

Democracy and Standards Committee 16 September 2021

Report Title	Draft Constitutional Amendments
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List of Appendices

Appendix A - Substitute Allocations

Appendix B - Democracy and Standards Committee Voting Rights

Appendix C - Start Time of Full Council Meetings

1. Purpose of Report

1.1. For the committee to consider potential amendments to the Council's Constitution.

2. Executive Summary

2.1 The committee is being requested to consider some potential amendments to the Council's Constitution. These were considered by the Constitutional Working Group at its meeting on 23 August 2021. The group agreed for these suggested amendments to be forwarded to the committee for formal discussion.

2.2 If the committee agree any of the amendments these will be forwarded to the Full Council meeting on 29 September 2021 for determination.

2.3 The suggested amendments cover three areas: -

- Substitute Allocations
- Democracy and Standards Committee Voting Rights
- Start time of full Council Meetings

3. Recommendations

3.1 The committee recommend to Council:

- a) That the proposal for substitute allocations set out at Appendix A be approved;
- b) That the proposal for Democracy and Standards Committee Voting Rights as set out at Appendix B be approved;

- c) That the proposal for an amended commencement time for full Council meetings as set out at Appendix C be approved.

3.2 Reason for Recommendations –

- Council approval of these amendments would be required as they fall outside of the Monitoring Officer's general delegation to make minor administrative changes to the Constitution.

4. Report Background

- 4.1 The Democracy and Standards Committee has overall responsibility for reviewing the Council's Constitution and decision-making governance and recommending any proposed changes to full Council.
- 4.2 To assist in undertaking the above responsibility a Constitutional Working Group was established consisting of five members of the committee.
- 4.3 The group received a copy of the draft Constitutional Amendments at its meeting held on 23 August 2021 and were invited to comment. The group endorsed the rules for formal discussion by the committee and recommended approval.
- 4.4 In addition, it should be noted that the Scrutiny Commission at its meeting held on 24 August 2021 agreed to establish a time-limited working group in order to draft a suggested list of approved Outside Bodies for consideration by Full Council.
- 4.5 It was recognised that initially collating a list for council approval and appointment to agreed Outside Bodies would be time-consuming, however ensuring it is reviewed on an annual basis would ensure any list could be appropriately maintained and kept up to date.

5. Issues and Choices

5.1 Substitute Allocations

As detailed in Appendix A, currently there is no clear guidance relating to the substitute arrangements for all of the council's committees. The purpose of the proposal is to ensure this guidance is put in place. This will assist recognised political groups in knowing what nominations are required and assist in the arrangements for Annual Council in the number of positions which need to be filled. The Constitutional Working Group is recommending support for this proposal.

5.2 Democracy and Standards Committee Voting Rights

As detailed in Appendix B, it is suggested that some caveats are placed upon what the Town and Parish Council representatives should be permitted to vote upon in relation to the committee's responsibilities. The primary purpose of the representative's role relates to the "standards regime" and the Member Code of Conduct, however currently there are no restrictions on what they may vote upon. It is suggested that it would be inappropriate for the representatives to be able vote upon issues which are not directly the responsibility of town and parish

councils. The Constitutional Working Group is recommending support for this proposal.

5.3 Start Time of Full Council Meetings

As detailed in Appendix C, it is suggested that the normal start time of Full Council meetings is moved from 7:00 pm to 2:00pm (whilst recognising that the Full Council Budget meeting may need to commence earlier). Some concern was expressed by members of the Constitutional Working Group that bringing the start time of Full Council meetings forward may create difficulties for some councillors, however it was noted that Full Council meetings are infrequent, that Full Council meetings that may run late into the evening creates issues for some councillors, that the proposed start time still allows for work etc in the mornings, and that councillors are allowed, in some circumstances, time off from work for public duties. The Constitutional Working Group by majority vote is recommending support for this proposal.

6. Implications (including financial implications)

6.1 Resources and Financial

6.1.1 None specific to this report.

6.2 Legal

6.2.1 The Monitoring Officer has delegated authority to make administrative changes to the Constitution to reflect changes in the law, changes to the council's management structure and other changes with no significant impact. The proposals subject to this report require council determination.

6.3 Risk

6.3.1 The council needs to ensure that the efficiency and effectiveness of its governance systems are monitored, and clear approved procedures are put in place with regard to decision-making.

6.4 Consultation

6.4.1 Constitutional Working Group

6.5 Consideration by Scrutiny

6.5.1 N/A.

6.6 Climate Impact

6.6.1 None specific to this report.

6.7 Community Impact

6.7.1 None specific to this report.

7. Background Papers

7.1 Council Constitution.