

Constitution review –Schedule of Recommendations

	Joint Constitution Review Group Recommendations	Feedback and Comments from Members and Joint Leadership Team	Joint Constitution Review Group Responses (items for noting are in <i>italics</i>)	Final Recommendations (changes to original recommendations are in <i>bold italics</i>)
1.	Meetings			
1.1	<p>Terms of Reference should be signed off by either Cabinet or Council but committees can propose any changes to their TORs.</p> <p>Committees should have freedom over their ways of working including the timings of meetings.</p>	<p>Should it be clear whether it is cabinet or council, so as not to be ambiguous? Will it vary according to committee or will the JCRG recommend one or the other?</p> <p>What input will officers have to this and how will the public be made aware?</p>	<p>This will depend on whether the committee is appointed by the Cabinet or by the Council.</p> <p><i>Members and the public would be informed about timings of meetings in the usual way.</i></p>	<p>Terms of Reference should be signed off by either Cabinet or Council <i>where appropriate</i> but committees can propose any changes to their TORs.</p> <p>Committees should have freedom over their ways of working including the timings of meetings.</p>
1.2	<p>Recommend that each Chairman remains 'in post' until the first meeting of the new civic year.</p>	<p>What flexibility is there for someone who is taken ill or has a change in circumstances?</p>	<p>The Vice Chairman can stand in or a temporary Chairman appointed as required.</p>	<p>Recommend that each Chairman <i>and Vice Chairman</i> remains 'in post' until the first meeting of the new civic year. <i>[Except for those committees whose Chairmen and VCs are appointed at the Annual Meeting]</i></p>
1.3	<p>It is recommended that public speaking/questions be allowed at all open meetings. The proposed procedure for all meetings EXCEPT Full Council and Regulatory committees is:</p>		<p>No changes required.</p>	<p>It is recommended that public speaking/questions be allowed at all open meetings. The proposed procedure for all meetings EXCEPT Full Council and Regulatory committees is:</p>

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	<ul style="list-style-type: none"> • Speakers must register at least 15 minutes before start time of meeting • Indicate which agenda item they wish to speak on • 3 minutes limit per question/statement • Overall time limit of 15 minutes – Chairman <u>may</u> use his/her discretion to extend this time period • 1 question/statement per person (but can ask supplementary if 3 minutes has not been exceeded) • If there has not been sufficient notice to enable the question to be answered at the time, a written answer shall be provided <p>Councillors who are not committee members should, as a matter of courtesy, indicate to the Chairman of the committee in advance that they wish to speak on a particular agenda item but their speaking rights will not</p>	<p>Will there be any Chair’s discretion for people who just turn up and have urgent questions?</p> <p>Sometimes something arises in the meeting which triggers a question – how is this dealt with?</p>	<p>No changes required – the group concluded that asking speakers to register 15 minutes prior to the start time of the meeting was reasonable. No changes required.</p> <p>No changes required.</p> <p>No changes required.</p> <p>No changes required.</p> <p>No changes required.</p> <p>Members speaking rights would not be limited to those of the public. The Chairman would be expected to permit a Member to ask a further question if they wish to do so.</p>	<ul style="list-style-type: none"> • Speakers must register at least 15 minutes before start time of meeting • Indicate which agenda item they wish to speak on • 3 minutes limit per question/statement • Overall time limit of 15 minutes – Chairman <u>may</u> use his/her discretion to extend this time period • 1 question/statement per person (but can ask supplementary if 3 minutes has not been exceeded) • If there has not been sufficient notice to enable the question to be answered at the time, a written answer shall be provided <p>No recommendation.</p>

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	be limited to those of the public.			
1.4	Last agenda item is to confirm the date of the next meeting – this could be extended to include any proposals for future agenda items.		No changes required.	Last agenda item is to confirm the date of the next meeting – this could be extended to include any proposals for future agenda items.
1.5	<p>Recommended, subject to:</p> <ul style="list-style-type: none"> • DCC papers still to be provided in hard copy; • training for all councillors in May/June 2015; • thorough testing of technology to ensure it is robust; <p>Paper copies to be available for the public at meetings, but we will actively promote the modern.gov app allowing them to access papers electronically.</p>	<p>What happens if the laptop/ipad goes down and you can't access papers? I personally prefer to write on a hard copy and refer during the meeting. Also what happens if there is a late paper?</p>	<p>No changes to Recommendations</p> <p>Members may print committee papers if they wish to do so. Late papers would be available electronically in the same way as agendas.</p> <p><i>Noted.</i></p>	<p>Recommended, subject to:</p> <ul style="list-style-type: none"> • DCC papers still to be provided in hard copy; • training for all councillors in May/June 2015; • thorough testing of technology to ensure it is robust; <p>No recommendation.</p>
2. How we exercise our functions				
2.1	Unless a decision is required urgently, matters discussed at informal Cabinet briefings shall be referred to the appropriate scrutiny committee for consideration		No changes required.	Unless a decision is required urgently, matters discussed at informal Cabinet briefings shall be referred to the appropriate scrutiny committee for consideration

