



## Standards and Constitutional Oversight Committee

<b>Date:</b>	Tuesday, 26 November 2013
<b>Time:</b>	6.00 pm
<b>Venue:</b>	Committee Room 1 - Wallasey Town Hall

**Contact Officer:** Shirley Hudspeth  
**Tel:** 0151 691 8559  
**e-mail:** [shirleyhudspeth@wirral.gov.uk](mailto:shirleyhudspeth@wirral.gov.uk)  
**Website:** <http://www.wirral.gov.uk>

---

### SUPPLEMENTARY AGENDA

#### 4. REVISIONS TO THE COUNCIL'S CONSTITUTION (Pages 1 - 6)

Appendix 2 (Proposed changes to the Constitution to be recommended to Council) is attached.

This page is intentionally left blank

Schedule 2 – Matters to be referred to Council for approval

Page No. (of the Constitution)	Section Changed	Description of amendments/Update	Authority for Change
18	Article 6 – Policy and Performance Committees	<b>Paragraph 6.3 (vii)</b> Delete reference to “two” and “five” parent governor representatives and replace with “at least two parent governor representatives and two Diocesan representatives”.	Council
23 and 25	Article 9 – The Standards & Constitutional Oversight Committee	<b>Paragraph 9.2 (a) bullet point two</b> Delete “three” replace with “four”.  <b>Insert new paragraph 9.4</b> “The Committee shall have delegated power and responsibility to act on behalf of the Council as Trustee of the E.F Callister Youth Club”.	Council
31	Article 10 – Constituency Committees	Replace the first sentence <b>in paragraph 10.2(iii)</b> “The Constituency Committee have an advisory role” with “The Constituency Committee shall be a decision making committee”.  Add in new paragraph “ <b>10.2 (iv)</b> The Committee can appoint up to six Community Representatives (co-optees) with non-voting rights”.  Add in paragraph “ <b>10.2 (v)</b> Any Member of the Committee, including co-optees, may be appointed as the Chairperson of the Committee.”	Council
36	Article 12 – Officers	<b>Paragraph 12.3 – Function of the Monitoring Officer</b> Add “ <b>Paragraph (h)</b> - The Monitoring Officer be responsible to the Authority for ensuring so far as reasonably possible that agreed procedures are followed and that all applicable statutes and regulations are complied with (as set out in the Code of Corporate Governance)”.	Council
52	Table 2 – Responsibility for Council Functions	<b>Standards and Governance Committee</b> Amend Committee title to “Standards and Constitutional Oversight Committee”. Amend Functions to include “To carry out the functions, discharge the powers	Council

Schedule 2 – Matters to be referred to Council for approval

<p><b>53</b></p>		<p>and undertake the duties of the Council as Trustee of the E.F Callister Youth Club”.</p> <p><b>Chief Officers Employment Disciplinary Sub-Committee</b> Amend Committee title to read: “Investigatory and Disciplinary Committee (IDC)”</p> <p>Amend Membership to read : “ To be determined by the Employment and Appointment Committee</p> <p><b>Policy &amp; Performance Co-ordinating Committee</b> Add in “15” and delete”(Plus 4 voting and 1 other co-opted Members)”.</p>	
<p><b>70</b></p>	<p>Part 3 - Schedule 2</p> <p>Scheme of Delegation of (Non-Executive) Functions to Committees</p>	<p><b>Table B. Licensing &amp; registration functions (pg 78)</b> Amend <b>paragraph 7</b> to read “Power to license sex establishments” and remove reference to “section 2 and Schedule 3”.</p> <p>Amend <b>paragraph 26 (p80)</b> to read “The Marriage Act 1949 and the Marriages (Approved Premises) Regulations 1995”.</p> <p>Delete <b>paragraph 48 (p81)</b> relating to the “power to register motor operators”.</p>	<p>Council</p>
<p><b>91-97</b></p>	<p>Scheme of Non Executive Delegation of Functions to Officers</p>	<p><b>Schedule 4A Part 2 (1):</b> The list of relevant legislation be amended to -</p> <p><b>Include:</b> “Sunbeds (Regulation) Act 2010” “Mobile Home Act 2010” “Companies Act 2006” “Consumer Credit Act 1974, 2006 and 2009” “The Cancellation of Contracts made in a “Consumer’s Home or Place of Work etc Regulations 2008” “The Consumer Protection (Distance Selling) Regulations 2000”</p>	<p>Council</p>

