

CYNGOR SIR POWYS COUNTY COUNCIL.

**Democratic Services Committee
9th July, 2018**

REPORT AUTHOR: Solicitor to the Council

SUBJECT: Review of the Constitution.

REPORT FOR: Decision

1. Summary

- 1.1 The report asks the Committee to make a recommendation to the County Council to revise Sections 4 and 7 of the Council's Constitution.

2. Background

- 2.1 The Council meeting on 17th May, 2018 amended the Council's scrutiny committee structure and as part of that decision tasked the Solicitor to the Council with reviewing and amending relevant sections of the Constitution. The Council's draft decision is set out below:

RESOLVED

- i. The functions of each scrutiny committee shall be as set out in Attachment A to the resolution and that Rule 7.4 of the Constitution is hereby amended accordingly.*
- ii. The Solicitor to the Council is required to consider whether consequential amendments are required to other parts of the Constitution, and if so to arrange for the amendments to be discussed at Democratic Services Committee and approved at Full Council.*
- 2.2 The Committee will also be aware that the Council's Solicitor sought Counsel's opinion following a challenge of the process for the appointment of a scrutiny chair and the consequence of this is that it will require a minor amendment to Section 4 of the Constitution.
- 2.3 The Rules which have been amended are as follows:

Section	Rules Amended
4	4.15.14 4.18.7
7	7.3 7.4 7.5.1 7.13.1 – 7.13.3 7.19.1

	7.19.3
	7.20.1
	7.22.1
	7.23.2
	7.23.17
	7.36
	7.36.3
	7.36.14.2
	7.38.1
	7.42 – 7.43
	7.46.9.1
	Appendix 1

3. RECOMMENDATION.

Recommendation to the Democratic Services Committee	Reason for Recommendation:
That Sections 4 and 7 of the Constitution as amended be approved for consideration by the Council at its meeting on 12th July, 2018 as set out in the Appendix to the report.	To update Sections of the Constitution arising from the decision of Council in May 2018.

Relevant Policy (ies):	
Within Policy:	Y
Within Budget:	Y / N

Relevant Local Member(s):	
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Person(s) To Implement Decision:	Clive Pinney, Solicitor to the Council
Date By When Decision To Be Implemented:	July 2018.

Contact Officer:	Wyn Richards, Scrutiny Manager and Head of Democratic Services.
Tel:	01597-826375
Email:	wyn.richards@powys.gov.uk

Background Papers used to prepare Report: