

CYNGOR SIR POWYS COUNTY COUNCIL.

**Democratic Services Committee
28 September 2023**

REPORT AUTHOR: Clive Pinney, Head of Legal Services and Monitoring Officer

REPORT TITLE: Minor Amendments to the Constitution

REPORT FOR: Information

1. Purpose

1.1 To advise the Democratic Services Committee of minor amendments to the Constitution undertaken by the Monitoring Officer under delegated authority as set out in Rules 2.7 and 2.8 of the Constitution.

2. Minor Amendments made.

Section 9 – Regulatory Committees – Governance and Audit Committee.

Rule	Amendment	Reason
9.3.1	Addition of footnote in relation to the Licensing Act 2003 Committee.	Reminder of the legislative requirement that the committee must consist of at least ten but no more than fifteen members.
9.3.4.2	Amend reference to Rule 11.45 to read 11.46	Correction of reference
9.4.4.3	Deletion of the following in relation to the Chair of the Governance and Audit Committee : <ul style="list-style-type: none">• Cannot be a member of the Cabinet• Can only be a member of an executive group if there are no opposition groups	The Chair of the Governance and Audit Committee must be an Independent / Lay Member (Local Government and Elections (Wales) Act 2021) and therefore these bullet point no longer apply.
9.4.5	Deletion of the words “or a Co-opted Member” in relation to the appointment of the Vice-Chair of the Governance and Audit Committee.	There are no co-opted Members on the Governance and Audit Committee so this does not apply.
9.4.6	Insertion of this new rule: “The Member appointed as the Vice-Chair must not be a member of the local authority’s executive or an assistant to its executive”	Amendment arising from the Local Government and Elections (Wales) Act 2021.
9.4.6	Renumbering of the original Rule 9.4.6 to 9.4.7 as a result of the insertion above.	Renumbering

9.4.7	Deletion of the original rule 9.4.7 (would have been renumbered 9.4.8: “A person presiding at a Governance and Audit Committee can only be a member of an executive group if there are no opposition groups”	The person presiding at a Governance and Audit Committee must be an Independent / Lay Member in accordance with the Local Government and Elections (Wales) Act 2021
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Section 11 – Officers.

Rule	Amendment	Reason
11.35	Amending the title of the “Head of Transformation and Communications” to “Head of Transformation and Democratic Services”	Change of title.
11.35	Deletion of “Scrutiny, Democratic Services and Member Support” as a function under the Head of Legal Services and Monitoring Officer.	Moved to different service area
11.35	Insertion of “Scrutiny, Democratic Services and Member Support” as a function under the Head of Transformation and Democratic Services	Move to different service area
11.49	Amend reference to Rule 11.49.2 to read 11.48.2	Correction of reference
11.50	Amend reference to Rule 11.49.2 to read 11.48.2	Correction of reference

3. Recommendation

Recommendation to the Democratic Services Committee:	Reason for Recommendation:
To note the minor amendments made to the Constitution by the Head of Legal Services and Monitoring Officer.	To monitor, review and make minor amendments to the Constitution in accordance with Rules 2.4, 2.7 and 2.8 of the Constitution.

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