

Meeting: ANNUAL COUNCIL
Date: 22 MAY 2019

CONSTITUTIONAL ISSUES

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1. PURPOSE

- 1.1 To consider various matters relating to the member level decision making structure of the Council and the Council's Constitution for the forthcoming Municipal Year.

2. RECOMMENDATIONS

- 2.1 That the Terms of Reference, as detailed in the appendices to this report; and the size and political composition for the following bodies that form the non-Executive Member level decision making structure of the Council be approved subject to the rules of proportionality where appropriate for the 98 Committee places where applicable (relevant Committees are identified thus*) -
- Overview and Scrutiny Committee* (Appendix A) – 14 Members (10 Labour Group, 2 Conservative Group, 2 Liberal Democrat Group)
 - Community Select Committee* (Appendix B) – 10 Members (7 Labour Group, 2 Conservative Group, 1 Liberal Democrat Group)
 - Environment and Economy Select Committee* (Appendix C) – 11 Members (7 Labour Group, 3 Conservative Group, 1 Liberal Democrat Group)
 - Planning & Development Committee* (Appendix D) – 13 Members (8 Labour Group, 3 Conservative Group, 2 Liberal Democrat Group)
 - Licensing Committee (Appendix E) – 14 Members (9 Labour Group, 3 Conservative Group, 2 Liberal Democrat Group)
 - General Purposes Committee* (Appendix F) – 14 Members (9 Labour Group, 3 Conservative Group, 2 Liberal Democrat Group)
 - Appointments Committee* (Appendix G) - 8 Members (6 Labour Group, 1 Conservative Group, 1 Liberal Democrat Group)
 - Standards Committee* (Appendix H) – 8 Members (6 Labour Group, 1 Conservative Group, 1 Liberal Democrat Group)

- Audit Committee* (Appendix I) – 8 Members (6 Labour Group, 1 Conservative Group, 1 Liberal Democrat Group) + 1 Co-opted non-elected member
- Statement of Accounts Committee* (Appendix J) – 8 Members (6 Labour Group, 1 Conservative Group, 1 Liberal Democrat Group)
- Joint Consultative Committee* (Appendix K) – 4 Members (3 Labour Group, 1 Conservative Group,)

* Indicates where those bodies covered by the rules of proportionality for the purposes of the Local Government (Committees and Political Groups), Regulations 1990 – total Committee places being 98

- 2.2 That Council approves the dates for Council meetings for the Municipal Year, as shown at paragraph 4.7 and notes the draft dates for other meetings as shown at Appendix L.
- 2.3 That Council appoints 5 Members to the Housing Management Advisory Board (4 Majority Group, 1 Opposition Member).
- 2.4 That the amendments to the Constitution detailed in paragraphs 4.10 - 4.11 be approved.

3. BACKGROUND

- 3.1 The appointment and the terms of reference of Scrutiny, Regulatory and Advisory Committees that have no Executive functions are matters to be determined by Council.
- 3.2 Additionally it is for the Council to agree the dates of Council meetings and changes to the Constitution.

4. REASONS FOR RECOMMENDED COURSE OF ACTIONS AND OTHER OPTIONS

Council's Committees and Panels - Terms of Reference and Composition

- 4.1 The proposed Terms of Reference for each of the bodies to be appointed by Council are set out in Appendices A-K. With the exception of the Licensing Committee the political composition of those Committees is directed by the Local Government (Committees and Political Groups) Regulations 1990.

The Executive

- 4.2 Details of the membership of the Executive appointed by the Leader and the Executive Portfolios will be announced at the meeting.

Appointment of Executive Bodies

- 4.3 The various Executive Committees and Joint Committees will be appointed at the first meeting of the Executive. The membership of these bodies is limited to only Members of the Executive.

Dates of Council meetings

- 4.4 To comply with Standing Orders the Council should approve its programme of meetings annually. The approval of dates for Council meetings for the year does not preclude extraordinary or special meetings being called by the Chief Executive, in consultation with the Mayor; nor for the date, time or place to be altered where a material change of circumstances makes it necessary. The dates proposed for Council are as follows:

- Wednesday 12 June 2019 – Extraordinary Meeting – Climate Change*
- Wednesday 24 July 2019
- Wednesday 16 October 2019
- Wednesday 11 December 2019
- Wednesday 29 January 2020 (Special Meeting – Rent setting)
- Wednesday 26 February 2020 (includes Budget & Council Tax setting)
- Wednesday 20 May 2020 (Annual Council)

* Agreed by the Mayor following a request from Councillors J Gardner, J Brown, M Gardner, S-J McDonough and L Harrington to consider a Motion on Climate Change

- 4.5 A provisional calendar of formal meetings is also appended to this report. This calendar will be subject to change and any alterations to dates of meetings, additions and cancellations will be notified to Members. Previous draft versions of the calendar should be discarded.
- 4.6 It should be noted that the draft calendar includes some dates for 'Select Committees' details of which specific meetings will be held on those dates will be notified to Members as we go through the year. The draft also includes the monthly 'Modern Member Programme' (MMP) training and development events and reserved dates for All Member Briefings.
- 4.7 The calendar of formal meetings also appears on the Council's website and is regularly updated. Furthermore, following Council appointing to each body Members will be sent 'outlook' calendar invitations to the meetings that are relevant to them.

Housing Management Advisory Board

- 4.8 The Housing Management Advisory Board includes provision for 5 Councillors to serve (to include 1 Opposition Member), along with tenant, leaseholder, and officer representatives. The Councillor representatives are to be appointed each year at the Annual Council. Details of those Members who have been nominated to serve on the Housing Advisory Management Board will be circulated at the Council meeting.

Non-Elected Independent Member – Audit Committee

- 4.9 In 2018 Council appointed Geoff Gibbs to serve as an Independent person on the Audit Committee for a fixed 4 year term.

Changes to the Constitution

- 4.10 Arrangements for Questions to Members have been reviewed and it is considered that to ensure clarity and avoid misinterpretation, written answers should be available at the meeting rather than a verbal response given. A supplementary question can then be asked with the questioner having had the benefit of the written response. The respondee, as currently, may then answer the supplementary question either orally; in writing; by reference to a publication or a combination thereof. This amendment would also apply to questions from the Youth Council, the Public and other Councillors.
- 4.11 Consideration has also been given to arrangements for Annual Council. This meeting is traditionally ceremonial and does not consider business beyond that necessary to elect a new Mayor and other required constitutional matters to establish the political decision making structure for the new Municipal Year. It is accepted that on occasions there will be matters that are required to be considered as they cannot wait until the first ordinary meeting, as seen by the agenda for this meeting, however it was viewed that this could be more clearly prescribed by including the following provision at Standing Order 6 a (xi) (The order of business for the Annual Council meeting) –

(xi) To consider any other business recommended by the Chief Executive and accepted by the Mayor as required to be considered before the next ordinary meeting.

BACKGROUND PAPERS

- The Council's Constitution

APPENDICES

- Terms of Reference
 - Overview and Scrutiny Committee (Appendix A)
 - Community Select Committee (Appendix B)
 - Environment and Economy Select Committee (Appendix C)
 - Planning and Development Committee (Appendix D)
 - Licensing Committee (Appendix E)
 - General Purposes Committee (Appendix F)
 - Appointments Committee (Appendix G)
 - Standards Committee (Appendix H)
 - Audit Committee (Appendix I)

- Statement of Accounts Committee (Appendix J)
- JCC (Appendix K)
- Provisional Calendar of meetings (Appendix L)