shall apply to meetings of the executive.

Part 4.8 - Officer Employment Procedure Rules

These Rules are designed to conform with the requirements of The Local Authorities (Standing Orders) (Wales) Regulations 2006 (as amended by The Local Authorities (Standing Orders)(Wales)(Amendment) Regulations 2014).

In these rules the following terms are defined:

“chief officer” in relation to the Council means

(a) the ~~Head of Paid Service~~ **Chief Executive**;

(b) the Monitoring Officer;

(c) a statutory chief officer mentioned in paragraphs (a)(c) or (d) of section 2(6) of the Local Government and Housing Act 1989; or

(d) a non-statutory chief officer (within the meaning of section 2(7) of the local Government and Housing Act 1989)

And any reference to an appointment or purported appointment of a chief officer includes a reference to the engagement or purported engagement of such an officer under a contract of employment.

“chief finance officer” means the officer having responsibility for the purposes of section 151 of the Local Government Act 1972 (financial administration) for the administration of the local authority’s financial affairs.

“disciplinary action” in relation to a member of staff means any action occasioned by alleged misconduct which, if proved, would, according to the usual practice of the Council, be recorded on the member of staff’s personal file, and includes any proposal for dismissal of a member of staff for any reason other than redundancy, permanent illness or infirmity of mind or body, but does not include failure to renew a contract of employment for a fixed term unless the Council has undertaken to renew such a contract.

“head of democratic services” means the officer designated under section 8 of the Local Government (Wales) Measure 2011

~~“head of paid service”~~ “Chief Executive” means the officer designated under section 4(1) of ~~the Local Government and Housing Act 1989 (designation and reports of head of paid service)~~ **54 of the Local Government and Elections (Wales) Act 2021**

“member of staff” means a person appointed or holding a paid office or employment with the Council.

“monitoring officer” means the officer designated under section 5(1) of the Local Government and Housing Act 1989 (designation and reports of monitoring officer)

“remuneration” in relation to a chief officer has the same meaning as in section 43(3) of the Localism Act 2011 ie.

- (a) The chief officer’s salary or, in the case of a chief officer engaged by the authority under a contract for services payments made by the authority to the chief officer for those services,
- (b) any bonuses payable by the authority to the chief officer
- (c) any charges, fees or allowances payable by the authority to the chief officer;
- (d) any benefits in kind to which the chief officer is entitled as a result of the chief officer’s office or employment;
- (e) any increase in or enhancement of the chief officer’s pension entitlement where the increase or enhancement is as a result of a resolution of the authority; and
- (f) any amounts payable by the authority to the chief officer on the chief officer ceasing to hold office under or be employed by the authority, other than amounts that may be payable by virtue of any enactment.

For details relating to appointments, composition and functions of the relevant Appointments Committees and Investigation Committees see Part 3 of the Council’s Constitution.

1. Recruitment and appointment

(a) Declarations

- i) The Council will draw up a statement requiring any candidate for appointment as an officer to state in writing whether they are the parent, grandparent, partner, child, stepchild, adopted child, grandchild, brother, sister, uncle, aunt, nephew or niece of an existing Councillor or officer of the Council; or of the partner of such persons.
- ii) No candidate so related to a Councillor or an officer will be appointed without the authority of the relevant chief officer or an officer nominated by him/her.

(b) Seeking support for appointment.

- i) Subject to paragraph (iii), the Council will disqualify any applicant who directly or indirectly seeks the support of any Councillor for any appointment with the Council. The content of this paragraph will be included in any recruitment information.
- ii) Subject to paragraph (iii), no Councillor will seek support for any person for any appointment with the Council.
- iii) Nothing in paragraphs (i) and (ii) above will preclude a Councillor from giving a written reference for a candidate for submission with an application for appointment.

2. Recruitment of ~~Head of Paid Service~~ Chief Executive, Directors and Heads of Service

(i) Where the Council proposes to appoint a Chief Officer and the remuneration it proposes to pay is £100,000 or more per annum it will:

- (a) draw up a statement specifying:
 - i) the duties of the officer concerned; and
 - ii) any qualifications or qualities to be sought in the person to be appointed;
- (b) make arrangements for the post to be publicly advertised in such a way as is likely to bring it to the attention of persons who are qualified to apply for it; and
- (c) make arrangements for a copy of the statement mentioned above to be sent to any person on request.

(ii) Where sub-paragraphs 2(i)(a)(i)&(ii) apply the Council is not required to take the step set out in sub-paragraph 2(i)(b) above if it proposes to appoint the chief officer for a period of no longer than 12 months.

(iii) determine the level, and any change in the level, of the remuneration to be paid to a chief officer

3. Appointment of ~~Head of Paid Service~~ Chief Executive

The full Council will approve the appointment of ~~Head of Paid Service~~ Chief Executive following the recommendation of such an appointment by Appointments Committee "A".

4. Appointment of Directors and Heads of Service

- 4.1 Appointments Committee "A" will appoint Directors.
- 4.2 Appointments Committee "B" will appoint Heads of Services including the Monitoring Officer and the Head of Democratic Services.

5. Short-listing for Appointment of Head of Paid Service, Directors and Heads of Service

5.1 The following arrangements shall apply for short-listing and appointment whether or not external candidates are to be considered:

	<u>Short-listing</u>	<u>Appointment by</u>
Chief Executive/Head of Paid Service	Appointments Committee "A"	Council on the recommendation of Appointments Committee "A"
Director(s)	Eight members of Appointments	Appointments

	Committee “A” reflecting the political balance of the Council and chosen on rota via alphabetical order (to also include the Executive Board Member within whose service area the post is located)	Committee “A”
Heads of Services	Relevant Director for the service concerned in consultation with the relevant Executive Board Member(s) and relevant Chair of Scrutiny Committee.	Appointments Committee “B”

5.2 Where no qualified person has applied who meets the essential requirements of the post, the persons responsible for short-listing applicants for the appointment shall be authorised not to proceed with the appointment and approve further arrangements for advertisement of the post(s) in accordance with paragraph 2(b) above.

6. Other appointments

(a) Officers below Head of Services

Appointment of officers below Heads of Service (other than assistants to political groups) is the responsibility of the ~~head of paid service~~ Chief Executive or his/her nominee, and may not be made by Councillors, except that the appointment of teachers and other staff of schools employed by the local education authority is dealt with by regulations made under Section 35(4) and (5) of the Education Act 2002.

(b) Assistants to political groups.

Appointment of an assistant to a political group shall be made in accordance with the wishes of that political group.

7. Disciplinary action

(a) The ~~Head of Paid Service~~ Chief Executive, Monitoring Officer and Chief Finance Officer and the Head of Democratic Services, or an officer to whom disciplinary action is proposed where the officer was, but at the time of the proposed disciplinary action no longer is, the ~~Head of Paid Service~~ Chief Executive, the Monitoring Officer, the Chief Finance Officer or the Head of Democratic Services and the alleged misconduct or, as the case may be, the reason for the proposal for dismissal, occurred during the period when the officer was one of those officers, may be suspended whilst an investigation takes place into alleged misconduct. That suspension will be on full pay and last no longer than two months. No other disciplinary action may be taken in respect of any of the above officers except in accordance with a recommendation in a report made by a designated independent person appointed by the Council’s Investigation Committee.

(b) Disciplinary action against Directors will be undertaken by Investigation Committee “A”.

- (c) Disciplinary action against Heads of Service will be undertaken by Investigation Committee “B”.
- (d) Disciplinary action against an assistant to a political group is a matter for the political group that appointed that person.
- (e) Disciplinary action against, or suspension of teachers and other staff of schools employed by the local education authority is dealt with by regulations made under Section 35(4) and (5) of the Education Act 2002.
- (f) Councillors will not be involved in the disciplinary action against any officer below heads of service, except where such involvement is necessary for any investigation or inquiry into alleged misconduct, though the Council’s disciplinary, capability and related procedures, as adopted from time to time, may allow a right of appeal to members in respect of disciplinary action.

8. Dismissal

- (a) ~~The Head of Paid Service~~ **Chief Executive**, Monitoring Officer and Chief Finance Officer and Head of Democratic Services and any officers who were in those posts at the time of the alleged misconduct or, as the case may be, the reason for the proposal for a dismissal may only be dismissed by full Council, after consideration of the report of a designated independent person appointed by the Council’s Investigation Committee.
- (b) Subject to (a) above, Directors may only be dismissed by Investigation Committee “A”.
- (c) Subject to (a) above, Heads of Service may only be dismissed by Investigation Committee “B”.
- (d) Councillors will not be involved in the dismissal of any officer below heads of services except where such involvement is necessary for any investigation or inquiry into alleged misconduct, though the Council’s disciplinary, capability and related procedures as adopted from time to time will allow a right of appeal to the Appeals Committee.
- (e) Dismissal of an assistant to a political group is a matter for the political group that appointed that person. Dismissal of teachers and other staff of schools employed by the local education authority is dealt with by regulations made under Section 35(4) and (5) of the Education Act 2002.

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PART 5.4 - Officers' Code of Conduct

1.0 Introduction

This Code of Conduct includes the statutory requirements of the Code of Conduct (Qualifying Local Government Employees) (Wales) Order 2001 which came into force on the 28th July 2001. The Order provides that by virtue of section 82(7) of the Local Government Act 2000 the terms of appointment or conditions of employment of employees of relevant authorities to whom the code applies are to be deemed to incorporate the code of conduct set out in the Schedule to the Order. This document satisfies that requirement.

2.0 General Principles

The public is entitled to expect the highest standards of conduct from all employees. The role of such employees is to serve their employing authority in providing advice, implementing its policies, and delivering services to the local community. In performing their duties, employees must act with integrity, honesty, impartiality and objectivity. Employees will be expected, through agreed procedures and without fear of recrimination, to bring to the attention of the appropriate level of management, any deficiency in the provision of service.

3.0 Accountability

Employees work for their employing authority and serve the whole of that authority. They are accountable to, and owe a duty to that authority. They must act in accordance with the principles set out in this Code, recognising the duty of all public sector employees to discharge public functions reasonably and according to the law.

4.0 Treatment of Information

- 4.1 Openness in the dissemination of information and decision making should be the norm. However, certain information may be confidential or sensitive and therefore not appropriate for a wide audience. Where confidentiality is necessary to protect the privacy or other rights of individuals or bodies, information should not be released to anyone other than a member, authority employee or other person who is entitled to receive it, or needs to have access to it for the proper discharge of their functions. Nothing in this Code can be taken as overriding existing statutory or common law obligations to keep certain information confidential, or to divulge certain information. Employees should consult their immediate superior if there is any uncertainty regarding the status of any type of information.

- 4.2 Employees should not use any information obtained in the course of their employment for personal gain or benefit, nor should they pass it on to others who might use it in such a way. Any particular information received by an employee from a member which is personal to that member and does not belong to the authority, should not be divulged by the employee without the prior approval of that member, except where such disclosure is required or sanctioned by the law.

5.0 Political Neutrality

- 5.1 Employees serve the authority as a whole. It follows they must serve all members and not just those of a particular group, and must ensure that the individual right of all members are respected.
- 5.2 Subject to the authority's conventions, employees may also be required to advise political groups. They must do so in ways which do not compromise their political neutrality.
- 5.3 Employees, whether or not politically restricted, must follow every lawfully expressed policy of the authority and must not allow their own personal or political opinions to interfere with their work. When employees are politically restricted (by reason of the post they hold, the nature of the work they do, or the salary they are paid), they must comply with any statutory restrictions on their political activities.
- 5.4 Political assistants appointed on fixed term contracts in accordance with the Local Government and Housing Act 1989 are exempt from the standards set in paragraph 5.1 to 5.2.

6.0 Relations with members, the public and other employees

6.1 Members

Employees are responsible to the authority through its senior managers. For some, their role is to give advice to members and senior managers and all are there to carry out the authority's work. Mutual respect between employees and members is essential to good local government, and working relationships should be kept on a professional basis.

6.2 The Public and Service Users

Employees should always remember their responsibilities to the community they serve and ensure courteous, efficient and impartial service delivery to all groups and individuals within that community as defined by the policies of the authority. Employees should deal with the public, members, and other employees sympathetically, efficiently, and without bias.

6.3 Contractors

All relationships of a business or private nature with external contractors, or potential contractors, should be made known to the appropriate manager. Orders and contracts must be awarded on merit, by fair competition against other tenders, and no special favour should be shown to business run by, for example, friends, partners or relatives in the tendering process. No part of the local community should be discriminated against.

6.4 Employees who engage or supervise contractors or have any other official relationship with contractors and have previously had or currently have a relationship in a private or domestic capacity with contractors should declare that relationship to the appropriate manager.

7.0 Appointment of Staff and Other Employment Matters

7.1 Employees involved in the recruitment and appointment of staff must ensure that appointments are made on the basis of merit. In order to avoid any possible accusation of bias, such employees must not be involved in any appointment, or any other decisions relating to discipline, promotion or pay and conditions for any employee, or prospective employee, to whom they are related, or with whom they have a close personal relationship outside work.

8.0 Outside Commitments

8.1 Employees should not take outside employment which conflicts with the authority's direct interests.

8.2 Employees should follow the authority's rules on the ownership of intellectual property or copyright created during their employment.

9.0 Employees Undertaking Private Work

9.1 Employees of Carmarthenshire County Council are NOT permitted to undertake private work which relates to any matters likely to require consideration or approval by the Council or an employee authorised to act on it's behalf without the prior written consent of the authority through the Assistant Chief Executive People Management & Performance) in consultation with the departmental Chief Officer.

9.2 Where an employee may desire to undertake work for their personal gain, prior written approval must be obtained from the Assistant Chief Executive People Management & Performance) following consultation with the employee's own Chief Officer.

- 9.3 Should the Assistant Chief Executive (People Management & Performance) and departmental Chief Officer encounter any difficulty in sanctioning such a request, the matter may be referred to the Appeals Committee for determination.

FAILURE TO ADHERE TO THE ABOVE RULING WILL CONSTITUTE GROSS MISCONDUCT AND RESULT IN SUMMARY DISMISSAL IN ACCORDANCE WITH THE COUNCIL'S DISCIPLINARY PROCEDURE

10.0 Personal Interests

- 10.1 Whilst employees' private lives are their own concern, they must not allow their private interests to conflict with their public duty. They must not misuse their official position or information acquired in the course of their employment to further their private interests, or the interests of others.
- 10.2 Employees must declare in writing to their Chief Officer any financial and non-financial interests that they consider could bring about conflict with the authority's interests.
- 10.3 Employees must comply with rules on the declaration of hospitality or gifts offered to or received by them, from any person or organisation doing or seeking to do business, or otherwise benefiting or seeking to benefit from a relationship with the authority. Employees must not accept benefits from a third party unless authorised to do so by the authority (see Section 15).

11.0 Equality Issues

- 11.1 All local government employees should ensure that policies relating to equality issues as agreed by the authority are complied with in addition to the requirements of the law. All members of the local community, customers and other employees have a right to be treated with fairness and equity.

12.0 Separation of Role During Tendering

- 12.1 Employees involved in the tendering process and dealing with contractors must be aware of client and contractor roles within the authority. Senior employees who have both a client and contractor responsibility must be aware of the need for accountability and openness.
- 12.2 Employees in contractor or clients units must exercise fairness and impartiality when dealing with all customers, suppliers, other contractors and sub-contractors.
- 12.3 Employees who are privy to confidential information on tenders or costs for either internal or external contractors must not disclose that information to any unauthorised party or organisation. Failure to follow this ruling will result in disciplinary action in accordance with the Council's disciplinary procedure.
- 12.4 Employees contemplating a management buyout should, as soon as they have formed a definite intent, inform the appropriate manager and withdraw from the contract awarding processes.
- 12.5 Employees must ensure that no special favour is shown to current or recent former employees or their partners, close relatives or associates in awarding contracts to businesses run by them or employing them in a senior or relevant managerial capacity.