Schedule 2 – Matters to be referred to Council for approval

		<p><b>Delete:</b>  “Property Misdemeanors Act 1991”  “Trade Descriptions Act 1968”</p> <p><b>Schedule 4A Part 2:</b>  Amend <b>paragraph (2)</b> to read “Institute legal action and or proceedings in respect of the enforcement of any legislation relating to trading standards, environmental health, environmental protection, food safety and the health and safety.”</p> <p>Amend <b>paragraph 4(b)</b> – replace reference to “Trading Standards Manager” with “Senior Manager (Trading Standards)”.</p> <p>Amend <b>paragraph 4(c) and (d)</b> – replace reference to “Trading Standards Manager, Divisional Officer (Business Support), Divisional Officer (Community Support and Regulation)” with “Senior Manager (Trading Standards) and Trading Standards Operation Manager”.</p> <p>In relation to <b>paragraph (15):</b></p> <ul style="list-style-type: none"> <li>- delete reference to “(ii) Game Dealers Licences”;</li> <li>- amend <b>(viii)</b> to read “Notices given for temporary use of premises for gambling”;</li> <li>- delete reference to “(xviii Motor Salvage operators”); and</li> <li>- amend <b>(xxii)</b> to read: “The enforcement of conditions relating to the licensing of hackney carriage and private hire drivers licences, vehicle licences and operator’s licences, as allowed in the Local Government (Miscellaneous Provisions) Act, 1976, including the suspension or revocation of driving licences, vehicle licences and operator’s licences. (Any actions to be reported to the next meeting of the Licensing, Health and Safety and General Purposes Committee)”.</li> </ul>	
--	--	--	--

Schedule 2 – Matters to be referred to Council for approval

<p><b>114-139</b></p>	<p>Rules of Procedure – Council Procedure Standing Orders</p>	<p><b>Page 118 - 5. Order of Business (Council Meetings), paragraph (2) (J)-</b> Deleted and paragraphs then re-lettered.</p> <p><b>Page 119 – 5A – Annual meetings of the Council, Standing Order 2 (b) –</b> Delete election and replace with “appointment”.</p> <p><b>Page 119 - Standing Order 2 (d)</b> to be added “Leader’s announcements – Appointment of Cabinet and Portfolios (unless to be confirmed as soon as practicably possible after the Annual General Meeting).”</p> <p><b>Page 119 - Standing Order 2(e) was the previous 2(d), all of (2) re-lettered.</b></p> <p><b>Page 122 – 8. Motions which may be moved without notice having been given under Standing Order 7 (I)</b> delete “36” replace with “22A”</p> <p><b>P123 – 10. Questions – Standing Order (2) (a)</b> delete 5.1 and replace with 5(2)(h)</p> <p><b>P125 – 12. Rules of debate for Council Meetings - Standing Order (6) Right of Reply –</b> Delete 8 replace with “7”</p> <p><b>AMENDMENTS - P126 - Standing Order (9)-</b> Add in text</p> <p>“Where an ordinary Council meeting is scheduled to take place on a Monday, any amendment to a Notice of Motion submitted pursuant to Standing Order 7 must be submitted to the Head of Legal and Member Services (or his/her nominee) by no later than 10:00am on the Friday immediately preceding that ordinary Council meeting.</p> <p>In the case of any other scheduled ordinary Council meeting, any amendment proposed to a Notice of Motion must be submitted to the Head of Legal and Member Services (or his/her nominee) at least two clear working days prior to the relevant ordinary Council meeting unless the Chief Executive agrees that it is in the public interest to allow the submission of the amendment at an alternative date and time. ”</p>	<p>Council</p>
-----------------------	---	---	----------------

Schedule 2 – Matters to be referred to Council for approval

		<p><b>P127 – Standing Order (11) –Substantive Motion –</b> delete “notified under Standing Order 5(1)(h)” and “notified as an objection”.</p> <p><b>P127- Standing Order (12) – Withdrawal of amendment-</b> title change delete and replace with “ Withdrawal of Motion or Amendment” and add in “(See Standing Order 7(3)).”</p> <p><b>P127 - Standing Order 13 Motions which may be moved in course of debate (d)-</b> delete 7(8) replace with “9(1).”</p> <p><b>Page 131 – Voting – Standing Order 7-</b> delete 7(8) replace with “9(1).”</p> <p><b>Page 133 – Section 2 – Relating to Committees - Standing Order 23 – (h)</b> delete 4 replace with “1”.</p> <p><b>Page 137- Standing Order 35- Calling in of Decisions</b></p> <p><b>Standing Order 35(2)</b> Delete the word “notice” and replace with “Minute(s)”. Delete “9a.m on the Thursday” and replace with “5:00pm on the final day of the call in period of five clear working days from the date of publication.”</p> <p><b>Standing Order 35(3)(a) –</b> Delete “7 working days ” replace with “15 working days”.</p>	
--	--	--	--

This page is intentionally left blank