



RHONDDA CYNON TAF COUNCIL

Minutes of the Hybrid meeting of the Constitution Committee held on Monday, 5 June 2023 at 2.00 pm.

This meeting was live streamed, details of which can be accessed [here](#)

County Borough Councillors – The following Councillors were present in the Council Chamber:-

Councillor G Hughes (Chair)

Councillor S Evans Councillor J Cook
Councillor B Stephens Councillor W Jones

The following Councillors were present online:-

Councillor G Hopkins Councillor K Morgan

Officers in attendance

Mr C Hanagan, Service Director of Democratic Services & Communication
Mr A Wilkins, Director of Legal Services and Democratic Services

Apologies for absence

Councillor M Webber

1 WELCOME

The Presiding Officer welcomed all Members to the inaugural meeting of the Constitution Committee.

2 APOLOGY

An apology for absence was received from County Borough Councillor M Webber.

3 DECLARATION OF INTEREST

In accordance with the Council's Code of Conduct, there were no declarations made pertaining to the agenda.

4 MINUTES

It was **RESOLVED** to approve the minutes of the 13th May 2021 as an accurate reflection of the meeting.

5 GUIDE TO THE CONSTITUTION OF RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

The Director of Legal and Democratic Services presented his report to Members, advising of the requirements of Section 45 of the Local Government and Elections (Wales) Act 2021 (the Act) which requires principal councils to publish a Constitution Guide which explains in ordinary language the content of the Council's Constitution.

Members were advised that the All-Wales Monitoring Officers' Group, via funding from the Welsh Local Government Association (WLGA) commissioned Browne Jacobson Solicitors to draft a model Constitution Guide having regard to Section 45 of the Act, with the Council's own draft model attached as Appendix 1 to the report for Members comment.

Members welcomed the guide and spoke of how the guide would better assist the public in engaging in the democratic process and linked the guide to the Council's current Public Participation Strategy which was currently out for consultation. Members commented on the need to continually review the guide to ensure it remained fit for purpose.

Following comments it was **RESOLVED** to endorse the draft Constitution Guide and recommend adoption to Council.

6 NOTICE OF MOTION REPORTING MECHANISM

The Service Director, Democratic Services & Communication provided Members with the report, which provided Committee with the opportunity to consider proposals for formally recording and reporting the outcome and effect of the Council's representation made by Members following the adoption and/or referral of a Notice of Motion (NOM) at Council.

The Committee were reminded of the recent Notice of Motion considered at Council in respect of the reporting of NOMs and advised Members that the Mover and Seconder of the said NOM had been invited to attend the meeting today and had been provided with sight of the report and the proposals contained within prior to formal publication.

Members were advised of the proposals to strengthen the current process with a visual 'outcomes' displayed on the Council website and in addition the reporting of 'information reporting' to Council in respect of the progress and tracking of a Notice of Motion. It was advised that these proposals would strengthen the existing notice of motion reporting arrangements, and provide further transparency to both Members and the public.

Members were happy to support the suggested proposals and discussed how the proposals assisted in tracking and achieving affective outcomes, as intended by Members when submitting Notices of Motions to Council.

Members **RESOLVED** to:

1. Recommend the improvements to the existing dedicated Notice of Motion page on the Council webpages to formally record and publish the outcome and effect following the adoption and/or referral of a Notice of Motion to a future Council meeting; and
2. Introduce the follow-up reporting mechanism to Full Council through 'information reports' on the Council agenda to track and record the progress of action/referrals of NOM's

7 PETITIONS SCHEME

The Service Director, Democratic Services & Communication advised the Committee of the duty placed on a Principal Council to make and publish a Petitions Scheme setting out how the Council intends to handle and respond to Petitions (including Electronic Petitions), in accordance with the Local Government and Elections (Wales) Act 2021.

Members were reminded of the current arrangements in place in respect of the receipt of petitions by the Council and the need to review the arrangements.

Members were provided with details of proposed amendments to the current scheme which included the proposal for e-petitions to be created through the Council website to assist the public in creating such petitions and the proposal for a tiered criteria of petitions which provided alternative mechanisms for a formal response.