13.0 Corruption

- 13.1 Employees must be aware that it is a serious criminal offence for them corruptly to receive or give any gift, loan, fee, reward or advantage for doing, or not doing anything or showing favour, or disfavour, to any person in their official capacity. Allegations of this nature will be investigated/dealt with in accordance with the Council's disciplinary procedure.

14.0 Stewardship

- 14.1 Employees must ensure that they use public funds entrusted to them in a responsible and lawful manner and must not utilise property, vehicles or other facilities of the authority for personal use unless authorised to do so. They should strive to ensure value for money to the local community and to avoid legal challenge to the authority.

15.0 Hospitality

- 15.1 Offers of Gifts or Hospitality should immediately be reported to your Line Manager who will consider whether it is appropriate to be accepted. Any Hospitality or offer of Gift should only be accepted if properly authorised by a Line Manager and subsequently recorded on the appropriate register.

Employees should only accept offers of hospitality if there is a genuine need to impart information or represent the local authority in the community. Offers to attend purely social, cultural or sporting functions should be accepted only when these are part of the life of the community and where the authority should be seen to be represented.

- 15.2 When hospitality has to be declined those making the offer should be courteously but firmly informed of the procedures and standards operating within the authority.
- 15.3 Employees must not accept significant personal gifts from contractors and outside suppliers, although the authority will allow employees to keep insignificant items of token value such as pens, diaries etc.
- 15.4 When receiving authorised hospitality employees and Line Managers should be particularly sensitive as to its timing in relation to decisions which the authority may be taking affecting those providing the hospitality.
- 15.5 Acceptance by employees of hospitality through attendance at relevant conferences and courses is acceptable where it is clear that hospitality is corporate rather than personal. Where visits to inspect equipment etc. are required, employees should ensure that the authority meets the cost of such visits to avoid jeopardising the integrity of subsequent purchasing decisions.
- ~~15.6 Gifts or hospitality accepted with a cash or in kind value estimated to exceed £25.00 should be recorded on the declaration form completed by your Line Manager / Head of Service / Director (as appropriate) and will then be forwarded to the Department's Nominated Officer for countersigning and inclusion in the departmental register.~~

16.0 Sponsorship - Giving and Receiving

- 16.1 Where an outside organisation wishes to sponsor or is seeking to sponsor a local government activity, whether by invitation, tender, negotiation or voluntarily, the basic conventions concerning acceptance of gifts or hospitality apply. Particular care must be taken when dealing with contractors or potential contractors.
- 16.2 Where the authority wishes to sponsor an event or service neither an employee nor any partner, spouse or relative must benefit from such sponsorship in a direct way without there being full disclosure to an appropriate manager of any such interest. Similarly, where the authority through sponsorship, grant aid, financial or other means, gives support in the community, employees should ensure that impartial advice is given and that there is no conflict of interest involved.

17.0 Whistle-blowing

In the event that an employee becomes aware of activities which that employee believes to be illegal, improper, unethical or otherwise inconsistent with this Code, the employee should report the matter, acting in accordance with the employee's rights under the Public Interest Disclosure Act 1998, and the authority's confidential reporting procedure i.e. the Whistle-blowing Policy. [The policy is available on the Intranet at Documents; Personnel; Policies-Procedures-Guidance-Proformas-Templates; 'Whistle-blowing Policy' and a copy should be available in each section. Alternatively you can contact Corporate Human Resources direct and confidentially on (01267) 22470 if you would prefer not to request a copy from your line manager].

18.0 Investigations by Monitoring Officers

Where a monitoring officer is undertaking an investigation in accordance with regulations made under section 73(1) of the Local Government Act 2000 an employee must comply with any requirement made by that monitoring officer in connection with such an investigation.

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Part 5.5 - Protocol on Member/Officer Relations

1. INTRODUCTION

- 1.1 This protocol reflects the recommendations of the Committee on Standards in Public Life in relation to standards of conduct in local government. In particular, the Committee recommend the adoption, by all local authorities, of a written code of conduct for members and for officers. The Council has adopted separate codes of conduct for members and officers which embody the mandatory provisions contained in regulations made by the National Assembly for Wales.
- 1.2 This protocol should be read and applied in conjunction with those codes of conduct. The principles and procedures set out in this protocol are already, to a large extent, established and form the basis of the Council's working arrangements. The purpose of this protocol is to provide guidance on member/officer working arrangements, particularly in any case of doubt or difficulty.
- 1.3 In particular, this protocol aims to support the enhancement of local democracy by:
 - 1.3.1 Facilitating the participation of members and officers in the Council's democratic processes;
 - 1.3.2 Assisting members, and those officers who support them, in their role as representatives of the community, within the Council and externally; and
 - 1.3.3 Clarifying arrangements for the provision of information and support for members and their party groups.
- 1.4 This protocol is also intended to assist members and officers in maintaining the highest standards of integrity and propriety, and ensuring that all that they do is seen by others to be done properly, fairly and, where possible, openly.
- 1.5 The following extracts from the respective codes of conduct for members and officers are relevant:
 - 1.5.1 Members must not do anything which compromises, or which is likely to compromise the impartiality of the authority's employees.
 - 1.5.2 Mutual respect between employees and members is essential to good local government, and working relationships should be kept on a professional basis.
 - 1.5.3 Employees should deal with the public, members and other employees sympathetically, efficiently, and without bias.

- 1.6 In line with the reference in the code to “mutual respect”, it is important that any dealings between Members and Officers should observe reasonable standards of mutual courtesy and respect, and that neither should seek to take unfair advantage of their position in any circumstances.

2. MEMBER/OFFICER COMMUNICATION

- 2.1 Members should communicate with officers regarding policy and strategic matters at the appropriate level, which will normally involve the appropriate Director or Head of Service or other Senior Manager.

Members are encouraged to refer enquiries regarding electoral ward matters to the democratic services unit who will usually obtain a written response within a couple of days and within a maximum of ~~40~~ 7 working days. This will ensure that issues are referred directly to the appropriate officer thus resulting in a saving of resources and time for the elected member in not having to personally chase up a response. **This is an internal process for Carmarthenshire County Council Elected Members only, and Councillors will be expected to convey any responses to their constituents. Any public email addresses will not be included in the email trail.**

- 2.2 In communicating with members, officers should have regard to the requirements of this protocol, and any instructions issued by their departmental management.

3. OFFICER ADVICE TO PARTY GROUPS

- 3.1 There is statutory recognition for party groups and it is common practice for such groups to give preliminary consideration to matters of Council business in advance of such matters being considered by the Council, the Executive Board or the relevant Committee. Officers may properly be called upon to support and contribute to such deliberations by party groups (provided that only the Authority’s Councillors are present at the meeting).

- 3.2 The support provided by officers can take many forms, ranging from a briefing meeting with a Chair or Spokesperson prior to a Council, Executive Board, or Committee meeting, to a presentation to a full party group meeting. Whilst in practice such officer support is likely to be in most demand from whichever party group or groups is for the time being in control of the Council, such support is available to all party groups.

- 3.3 Certain points must however be clearly understood by all those participating in this type of process, members and officers alike. In particular:
- 3.3.1 Officer support in these circumstances must not extend beyond providing information and advice in relation to matters of Council business. Officers must not be involved in advising on matters of party business. The observance of this distinction will be assisted if officers are not expected to be present at meetings, or parts of meetings, when matters of party business are to be discussed.
 - 3.3.2 Party group meetings, whilst they form part of the preliminaries to Council decision making, are not empowered to make decisions on behalf of the Council. Conclusions reached at such meetings do not therefore rank as Council decisions and it is essential that they are not communicated (inside or outside the organisation), interpreted or acted upon as though they have that official status.
 - 3.3.3 Similarly, where officers provide information and advice to a party group meeting in relation to a matter of Council business, this cannot act as a substitute for providing all necessary information and advice to the Executive Board or relevant Committee or Council when the matter in question is considered.
 - 3.3.4 Officers will not provide information and advice to a party group meeting which includes persons who are not members of the Council. Such persons are not bound by the members` code of conduct (in particular, the provisions concerning the declaration of interests and restrictions on disclosure of confidential information) and for this and other reasons officers would not be able to provide the same level of information and advice as they would to a meeting of members only.
 - 3.3.5 Officers must respect the confidentiality of any party group discussions at which they are present and should not, in particular, relay the content of any such discussion to another party group.
 - 3.3.6 Any request by or for an officer to attend a meeting arranged by a party or party group, for the purpose of presenting information to the meeting (e.g. in relation to an issue or proposal affecting or involving the Council) must be made through the Chief Executive via the Leader of the relevant party group. Any officer who so attends will do so in his/her official capacity, will be politically neutral, and attendance will not signify support for any particular political view, proposal or response. Such attendance will generally be avoided during the period between the announcement and conclusion of any local or parliamentary election affecting the area involved.

- 3.3.7 At any public meeting organised by any party group, or by any individual Member (rather than by the Council), officers will attend only to provide information which is publicly available. Officer attendance at such a meeting will generally be avoided during any “pre-election” period (between the announcement and conclusion of any local or parliamentary election affecting the locality). Any particular difficulty or uncertainty concerning officer advice to party groups should be raised with the Chief Executive or with the Monitoring Officer who will, where appropriate, discuss with the relevant Group Leader(s).

4. SUPPORT SERVICES AND FACILITIES FOR MEMBERS AND PARTY GROUPS

The only basis on which the Council can lawfully provide support services and facilities (e.g. Computer equipment, stationery, typing, printing, photocopying, meeting rooms, transport and accommodation arrangements etc.) to Members is to assist them in discharging their role as Members of the Council. Except as may be provided in other agreed Council policies, such support services and facilities must therefore only be used on Council business.

They should never be used in connection with party political, campaigning activity, in support of local or other organisations, individuals or, for private purposes.

5. MEMBERS’ ACCESS TO INFORMATION AND TO COUNCIL DOCUMENTS

- 5.1 Members are free to request any department to provide them with such information, explanation and advice about that department’s function as they may reasonably need in order to assist them in discharging their role as members of the Council. This can range from a request for general information about some aspect of a department’s activities to a request for specific information on behalf of a constituent. *Members are encouraged to direct such approaches to the democratic services unit who will usually obtain a written response within a couple of days and within a maximum of 10 working days. This will ensure that issues are referred directly to the appropriate officer thus resulting in a saving of resources and time for the elected member in not having to personally chase up a response.*
- 5.2 The legal rights of members to inspect Council documents arise partly from statute and partly from the common law (judicial decisions).

- 5.3 Members have a statutory right to inspect any Council document which contains material relating to any business which is to be transacted at a Council, Committee, or Executive Board or Executive Board Member Meeting for the purpose of making executive decisions. This right applies irrespective of whether the member is a member of the decision making meeting concerned and extends not only to reports that are to be submitted to the meeting, but also to any relevant background papers. This right does not however apply to documents relating to certain items that appear as exempt items on the agenda for any meeting. These contain information which is (by statute) exempt from publication because, for example, it relates or refers to employees, occupiers of Council property, applicants for grants or other services, the care of children, the proposed terms of a contract or contractual negotiations or other commercially-sensitive information, industrial relations negotiations, legal advice or legal proceedings.
- 5.4 The common law right of members is much broader and based on the principle that any member has a prima facie right to inspect Council documents, so far as his/her access to the documents is reasonably necessary to enable the member properly to perform his/her duties as a member of the Council. This principle is commonly referred to as the “need to know” principle.
- 5.5 Whether a member is, in any particular case, entitled to exercise this common law right depends therefore upon the member’s ability to demonstrate that he/she has the necessary “need to know”. In this respect, a member has no right to a “roving commission” to examine documents of the Council. Mere curiosity is not sufficient. The crucial question is the determination of the “need to know” for a purpose necessary to enable the member to carry out his or her public duties. This question must initially be determined by the Director whose department holds the document in question (with advice from the Monitoring Officer). In the event of a dispute, the question may be referred for determination by the Executive Board Member(s) and Director responsible for the function or purpose for which the document is held, again with legal advice from the Monitoring Officer.
- 5.6 In some circumstances e.g. a committee member wishing to inspect documents relating to the functions of that committee a member’s “need to know” will normally be presumed. In other circumstances (e.g. a member wishing to inspect documents which contain personal information about third parties) a member will normally be expected to justify the request in specific terms.
- 5.7 Whilst the term “Council document” is very broad and includes, for example, any document produced by whatever means with Council resources, it is accepted by convention that a member of one party group will not have a “need to know”, and therefore no right to inspect, a document which forms part of the internal working of another party group.

5.8 Further and more detailed advice regarding members' rights to inspect Council documents may be obtained from the Monitoring Officer.

5.9 Finally, Council information provided to a member must only be used by the member for the purpose for which it was provided; that is, only to enable the proper performance of the member's duties as a Councillor. This point is emphasised in the members' code of conduct in the following terms:

"Members:

- (a) must not disclose information given in confidence, without the express consent of a person authorised to give such consent, or unless required by law to do so;
- (b) must not prevent any person from gaining access to information to which that person is entitled by law."

6. OFFICER/CHAIR/EXECUTIVE BOARD MEMBER RELATIONSHIPS

- (a) It is clearly important that there should be a close working relationship between Executive Board Members, Chairs of Committees and the Directors, Heads of Service and other senior officers of any department which reports to decision making meetings. However, such relationships should never be allowed to become so close, or appear to be so close, as to bring into question the officer's ability to deal impartially with other members and other party groups, or with any other individual or organisation.
- (b) Whilst an Executive Board Member or a Chair may routinely be consulted as part of the process of drawing up the agenda for a forthcoming meeting, it must be recognised that in some circumstances the proper conduct of business may require a particular matter to be included on an agenda. Directors will always be fully responsible for the contents of any report submitted in their name. Any issue concerning the inclusion of any item on an agenda, or the submission of any particular report, that cannot be agreed between an Executive Board Member or a Chair and a Director should be referred to the Monitoring Officer. There may also be circumstances in which the Chief Executive (~~as Head of Paid Service~~) or the Director of Resources (as statutory Finance Officer), or Monitoring Officer, will be under a duty to submit a report.

- (c) It must be remembered that officers within a department are accountable to their Director, and that whilst officers should always seek to assist a Executive Board Member/Chair (or indeed any Member), they must not, in so doing, go beyond the bounds of whatever authority they have been given by their Director. It should also be noted that the Chief Executive has statutory responsibility, as Head of Paid Service, for ensuring the proper organisation and management of the Council's staff, and has therefore an overall responsibility for the direction and management of all officers.

7. MEMBERS AND OFFICERS GIVING ACCOUNT

- (a) With regards to scrutinising and reviewing decisions made, as well as reviewing documentation, in fulfilling the scrutiny role a Scrutiny Committee may require any member of the Executive Board, the Head of Paid Service and/or any Chief Officer or Head of Service to attend before it to explain in relation to matters within their remit:
 - i. any particular decision or series of decisions;
 - ii. the extent to which the actions taken implement Council policy; and/or
 - iii. the performance of their duties.

and it is the duty of those persons to attend if so required.

