

Recommended Changes to the Constitution

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Provision	Proposal	Change to Wording
<p>Leader’s Announcements</p> <p>Part 4, Section 1 – Council Rules of Procedure - Rules 9.2.1 and 9.2.2</p>	<p>Clarification of time limits for Group Leaders to speak under the procedure for Leader’s Announcements.</p>	<p><u>Rule 9.2.1</u></p> <p>The Leaders of the Major Opposition Groups shall have up to “1 minute each” (the current provision is 5 minutes for all Group Leaders) to ask brief questions on any matter raised in the Leader’s report. The following wording shall be added: “The Leader shall have 2 minutes to respond to the questions raised which shall be extendable at the discretion of the Mayor.”</p>
<p>Rights of Statutory Officers to address a meeting</p> <p>Part 4, Section 1 – Council Procedure Rules Rules 17.16</p>	<p>Confirmation that the Council’s three main statutory officers may address the meeting to assist with the consideration of items of business and clarify any misunderstandings that arise during the debate.</p>	<p><u>New Rule 17.16 “Statutory Officers”</u></p> <p>“The Council’s three main statutory officers being the Head of Paid Service, the Section 151 Officer and the Monitoring Officer shall be able, with the consent of the Mayor, to speak at a meeting of the Council to assist the debate.”</p>
<p>Part 4, Standing Orders Section 2 – Standing Orders which relate to Committees only – Rules 3.2 and 3.3</p> <p>In Year Appointments to Vacancies on Committees</p>	<p>Extension of current provisions to enable the Chief Executive to make in year changes to the membership of committees if a Member resigns their seat on a committee. The proposal seeks to avoid the need for reports to Council to make appointments to committees or sub-committees other than at the Annual Meeting. The Chief Executive only currently has this delegation where a Member has resigned, died or ceased to be a Member of the Council.</p>	<p><u>Rules 3.2 and 3.3 are deleted and new wording incorporated</u></p> <p>“If a vacancy arises on a Committee or Sub-Committee because a Member of a Committee or a Sub-Committee has resigned their seat by sending a written notice to the Chief Executive or because a Member has resigned, died or otherwise ceased to be a Member, the Chief Executive will appoint a Member to fill the vacancy if the relevant political group asks him or her to do so, in accordance with the seat allocations approved by Council under the Local Government and Housing Act 1989 and the Regulations made thereunder.”</p>

<p>Appointment of Substitutes</p> <p>Part 4, Standing Orders Section 2 which relate to Committees only – Rule 5.6</p>	<p>Clarification that substitutes must either be nominated at Annual Council when appointments to committees are made or be authorised by the relevant Group Leader (or Group Officers appointed by the Group Leader for authorising substitutions).</p> <p>Each group that has a seat on a committee shall be entitled to appoint at least one substitute to attend a meeting but the total number of substitutions made by a political group at a meeting may not otherwise exceed 50% of the Group’s seats on a Committee.</p>	<p><u>Rule 5.6</u></p> <p>When a member of a Committee cannot attend a meeting another Member of the Committee must tell the Proper Officer at the start of the meeting under “apologies”. The other current provisions to be removed and the following words to be inserted: “A substitute member may be appointed to serve on the committee for the purposes of that meeting subject to the Member having been appointed as the group’s designated substitute by Council or alternatively, to the appointment(s) being made by the respective Group Leader (or Group Officer(s) nominated in writing to the Chief Executive for authorising substitutions). All substitute appointments must be confirmed with the Governance Officer on duty prior to the start time of the meeting at which the substitution shall apply.” The substitute Member will have the right to take part in and vote at the meeting.</p> <p><u>New Rule 5.7</u></p> <p>“Each political group that has a seat on a committee shall be entitled to appoint at least one substitute to serve as a full member of a committee at a committee meeting but the total number of substitutes made by a political group may not otherwise exceed 50% of that political group’s seat allocation on the committee.”</p>
<p>Variations to the Programme of Meetings</p> <p>Part 5, Section 3, Member/Officer Protocol - Paragraph 12.3</p>	<p>Removal of the current default time of 5pm for the start of meetings in cases where there is a dispute between group representatives over a change to the programme of meetings approved by Council.</p> <p>Replacement by a provision that where there is a dispute between group representatives, committees will commence at their normal start times as identified in the Annual Calendar of Meetings approved by Council.</p>	<p><u>Rule 12.3</u></p> <p>Timing: For a committee meeting if there is disagreement about timing between the Chairman and group representatives, “the meeting will start at the normal time for meetings of that committee as identified in the Annual Calendar of Meetings approved by Council.” (this deletes the reference to meetings will start at 5pm).</p>

