

Report to	Governance and Audit Committee
Date of meeting	16 th March 2022
Lead Member / Officer	Gary Williams, Monitoring Officer
Report author	Gary Williams, Monitoring Officer
Title	Constitution Guide

1. What is the report about?

1.1. The report is about an ordinary language guide to the Constitution.

2. What is the reason for making this report?

2.1. The Local Government and Elections (Wales) Act 2021 requires that a local authority publishes an ordinary language guide to the Constitution.

3. What are the Recommendations?

3.1. That the Committee considers the contents of the Guide to the Constitution attached as Appendix 1 and recommends to Council that it be adopted.

4. Report details

4.1. s37 Local Government Act 2000 requires that the Council has a Constitution that contains certain information and that it keeps it updated. s45 Local Government and Elections (Wales) Act 2021 amends s37 to require, in addition, that the Council produces an ordinary language guide to the Constitution and keeps it updated.

4.2. Councils are required to have regard to statutory guidance in the production of their constitution guide. Draft statutory guidance suggests that Councils should consider the types of interactions that members of the public may have with the

Council, such as how to access meetings and minutes, public speaking rights etc., and an explanation of how the Council works.

- 4.3. The Welsh Local Government Association have, with Lawyers in Local Government, produced a model constitution guide which the draft statutory guidance suggests is a useful starting point.
- 4.4. Attached as Appendix 1 is a draft Constitution Guide which is based upon the model guide produced by the WLGA. The model guide allows for adaptation to recognise local variations in council constitutions. The draft attached as Appendix 1 has been adapted to be read in conjunction with the Council's Constitution.
- 4.5. Members will see that the guide seeks to identify the types of questions that a person may wish to find the answer to in the Constitution. The guide tries to give a brief answer to those questions and to refer the reader to the relevant part of the Constitution for further detail.
- 4.6. If members are satisfied with the content of the guide, it will be presented to Council for approval.

5. How does the decision contribute to the Corporate Priorities?

- 5.1. The decision has no direct impact on the corporate priorities

6. What will it cost and how will it affect other services?

- 6.1. There are no direct costs associated with the adoption of the guide.

7. What are the main conclusions of the Well-being Impact Assessment?

- 7.1. An assessment is not required for this report.

8. What consultations have been carried out with Scrutiny and others?

8.1. There have been no consultations with Scrutiny, however, there were a number of workshops with members during the course of the development of the proposals contained within the Local Government and Elections (Wales) Act 2021.

9. Chief Finance Officer Statement

9.1. There are no direct financial implications of this report.

10. What risks are there and is there anything we can do to reduce them?

10.1. There is a risk that if a constitution guide is not adopted that the Council will not be complying with the provisions of the relevant legislation.

11. Power to make the decision

- S37 Local Government Act 2000 as prospectively amended by s45 Local Government and Elections (Wales) Act 2021