- (b) Where any officer is required to attend a meeting of a Scrutiny Committee under this specific provision, the Chair of that committee will inform the Chief Executive who will inform the member or officer in writing giving at least fifteen working days notice of the meeting at which they are required to attend. The notice will state the nature of the item on which they are required to attend to give account and whether any papers are required to be produced for the Committee. Where the account to be given to the Committee will require the production of a report, then the officer concerned will be given sufficient notice to allow for preparation of that documentation i.e. an additional 15 working days.
- (c) Where, in exceptional circumstances, the member or officer is unable to attend on the required date, then the Scrutiny Committee shall in consultation with the member or officer arrange an appropriate alternative date for attendance. In setting the dates the Chief Executive will take into account exceptional circumstances, for example illness or planned holidays.

- (d) It should be noted that it is not the role of a Scrutiny Committee to either:
- i. Act as a disciplinary hearing in relation to the actions of Officers - this is the Chief Executive's function alone in relation to staff; or
 - ii To act as a quasi 'court of appeal' against decisions, or to pursue complaints by individuals (Councillors, Officers or members of the public) – as other procedures exist for this – these are internal e.g. Corporate Complaints Procedure, and external/statutory e.g. Local Government Ombudsman or appeal to the Courts.

8. CORRESPONDENCE

- 8.1 Correspondence including e-mails between an individual member and an officer should not normally be copied (by the officer) to any other member, except at the discretion of the departmental Director, or with the agreement of the members concerned, where necessary for the proper conduct of business. Where exceptionally it is necessary to copy the correspondence to another member, this should be made clear to the original member. In other words, "blind" copies of such correspondence should not be circulated.
- 8.2 Official letters on behalf of the Council should normally be sent out in the name of the appropriate officer rather than in the name of a member. It may be appropriate in certain exceptional circumstances (e.g. representations to a government minister or correspondence with the Leader of another local authority) for a letter to be issued in the name of the Leader of the Council. Letters which, for example, create obligations, confirm or deny the acceptance of any liability, or give instructions on behalf of the Council should always be sent out in the name of the Chief Executive or the appropriate Director or Head of Service or other senior officer.

9. PUBLICITY AND THE MEDIA

- 9.1 Contact with the media on issues related to the Council, or to Council business, including the issue of press releases, will be handled through the Press Manager of the Communications Unit of the Chief Executive's Department.
- 9.2 If a member speaks to the media without having first consulted with the Leader or relevant Executive Board Councillor or Committee Chair and/or Press Manager then it will be deemed to be the member's own personal view.

10. PERSONAL RELATIONSHIPS

- 10.1 No member or officer should allow any personal connection or relationship with any other member or officer to affect the performance of his or her official responsibilities, or the taking of any action or decision by or on behalf of the Council. This includes, for example, any family relationship, membership of the same household, or any business connection. Members and officers should always consider how such a relationship or connection would be likely to be regarded by anyone outside the Council, or by any other member or officer, and avoid creating any impression of bias or unfairness.
- 10.2 An officer who is personally connected or related to any member should notify his or her Chief Officer in writing.
- 10.3 Members should take into account any personal relationship or connection with any other member or officer, in considering the need to register or declare a pecuniary or non-pecuniary interest whenever appropriate.

11. INVOLVEMENT OF WARD COUNCILLORS

Whenever a public meeting is organised by the Council to consider a local issue, all the local members representing the County Council Divisions affected should, as a matter of course, be invited to attend the meeting. Similarly, whenever the Council undertakes any form of consultative exercise on a local issue, the local members should be notified at the outset of the exercise.

12. FURTHER GUIDANCE

Any member of the Council who needs further guidance on any of the matters referred to in this protocol, or on any similar or related issue, is advised to contact the Chief Executive or the Monitoring Officer. Any officer needing such guidance should refer initially to their Line Manager, who will consult senior management and obtain advice as necessary.

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CARMARTHENSHIRE COUNTY COUNCIL

MEMBERS' SCHEDULE OF REMUNERATION 2021-22

This Scheme is made under the Local Government (Wales) Measure 2011 with regard to Independent Remuneration Panel for Wales (IRPW) Regulations which apply to payments made to members and co-opted members of local authorities.

1. Basic Salary

- 1.1 A Basic Salary shall be paid to each elected Member of the Authority.
- 1.2 In accordance with the Regulations, the rate of the Basic Salary shall be reviewed annually as determined by the Independent Remuneration Panel for Wales.
- 1.3 Where the term of office of a Member begins or ends other than at the beginning or end of a year, their entitlement to the Basic Salary will be pro-rata.
- 1.4 No more than one Basic Salary is payable to a Member of the Authority.

2. Senior Salaries & Civic Salaries

- 2.1 Members occupying specific posts shall be paid a Senior Salary as set out in **Schedule 1**.
- 2.2 In accordance with the Regulations, the rates of Senior Salaries and Civic Salaries shall be reviewed annually as determined by the Annual or Supplementary Report of the Independent Remuneration Panel for Wales.
- 2.3 Only one Senior Salary or Civic Salary is payable to a Member of the Authority.
- 2.4 A Member of the Authority cannot be paid a Senior Salary and a Civic Salary.
- 2.5 All Senior and Civic Salaries are paid inclusive of Basic Salary.
- 2.6 A Senior Salary may not be paid to more than the number of members specified by the Independent Remuneration Panel for Wales in its Annual Report and cannot exceed fifty percent of the total membership of the authority, except to include a temporary Senior Salary office holder providing temporary cover for the family absence of the appointed office holder.
- 2.7 A Member of the Authority in receipt of a Senior Salary **cannot** receive a salary from any National Park Authority (NPA) or Fire and Rescue Authority (FRA) for which they have been nominated.
- 2.8 Where the term of Senior Salary or Civic Salary of a Member begins or ends other than at the beginning or end of a year, their entitlement to the Salary will be pro-rata.

3. Election to Forgo Entitlement to Allowance

- 3.1 A Member may, by notice in writing delivered to the Proper Officer of the authority, personally elect to forgo any part of their entitlement to any salary, allowance or fee payable under this Scheme from the date set out in the notice.

4. Suspension of a Member

- 4.1 Where a Member of the Authority is suspended or partially suspended from their responsibilities or duties as a Member of the Authority in accordance with Part III of the Local Government Act 2000 (Conduct of Members), or regulations made under the Act, the part of the Basic Salary payable to them in respect of that period for which they are suspended will be withheld by the Authority (Section 155 (1) of the Measure).

- 4.2 Where a Member in receipt of a Senior Salary is suspended or partially suspended from being a Member of the Authority in accordance with Part III of the Local Government Act 2000 (Conduct of Members), or regulations made under the Act, the Authority must not make payments of the Member's Senior Salary for the duration of the suspension (Section 155 (1) of the Measure). If the partial suspension relates only to the specific responsibility element of the payment, the Member may retain the Basic Salary.

5. Repayment of salaries, allowances or fees

- 5.1 Where payment of any salary, allowance or fee has been made to a Member of the Authority or Co-opted Member in respect of any period during which the Member concerned:

- (a) is suspended or partially suspended from that Member's/Co-opted Member's duties or responsibilities in accordance with Part 3 of the 2000 Act or regulations made under that Act;
- (b) ceases to be a Member of the Authority or Co-opted Member; or
- (c) is in any other way not entitled to receive a salary, allowance or fee in respect of that period,

the Authority will require that such part of the allowance as relates to any such period be repaid.

6. Payments

- 6.1 Payments of all allowances will be made by the *Director of Corporate Services* by *direct bank credit* in instalments of one-twelfth of the Member's annual entitlement on the 15th of each month.

- 6.2 Where payment has resulted in a Member receiving more than their entitlement to salaries, allowances or fees the Authority will require that such part that is overpayment be repaid.

- 6.3 All payments are subject to the appropriate tax and National Insurance deductions.

7. ~~Reimbursement of Costs of Care~~ Contribution towards Costs of Care and Personal Assistance

- 7.1 ~~Reimbursement of~~ **Contribution towards** Costs of Care and **Personal Assistance** shall be paid to a Member or Co-opted Member, who has caring responsibility for dependent children or adults, or a personal care requirement, provided the Member incurs expenses in the provision of such care whilst undertaking 'approved' council duties.
- 7.2 ~~Reimbursement of~~ **Contribution towards** Costs of Care and **Personal Assistance** applies in respect of ~~children who are aged 15 or under and other persons a~~ **dependant under 16 years of age, or a minor or adult who normally lives with the member as part of their family and who cannot be left unsupervised** for whom the Member or Co-opted Member can show that care is required. If a Member or Co-opted Member has more than one dependent the Member may claim more than one allowance, provided the Member can demonstrate a need to make separate arrangements for care.
- 7.3 Eligible Members may claim ~~reimbursement of~~ **contribution towards** Costs of Care and **Personal Assistance** ~~costs of care for actual and receipted costs as determined by the~~ up to a maximum amount not exceeding that determined by the Independent Remuneration Panel for Wales as set out in **Schedule 1**. All claims for ~~reimbursement of~~ **the contribution towards** costs of care **and personal assistance** should be made in writing to Democratic Services detailing times, dates and reasons for claim. Receipts are required for both informal and formal care arrangements.

8. Family Absence

- 8.1 Members are entitled under the provisions of the Family Absence for Members of Local Authorities (Wales) Regulations 2013 **and the Local Government Elections (Wales) Act 2021** to a period of family absence, during which if they satisfy the prescribed conditions they are entitled to be absent from authority meetings.
- 8.2 When taking family absence Members are entitled to retain a basic salary irrespective of their attendance record immediately preceding the commencement of the family absence.
- 8.3 Should a senior salary holder be eligible for family absence they will be able to continue to receive their senior salary for the duration of the absence.
- 8.4 If the authority agrees that it is necessary to make a substitute appointment to cover the family absence of a senior salary holder the Member substituting will be eligible if the authority so decides to be paid a senior salary.
- 8.5 If the paid substitution results in the authority exceeding its maximum number of senior salaries, an addition to the maximum will be allowed for the duration of the substitution.

9. Co-optees' payments

- 9.1 A Co-optees' daily fee (with a provision for half day payments) shall be paid to Co-optees, provided they are statutory Co-optees with voting rights.

- 9.2 The number of days in any one year for which co-opted members may be paid will reflect the work programme of the relevant committee.
- 9.3 Payments will take into consideration travelling time to and from the place of the meeting, reasonable time for pre meeting preparation and length of meeting (up to the maximum of the daily rate).
- 9.4 The Monitoring Officer or his/her deputy is designated as the “appropriate officer” and will determine preparation time, travelling time and length of meeting, the fee will be paid on the basis of this determination.
- 9.5 The Monitoring Officer or his/her deputy can determine in advance whether a meeting is programmed for a full day and the fee will be paid on the basis of this determination even if the meeting finishes before four hours has elapsed.
- 9.6 A half day meeting is defined as up to 4 hours.
- 9.7 A full day meeting is defined as over 4 hours.
- 9.8 The daily and half day fee for the Chairpersons of the Standards Committee and Audit Committee, as determined by the Independent Remuneration Panel for Wales, is set out in **Schedule 1**.
- 9.9 The daily and half day fee for other statutory Co-optees with voting rights, as determined by the Independent Remuneration Panel for Wales, is set out in **Schedule 1**.

10. Travel and Subsistence Allowances

10.1 General Principles

- 10.2 Members and Co-opted Members are entitled to claim travelling expenses when travelling on the Authority’s business for ‘approved duties’ as set out in **Schedule 2**. Where Members travel on the Authority’s business they are expected to travel by the most cost effective means. In assessing cost effectiveness regard will be given to journey time. A Member who does not travel by the most cost effective means may have their claim abated by an appropriate amount.
- 10.3 Where possible Members should share transport.
- 10.4 The distance claimed for mileage should be the shortest reasonable journey by road from the point of departure to the point at which the duty is performed, and similarly from the duty point to the place of return.
- 10.5 The rates of Members’ Travel and Subsistence Allowances are set out in **Schedule 3** and are subject to annual review by the Independent Remuneration Panel for Wales.
- 10.6 Where a Member is suspended or partially suspended from their responsibilities or duties as a Member of the Authority in accordance with Part III of the Local Government Act 2000 (Conduct of Members), or regulations made under the Act, any

travel and subsistence allowances payable to them in respect of that period for which they are suspended or partially suspended must be withheld by the Authority.

11. Travel by Private Vehicle

- 11.1 The Independent Remuneration Panel for Wales has determined that the maximum travel rates payable should be the rates set out by Her Majesty's Revenue & Customs for the use of private cars, motorcycles and pedal cycles plus any passenger supplement.
- 11.2 The mileage rates for private vehicles as determined by the Independent Remuneration Panel for Wales are set out in **Schedule 3**.
- 11.3 Where a Member makes use of their private vehicle for approved duty purposes, the vehicle must be insured for business use. Proof of appropriate insurance must be provided to the Authority on request.

12. Travel by Public Transport

12.1 Rail/Coach Travel

Unless otherwise authorised rail tickets will be second-class. However members are permitted to travel by first class rail when work requirements justify such expenditure (i.e. working on the train prior to attending a meeting the same day). First class tickets will be provided when they are available and it can be shown that these tickets would produce a saving to the council over the standard second class fare.

Democratic Services will purchase requisite rail and coach tickets for Members in advance of journeys. In the unlikely event that a Member needs to purchase a ticket directly, payment will be reimbursed upon production of the used ticket and/or a receipt.

12.2 Taxi Fares

Taxi fares will only be reimbursed where their use has been authorised for cases of urgency, where no public transport is reasonably available, or a Member has a particular personal need. Re-imburement will be upon receipt only.

12.3 Air Fare

Travel by air is permissible if it is the most cost effective means of transport. Authorisation of the Chief Executive or his/**her** representative is required and tickets will be purchased by Democratic Services.

12.4 Travel Abroad

Travel abroad on the Authority's business will only be permitted where authorised by Chief Executive or his/**her** representative. Democratic Services will arrange travel and accommodation.

12.5 Other Travel Expenses

Members are entitled to reimbursement of toll fees, parking fees, overnight garaging and other necessary travel associated expenses. Re-imbusement will be upon receipt only.

13. Overnight Accommodation

13.1 Overnight stays will only be permitted where the Authority's business extends to two days or more, or the venue is at such a distance that early morning or late night travel would be unreasonable. All overnight stays must receive prior authorisation from the Chief Executive or his/her representative.

13.2 Overnight accommodation will be booked by Democratic Services. Wherever possible the overnight accommodation will be pre-paid or invoiced.

13.3 Direct booking of overnight accommodation by a Member will only be permitted in the event of an emergency. Reimbursement will only be made upon the production of a receipt and will be at a level deemed reasonable and not in excess of the rates set out in **Schedule 3**.

14 Subsistence Allowance

14.1 The day subsistence rate to meet the costs of meals and refreshments in connection with approved duties (including breakfast when not provided as part of overnight accommodation) is set out in **Schedule 3**. The maximum daily rate covers a 24 hour period and can be claimed for any meal that is relevant, providing such a claim is supported by receipt(s).

14.2 No provision is made for subsistence claims within the County.

15. Claims and Payments

15.1 A claim for travel and subsistence allowances must be made in writing by the 1st of the month (or the previous working day if falling on a Saturday, Sunday or Bank Holiday) and must be accompanied by the relevant receipts.

