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Subject to approval at the next Constitution Working Party meeting

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CONSTITUTION WORKING PARTY

28 June 2021 at 6.00 pm

Present: Councillors Bennett, Bower, Chace, Cooper, Daniells, P English, Haywood and Yeates.

Councillors Dixon and J English were also in attendance for all or part of the meeting.

1. APPOINTMENT OF CHAIR AND VICE-CHAIR

The Working Party

RESOLVED

That Councillor Bower be Chair for the remainder of 2021/22.

The Working Party

RESOLVED

That Councillor Andy Cooper be Vice-Chair for the remainder of 2021/22.

2. DECLARATIONS OF INTEREST

There were no Declarations of Interest made.

3. MINUTES

The minutes of the meeting of the Working Party held on 2 March 2021 were approved by the Working Party as a correct record with the Chair confirming that these would be signed at the first opportunity made available to him.

4. START TIMES

The Working Party

RESOLVED

That its start times for meetings during 2021/22 be 6.00 pm.

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5. NEW COMMITTEE SYSTEM - CHANGES TO THE CONSTITUTION FOLLOWING FIRST CYCLE OF MEETINGS

The Interim Monitoring Officer introduced his report stating that now the first cycle of meetings under the new Committee style of governance had been completed, this was an opportunity to review any proposals for change as put forward by some of the new Committees.

The Working Party's attention was drawn to Appendices 1 and 2 of the report which set out each request.

The first at Appendix 1 Part 1 presented to Members a table suggesting that 4 out of the 6 new Service Committees have their names changed to provide a better understanding of what that Committee did and to make these Committees more understandable to members of the public. The changes presented were:

<u>Current Name</u>	<u>New Name</u>
Corporate Policy & Performance	Policy and Finance Committee
Residential & Wellbeing Services Committee	Housing and Wellbeing Committee
Environment and Neighbourhood Services Committee	Environment Committee
Economic	Economy

Before inviting debate, the Chair confirmed that he was disappointed to see that no change had been proposed to change either the name of the Planning Policy or Planning Committee as he believed that it was confusing to members of the public to have two Committees similarly named and that there could be confusion or misunderstanding with regard to their functions if their names were not changed.

In view of this, the Chair proposed an amendment to change the name of the Planning Committee to the Development Management Committee. This was seconded by Councillor Cooper.

In debating this amendment, the argument for no change was that there was no evidence of public confusion and that no request to a change of name had been made at the first meeting in the first cycle of meetings by any of the Committees, though there were some Members who felt strongly that the change of name of the Planning Committee was urgently required.

Following further discussion, and on putting this amendment to change the name of the Planning Committee to the Development Management Committee, to the vote it was declared CARRIED.

The Chair then returned to the substantive recommendation which he duly proposed, and this was seconded by Councillor Cooper.

The Working Party

RECOMMEND TO FULL COUNCIL

That the name changes of Committees set out in Appendix 1, Part 1, be agreed as set out below, with the addition of the change in name to the Planning Committee to become the Development Management Committee.

<u>Current Name</u>	<u>New Name</u>
Corporate Policy & Performance	Policy and Finance Committee
Residential & Wellbeing Services Committee	Housing and Wellbeing Committee
Environment and Neighbourhood Services Committee	Environment Committee
Economic	Economy

The Interim Monitoring Officer then turned to the next change as set out in Appendix 1, Part 2, Terms of Reference explaining that the general Terms of Reference required Committees to have regard to the ongoing requirement to make savings and efficiencies. This requirement was felt to be misdirected as the requirement should be to have regard to value for money. The proposal put forward was to make a change to what accurately reflected the role of the Committee. The change was to:

PART 1 – GENERAL TERMS OF REFERENCE

Extract from Part 3 Paragraph 3 of the Constitution

Current

3.1.6 In discharging its functions, Committee must have regard to the ongoing requirement to make savings and efficiencies

Change to

3.1.6 In discharging its functions, Committees must have regard to **providing value for money.**

Following some discussion, the proposal to change was then proposed by Councillor Bower and was then seconded by Councillor Cooper.

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The Working Party

RECOMMEND TO FULL COUNCIL

To agree to revise the general Terms of Reference at set out in Appendix 1, Part 2, so that Committees are required to have regard to value for money not ongoing savings and efficiencies.

The Chair invited the Interim Monitoring to explain the next recommendation at Appendix 1, Part 3, Articles relating to Article 5 – Chairing the Council. This was because there had been a typographical omission and the addition '**and Part 5**' was to correct an incomplete cross referencing.

The Working Party

RECOMMEND TO FULL COUNCIL

That the change to the Articles as set out in Appendix 1, Part 3 be approved.

The Chair then alerted Members to the final recommendation which the Interim Monitoring Officer explained. This was to consider the addition of a Member Question Time as a standing item on each Service Committee agenda allowing non-Committee Members to ask a question(s) . If agreed, a draft procedure for this had been set out in Appendix 1 Part 4 for the Working Party to approve.

In debating this recommendation, confusion was expressed as the Constitution did allow any Member of the Council the right to attend any meeting and with the permission of that Committee the right to address the meeting on a specified item or items of business, as long as that Member did not have a conflicting interest. This led to the question being asked as to whether this additional opportunity was necessary?

The Chief Executive outlined that now that the first cycle of meetings under the new structure had been completed, it had been apparent that many non-Committee Members were attending meetings with a desire to take part in debate and ask questions. It was outlined that a return to physical meetings could result in the enhanced attendance by non-Committee Members seen over the past 15 months could naturally reduce. The proposal presented was a way of overcoming the desire for non-Committee Members to ask questions but confined to a procedure similar to what was in place for Member Questions at Full Council meetings.

The Chair's view was that the increased attendance at all meetings from non-Committee Members seemed to be a by-product of virtual [Zoom] meetings and so he thought that this recommendation should be deferred for a while to allow time to review what might happen as a result of the Council returning to conducting physical meetings.

Following discussion, Councillor Cooper proposed that this recommendation be held in abeyance [around 6 months] to allow time to assess the return to physical meetings and how this may impact non-Member participation. This proposal was seconded by Councillor Bennett.

On this proposal being put to the vote it was declared CARRIED.

As the Member Question proposal had not been approved, this meant that the suggested procedure in place for its management was also deferred.

The Working Party

RECOMMEND TO FULL COUNCIL

The option to (a) add Member Question Time as a standing item on each Service Committee agenda be deferred for a period of 6 months to allow time to assess the impact of non-Committee Member attendance at physical meetings and (b) when reviewed in six months' time, the procedure set out in Appendix 1 Part 4 be considered.

(The meeting concluded at 6.56 pm)

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