

Democratic Services Committee

Meeting Venue

By Zoom

Meeting date

Monday, 5 September 2022

Meeting time

2.00 pm

For further information please contact

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County Hall
Llandrindod Wells
Powys
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30 August 2022

Mae croeso i chi siarad yn Gymraeg neu yn Saesneg yn y cyfarfod.

Rhowch wybod pa iaith rydych am ei defnyddio erbyn hanner dydd, ddau ddiwrnod gwaith cyn y cyfarfod.

You are welcome to speak Welsh or English in the meeting.

Please inform us of which language you wish to use by noon, two working days before the meeting.

AGENDA

1.	APOLOGIES FOR ABSENCE
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To receive apologies for absence.

2.	ELECTION OF VICE CHAIR
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3.	MINUTES OF PREVIOUS MEETING(S)
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To authorise the Chair to sign the minutes of the previous meeting(s) of the Committee as a correct record.

(Pages 3 - 8)

4.	DECLARATIONS OF INTEREST
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To receive and consider declarations of interests from Members relating to items to be considered on the agenda.

5.	PUBLIC PARTICIPATION STRATEGY
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To consider the draft strategy.

(To Follow)

6.	CONSTITUTION – SECTION 4 - SPEAKING ON MOTIONS
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To consider the report.

(To Follow)

7.	REPRESENTATION ON COMMITTEES
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To consider the report.

(To Follow)

**MINUTES OF A MEETING OF THE DEMOCRATIC SERVICES COMMITTEE HELD
AT BY TEAMS ON MONDAY, 21 FEBRUARY 2022**

PRESENT

County Councillor E Vaughan (Chair)

County Councillors J Charlton, G Breeze, L V Corfield, S C Davies, D O Evans, S M Hayes, D Rowlands, K S Silk and S L Williams

1.	APOLOGIES FOR ABSENCE
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Apologies for absence were received from County Councillors M Barnes, D Jones-Poston and T J Van-Rees.

2.	MINUTES OF PREVIOUS MEETINGS
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The Chair was authorised to sign the minutes of the meetings held on 4 November 2021 and 3 December 2021 as correct records.

3.	DECLARATIONS OF INTEREST
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There were no declarations of interest.

4.	CONSTITUTION
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The Committee considered the proposed changes to the Constitution. The Head of Legal and Democratic Services advised that many of the changes were to reflect those required by the Local Government and Elections (Wales) Act 2021.

Section 2 – Purpose, Definition, Interpretation and Amendment to the Constitution

In response to a question the Head of Legal and Democratic Services advised that if it was agreed at any time by Council that the Leader's role should be job shared, the single salary for the role would be shared and there would be no extra cost.

It was moved and duly seconded to change Section 2 – Purpose, Definition, Interpretation and Amendment to the Constitution as detailed in the report.

Recommendation to the County Council:	Reason for Recommendation:
<p>1. That the amendments to Section 2 of the Constitution is approved as set out in the draft Section 2 attached to the report.</p> <p>2. That the Monitoring Officer is authorised to make such other changes to the Constitution as may be required to reflect the changes set out in</p>	<p>To review and amend the Constitution so that it aligns with the current requirements of the Council.</p>

Section 3 – Getting Information and Getting Involved

It was noted that Welsh Government guidance on the public participation strategy was awaited. It was moved and duly seconded to change Section 3 – Getting Information and Getting Involved.

Recommendation to the County Council:	Reason for Recommendation:
<p>3. That the amendments to Section 3 of the Constitution are approved as set out in the draft Section 3 attached to the report.</p> <p>4. That the Monitoring Officer is authorised to make such other changes to the Constitution as may be required to reflect the change set out in Recommendation 3 above.</p>	<p>To review and amend the Constitution so that it aligns with the current requirements of the Council.</p>

Section 4 – Full Council

It was moved and duly seconded to change Section 4 – Full Council.

Recommendation to the County Council:	Reason for Recommendation:
<p>5. That the amendments to Section 4 of the Constitution are approved as set out in the draft Section 4 attached to the report.</p> <p>6. That the Monitoring Officer is authorised to make such other changes to the Constitution as may be required to reflect the change set out in Recommendation 5 above.</p>	<p>To review and amend the Constitution so that it aligns with the current requirements of the Council.</p>

Section 5 – The Cabinet

It was moved and duly seconded to change Section 5 – The Cabinet.

Recommendation to the County Council:	Reason for Recommendation:
<p>7. That the amendments to Section 5 of the Constitution are approved as set out in the draft Section 5 attached to the report.</p> <p>8. That the Monitoring Officer is authorised to make such other changes to the Constitution as may be required to reflect the change set out in</p>	<p>To review and amend the Constitution so that it aligns with the current requirements of the Council.</p>

Section 6 – The Leader

It was moved and duly seconded to change Section 6 – The Leader.

Recommendation to the County Council:	Reason for Recommendation:
<p>9. That the amendments to Section 6 of the Constitution are approved as set out in the draft Section 6 attached to the report.</p> <p>10. That the Monitoring Officer is authorised to make such other changes to the Constitution as may be required to reflect the change set out in Recommendation 9 above.</p>	<p>To review and amend the Constitution so that it aligns with the current requirements of the Council.</p>

Section 7 – Scrutiny Committee

It was moved and duly seconded to change Section 7 – Scrutiny Committees.

