

## **Agenda Item No**

Title:	<b>Looking at the Constitution</b>
Portfolio Holder:	<b>Councillor Sarah Content - Leader of Council</b>
Reporting Officer:	<b>Andrew Pate - Chief Executive</b>
Key Decision:	<b>No</b>

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### **Purpose**

To advise Cabinet about progress being achieved with the review of the Council's Constitution.

To seek views about the process and whether any changes to that process may be required.

### **Background**

A review of the Council's Constitution was arranged following an independent assessment of shortfalls in the existing Constitution. It has also been designed to take forward issues and concerns arising from a member working party which was in existence last year.

The review is now under way and the following activities have been completed:

- Council Seminar to explain the rationale for the review and to provide background information relating to best practice.
- The drafting of substantial parts of the new Constitution.
- An initial period of consultation with all members based on the initial draft.
- Clarification of a timetable to complete the review process.

### **Timetable**

The timetable for the review has been publicised in Members Information. A few small changes to that timetable have had to be made during the review.

There are two notable changes:

- The Standards Committee meeting - to which all members will be invited - is now to take place at 7pm on 25 October 2005.
- Two briefings for group leaders have been arranged - 14 October at 9.15am and 28 September at 2pm

A complete summary of the timetable is attached. The process is scheduled to provide Council on 9 November with the ability to approve a new Constitution.

## **Key Issues**

Cabinet needs to form a view about whether adequate progress is being achieved and whether the timetable and process set out above is satisfactory.

- There has been a limited response to the consultation with six members responding. The nature of those responses has been very constructive and centres around a limited number of issues, notably: substitutions, Planning Committee and Scheme of Delegation, Scrutiny Committee, Plain English, Definitions, procedures for further reviews of the Constitution as required, and a range of detailed matters.
- The intention is to highlight the key issues for discussion with group leaders. In addition it is likely that a limited range of choices will be identified to address the issues. If group leaders are not of one view, the level of response to date suggests that it will be possible to highlight a small number of choices for Council to vote upon.

The next draft of the Constitution is due to be completed by 28 September. This will be followed by another period of consultation.

All of the consultation comments will be summarised for the Standards Committee. All members will be invited to that Committee. It is hoped by that stage that group leaders will be able to represent the views held by individual members.

The role of the Standards Committee will be to:

- Ensure that previous difficulties with the Constitution have been overcome with the new draft.
- Comment on the process for reviewing the Constitution.
- Comment on its own role.
- Be satisfied that best practice is properly being taken into account with discretion being appropriately applied to reflect the views of local members.

The role of the Standards Committee will not be to provide a range of recommendations about the content of the Constitution - the exception being in respect of its own functions.

## **Recommendations**

The Cabinet is recommended to:

- Note the process and timetable for reviewing the Council's Constitution together with progress to date.
- Comment on the review process and whether any changes are required.

Councillor Sarah Content  
**Leader of the Council**

Andrew Pate  
**Chief Executive**

## Constitution Review Timetable

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|--|--------|--------------|
| ▪ Issue of draft constitution and consultation report (1st instalment only)  |        | 1 September  |
| ▪ Member comments (on draft constitution and consultation report) to be submitted to Suzie Stanier in Member Support | by     | 14 September |
| ▪ Group Leaders' Meeting with PKL, Andrew and Yamina   | 2pm    | 28 September |
| ▪ Issue of draft constitution (final instalment)   | by     | 28 September |
| ▪ Cabinet to review progress (including project management but not the substance of the constitution)                | 7pm    | 28 September |
| ▪ Member comments (on final instalment of draft constitution) to be submitted to Suzie Stanier in Member Support     | by     | 10 October   |
| ▪ Group Leaders' Meeting with PKL  | 9.15am | 14 October   |
| ▪ Standards Committee meeting (to make recommendations to Council - all members to be invited)                       | 7pm    | 25 October   |
| ▪ Despatch of Council agenda   |        | 1 November   |
| ▪ Adoption of new Constitution by Council  | 7pm    | 9 November   |