



Report of the Assistant Chief Executive (Corporate Governance)

Full Council

Date: 17 November 2010

Subject: Recommendations from General Purposes Committee

Electoral Wards Affected:

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Executive Summary

1. This report sets out recommendations to Council from the General Purposes Committee at its meeting on 5 November 2010 relating to amendments to the Constitution, following the change in Administration and for clarification.
2. General Purposes Committee recommend full Council to:
 - approve amendments to Article 9 as set out in appendix 1 to this report; and
 - approve amendments to the Council Procedure Rules as set out in appendix 2 to this report.

1.0 Purpose Of This Report

- 1.1 This report presents recommendations to Council from the General Purposes Committee for amendments to the Constitution.

2.0 Background Information

- 2.1 General Purposes Committee is authorised to consider proposals to amend the Constitution. At its meeting on 5 November 2010, the General Purposes Committee considered an item about amendments to the Constitution. This report sets out the recommendations from General Purposes Committee relating to that item.

3.0 Main Issues

- 3.1 Further to the change in Administration a number of inconsistencies have been noted in the Constitution, arising from the change from an Administration with one major opposition group, to the current Administration with two major opposition groups.

Article 9.2

- 3.2 As currently drafted, Article 9.2 provides that “Members of the Executive; and Political Group Leaders and Whips from the administration and the major opposition Group are precluded from being members of the Corporate Governance and Audit Committee”. There is now more than one major opposition group, so this requires amendment.
- 3.3 The Committee resolved to recommend to full Council that this provision should refer to “the three largest groups”. The recommended amendments are shown in the attached appendix 1 to this report.

Council Procedure Rule 12.1

- 3.4 Council Procedure Rule 12.1, in relation to Motions on Notice, provides that the number of motions admissible for full debate at any given meeting shall be limited to four. Footnote 7 currently refers to ‘Two of these being reserved to the largest opposition group, and one being reserved to the administration’.
- 3.5 The Committee resolved to recommend to full Council that this should be amended to read, ‘One to the Labour Group, one to the Conservative Group, one to the Liberal Democrat Group and one to one of the two minority groups’. This is not intended to change the current practice of Whips’ involvement in determining the order in which motions are to be heard at any meeting.

Council Procedure Rule 14.5

- 3.6 Council Procedure Rule 14.5, in relation to the period permitted for speeches at meetings, makes provision for the procedure to be followed when there are two Executive portfolio holders within a single portfolio. As there are no longer any jointly-held portfolios, the Committee resolved to recommend that this reference be removed.

Council Procedure Rule 1.1

3.7 Council Procedure Rule 1.1, Timing and Business at the Annual Meeting, does not currently include explicit reference to full Council considering the recommendations of General Purposes Committee. The Committee resolved to recommend that this be inserted in the order of business between the election of the Leader and the establishment of Committees.

3.8 In accordance with this amendment, there would need to be consequential amendments to footnote 3 and Council Procedure Rules 2.2(h); 2.2(i); 6.2; 11.1(b); 15.1; 16.2; 19.1; 19.2; 24.1; 27.1 and 28.1, whereby any reference to Council Procedure Rule 1.1(g) are amended to read 1.1(h).

3.9 The recommended amendments to the Council Procedure Rules are shown in appendix 2 to this report.

4.0 Implications For Council Policy And Governance

4.1 It is in accordance with good governance principles to update the Constitution to ensure that it is fit for purpose.

5.0 Legal And Resource Implications

5.1 There are no legal or resource implications arising from the proposed amendments to the Constitution.

6.0 Conclusions

6.1 Full Council are recommended to approve the proposed amendments to the Constitution, as set out in the attached appendices.

7.0 Recommendations

7.1 General Purposes Committee recommend full Council to:

- approve amendments to Article 9 as set out in appendix 1 to this report; and
- approve amendments to the Council Procedure Rules as set out in appendix 2 to this report.

8.0 Background Papers

8.1 Report of the Assistant Chief Executive (Corporate Governance) to the General Purposes Committee, 5 November 2010.

8.2 Minutes of the General Purposes Committee, 5 November 2010.