

**BRIDGEND COUNTY BOROUGH COUNCIL**  
**REPORT TO THE DEMOCRATIC SERVICES COMMITTEE**

**6 JUNE 2019**

**REPORT OF THE HEAD OF DEMOCRATIC SERVICES**

**MONITORING AND REVIEW OF THE CONSTITUTION**

**1. Purpose of Report**

- 1.1 The purpose of this report is to inform the Democratic Services Committee of a request for a review of elements of the Constitution and a proposal to establish a Working Group of Members of this Committee to assist with the review.

**2. Connection to Corporate Improvement Plan / Other Corporate Priorities**

- 2.1 The Constitution governs the operation of the Authority and thereby connects to the Corporate Improvement Plan and all Corporate Priorities.
- 2.2 The support provided to Councillors assists in the achievement of each of the Council's agreed Corporate Priorities:
- **Supporting a successful economy** - taking steps to make the county a good place to do business, for people to live, work, study and visit, and to ensure that our schools are focused on raising the skills, qualifications and ambitions of all the people in the county.
  - **Helping people to be more self-reliant** – taking early steps to reduce or prevent people from becoming vulnerable or dependent on the Council and its services.
  - **Smarter use of resources** – ensuring that all its resources (financial, physical, human, and technological) are used as effectively and efficiently as possible and support the development of resources throughout the community that can help deliver the Council's priorities.

**3. Background.**

- 3.1 The Monitoring Officer has received a request from an Elected Member for a review of the Constitution. In accordance with Article 15 of the Constitution, the Monitoring Officer will monitor and review the operation of the Constitution to ensure that the aims and principles of the Constitution are given full effect. Any changes will need the approval of Council based on the recommendations of the Monitoring Officer.
- 3.2 The Council's existing Constitution is largely based on the Model Welsh Constitution version issued by Welsh Government and the Welsh Local Government Association, with numerous updates incorporated in respect of specific issues.

#### **4. Current situation / proposal.**

4.1 It has been requested that a review of the Constitution specifically consider the following:

- 1) The time period for questions and motions be re-instated at 5 days, now that suitable resources are in place to allow timely translation to Welsh;
- 2) That following the presentations and announcements by Cabinet members, the Leader, and Chief Executive, members be allowed to ask non tabled questions for a period of 15 minutes;
- 3) That the three largest opposition groups, be given 3 minutes (taken from Development Control Committee 3-minute rule) to make announcements or presentations to Council;
- 4) The timing of Council meetings.

4.2 It is further proposed that the Council's call-in procedure is reviewed to ensure it is working effectively within the current Scrutiny structure. The call-in procedure is a key part of the governance arrangements of the Council. Its purpose is to enable Members involved in Scrutiny to hold decision makers or bodies to account for the decisions they make.

4.3 It is recommended that the Committee establish a Working Group to review elements of the Constitution with the outcome of the review being reported back to the Committee and subsequently to the Monitoring Officer for consideration.

#### **5. Effect upon Policy Framework and Procedure Rules.**

5.1 The Constitution governs the operation of the Authority and thereby has an effect upon the operation of the Policy Framework.

#### **6. Equality Impact Assessment**

6.1 Although there are no direct impacts, the Constitution as the key governance framework document for the Authority is critical in demonstrating commitment to the Authority's duties under the Equality Act 2010.

#### **7. Well-being of Future Generations (Wales) Act 2015 Implications**

7.1 The well-being goals identified in the Act were considered in the preparation of this report. It is considered that there is no significant or unacceptable impact upon the achievement of well-being goals/objectives as a result of this report.

#### **8. Financial Implications.**

8.1 There are no financial implications directly arising from this report.

## **9. Recommendation.**

It is recommended that the Democratic Services Committee:

- 9.1 Establish a Working Group comprising seven Members to look at the various components of the existing Constitution;
- 9.2 Note that the findings of the Working Group will be reported back to the Committee with eventual consideration by the Monitoring Officer and Council.

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29 May 2019

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**Background documents:** Constitution of the Council