15.2 Allowances will be paid by the Director of Corporate Services by direct bank credit.

16. Pensions

16.1 The Authority shall enable its Members who are eligible to join the Local Government Pension Scheme.

17 Supporting the work of Authority Members

17.1 The Independent Remuneration Panel for Wales expects Members to be provided with adequate support to carry out their duties and that the support provided should take account of the specific needs of individual Members. The Authority's

Democratic Services Committee is required to review the level of support provided to Members and should take proposals for reasonable support to the full council.

- 17.2 All elected Members & Co-opted Members should be provided with adequate telephone, email and internet facilities to give electronic access to appropriate information.
- 17.3 Such support should be without cost to any Member. Deductions must not be made from Members' salaries as a contribution towards the cost of support which the Authority has decided is necessary for the effectiveness and or efficiency of Members.

18 Compliance

- 18.1 In accordance with the Regulations, the Authority must comply with the requirements of Independent Remuneration Panel for Wales in respect of the monitoring and publication of payments made to Members and Co-opted Members as set out in **Schedule 4**.

Note:

Members and Co-opted Members are reminded that expense claims are subject to both internal and external audit.

Receipts provided must be formal documents, showing the name of the business, the date and the nature of the supply. Basic non detailed till roll receipts are not acceptable.

In order to be able to manage the Authority's budget in an orderly manner it is good practice to submit claims in a timely fashion i.e. no longer than 3 months old per claim.

SCHEDULE 1

SCHEDULE OF REMUNERATION 2021-22

MEMBERS ENTITLED TO BASIC SALARY					ANNUAL AMOUNT OF BASIC SALARY	
The following named elected members of the authority:						
1	Sue Allen	19	Tyssul Evans	37	Shirley Matthews	
2	Liam Bowen	20	Amanda Fox	38	Andre McPherson	
3	Kim Broom	21	Jeanette Gilasbey	39	Eryl Morgan	
4	Cefin Campbell	22	Deian Harries	40	Shahana Najmi	
5	Mansel Charles	23	Carl J. Harris	41	Dai Nicholas	
6	Deryk Cundy	24	Tina Higgins	42	Aled Vaughan Owen	
7	Suzy Curry	25	Ken Howell	43	Dorian Phillips	
8	Anthony Davies	26	Andrew James	44	Susan Phillips	
9	Arwel Davies	27	John Jenkins	45	John Prosser	
10	Handel Davies	28	Gareth John	46	Louvain Roberts	
11	Ieuan Davies	29	Carys Jones	47	Emlyn Schiavone	
12	Joseph Davies	30	Betsan Jones	48	Hugh Shepardson	
13	Karen Davies	31	Dot Jones	49	Alan Speake	
14	Sharen Davies	32	Gary Jones	50	Bill Thomas	
15	Jeff Edmunds	33	Irfon Jones	51	Dai Thomas	
16	Penny Edwards	34	Jim Jones	52	Gareth Thomas	
17	Colin Evans	35	Jean Lewis	53	Elwyn Williams	
18	Rob Evans	36	Kevin Madge	54	Dorian Williams	
					£14,368	

	SENIOR SALARIES ENTITLEMENTS* (includes basic salary)		ANNUAL AMOUNT OF SENIOR SALARY
	ROLE	MEMBER	
1.	Leader	Emlyn Dole	£49,974
2.	Deputy Leader	Mair Stephens	£35,320
3.	Executive Board Member – Environment	Hazel Evans	£30,773
4.	Executive Board Member – Education & Children	Glynog Davies	£30,773
5.	Executive Board Member – Housing	Linda Evans	£30,773
6.	Executive Board Member – Resources	David Jenkins	£30,773
7.	Executive Board Member – Culture, Sport & Tourism	Peter Hughes-Griffiths	£30,773
8.	Executive Board Member – Public Protection	Philip Hughes	£30,773
9.	Executive Board Member – Social Care & Health	Jane Tremlett	£30,773
10.	Executive Board Member – Communities and Rural Affairs	Ann Davies	£30,773
11.	Chair of Planning Committee	Alun Lenny	£23,161
12.	Chair of Licensing Committee	Edward Thomas	£23,161
13.	Chair of Community Scrutiny Committee	Fozia Akhtar*	£23,161
14.	Chair of Education & Children Scrutiny Committee	Darren Price	£23,161
15.	Chair of Environmental & Public Protection Scrutiny Committee	John James	£23,161
16.	Chair of Policy & Resources Scrutiny Committee	Giles Morgan	£23,161
17.	Chair of Social Care & Health Scrutiny Committee	Gwyneth Thomas	£23,161
18.	Leader of the Largest Opposition Group	Robert James	£23,161*

A maximum of 18 senior salaries for Carmarthenshire County Council may be paid and this has not been exceeded.

**Note. Committee Chairs and the Chair & Vice Chair of Council for 2021/22 will be confirmed at the Annual Meeting. The Chair of the Community Scrutiny Committee will be appointed by the Committee at its first meeting of the 2021/22 municipal year. The current Chair stays in post until this time. The Leader of the largest opposition Group has chosen not to accept the IRPW increase for 2021/22 and will be paid the lower rate of £22,918 until we are notified otherwise.*

ENTITLEMENT TO CIVIC SALARIES*		ANNUAL AMOUNT OF CIVIC SALARY
ROLE	MEMBER	
Civic Head (Mayor / Chair)	Cllr Eirwyn Williams	£23,161
Deputy Civic Head (Deputy Mayor / Chair)	Cllr. Ken Lloyd	£18,108

*Note the Civic and Deputy Civic Head for 2021-22 will be appointed at the Annual Meeting of Council

ENTITLEMENT AS STATUTORY CO-OPTees		AMOUNT OF CO-OPTees ALLOWANCES
ROLE	MEMBER	
Chairperson of Standards Committee	Andre Morgan	£268 Daily Fee £134 ½ Day Fee
Chairperson of Audit Committee	N/A	£268 Daily Fee £134½ Day Fee
Statutory Co-optees - Standards Committee, Education OVSC Committee, Audit Committee, Crime and Disorder OVSC	<u>Standards Committee:</u> <ul style="list-style-type: none"> • Mary Dodd • Daphne Evans • Julie James • Alun Williams • Phil Rogers <u>Education & Children Scrutiny Committee</u> <ul style="list-style-type: none"> • Vera Kenny • Rev. Delyth Richards • Vacancy (Area 1) • Anthony Eynon (Area 2) • Vacancy (Area 3) <u>Audit Committee</u> Julie James	£210 Daily Fee £105 ½ Day Fee
Statutory Co-optees - ordinary members of Standards Committee who also chair Standards Committees for Community Councils	N/A	£238 Daily Fee £119 ½ Day Fee

Contribution towards Reimbursement of Costs of Care and Personal Assistance	
<p>All Members</p> <p>(For clarification, care costs cannot be paid to someone who is a part of a members' household).</p>	<p>£403</p> <ul style="list-style-type: none"> • Formal (registered with the care inspectorate Wales) care costs to be paid as evidenced • Informal (unregistered) care costs to be paid up to a maximum rate equivalent to the Real UK Living Wage at the time the costs are incurred
Members Support – what is provided in terms of telephone, internet or email (see Determination 6)	
Telephone Support for Executive Members	All Executive Board Members receive an Authority issued phone for calls, texts and data.
Telephone Support for Chairs of Committees	All Members can make calls via Skype on their iPads
Telephone Support for all other Members	<p>All Members can make calls via Skype on their iPads</p> <p>The Leader of the Largest Opposition Group receives an Authority issued phone for calls, texts and data.</p>
Access to Email for Executive Members	All members are issued with corporate email

	addresses together with an iPad and basic laptop
Access to Email for Chairs of Committees	All members are issued with corporate email addresses together with an iPad and basic laptop
Access to Email for all other Members	All members are issued with corporate email addresses together with an iPad and basic laptop
Internet Support for Executive Members	All members are issued with an iPad and basic laptop which provides access to the Internet
Internet Support for Chairs of Committees	All members are issued with an iPad and basic laptop which provides access to the Internet
Internet Support for all other Members	All members are issued with an iPad and basic laptop which provides access to the Internet

Carmarthenshire Council operates a paperless meeting environment and members are provided with a tablet device for this purpose. Members who have an evidence based need for paper copies will only receive a laptop for email and internet access.

Co-optees Support

All co-opted members receive a tablet device and corporate @carmarthenshire.gov.uk email address.

SCHEDULE 2

Approved duties:

- attendance at a meeting of the Authority or of any committee of the Authority or of any body to which the Authority makes appointments or nominations or of any committee of such a body;
- attendance at a meeting of any association of authorities of which the Authority is a member;
- attendance at any other meeting the holding of which is authorised by the Authority or by a committee of the Authority or by a joint committee of the Authority and one or more other Authorities;
- a duty undertaken for the purpose of or in connection with the discharge of the functions of Executive;
- a duty undertaken in pursuance of a standing order which requires a Member or Members to be present when tender documents are opened;
- a duty undertaken in connection with the discharge of any function of the Authority which empowers or requires the Authority to inspect or authorise the inspection of premises;
- attendance at any training or developmental event approved by the Authority or its Executive Board;
- the following duties which have been approved by Council:
 - a) *Attendance at a meeting of the Authority or of any committee of the Authority or of any body to which the Authority makes appointments or nominations or of any committee of such a body;*
 - b) *Attendance at a meeting of any association of authorities of which the Authority is a member;*
 - c) *Attendance at any other meeting the holding of which is authorised by the Authority or by a committee of the Authority or by a joint committee of the Authority and one or more other authorities;*
 - d) *A duty undertaken for the purpose of or in connection with the discharge of the functions of an executive where the Authority is operating executive arrangements within the meaning of Part II of the 2000 Act;*
 - e) *A duty undertaken in connection with the discharge of any function of the authority to inspect or authorise the inspection of premises;*
 - f) *Attendance at any training or developmental event approved by the Executive Board;*
(All applications for attendance at Conferences / Seminars / Training Courses will be considered by the Executive Board following presentation of a report prepared by the Chief Executive which will include:

- a) *conference / seminar / training course details;*

- b) *the comments of the relevant Director as to the necessity to attend;*
- c) *the total costs associated with attendance i.e. conference / seminar / training fees, transport, subsistence and accommodation.*

Should the majority of Executive Board Members be in favour of the application then the Leader has delegated authority to approve the application for attendance.)

- g) *Any other duty approved by the Authority, or any other duty of a class so approved, undertaken for the purpose of, or in connection with, the discharge of the functions of the Authority or of any of its committees;*
- h) *Attendance by a Councillor at a meeting involving the Chief Executive or his/her representative at a local government office or site within the Authority's area, called at the prior request of the Chief Executive or his/her representative, in connection with the functions of the Council;*
- i) *Site Meetings convened by the Chief Executive as a consequence of a decision by the Council, the Executive Board or a Committee of the Council;*
- j) *Meetings of Joint Liaison Committees;*
- k) *Where a Councillor is formally authorised in accordance with the Authority's decision making procedures for the purpose of and in connection with the discharge of the functions of the Council, to attend a conference, take part in a visit, join a deputation or attend a course not on the approved list as the official representative of the Council, then that decision in sending the Councillor shall automatically designate the duty undertaken as an "approved duty";*
- l) *Attendance at meetings of the Shadow Executive Board convened by the Chief Executive;*
- m) *Attendance by a Councillor at Meetings of outside bodies to which the Councillor has been formally appointed or nominated by the Council;*
- n) *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;*
- o) *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;*
- p) *Inclusion on the list of approved duties does not necessarily preclude payment for attendance by other bodies (other than for the Leader, Deputy Leader or an Executive Board Member who is in receipt of a Senior Salary), and nominated Councillors eligible under schemes operated by such bodies may claim in accordance with any such schemes.
(Claims for travelling and subsistence allowances should not be made to outside bodies and the Council for the same duties).*

Executive Board Members Approved Duties

The following duties are also "approved duties" for the Leader and Executive Board Members:

- Attendance at Meetings of the Council, the Executive Board, Committees and Advisory Panels;*
- Attendance at Meetings of Executive Board Members convened for the purpose of taking executive decisions and formally convened by the Chief Executive;*
- Activities in connection with the exercise of duties as an Executive Board Member;*

Attendance by members of the Executive Board at any local, regional or national event where the Leader has, prior to the event, informed the Chief Executive that he/she has nominated them to attend in his/her place as a representative of the Council.

Official openings, public launch events of the Council's new buildings/services/facilities within the County

Attendance at public launch events/official openings of new Council buildings/services/facilities will not be an approved duty unless a formal invitation is received from the Chief Executive (or his/her representative) to attend;

The attendance of the Leader and relevant Executive Board Members at such events would form part of their duties as a member of the Council's Executive;

The attendance of the Chair and Vice Chair of Council at such events would form part of their civic duties.

SCHEDULE 3

Mileage Rates

All sizes of private motor vehicle Up to 10,000 miles Over 10,000 miles	45 pence per mile 25 pence per mile
Private Motorcycles Pedal Cycles	24 pence per mile 20 pence per mile
Passenger supplement	05 pence per mile

Subsistence Allowance

The day subsistence rate is up to a maximum of £28 and covers a 24 hour period and can be claimed for any meal if relevant provided such a claim is supported by receipts.

Re-imbusement of alcoholic drinks is not permitted.

Overnight Stay

The maximum allowances for an overnight stay are £200 for London and £95 for elsewhere. A maximum of £30 is available for an overnight stay with friends or relatives whilst on approved duty.

SCHEDULE 4

Compliance

- The Authority will arrange for the publication on the Council's website the total sum paid by it to each Member and Co-opted Member in respect of salary, allowances, fees and reimbursements not later than 30 September following the close of the year to which it relates. In the interests of transparency this will include remuneration from all public service appointments held by elected Members.
- The Authority will publish on the Council's website a statement of the basic responsibility of a councillor and role descriptors for senior salary office holders, which clearly identify the duties expected.
- The Authority will publish on the Council's website the annual schedule of Member Remuneration not later than 31 July of the year to which the schedule refers.
- The Authority will send a copy of the schedule to the Independent Remuneration Panel for Wales not later than 31 July of the year to which the schedule refers.
- The Authority will maintain records of Member/Co-opted Members attendance at meetings of Council, Executive Board and Committees and other approved duties for which a Member/Co-opted Member submits a claim for reimbursement.
- The Authority will arrange for the publication on the Council's website of annual reports prepared by Members.
- When the Authority agrees a paid substitution for family absence it will notify the Independent Remuneration Panel for Wales within 14 days of the date of the decision of the details including the particular post and the duration of the substitution.

Note – Appendix A to this document includes the Job Profiles & Person Specifications for Councillors, Co-opted Members and Office Holders of Carmarthenshire County Council.

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JOB PROFILES & PERSON SPECIFICATIONS COUNCILLORS, CO-OPTED MEMBERS AND OFFICE HOLDERS OF CARMARTHENSHIRE COUNTY COUNCIL

(Note:-

The Local Government and Elections (Wales) Act 2021 makes provision for job share arrangements in respect of the following office holders:-

Part 4, Section 58 of the Act*:-

- Executive Leaders
- Executive Members

*Comes into force 5th May 2022.

Part 4, Section 60 of the Act**:-

- Chair of a Principal Council
- Vice-Chair of a Principal Council
- Presiding Member of a Principal Council
- Deputy Presiding Member of a Principal Council
- Chair of a Committee or Sub-Committee of a Principal Council;
- Vice-Chair or Deputy Chair of a Committee or Sub-Committee of a Principal Council;
- Deputy Mayor in a Mayor and Cabinet Executive (See Schedule 1 To The 2000 Act (Executive Arrangements)

**Comes into force at a date to be approved by Welsh Ministers

APPENDIX A

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23	Political Group Leader	57

1. COUNTY COUNCILLOR

1.1 Accountability

To the full Council
To the electorate of their ward

1.2 Role Purpose and Activity

Representing and supporting communities

To effectively represent the interests of the electoral division and their individual constituents.

