

CYFARFOD BLYNYDDOL Y CYNGOR

24AIN MAI 2017

NEWIDIADAU I GYFANSODDIAD Y CYNGOR

Diweddarau'r Cyfansoddiad i adlewyrchu'r rheoliadau a gyflwynwyd yn ddiweddar a'r newidiadau gan Weithgor Adolygu'r Cyfansoddiad

ARGYMHELLION Y PWYLLGOR GWASANAETHAU DEMOCRATAIDD:

1. Newid Cyfansoddiad y Cyngor (rhannau 3.1, 4.1 a 5.2) i gynnwys y newidiadau i aelodaeth a maint Pwyllgorau Cynllunio a ddaeth i rym ar 5 Mai 2017, ac unrhyw newidiadau ychwanegol a argymhellwyd gan Weithgor Adolygu'r Cyfansoddiad
2. Newid Rhan 4.5 (Rheolau Gweithdrefnau Craffu), 5.6 (Protocol ar gyfer Cyfathrebu ag Aelodau Etholedig) a Rhan 4.1, Rheol Gweithdrefn Gorfforaethol 22 (Ffilmio Cyfarfodydd) i gymryd i ystyriaeth ac egluro'r argymhellion a wnaed gan Weithgor Adolygu'r Cyfansoddiad.
3. Mabwysiadu Cynllun Cyflogau a Lwfansau Cyngorwyr ac Aelodau Cyfetholedig 2017/18 (Rhan 6.1)
4. Cymeradwyo unrhyw newidiadau angenrheidiol i'r Cyfansoddiad sy'n deillio o benderfyniadau a wnaed yn gynharach yn y cyfarfod.
5. 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.
6. Heblaw am y newidiadau uchod, mae'r Cyfansoddiad yn parhau heb ei newid.

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.

Ymgynghorwyd â'r Pwyllgor Craffu	NA
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 Enw Pennaeth y Gwasanaeth: Linda Rees-Jones Awdur yr Adroddiad: Gaynor Morgan	Y Prif Weithredwr Swyddi: Pennaeth Gweinyddiaeth a'r Gyfraith Pennaeth y Gwasanaethau Democrataidd	Rhifau ffôn 01267 224012 LRJ 01267 224026 GM Cyfeiriadau e-bost: Lrjones@sirgar.gov.uk gmorgan@carmarthenshire.gov.uk
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COUNTY COUNCIL ANNUAL MEETING 24TH MAY 2017

AMENDMENTS TO THE COUNCIL CONSTITUTION

Planning Committee – Size and Composition

The Size and Composition of Local Planning Authority Committees (Wales) Regulations 2017 came into force on the 5th May. The regulations require planning committees in Wales to be structured and operated in accordance with the following requirements:

- The planning committee must contain no fewer than 11 members and no more than 21 members, but no more than 50% of the authority members (rounded up to the nearest whole number).

Note: National Park Authorities are excluded from the requirement that the planning committee shall consist of no more than 50% of the authority members.

- Where wards have more than one elected member, only one member may sit on the planning committee, in order to allow other ward members to perform the representative role for local community interests.

Note: This does not apply to a local authority that comprises solely of multiple member wards due to the need to maintain political balance on the committee.

In addition, the Local Authorities (Standing Orders) (Wales) (Amendment) Regulations 2017 also come into force on 5 May. The regulations require the following:

- Each meeting of the planning committee must have a quorum of 50% to make decisions; and
- The use of substitute members is prohibited.

Failure to adhere to the requirements of the aforementioned regulations will affect the validity of decisions taken by the planning committee. It is therefore necessary for the Council's constitution to be amended in order to ensure that planning committees are appointed in accordance with these requirements prior to making decisions.

Scheme of Allowances

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 changes for 2017/18 at its meeting on the 26th April 2017 (Minute 9.1 refers)

A copy of the Allowances Scheme adopted by Council for 2016/17 amended for implementation for the 2017/18 Municipal Year is attached for consideration (Part 6.1) of the Constitution.

Other amendments

The report also contains some additional amendments to reflect the recommendations of the Constitutional Review Working Group at its meeting held on the 16th December 2016.

All suggested changes to the Constitution are contained in the attached appendices, with deletions stricken through and revised text in italic print (red in online copy).

Other than the Appenices attached, there are no other changes to the constitution.

DETAILED REPORT ATTACHED ?	YES
	<p>Appendix 1 – Part 3.1 Responsibility for Functions (Table 3)</p> <p>Appendix 2 – Part 4.1 – Council Procedure Rules</p> <p>Appendix 3 – Part 4.5 – Scrutiny Procedure Rules</p> <p>Appendix 4 - Part 5.2 Code of Conduct for Councillors and Officers in Planning Matters</p> <p>Appendix 5 – Part 5.6 - Protocol for Communications with Elected Members</p> <p>Appendix 6 – Part 6.1 Councillors' & co-opted member's scheme of allowances</p> <p>Appendix 7– Article 15 Suspension, Interpretation and Publication of the Constitution</p>

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
Welsh Government Letter re size and composition of Planning Committees		http://gov.wales/docs/desh/publications/170404-the-size-and-composition-of-planning-committees-en.pdf http://gov.wales/docs/desh/publications/170404-the-size-and-composition-of-planning-committees-cy.pdf
Local Government Act 2000		http://www.legislation.gov.uk/ukpga/2000/22/pdfs/ukpga_20000022_en.pdf