

MINUTES OF A MEETING OF THE DEMOCRATIC SERVICES COMMITTEE HELD AT BY TEAMS ON FRIDAY, 3 DECEMBER 2021

PRESENT

County Councillor J Charlton (Chair)

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

1.	APOLOGIES FOR ABSENCE
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Apologies for absence were received from County Councillors E Vaughan, M Barnes, D Jones-Poston and T J Van-Rees. Apologies were also received from the Head of Finance [Section 151 Officer].

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

3.	REVISIONS TO THE COUNCIL'S 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

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 Recommendation 1 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

The Head of Legal and Democratic Services advised that draft guidance for members on how to develop a costed analysis of the financial and resource implications of a motion or an amendment would be considered by the Committee. The Committee considered the timescales for submission of motions and amendments and noted the two Options detailed in the report. The

Committee agreed in principle to the timescales in Option 2 and changed the wording to read as follows:

Motions and Amendments to Motions	These are calendar days
Last day for Receipt of Motions with confirmation from S151 Officer that a costed analysis of the financial and resource implications of the Motion has been received and agreed in accordance with Rule 4.39.9	-21 days before the day of Council
Chair to Agree Motion is compliant with the Constitution	-18 days before the day of Council
Members advised of Motions approved by the Chair on a Confidential basis	-18 days before the day of Council
Time for proposed amendments and financial consequences of Amendments to be discussed with S151 Officer	-17 to -3 days before the day of Council
Last date for Receipt of Amendment approved by Section 151 Officer	-2 days before the day of Council
Chair to Agree Amendment	- 1 day before the day of Council
Council	

Officers agreed that the wording be emailed to the Committee for final consideration prior to the final version being included in the Council agenda.

The Committee considered that, if agreed by Council, the process of providing financial and resource implications in respect of motions and amendments should be reviewed after a period of 12 months.

The Head of Legal and Democratic Services advised that paragraph 4.49.2.2 also linked to amendments in Section 15 - Budget Procedure Rules.

It was moved and duly seconded to change Section 4 – Full Council as detailed in the report, subject to the table regarding motions and amendments being included as detailed above and that a review of the process should take place after 12 months.

Recommendation to the County Council:	Reason for Recommendation:
<p>3. That the amendments to Section 4 of the Constitution are approved as set out in the draft Section 4 attached to the report, subject to the table regarding motions and amendments being included as detailed above.</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>

Resolved:	Reason for Decision:
That the process of providing financial and resource implications in respect of motions and amendments be reviewed after a period of 12 months.	To ensure the review is included in the Committee's work programme.

Section 7 – Scrutiny Committees

The Head of Legal and Democratic Services in response to a question advised that the co-opted school representatives could not be from the same sector.

It was moved and duly seconded to change Section 7 – Scrutiny Committees as detailed in the report.

Proposed Recommendation to the County Council:	Reason for Recommendation:
<p>5. 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>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>	To review and amend the Constitution so that it aligns with the current requirements of the Council.

Section 8 – The Standards Committee

It was moved and duly seconded to change Section 8 – The Standards Committee as detailed in the report.

Proposed Recommendation to the County Council:	Reason for Recommendation:
<p>7. That the amendments to Section 8 of the Constitution are approved as set out in the draft Section 8 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 Recommendation 7 above.</p>	To review and amend the Constitution so that it aligns with the current requirements of the Council.

Section 9 – Regulatory Committees

It was moved and duly seconded to change Section 9 – Regulatory Committees as detailed in the report.

Recommendation to the County Council:	Reason for Recommendation:
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<p>9. 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>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>
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Section 11 – Officers

It was moved and duly seconded to change Section 11 – Officers as detailed in the report.

Recommendation to the County Council:	Reason for Recommendation:
<p>11. That the amendments to Section 11 of the Constitution are approved as set out in the draft Section 11 attached to the report.</p> <p>12. 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 11 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 as detailed in the report.

Recommendation to the County Council:	Reason for Recommendation:
<p>13. That the amendment to Section 13 of the Constitution is approved as set out in the draft Section 13 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 15 – Budget Procedure Rules and Section 16 – Financial Procedure Rules

These sections were taken together and the Deputy Head of Finance joined the meeting.

The Head of Legal and Democratic Services referred back to paragraph 4.49.2.2 which linked to amendments in Section 15. The Committee noted that the S151 Officer was to present a report to Full Council regarding the timetable for considering the budget process from the next financial year.

It was moved and duly seconded to change Section 15 – Budget Procedure Rules and Section 16 – Financial Procedure Rules as detailed in the report.

Recommendation to the County Council:	Reason for Recommendation:
<p>15. That the amendments to Section 15 of the Constitution are approved as set out in the draft Section 15 attached to the report.</p> <p>16. 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 15 above.</p>	<p>To review and amend the Constitution so that it aligns with the current requirements of the Council.</p>

Recommendation to the County Council:	Reason for Recommendation:
<p>17. That the amendments to Section 16 of the Constitution are approved as set out in the draft Section 16 attached to the report.</p> <p>18. 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 17 above.</p>	<p>To review and amend the Constitution so that it aligns with the current requirements of the Council.</p>

Section 18 – Code of Conduct for Members

It was moved and duly seconded to change Section 18 – Code of Conduct for Members as detailed in the report. The Head of Legal and Democratic Services advised that the Welsh Local Government Association [WLGA] would be producing guidance regarding the responsibility of political group leaders to take reasonable steps to promote and maintain high standards of conduct by members of their group.

Recommendation to the County Council:	Reason for Recommendation:
<p>19. That the amendment to Section 18 of the Constitution is approved as set out in the draft Section 18 attached to the report.</p> <p>20. That the Monitoring Officer is authorised to make such other changes to the Constitution as may be required to reflect the</p>	<p>To review and amend the Constitution so that it aligns with the current requirements of the Council.</p>

change set out in Recommendation 19 above.	
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County Councillor J Charlton (Chair)