

ANNUAL MEETING OF THE COUNCIL

10TH JUNE 2020

COUNCIL CONSTITUTION

Recommendations/key decisions required:-

1. To adopt the Councillors' and Co-opted Members' Salaries and Allowances Scheme for 2020/21 as detailed within the report.
2. To approve any necessary membership changes contained within the Constitution, arising from decisions made earlier in the meeting.
3. In view of the Covid-19 pandemic, to defer the full annual review of the Constitution to a future meeting of the Council .

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 can only be approved by the full Council.

In view of the current Covid-19 pandemic it is suggested that the annual review of the Constitution be deferred to a future date and that in this instance the Members Allowance Scheme and Composition of Committees are the only items for formal consideration as decisions on these items are required. Any relaxations of the rules around the holding of local authority meetings enabled by The Local Authorities (Coronavirus)(Meetings)(Wales) Regulations 2020 (such as remote attendance at meetings) are temporary relaxations and can be applied regardless of provisions in the current Constitution.

Relevant scrutiny committee to be consulted NO

Exec Board Decision Required NO

Council Decision Required YES

EXECUTIVE BOARD MEMBER PORTFOLIO HOLDER:- Leader of the Council

Directorate Chief Executive's	Designations:	Tel Nos.01267 224010
Name of Head of Service:	Head of Administration & Law	LRJones@carmarthenshire.gov.uk
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Council is required to review its Constitution on an annual basis and has established the Constitutional Review Working Group to present recommendations for constitutional change.

There have been no legislative changes during 2019/20 which require changes to be made to the Council's Constitution however, the Council will need to amend Part 6.1 of the Constitution to reflect the Independent Remuneration Panel for Wales (IRPW) prescribed amounts to be paid to Councillors for 2020/21.

The Constitutional Review Working Group has been tasked by Council to review and recommend any changes to the Constitution, in view of the suspension of meetings due to the Covid-19 pandemic, it has not been possible for the Constitutional Review Working Group to consider any proposed amendments and it is therefore proposed that the Annual review is deferred to a future Council meeting.

On the 22nd April 2020 The Local Authorities (Coronavirus)(Meetings)(Wales) Regulations 2020 came into force and provided for various relaxations to the rules regulating local authority meetings including allowing for 100% remote attendance at meetings. Council Procedure Rules (Standing Orders) do not have to be changed to incorporate these relaxations as the Regulations provide that they may be applied regardless of any provisions contained in the Constitution. These relaxations are temporary and apply only to meetings held before the 1st May 2021.

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

Constitutionally, responsibility for adopting a Scheme of Members' Allowances rests with the Council but the Independent Remuneration Panel for Wales (IRPW) now prescribes the amounts to be paid with a view to providing a consistent national framework for councillor remuneration. The report details the IRPW determinations for 2020/21. The IRPW has removed the decision delegated to local authorities for principal councils to decide on the maximum number of days in any one year for which co-opted members can be paid, and alternatively the amount paid will reflect the work programme of the relevant committee. Historically any increases to salaries has taken effect from the date of the AGM however the IRPW has now determined that all salaries will increase from 1st April 2020. Councillors appointed to new posts Senior/Civic Salaries at the AGM will be paid any revised salary from the start of the municipal year.

DETAILED REPORT ATTACHED ?

Appendix – Part 6.1a Part 6.1a Councillors' & co-opted member's scheme of allowances

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

Subject to any temporary relaxations provided by The Local Authorities (Coronavirus)(Meetings)(Wales) Regulations 2020 the Council is required to comply with the Local Government Act 1972 and the Local Government Act 2000 in the drafting and subsequent operation of the Constitution.

CONSULTATIONS

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

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

1. Scrutiny Committee

N/A

2. Local Member(s)

N/A

3. Community / Town Council

N/A

4. Relevant Partners

N/A

5. Staff Side Representatives and other Organisations

N/A

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

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

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Carmarthenshire Council Constitution		http://www.carmarthenshire.gov.wales/home/council-democracy/the-council/councils-constitution/
Local Government Act 2000		http://www.legislation.gov.uk/ukpga/2000/22/pdfs/ukpga_20000022_en.pdf
Independent Remuneration Panel for Wales Report – February 2020		https://gov.wales/sites/default/files/publications/2020-02/annual-report-2020-to-2021.pdf