

COUNCIL CONSTITUTION COMMITTEE

Minutes of a meeting of the Council Constitution Committee held on Tuesday, 16th April, 2013 at Addenbrooke House, Ironmasters Way, Telford

PRESENT: Councillors M.J. Smith (Chair), A.J. Eade, I.T.W. Fletcher, F.R. Picken, K.S. Sahota and R.J. Sloan

CCC-12 MINUTES

RESOLVED – that the minutes of the meeting of the Council Constitution Committee held on 19 February, 2013 be confirmed and signed by the Chair.

CCC-13 APOLOGIES FOR ABSENCE

Councillor G.M. Green

CCC-14 DECLARATIONS OF INTEREST

None.

CCC-15 CHANGES TO THE COUNCIL'S CONSTITUTION

The Assistant Director: Law, Democracy & Public Protection presented a report, attached to which was a copy of the proposed new format and content for the Constitution. Officers had been working for some time on changes to make the Constitution more accessible and easier to review. Significant changes were proposed to the format, but the actual contents had not been changed materially except where specifically identified in the report. There were a few sections that had not yet been completed, and which needed further work and refinement. However, it was felt that some parts of the revised Constitution (as appended to the report) could be brought forward now for approval, with the remainder to be considered later in the year.

It was proposed that the Constitution would exist primarily as an electronic document – with 'hyper links' being used to navigate around the document. The new structure deleted the current arrangements for articles and procedure rules, and instead had 3 main sections –

- i) an Introduction – a copy of which was appended to the report;
- ii) a section on Decision Making - appended to the report were the proposed terms of reference and rules for Council and Leader/Cabinet plus other decision making Committees. The Council rules had been drafted to take account of the proposal to have a Mayor and Speaker, and also included further information on their respective roles – as requested by Members at the last Council Meeting.
- iii) a section on Governance – appended to the report were revised Scrutiny rules along with terms of reference for a number of governance related Committees, as well as a Protocol on Member/Officer relations.

Also appended to the report was a draft Scheme of Delegation for consideration. A balance was being sought between what was legally required to be included and making the Scheme less complex and detailed. Members accepted that there was a need to review the Scheme of Delegation (including the balance between Member and Officer decision-making), and that this would be best achieved by delegating the task to a small working group.

In relation to the Terms of Reference for the Audit Committee (shown at Appendix 4), the Assistant Director reported a minor amendment at paragraph 1 by replacing the word “strategy” with the word “charter”.

Members suggested a number of minor “tidying-up” amendments to the Council and Leader/Cabinet Rules. In response to a question regarding the chairing of Council meetings, the Assistant Director advised that the Mayor would open the meeting and deal with the approval of the minutes from the previous meeting before handing over to the Speaker to chair the remainder of the meeting. This would be clarified in the wording at paragraphs 5 and 6 of the Council Rules. In terms of the allowances for the two roles, it was reported that the Special Responsibility Allowance for the Speaker would be paid for by taking that sum from the Mayor’s Allowance – so there was no additional cost from operating this arrangement.

RESOLVED – to RECOMMEND to COUNCIL

- (a) that the amended parts of the Constitution, as shown at Appendices 1 to 4 of the report, be approved for implementation with effect from the Annual Meeting on 23 May 2013, subject to inclusion of the minor amendments suggested at the meeting and any further minor changes identified by the Monitoring Officer following consultation with the Chair of the Constitution Committee;**
- (b) that authority be delegated to the Monitoring Officer to insert Access to Information Rules and notes on Key Decisions into the Constitution to reflect the legal position in respect of these matters;**
- (c) that authority be delegated to the Monitoring Officer, in consultation with the Chair of the Constitution Committee, to make further minor amendments that may be required to introduce the new Constitution, and ensure that it is loaded onto the internet as appropriate – including with any links or definitions that may be required to best explain the Constitution.**

RESOLVED –

- (d) that a review of the Scheme of Delegation be undertaken by a small Member working group, who will report back to the Committee in due course;**
- (e) that the position in respect of the Code of Conduct for Officers be noted;**
- (f) that the on-going development of the Financial Regulations (including Contract Rules) be noted;**

- (g) that the provisions regarding the role of Citizens and the Council be brought to the next meeting of the Constitution Committee for consideration.**

The meeting ended at 6.43 p.m.

Chairman:

Date: