

CONSTITUTION COMMITTEE

31 AUGUST 2017

Present: County Councillor Goodway(Chairperson)
County Councillors Berman, Burke-Davies, Carter, Keith Jones,
Jones-Pritchard, Kelloway, McKerlich and Wong

1 : CHAIRPERSON

Noted that Council at its meeting on 29 June 2017 elected Councillor Goodway as Chair of the Constitution Committee for the Municipal Year 2017/18.

2 : MEMBERSHIP AND TERMS OF REFERENCE

Noted that Council at its Annual Meeting on 25 May 2017 agreed the following Membership and Terms of Reference: -

Membership

Councillors Jennifer Burke-Davies, Rodney Berman, Joe Carter, Saeed Ebrahim, Susan Goddard, Russell Goodway, Keith Jones, Mike Jones-Pritchard, Kathryn Kelloway, Neil McEvoy, Rod McKerlich and Peter Wong.

Terms of Reference

To review the Council's Constitution, and to recommend to Council and/or Cabinet any changes, except that the Committee will have authority (subject to the Monitoring Officer's advice) to make the following changes on behalf of the Council:-

(a) Drafting improvements to enhance clarity and remove minor anomalies.

(b) Updating to reflect legislative changes and matters of record.

(c) Amendments to the Financial, Contracts and Land Procedure Rules (subject to the advice of the S.151 Officer being sought).

3 : APOLOGIES

Apologies were received from Councillor Ebrahim.

4 : DECLARATIONS OF INTEREST

No declarations of interest were received.

5 : MINUTES

The minutes of the last meeting of the Committee in the previous administration held on 2 March 2017 were noted.

6 : MEMBERS' ROLE DESCRIPTIONS - MEMBER CHAMPIONS

The Cabinet, at its meeting in July 2017, noted the WLGA Member Champion Role Description adopted by Council in October 2015 and recommended that Constitution

Committee be asked to consider incorporating this within the Constitution in order to clarify the role and responsibilities of Member Champions.

The Committee was asked to consider this recommendation and whether to also incorporate into the Constitution the Council's approved role descriptions for any other Member roles.

The Chairperson referred to discussions with the Leader of the Council and other Group Leaders and Whips around establishing specific Member Champions and an alternative suggestion of establishing all-party topical Groups, which would have an elected Chair. The Groups would be self-sufficient and meeting at least 3 times in a municipal year and report to Full Council.

The Chairperson proposed that if Committee were content then a report could be developed for the next meeting.

RESOLVED – That Director of Governance & Legal Services give consideration to the governance arrangements for establishing all-party group/s to look at key themes within the Councils corporate and service priorities and prepare a report for consideration at a future meeting of the Committee. .

7 : COUNCIL 25 MAY 2017 : REFERENCE BACK TO THE CONSTITUTION COMMITTEE OF PROPOSED CHANGES TO THE COUNCIL PROCEDURE RULES

Members were advised that Annual Council on 25 May 2017 received the recommendations of the Constitution Committee 2 March 2017 on the proposed amendments to the Council Procedure Rules. The report was referred back to the Constitution Committee in accordance with Council Procedure Rule 25 (a) (iv) to allow the new Committee and Councillors to make a decision on the proposed changes.

The Chairperson advised of initial discussions with the Leader of the Council and a subsequent meeting with Group Leaders and Whips. There had been agreement that changes needed to be made; there was an appetite for a new structure in Council and curtailing the participation of the Cabinet and allowing more time for back-bencher participation to inform decisions.

It was considered that Party Groups should meet to develop a consensus on changes. If there was a consensus some changes could be implemented at an early stage with the main changes being implemented by the Annual General Meeting in April 2018.

Members discussed the various proposals such:

- the number of meetings per year;
- start time of meetings;
- second supplementary oral questions;
- number of oral questions;
- allocation of Motions;
- proposal for a lists of speakers in advance of meeting;
- invitation to external speakers;
- whether Council should be the forum for considering Call-In's; and
- the future scrutiny committee arrangements.

The Chairperson stated that there was a current desire for greater inclusivity of Members outside of the Cabinet; giving more space on the Council Agenda for the minority party and the minority views from within the majority party, to influence the direction of the Council.

The Director of Governance and Legal Services stated that with regards to Call-In's, Scrutiny has to consider these; under the Local Government Act there are separate functions, Council could debate the topic of the Call-In but scrutiny would have to make the decision.

The Committee was reminded of the current position in relation to scrutiny committees and funding arrangements.

The Chairperson indicated that there would be a need for regular meetings to work on revised Council procedures and suggested that the Committee meet once a month up until Christmas. The Director of Governance and Legal Services advised that timescales and resources would be dependent on how radical the changes would be.

Members asked that for the October Constitution Committee, it would be useful to have sight of Core Cities Council Agendas, how their Council meetings are organised and best practice.

RESOLVED – That

1. a date be established for an October meeting of the Constitution Committee;
2. the Chairperson arrange a follow up meeting with Leaders and Whips;
3. a report be prepared for the October meeting which includes examples of agendas from the Core Cities and comparable Welsh authorities;
4. the Director of Governance & Legal Services arrange for a consultation document on any proposed improvements to the Council Procedure Rules for discussion at Group meetings ahead of the October meeting of the Committee.

8 : FREQUENCY OF MEETINGS AND WORK PLAN

Members discussed establishing more frequent meetings of the Constitution Committee over the next few months to drive forward changes to the Council Procedure Rules.

Members were advised that Scrutiny Chairs would like Constitution Committee to look at issues such as Call-In and whether Call-In requests are allowed or disallowed; this could be an issue for a future Committee meeting.

RESOLVED – That a work plan be prepared for consideration at the next meeting of the Committee.

The meeting terminated at 5.45 pm