

CONSTITUTION COMMITTEE

15 MARCH 2018

Present: Councillor Goodway(Chairperson)
Councillors Berman, Lister, Kelloway, McKerlich and Wong

22 : APOLOGIES

Apologies for absence were received from Councillor McEvoy, and from Councillors Goddard, Keith Jones and Jones-Pritchard as they were engaged in other council business.

23 : DECLARATIONS OF INTEREST

No declarations of interest were received.

24 : MEMBERSHIP OF COMMITTEE

The Chair welcomed Councillor Lister to the Committee.

25 : MINUTES

The minutes of the meeting of 8 January 2018 were approved as a correct record and signed by the Chairperson.

26 : RESPONSIBILITY FOR AIR QUALITY MANAGEMENT FUNCTIONS

The report recommended the transfer of responsibility for air quality management functions from the Public Protection Committee to Cabinet which would require an amendment to Section 3 of the Scheme of Delegations, the amendment would require the approval of full Council.

RESOLVED – That the Committee recommends to Council that the Air Quality Management functions of the Council be allocated as Cabinet functions and that the Scheme of Delegations, Section 3 be amended accordingly.

27 : CONTRACT AND FINANCE PROCEDURE RULES

The Chair welcomed Ian Allwood (Head of Finance), Liz Weale (Legal Services, OM Procurement and Partnerships) and Steve Robinson (OM Commissioning and Procurement) to the meeting.

The Committee was provided with a presentation which outlined the proposed revisions to both the Contract Standing Orders and Procedure Rules (CPR) and the Finance Procedure Rules (FPR).

There were no fundamental changes to the FPR, other than to clearly define the key risks and controls for the financial control environment of the Council; refresh rules on risk management, fraud and partnership working and each section is underpinned by improved guidance notes.

The main changes in the CPR relate to:

- Welsh Language Standards 76 – 80
- Increased emphasis on Community Benefits
- Changes to Advertising opportunities
- Changes to tendering thresholds
- Use of Single Tender and the exceptions to rules
- Introduction of electronic procurement
- Changes to the authority to approve variations of contract
- Enhanced Sections (Definitions and Interpretations; Procurement Planning, General Data Protection Regulation; Increased use of technology (aim to go paperless); Contract Management and Procurement Routes.

RESOLVED – That

1. The Committee approved the proposed changes to Contract Standing Orders and Procurement Rules and Financial Procedure Rules as shown in Annexe A & B to the report and these be reported to Full Council for information prior to implementation on 1 July 2018;
2. The Committee delegated authority to the Corporate Director Resources to amend the FPR and to the Director of Governance and Legal Services to amend the CPR to accord with any changes to legislation and to make any other amendments that may be required from time to time, which do not served to materially alter the FPR or CPR.

28 : RECORDING OF COUNCIL MEETINGS (AUDIO, VISUAL OR SOCIAL MEDIA)

Further to discussion by this Committee at its meeting in October 2017, the Director of Governance and Legal Services' report providing an update on the Webcasting Protocol and amendments to the Council Meeting, Committee Meeting, Planning Committee Meeting and Access to Information Procedure Rules was submitted for approval and recommendation to Council. The amendments would bring the Council in line with the principles of openness and transparency best practice expected of local government.

RESOLVED – That

1. the current arrangements for recording of Council and Committee meetings as set out in the report were noted;
2. the Committee approved the updated Webcasting Protocol as set out in Appendix A, and that it be recommend it to full Council for inclusion within the Constitution, Part 5;
3. the Committee agreed to amend the Council Meeting, Committee Meeting, Planning Committee Meeting and Access to Information Procedure Rules, as shown in Appendix B to permit recording and use of social media during public meetings of the Council, Cabinet and

Committees; and

4. the amended procedure rules (agreed under 3 above) be recommended to full Council for approval.

29 : WARD MEMBER CONSULTATION

The Committee had requested that the Scheme of Delegations, Section 4A be updated to ensure that the requirement to consult Ward Members on significant issues affecting their wards is enshrined in the officer decision making processes of the Council. The Committee felt it was important that officers were aware of and implemented the guidance provided. However, it was also acknowledged that whilst there had been a reduction in officers the demands of Ward Members were increasing.

RESOLVED – That the Committee recommends to full Council the amendment of the Scheme of Delegations, Section 4A, paragraph 1.5 to incorporate the Ward Member consultation requirements detailed in the report.

30 : ALL-PARTY COUNCIL GROUPS

The Committee received the draft protocol for All Party Council Groups and agreed that, in the interest of clarity and transparency, the following arrangements as set out in the All Party Council Groups Protocol be recommended to Full Council: -

- the minimum number of member shall be 5;
- Groups be open to all members of all parties, including independent members;
- that the group must consist of members from more than one party group.

RESOLVED – That

- 1 the provision for the establishment of All Party Groups as set out in the report was approved; and
- 2 the incorporation of the All Party Groups Protocol set out in the Report within Part of the Constitution be recommended to full Council.

31 : SCRUTINY COMMITTEE SIZE AND MEMBERSHIP OF TASK AND FINISH GROUPS

Consideration of this item was deferred until the next meeting of the Constitution Committee.

32 : FORWARD WORK PLAN

The main work stream for the Committee in 17/18 had been to develop improvements to aspects of the Constitution, in particular in relation to making Council meetings more effective, giving greater transparency to how decisions are made and the way the Council and its officers function.

RESOLVED – That the Committee approves the Forward Work Plan 2017/18 and the areas considered as priorities as set out in Appendix A.

33 : FREQUENCY OF MEETINGS

The Committee discussed the frequency of meetings and agreed that there would be 2 regular meetings during the Municipal Year, unless it was necessary for a further meeting to be convened.

The meeting terminated at 6.05 pm