

CONSTITUTION FOCUS GROUP

MINUTES OF THE CONSTITUTION FOCUS GROUP MEETING HELD ON 3 DECEMBER 2014 AT NORTH WILTSHIRE ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Jon Hubbard, Cllr Julian Johnson, Cllr Helen Osborn, Cllr Jeff Osborn and Cllr Stuart Wheeler (Chairman)

34 **Apologies**

Apologies were received from Councillor Ernie Clark, Miss Pam Turner and Mr Paul Neale.

35 **Minutes of the Previous Meeting**

The minutes of the meeting held on 28 May 2014 were presented for consideration and it was,

Resolved:

To APPROVE as a true and correct record and sign the minutes.

36 **Review of Part 3: Responsibility for Function and Schemes of Delegation**

The Monitoring Officer presented a report on proposed changes to Part 3 of the Constitution in relation to election of Area Board Chairmen and Cabinet Member representation on Area Boards which did not have a Cabinet Member as a standing Member, following a request from Council on 29 July 2014 for the details to be clarified further.

One issue was the election of a Chairman in a unitary election year where an equality of votes occurred. It was also necessary to clarify what should happen if both Chairman and Vice-Chairman were nominated to be the Chairman for the forthcoming year.

The Focus Group considered that the process should be kept as simple as possible. . and determined that the Democratic Services Officer present should preside over the election in each year, drawing lots in the event of an equality of votes.

Regarding Cabinet Member representation on Area Boards the rules should be amended to clarify that a Cabinet Member would attend an area board meeting upon request reflecting current practice as well as the commitment of Cabinet Members to attend if so requested.

Resolved:

To advise the Standards Committee to recommend Council to adopt the proposed amendments to Part 3 of the Constitution as contained at Appendix 1 to these minutes.

37

Review of Protocol 7: Media Relations and Protocol 1: Briefing and Information for Local Councillors

The Monitoring Officer presented a draft revised Protocol 7- Media Protocol - and sought the views of the Focus Group on proposed additions to take into account the increased relevance and impact of Webcasting and Social Media policies for Members, as well as whether or not Protocol 1 - Briefing and Information for Local Councillors - should be incorporated within the same protocol.

The Focus Group considered the guidance on Webcasting which had been provided to Members ahead of the meeting of Council in October 2014 when the Council first utilized its Webcasting system, and the change in legislation which meant that members of the public have the right to record public meetings.. It was noted that although it would be advisable for those wishing to record a meeting to speak to council officers beforehand in case any practical arrangements or special requirements are needed, this could only be advisory.

Members wished to include safeguards within the guidance on webcasting to ensure that the chairman's power to suspend or terminate recording was exercised appropriately and that the interests of vulnerable persons were protected. . When considering the Social Media policy the Focus Group stated that much of it applied to officers only rather than also Members, and that provisions relating to restriction of content of blogs and posts should be confirmed to only apply to Wiltshire Council maintained social media. It was requested an updated and more member specific policy be brought back to the Focus Group, to also include reference to the behaviours framework.

The Focus Group further determined that Protocol 1 and Protocol 7 should remain separate protocols.

Resolved:

To amend Protocol 7 and Protocol 1 taking account of the comments of the Focus Group, to be approved at the next meeting.

38 **Review of Part 4: Rules of Procedure**

The Monitoring Officer presented a report on proposed amendments to Part 4 of the Constitution. The changes would be made under the delegated authority of the Monitoring Officer under Article 15.3 of Part 2 of the Constitution.

It was explained the amendments would be to ensure consistency with the rest of the Constitution and to correct cross referencing errors. The main changes would be to clarify the minimum quorum for committees to be three voting members and move the paragraph detailing which sections applied to which committees of the council to the front of the document.

The Focus Group also noted the paragraphs in relation to an annual 'State of Wiltshire' debate, which had not taken place for many years. It was recognised that this had largely been superseded by the council's consideration of the Business Plan, although this did not encompass all matters that were envisaged by a State of Wiltshire debate.. Prior to any changes being recommended to those paragraphs, it was requested the views of Group Leaders should be sought.

An amendment was also requested to ensure that a Chairman would be obliged to count members to determine if a meeting was inquorate.

Resolved:

To note the proposed changes to Part 4 of the Constitution as detailed in the report, and to refer the sections on the 'State of Wiltshire' debate to Group Leaders for consideration.

39 **Forward Plan and Date of Next Meeting**

The Forward Plan and date of the next meeting as 7 January 2015 was noted.

40 **Urgent Items**

There were no urgent items.

(Duration of meeting: 2.15 - 3.30 pm)

The Officer who has produced these minutes is Kieran Elliott, of Democratic & Members' Services, direct line 01225 718504, e-mail kieran.elliott@wiltshire.gov.uk

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