Where appropriate to refer a local crime and disorder matter (as defined by Section 19 of the Police and Justice Act 2006) to the Social Justice, Crime and Disorder Scrutiny Committee as an agenda item for discussion at a meeting of the Committee.

To be an advocate for the Council in the ward and the communities they serve. To contribute to the good governance of the area and actively encourage community participation and citizen involvement in decision making by the council and its partnerships

To be a channel of communication to the community on council strategies, policies, services and procedures

To represent individual constituents and local organisations at the Council and undertake casework on their behalf, serving all fairly.

To liaise with Executive Board Members, other council members, council officers and partner organisations to ensure that the needs of the local communities are identified, understood and supported.

To promote tolerance and cohesion in their local communities

To forward service performance or policy issues raised at meetings of Community Networks to the appropriate Executive Board Member.

To maintain the highest standards of conduct and ethics.

Making decisions and overseeing council performance

Participating in the governance and management of the council by contributing to the decision-making process at meetings of the council and its committees and securing informed and balanced decisions.

Collectively, to be the ultimate policy-makers and carry out a number of strategic and corporate management functions including overseeing performance

To adhere to the principles of democracy and collective responsibility in decision making

To promote and ensure efficiency and effectiveness in the provision of council and other public services.

Representing the Council

To represent and be an advocate for the Council on local outside bodies.

To represent and be an advocate for the Council on local partnership bodies, promoting common interest and co-operation for mutual gain

To represent and be an advocate for the Council on national bodies and at national events

Internal governance, ethical standards and relationships

Members must observe the Council's code of conduct whenever they:

- conduct the business of the authority
- undertake the role of member to which they were elected or appointed; or
- act as representatives of the authority

Thereby:

Promoting and supporting good governance of the Council and its affairs

Providing community leadership and promoting active citizenship

Promoting and supporting open and transparent government

Supporting and adhering to respectful, appropriate and effective relationships with employees of the Council

Adhering to the Member's Code of Conduct, the Protocol on Member/Officer relations and maintaining the highest standards of conduct and ethics in public office

Personal and role development

To participate in opportunities for development provided for members by the Council

Values

To be committed to the values of the Council and the following values in public office:

- Openness and transparency
- Honesty and integrity
- Tolerance and respect
- Equality and fairness
- Appreciation of cultural difference
- Sustainability

By applying human rights principles as a framework for resolving differences between social groups and reforming service delivery

By promoting policies that encourage contact on equal terms between disabled and non-disabled people: at work, in school and through training, and by setting a personal example by identifying opportunities to do the same

By ensuring that social care policy increases choice and control and is not diluted by being risk-averse

By ensuring participation of all members of the community in shaping decisions

By being open about personal experiences of impairment of long-term health conditions and providing positive role models to encourage others and help tackle low expectations

By supporting mentoring schemes to help disabled people attain leadership positions

By understanding and promoting the value of good quality early years education for disabled children and the need for continuing learning opportunities throughout life

1.3. Person specification for a Councillor

To fulfil his or her role as laid out in the job profile, an effective member requires the following:

A) Representing and supporting communities

Good advocacy skills

Interpersonal skills

Integrity and the ability to set aside own views and act impartially

The ability to present relevant and well reasoned arguments

Good communication skills

B) Making decisions and overseeing council performance

Knowledge and understanding of the council's constitution, rules and conventions

An understanding of strategic, policy and service contexts for decisions

The ability to challenge ideas and contribute positively to policy development

C) Representing the Council

Good public speaking skills

Good presentation skills

The ability to persuade others and act with integrity

D) Internal governance, ethical standards and relationships

An understanding of the roles of officers, members and different agencies

Respect for, and desire to work with, different groups and individuals

Have knowledge and understanding of the Council's Constitution, Code of Conduct and Member/Officer Protocol

A knowledge and commitment to the values of the Council

E) Personal and role development

An ability to assess personal and role development needs

Desire and skills to participate in development

2. CHAIR OF THE COUNCIL

2.1 Accountability

To full Council

2.2 Role Purpose and Activity

Act as a symbol of the Council's democratic authority

As the ceremonial head of the Council, to be non-political and uphold the democratic values of the Council

The Chair exercises an ambassadorial role for all citizens of the County and as such it is crucial that the dignity of the office is upheld at all times and the protocols in place are closely followed.

To represent the Council at civic and ceremonial functions

To promote public involvement in the council's activities.

To attend such civic and ceremonial functions as the council and she/he determines appropriate.

Chair Council meetings

To preside over meetings of the Council, so that its business can be carried out efficiently and with regard to the rights of councillors and the interests of the community.

To ensure that the Council conducts its meetings in line with the Council's Standing Orders

To ensure that the council meeting is a forum for the debate of matters of concern to the local community and the place at which councillors are able to hold the executive board and committee chairs to account.

Uphold and promote the Council's Constitution

To uphold and promote the purposes of the Council's Constitution at meetings of the Council and, if necessary, to rule on the interpretation of the Constitution

Internal governance, ethical standards and relationships

To promote and support good governance of the Council and its affairs

To provide community leadership and promote active citizenship

To promote and support open and transparent government

To support, and adhere to respectful, appropriate and effective relationships with employees of the Council

To adhere to the Members' Code of Conduct, Member/Officer Protocol and the highest standards of behaviour in public office.

Work programming

To prepare and manage an annual work programme for the Council to meet its legal obligations (e.g. setting the budget and the Council Tax and making appointments)

Values

To be committed to the values of the Council and the following values in public office:

Openness and transparency
Honesty and integrity
Tolerance and respect
Equality and fairness
Appreciation of cultural difference
Sustainability

2.3 Person specification for the Chair of the Council

To fulfil his or her role as laid out in the role description, an effective member requires the following:

Act as a symbol of the Council's democratic authority

Good public speaking skills
An in-depth understanding of role of Chair of the Council and protocols

Chair Council meetings

Skills to chair meetings, to ensure business is carried out effectively and all those attending participate
An understanding of the Council's Constitution and Standing Orders

Uphold and promote the Council's Constitution

An understanding of the Council's Constitution
An understanding of when to seek the advice of the Monitoring Officer on issues relating to the Constitution

Internal governance, ethical standards and relationships

An understanding of the roles of officers, members and different agencies
Respect for, and desire to work with, different groups and individuals
Have knowledge and understanding of the Code of Conduct and Member/Officer Protocol
A knowledge and commitment to the values of the Council

Work programming

The ability and discipline to plan and manage work programmes

3. VICE CHAIR OF THE COUNCIL

3.1 Accountability

Chair of Council
Full Council

3.2 Role Purpose and Activity

To fulfil the duties of the Chair in his or her absence
To assist the Chair in specific duties as required

(See also the Chair of Council's Role, Purpose and Activity)

3.3 Person specification for the Vice Chair of the Council

To fulfil his or her role as laid out in the role description, an effective member requires the following:

Act as a symbol of the Council's democratic authority

Good public speaking skills
An in-depth understanding of role of Chair of the Council and protocols

In the absence of the Chair to chair Council meetings

Skills to chair meetings, to ensure business is carried out effectively and all those attending participate
An understanding of the Council's Constitution and Standing Orders

Uphold and promote the Council's Constitution

An understanding of the Council's Constitution
An understanding of when to seek the advice of the Monitoring Officer on issues relating to the Constitution

Internal governance, ethical standards and relationships

An understanding of the roles of officers, members and different agencies
Respect for, and desire to work with, different groups and individuals
Have knowledge and understanding of the Code of Conduct and Member/Officer Protocol
A knowledge and commitment to the values of the Council

Work programming

The ability and discipline to plan and manage work programmes

4. LEADER OF THE COUNCIL

4.1 Accountability

To Full Council
To nominating group
To the electorate

4.2 Role Purpose and Activity

Provide political leadership to the Council

To exercise political leadership of the Authority and to act as the principal political spokesperson for the Council with particular reference to policy and budgetary matters

To actively promote best value in service delivery and to encourage opportunities for working in partnership

To provide leadership in building a political consensus around council policies

To form a vision for the Council and community

To provide strong, clear leadership in the co-ordination of policies, strategies and service delivery to the Council and its management.

To exercise oversight of the Council's performance generally, to be accountable to the Council and the community at large, for general standards of service delivery.

To determine any issues referred by the Chief Executive and Directors pursuant to the Council's general scheme of delegation to officers.

To act as the Council Member nominated to sign the Annual Statement of Internal Control following formal approval by the Audit Committee.

Portfolio to include:

Corporate Leadership and Strategy

Chairing meetings of the Executive Board

Representing the Council on the Welsh Local Government Association's Council and Executive Board

Economic Development

Representing the Council on Swansea Bay City Region

Collaboration

Marketing and Media

Liaising with the Chief Executive

Public Service Board

Appoint the Councillors to serve on the Executive Board and draw up their portfolios

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Appoint Councillors to serve as Executive Board Members to each portfolio taking into consideration their abilities, with power to review appointments and/or allocation of portfolios.

Appoint up to two Deputy Leaders who will undertake such functions set out in their job profiles and the job profile of the Leader of the Council as may be requested by the Leader in circumstances where he/she is unable to exercise them.

Appoint a job share Leader and job share Executive Board Members provided that the maximum number on the Board does not exceed thirteen.

Appoint 'Assistants to the Executive' who are not members of the Executive Board but who are entitled to attend, and speak at, any meeting of the Executive Board or any of the Executive Board's Committees.

Representing and acting as an ambassador for the Council

Representing the council to a high standard, providing a strong, competent and eloquent figure both within the County and at meetings with external bodies.

Representing the council on the WLGA coordinating committee and the WLGA regional partnership board and other bodies determined by the council.

Providing leadership and support to local partnerships and organisations.

Representing the council in regional and national bodies as appropriate.

Provide leadership within the portfolio

Fulfilling the role of a portfolio holder, having regard to the role purpose and activities, and role specification of an executive board member

Manage and lead the work of the Executive Board and chair meetings

Ensuring the effective running of the executive board by managing the forward work programme and ensuring its continuing development.

Ensuring that the work of the Executive Board meets national policy objectives.

Advising and mentoring other executive board members in their work.

Chairing meetings of the executive board in line with the council's constitution whilst also promoting the practice and principles of collective decision making.

In the Leader's absence a nominated Executive Board Member Strategy Co-ordination Deputy Leader(s) will fulfil this role.

Participate and lead in the collective decision making of the Executive Board

To work closely with other Executive Board Members in ensuring:

the development of effective council policies

the budgetary framework for the Council

the delivery of high quality services to local people.

To accept collective responsibility and support decisions made by the Executive Board.

To work with officers in leading the Council

To act as the principal point of councillor contact with the Chief Executive and Corporate Management Team

To liaise with the Chief Executive, and other appropriate officers, on a regular basis

To work with employees of the Council in relation to the strategic vision and direction of the Council, the management roles of officers and the development of policy issues.

Leading partnerships and community leadership

To provide leadership to local strategic partnerships and local partners in the pursuit of common aims and priorities

To negotiate and to be a broker in cases of differing priorities and disagreement

To act as a leader of the local community by showing vision and foresight

Internal governance, ethical standards and relationships

Promoting and supporting good governance of the Council and its affairs

Providing community leadership and promoting active citizenship

Promoting and supporting open and transparent government

Supporting and adhering to respectful, appropriate and effective relationships with employees of the Council

Adhering to the Member's Code of Conduct, Member/Officer Protocol and the highest standards of behaviour in public office

Councillor Learning & Development

To consider and approve applications by members to attend conferences / seminars / training courses following consideration of a report prepared by the Chief Executive including:

- a) conference / seminar / training course details
- b) the comments of the relevant Director as to the necessity to attend.
- c) the total costs associated with attendance i.e. conference / seminar / training fees, transport, subsistence and accommodation.

Values

To be committed to and demonstrate the following values in public office:

- Openness and transparency
- Honesty and integrity
- Tolerance and respect
- Equality and fairness
- Appreciation of cultural difference
- Sustainability
- Inclusive leadership
- Consensus building

4.3 Person specification for the Leader of the Council

To fulfil his or her role as laid out in the role description, an effective Leader requires:

Provide political leadership to the Council

Knowledge of community strengths, areas of improvement and key issues
An understanding of the relationship between national and local politics
Have a good strategic awareness of issues facing the Council

An understanding of the Council's strategy, policies and operations

Appoint Councillors to serve on the Executive Board

An understanding of the rules for the appointment of Executive Board Members and Deputy Leader(s)
An ability to recognise talent amongst members
An ability to negotiate the most advantageous appointments within and across political groups
To appraise, guide and mentor senior members

Representing and acting as ambassador for the Authority

High level of communication skills to communicate to the media, local community and wider audience.
Good public speaking skills

Provide leadership within the portfolio

The skills necessary for an executive board member to fulfil their role.

Manage and lead the work of the Executive Board and chair meetings.

An understanding of the Council's constitution and procedure rules
Skills to Chair meetings, including encouraging participation from all members.
A knowledge and understanding of national policy objectives
An overview of the work being carried out by all executive board members.

Participate in the collective decision making of the Executive Board

The ability to constructively challenge decisions and suggest alternatives

To work with officers to lead the organisation

An understanding of the roles and responsibilities of the Chief Executive and other officers

Leading partnerships and community leadership

Adaptive leadership skills
Negotiation and brokerage skills
Creative and lateral thinking skills; the ability to see ahead and be predictive

Internal governance, ethical standards and relationships

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An understanding of the roles of officers, members and different agencies

Respect for and desire to work with, different groups and individuals

Have a knowledge of and understanding of the Council's Constitution, Code of Conduct and Member/Officer Protocol

A knowledge and commitment to the values of the Council

5. DEPUTY LEADER OF THE COUNCIL

5.1 Accountability

To the Leader of the Council
To the Executive Board (through collective responsibility)
To Full Council
To the electorate

5.2 Role Purpose and Activity

The Leader of the Council will designate up to two members of the Executive Board to act as Deputy Leaders:

Each Deputy Leader will undertake such functions as set out in their job profile and the job profile of the Leader of the Council as set out in section 4 above as may be requested by the Leader in circumstances where he/she is unable to exercise them e.g. Chairing Meetings of the Executive Board, or representing the Leader at events and meetings both within the County and at a regional or national level, subject to any decisions falling within the remit of a relevant executive board member being exercised by those members.

To exercise overarching responsibility for the significant policy areas as identified above and to ensure that cross cutting issues are effectively handled at a political level by ensuring that appropriate liaison is undertaken with Executive Board Members with specific service portfolios.

Where 2 Deputy Leaders are appointed they are to jointly:

Co-ordinate the activities of the Executive Board so that policies and practices reflect the principle of collective decision making and that the interests of the Council as a whole are at the forefront of the approach to the business of the Executive Board.

Co-ordinate the Council's strategies via the democratic structure and to take responsibility for those issues which impact on more than one executive board portfolio/service area.

Identify "cross cutting" issues and to ensure that the mechanisms for policy formulation including advisory panels recognize and address such issues having regard at all times to the pursuit of best value.

