

THE VALE OF GLAMORGAN COUNCIL

COUNCIL: 18<sup>TH</sup> JULY, 2022

REFERENCE FROM CABINET: 25<sup>TH</sup> APRIL, 2022

**C926 DRAFT MODEL CONSTITUTION GUIDE (EL/PR) (SCRUTINY – CORPORATE AND PERFORMANCE RESOURCES) –**

The Leader presented the report and outlined that Section 45 of the Local Government and Elections (Wales) Act 2021 placed a duty on Principal Councils to publish a Guide to the Constitution and for both the Council's Constitution and the Guide to be published electronically.

The Council's Constitution had been available electronically for some time, however from 5<sup>th</sup> May, 2022 a Guide which explained in ordinary language the Constitution itself must be prepared and published electronically as well. Browne Jacobson (Solicitors) were commissioned by the All-Wales Monitoring Officers Group to prepare a Draft Model Constitution and a Draft Model Constitution Guide.

At the last meeting of Full Council on 7<sup>th</sup> March, 2022, a number of amendments to this Council's Constitution relating to provisions in the Local Government and Elections (Wales) Act 2021 required to be in place by 5<sup>th</sup> May, 2022 were agreed.

As referred to in paragraph 2.3 of the report, having regard to the upcoming Local Government Elections in May 2022, should any further changes be recommended to local choice functions within the Council's Constitution, following discussions with the new Administration, the Monitoring Officer would present further reports for consideration as appropriate.

Following approval of the Draft Multi-Location Meetings Policy considered earlier in this meeting, all amendments including those agreed on 7<sup>th</sup> March, 2022, would be included within a revised Constitution which would be circulated to all Members and published on the Council's website, together with the Draft Guide, if approved by Cabinet and Council, no later than 5<sup>th</sup> May, 2022.

The Leader requested that Recommendation (3) in the report be amended to include the word "Guide" at the end of the sentence.

This was a matter for Executive and Council decision.

Cabinet, having considered the report and all the issues and implications contained therein

RESOLVED –

- (1) T H A T it be recommended to Council that all references to the use of the term “Executive” for the Council’s decision-making body be amended to read “Cabinet” within the Council’s Constitution.
- (2) T H A T the report and the draft Model Constitution Guide attached at Appendix A be endorsed and forwarded to Full Council for approval.
- (3) T H A T the Monitoring Officer / Head of Legal and Democratic Services be granted delegated authority in consultation with the Leader to address any typographical errors and make any minor amendments in the Council’s Constitution Guide.
- (4) T H A T the use of the urgent decision procedure as set out in 14:14 of the Council’s Constitution be exercised in order that the draft Model Constitution Guide and the report can be considered by Full Council.**

Reasons for decisions

- (1) Having regard to legislation and in the interest of clarity and for consistency purposes.
- (2) Having regard to the requirements of the Local Government and Elections (Wales) Act 2021.
- (3) In order that the Council’s Constitution Guide can be amended as appropriate.
- (4) In order that the report and draft guide can be considered by Full Council on the same day as Cabinet.”**