

Meeting of:	<b>Council</b>
Date of Meeting:	<b>Monday, 09 March 2026</b>
Relevant Scrutiny Committee:	Resources
Report Title:	<b>Amendments to the Council's Constitution</b>
Purpose of Report:	To enable Council to consider amendments to the Council's Constitution recommended by the Monitoring Officer following review of and consultation on aspects of the Constitution
Report Owner:	Victoria Davidson, Monitoring Officer / Head of Legal and Democratic Services
Responsible Officer:	Victoria Davidson, Monitoring Officer / Head of Legal and Democratic Services
Elected Member and Officer Consultation:	This report does not require consultation to be undertaken.
Policy Framework:	This is a matter for decision by Full Council
<p><b>Executive Summary:</b> To obtain Council's approval for the following elements to the Council's Constitution to be considered by Full Council:</p> <ul style="list-style-type: none"> <li>• To amend the Terms of References for various Committees as outlined within Section 2.1 of the report;</li> <li>• To include amendments to Section 18 of the Council's Constitution as outlined within section 2.2 of the report;</li> <li>• To include the new profile for Section 26 of the Council's Constitution as outlined within section 2.3 of the report.</li> </ul>	

## **Recommendations**

1. T H A T the amendments to the Council's Constitution as detailed in paragraphs 2.2 of this report be approved by Full Council and that the Constitution be updated accordingly.
2. T H A T the amendments to the Council's Constitution as detailed in paragraphs 2.3 of this report be approved by Full Council and that the Constitution be updated accordingly.

## **Reason for Recommendations**

**1-3.** To update the Constitution to reflect amendments as outlined within the report.

### **1. Background**

- 1.1 The Constitution remains under review on an ongoing basis. During Summer 2025, a larger review was undertaken to reflect upon the accuracy of the Constitution. Under Section 2.4 of the Constitution the Monitoring Officer / Head of Legal and Democratic Services has a duty to monitor and review the operation of the Constitution to ensure that the aims and principles contained therein are given full effect. As part of this, a key role is to make recommendations to Full Council for ways the Constitution could be amended so that current democratic processes operate effectively and efficiently being mindful of arrangements in other comparable Local Authorities.
- 1.2 Having a Constitution which is reviewed and updated regularly serves a valuable and relevant purpose by striking a fair balance between the interests of the various groups within the Council e.g. between the largest political group and opposition group, between all Councillors and between Councillors and officers.
- 1.3 Most importantly the Constitution needs to enable the Council to operate effectively. It must deliver:
  - good governance behaviours;
  - effective officer / Member relationships;
  - clear and effective decision-making;
  - strong accountability;
  - clarity and consistency.

### **2. Key Issues for Consideration**

- 2.1 The Monitoring Officer / Head of Legal and Democratic Services has fully considered all aspects of the Constitution and in the interests of good governance, consistency and public participation recommends to Full Council amendments as below in relation to aspects of the Constitution.

## 2.2 Section 18 – Contract Procedure Rules

Current Page No	Paragraph No	Amendments	Reason for change
182	18.6.2	Contracts under £75,000 may be executed as a simple agreement and signed by two authorised officers (Director / Head of Service / Operational Manager). The contract value (£51,000) is also within Chief Officer delegated authority under CPR 18.15.2.	To provide clarity on who is able to sign agreements for a framework call off.

## 2.3 Section 26 – Officer Delegations

Current Page No	Paragraph No	Amendments	Reason for change
319	Director of Corporate Resources, Section 151 Officer and Operational Manager Property	Addition of Head of Corporate Landlord to overall delegations alongside other positions and removal of Operational Manager Property.	Change in organisational structure in adoption of corporate landlord model.
328	Head of Legal and Democratic Services and Operational Manager Legal Services	Removal “53. To take all necessary action to recover arrears that accrue in accordance with the Licence Agreement in respect of Jenner Park.”	The ability to enforce the terms of a legal agreement are covered in other delegations
328	Head of Legal and Democratic Services and Operational Manager Legal Services	Addition - To confirm unopposed Orders made pursuant to s.26, s.118 and s.119 Highways Act 1980	The absence of such a delegation means that the decision making power for confirmation currently lies with the PROW sub-committee and it is not always possible to convene this forum in a time sensitive manner.

### **3. How do proposals evidence the Five Ways of Working and contribute to our Well-being Objectives?**

- 3.1 The proposals contained in the report ensure that the Council can continue to meet its statutory obligations, operational service delivery, strategic aims and wellbeing objectives.

### **4. Climate Change and Nature Implications**

- 4.1 None as a direct result of this report.

### **5. Resources and Legal Considerations**

#### **Financial**

- 5.1 None as a direct result of this report.

#### **Employment**

- 5.2 None as a direct result of this report.

#### **Legal (Including Equalities)**

- 5.3 The Council is required to comply with the relevant legislation requirements. Relevant legal considerations are set out in the body of the report.

