

## **CONSTITUTIONAL REVIEW WORKING PARTY**

### **ACTION NOTES**

**Monday 12th December 2011**

**Present: Cllr Carole Gandy (Chair) and  
Cllrs Braley, Bush, Chance, Hartnett & Pearce.**

**Officer: Steve Skinner.**

#### **8. Apology**

An apology was received on behalf of Claire Felton (Head of Legal, Equalities and Democratic Services / Monitoring Officer).

#### **9. NOTES OF PREVIOUS MEETING**

Members agreed the record of the previous meeting as correct.

Matters arising would all be picked up under the agenda items.

Members noted matters already now approved by Council in relation to 4-week meeting cycles for the Executive and O&S Committees and deletion of the Housing Appeals Committee. Employment Appeals would be referred back to the Working Party as soon as revised proposals were ready, and negotiations with Trade Union had reached a conclusion.

#### **10. PORTFOLIO HOLDERS – DELEGATED AUTHORITY**

An updated Portfolio Holder Guidance Sheet was agreed for reference (which it was noted was now mostly a matter of the Leader's discretion).

#### **11. ELECTORAL MATTERS COMMITTEE**

Members considered a suggestion that an Electoral matters Committee would be a useful additional body to exercise powers on behalf of the Council relating to electoral matters and elections.

Members expressed their preference for the retention of existing reporting arrangements to full Council considering:

- the relatively infrequent need for such a Committee;

- concerns about a small body taking potentially contentious decisions on behalf of the whole Council;
- risks attached to this in terms of quorum and political balance;
- the ability to create separate arrangements when the need arose – for instance in the case of boundary review.

It was therefore **RECOMMENDED** that

**no further action be taken in respect of this proposal.**

## 12. **SCHEME OF DELEGATIONS**

Members noted progress to date in the reformatting and updating of the Scheme of Delegations. Members agreed the revised ‘tabular’ layout would provide a much clearer reference to approved delegations.

No recommendations at this stage. Carry Forward.

## 13. **COUNCIL PROCEDURE RULES**

### A) Questions on Notice (Procedure Rule 9)

It was noted that the new Constitutional arrangements permitted Questions at Council not just to the Leader, but also to the Mayor and to other individual Councillors (mostly Chairs / Portfolio Holders). This provision would be reflected in future Council agendas and practice.

Members added that Questions should actually be proper ‘questions’, and confirmed that Officers should advise Members of other routes available to them in respect of other business.

### B) Announcements (Procedure Rule 10)

It was noted and agreed that : ***Announcements at full Council may be made by the Mayor, Leader, and/or Chief Executive Officer.***

It was **RECOMMENDED** that

**the minor addition to the Constitution in respect of Announcements detailed in bold italic text above be approved, with immediate effect.**

## 14. **PLANNING COMMITTEE PROCEDURAL RULES / TERMS OF REFERENCE / PUBLIC SPEAKING**

Further to Note 5 of the previous meeting, Members consider an updated draft set of Procedural Rules, etc. as now attached as Appendix 2.

Members noted that this matter was also listed for consideration by the Planning Committee at its meeting on 13<sup>th</sup> December.

Members made a number of adjustments to the draft proposal, as now reflected in the latest updated version attached (all changes shown in bold italic script and/or lined though).

In terms of Member training required for Planning Committee Members, the Working Party referred to the Member Support Steering Group the issue of possible online training for 'Returning Members', as an alternative to the usual formal sessions with trainer / Officers, etc.

**RECOMMENDED that**

**the amendments to the Constitution in respect of the Planning Committee, as detailed at Appendix 2 to these Notes, be approved for implementation with immediate effect / OR with effect from the new municipal year (*to be determined*).**

**15. PETITIONS SCHEME**

Further to Note 4 of the previous meeting, Members considered updated draft revisions to the Petitions Scheme, as now attached as Appendix 3 to these Notes.

Members made a number of adjustments to the draft proposal, as now reflected in the latest updated version attached (all changes shown in bold italic script and/or lined though).

**RECOMMENDED that**

**the amendments to the Petition Scheme, as detailed at Appendix 3 to these Notes, be approved for implementation with immediate effect / OR with effect from the new municipal year (*to be determined*).**

**16. WORK PROGRAMME**

Members noted progress to date against the checklist / Constitution Contents list provided. Appendix 1 to these Notes provides the updated situation.

**17. AGM COMMITTEE APPOINTMENTS / OUTSIDE BODIES**

Updated lists were circulated for Members' / Leaders' reference / later use.