Recommendation to the County Council:	Reason for Recommendation:
<p>11. That the amendments to Section 7 of the Constitution are approved as set out in the draft Section 7 attached to the report.</p> <p>12. That the Monitoring Officer is authorised to make such other changes to the Constitution as may be required to reflect the change set out in Recommendation 11 above.</p>	<p>To review and amend the Constitution so that it aligns with the current requirements of the Council.</p>

Section 9 – Regulatory Committees

It was moved and duly seconded to change Section 9 – Regulatory Committees.

Recommendation to the County Council:	Reason for Recommendation:
<p>13. That the amendment to Section 9 of the Constitution is approved as set out in the draft Section 9 attached to the report.</p> <p>14. That the Monitoring Officer is authorised to make such other changes to the Constitution as may be required to reflect the change set out in Recommendation 13 above.</p>	<p>To review and amend the Constitution so that it aligns with the current requirements of the Council.</p>

Section 13 – Responsibility for Functions.

It was moved and duly seconded to change Section 13 – Responsibility for Functions.

Recommendation to the County Council:	Reason for Recommendation:
<p>15. That the amendments to Section 13 of the Constitution are approved as set out in the draft Section 13 attached to the report.</p> <p>16. That the Monitoring Officer is authorised to make such changes to the Constitution as may be required to reflect the change set out in Recommendation 15 above.</p>	<p>To review and amend the Constitution so that it aligns with the current requirements of the Council.</p>

Section 20 – Code of Conduct for Employees.

It was moved and duly seconded to change Section 20 – Code of Conduct of Employees.

Recommendation to the County Council:	Reason for Recommendation:
<p>17. That the amendments to Section 20 of the Constitution are approved as set out in the draft Section 20 attached to the report.</p> <p>18. That the Monitoring Officer is authorised to make such changes to the Constitution as may be required to reflect the change set out in Recommendation 17 above.</p>	<p>To review and amend the Constitution so that it aligns with the current requirements of the Council.</p>

Section 23 – Member Role Descriptions.

The Head of Democratic Services agreed that the word “over time” would be deleted from the first bullet point under - Holding the Cabinet to account, monitoring performance and service delivery – page 116.

It was moved and duly seconded to change Section 23 – Member Role Descriptions.

Recommendation to the County Council:	Reason for Recommendation:
<p>19. That the amendment to Section 23 of the Constitution is approved as set out in the draft Section 23 attached to the report subject to “over time” being</p>	<p>To review and amend the Constitution so that it aligns with the current requirements of the Council.</p>

<p>deleted from the first bullet point under - Holding the Cabinet to account, monitoring performance and service delivery – page 116.</p> <p>20. That the Monitoring Officer is authorised to make such other changes to the Constitution as may be required to reflect the change set out in Recommendation 19 above.</p>	
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Constitution Guide.

It was moved and duly seconded to approve the Constitution Guide.

Recommendation to the County Council:	Reason for Recommendation:
<p>21. That the draft Guide to the Constitution is approved as set out in the draft document attached to the report.</p> <p>22. That the Monitoring Officer is authorised to make such other changes to the Constitution as may be required to reflect the change set out in Recommendation 21 above.</p>	<p>To review and amend the Constitution so that it aligns with the current requirements of the Council.</p>

5. PETITION SCHEME

The Committee considered the draft Petition Scheme.

The Committee discussed the minimum age for those signing a petition and noted the age limits used in other Council schemes. Concerns were raised whether it would be discriminatory against younger people if for example the minimum age was set at 16 years. The Committee asked that the views of the Childrens Commissioner should be sought and how other Councils check on ages.

It was moved and duly seconded to set the minimum age to 10 years.

The minimum number of valid signatures for a valid petition and the thresholds for managing petitions was considered and the numbers and thresholds used or being considered by other councils were noted. It was considered that the minimum number of valid signatures for a valid petition should not be so high to deny a petition regarding an issue in a small community being considered or the numbers for a debate at full council being too low, which would result in full council agendas being overwhelmed by local issues, rather than issues of relevance to the whole County. Comment was made that a Petitions Working

Group from the Democratic Services Committee with the Monitoring Officer could be established to review petitions received.

It was moved and duly seconded that the thresholds for managing petitions used by Bridgend Council should be adopted and the Petition Scheme should be reviewed after one year of operation.

Recommendation to Council that

- i. the minimum age for signing a petition is 10 years,**
- ii. the thresholds for managing petitions used by Bridgend Council should be adopted and the Petition Scheme should be reviewed after one year of operation and**
- iii. the Petition Scheme takes effect from 5 May 2022.**

Any other business [AOB]

With the agreement of the Chair, the Monitoring Officer reported that he had made a minor change to the Constitution as allowed under Rule 2.7 of the Constitution. He had noted a typographical error in Rule 4.53 in respect of a closure motion which would lead to inconsistency and ambiguity. The current sentence “♣ ▲ ■[2]4.53.3 a closure motion under Rule 4.54.5” should read “♣ ▲ ■[2]4.53.3 a closure motion under Rule 4.54”.

The Committee noted this minor amendment.

County Councillor E Vaughan (Chair)