

COUNCIL**Monday 7 October 2024**

REPORT TITLE:	REVISIONS TO THE CONSTITUTION
REPORT OF:	DIRECTOR OF LAW AND CORPORATE SERVICES

REPORT SUMMARY

This report provides for approval the updated revisions to the Constitution which has been amended to incorporate changes referred to Council by the Constitution and Standards Committee who met on 1st August 2024.

The proposed changes recommended by the Constitution and Standards Committee are in relation to:

- Public Questions
- Committee Terms of Reference

This matter affects all wards. This is not a key decision. The report contributes to the delivery of all Council Plan Priorities by ensuring that the Council's decision-making process is as effective as possible.

RECOMMENDATION/S

Council is recommended to:

- (1) Endorse the proposed amendments to the Constitution, as detailed in sections 3.2 to 3.4 of the report as recommended by the Constitution and Standards Committee.
- (2) Adopt the revisions to the Constitution.

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

- 1.1 The Constitution and Standards Committee were requested to consider the recommendations detailed in the report and submit these to the Council Meeting in October for approval. All agreed changes will be incorporated into a revised Constitution which will be published following the Council meeting.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 Council could decide that having considered the matters referred to in the report, that they do not deem it necessary to amend the Constitution.

3.0 BACKGROUND INFORMATION

- 3.1 At the meeting of the Constitution and Standards Committee on 1st August 2024, Members considered two issues and suggested changes to the Constitution to address these issues.

Public Questions

- 3.2 Revised wording in relation to Standing Order 10.7, "Asking the Questions at the Meeting", was presented to the Constitution and Standards Committee following discussions at the meeting of the Governance Working Group on 10th June 2024. This work aimed to make the process of asking a question at committee more efficient, both for officers when considering the validity of the question and the length of time spent during the committee meeting on public questions. It was also suggested to the Constitution and Standards Committee that the Mayor/Chair would make a brief statement during the meeting to clarify the reasons why questions were rejected. The revised wording of Standing Order 10.7 is attached to this report.
- 3.3 The change to Standing Order 10.7 is as follows:

Delete the following sentence:

"Two minutes are allowed for putting the question".

And replace with:

"The question to be put at the meeting shall not exceed 100 words in length".

Committee Terms of Reference

- 3.4 The Council's Health and Wellbeing Board is established as an ordinary committee under s.102 of the Local Government Act 1972 but amended pursuant to relevant legislation and is included in Part 3 (b) of the Constitution. Its membership was last reviewed in May 2022, and since then several job titles had changed and some organisations had ceased, so an update of the membership list was beneficial to ensure it remains current. The revised membership list is attached to this report.

4.0 FINANCIAL IMPLICATIONS

4.1 None arising from this report.

5.0 LEGAL IMPLICATIONS

5.1 Part 3, Section A of the Constitution details those functions which are reserved to the Council Meeting. Point 2 (k) stipulates those significant changes to the Council's Constitution, including adopting and amending standing orders, Rules of Procedure, Contract Procedure Rules, Financial Regulations, Codes and Protocols that make up the Constitution.

5.2 Where the Constitution and Standards Committee concludes that the Council Procedure Rules be amended, then a recommendation must be made to the Council for a final decision.

6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS

6.1 Revisions to the length of public questions would make it easier for officers to consider whether public questions meet the criteria to be presented at Committee, as some public questions can be extremely lengthy and can sometimes be primarily a statement with a short question asked at the end.

7.0 RELEVANT RISKS

7.1 There are no foreseen risks arising from the recommendations detailed in this report.

8.0 ENGAGEMENT/CONSULTATION

8.1 The Constitution and Standards Committee has been consulted and recommended to propose changes, in consultation with the Director of Law and Corporate Services.

9.0 EQUALITY IMPLICATIONS

9.1 Wirral Council has a legal requirement to make sure its policies, and the way it carries out its work, do not discriminate against anyone. An Equality Impact Assessment is a tool to help council services identify steps they can take to ensure equality for anyone who might be affected by a particular policy, decision or activity.

9.2 There are no direct equality implications arising from this report.

10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

10.1 There are no direct environment and climate implications arising from this report.

11.0 COMMUNITY WEALTH IMPLICATIONS

11.1 There are no direct community wealth implications arising from this report.

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APPENDICES

Appendix 1 – 2 Revisions to the Constitution

Appendix 2 – Minutes of the Constitution and Standards Committee

BACKGROUND PAPERS

Council Constitution

TERMS OF REFERENCE

This report is being considered by Full Council in accordance with the Policy Framework (k) 'Significant changes to the Council's Constitution, including adopting and amending standing orders, Rules of Procedure, Contract Procedure Rules, Financial Regulations, Codes and Protocols that make up the Constitution.'

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Council	22 May 2024
Constitution and Standards	01 August 2024