

Report to Council

CONSTITUTIONAL AMENDMENTS

Report of the Director of Legal Services

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Reason for Decision

The Council is required to consider its constitution annually to determine whether any amendments are required.

To agree suggested Constitutional amendments as agreed by the Constitutional Working Group and Group Leaders.

Recommendations

Council are asked to consider the recommendations made in paragraph 2 of the report and require current Constitution to be amended consequently if those recommendations are approved and also to confirm the unamended parts of the Constitution.

Council

Constitutional Amendments

1. Background

- 1.1 The Council has an obligation to review annually the Constitution to ensure it is fit for purpose and reflects changing practices or elected member requirements in the Council Procedure Rules.
- 1.2.1 In addition to issues raised by members and officers since the last review, the Constitutional Working Group has considered matters which they have submitted to Council for approval. The issues have also been considered by Group Leaders.

2. Proposed Amendments

2.1 The Council Budget Meeting – Rule 2.3.

The Council Budget meeting is a sole item agenda. The current position is that the Mayor does not announce communications at this meeting. It is recommended that for future Budget meetings a communications item is included in the order of business.

2.2. Ordinary Meetings – Timings and Business – Rule 2.1

The current position is that during Ordinary Council meetings members are asked to consider significant tranches of the Council's Budget proposals. It is recommended that the guillotine is automatically extended by 30 minutes at those meetings when significant tranches of Budget proposals or major communications as agreed by the Group Leaders.

2.3. Notice of Public Questions – Rule 6.1

The current Constitutional position is that questions are delivered no later than 5 p.m. on the day of the Council meeting and there is no requirement for a name or address to be submitted by the questioner. It is suggested that in order to submit a public question to Full Council, the questioner will be required to provide the Council with the name and address.

2.4. Extraordinary Meetings – Rule 3

When an extraordinary meeting is called, the requisition presented must specify the reason for the calling of the meeting.

2.5. Notices of Motion – Rule 8.2

In order to ensure Members may debate matters of which the Council has influence, it is proposed that the reference to "direct influence" is removed and replaced by "influence."

2.6. Ordinary Meetings – Rule 2.1

It is proposed to rotate the order of business at ordinary Council meetings with reference to Joint Arrangements and Partnership Arrangements to that, for example, at one council meetings Joint Arrangements are dealt with at 2.1 (q) followed by Partnership Arrangements at 2.1 (r) but at the next Council meeting Partnership Arrangements are dealt with at 2.1 (q) with Joint Arrangements deal with at 2.1(r).

2.7. Ordinary Meetings

It is proposed to introduce a constitutional rule to state that at the Final Council meeting of the municipal year the Mayor will indicate in the communications section which members have notified him that they are returning as members to give other members an opportunity to address the meeting on the retirement.

3 Members are requested to consider the proposed amendments to the Constitution.

The following is a list of background papers on which this report is based in accordance with the requirements of Section 100(1) of the Local Government Act 1972. It does not include documents which would disclose exempt or confidential information as defined by the Act.

- File ref: Constitutional File
- Records held in Legal Department, Room 327.
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