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	<p>before a recommendation is made to Cabinet/Council.</p> <p>Democratic Services co-ordinate the timings of meetings to allow items discussed at Cabinet briefings to then be considered by a committee (normally a scrutiny committee) before being formally referred to Cabinet.</p>	<p>This could be difficult – even more so if there is more flexibility over timings/dates</p>	<p><i>Officers would use reasonable endeavours to timetable meetings to give effect to this.</i></p>	<p>before a recommendation is made to Cabinet/Council.</p> <p>Democratic Services co-ordinate the timings of meetings to allow items discussed at Cabinet briefings to then be considered by a committee (normally a scrutiny committee) before being formally referred to Cabinet.</p>
2.2	<p>Having openness about, and early notification of, future business, especially items that are not for the decisions plan, subject to</p> <ul style="list-style-type: none"> • clarity about, and emphasis on the importance of, maintaining confidentiality • making best use of new committee system so forthcoming business is as accessible as possible 	<p>There needs to be training on exactly what constitutes confidentiality and how emails are dealt with when passing on.</p>	<p><i>Noted and this will be included in Member Induction Training.</i></p> <p>No changes required.</p>	<p>Having openness about, and early notification of, future business, especially items that are not for the decisions plan, subject to</p> <ul style="list-style-type: none"> • clarity about, and emphasis on the importance of, maintaining confidentiality • making best use of new committee system so forthcoming business is as accessible as possible
2.3	<p>Recommend that delegations to officers of specific tasks allow flexibility to achieve the aim subject to:</p> <ul style="list-style-type: none"> • Keeping within budget (to 	<p>Should this include 'in consultation with the S151 officer'? Also this should refer to the overall budget not just individual service area</p>	<p>See changes.</p>	<p>Recommend that delegations to officers of specific tasks allow flexibility to achieve the aim subject to:</p> <ul style="list-style-type: none"> • Keeping within budget (to

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	<p>be defined)</p> <ul style="list-style-type: none"> Keeping PHs informed. 	<p>budgets.</p>		<p>be defined <i>in the report</i>)</p> <ul style="list-style-type: none"> Keeping PHs informed <i>Consultation with the S151 Officer</i>
2.4	<p>Recommend that for consistency, PHs at both authorities should have powers to make decisions individually, subject to:-</p> <ul style="list-style-type: none"> this being exceptional and within defined parameters PHs must consult with member of Leadership Team and or Leader of Council before exercising this power. 	<p>Not clear on this – doesn't this remove the need for PHs?</p>	<p>No – this is referring to PHs making a decision and therefore does not remove the need for PHs.</p>	<p>Recommend that for consistency, PHs at both authorities should have powers to make decisions individually, subject to:-</p> <ul style="list-style-type: none"> this being exceptional and within defined parameters PHs must consult with member of Leadership Team and or Leader of Council before exercising this power.
3.	Making decisions and holding the Executive to account			
3.1	<p>Recommended, subject to</p> <ul style="list-style-type: none"> This being a scheduled agenda item Each PH to attend at least once per year on a rotational basis PH to attend appropriate scrutiny committee dependent on Portfolio 	<p>What happens when a PH is on another committee or on SCC business or TC business?</p> <p>Ensure this is linked to the removal of PH reports at SEBC.</p>	<p><i>A programme for PHs to attend appropriate scrutiny committee meetings would be scheduled in advance and would take into consideration the availability of a PH.</i></p> <p><i>Noted.</i></p>	<p>Recommended, subject to</p> <ul style="list-style-type: none"> This being a scheduled agenda item Each PH to attend at least once per year on a rotational basis PH to attend appropriate scrutiny committee dependent on Portfolio

