



## **FULL COUNCIL REPORT**

Date Written	25 <sup>th</sup> January 2021
Report Author	Simon Jones
Service Area	Legal & Democratic Services
Exempt/Non Exempt	Non Exempt
Committee Date	3 <sup>rd</sup> February 2020

*To: Mayor, Ladies and Gentlemen*

### **Cabinet Portfolio functions of the Council Leader**

#### **1.0 SUMMARY OF THE REPORT**

- 1.1 The Council constitution currently precludes the Leader of the Council from holding a Cabinet Portfolio. The Leader of the Council intends to retain her Learning and LGES portfolio which will be in addition to carrying out the position of chairperson of the Cabinet and Leader of the Council.
- 1.2 The report seeks to advise members of the position and to seek approval to amend the constitution to allow for this to be implemented.

#### **2.0 RECOMMENDATIONS that**

- 2.1 The amendment of the constitution to permit the Leader of the Council to carry out the functions of a Portfolio Member be approved.
- 2.2 The Council's constitution be amended to reflect 2.1 above be approved.

#### **3.0 INTRODUCTION AND BACKGROUND**

- 3.1 Merthyr Tydfil County Borough Council's Constitution sets out how the Council operates, how decisions are made and the procedures which are followed to ensure that these are efficient, transparent and accountable to local people. Some of these processes are required by the law, while others are a matter for the Council to choose.

- 3.2 Article 7 of the Constitution prescribes how the Council’s Cabinet will function. It states amongst other things that the Cabinet will consist of the Leader of the Council together with at least 2 but not more than 9, Councillors appointed to the Cabinet by the Leader of the Council. The current Cabinet takes the form of the Leader of the Council who is the chairperson of the Cabinet together with five members who have each been allocated one of the portfolios listed below.
- 3.3 The Council has established the following Portfolios: -
- Governance, Performance, Business Change and Corporate Services
  - Social Services
  - Learning and LGES
  - Neighbourhood Services, Planning and Countryside
  - Regeneration and Public Protection
- 3.4 At the special council meeting on the 20<sup>th</sup> January 2021 Cllr Lisa Mytton was appointed Council Leader. Cllr Mytton is also the Portfolio member for Learning and LGES. Under the current constitution Cllr Mytton would have to relinquish her portfolio role and another member would need to be appointed to Cabinet to take over a portfolio. The Leader of the Council has however expressed a wish to continue to carry out the Learning and LGES portfolio functions to enable her to continue to use her portfolio experience. In order for her to do so the Constitution has to be amended.
- 3.5 Should Council approve this amendment a further report will be brought before Council at the earliest opportunity confirming the allocation of other Cabinet positions.

#### 4.0 FINANCIAL IMPLICATION(S)

- 4.1 There are no financial implications with this proposal.

#### 5.0 INTEGRATED IMPACT ASSESSMENT

	Positive Impacts	Negative Impacts	Not Applicable
<b>1. Merthyr Tydfil Well-being Objectives</b>	1 of 4	0 of 4	3 of 4
<b>2. Sustainable Development Principles - How have you considered the five ways of working:</b> <ul style="list-style-type: none"> <li>• Long term</li> <li>• Prevention</li> <li>• Integration</li> <li>• Collaboration</li> <li>• Involvement</li> </ul>	1 of 5	0 of 5	4 of 5

<b>3. Protected Characteristics</b> <i>(including Welsh Language)</i>	0 of 10	0 of 10	10 of 10
<b>4. Biodiversity</b>	0 of 1	0 of 1	1 of 1
<b><u>Summary:</u></b>			
The main positive impact is the members experience in Education functions will be retained by the proposal.			
The main negative impacts are none			

**ELLIS COOPER**  
**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>Yes</b>

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