5.3 Person specification for Deputy Leader

To fulfil his or her role as laid out in the role description, an effective Deputy Leader requires:

Provide support to the political leadership of the Council

Knowledge of community strengths, areas of improvement and key issues
An understanding of the relationship between national and local politics
Have a good strategic awareness of issues facing the Council
An understanding of the Council's strategy, policies and operations
Full understanding of the executive's remit and role, and terms of reference for their own, leader's and others' portfolios.
To work within the guidance of the Leader

Representing and acting as ambassador for the Authority

High level communication skills to communicate to the media, local community and wider audience.
Good public speaking skills

Provide leadership within the portfolio

The skills necessary for an executive board member to fulfil their role.

Manage and lead the work of the Executive Board and chair meetings in the absence of the Leader.

An understanding of the Council's constitution and procedure rules
Skills to Chair meetings, including encouraging participation from all members.
A knowledge and understanding of national policy objectives
An overview of the work being carried out by all executive board members.

Participate in the collective decision making of the Executive Board

The ability to constructively challenge decisions and suggest alternatives

To work with officers to lead the organisation

An understanding of the roles and responsibilities of the Chief Executive and other officers

Leading partnerships and community leadership

Adaptive leadership skills
Negotiation and brokerage skills
Creative and lateral thinking skills; the ability to see ahead and be predictive

Portfolio of the Deputy Leader

1. Deputy Leader

Council Business Manager; Human Resources; Performance Management; Wales Audit; Training; I.C.T.; T.I.C. (Transformation, Innovation and Change); Strategic Planning

Internal governance, ethical standards and relationships

An understanding of the roles of officers, members and different agencies

Respect for, and desire to work with, different groups and individuals

Have a knowledge of and understanding of the Council's Constitution, Code of Conduct and Member/Officer Protocol

A knowledge and commitment to the values of the Council

6. EXECUTIVE BOARD MEMBERS

6.1 Accountability

To the Leader of the Council
To the Executive Board (through collective responsibility)
To Full Council
To the electorate

6.2 Role Purpose and Activity

Portfolio Leadership

To take the lead in giving politically accountable direction to the range of Council services within each portfolio, working in liaison with the Directors, Heads of Service and other professional officers responsible for the management and operation of those services.
Gaining the respect of officers within the portfolio; providing support to officers in the implementation of portfolio programmes

Providing leadership in the portfolio.

Liaising with the appropriate scrutiny chair and receiving scrutiny reports as required
To assess policy implications and provide political input to issues on which consulted for decision either by the relevant officer or collectively with other Executive Board Members
To be accountable for choices and performance in the portfolio.

Through the appropriate officers to have an overview of the performance management, efficiency and effectiveness of the portfolio.

To promote the achievement of best value.

To answer for service delivery performance politically to fellow members and the community.

To present reports and answer questions on matters within their portfolios at meetings of the relevant Scrutiny Committee(s)

To consider service performance or policy issues drawn to their attention by non-executive councillors following meetings of Community Networks.

Make executive decisions relating to all the functions of the County Council relating to the portfolio that they hold, subject to:

- (a) the exercise of powers delegated to Officers
- (b) those functions not being exercised in a way which would:
 - (1) change approved policies or strategies,
 - (2) create new policies or strategies,

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- (3) take decisions on the withdrawal or modification of a public service,
 - (4) decide on significant new powers or duties arising from new legislation
- (c) those decisions being taken at Executive Board Member Decision Meetings formally convened and recorded by the Chief Executive

Contribute to the setting of strategic agenda and work programme for the portfolio

To take responsibility for formulating in consultation with officers both strategic and statutory policy documents within their portfolio.

To secure Executive Board /Council approval for those matters and to oversee their implementation.

Provide assistance in working up and carrying through a strategic work programme both political and statutory.

Carry out consultations with stakeholders as required.

Make sure that the portfolio's forward work programme is kept up to date and accurate.

To encourage ways of improving and enhancing service provision through changes within the portfolio or through joint activity with other portfolios or relevant external agencies and encourage appropriate research through the policy review processes

Provide representation for the portfolio

Providing a strong, competent and persuasive figure to represent the portfolio by way of interviews, press releases or consultation meetings.

To be a figurehead in meetings with stakeholders.

To represent the Council on such outside bodies, in association with other authorities, or in partnership with other agencies as from time to time decided by the Council/Executive Board

Reporting and accounting

To report as appropriate to the Leader, Full Council, Executive Board, appropriate chair of scrutiny, regulatory bodies and the media.

To be the principal political spokesperson for the portfolio.

To appear as and when required before scrutiny committees in respect of matters within the portfolio.

Take an active part in executive board meetings and decision making

To show an interest in and support for the portfolios of others

To recognise and contribute to issues which cut across portfolios or are issues of collective responsibility.

Leading partnerships and community leadership

To provide leadership to local strategic partnerships and local partners in the pursuit of common aims and priorities

To negotiate and act as a broker in cases of differing priorities and disagreement

To act as a leader of the local community by showing vision and foresight

Internal governance, ethical standards and relationships

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To promote and support good governance of the Council and its affairs
To provide community leadership and promote active citizenship
To promote and support open and transparent government
To support, and adhere to respectful, appropriate and effective relationships with employees of the Council
To adhere to the Members' Code of Conduct, Member/Officer Protocol and the highest standards of behaviour in public office

Values

To be committed to the values of the Council and the following values in public office:

- Openness and transparency
- Honesty and integrity
- Tolerance and respect
- Equality and fairness
- Appreciation of cultural difference
- Sustainability
- Inclusive leadership

Executive Board in capacity of Council Trustee

To take decision in relation to Trusts of which the Council is Corporate Trustee.

Portfolios of Executive Board Members

Executive Board Member Communities and Rural Affairs

Rural Affairs and Community Engagement; Community Safety; Police; Counter-Terrorism and Security Act 2015; Tackling Poverty; Wellbeing of Future Generations; Third Sector Liaison; Equalities, Climate Change Strategy.

Executive Board Member Culture, Sport and Tourism

Town and Community Councils Ambassador; Development of the Welsh Language; Theatres; Sports; Leisure Centres; Museums; Libraries; Country Parks; Tourism.

Executive Board Member Education and Children

Schools; Children's Services; Special Education Needs; Safeguarding; Respite Homes; Regional Integrated Schools; Improvement Service; Adult Community Learning; Youth Services; School Catering Services, Lead Member for Children and Young People; Youth Ambassador

Executive Board Member Environment

Refuse; Street Cleansing; Transport Services; Grounds Maintenance; Building Services; Caretaking; Building Cleaning; Emergency Planning; Flooding; Public Rights of Way.

Executive Board Member Housing

Housing (Public and Private); Ageing Well

Executive Board Member Public Protection

Trading Standards; Environmental Health; Environmental Enforcement; Planning Enforcement; Unlicensed Waste; Parking Services; Biodiversity

Executive Board Member Resources

Finance & Budget; Corporate Efficiencies; Property/Asset Management; Procurement; Housing Benefits; Revenues; Statutory Services (Coroners, Registrars, Electoral, Lord Lieutenancy); Armed Forces Champion; Contact Centres and Customer Service Centres

Executive Board Member Social Care & Health

Adult Social Services; Residential Care; Home Care; Learning Disabilities; Mental Health; NHS Liaison/Collaboration/ Integration; Care Home Catering Services; Carers' Champion; Dementia Care Champion; Disability Ambassador

6.3 Person Specification for an Executive Board Member.

To fulfil his or her role as laid out in the role description, an effective Executive Board Member requires:

Portfolio leadership

An understanding of the Council's strategy, policies and operations
Leadership skills

Contribute to the setting of strategic agenda and work programme for the portfolio

The ability to present to others
The ability to exercise strategic awareness and judgement
Knowledge of relevant issues and who to involve in decision making
The ability to persuade others
Knowledge of Council and national objectives

Provide representation for the Portfolio

Public speaking skills
Good presentation skills

Report as appropriate

High level communication skills

Take an active part in Executive Board meetings and decisions

The ability to constructively challenge decisions and suggest alternatives
The knowledge, confidence and ability to contribute to discussion and resolution of cross cutting and collective issues

Leading partnerships and community leadership

Adaptive leadership skills

Negotiation and brokerage skills

Creative and lateral thinking skills; the ability to see ahead and be predictive

Internal governance, ethical standards and relationships

An understanding of the roles of officers, members and different agencies

Respect for, and desire to work with, different groups and individuals

Have knowledge and understanding of the Council's Constitution, Code of Conduct and Member/Officer Protocol

A knowledge and commitment to the values of the Council

7. CHAIR OF A SCRUTINY COMMITTEE

7.1. Accountability

Full Council
To the electorate

7.2 Role Purpose & Activity

Provide leadership and direction

Provide confident and effective management of the committee

Promote the role of scrutiny within and outside the council, liaising effectively both internally within the council and externally with the council's partners

Develop in consultation with the Executive Board and Officers a balanced forward work programme for the committee, which should include policy development and review, investigative scrutiny, and performance monitoring

Ensure that the forward work programme takes account of relevant factors such as: the work programmes of the executive and other committees, strategic priorities and risks, and relevant community issues

Demonstrate an objective and evidence based approach to scrutiny

Evaluate the impact and added value of scrutiny activity and identify areas for improvement

Contribute to the strategic development of scrutiny by participation in the Council's Chairs and Vice Chairs of Scrutiny Forum

Manage the work programme

Ensure that the work programme is delivered

Report on progress against the work programme to Council, and others as appropriate

Liaise with officers, other members and community representatives to resource and deliver the work programme

Holding the Executive to account

Evaluate the validity of executive decisions and challenge inappropriate decisions through the Council's call in arrangements

Effective meeting management

Set agenda containing clear objectives and outcomes for the meeting

Manage the progress of business at meetings, ensuring that meeting objectives are met and that the code of conduct, standing orders and other constitutional requirements are adhered to

Ensure that the necessary preparation is done beforehand

Ensure that all participants have an opportunity to make an appropriate contribution

Community leadership

Act as a focus for liaison between the council, community and external bodies in relation to the scrutiny function

Build understanding and ownership of the scrutiny function within the community

Identify relevant community based issues for scrutiny

Fully involve external stakeholders, service users, expert witnesses and partners in scrutiny activity

Involvement and development of committee members

Encourage high performance from all committee members in both committee and task and finish groups

Assess individual and collective performance within the committee and facilitate appropriate development

Values

To be committed to the values of the Council and the following values in public office:

- Openness and transparency
- Honesty and integrity
- Tolerance and respect
- Equality and fairness
- Appreciation of cultural difference
- Sustainability

7.3 Person specification for the Chair of a Scrutiny Committee

To fulfil his or her role laid out in the role description an effective Scrutiny Chair requires the following:

Provide leadership and direction

Understanding of the council's role and functions

Understanding of the role of scrutiny, terms of reference for the committee, role of chair, and other aspects of the democratic arrangements

Understanding of scrutiny support functions

Understanding of council priorities and risks

Ability to develop work programmes

Understanding of community issues

Objectivity

Negotiation and consensus building

Ability to build constructive and 'critical friend' relationships with the Executive

Manage the work programme

Ability to manage projects and resources

Ability to manage people

Ability to prioritise

Ability to report progress to different groups in different styles

Holding the executive to account

Understanding the Council's arrangements for call in

Effective meeting management

Understanding and application of meeting protocols, code of conduct, standing orders and other constitutional requirements

Ability to chair meetings effectively, managing the agenda and progressing business

Ability to facilitate effective discussions

Ability to listen and question effectively

Community leadership

An understanding of the community leadership role

Knowledge of local issues and expectations

Ability to work effectively with all members of the community and build understanding and ownership of scrutiny

Knowledge of the individuals and organisations in the community especially those traditionally excluded

Involvement and development of committee members

Understanding of the role and skills of the scrutiny committee and its individuals

Ability to support members and the committee in assessing their performance

Ability to identify any training and development needs and in consultation with officers procuring appropriate learning and development

8. VICE CHAIR OF A SCRUTINY COMMITTEE

8.1 Accountability

To Full Council
To the Chair of the Scrutiny Committee
To the members of the Scrutiny Committee
To the electorate

8.2 Role Purpose and Activity

Provide leadership and direction

Assist the Chair in providing confident and effective management of meetings and facilitate inclusivity and participation
Assist the Chair in ensuring that the committee conducts its meetings in line with the Council's Standing Orders
Assist the Chair in promoting the role of scrutiny within and outside the Council, liaising effectively both internally within the Council and externally with the Council's partners
Demonstrate an objective and evidence based approach to scrutiny.
Evaluate the impact and added value of scrutiny activity and identify areas for improvement
Contribute to the strategic development of scrutiny by participation in the Council's Chairs and Vice Chairs of Scrutiny Forum

Manage the work programme

Assist the Chair in ensuring that the work programme is delivered
Assist the Chair in liaising with officers, other members and community representatives to resource and deliver the work programme

Holding the Executive to account

Evaluate the validity of executive decisions and challenge inappropriate decisions through the Council's call in arrangements

Effective meeting management

Assist the Chair in setting agenda containing clear objectives and outcomes for the meeting
Assist the Chair in managing the progress of business at meetings; ensuring that meeting objectives are met and that the code of conduct, standing orders and other constitutional requirements are adhered to
Assist the Chair in ensuring that the necessary preparation is done beforehand
Assist the Chair in ensuring that all participants have an opportunity to make an appropriate contribution

Community leadership

Assist the Chair in acting as a focus for liaison between the council, community and external bodies in relation to the scrutiny function
Build understanding and ownership of the scrutiny function within the community.
Identify relevant community based issues for scrutiny
Fully involve external stakeholders, service users, expert witnesses and partners in scrutiny activity

Involvement and development of committee members

Assist the Chair in encouraging high performance from all committee members in both committee and task and finish groups
Assist the Chair in assessing individual and collective performance within the committee and facilitate appropriate development

Values

To be committed to the values of the council and the following values in public office:

- Openness and transparency
- Honesty and integrity
- Tolerance and respect
- Equality and fairness
- Appreciation of cultural differences
- Sustainability

8.3 Person specification for the Vice Chair of a Scrutiny Committee

To fulfil his or her role as laid out in the role description, an effective member requires the following:

In the absence of the Chair to chair committee meetings

Skills to chair meetings, to ensure business is carried out effectively and all those attending participate
An understanding of the Council's Constitution and Standing Orders

Provide leadership and direction

- Understanding of the council's role and functions
- Understanding of the role of scrutiny, terms of reference for the committee, role of chair, and other aspects of the democratic arrangements
- Understanding of scrutiny support functions
- Understanding of council priorities and risks
- Ability to develop work programmes
- Understanding of community issues
- Objectivity
- Negotiation and consensus building

Manage the work programme

- Ability to manage projects and resources
- Ability to manage people
- Ability to prioritise
- Ability to report progress to different groups in different styles

Holding the executive to account

- Understanding the Council's arrangements for call in

Effective meeting management

- Understanding and application of meeting protocols, code of conduct, standing orders and other constitutional requirements
- Ability to chair meetings effectively, managing the agenda and progressing business
- Ability to facilitate effective discussions
- Ability to listen and question effectively

Community leadership

- An understanding of the community leadership role
- Knowledge of local issues and expectations
- Ability to work effectively with all members of the community and build understanding and ownership of scrutiny
- Knowledge of the individuals and organisations in the community especially those traditionally excluded

Involvement and development of committee members

- Understanding of the role and skills of the scrutiny committee and its individuals
- Ability to support members and the committee in assessing their performance
- Ability to identify any training and development needs and in consultation with officers procuring appropriate learning and development

9. SCRUTINY COMMITTEE MEMBER

9.1 Accountability

Chair of the appropriate scrutiny committee
Full Council
To the electorate

9.2 Role Purpose & Activity

To participate fully in the activities of the Scrutiny Committee, assist in the delivery of its work programme and the work of any associated task and finish groups

Reviewing and developing policy

Assist in the creation, development, improvement and refinement of Council policy
Challenge policies on a sound basis of evidence for example against legislation or local political priority
Assess impact of existing policy

Monitoring performance and service delivery

Monitor the performance of internal and external providers against standards and targets
Contribute to the identification and mitigation of risk
Investigate and address the causes of poor performance

Promoting the work of scrutiny

Promote the role of scrutiny within and outside the Council, developing effective internal and external relationships
Demonstrate an objective and evidence based approach to scrutiny
Add value to the decision making and service provision of the Authority through effective scrutiny

Community leadership

Use scrutiny as a means to address community issues and engage the public
Encourage stakeholders to participate in the work of the authority
Develop locally viable and acceptable policy solutions
Build a dialogue around priorities, objectives and performance, among communities and stakeholders

Meeting participation

Make adequate and appropriate preparation for meetings through research and briefings

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Participate in a proactive, informed and effective manner taking account of the Code of Conduct, Standing Orders and other constitutional requirements
Request that any matter relevant to the remit of their committee is placed on the agenda and discussed.