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3.2	The PH will answer questions from members at the scrutiny committee.	Are they given prior notice of the questions?	<i>This would not be a requirement. The PH can always offer to provide a written answer if it is not possible to answer at the meeting.</i>	The PH will answer questions from members at the scrutiny committee.
3.3	Officers to be reminded that anything that is sent to Parish Clerks should also be copied to relevant Ward members.		<i>Noted.</i>	No recommendation.
3.4	Recommend that Cabinet hold regular 'open forums' for questions and discussions for 15 minutes at the beginning of each Cabinet meeting.	Do we want notice of questions or make references to written answers if appropriate?	<i>The 'open forum' would be an agenda item but notice of questions would not be required.</i>	Recommend that Cabinet hold <i>regular</i> 'open forums' for questions and discussions for <i>up to</i> 15 minutes at the beginning of each Cabinet meeting.
3.5	Recommend as good practice that more use should be made of Task and Finish groups to go into detail before recommendations are put to Cabinet.		<i>Noted.</i>	Recommend as good practice that more use should be made of Task and Finish groups to go into detail before recommendations are put to Cabinet.
3.6	Recommend that there are properly constituted Joint Scrutiny Meetings that are able to look at joint issues.		No changes required.	Recommend that there are properly constituted Joint Scrutiny Meetings that are able to look at joint issues.

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	There should also be provision to hold Joint Cabinet meetings that are able to take collective decisions.			There should also be provision to hold Joint Cabinet meetings that are able to take collective decisions.
4. Full Council				
4.1	Recommendation: <ul style="list-style-type: none"> • Dispense with PH reports and start each meeting with Leader’s report on which members can ask questions. • A limit of 5 minutes for each question to be asked and answered, with a supplementary if there is time • Overall time limit of 30 minutes • PHs can answer if appropriate 	I welcome the opportunity to be questioned on my PH report and find it a good way to engage the wider council members but if the feeling is that they are not working then I will go with the majority.	If the proposal that PHs attend Scrutiny to be questioned on their portfolios is accepted, this will be a more effective way of holding them to account. No changes required. No changes required. No changes required.	Recommendation: <ul style="list-style-type: none"> • Dispense with PH reports and start each meeting with Leader’s report on which members can ask questions. • A limit of 5 minutes for each question to be asked and answered, with a supplementary if there is time • Overall time limit of 30 minutes • PHs can answer if appropriate
4.2	Public questions to follow Leader’s report. Procedure to be as follows: <ul style="list-style-type: none"> • Retain time limits of 5 minutes per question, 30 minutes overall 	Is there now a limit on questions from one person, or is this not possible?	Yes this is part of the recommendation. No changes required.	Public questions to follow Leader’s report. Procedure to be as follows: <ul style="list-style-type: none"> • Retain time limits of 5 minutes per question, 30 minutes overall

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	<ul style="list-style-type: none"> • Publish any questions that are answered in writing on the intranet and website • Public questions should not be limited to agenda items • One question per person Meeting layouts to be reviewed both to consider public speaking and to ensure access to sufficient power sockets for members' tablets/laptops.	This needs to include testing for wi-fi connections.	No changes required. No changes required. No changes required. <i>Officers will keep the practical issues under review.</i>	<ul style="list-style-type: none"> • Publish any questions that are answered in writing on the intranet and website • Public questions should not be limited to agenda items • One question per person Meeting layouts to be reviewed both to consider public speaking and to ensure access to sufficient power sockets for members' tablets/laptops.
4.3	Instead of going through all minutes, FHDC full Council receive a 'Referrals Report' containing recommendations from Cabinet/Committees, which can reference the full reports where required.	Is this to be adopted in the same way at SEBC?	Yes. No changes required.	Instead of going through all minutes, FHDC full Council receive a 'Referrals Report' containing recommendations from Cabinet/Committees, which can reference the full reports where required.
4.4	Questions and motions by members to be at the end of the agenda.	Again if these are issues where the public are concerned they would have to sit through the whole meeting before this is aired.	However the agenda is configured, there may be occasions when items of public interest are at the end. If the recommendation to remove PH reports from SEBC Council agenda is accepted, meetings should be shorter. No changes required.	Questions and motions by members to be at the end of the agenda.

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	These should be limited to one each per member per meeting.	Why?	This is not considered unduly restrictive. It would be up to a member to ask another member to put his/her second or subsequent motion/question.	These should be limited to one each per member per meeting.