Members noted the need, further to Note 2)6) of the previous meeting, to review their Outside Body appointments / nominations.

**18. NEXT MEETING(s)**

It was **AGREED** that

**the next meetings of the Working Party be held on**

- **Thursday 19th January 2012, starting at 6.30 pm (after Portfolio Holders' Briefing); and**
- **Monday 27th February 2012, starting at 6.30 pm.**

**replacing two now-cancelled Member Development sessions.**

**The meeting started at 6.30 pm and closed at 8.00 pm.**

ATT: Appendix 1 – CRWP Checklist

Appendix 2 – Planning Procedure Rules, etc.

Appendix 3 – Petitions Scheme

Appendix 4 – Portfolio Holders' Guide – updated.

## APPENDIX 1

	<b><u>CONTENTS / CHECKLIST</u></b>	(13th Dec 11)
<b>PART 1</b>	The Constitution – <b>Introduction and Explanation</b>	<b>UPDATE AFTER ELECTIONS / AGM</b>
<b>PART 2</b>	Articles of the Constitution	<b>UPDATE POLICY FRAMEWORK</b>
<b>PART 3</b>	Table 1 - Responsibility for Functions : Council Functions / Executive Functions  Table 2 - <b>Committee Terms of Reference</b>  Table 3 - Delegations to Committees / <b>Scheme of Delegation to Officers</b>  Table 4 - Joint Arrangements	<b>UPDATE AFTER ELECTIONS / AGM</b>  <b>REMODEL / UPDATE</b>
	<b><u>Procedure Rules</u></b>	
<b>PART 4</b>	Council Procedure Rules	<b>MINOR UPDATES NOW AGREED</b>
<b>PART 5</b>	Access to Information Procedure Rules	
<b>PART 6</b>	Budget and Policy Framework Procedure Rules	
<b>PART 7</b>	Executive Committee Procedure Rules	
<b>PART 8</b>	Overview and Scrutiny Procedure Rules	
<b>PART 9</b>	<b>Audit &amp; Governance Procedure Rules</b>	<b>CREATE NEW</b>
<b>PART 10</b>	<b>Planning Committee Procedure Rules – Appendix – Public Speaking Rules</b>	<b>DRAFT UPDATES NOW AGREED – Appendix 2 att.</b>
<b>PART 11</b>	<b>Financial Procedure Rules – [Existing Approved Financial Regulations apply, PENDING REVIEW]</b>	<b>CONSIDER MAJOR REVISIONS</b>
<b>PART 12</b>	<b>Contracts Procedure Rules</b>	<b>CONSIDER REVISIONS</b>
<b>PART 13</b>	Officer Employment Rules	<b>UPDATE DUE</b>
<b>PART 14</b>	Management Arrangements	<b>UPDATE DUE</b>
<b>PART 15</b>	<b>Members' Allowances Scheme</b>	<b>UPDATE POST FEB CT EXEC / COUNCIL</b>

	<b><u>Codes and Protocols, etc.</u></b>	
<b>PART 16</b>	<b>Members' Code of Conduct - changes to national Standards Regime forces major review</b>	<b>MAJOR UPDATES NECESSARY</b>
<b>PART 17</b>	Members' Code of Conduct on Gifts and Hospitality	<b>UPDATE DUE ?</b>
<b>PART 18</b>	Member / Officer Relations Protocol	
<b>PART 19</b>	<b>Officers' Code of Conduct</b>	<b>UPDATES NECESSARY RE BRIBERY ACT</b>
<b>PART 20</b>	Planning Code of Practice / Appendix – Protocol on Pre-Application Discussions	<b>UPDATE NEEDED?</b>
<b>PART 21</b>	Licensing Code of Practice	
<b>PART 22</b>	<b>Internet &amp; Email Policy / IT Protocols</b>	UPDATES FURTHER TO COUNCIL DECISIONS RE POLICIES
<b>PART 23</b>	<b>Auditing Procedures – NEW DOCUMENT REQUIRED</b>	<b>WITH AUDIT IN WORCESTER</b>
<b>PART 24</b>	<b>Protocol on Member Representation on Outside Bodies – NEW DOCUMENT</b>	<b>NEW DOC'T / OB LIST REQUIRED</b>
<b>PART 25</b>	Members' Roles Document	UPDATE RE IRP?
<b>PART 26</b>	<b>Petitions Scheme</b>	<b>DRAFT UPDATES NOW AGREED - Appendix 3 att.</b>