

# SECTION 1 – INTRODUCTION

## Purpose and Content of the Constitution

- 1.1 The Constitution describes the various bodies that make up the Council, their functions, Membership and procedural rules.
- 1.2 In Section 3 (Getting Information and Getting Involved) we have provided information for members of the public and councillors on how you can get information about the Council, and how you can get involved. We hope that this will help people who have an interest in the Council's work, or a particular matter it is dealing with, understand where they can get more information, and how they can contribute to Council activities.
- 1.3 You can get a better understanding of what each of the Council's bodies do in Sections 4 to 10 of this Constitution, including Full Council, Cabinet, Health and Care Scrutiny Committee; Economy, Residents and Communities Scrutiny Committee; Learning and Skills Scrutiny Committee, Governance and Audit Committee; Planning, Taxi Licensing and Rights of Way Committee; Employment and Appeals Committee; Licensing Act 2003 Committee; Pensions and Investments Committee; Democratic Services Committee; Standards Committee. Section 11 provides information on the management and Officer structures of the Council. Some Officers have a specific duty to ensure that the Council operates within the law and uses resources wisely. Responsibility for functions at Section 13 says which Council bodies, and which Officers, have authority to make which decisions.
- 1.4 The procedural rules that apply to the different Council bodies are contained in the sections relating to those bodies, e.g. Full Council (Section 4), the Cabinet (Section 5) and Scrutiny Committees, (Section 7). You may find these useful if you want to attend a meeting, particularly if you want to be able to ask questions, have a matter discussed, or put your point of view to the meeting.
- 1.5 Sections 18 to 20 have the Codes of Conduct and Protocols which Officers and Members have agreed to comply with. They set the standards of behaviour.
- 1.6 The Contents pages at the beginning of this Constitution provide a guide on what is in the Constitution and where you can find it. In Section 2.2.2 there is a glossary of the terms used in the Constitution

## How the Council Operates

- 1.7 The Council comprises 73 Councillors elected every five years or such other period as prescribed from time to time in legislation ("the Term"). Each Councillor is democratically accountable to the residents of their electoral division and as a Member of the Council to those who live in the county of Powys. The overriding duty of Councillors is to the whole community, but they have a special duty to their constituents, including those who did not or could not vote for them.
- 1.8 All Councillors have agreed to follow the Code of Conduct, to ensure high standards in the way they undertake their duties. The Standards Committee is responsible for training and advising on the Code of Conduct.
- 1.9 All Councillors meet together regularly as the Council. Meetings of the Council are normally open to the public except where confidential matters are being discussed. Here Councillors decide the Council's overall Policy Framework and set the budget each year. The Council appoints the Leader of the Council for a term of 4 years or such other period as prescribed from time to time in legislation for the Term or otherwise removed in accordance with Rule 4.40.2 of the Constitution. Subject to the prescribed limits as to the size of the Cabinet as set

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out in regulations<sup>1</sup> the Leader decides the size and Membership of the Cabinet i.e. the role of individual Members of the Cabinet and arrangements for the exercise and delegation of Executive Functions. The Cabinet is appointed to carry out all of the Council's functions which are not the responsibility of any other part of the Council, whether by Law or under this Constitution, together with making decisions within the Budget and Policy Framework set by the Council.

If you need any further help please do not hesitate to contact us.

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Whilst the Constitution is very long we hope that you will find it easy to use. We have spent a lot of time trying to make it as easy to follow as is possible with such a long and complex legal document.

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<sup>1</sup> The Local Authorities Executive Arrangements (Functions and Responsibilities) (Wales) Regulations 2001 (as amended)