

COUNCIL MEETING – 14TH OCTOBER 2010

Extract from the Minutes of the Constitution Committee Meeting on 30th September 2010

Review of the Constitution

The Committee considered proposed changes to the Council and Committee Procedure Rules as part of the review of the Council's Constitution.

Cabinet Members and Directors had been consulted and no specific matters had been raised. However, Democratic Services Officers had identified the following issues:

1. The Constitution was silent on the specific requirements relating to the Local Government Act in relation to timescales for holding the Annual Meeting of Council. The following was therefore proposed:

“ANNUAL MEETING OF THE COUNCIL

Timing and business

In a year when there is an ordinary election of councillors, the annual meeting will take place within 21 days of the retirement of the outgoing councillors. In any other year, the annual meeting will take place in March, April or May on a date the Council will decide at or before their last meeting prior to the Annual General Meeting. In the absence of a decision or statutory provision to the contrary the day will be the third Thursday in May.

The annual meeting will:

- (i) elect a person to preside if the Mayor is not present;
- (ii) elect the Mayor;
- (iii) elect the Deputy Mayor;
- (iv) approve as a correct record and sign the minutes of the last meeting;
- (v) receive any communications from the Mayor;
- (vi) receive any declarations of interest from members;
- (vii) appoint the Overview and Scrutiny Committees, the Standards Committee and such other committees as the Council considers appropriate to deal with matters which are neither reserved to the Council nor are Executive functions;

(viii) consider any business set out in the notice convening the meeting.”

2. The Constitution was silent on the Order of Business for ordinary Council meetings. This should be listed so that members, officers and the public had certainty. The following was therefore proposed:

“Council will:

- (i) elect a person to preside if the Mayor and Deputy Mayor are not present;
- (ii) approve as a correct record and sign the minutes of the last meeting;
- (iii) receive any communications from the Mayor;
- (iv) receive any declarations of interest from members;
- (v) deal with any business outstanding from the previous Council meeting;
- (vi) receive questions from the public;
- (vii) receive any recommendations from the Cabinet or any Council Committee;
- (viii) receive questions from Members;
- (ix) consider any motions moved without notice;
- (x) consider any motions;
- (xi) consider any urgent items;
- (xii) consider any other business set out in the notice.”

3. The existing provision relating to special Council meetings was considered incomplete and the following was proposed in its place:

“EXTRAORDINARY MEETINGS

Calling extraordinary meetings.

Those listed below may request the Chief Executive to call Council meetings in addition to ordinary meetings:

- (i) the Council by resolution;
- (ii) the Mayor of the Council;

- (iii) the Monitoring Officer; and
- (iv) any eight members of the Council if they have signed a requisition presented to the Mayor and he/she has refused to call a meeting or has failed to call a meeting within seven days of the presentation of the requisition.

Business

Only business for which the extraordinary meeting has been called may be considered.”

4. The Constitution was silent on the control of agenda items. The agreed arrangements for pre-agenda meetings should be reflected in the Constitution. These provided for the Chairman or, in his absence, the Vice-Chairman to settle committee agendas.

RESOLVED

That Council be recommended to approve the proposed additions to the Council and Committee Procedure Rules as set out above and the Constitution be amended accordingly.