Holding the Executive to account

Evaluate the validity of executive decisions and challenge inappropriate decisions through the Council's call in arrangements

Values

To be committed to the values of the Council and the following values in public office:

- Openness and transparency
- Honesty and integrity
- Tolerance and respect
- Equality and fairness
- Appreciation of cultural difference
- Sustainability

9.3 Person specification for a Member of a Scrutiny Committee

To fulfil his or her role as laid out in the role description, an effective scrutiny member and is required to:

Participate fully in the activities of the scrutiny function

- Have a full understanding of the scrutiny remit and role, and terms of reference for their own committee and others
- Have an understanding of scrutiny support functions
- To work within the guidance of the chair

Be involved in reviewing and developing policy

- Knowledge of and ability to evaluate existing policy
- Understanding of best practice
- Understanding of national, regional and local legislative and policy context

Be involved in monitoring performance and service delivery

- Understanding of the Wales Programme for Improvement (WPI)
- Understanding of the principles and practice of performance management
- Understanding of the Council's performance management arrangements
- Ability to analyse data and challenge performance
- Be involved in promoting the work of scrutiny
- Ability to negotiate and build consensus
- Ability to act objectively and on the basis of evidence

Be involved in community leadership

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An understanding of the community leadership role

Knowledge of local issues and expectations

Ability to work effectively with all members of the community and build understanding and ownership of scrutiny

Knowledge of the individuals and organisations in the community especially those traditionally excluded

Meeting participation

Ability to interpret information and data from a range of sources

Understanding and application of meeting protocols, Code of Conduct, Standing Orders and other constitutional requirements

Ability to participate in meetings including effective listening, questioning and speaking

Holding the Executive to account

Understanding of the Council's arrangements for call in

10. CHAIR OF A REGULATORY COMMITTEE

(Planning & Licensing Committees)

10.1 Accountability

To Full Council

To the members of the regulatory committee

10.2 Role Purpose and Activity

Provide leadership and direction

Providing confident and effective management of meetings to facilitate inclusivity, participation and clear decision making

To ensure that the committee conducts its meetings in line with the Council's Standing Orders

Ensure that applicants and other interested parties are satisfied as to the transparency of the regulatory process

Demonstrate integrity and impartiality in decision making which accord with legal, the Council's constitutional and policy requirements

Promoting the role of the regulatory committee and quasi-judicial decision making

Act as an ambassador for the regulatory committee, facilitating understanding of the role

Act within technical, legal and procedural requirements to oversee the functions of the committee fairly and correctly

Ensure thoroughness and objectivity in the committee, receiving and responding to professional advice in the conduct of meetings and in individual cases/applications before formal committee meetings

Internal governance, ethical standards and relationships

Develop the standing and integrity of the committee and its decision making

Understand the respective roles of members, officers and external parties operating within the regulatory committee's area of responsibility

Promote and support good governance by the Council.

Values

To be committed to the values of the council and the following values in public office:

Openness and transparency

Honesty and integrity

Tolerance and respect

Equality and fairness

Appreciation of cultural differences

**10.3 Person specification for the Chair of a Regulatory Committee
(Planning & Licensing Committees)**

To fulfil his or her role as set out in the role description, an effective regulatory committee chair requires:

Providing leadership and direction

Ability to conduct meetings to ensure that applicants feel that they have been dealt with fairly and fully even if their application is refused

Understanding of the Council's role and ability to ensure that stake holders are made aware of that role

Communication skills

Knowledge of local issues

Knowledge of law, policy and procedures for that regulatory/quasi judicial area

Ability to manage the work of the committee

Ability to support and develop necessary skills in fellow members of the committee

Promoting the role of the regulatory committee and quasi-judicial decision making

To have an understanding and appreciation of the regulatory framework

Ability to inspire and enthuse committee members for the work of the committee

Integrity and the ability to set aside own views and act impartially

Knowledge and understanding of the relevant code(s) of conduct and protocols and the ability to champion them

Internal governance, ethical standards and relationships

Knowledge and understanding of the council's constitution, code of conduct and protocols

Knowledge of and commitment to the values of the Council

11. VICE CHAIR OF PLANNING COMMITTEE

11.1 Accountability

To Full Council
To the Chair of the Planning Committee
To the members of the Planning Committee

11.2 Role Purpose and Activity

Provide leadership and direction

Assist the Chair in providing confident and effective management of meetings to facilitate inclusivity, participation and clear decision making
To assist the Chair in ensuring that the committee conducts its meetings in line with the Council's Standing Orders
Assist the Chair in ensuring that applicants and other interested parties are satisfied as to the transparency of the regulatory process
Demonstrate integrity and impartiality in decision making which accord with legal, the Council's constitutional and policy requirements

Promoting the role of the regulatory committee and quasi-judicial decision making

Act as an ambassador for the regulatory committee, facilitating understanding of the role
Act within technical, legal and procedural requirements to oversee the functions of the committee fairly and correctly
Ensure thoroughness and objectivity in the committee, receiving and responding to professional advice in the conduct of meetings and in individual cases/applications before formal committee meetings

Internal governance, ethical standards and relationships

Develop the standing and integrity of the committee and its decision making..
Understand the respective roles of members, officers and external parties operating within the regulatory committee's area of responsibility
Promote and support good governance by the Council.

Values

To be committed to the values of the council and the following values in public office:

- Openness and transparency
- Honesty and integrity
- Tolerance and respect
- Equality and fairness
- Appreciation of cultural differences
- Sustainability

11.3 Person specification for the Vice Chair of the Planning Committee

To fulfil his or her role as laid out in the role description, an effective member requires the following:

Act as a symbol of the Council's democratic authority

Good public speaking skills

An in-depth understanding of role of Chair of the Council and protocols

In the absence of the Chair to chair committee meetings

Skills to chair meetings, to ensure business is carried out effectively and all those attending participate

An understanding of the Council's Constitution and Standing Orders

Uphold and promote the Council's Constitution

An understanding of the Council's Constitution

An understanding of when to seek the advice of the Monitoring Officer on issues relating to the Constitution

Internal governance, ethical standards and relationships

An understanding of the roles of officers, members and different agencies

Respect for, and desire to work with, different groups and individuals

Have knowledge and understanding of the Code of Conduct and Member/Officer Protocol

A knowledge and commitment to the values of the Council

Work programming

The ability and discipline to plan and manage work programmes

12. VICE CHAIR OF THE LICENSING COMMITTEE

12.1 Accountability

To Full Council

To the Chair of the Licensing Committee

To the members of the Licensing Committee

12.2 Role Purpose and Activity

Provide leadership and direction

Assist the Chair in providing confident and effective management of meetings to facilitate inclusivity, participation and clear decision making

To assist the Chair in ensuring that the committee conducts its meetings in line with the Council's Standing Orders

Assist the Chair in ensuring that applicants and other interested parties are satisfied as to the transparency of the regulatory process

Demonstrate integrity and impartiality in decision making which accord with legal, the Council's constitutional and policy requirements

Promoting the role of the regulatory committee and quasi-judicial decision making

Act as an ambassador for the regulatory committee, facilitating understanding of the role

Act within technical, legal and procedural requirements to oversee the functions of the committee fairly and correctly

Ensure thoroughness and objectivity in the committee, receiving and responding to professional advice in the conduct of meetings and in individual cases/applications before formal committee meetings

Internal governance, ethical standards and relationships

Develop the standing and integrity of the committee and its decision making..

Understand the respective roles of members, officers and external parties operating within the regulatory committee's area of responsibility

Promote and support good governance by the Council.

Values

To be committed to the values of the council and the following values in public office:

- Openness and transparency
- Honesty and integrity
- Tolerance and respect
- Equality and fairness
- Appreciation of cultural differences
- Sustainability

12.3 Person specification for the Vice Chair of the Licensing Committee

To fulfil his or her role as laid out in the role description, an effective member requires the following:

Act as a symbol of the Council's democratic authority

- Good public speaking skills
- An in-depth understanding of role of Chair of the Council and protocols

In the absence of the Chair to chair committee meetings

- Skills to chair meetings, to ensure business is carried out effectively and all those attending participate
- An understanding of the Council's Constitution and Standing Orders

Uphold and promote the Council's Constitution

- An understanding of the Council's Constitution
- An understanding of when to seek the advice of the Monitoring Officer on issues relating to the Constitution

Internal governance, ethical standards and relationships

- An understanding of the roles of officers, members and different agencies
- Respect for, and desire to work with, different groups and individuals
- Have knowledge and understanding of the Code of Conduct and Member/Officer Protocol
- A knowledge and commitment to the values of the Council

Work programming

- The ability and discipline to plan and manage work programmes

13. MEMBER OF A REGULATORY COMMITTEE

(Planning & Licensing Committees)

13.1 Accountability

To Full Council
To the Chair of the regulatory committee

13.2 Role purpose and activity

Understanding the nature of the regulatory committee and quasi-judicial decision making

To be aware of the quasi-judicial nature of regulatory committee decision making
To gain sufficient technical, legal and procedural knowledge to contribute fairly and correctly to the function of the committee
To be thorough and objective in receiving and responding to professional advice in the conduct of meetings and individual cases/applications before the committee

Participating in meetings and making decisions

To participate effectively in meetings of the regulatory committee, ensuring that both local considerations and policy recommendations are balanced to contribute to effective decision making
To make informed and balanced decisions, within the terms of reference of the committee, which accord with legal and the council's constitutional and policy requirements

Internal governance, ethical standards and relationships

To ensure the integrity of the committee's decision making and of his/ her own role by adhering to the Code of Conduct(s) and other constitutional and legal requirements
To promote and support good governance by the Council
To understand the respective roles of members, officers and external parties operating within the regulatory committee's area of responsibility

Values

To be committed to the values of the Council and the following values in public office:

- Openness and transparency
- Honesty and integrity
- Tolerance and respect
- Equality and fairness
- Appreciation of cultural difference
- Sustainability.

13.3 Person specification for a Member of a Regulatory Committee (Planning & Licensing Committees)

To fulfil his or her role as laid out in the role/job description, an effective member of a regulatory committee requires the following:

Understanding the nature of the regulatory committee and quasi-judicial decision making

Integrity and the ability to set aside own views and act impartially
Knowledge of law, policy and procedures for that regulatory/quasi judicial area
Maintenance of knowledge
Objectivity and judgement

Participating in meetings and making decisions

Ability to listen and to consider and respect the views of other contributors
Good public speaking skills
Good advocacy skills

Internal governance, ethical standards and relationships

Knowledge and understanding of the council's constitution, code of conduct and protocols
Knowledge of and a commitment to the values of the Council

14. CHAIR OF APPEALS COMMITTEE

14.1 Accountability

Accountable to Full Council

Accountable to the members of the Appeals Committee

14.2 Role Purpose and Activity

Providing confident and effective management of meetings to facilitate inclusivity, participation and clear decision making

To ensure that the committee conducts its meetings in line with the Council's Procedure Rules

Ensure that appellants and other interested parties are satisfied as to the transparency of the appeals process

Demonstrate integrity and impartiality in decision making which accord with the law and the Council's constitutional and policy requirements

Facilitate understanding of the role of the Committee and ensure that the Committee and its members act within the legal and procedural requirements to oversee the functions of the committee fairly and correctly

Ensure thoroughness and objectivity in the committee, receiving and responding to professional advice in the conduct of meetings and in the individual cases before them

Internal governance, ethical standards and relationships

Develop the standing and integrity of the committee and its decision making

Understand the respective roles of members, officers and external parties operating within the committee's area of responsibility

Promote and support good governance by the Council.

Values

To be committed to the values of the council and the following values in public office:

Openness and transparency

Honesty and integrity

Tolerance and respect

Equality and fairness

Appreciation of cultural differences

Sustainability

14.3 Person specification Chair of appeals Committee

To fulfil his or her role as set out in the job description, an effective Appeals Committee Chair requires:

Providing leadership and direction

Ability to conduct meetings to ensure that appellants feel that they have been dealt with fairly and fully even if their appeal is refused

Understanding of the Council's role and ability to ensure that stake holders are made aware of that role

Communication skills

Knowledge of law, policy and procedures for the areas that the Committee deals with

Ability to manage the work of the committee

Ability to support and develop necessary skills in fellow members of the committee

Promoting the role of the committee

To have an understanding and appreciation of the regulatory framework

Ability to inspire and enthuse committee members for the work of the committee

Integrity and the ability to set aside own views and act impartially

Knowledge and understanding of the relevant code(s) of conduct and protocols and the ability to champion them

Internal governance, ethical standards and relationships

Knowledge and understanding of the council's constitution, code of conduct and protocols

Knowledge of and commitment to the values of the Council

15. Chair of Democratic Services Committee – Role Description

1 Accountabilities

- To Full Council

2 Role Purpose and Activity

- **Providing leadership and direction**

- To provide confident and effective management of meetings to facilitate inclusivity, participation and clear decision making

- To lead the committee in its role in:

- Keeping under review the provision of staff, accommodation and other resources made available to the Head of Democratic services, ensuring that these are adequate
- Make annual reports to the full council in relation to the above
- Appointing sub committees and chairs of subcommittees to undertake functions delegated by the committee
- Considering reports prepared by the Head of Democratic Services
- Developing the Authority's member support and development strategy
- Ensuring that members have access to a reasonable level of training and development as described in the Authority's member development strategy and the Wales Charter for Member Support and Development
- Ensuring that the budget for member development is sufficient
- Ensuring that members have access to personal development planning and annual personal development reviews

- To demonstrate integrity and impartiality in decision making which accord with legal, constitutional and policy requirements

- **To be the Council's Member Development Champion**

- To promote and develop Authority's member support and development strategy
- To promote the role of members and necessary support and development.
- To ensure as far as possible that members fully take up their opportunities to attend member development events and access personal development planning and annual personal development reviews

- **Promoting the role of the Democratic Services Committee**
 - To act as an ambassador for the DS committee, facilitating understanding of the role
 - To act within technical, legal and procedural requirements to oversee the functions of the committee fairly and correctly
 - To ensure thoroughness and objectivity in the committee, receiving and responding to professional advice in the conduct of meetings.
- **Internal governance, ethical standards and relationships**
 - To develop the standing and integrity of the committee and its decision making
 - To understand the respective roles of members, officers and external parties operating within the Democratic services committee's area of responsibility
 - To promote and support good governance by the Council.