### **6. Background Papers**

Councils Constitution

## Appendix A - Constitutional Minor Amends

Section	Current	Revision	Reason for Change
1.2.1	The Council is comprised of forty seven Councillors	The Council is comprised of fifty four Councillors	Updated to reflect the correct number of Councillors following the last period of local government re-organisation.
1.2.3	Whilst the Constitution is very long, we hope that you will find it easy to use. We have spent a lot of time trying to make it as easy to follow as is possible with such a long and complex legal document.	<i>Removal of comment</i>	Proposed removal as statement does not add value to Constitution.
2.2.2	Corporate Management Team	Strategic Leadership Team	Updated to reflect current organisational structure terminology.
2.2.2	Single Integrated Plan (SIP)	<i>Removal</i>	Proposal removal as this plan no longer forms part of the Council's strategic planning framework, and has been superseded by subsequent legislation, namely Well-being of Future Generations Wales Act (including dissolution of Local Service Boards).
2.8.2	The Monitoring Officer will give a printed copy of this Constitution to each Member of the Council upon delivery to him/her of that individual's declaration of acceptance of office on the Member first being elected to the Council and thereafter ensure that an up-to-date version is available for inspection and published on the Council's website.	Removal of the word "printed"	Removal of paper copies mandate to allow for individual member choice around print versus digital, and to signpost to digital resources, which are more up to date and maintained on a regularly basis (whereas paper versions do not allow for easy changes), whilst also aligning to the Council's print strategy.

Section	Current	Revision	Reason for Change
3.3.1	As a Member of the Council, you have the same rights as members of the public. In addition to these rights you also have the following rights: to request the inclusion of an item on any Scrutiny Committee by submitting a “Request for Consideration” form; to request that any decision of Cabinet be put on hold pending consideration by the relevant Scrutiny Committee by using the “Call-In” procedure, details of which can be found in Section 7.	As a Member of the Council, you have the same rights as members of the public. In addition to these rights you also have the following right: to request that any decision of Cabinet be put on hold pending consideration by the relevant Scrutiny Committee by using the “Call-In” procedure, details of which can be found in Section 7.	Removal of “to request the inclusion of an item on any Scrutiny Committee by submitting a “Request for Consideration” form” as members of the public also have this right via this form on the Council’s website.
4.3	The Single Integrated Plan This replaces four of the existing plans and strategies which formed part of the Policy Framework, namely the Community Strategy, the Children and Young People’s Plan, the Health, Social Care and Wellbeing Strategy and the Community Safety Partnership Plan.	<i>Removal</i>	Removal as this is no longer legislatively relevant as has been superseded by the Corporate Plan.
4.17	Multi Location Meeting Policy	<i>Removal of full policy</i>	The policy is currently included in entirety. Proposed removal and to link to the appropriate place on the website, as this policy is published separately and reviewed on a cyclical basis.
4.33.1	The Council will continue to undertake its calendar of meetings by use of virtual platforms until Welsh	<i>Removal</i>	Proposed to be removed in full as COVID19 no longer relevant in this

Section	Current	Revision	Reason for Change
	<p>Government COVID 19 restrictions are lifted. Meetings of the Council that are open to the Public will be live streamed from 1st May 2021 (subject to some exemptions*), with accessibility for the Public to view Council meetings being provided via the Council's website. Where the Council has provision for Public speaking at meetings, persons who have registered to speak together with any expert witnesses required to attend, will be forwarded a direct link to attend a meeting.</p>		<p>context, and content superseded by the Council's existing MLM policy.</p>
4.33.2	<p>On the lifting of Welsh Government COVID 19 restrictions Hybrid meetings will be introduced i.e. a meeting solution that enables persons who are not in the same place to attend meetings, both physically and remotely. Meetings of the Council that are open to the public will be held via this method and the Council's website will provide details of accessibility.</p>	<p>The Council operated a MLM policy i.e. a meeting solution that enables persons who are not in the same place to attend meetings, both physically and remotely. Meetings of the Council that are open to the public will be held via this method and the Council's website will provide details of accessibility.</p>	<p>Updated terminology to reflect post COVID environment.</p>
4.34	<p>Electronic Broadcasts of Meetings Ordinary meetings of the Council will be broadcast live electronically on the Council's website so that members of the public not in attendance at the meeting can see and hear the</p>	<p>Electronic Broadcasts of Meetings Ordinary meetings of the Council will be broadcast live with electronic links directing viewers available on the Council's website so that members of the public not in attendance at the</p>	<p>Updated to reflect change in hosting provider from Civico to VPAV</p>

Section	Current	Revision	Reason for Change
	proceedings. Copies of the meeting will be available for six years after the meeting.	meeting can see and hear the proceedings. Copies of the meeting will be available for six years after the meeting.	
12.9.2.6	Changes to the remuneration of the Chief Executive should only be determined following consultation with the Independent Remuneration Panel for Wales.	Changes to the remuneration of the Chief Executive should only be determined following consultation with the Democracy and Boundary Commission Cymru	Updated as Democracy and Boundary Commission Cymru now undertaking the functions of the Independent Remuneration Panel for Wales
14p (6)	The Standing Joint Secretary to the Forum will be the Head of Human Resources. (In his / her absence the Operational Manager for Human Resources will act as substitute)	The Standing Joint Secretary to the Forum will be the Head of Human Resources. (In his / her absence the Operational Manager – Organisational Development and Learning or Operational Manager – Employee Services will act as substitute)	Updated to reflect changes in organisational structure position names.
Page 237	Speaking at Planning – removal of privacy notice	<i>Removal of full privacy note</i>	Removal of privacy notice from within the Constitution as registered speakers are advised of this during the registration process.
20.1	On occasions where physical space for attendance at a meeting may be limited (e.g. as a result of the COVID pandemic)	On occasions where physical space for attendance at a meeting may be limited	Removal of COVID19 reference as no longer relevant in this context.
20.17	Speaking at Scrutiny – removal of privacy notice	<i>Removal of full privacy note</i>	Removal of privacy notice from within the Constitution as registered speakers are advised of this during the registration process.