

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 13th 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

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

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