

STANDARDS AND CONSTITUTIONAL OVERSIGHT WORKING GROUP

Wednesday, 26 October 2016

Present: Councillor D Roberts (Chair)

Councillors RL Abbey P Gilchrist
C Blakeley B Kenny
D Elderton

In attendance: Independent Members B Cummings
Prof RS Jones

53 APOLOGIES FOR ABSENCE

No apologies were received.

54 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

No declarations of interest were received.

55 OFFICER DELEGATED DECISION MAKING

The Head of Legal and Member Services initiated discussion on concerns regarding the officer delegated decision making process.

Members discussed the need to see what decisions were being taken by officers under delegated authority, in particular those which were incurring expenditure over a certain amount, some Members suggesting over £1,000 and others over £5,000. There should be a mechanism for Members to access such information, which did not have to be too detailed, just one or two sentences on the description of the item and how much had been spent. Further details could be obtained from the relevant officers.

The Head of Legal and Member Services assured the Working Group that procurement procedures were in place and clearly defined arrangements which officers needed to follow. The Head of Legal and Member Services advised that he would provide a defined position statement on all the relevant arrangements already in place so that Members could first see what was in place and decide what other information was required (if any).

It was then –

Agreed – That the Head of Legal and Member Services explore this matter further with colleagues from Finance and report back to the next

or a future meeting (which should also include information on what could be collated and made available for Members).

56 COUNCIL PROCEDURE RULES

The Head of Legal and Member Services introduced the item on the Council Procedure Rules. Members raised the issue of electronic voting in the Council Chamber. He informed the meeting that currently options for webcasting were being looked at and this also afforded the opportunity to take stock of the electronic voting system and the audio system in the Council Chamber.

Discussion took place around the issue of Notices of Motion with a Member suggesting that he did not believe the current system was working and that all NoMs should be put to Council, whether or not there was time to debate them all, they could all at least be considered and voted upon at Council. Some might be time sensitive and any delay by referral to a Committee could nullify their impact. Also, Overview and Scrutiny Committees already had generally full work programmes

Other Members expressed their reluctance to take away from the current arrangements as some NoMs benefitted from being referred to a Committee where there was more time to consider them.

It was moved by Councillor Blakeley and seconded by Councillor Gilchrist, that –

“All Notices of Motion be dealt with by Council.”

The motion was put and lost 3:3 (on the Chair’s casting vote).

The Head of Legal and Member Services suggested a possible alternative whereby the Council could consider three NoMs, one from each political group, with the rest being dealt with under the current arrangements.

It was then agreed that Members refer this suggestion to their Groups for consideration and the matter come back for further discussion.

A Member suggested that having the guillotine at 9.15pm was too restrictive and other Members felt that it was unfair to extend this time limit further.

With regard to standing Order 26 (2) and the request for a Special meeting of a Committee by any two Party spokespersons, it was commented upon that this was inconsistent with Overview and Scrutiny Procedure Rules on page 186 of the Constitution which referred to the calling of, ‘extraordinary meetings.... by any three members of the committee.’

It was agreed that the inconsistency be rectified and the wording that, ‘...the special meeting be held within 14 days of the date of receipt of the requisition...’ be amended to read, ‘...that the special meeting be organised within 14 days of the date of receipt of the requisition or as soon as reasonably practicable...’.

With regard to Standing Order 35 (9) and call-ins:

It was agreed to delete the word, ‘exceptional’;

and in respect of Standing Order 35 (8):

It was agreed to delete the word, ‘Board’, after ‘Executive’.

The Head of Legal and Member Services then brought up the matter of objections, in respect of ‘Matters Requiring Approval’ by Council and after some discussion, **agreed to report back to a future Working Group meeting with some suggested wording on the matter.**

57 DISCLOSURE BARRING SERVICE - CHECKS FOR COUNCILLORS

The Head of Legal and Member Services would circulate a response on the Disclosure Barring Service once all the responses from the political groups had been received.

58 REVIEW OF THE MEMBERS' CODE OF CONDUCT AND PROTOCOL

After a brief discussion on the issue of pre-determination or bias, it was agreed that this item be deferred to the next meeting.

59 DATE AND TIME OF STANDARDS AND CONSTITUTIONAL OVERSIGHT COMMITTEE

It was agreed that in view of the next Standards and Constitutional Oversight Committee being scheduled for 21 November and the next Working Group taking place on 16 November, the Committee be put back to a later date, possibly 5 December, 2016.

60 DATE AND TIME OF THE NEXT MEETING OF THE STANDARDS AND CONSTITUTIONAL OVERSIGHT WORKING GROUP

The next meeting would be on 16 November, 2016 at 10.00am in the Council Chamber.