3 Values

- To be committed to the values of the council and the following values in public office:
 - Openness and transparency
 - Honesty and integrity
 - Tolerance and respect
 - Equality and fairness
 - Appreciation of cultural differences
 - Sustainability

16. Member of the Democratic Services Committee – Role Description

1 Accountabilities

- To Full Council
- To the Chair of the Democratic Services committee

2 Role purpose and activity

- **Understanding the nature of the democratic services committee:**
 - To be aware of and effectively undertake the role of the committee in:
 - Keeping under review the provision of staff, accommodation and other resources made available to the Head of Democratic services, ensuring that these are adequate
 - Make annual reports to the full council in relation to the above
 - Appointing sub committees and chairs of subcommittees to undertake functions delegated by the committee
 - Considering reports prepared by the Head of Democratic Services
 - Developing the Authority's member support and development strategy
 - Ensuring that members have access to a reasonable level of training and development as described in the member development strategy and the Wales Charter for Member Support and Development
 - Ensuring that the budget for member development is sufficient
 - Ensuring that members have access to personal development planning and annual personal development reviews
 - To have sufficient technical, legal and procedural knowledge to contribute fairly and correctly to the function of the committee.
 - To be thorough and objective in receiving and responding to professional advice in the conduct of meetings and issues before the committee
- **Participating in meetings and making decisions**
 - To participate effectively in meetings of the Democratic services committee,
 - To make informed and balanced decisions, within the terms of reference of the committee, which accord with legal, constitutional and policy requirements

- **Internal governance, ethical standards and relationships**

- To ensure the integrity of the committee's decision making and of his/ her own role by adhering to the Code of Conduct(s) and other constitutional and legal requirements
- To promote and support good governance by the Council
- To understand the respective roles of members, officers and external parties operating within the Democratic Services committee's area of responsibility

3 Values

- To be committed to the values of the Council and the following values in public office:
 - Openness and transparency
 - Honesty and integrity
 - Tolerance and respect
 - Equality and fairness
 - Appreciation of cultural difference
 - Sustainability

17. Member Development Champion - Role Description

1. Accountabilities

To Democratic Services Committee.
To Council.

2. Role Purpose and Activities

Key responsibilities are:

- to work alongside the Head of Democratic Services and the Corporate Learning Development Manager in drawing up the Councillor Development Programme and to ensure that appropriate support is available to deliver the programme to members.
- to lead on and actively promote the relevance and importance of the Programme within the Council;
- with the assistance of Members of the Democratic Services Committee to raise the profile of member development within the Council and to actively encourage Councillors to attend training and development events organised for them;
- to consult with colleagues in other authorities and identify areas of good practice;
- to engage with the Welsh Local Government Association who take the lead and support authorities in providing development opportunities for Councillors.
- to informally monitor Councillors' views of the development program and the opportunities provided and attended;
- in liaison with the Head of Democratic Services and the Corporate Learning Development Manager, to monitor the performance, resourcing, relevance and, quality of the development opportunities provided
- To act as an ambassador for the DS committee, facilitating understanding of the Committee's role in member development

Desirable skills include:

- the ability to think strategically;
- good interpersonal skills;
- the ability to communicate effectively;
- a commitment to enhance and extend knowledge and skills across subject areas and cross-cutting issues;
- skills in the use of ICT, including electronic communication;

18. Chair of Standards Committee Role Description

1 Accountabilities

- To Full Council

2 Role Purpose and Activity

- **Providing leadership and direction**
 - To act within technical, legal and procedural requirements to oversee the functions of the committee fairly and correctly
 - To ensure thoroughness and objectivity in the committee, receiving and responding to professional advice on the Code of Conduct
 - To demonstrate independence, integrity and impartiality in decision making which accord with legal, constitutional and policy requirements
 - To provide confident and effective management of meetings to facilitate inclusivity, participation and clear decision making
 - To lead the committee in its role in:
 - promoting and maintaining high standards of conduct by Councillors and co-opted members
 - assisting the Councillors and co-opted members to observe the Members' Code of Conduct;
 - advising the Council on the adoption or revision of the Members' Code of Conduct;
 - monitoring the operation of the Members' Code of Conduct;
 - advising, training or arranging to train Councillors, co-opted members on matters relating to the Members' Code of Conduct;
 - granting dispensations to Councillors and co-opted members
 - dealing with any reports from a case tribunal or interim case tribunal, and any report from the Monitoring Officer on any matter referred to that officer by the Public Services Ombudsman for Wales.
 - the exercise of these functions in relation to community councils and the members of those community councils.
 - Receiving annual reports on the operation of The Council's complaints procedure and whistle blowing policy.

3 Values

APPENDIX A

- To be committed to the values of the council and the following values in public office:
 - Openness and transparency
 - Honesty and integrity
 - Tolerance and respect
 - Equality and fairness
 - Appreciation of cultural differences
 - Sustainability

19. Member of a Standards Committee Role Description

1 Accountabilities

- To Full Council
- To the Chair of the Standards Committee

2 Role purpose and activity

- **Understanding the nature of the Standards committee and effectively fulfilling its functions by:**
 - promoting and maintaining high standards of conduct by Councillors and co-opted members
 - assisting the Councillors and co-opted members to observe the Members' Code of Conduct;
 - advising the Council on the adoption or revision of the Members' Code of Conduct;
 - monitoring the operation of the Members' Code of Conduct;
 - advising, training or arranging to train Councillors, co-opted members on matters relating to the Members' Code of Conduct;
 - granting dispensations to Councillors and co-opted members
 - dealing with any reports from a case tribunal or interim case tribunal, and any report from the Monitoring Officer on any matter referred to that officer by the Public Services Ombudsman for Wales.
 - The exercise of these functions in relation to town and community councils within the County and their members
 - Receiving annual reports on the operation of the Council's complaints procedure and whistle blowing policy

- To have sufficient knowledge to contribute fairly and correctly to the function of the committee.

- To reach decisions on the basis of the merits of the circumstances involved and in the public interest having regard to relevant advice provided by officers

- **Participating in meetings and making decisions**
 - To participate effectively in meetings of the Standards committee,

 - To make informed and balanced decisions, within the terms of reference of the committee, which accord with legal, constitutional and policy requirements

- **Internal governance, ethical standards and relationships**

- To ensure the integrity of the committee's decision making and of his/ her own role by adhering to the Code of Conduct(s) and other constitutional and legal requirements
- To promote and support good governance by the Council
- To understand the respective roles of members, officers and external parties operating within the Standards committee's area of responsibility

3 Values

- To be committed to the values of the Council and the following values in public office:
 - Openness and transparency
 - Honesty and integrity
 - Tolerance and respect
 - Equality and fairness
 - Appreciation of cultural difference
 - Sustainability

20. Chair of Audit Committee Job Profile

1 Accountabilities

- To Full Council

2 Role Purpose and Activity

- **Providing leadership and direction**
 - To demonstrate independence, integrity and impartiality in decision making which accord with legal, constitutional and policy requirements
 - To provide confident and effective management of meetings to facilitate inclusivity, participation and clear decision making
 - To agree the agendas for Audit Committee meetings
 - To lead the Committee in its role in:
 - reviewing and scrutinising the authority's financial affairs
 - Making reports and recommendations in relation to the authority's financial affairs
 - Reviewing and assessing the risk management, internal control and corporate governance arrangements of the authority
 - Making reports and recommendations to the authority on the adequacy and effectiveness of those arrangements
 - Overseeing the authority's internal and external audit arrangements
 - Reviewing the financial statements prepared by the authority and approving them when powers are delegated.
 - Developing relationships with internal and external auditors and the Authority's Monitoring Officer
 - Developing a forward work programme designed to deliver the Audit Committee's functions
 - Reviewing and self assessing the performance of the Committee and its Members
- **Promoting the role of the Audit Committee**

- To act as an Ambassador for the Audit Committee, facilitating understanding of the role

- To act within technical, legal and procedural requirements to oversee the functions of the Committee fairly and correctly
- To ensure thoroughness and objectivity in the Committee, receiving and responding to professional advice in the conduct of meetings and in the audit process

- **Internal governance, ethical standards and relationships**
 - Understanding the financial risks associated with corporate governance; being satisfied that the Authority's Assurance Statements including the Annual Governance Statement reflects the risk environment and any activities required to improve it

 - To develop the standing and integrity of the Committee and its decision making
 - To understand the respective roles of Members, Officers and External Parties operating within the Audit Committee's area of responsibility
 - To promote and support good governance by the Council.

3 Values

- To be committed to the values of the Council and the following values in public office:
 - Openness and transparency
 - Honesty and integrity
 - Tolerance and respect
 - Equality and fairness
 - Appreciation of cultural differences
 - Sustainability

21. Member of Audit Committee Job Profile

1 Accountabilities

- To Full Council
- To the Chair of the Audit Committee

2 Role purpose and activity

- **Understanding the role of the Audit Committee and undertaking its functions:**
 - Reviewing and scrutinising the Authority's financial affairs
 - Making reports and recommendations in relation to the authority's financial affairs
 - Reviewing and assessing the Risk Management, Internal Control and Corporate Governance arrangements of the Authority,
 - Making reports and recommendations to the Authority on the adequacy and effectiveness of those arrangements,
 - Overseeing the Authority's Internal and External Audit arrangements
 - Reviewing the Financial Statements prepared by the Authority.
- To have sufficient technical, legal and procedural knowledge to contribute fairly and correctly to the function of the Committee.
- To be thorough and objective in receiving and responding to professional advice in the conduct of meetings and issues before the Committee
- **Participating in meetings and making decisions**
 - To participate effectively in meetings of the Audit Committee; questioning and seeking clarification on matters falling within the Committee's remit
 - To make informed and balanced decisions, within the terms of reference of the committee, which accord with legal, constitutional and policy requirements
- **Internal governance, ethical standards and relationships**
 - Understanding the financial risks associated with Corporate Governance; being satisfied that the Authority's Assurance Statements including the Annual Governance Statement reflects the risk environment and any activities required to improve it

- To ensure the integrity of the Committee's decision making and of his/ her own role by adhering to the Code of Conduct(s) and other Constitutional and Legal Requirements
- To promote and support good governance by the Council
- To understand the respective roles of Members, Officers and External Parties operating within the Audit Committee's area of responsibility

3 Values

- To be committed to the values of the Council and the following values in public office:
 - Openness and transparency
 - Honesty and integrity
 - Tolerance and respect
 - Equality and fairness
 - Appreciation of cultural difference
 - Sustainability

4 Skills and Qualities Required of the External Voting Member of the Audit Committee

The External Voting Member of audit Committee will:-

- be able to demonstrate some knowledge of financial control and management in a Local Authority or a large public organisation
- have an interest in local affairs and the development of the local community
- be an effective communicator
- have an ability to analyse facts and evidence
- be able to form sound judgements, based purely on the merits of the facts and evidence and in the public interest
- have a strong belief in upholding ethical standards in public life
- be someone who acts with discretion and personal integrity and has good standing in the local community
- have disclosed to the Council all matters relevant to their background, such that the Council would not have cause to reconsider the appointment if the matter were to become public

APPENDIX A

The Council will **not** consider applications from persons included in the list below:-

	Category of Individuals Prevented from Applying for the Role	Reason
1.	Employees of Carmarthenshire County Council	The role requires someone who is independent from the Council.
2.	Elected Members of Carmarthenshire County Council or persons who were elected members of the Council within the previous 12 months	The role requires someone who is independent from the Council.
3.	Persons who hold membership of a Political Party / Group	The role requires someone who is not aligned to any Political Party or Group.
4.	Persons having any substantial business relationships with the authority	The role requires an independent person and should not allow the promotion of an individual's business interests.
5.	Persons who have been adjudged bankrupt	To ensure that high standards of business dealings can be demonstrated and maintained.
6.	Persons who have been sentenced to a term of imprisonment for a period of 3 months or more within the past 5 years	To ensure that high standards of integrity can be maintained. <i>The External Voting Member is subject to a Criminal Records Bureau Check .</i>

Member Champion/Ambassador – Role Description

Accountabilities

- The Council
- The Executive Board
- All Member Champions/Ambassadors must act reasonably in their role and recognise and work effectively within the political management and working arrangements of the Council.
- A Member Champion/Ambassador cannot make decisions and must not commit the Council in any way or manner that could be interpreted as being contrary to established policy and practice.

Purpose

To act as advocate or spokesperson for a specific area of the Council's business and to encourage communication and positive action over the issue they represent.

Role:-

- To champion the adopted policy of the Council for the relevant theme through knowledge and understanding of the area of interest in terms of council strategies and policy, good practice, improvement and national agendas and the needs of the client group
- To promote the role of Member Champion/Ambassador, both internally and externally of the Council by contributing to the review and development of policies pertaining to their interest.
- To engage and understand the needs of members, officers, relevant organisations, citizens and the community by listening to their views.
- To challenge and question the Council on issues affecting their area and to advocate on behalf of the area of interest.
- To lead and support local initiatives related to the interest and act as a catalyst for change and improvements in service delivery.
- To advise Council on activities relevant to the area of interest.
- To represent the position of the Council to the community in relation to the interest.
- To network with Member Champions from other Local Authorities to keep up to date with current developments.

Political Group Leader Role Description

Accountabilities

To the nominating Political Group

Role Purpose and Activity

Providing political leadership to the Group

- To be a political figurehead and role model for the Group
- To be the principal political spokesperson for the Group
- If in power, to provide Party Political leadership in the development of the Council's vision or policies and, if in opposition to provide constructive challenge and alternatives to the ruling Political Group's vision and policies.
- To canvass a range of views within the Political Group in the formulation of policy.
- To integrate and represent Political Group policy at a local level.
- To co-operate with other Political Groups where appropriate, particularly in matters of a non-Party Political nature.
- To chair and/or attend meetings where appointed to a representative role within the Council.
- To liaise with other local and regional representatives of the party.
- To be the representative voice of the Group for example and where applicable, in its dealings with outside organisations such as the Welsh Government or Senedd.
- To work with the Council, Group Members and local and national Party Representatives to promote diversity in democracy and the selection, election and advancement of members from underrepresented groups.

Internal governance, ethical standards and relationships:

- To promote and support good governance of the Council and its affairs.
- To provide community leadership and promote active citizenship.
- To promote and support open and transparent government.
- To promote, support, and adhere to respectful, appropriate and effective relationships with employees of the Council.
- To promote, support and adhere to the Member's Code of Conduct, Member/Officer Protocol and the highest standards of behaviour in public office.
- To encourage due regard to the Ten principles of Public life set out by the Public Services Ombudsman for Wales.
- To participate in and encourage Group members to take part in relevant development opportunities.
- To encourage and enable all Group Members to claim the salaries,
-

Duty to promote and maintain high standards of conduct by Group Members in accordance with the Local Government and Elections (Wales) Act 2021

APPENDIX A

- Take reasonable steps to promote and maintain high standards of conduct by the members of the Group.
- Co-operate with the council's standards committee (and any sub-committee of the committee) in the exercise of the standards committee's functions. Specifically, to co-operate with the Standards Committee in its duty to monitor compliance of Group Leaders with their duty under the act and in providing information for the Standards Committee's annual report.
- To participate in any training relating specifically to this duty.

Values: To be committed to and demonstrate the following values in public office:

- Openness and transparency
- Honesty and integrity
- Tolerance and respect
- Equality and fairness
- Appreciation of cultural difference
- Sustainability
- Inclusive leadership
- Consensus building