

**TELFORD & WREKIN COUNCIL**

**COUNCIL CONSTITUTION COMMITTEE – 6<sup>th</sup> July 2016**

**UPDATE TO THE CONSTITUTION**

**REPORT OF THE ASSISTANT DIRECTOR: GOVERNANCE,  
PROCUREMENT AND COMMISSIONING**

**1. SUMMARY OF MAIN PROPOSALS**

The Committee is asked to consider the revised and updated constitution following the decision at the last meeting of this Committee on 25<sup>th</sup> April 2016 to undertake further consultation on the draft documentation. The Committee is also asked to recommend to full Council that voting rights for Co-optees on the Joint Health and social Care Scrutiny Committee is extended for a further three years.

**2. RECOMMENDATIONS**

- 2.1 That the Committee consider the revised Constitution attached to this report and recommend to full Council that it adopts the revised Constitution at the next meeting on 14<sup>th</sup> July 2016.
- 2.2 To recommend to full Council the approval of the Voting scheme in Appendix 2 of this report to extend the voting rights for the co-optees appointed by Telford and Wrekin Council on the Joint Shropshire and Telford & Wrekin Council Health Overview and Scrutiny Committee.
- 2.3 Members agree that minutes of individual committees and boards are no longer copied and included in the Council agenda papers

**3. SUMMARY IMPACT ASSESSMENT**

<b>COMMUNITY IMPACT</b>	Do these proposals contribute to specific Co-Operative Council priority objective(s)?	
	Yes	The new version of the constitution is more accessible and easier to follow. The Constitution sets the framework to facilitate the Council's work to meet corporate objectives.
	Will the proposals impact on specific groups of people?	
	No	
<b>TARGET COMPLETION/DELIVERY DATE</b>	The new constitution will be placed for consideration of full Council on 14 <sup>th</sup> July 2016	

<b>FINANCIAL/VALUE FOR MONEY IMPACT</b>	Yes	The financial regulations, which provide the guidelines that must be adhered to when managing the financial affairs of the council and apply to all officers and members, are unchanged in the revised Constitution. The general principles behind the delegated powers include the provision that financial resources can only be committed if they are within the approved budget and that financial regulations must be complied with at all times. PH – 23.6.2016
<b>LEGAL ISSUES</b>	Yes	The Local Government Act 2000 requires the Council to have a Constitution. This Committee has been established to review the Constitution and to provide advice and guidance to the Council on any proposed changes. The Council is required to follow the terms of the Constitution in order to act lawfully and reduce the risk of successful legal challenges.
<b>OTHER IMPACTS, RISKS &amp; OPPORTUNITIES</b>	Yes	The new constitution has provided an opportunity to review processes and decision-making, ensure all procedures are up to date and reflect current changes in the organisation.
<b>IMPACT ON SPECIFIC WARDS</b>	No	Borough-wide impact

## 4. INFORMATION

4.1 As the Committee is aware from the report received at the previous meeting on 25<sup>th</sup> April work has been ongoing to undertake a full review of the Council's constitution. The aim of the review is to make the constitution more accessible and to make oversight and review of decision-making more efficient. At the last meeting the Committee raised various issues and concerns which required further investigation. The committee also asked for more time to consider the new draft document. Since then officers and councillors have been consulted further. As a result of the comments made by this committee last time the following work has been undertaken:

- Drop in sessions for elected members have been arranged for those who want more information about the changes to the Constitution
- A very short summary of the key elements in the Constitution has been produced and is attached
- Consideration has been given to the Council timetable and the business undertaken at full Council meetings. The following information and proposals are for consideration by the Committee

### **Council Timetable & Business**

Meetings to remain:

**January** - Council Tax Base Setting

**By 11<sup>th</sup> March** - Budget setting

**March/April/May** - AGM unless it is an election year, then within 21 days of the election.

**Bi-monthly meetings:** The rest of the timetable is designed so that recommendations from Cabinet (and other Committees) that need Full Council approval can come to Council in a timely manner (e.g. financial management). Reducing the number of meetings may lead to a delay in some decisions getting made and implemented so it is recommended that Council retain bi-monthly meetings as recently approved by Annual Council with the intention that they be cancelled if there is no substantive business.

To further streamline full Council business, minutes of individual Committees and Boards could be referred to in full Council papers by way of a link to the council's website as they are for noting only. This has taken place at other authorities, would reduce the paperwork supplied to members prior to meetings and would also provide a saving for the Council as it would reduce printing costs.

If the revised version is acceptable to the committee the proposal is that the new constitution will be put to full Council for adoption at the meeting on 14<sup>th</sup> July 2016 and come into effect thereafter. The revised version of the Constitution is attached as Appendix 1 to this report and is set out at the link below.

<http://apps.telford.gov.uk/CouncilAndDemocracy/Meetings/Meeting/MTQ4NQ%3d%3d>

#### **4.2 Extending Voting Rights for Co-optees**

In September 2013 Full Council granted permission for the co-opted members of the Joint Shropshire and Telford & Wrekin Health Overview and Scrutiny Committee appointed by Telford and Wrekin to vote at Committee meetings. The voting scheme gave the co-optees full voting rights for 3 years, at which point the voting rights will be revoked.

The Joint HOSC will continue to scrutinise the NHS proposals for the Future Fit Programme and will have a statutory role during the consultation on these proposals. Extending the voting scheme for the co-optees appointed by Telford and Wrekin on the Joint HOSC will ensure that all members of the Committee will be able to vote on the Joint HOSC response to this important area of work.

Council Constitution Committee is asked to consider making a recommendation to full Council that the voting scheme is renewed for a further 3 years. A copy of the voting scheme that Council would consider is attached as Appendix 2 of this report.

#### **5. IMPACT ASSESSMENT – ADDITIONAL INFORMATION**

No additional information required.

#### **6. PREVIOUS MINUTES**

Full Council – 2<sup>nd</sup> May 2013 (FC-92), 12<sup>th</sup> September 2013 (FC-35)  
Council Constitution Committee – 16<sup>th</sup> April 2013 (CCC – 15), 18<sup>th</sup> July 2013 (CCC-4), 15<sup>th</sup> and 17<sup>th</sup> November 2013, 7<sup>th</sup> July 2014, 25<sup>th</sup> April 2016

#### **7. BACKGROUND PAPERS**

None

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