

# Constitution Amendments Record 2022

Section	Paragraph	Page Number	Title/Area	Current Wording	Amendment	Incorporated into document?
12.5.2	(a) and (c)	P144	Sealing and Execution of Documents	<p>(a) Any Officer of grade JNC 2 and above shall have authority to jointly affix the Common Seal and execute under Seal any deed or document.</p> <p>©This function can be delegated further in writing by the named persons</p>	<p>(a) Any Officer of grade JNC 2 and above shall have authority to affix the Common Seal and execute under Seal any deed or document</p> <p>© This function can be delegated further in writing by the persons referenced in (a) above.</p>	Incorporated into 2021 Version 1.1 and accepted by CLT and Leader
12.5.3				Any entry of the sealing of every deed or document to which the Common Seal has been affixed shall be made and consecutively numbered in a <b>book</b> to be provided for the purpose	Any entry of the sealing of every deed or document to which the Common Seal has been affixed shall be made and consecutively numbered in a <b>record</b> to be	Incorporated into 2021 Version 1.1 and accepted by CLT and Leader

					provided for the purpose	
1.2	1.2.1	9	How the Council Operates	The Council is comprised of 42 Councillors elected every five years	The Council is comprised of 33 Councillors elected every five years	Added as tracked change
Executive verses Cabinet????					Would need to do a search to amend all references if it is decided to move to 'Cabinet'	All references to "Executive" or "the Executive" changes to Cabinet. (this impacted the use of Chief Executive in the document but is now corrected)
2.2	2.2.2	13	Definitions in the Constitution	Executive functions are defined by the Local Government Act 2000, subsidiary legislation and associated guidance. Any function that is not exercisable only by Full Council or delegated to another Member body is an Executive function	Need a gap between 'is' and 'not'	Corrected as tracked change
2.2	2.2.2	17	Definitions in the Constitution	"Council's Well-being Objectives"	Corporate Plan (including the Well-being Objectives)	Added as tracked change
Suggestion			Definitions in the Constitution		We will need to add in the Presiding	For discussion

					Member and role (or later in the document) Role not fully defined yet.	
2.8	2.8.1	20	Publication	The Monitoring Officer will ensure that copies of this Constitution are available for inspection at the main Council offices and on the Council's website.	Is this still available regarding inspection?  Also, page 225 section 14.5 and 14.6	Updated to reflect decision to provide electronic copies only
3.1	3.1.1 (c)	21	Getting Information	Three working days before a meeting, the agenda, any report likely to be discussed and background papers to that report shall be available for inspection at the offices of the Council and on the website.	As above	Updated to reflect decision to provide electronic copies only
3.1	3.1.1 (d)	22	Getting Information	The Council will make available to the public present at a meeting a reasonable number of copies of the agenda and of the reports for the meeting (save during any part of the	Reasonable number of copies – is this now possible?	Updated to reflect decision to provide electronic copies only

				meeting to which the public are excluded)		
3.1	3.1.1 (e)	22	Getting Information	For a period of six years the agenda, reports and the minutes of the meeting shall be available for inspection. The background papers shall remain open for inspection for a period of four years.	Do we need to state that this will now be via electronic means?	Updated to reflect decision to provide electronic copies only
4.2	4.2	30/21	The Policy Framework	The Policy Framework means the following plans and strategies: • Corporate Plan (including Well-being Objectives) • Freedom of Information Publication Scheme • Well-being Plan • Treasury Strategy Statement • Local Development Plan • Local Transport Plan • Crime & Disorder Reduction Strategy • Welsh Language Promotion Strategy • Youth Justice Plan The following strategies	Do we need to review the plans and strategies listed?	Updated to include up to date plans and strategies

				<p>will be adopted by Council:-</p> <ul style="list-style-type: none"> <li>• South East Wales Valleys Local Transport Plan</li> <li>• Strategic Asset Management Plan</li> <li>• Winter Maintenance Plan</li> <li>• Highways Maintenance Plan</li> <li>• Corporate Plans and strategies</li> <li>• Procurement Strategy</li> <li>• Regeneration Strategy</li> <li>• Strategic Equality Plan</li> </ul>		
4.7	4.7.3 4.7.4	33/34	Chairing the Council	<p>(a) The Councillor elected annually by the Council as its chair will be called the Council Chairperson.</p> <p>(b) The Council Chairperson will cease to be the Chairperson if they resign, are dismissed by a vote of Full Council, cease to be a Member of the Council, or are unable to act as a Member of the Council. They continue to act as Council Chairperson</p>	Need to amend sections to refer to the Presiding Member rather than Council Chairperson or Presiding Member / Council Chairperson	All reference on page 33/34 to "Council Chairperson" now changed to Presiding Member as a tracked change for approval.

				after an election until their successor has been appointed.		
4.10	4.10.1	35	Council Procedure Rules – Annual Meeting of the Council	(a) elect a person to preside if the Council Chairperson and Deputy Council Chairperson of the Council is not present; (b) elect the Council Chairperson of the Council; (c) elect the Deputy Council Chairperson of the Council; (d) approve the minutes of the last meeting; (e) receive any announcements from the Civic Chair.	Amend to presiding member and delete (e)	Amended as tracked change for approval
4.11	4.11.5 4.11.10	36/37	Ordinary Meetings	receive any announcements from the Council Chairperson;	Presiding Member	Amended as tracked change for approval
4.12	4.12.1 (b)	37	Extraordinary Meetings	The Council Chairperson	Presiding Member	Amended as tracked change for approval
4.15	4.15	38	Chair of the Meeting	The person presiding at the meeting may exercise any power or duty of the Council Chairperson. Where these rules apply to	As above  If Council Chairperson does change need to do a search for all	Amended as tracked change for approval

				Committee and Sub-Committee meetings, references to the Council Chairperson should instead be read as reference to the Chair of that Committee or Sub-Committee.	throughout the document.	
4.16	4.16	39	Quorum	During any meeting if the Council Chairperson counts the number of Members present and declares there is not a quorum present, then the meeting will adjourn immediately.	Change to Presiding Member	Amended as tracked change for approval
4.17	Title	39	Remote Attendance (2011 Measure as amended by Democracy Act 2013)	Remote Attendance (2011 Measure as amended by Democracy Act 2013)	LG Act (included in paragraph but not title)	Added to title as tracked change for approval. Can the reference to the Democracy Act be removed?
4.18	1.18.3	41	Questions by the Public	Notice of Questions A question may only be asked if notice has been given by delivering it in writing or by electronic mail to the Head of Governance and Partnerships no later	Is it HDS or should it be the MO or CEX or all / some??  Particularly as at 4.18.5 – The Managing Director / Head of Paid Service and/or	Amended to state HDS and MO

				<p>than midday, three working days before the day of the meeting. Each question must give the name and address of the questioner.</p>	<p>Head of Legal &amp; Corporate Compliance may reject a question if it...</p> <p>But then at 4.18.6 it says – The Managing Director / Head of Paid Service or Head of Democratic Services will enter each question in a book open to public inspection and will immediately send a copy of the question to the Councillor to whom it is to be put. Rejected questions will include reasons for rejection. Determination of the validity of the request will be by the Monitoring Officer.</p>	
Suggestion					<p>Need to amend all references to Managing Director to Chief Executive</p>	<p>69 instances of Managing Director found and replaced as tracked changes for approval</p>



4.26	4.26.1	59	Minutes	<p><u>Signing the Minutes</u> The Council Chairperson will sign the minutes of the proceedings at the next suitable meeting. The Council Chairperson will move that the minutes of the previous meeting be signed as a correct record. The only part of the minutes that can be discussed is their accuracy.</p>	<p>Is signing still required now that there are no printed minutes?  Is this is amended then 4.26.2 will also need to be amended</p>	<p>Wording amended to “approve” instead of “sign”  Also amended</p>
4.27		59	Record of Attendance	<p>All Members present during the whole or part of a meeting must sign their names on the attendance sheets before the conclusion of every meeting to assist with the record of attendance. Where members attend meetings virtually they must ensure their presence is known to the minute taker in order to ensure their presence is recorded.</p>	<p>Is signing still required particularly as those remote attending just need to notify?</p>	<p>Wording amended to state “recorded as being in attendance”</p>

4.31		61/62	Filming and Use of Social Media During Meetings	In meetings which are open to the public, filming and use of social media is permitted during meetings so long as there is no disturbance to the conduct of the meeting. Webcasting may be provided at any public meetings/Committees	All meetings are recorded and uploaded (rather than webcast)  Also at 5.10	Wording changed to "recording" and not "webcasting"
Section 5	5.8.2	68	Executive Meetings – When and Where?	The frequency and timing of meetings of the Executive will be determined by the Leader. The Executive will meet at the Council's main offices or another location to be agreed by the Leader.	Does this need to be reworded for hybrid and remote attendance?	Wording amended to remove necessity to meet in offices to decide
Section 7	7.2	75	Overview and Scrutiny Committees	In order to achieve this, the Council have appointed five Overview and Scrutiny Committees which between them will:	four	Added as tracked change for approval
Section 7	7.3	76 - 79	Role, Scope and Membership		See attached document	Added contents of document "Scrutiny Committee remit"

						and replaced existing 7.3 contents. Tracked change for approval
Section 7	7.6	82	Who May Sit on Overview and Scrutiny Committees?	<p>All Councillors except Members of the Executive may be Members of the Overview and Scrutiny Committees. However, no Member may be involved in scrutinising on decisions in which he has been directly involved.</p> <p>Although an Executive Member is not a Member of a Scrutiny Committee, they may participate by invitation only.</p>	<p>he/she</p> <p>As identified above, will this still be the case??</p>	Added as tracked change for approval
Section 7	7.8	82	Education Representatives	The Education & Learning Scrutiny Committee shall include in its membership voting representatives of religious faiths and of parent governors, as required by law and guidance from the	The People Scrutiny Committee	Added as tracked change for approval

				National Assembly of Wales.		
Section 7	7.10.2	83		(d) have a responsibility for the development of a forward work programme linked to the priorities of the Council found within the Council's Well-being Objectives. It will be the responsibility of the Chair to ensure the criteria set out in the Scrutiny Development Plan is implemented in liaison with the Head of Democratic Services.	The Council's Corporate Plan  Remove	Added/removed as tracked change for approval
Section 7	7.12	84	Meetings	The Overview and Scrutiny Committee will meet 6 weekly.	The cycle of each overview and scrutiny committee will be determined at the beginning of each cycle linked to the business within the FWP – or something like this  There is wording at 7.16	Added as tracked change for approval

Section 7	7.12.3	85		The quorum of an Overview and Scrutiny Committee will be one quarter.	As the meetings now have 9 members should this be a 3 <sup>rd</sup> ?? 3 rather than 2.25??	Added as tracked change for approval
Section 7	7.15	85	What will be the Number and Arrangements for Overview and Scrutiny Committees	The Council will have five Overview and Scrutiny Committees...	four	Added as tracked change for approval
Section 7	7.15.3	85		(a) there will be cross party Membership of all Overview and Scrutiny Committees;	(a) there will be proportionate cross party Membership of all Overview and Scrutiny Committees;	Added as tracked change for approval
Section 7	7.18.2	87		On receipt of such a request, so long as it is an appropriate matter to be considered and is appropriate to the priorities within the Council's Well-being Objectives and the Forward Work Programme, the Managing Director / Head of Paid Service will ensure that it is included on the next available agenda.	Council's Corporate Plan  Does it need to be the MD?	Added as tracked change for approval  MD changed to CEX
Section 7	7.21	89	Making sure that Overview and		Remove second paragraph	Removed as tracked change for approval

			Scrutiny Reports are considered by the Executive			
Section 7	7.21	90			Remove table as now embedded practice and included in the handbooks	Deleted but not showing as tracked change due to a quirk with tracked changes (most likely as it is an image rather than text)
Appendix 1 to section 7	5.1 / 5.1.1 / 5.2 / 5.3 / 5.3.3 / NB 6.1 / 6.2 7.3 / page 110 / 111	104		Corporate Overview Scrutiny Committee	Amend references of this committee to Corporate Overview and Performance Scrutiny Committee	18 instances found and replaced as tracked changes for approval
	NB	105		NB: Crime and Disorder referrals should be directed to the Corporate Overview Scrutiny Committee.	Now Place Scrutiny Committee	Amended to Place Scrutiny Committee as tracked change (this reduces the references above from 18 to 17)
APPENDIX 4 TO SECTION 7		112-116	Public Service Board (PSB) Scrutiny Committee Terms of Reference		Local PSB now sits with Partnership Scrutiny and arrangements are being made for a regional Scrutiny Committee	Amendments made to remove sections and detail the purpose of the Gwent Public Service Board
11.1	11.1.2	126	Chief Officers	Managing Director / Head of Paid Service	Chief Executive / Head of Paid Service	Added as tracked change for approval
11.5.9		134	Restrictions on Posts	In accordance with legislative provision, the Head of	LG Act now allows for the MO to be the HDS	Amended to detail no restrictions on posts

				Democratic Services cannot be the Head of Paid Service, the Monitoring Officer or the Chief Officer - Resources.		
		150	Portfolio Responsibilities		See separate sheet	
		154 - 217			Review Delegation of Functions	
		219	Democratic Services Committee	(m) Remote attendance for Members/Web casting	(m) Remote attendance for Members / hybrid meetings / recording / live broadcasting	Added as tracked change for approval
14.7		226	Access to Minutes after the Meeting	The Council will make available either electronic or hard copies of the following for a period of six years after the date of a meeting:	Can this be removed?	Wording amended to remove obligation for hard copies
8	8.1	385	How to Raise a concern		Michelle Morris is named and details included	Added as tracked change for approval
Portfolio Responsibilities	Leader Cabinet Member Corporate Overview and Performance	156			<ul style="list-style-type: none"> <li>Amended Title of holder</li> <li>Policy and Performance - Removed the brackets (including,</li> </ul>	Incorporated into document as tracked change.

					<p>engagement, community safety and scrutiny development)</p> <ul style="list-style-type: none"> <li>• Removed Community Safety and CCTV</li> <li>• Removed Asset Management (Supporting the Deputy Leader)</li> </ul>	
Portfolio Responsibilities	Deputy Leader Executive Member Place and Environment	157			<p>Corrected Name</p> <p>Added Community Safety and CCTV</p> <p>Added Deputise for the Leader</p>	Incorporated into document as tracked change.
Portfolio Responsibilities	Executive Member Place and Regeneration	158			<p>Corrected name</p> <p>Added CCRC</p>	Incorporated into document as tracked change.
Portfolio Responsibilities	Executive Member People and Education	159			<p>Corrected name</p>	Incorporated into document as tracked change.



Portfolio Responsibilities	Cabinet Member People and Social Services	160			Corrected name	Incorporated into document as tracked change.
13	Delegation of Functions	169	Public Protection	PORTFOLIO FOR ENVIRONMENT SUBJECT TO SCRUTINY BY THE COMMUNITY SERVICES SCRUTINY COMMITTEE	PORTFOLIO FOR ENVIRONMENT SUBJECT TO SCRUTINY BY THE PLACES SCRUTINY COMMITTEE	Incorporated into document as tracked change.
13	Delegation of Functions	176 – para 15(b)	Public Protection	Implementation & Enforcement	Service Delivery Planning, Implementation & Enforcement	Incorporated into document as tracked change.
13	Delegation of Functions	183 – para 37 (a)	Public Protection	Executive/Cabinet	Corporate Director – Regeneration and Community Services	Incorporated into document as tracked change.
13	Delegation of Functions	183 – para 39	Public Protection	Executive/Cabinet	Corporate Director – Regeneration and Community Services	Incorporated into document as tracked change.
13	Planning, Regulatory and General Licensing Committee	210	Planning, Regulatory and General Licensing Committee			NEED TO BE SEPARATED?
13	Delegation of Functions	217 – para 5	Public Protection	Functions relating to the operation of a business under the Vehicles (Crime) Act 2001....	Remove paragraph - this can be removed as the previously relevant parts to Scrap Metal Licensing have been superseded by other legislation (covered	Incorporated into document as tracked change.

					elsewhere in the constitution)	
13	Delegation of Functions	218 – para 6 (d)	Public Protection	Corporate Director of Regeneration and Community Services	Remove reference, appears to have been included in error previously.	Incorporated into document as tracked change.
13	Delegation of Functions	218 – para 6 (d) – Renewal	Public Protection	Corporate Director of Regeneration and Community Services	replace “Director...” with “General Licensing Committee” – reason: consistency with process for new applications	Incorporated into document as tracked change.
13	Delegation of Functions	219 – para 8 (d) - Renewal	Public Protection	Corporate Director of Regeneration and Community Services	replace “Director...” with “General Licensing Committee” – reason: consistency with process for new applications	Incorporated into document as tracked change.
13	Delegation of Functions	223 – para 1 point (j)	Public Protection	Corporate Director of Regeneration and Community Services	delete Corp Director (reason: to enable clarity of decision making body: i.e. Committee only)	Incorporated into document as tracked change.
13	Delegation of Functions	223 – para 1 point (l)	Public Protection	Corporate Director of Regeneration and Community Services	delete Corp Director (reason: to enable clarity of decision	Incorporated into document as tracked change.

					making body: i.e. Committee only)	
13	Delegation of Functions	223 – Para 2 (d)	Public Protection	various	replace “various” with “variation” – reason: typo.	Incorporated into document as tracked change.
13	Delegation of Functions	191 Title	Public Protection	“Regeneration Scrutiny Committee”	Places Scrutiny Committee	Incorporated into document as tracked change.
13	Delegation of Functions	162 – Point 4 Public Relations and Media Interface (b) Operational		Corporate Director of Regeneration and Community Services	Changed to Chief Officer Commercial and Customer	Incorporated into document as tracked change.
13	Delegation of Functions	162 – Point 5 Business Transformation & Business Support		Corporate Director of Regeneration and Community Services	Changed to Chief Officer Commercial and Customer	Incorporated into document as tracked change.
2	Section 2.4	18	Finance	“Financial Regulations”	Amended to “Financial Procedure Rules”	Incorporated into document as tracked change.
9	Section 9.2	Page 125 – Regulatory Committees		Old membership rules detailed	Corrected to new membership rules in line with changes to the legislation.	Incorporated into document as tracked change.  ADDED AFTER CONSTITUTION WORKING GROUP WILL HIGHLIGHT

						<b>VERBALLY WHEN REPORT PRESENTED</b>
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