

Meeting of:	Council
Date of Meeting:	Monday, 05 October 2026
Relevant Scrutiny Committee:	No Relevant Scrutiny Committee
Urgent Decision Procedure Used (If yes, why)	Not Applicable
Item Type	Part I
Report Title:	Amendment to the Council's Constitution
Portfolio Holder:	No Relevant Cabinet Member
Strategic Leadership Team:	Monitoring Officer/Head of Legal and Democratic Services
Lead Officer:	Monitoring Officer/Head of Legal and Democratic Services

1.0 What is this report about?

- 1.1 To obtain Council's approval for updates within the Council's Constitution to be considered by Full Council as outlined within Section 4 of the report.

2.0 What are the Recommendations?

	Recommendations – What and How?	Reason for Recommendation – Why?
2.1	T H A T the amendments to the Council's Constitution as detailed in paragraphs 4.2 to 4.4 of this report be approved by Full Council and that the Constitution be updated accordingly.	To update the Constitution to reflect amendments as outlined within the report.

3.0 What is the background to this report?

- 3.1 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.

- 3.2 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.
- 3.3 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.

4.0 What issues are there to be considered?

- 4.1 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.
- 4.2 **Amendment to Disclosure of Interests** – These changes are being proposed due to current process duplication, with Members currently being required to submit a Declaration of Interest form to Democratic Services following a meeting and within 14 days. However, the same information is also contained within:
- the relevant meeting minutes that act as a record of the declaration raised by the member, and are published in less than 14 days as standard,
 - the meeting recording, and
 - the Member's Register of Interest.

The proposed changes remove the administrative burden and duplication for members when declaring an interest and/or associated dispensation, verbally, at a council meeting.

The proposed changes do not alter the responsibility placed on Elected Members:

- to declare an interest outside of a council meeting setting as and when these arise via their Register of Interest entry,
- to apply for a dispensation from the Standards Committee as and when required, or
- declare any dispensation that has previously been awarded in relation to an interest, when relevant, at a council meeting.

4.2.1 Section 19.3.2b(ii) (p. 193) - Proposal to remove italicised statement from section:

“oral representations (whether in person or some form of electronic communication) to a Member or Officer of your authority you should disclose the interest at the commencement of such representations, or when it becomes apparent to you that you have such an interest, *and confirm the representation and interest in writing within fourteen days of the representation*”.

4.2.2 Section 19.3.2d (p.193) – Proposal to remove italicised statement from section:

You must, in respect of a personal interest not previously disclosed, *before or immediately after the close of a meeting where the disclosure is made pursuant to paragraph 19.3.2(a)*, give written notification to your authority in accordance with any requirements identified by your authority's Monitoring Officer, or in relation to a community council, your authority's Proper Officer, from time to time but, as a minimum containing: (i) details of the personal interest; (ii) details of the business to which the personal interest relates; and (iii) your signature.

4.2.3 Section 19.3.5e (ii-B) (p.197) – Proposal to delete sub point (B):

Before or immediately after the close of the meeting give written notification to your authority containing: 1 details of the prejudicial interest; 2 details of the business to which the prejudicial interest relates; 3 details of, and the date on which, the dispensation was granted; and 4 your signature.

4.2.4 Section 19.3.5f (p.197) – Proposal to remove italicised statement from section:

"Where you have a prejudicial interest and are making written or oral representations to your authority in reliance upon a dispensation, you must provide details of the dispensation within any such written or oral representation *and, in the latter case, provide written notification to your authority within fourteen days of making the representation*".

4.3 New addition to Section 15.14.2 of the Council's Constitution - Consultation on Proposals to be Considered by the Cabinet. These changes are being proposed to provide procedural clarity.

"When a decision is reported to the next available Council meeting, it is to be presented as for noting only by the Mayor and is not to be considered for debate by Members as the reporting relates to a decision that has already been made by the Executive (Cabinet).

