

CONSTITUTION AND MEMBERS' DEVELOPMENT COMMITTEE

A meeting of the Constitution and Members' Development Committee was held on Friday 23 October 2020.

PRESENT: Councillors J Hobson (Chair), L Garvey (Vice-Chair), A Hellaoui, B Hubbard, J Rathmell, D Rooney, B Cooper (Substitute for M Saunders), M Storey and J Thompson

OFFICERS: C Breheny, S Reynolds, S Lightwing and C Lunn

APOLOGIES FOR ABSENCE: Councillors M Saunders

1 **DECLARATIONS OF INTEREST**

There were no declarations of interest made at this point in the meeting.

2 **MINUTES - CONSTITUTION AND MEMBERS' DEVELOPMENT COMMITTEE - 24 JULY 2020**

The minutes of the Constitution and Members' Development Committee held on 24 July 2020 were approved as a correct record.

3 **PROPOSED CONSTITUTION UPDATES**

The Head of Democratic Services presented a report, the purpose of which was to request the views of members with regard to;

a) Reviewing the Terms of Reference and political composition of the Overview and Scrutiny Board to ensure that all of the individual Chairs of the six Scrutiny Panels had a seat on the Board.

b) Temporarily revise the Council's Filming Council Meetings protocol due to Covid-19 and the implementation of remote meetings.

c) Adding a section on the appointment of chairs and votes of no confidence as the Constitution was currently silent on these issues. And deleting the references at paragraph 21(f) and 57(b) of the Council procedure rules.

Consideration needed to be given to these matters by the Committee prior to seeking approval from Full Council.

In respect of the proposals regarding the political composition of the Overview and Scrutiny Board the report highlighted that up until the last elections which took place in May 2019, there had been a large majority in favour of one political party, and, as a consequence, because of political balance, almost all Chairs of the Council's Scrutiny Panels were taken up by members of that political party. Following the elections and change in political balance, which was very close, this did not always allow all of those members elected as a Scrutiny Panel Chair to automatically have a seat on the Board.

It was advised that a number of different scenarios had been considered, including changing the number of members on the Board. However, this would still not always allow for all of the Scrutiny Panel Chairs to be a member. One option that could be considered was for all the Chairs of the individual Scrutiny Panel's to become Ex Officio Voting members of the Board (an obligation or privilege a person has, by virtue of their position, to serve on a board or committee). This would ensure that all Scrutiny Chairs were automatically afforded a seat on the Board. The remaining seats could then be allocated, according to political balance. The Chair of the Overview and scrutiny Board has been consulted and was in agreement with the proposed solution.

Following discussion Members agreed that the proposal should be taken to forward to Full

Council for approval.

Reference was made to the Filming Council Meeting Protocol which had previously agreed by the Committee but not yet approved by Council. It was advised that the Protocol had primarily been developed to provide advice on the processes for press and public when attending public meetings in person. However, due to Covid-19 all public Council and Committee meetings were currently being live streamed online and members of the public could access the meetings through the Council's Facebook or Youtube site. Therefore filming/recording was not carried out in a way that could disrupt Council meetings. However, there were some elements that still remained relevant and would advise the public of current procedures for remote meetings. A revised protocol to deal with the live streaming of meetings was provided at Appendix 2 of the report for Members' consideration.

Following discussion Members agreed that the revised protocol should be taken to forward to Full Council for approval.

With regard to the appointment of Chairs it was advised that due to major changes in political structures and the fluidity of group formation in the immediate period following the local elections in May 2019, it was decided, at least for that municipal year that the Chairs of committees and panels would be appointed at the first respective meetings following the AGM. Historically such appointments had taken place at the Council's AGM, However, there was currently a lack of information in the Constitution regarding the appointment of Chairs as well as the Constitution being silent on the point of votes of no confidence.

Desktop research had been carried out in respect of the approaches adopted by other local authorities and proposed additions / amendments for consideration by the Committee were attached at Appendix 3 to the report. It was also proposed that references at paragraph 21(f) and 57(b) of the Council Procedure Rules be deleted as there could be occasions where the conduct of a member/chair could impact on the Council or the ability of a committees/panels to run effectively.

Following discussion Members agreed that the proposed additions / amendments should be taken to forward to Full Council for approval.

AGREED that the Committee endorsed the proposed amendments to the following provisions within the Constitution:-

- a) Make-up of the Overview and Scrutiny Board
- b) Council's Filming / Livestreaming Protocol
- c) Chairing and Votes of No Confidence

And that these be forwarded to Full Council for approval.

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COUNCIL PROCEDURE RULES

The Head of Democratic Services advised that she was currently in the process of reviewing some of the Council Procedure Rules, as some needed to be amended. It was advised that the Procedure Rules were there to help Members and if there were any specific areas that Members wanted to review then this could be undertaken by the Committee. Following discussion it was agreed that an all Members' Briefing on the Council Procedure Rules would be arranged to update Members on the current procedures and highlight areas where changes could be made.

AGREED that an all Members' Briefing on Council Procedure Rules be arranged.