

## **FULL COUNCIL REPORT**

Date Written	* 4 <sup>th</sup> July 2018
Report Author	Geraint Morgan
Service Area	Legal
Exempt/Non Exempt	Non Exempt
Committee Date	25 <sup>th</sup> July 2018

*To: Mayor, Ladies and Gentlemen*

# **Ffos-y-fran Community Fund Constitution and Terms of Reference**

## **1.0 SUMMARY OF THE REPORT**

- 1.1 To amend clause 3 of the Ffos-y-fran Fund Constitution and Terms of Reference so that the quorum can remain at 3 but that the constitution of the quorum be altered to allow for business to proceed in light of the ongoing absence of certain representatives from meetings.

## **2.0 RECOMMENDATIONS that**

- 2.1 Clause 3 of the Ffos-y-fran Community Fund Constitution and Terms of Reference be amended to read as follows: *“The quorum shall be 3 members. However in the event that a representative from Merthyr (South Wales) Ltd is not in attendance the Council shall notify and consult Merthyr (South Wales) Ltd upon any recommendation made at the Panel and shall allow Merthyr (South Wales) Ltd 7 days within which to make any comment. The Council shall take due regard to the comments made however shall be entitled to make decisions as it thinks fit.”*

## **3.0 INTRODUCTION AND BACKGROUND**

- 3.1 Following a Council resolution in early 2010 the Ffos-y-fran Community Fund Constitution and Terms of Reference was established. The constitution is as set out in Appendix 1.

- 3.2 Clause 1 of the Constitution deals with membership of the Panel. The constitution requires that there be 2 members from Merthyr (South Wales) Ltd, 3 councillors from Merthyr Tydfil County Borough Council and up to 3 co-opted representatives from communities within Merthyr Tydfil.
- 3.3 In order to be quorate clause 3 requires that the quorum be 3 with at least one member from the Council and one member from Merthyr (South Wales) Ltd in attendance.
- 3.4 If no-one from Merthyr (South Wales) Ltd attends the Panel no business can be conducted. This is causing a problem currently as no one from Merthyr (South Wales) Ltd attended the last meeting and so no business could be conducted.
- 3.5 In order for business to be undertaken it is proposed that clause 3 of the Constitution be amended to read as follows:- *“The quorum shall be 3 members. However in the event that a representative from Merthyr (South Wales) Ltd is not in attendance the Council shall notify and consult Merthyr (South Wales) Ltd upon any recommendation made at the Panel and shall allow Merthyr (South Wales) Ltd 7 days within which to make any comment. The Council shall take due regard to the comments made however shall be entitled to make decision as it thinks fit.”*
- 3.6 No other clauses within the Constitution require amendment.

#### **4.0 FINANCIAL IMPLICATION(S)**

- 4.1 By effecting the change to the Constitution the Panel will be able to administer the Fund. This will not have any financial cost to the Authority but the effective conduct of business at these meetings could have an indirect beneficial financial outcome as funds will be more effectively distributed by the panel

#### **5.0 EQUALITY IMPACT ASSESSMENT**

- 5.1 An Equality Impact Assessment (EqIA) form has been prepared for the purpose of this report. It has been found that a full assessment is not required at this time. The form can be accessed on the Council's website/intranet via the 'Equality Impact Assessment' link.

**GARETH CHAPMAN**  
**CHIEF EXECUTIVE**

**COUNCILLOR ANDREW BARRY**  
**CABINET MEMBER FOR GOVERNANCE**  
**AND CORPORATE SERVICES**

<b>BACKGROUND PAPERS</b>		
<b>Title of Document(s)</b>	<b>Document(s) Date</b>	<b>Document Location</b>
<b>Does the report contain any issue that may impact the Council's Constitution?</b>		<b>No</b>

***Consultation has been undertaken with the Corporate Management Team in respect of each proposal(s) and recommendation(s) set out in this report.***