

Decision Maker: COUNCIL

Date: 12 November 2012

Decision Type: Non-Urgent Non-Executive Non-Key

Title: FOURTH REPORT OF CONSTITUTION IMPROVEMENT
WORKING GROUP

Contact Officer: Lynn Hill, Democratic Services Officer
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Chief Officer: Director of Resources

Ward: N/A

1. Reason for report

The Constitution Working Group has produced its fourth report making recommendations on a number of issues including keeping the Council's current Leader and Executive form of governance, stream lining routine portfolio holder decisions and enhancing the role of full Council meetings. The report has been discussed by the General Purpose & Licensing Committee, the Executive and Resources PDS Committee and the Executive and is now referred to Council for consideration.

2. **RECOMMENDATION(S)**

(1) That the report of the Constitution Improvement Working Group and the comments of the Executive and Resources PDS Committee, the General Purposes and Licensing Committee and the Executive are noted.

(2) That recommendations 1 to 19 in the report are approved.

(3) That the formal amendments to the Constitution set out in appendix 2 be approved.

Corporate Policy

1. Policy Status: Existing Policy:
 2. BBB Priority: Excellent Council:
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Financial

1. Cost of proposal: An estimate of likely costs involved in respect of the various recommendations is set out in Appendix 3 to this report.
 2. Ongoing costs: This will depend on what is ultimately agreed by Council.
 3. Budget head/performance centre: Democratic Services
 4. Total current budget for this head: £320,320
 5. Source of funding: 2012/13 revenue budget
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Staff

1. Number of staff (current and additional): The Democratic Services Team has 8 posts (7.22 fte)
 2. If from existing staff resources, number of staff hours: N/A
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Legal

1. Legal Requirement: Statutory Requirement: Localism Act 2011
 2. Call-in: Not Applicable:
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Customer Impact

1. Estimated number of users/beneficiaries (current and projected): N/A
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Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable
2. Summary of Ward Councillors comments: N/A

1. COMMENTARY

The Constitution Working Group has produced its fourth report (Appendix 1) dealing with the following seven areas and making nineteen recommendations for Member's consideration:

- A) Options for Governance
- B) Executive Decision Making
- C) Area Committees
- D) Enhancing the Role of Full Council Meetings
- E) Councillors' IT
- F) Freedom of Information Requests
- G) Councillor Numbers

The Report has been discussed by the General Purposes & Licensing Committee on 23rd October, the Executive & Resources PDS Committee when pre-scrutinising the Executive agenda on 18th October and the Executive at its meeting on 24th October 2012. Council is now asked to debate the proposed changes being recommended taking into consideration the views and comments set out below:

- i) General Purposes & Licensing Committee – recommended the report for decision by Council without additional comment. One member of the Committee expressed concern that a return to the Committee system was not being proposed and about the relaxation of the pre-decision scrutiny arrangements particularly in relation to Contracts. He did not support the proposal that major planning applications could be dealt with at full Council and also had concerns about reducing the number of Councillors.
- ii) The Executive & Resources PDS Committee - agreed that the recommendations should be supported with the exception of recommendation 6 which they felt should be amended. Various comments were made by individual Councillors on the proposals. However, in respect of recommendation 6 that major planning applications should be considered by full Council several members were of the view that this would be impractical and diminish the role of the Development Control Committee. The Committee agreed that the Executive be asked to support recommendation 6 being amended by the deletion of the words "or at the request of twenty Members of the Council". A motion to support the deletion of recommendation 6 altogether was lost.
- ii) Executive – noted the comments received from the previous two meetings and took the view that the recommendations should be a matter for full debate by Council when all Members could express their opinion on what is being recommended.

Amendments to the Constitution

Set out in Appendix 2 are the formal amendments required to the Constitution arising from these recommendations.

3. FINANCIAL IMPLICATIONS

Since the publication of the Working Group's report an estimate of the costs involved has been drawn up where appropriate against each of the recommendations and is attached as Appendix 3.

4. LEGAL IMPLICATIONS

Changes to the Constitution are reserved to full Council .

Non-Applicable Sections:	Policy/Legal/Personnel
Background Documents: (Access via Contact Officer)	Minutes of the Executive & Resources PDS Committee – 18 th October 2012 Minutes of the General Purposes & Licensing Committee – 23 rd October 2012 Minutes of the Executive – 24 th October 2012