

**MINUTES OF A MEETING OF THE DEMOCRATIC SERVICES COMMITTEE HELD  
AT COUNCIL CHAMBER - COUNTY HALL, LLANDRINDOD WELLS, POWYS ON  
TUESDAY, 21 FEBRUARY 2017**

## PRESENT

County Councillor S C Davies (Chair)

County Councillors E M Jones, L V Corfield, D Bailey, G R Banks, J C Holmes and M J Jones

<b>1.</b>	<b>APOLOGIES FOR ABSENCE</b>	<b>DSC7-2017</b>
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Apologies for absence were received from County Councillors G J Bowker and D R Price and County Councillor P.J. Ashton who was on other Council business.

<b>2.</b>	<b>MINUTES OF PREVIOUS MEETING</b>	<b>DSC8-2017</b>
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The Chair was authorised to sign the minutes of the meeting held on 23<sup>rd</sup> January, 2017 as a correct record.

<b>3.</b>	<b>DECLARATIONS OF INTEREST</b>	<b>DSC9-2017</b>
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There were no declarations of interest.

<b>4.</b>	<b>MATTERS RELATING TO THE CONSTITUTION</b>	<b>DSC10-2017</b>
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The Committee noted the Wales Audit Office [WAO] review of the Council's governance and financial resilience undertaken at the end of 2016. The Committee was advised that the WAO had strongly recommended that the current involvement of scrutiny, Scrutiny Chairs and Group Leaders was too cumbersome and added no value to the Cabinet's decision making process. The WAO recommended that the Constitution be reviewed.

As a result of discussions between the Chairs of the Scrutiny and Democratic Services Committees with the Leader and representatives of the Cabinet urgent changes to Sections 5 and 7 of the Constitution were required. These together with changes to Sections 4 and 12 of the Constitution, which have already been revised as part of the current ongoing review of the Constitution were recommended to the Committee.

The Committee considered the amendments to the Constitution and the following was noted [the numbering relates to the specific Section in the Constitution]:

**Section 4**

4.23 – delete the reference “or by CD”

4.24.1 – “A member of the Cabinet cannot preside at a meeting on the Council” – this was required by law but had been omitted from the last version of the Constitution.

4.30.1 – where a question relates to an urgent matter is has to be given to the Monitoring Officer by 5p.m. on the day prior to the meeting. This was the practice of the Council but had been omitted from the last version of the Constitution.

4.42.1 – officers would check the reference to 16See Rule 2.7.2

4.55 – include that “a Members should indicate a point of order to the Chair by standing up.”

4.81.2 – this had been omitted from the last version of the Constitution.

### **Section 5**

5.21.1 to 5.21.3.3 – this separated the right to attend Cabinet meetings from the right to speak at Cabinet meetings

5.22.14 – the WAO had recommended the development of a Forward Work Programme by the Cabinet.

5.26 – as recommended by the WAO a Scrutiny Chair may speak only to present a scrutiny report to the Cabinet.

### **Section 7**

7.4 – The areas of responsibility of the two Scrutiny Committees was considered and some questions were raised about the proposed split and that leisure should remain with adult social care. It was noted that the Scrutiny Chairs had agreed this split but the issues raised would be discussed with them again.

7.20 – reference to scrutiny Working Groups would be added to this section.

7.37.3 – as a result of the previous changes to the size of scrutiny committees 4 members can request a “call-in”.

<b>RESOLVED:</b>	<b>Reason for decision:</b>
<p><b>That the Democratic Services Committee recommends to Council that:</b></p> <ul style="list-style-type: none"> <li><b>i. Sections 4, 5 and 12 of the Constitution be approved with immediate effect and that</b></li> <li><b>ii. Section 7 of the Constitution be approved for implementation from 8<sup>th</sup> May, 2017.</b></li> </ul>	<p><b>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.</b></p>

**County Councillor S C Davies (Chair)**