



Item 23

Annual Meeting of Council - 11 May 2023

Constitutional Matters 2023-2024

1. Introduction

- 1.1 The Council operates within a legal framework established by the Local Government Act 1972, the Local Government and Housing Act 1989, the Local Government Act 2000, the Local Authorities (Executive Arrangements) (Functions and Responsibilities) (Wales) Regulations 2007, the Local Government (Wales) Measure 2011, Local Government & Elections (Wales) Act 2021 and other relevant legislation (“the legislation”). Additionally, the Independent Remuneration Panel for Wales (IRPW) determines the remuneration available to Councillors and Co-opted Members.
- 1.2 This report seeks to address the requirements of the relevant legislation.

2. Independent Remuneration Panel for Wales (IRPW)

- 2.1 The IRPW Annual Report www.gov.wales/independent-remuneration-panel-wales sets out “Contribution towards Costs of Care and Personal Assistance (CPA)” and “Payments to Members of Community & Town Councils”.
- 2.2 Under the Local Government (Wales) Measure 2011, Community and Town Councils are relevant Authorities for the purpose of remuneration. Consequently, individuals who have accepted office as a Member of a Community or Town Council are entitled to receive payments as determined by the Independent Remuneration Panel for Wales. It is the duty of the Proper Officer of a Council to arrange for correct payments to be made to all individuals entitled to receive them.

3. Appointment of Committees, Size of Committee, Membership & Terms of Reference

- 3.1 It is proposed that these Committees be established:
 - Finance Committee.
 - Personnel Committee.
- 3.2 If they are to be re-established then consideration is required in relation to the Size of the Committees, the Membership of the Committees, and the Terms of Reference of those Committees. **Appendix A** sets out the proposals.

3.3 The scrutiny and acceptance of tenders and quotes on behalf of the Council be delegated to the Chair of Council, Chair of Finance Committee, Vice Chair of Finance Committee and Councillor Paul Baker in consultation with the Clerk to the Council. Their decision must be reported back to Council for information.

4. Allocation of Councillors to Outside Bodies

4.1 The Outside Bodies that Council Allocates Councillors to and current membership of those Outside Bodies are outlined in **Appendix B**.

4.2 Council is asked to consider the list and to determine whether to re-allocate to these Outside Bodies and to determine who to allocate (if applicable).

5. Council & Committee Meetings

5.1 Llangyfelach Community Council Meetings are normally held at **6.00pm on the 2nd Thursday of each month**; however, meetings are not usually held during August. These meetings are subject to change, but details shall be available on the Council's website. The proposed dates being:

8 June 2023	9 November 2023	14 March 2024
13 July 2023	14 December 2023	11 April 2024
14 September 2023	11 January 2024	9 May 2024 (Annual)
12 October 2023	8 February 2024	-

5.2 Should Council resolve to establish these Committees, then they will be called as required. Details <https://www.llangyfelachcommunitycouncil.org.uk/>

6. Grant of Delegated Powers to the Clerk - Swansea Council - Planning Applications & Planning Matters

6.1 The system for responding to Swansea Council Planning Applications and Planning Matters shall be:

- i) The Clerk forward via e-mail all Planning Applications / Approvals relevant to the Llangyfelach Community Council to all Councillors.
- ii) Councillors be given a period of 5 clear working days to respond to the Clerk.
- iii) The Clerk collates the responses of the Councillors and forwards them to Swansea Council's Planning Team as the formal observations of the Council.

7. Grant of Delegated Powers to the Clerk - Spending & Bank Reconciliation

7.1 The Clerk be authorised to make payments providing permission has been given in writing (e-mail) from two of the following four Councillors: Chair of

Council, Vice Chair of Council, Chair of Finance Committee and Vice Chair of Finance Committee.

7.2 Bank Account Reconciliation Reports be sent to all Councillors on a Monthly basis.

8. Recommendations. It is recommended that:

8.1 A Finance Committee & Personnel Committee be appointed as outlined in **Appendix A** of the report including:

- a) The Number of Allocated Seats on each Committee.
- b) The Membership of each Committee.
- c) The Terms of Reference of each Committee.

8.2 The schedule of Council Meetings as outlined in the report be agreed.

8.3 Councillors be allocated to serve on Outside Bodies as outlined in **Appendix B** of the report.

8.4 The Clerk of the Council be delegated authority to respond directly to Swansea Council in relation to Planning Application & Planning Matters subject to the process outlined in the report being followed.

8.5 The Clerk of the Council be delegated authority to make payments providing permission has been given in writing (e-mail) from two of the four following Councillors: Chair of Council, Vice Chair of Council, Chair of Finance Committee and Vice Chair of Finance Committee.

8.6 The Clerk e-mail the Bank Account Reconciliation Reports to all Councillors on a Monthly basis.

Background Papers: None

Appendices:

Appendix A	Council, Committees, Number of Allocated Seats, Membership & Terms of Reference
Appendix B	Appointment of Councillors to Outside Bodies

Huw Evans
Clerk to Llangyfelach Community Council

Appendix A

Council, Committees, Number of Allocated Seats, Membership & Terms of Reference 2023-2024

Body	Seats	Membership / Comments
Council	9	<i>All 9 Councillors.</i>
Finance Committee Terms of Reference: To consider all matters relating to Finance and to make recommendations to Council.	4	<i>4 Councillors. Chair of Council. Vice Chair of Council. 2 x Others.</i>
Personnel Committee Terms of Reference: i) To oversee the performance of the Clerk. ii) To oversee and monitor the hours and holiday entitlement of the Clerk. iii) To monitor and manage any sickness / absence of the Clerk. iv) To manage any disciplinary or grievance issues (for or against) relating to the Clerk. v) To manage the pay and training of the Clerk. vi) To deal with any other issues referred by the Council.	4	<i>4 Councillors: Chair of Council. Vice Chair of Council. Chair of Finance Committee. Councillor Paul Baker.</i> Note: <i>Councillor Paul Baker manages the Clerk on a day-to-day basis.</i>

Appendix B

Appointment to Outside Bodies

Outside Bodies	Membership / Comments
Community / Town Council Forum	Note: Current Membership is: Councillor Sharon Phillips & Councillor Mike Glover
Llangyfelach Primary School – School Governor (Additional Community Governor)	Councillor Paul Baker
One Voice Wales Meetings including Swansea Area Committee	Councillor Sharon Phillips & Clerk of Council
South Wales Police Meetings with Representatives of Community Councils including PACT Meetings	Councillor Mark Tribe
Swansea Rural Development Partnership	Councillor Paul Baker