Members discussed in detail the proposals before them and queried the response thresholds that had been proposed within the report, which some Members felt were quite high. The Service Director advised of the rationale for the figures proposed, from looking at current petitions received to date and other Local Authorities petitions criteria, although advised Members as this was only a proposal Members could suggest alternative thresholds. Members suggested that the proposed thresholds remained, although a review should be carried out once the petitions scheme had been in place for a reasonable period.

One Member queried why there wasn't a suggested creation of a Petitions Committee and the Service Director explained that the proposal allowed for the Overview and Scrutiny Committee to take forward this role, which reduced the need for the creation of a further Committee. The Service Director also advised that this approach was in-line with the approach suggested within the Welsh Government's Statutory Guidance. The Service Director explained following a further query that the recommendations of the Overview and scrutiny Committee upon consideration of a petition would not be binding on the Executive, as is usual practice and it would be a matter for the Cabinet to decide if they accepted the recommendations of the Committee if this was the necessary outcome.

Clarity was sought in respect of the tier 3 threshold regarding the validation of signatures, the form of the petition - whether it was only electronic petitions or whether a hybrid approach could be taken forward and further clarity was sought on the proposal that similar petition topics could not be referred within a 6 month basis.

The Service Director explained that checks would be undertaken to ensure that for petitions relating to local ward matters, only constituents from that area or surrounding area should be signing such a petition.

Members debated the accessibility of petitions if an electronic only petition was accepted and following discussions proposed an amendment that tier 3 should be a hybrid approach of both electronic and paper-based petitions, subject to the petitions being created in a prescribed format as stipulated by the Council, through the creation of a guidance document and proposed petitions template.

Some members noted concern in respect of the additional workload this amended approach may create for the Council Business Unit.

Following detailed discussions, it was **RESOLVED**:

1. To review the Council's current Petitions scheme as in accordance with the Local Government and Elections (Wales) Act 2021;
2. To agree to the proposed amendments to the current petition scheme as set out within section 5 the report, subject to the inclusion of ' hybrid petitions – Electronic / online and Paper based within tier 3 thresholds'.
3. To endorse the revisions to the Petitions scheme to Council and for Council to instruct the Monitoring Officer to amend the constitution to reflect these changes.
4. To approve the development of a petition scheme 'guidance booklet' to assist members of the public in taking forward a petition and for this booklet to be developed by the Overview & Scrutiny Committee.

8 MULTI LOCATION MEETING POLICY

Members were referred to the report before them which sought Members comments on the draft Rhondda Cynon Taf Multi-Location Meeting policy following its consideration by the Democratic Services Committee and Scrutiny Chairs and Vice Chairs.

The Service Director, Democratic Services advised of the need for the Council to take forward a Multi-Location Meetings policy and for the policy

to be adhered to by Members, Officers and the general public as a form of good practice when attending multi location meetings.

Members were advised that the Council had determined that all meetings must be able to operate as multi-location meetings to ensure that participants are able to attend remotely or physically should they wish to do so, subject to those meetings that were determined by Council, to be conducted as virtual only (June 2021 Council), or by the request of the Chair.

At the meeting of the Democratic Services Committee on the 13th February, 2023 Members considered the draft policy before them and took forward a number of amendments, which, for ease of reference was highlighted in red within the appendix, to reflect the changes proposed.

Members welcomed the policy and spoke of the equality of provision and participation brought by Members whether attending meetings virtually or in person at the Council Chamber.

A Member queried the complexities when a Chair conducted a hybrid meeting virtually and the Service Director spoke of the challenges faced in such situations and spoke of the technological advancements potentially available to assist Chairs in such situations.

Members spoke of the necessity of the hybrid working arrangement to ensure all Members are able to access and attend meetings through their chosen setting. Members also commented on the need to ensure that those Members attending meetings virtually took forward the meetings in safe and secure environments, especially when considering confidential items.

Following discussions it was **RESOLVED**:

1. To endorse to Council the draft Multi Location Meeting policy (attached as Appendix 1), following which the Council Constitution be amended to include a copy of the agreed policy

This meeting closed at 2.50 pm

**Councillor G Hughes
Chair.**