Should a Member wish to debate an item whereby this function has been exercised, this should be outside of the Full Council meeting and with the relevant Cabinet Member if related to the decision, or with the Monitoring Officer or Proper Officer if they are seeking to discuss the usage of this function by the Executive (Cabinet)".

4.4 Amendment of Director of Environment and Head of Shared Regulatory Services delegations – Section 26 – p.339-345 – New additions to support Shared Regulatory Services in undertaking action as required:

4.4.1 Section 26 para 2 page 339 it is proposed that the Constitution is amended to update the delegation to the Director of Environment and Housing and Head of Shared Regulatory Services in respect of Environmental Health, Consumer Protection, Licensing and Housing functions. The amendment expressly incorporates additional housing and caravan site legislation, including the Caravan Sites and Control of

Development Act 1960 and Housing Act 2004, to ensure that the Scheme of Delegation accurately reflects current statutory functions and operational responsibilities. The amendment is intended to clarify existing arrangements rather than confer any new substantive powers.

4.4.2 Following 6. page 342 - Authority, with other nominated officers, to exercise all functions of the Council under the Building Act 1984 (as amended), including but not limited to:

- (a) the service, amendment, withdrawal and enforcement of notices and orders;
- (b) the carrying out of works in default and the recovery of expenses incurred by the Council;
- (c) the entering into agreements with owners or occupiers in relation to the carrying out of works;
- (d) the exercise of powers relating to dangerous structures, ruinous and dilapidated buildings, defective premises and the demolition of buildings;
- (e) the institution of prosecutions and other enforcement action for breaches of the Act or failure to comply with notices or orders;
- (f) the determination of appeals, representations and other ancillary matters arising from the exercise of those powers, where permitted by law;
- (g) the exercise of the Council's powers under section 59 (drainage of building), sections 77 and 78 (dangerous structures), sections 79 to 82 (ruinous and dilapidated buildings), sections 99 to 102 (demolition notices, execution of works and appeals), and any associated powers relating to the execution of works in default and recovery of expenses; and
- (h) all other functions and powers conferred on the Council under the Building Act 1984 and any regulations made thereunder.

5.0 How has evidence been used to inform the report, including the views of others?

5.1 This has been based upon feedback provided by Elected Members and observations of the Monitoring Officer.

6.0 What are the next steps if the recommendations are approved?

6.1 If approved, the Council's Constitution will be updated and published accordingly.

7.0 How does this report support Vale 2030 and Reshaping?

7.1 Regular updates to the Constitution ensure that the Council is maintaining fit and proper governance arrangements, in line with the principles of "Being the Best Council We Can Be".

8.0 How does this demonstrate the Five Ways of Working?

8.1 Updates to the Constitution are required to provide a long-term view of the Council's governance and decision-making processes and prevent future challenges arising. The

involvement and collaboration with Elected Members ensure that all key stakeholders are aware of any proposed changes.

Resources

9.0 Finance

9.1 There are no finance implications as a direct result of this report.

10.0 Workforce

10.1 There are no workforce implications as a direct result of this report.

11.0 Legal and Equalities

11.1 Does an Equalities Impact Assessment need to be completed? If not, why?

An Equality Impact Assessment (EIA) has not been undertaken in relation to these amendments to the Council's Constitution as the proposed changes are minor, technical, and administrative in nature, and do not introduce any new policy, service change, or decision that would materially impact individuals or groups with protected characteristics.

11.2 The Council is required to comply with the relevant legislation requirements as set out in the body of the report.

12.0 Key Contacts

12.1 Who are the primary officers to contact with any comments and/or queries on the report?

Lead Officer: Victoria Davidson, Monitoring Officer/Head of Legal and Democratic Services vdavidson@valeofglamorgan.gov.uk	Democratic Services Officer: James Langridge-Thomas, Operational Manager (and Statutory Head of) Democratic Services jlangridge-thomas@valeofglamorgan.gov.uk 01446709457.
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Background Documents

None.