<p>Planning Call-in</p> <p>Part 4, Standing Orders Section 4 – General Standing Orders – Rule 14</p> <p>Planning Review Committee</p> <p>Part 3, Delegations Section 2 – Regulatory Committee Functions – Paragraph 2.7 (new)</p>	<p>Increase from 25% to 30% of Members present at a meeting of the Planning and Environmental Protection Committee required to requisition the call-in of a planning application.</p> <p>Referral, following call-in, to a new Planning Review Committee (rather than full Council), comprising 10 Members who shall be required to be trained to fulfil this role.</p>	<p>Transfer of Planning call-in procedure from Part 4, Standing Orders Section 4 – General Standing Orders to Part 4, Standing Orders Section 3 – Standing Orders which apply to the Council and Committees.</p> <p>Rule 14 - Proposed change of wording for current provision</p> <p>14.2 If the Planning and Environmental Protection Committee makes a determination as set out in paragraph 14.1 above, “30%” of the Members present at the meeting where the resolution was passed can ask the Chief Executive that it be reported to “a special meeting of the Planning Review Committee.” (Note: The determination relates to a decision by the Planning and Environmental Protection Committee.)</p> <p>Rules 14.5 to 14.8 relating to the submission of motions to Council and the procedure at Council shall be deleted.</p> <p>New Paragraph 2.7: Planning Review Committee</p> <p>“Terms of Reference</p> <p>To determine any planning matter that has been referred to the Committee following the implementation of the planning call-in procedure.</p> <p>Special Provisions</p> <p>The normal start time of meetings shall be at 7pm.</p> <p>The Committee shall adopt the Planning Speaking Scheme at its meetings.</p> <p>All Members of the Committee (and substitutes) shall have received appropriate training before being involved in the determination of a planning matter.</p> <p>The Monitoring Officer will make any consequential changes elsewhere in the Constitution to give effect to the new Planning call-in procedure.</p>
<p>Public Speaking at Scrutiny Commission and Committee meetings</p>	<p>Provision for the Chairman of a Scrutiny Committee or Commission to hear from anyone who they consider will</p>	<p>Rule 16.2</p> <p>The following words to be added:</p>

<p>Part 4, Section 9 – Scrutiny Committees and Scrutiny Commissions Procedure – Rule 16.3 (new)</p>	<p>assist the debate.</p>	<p>“The Chairman shall have discretion to hear from any person who they consider will assist the debate at a meeting if, in their opinion, the contribution of that person is directly related to an item of business that is on the agenda for the meeting.”</p>
<p>Joint Meetings of Scrutiny Committees and Commissions</p> <p>Part 4, Section 9 – Scrutiny Committees and Scrutiny Commissions Procedure – Rule 17</p>	<p>Provision to enable joint meetings to be held between Scrutiny Committees/Commissions if this will enable there to be more effective and efficient scrutiny.</p>	<p><u>New Rule 17 – “Joint Meetings of Scrutiny Committees and Commissions”</u></p> <p>“If the Chairman of two or more Scrutiny Committees and/or Commissions agree that a joint meeting will enable there to be more effective and efficient scrutiny of a particular item of business, then following consultation with the respective group representatives, they may agree to hold a joint meeting on the scheduled date for a meeting of either or any of the committees, or another date if they consider this to be more practicable.</p> <p>All Members of the respective committees shall be entitled to speak and vote at the joint meeting. The Chairman shall be appointed from among the Chairmen of the Committees who are holding the meeting or, if they are absent, another person who is present at the meeting.</p> <p>The joint meeting shall be deemed to constitute a meeting of each committee for the purposes of fulfilling their annual programmes of 6 meetings per year.”</p>
<p>Clarification of Members’ Rights of Access to Information</p> <p>Part 4, Section 5 - Access to Information Rules</p>	<p>Additional Rule 14.3 added clarifying Members’ right to personal information in line with the Information Commissioner’s Office guidance & general tidying up of the Rules to clarify how information is protected by law and when it requires review prior to release</p>	<p>See Appendix B for revised version of the relevant sections of the Access to Information Rules.</p>
<p>Appointments to Outside Bodies</p> <p>Part 3, Section 6 – Appointments to External Organisations</p>	<p>Change in provision to enable nominations to be submitted by groups rather than specifically group secretaries to provide more flexible arrangements.</p> <p>Removal of the time allowed of</p>	<p>Rule 6</p> <p>Replacement of “Group Secretaries” by “Groups” with regard to all activities in connection with the appointments procedure.</p> <p>Rule 6.3.5</p>

	<p>one month prior to referral to the Leader for making an appointment. This is in circumstances where an appointment is deemed to be disputed between group secretaries because there is more than one nomination for a vacancy on an outside body. The proposal seeks to speed up the appointments process.</p>	<p>Deletion of the following current provision: “The time allowed before appointment is deemed “disputed” and referred to the Leader of the Council for determination will be one calendar month from the date of the Solicitor to the Council’s initial approach to Group Secretaries.”</p>
<p>Responsibility for Carbon Management Programme</p> <p>Part 3, Section 3 – Delegations to Officers</p>	<p>Addition to officer delegations to clarify responsibility for the Council’s Carbon Management Programme and associated actions under relevant legislation and regulations.</p>	<p>‘The Executive Director – Operations is responsible for the Council’s Carbon Management Programme and is authorised to carry out the powers and duties conferred by any relevant legislation and regulations, including, but not limited to, the Climate Change Act 2008 and the CRC Energy Efficiency Scheme Order 2010’.</p>

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