

CYFARFOD BLYNYDDOL Y CYNGOR

16 MAI 2018

CYFANSODDIAD Y CYNGOR

Diweddarau'r Cyfansoddiad i adlewyrchu diwygiadau gan Weithgor Adolygu'r Cyfansoddiad a'r gofyniad i adolygu'r Cynllun Cyflogau a Lwfansau Cynghorwyr ac Aelodau Cyfetholedig bob blwyddyn.

Yr argymhellion / penderfyniadau allweddol sydd eu hangen:-

1. Diwygio Rhan 4.1 o'r Cyfansoddiad i egluro bod angen cynigydd ac eilydd ar gyfer Rhybuddion o Gynnig a chaniatáu i Rybuddion o Gynnig gael eu cyflwyno'n electronig. (RhGC 12.1)
2. Mabwysiadu'r Cynllun Cyflogau a Lwfansau Cynghorwyr ac Aelodau Cyfetholedig ar gyfer 2018/19 (Rhan 6.1) yn amodol ar gynnwys y canlynol:-
 - a) bod Cadeirydd y Cyngor, Arweinydd a Dirprwy Arweinydd yr Wrthblaid a Chadeirydd y Pwyllgor Craffu perthnasol yn mynychu cyfarfodydd y Bwrdd Gweithredol (Adran 4.5 - Dyletswyddau Cymeradwy)
 - b) bod Cynghorydd yn mynychu cyfarfodydd neu ddigwyddiadau y mae'r Cynghorydd wedi'i benodi neu wedi'i enwebu'n ffurfiol gan y Cyngor i'w mynychu mewn rôl Hyrwyddwr neu Lysgennad e.e. Hyrwyddwr y Lluoedd Arfog, Llysgennad Anabledd ac ati (Adran 4.5 – Dyletswyddau Cymeradwy)
 - c) Disgrifiad o rôl Llysgennad/Hyrwyddwr (Atodiad D)
3. Cymeradwyo unrhyw newidiadau angenrheidiol i'r Cyfansoddiad o ran aelodaeth a wnaed yn gynharach yn y cyfarfod.
4. Bod y Swyddog Monitro yn cael ei awdurdodi i wneud unrhyw fân newidiadau, cywiro gwallau teipio neu wallau drafftio a sicrhau bod yr holl groesgyfeiriadau yn y Cyfansoddiad yn gywir ac y rhoddir gwybod am y rhain i Weithgor Adolygu'r Cyfansoddiad pan fydd angen.
5. Bod Cyfansoddiad y Cyngor ar gyfer 2018/19 yn cael ei fabwysiadu, yn amodol ar argymhellion 1-4 a nodir uchod.

Y Rhesymau:

O dan Erthygl 14 o'r Cyfansoddiad mae'n ddyletswydd ar y Swyddog Monitro i fonitro ac adolygu gweithrediad y Cyfansoddiad i sicrhau bod y nodau a'r egwyddorion sydd ynddo yn cael effaith lawn ac er mwyn llunio argymhellion ar gyfer newidiadau. Bydd newidiadau i'r Cyfansoddiad yn cael eu cymeradwyo gan y Cyngor llawn yn unig.

Angen ymgynghori â'r Pwyllgor Craffu perthnasol NAC OES

Angen i'r Bwrdd Gweithredol wneud penderfyniad NAC OES

Angen i'r Cyngor wneud penderfyniad OES

YR AELOD O'R BWRDD GWEITHREDOL SY'N GYFRIFOL AM Y PORTFFOLIO:- Arweinydd y Cyngor

Y Gyfarwyddiaeth: Y Prif Weithredwr	Swyddi:	Rhif Ffôn: 01267 224010
Enw Pennaeth y Gwasanaeth:	Pennaeth Gweinyddiaeth a'r Gyfraith	LRJones@sirgar.gov.uk
Linda Rees-Jones	Rheolwr y Gwasanaethau Democrataidd	Rhif Ffôn: 01267 224026
Awdur yr Adroddiad:		GMorgan@sirgar.gov.uk
Gaynor Morgan		

COUNTY COUNCIL ANNUAL MEETING 16TH MAY 2018

COUNCIL CONSTITUTION

Council is required to review its Constitution on an annual basis, and has established the Constitutional Review Working Group to present recommendations for constitutional change.

There have been no legislative changes requiring amendments to the Constitution during 2017/18 however, the Council will need to amend Part 6.1 of the Constitution to reflect the IRPW prescribed amounts to be paid to Councillors for 2018/19 and to consider any recommendations made by the Constitutional Review Working Group.

Councillors' and Co-opted Members' Salaries and Allowances Scheme (Part 6.1)

Constitutionally, responsibility for adopting a Scheme of Members' Allowances rests with the Council but the Independent Remuneration Panel for Wales (IRPW) now prescribes the amounts to be paid with a view to providing a consistent national framework for councillor remuneration. Council considered the IRPW determinations and recommendations from the Democratic Services Committee for 2018/19 at its meeting on the 18th April 2018 (Minute 15 refers), and approved the report subject to one amendment, in that it determined that the Authority would publish the total amount reimbursed by the authority during the year for costs of care, rather than details of the amounts reimbursed to named members.

The Constitutional Review Working Group at its meetings held on the 12th February 2018 and 20th April 2018, also agreed to recommend to Council the following amendments to the scheme:-

Approved Duties (Section 4.5)

- Inclusion of attendance by the Chair of Council, Leader and Deputy Leader of the Opposition and the relevant Scrutiny Committee Chair at meetings of the Executive Board; and
- Inclusion of attendance by a Councillor at meetings or events to which the Councillor has been formally appointed or nominated by the Council in a Champion or Ambassador role e.g. Armed Forces Champion, Disability Ambassador etc

Job Descriptions (Appendix D of the Salaries and Allowance Scheme scheme)

- To include within the Job Descriptions a role description for Member Champions.

A copy of the proposed 2018/19 scheme, with suggested amendments is attached for Council's approval (Appendix 1).

Rules of Procedure (Part 4.1) – Motions on Notice (CPR 12)

The Constitutional Review Working Group at its meeting held on the 20th February 2018 considered and approved, as a recommendation to Council, a request to clarify the requirement for a proposer and seconder for Motions on Notice. The Group also agreed to update CPR12.1 in order to allow Motions on Notice to be submitted electronically. A copy of Part 4.1 of the Constitution is attached with suggested revised text for CPR 12.1. (Appendix 2).

Other than the issues raised, no other amendments are being put forward.

DETAILED REPORT ATTACHED ?	Appendix 1 – Part 6.1 Councillors' & co-opted member's scheme of allowances Appendix 2 - Part 4.1 – Council Procedure Rules
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IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: **Linda Rees Jones** **Head of Administration & Law**

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
YES	YES	NONE	NONE	NONE	NONE	NONE

1. Policy, Crime & Disorder and Equalities

Adoption and any amendment to the Constitution is a matter for Full Council

2. Legal

The Council is required to comply with the Local Government Act 2000 and in the drafting and subsequent operation of the Constitution.

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed Linda Rees Jones Head of Administration & Law

(Please specify the outcomes of consultations undertaken where they arise against the following headings)

1. Scrutiny Committee

N/A

2. Local Member(s)

N/A

3. Community / Town Council

N/A

4. Relevant Partners

N/A

5. Staff Side Representatives and other Organisations

N/A

Section 100D Local Government Act, 1972 – Access to Information

List of Background Papers used in the preparation of this report:

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Carmarthenshire Council Constitution		http://www.carmarthenshire.gov.wales/home/council-democracy/the-council/councils-constitution/
Local Government Act 2000		http://www.legislation.gov.uk/ukpga/2000/22/pdfs/ukpga_20000022_en.pdf
Independent Remuneration Panel for Wales Report – February 2018		http://gov.wales/docs/dsjlg/publications/localgov/180226-annual-report-2018-en.pdf