

REPORT OF THE CONSTITUTION COMMITTEE

A: COUNTY COUNCIL MEETING IN MARCH - REVISION TO THE CONSTITUTION

Purpose

1. The purpose of this report is to seek the approval of proposed changes to the Meeting Procedure Rules (Standing Orders), following a recommendation to dispense with the County Council meeting in March.

Background

2. Article 15 of the County Council's Constitution gives the Chief Executive a duty to monitor and review the operation of the Constitution to ensure that the aims and principles of the Constitution are given full effect. It requires that changes to the document should only be approved by the full County Council after consideration of the proposal by the Chief Executive and the relevant Committee which, in the case of the Articles and Meeting Procedure Rules, is the Constitution Committee.
3. In the case of everything except the Meeting Procedure Rules the final decision on changes can be made at a single meeting of the County Council. However, in the case of the Meeting Procedure Rules any motion to add, to vary or revoke Standing Orders must, having been proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council. The proposed changes to the Standing Orders set out in this report cannot therefore take effect until after the County Council meeting in September 2015.

Proposals

5. The Leader made a suggestion to the other Group Leaders that the Council meeting in March should be cancelled on the basis that other than the Pay Policy Statement there is no other business that requires to be transacted at this meeting. It is possible to bring forward consideration of the Pay Policy Statement.
6. Opposition Group Leaders were somewhat reluctant to cancel the March Council meeting, but recognised the need to meet only if necessary. In this regard Group Leaders were advised that Standing Orders provide for a special meeting to be called if needed.
7. Group Leaders also noted that the role of the full Council has diminished as a result of the Local Government Act 2000 and the introduction of the Cabinet model of governance. This has occurred across the country and all authorities have struggled with this. The Council now has responsibility for setting the budget, determining the Plans and Strategies which form the Policy Framework and making appointments. The Policy Framework is largely defined by Government Regulations and is therefore broadly similar to that of other local authorities.

8. Dispensing with the March meeting would mean there would be five Council meetings a year, as follows:
- February (Budget Meeting)
 - May (Annual Meeting)
 - June/July
 - September
 - December
9. The Constitution Committee advised that if a decision was made to dispense with the meeting in March, Standing Orders would be amended to enable the transaction of ordinary business at the Budget meeting and that ordinary business would also be transacted at the Annual Meeting in May (there is an understanding in place that the Annual Meeting should be a ceremonial meeting). The following suggestion was put to Group Leaders regarding the structure of the February and May meetings:-

<u>February</u>	<u>May</u>
1. Questions from Members	1. Appointment of Chairman and Vice Chairman
2. Position Statements	2. Questions from members
3. Consideration of the Budget (MTFS)	3. Position Statements
<i>Tea Break – 4.00pm or 4.30pm</i>	4. Appointments to the Cabinet and Committees
4. Other ordinary business	<i>Tea Break – 3.30pm or 4.00pm</i>
	4. Other ordinary business

10. Group Leaders and the Constitution Committee also agreed that discussions on position statements would be greatly enhanced if the position statements were to be released earlier (at 12.30pm). The Leader agreed to this as part of this proposal.

Changes to Meeting Procedure Rules

11. Standing Order 1 (4) of the Meetings Procedure Rules would need to be deleted as it refers to the 'Budget meeting' and specifies the business that can be transacted at that meeting. No other change is required on the basis that Standing Order 1 (2) already provides that 'meetings for the transaction of general business shall be held on such days as may be determined by the

Council at its annual meeting on the recommendation of the Executive...'. To assist members a copy of Standing Order 1 is appended to this report.

Recommendations of the Constitution Committee

12. The Constitution Committee agreed with the proposals to dispense with the County Council meeting in March and the motion which appears below gives effect to this decision.

(Motion to be moved:-

Motion 1

- a) That the recommendation of the Constitution Committee to dispense with the meeting of the County Council in March and to allow ordinary business to be transacted at the February meeting of the Council be approved;**

Motion 2 - Procedural Motion in accordance with Standing Order 37

- b) That the changes to Standing Order 1 (The Meeting Procedure Rules), to give effect to the recommendation of the Constitution Committee, be approved."**

(NOTE Standing Order 37 requires that this procedural motion, having been moved and seconded, stands adjourned until the next ordinary meeting of the Council.)

Part 4A - Meeting Procedure Rules**STANDING ORDER 1*****Meetings of the County Council***

- (1) The annual meeting of the Council shall be held:-
 - (a) in the year of the ordinary election of councillors to the Council, on the second Wednesday after the day of election;
 - (b) in any other year, on any Wednesday in May.
- (2) In addition to the annual meeting of the Council and any meetings convened by the Chairman or by members of the Council, meetings for the transaction of general business shall be held on such days as may be determined by the Council at its annual meeting on the recommendation of the Executive provided that a date so determined may be varied by the Executive.*
- (3) In these Standing Orders "ordinary meeting" means a meeting described in paragraph (1) or (2) above other than a meeting convened by the Chairman or by members of the Council.
- (4) In addition to the ordinary meetings a meeting of the Council shall be held in the month of February, on a date to be fixed by the Council, to consider the budget for the ensuing financial year, and for the Chairman's announcements, the report of the Returning Officer, the confirmation of the minutes of the last meeting of the Council, the asking of questions under Standing Order 7 and the consideration of motions, notice of which has been given under Standing Order 10.
- (5) Unless the Council otherwise determines, all meetings of the Council shall be held at 2.00 p.m. other than a meeting on a Saturday which shall be held at 10.00 a.m. provided that the time may be varied by the Chairman following consultation with Group Leaders.

*[*Under paragraph 3 of Schedule 12 of the Local Government Act 1972 an extraordinary meeting of the Council may be called at any time by the Chairman of the Council. There is also provision for such a meeting to be requisitioned by any five members of the Council.]*