

CYNGOR SIR POWYS COUNTY COUNCIL.

**Democratic Services Committee
21st February, 2017**

REPORT AUTHOR: Solicitor to the Council

SUBJECT: Review of the Constitution.

REPORT FOR: Decision

1. Summary

- 1.1 The report asks the Committee to make a recommendation to the County Council to revise Sections 4, 5, 7, and 12 of the Council's Constitution.

2. Background

- 2.1 The Committee will be aware that the Wales Audit Office (WAO) undertook a review of the Council's governance and financial resilience at the end of 2016. As a result of the feedback to the review the Council has developed an action plan to respond to issues raised by the WAO in advance of the final report by the WAO being received.
- 2.2 One of the major issues identified by the WAO related to strategic decision making by the Cabinet and the involvement of scrutiny in scrutinising major reports prior to their being considered by the Cabinet. In addition WAO expressed concern regarding the operation of the Cabinet and in particular the right to speak at Cabinet meetings by Scrutiny Chairs and Opposition Group Leaders.
- 2.3 A meeting was held on Tuesday 14th February, involving the Chairs of the Scrutiny and Democratic Services Committees with the Leader and representatives of the Cabinet and a way forward was discussed. As a result it was identified that urgent changes to Sections 5 and 7 of the Constitution were required, which are presented to the Committee for consideration.
- 2.4 In addition there are two sections of the Constitution (Sections 4 and 12) which have already been revised as part of the current ongoing review of the Constitution and are also presented to the Committee for consideration.

3. RECOMMENDATION.

Recommendation to the Democratic Services Committee	Reason for Recommendation:
That Sections 4, 5, 7 and 12 of the Constitution as amended be approved for consideration by the Council at its meeting on 7th March, 2017.	To update Sections of the Constitution in response to the WAO review of the Council's governance arrangements, and as part of the ongoing review of the Constitution.

Relevant Policy (ies):			
Within Policy:	Y	Within Budget:	Y / N

Relevant Local Member(s):	
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Person(s) To Implement Decision:	Clive Pinney, Solicitor to the Council
Date By When Decision To Be Implemented:	March 2017.

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Background Papers used to prepare Report: