

Constitution Working Group

Held at:	Remote meeting (Zoom)
Date	Tuesday, 26 September 2023
Present	Councillors Mrs Jennifer Hollingsbee, *Jim Martin, Connor McConville, Tim Prater and Paul Thomas
Apologies for Absence	None.
Officers Present:	Jake Hamilton (Committee Services Officer), Ellen Joyce (Democratic Services Trainee), Amandeep Khroud (Assistant Director), *Susan Priest (Chief Executive), Kirsty Roberts and Jemma West (Democratic Services Senior Specialist)
Others Present:	Philip McCourt (Bevan Brittan)
	* For part of the meeting

1. **Declarations of interest**

There were no declarations of interest at the meeting.

2. **Structure of the new Committee governance arrangements**

The Assistant Director of Governance and Law advised that a webpage had been created on the council's website, including information about the change in the council's governance arrangements. The webpage would be updated as things progressed.

She also added that at Full Council the previous week, it had been agreed to extend the term of the existing IRP Members, and recruit an additional IRP Member. The IRP would be convened later in the year to consider and make recommendations on a new allowances scheme for Members.

Phillip McCourt then gave a presentation setting out the proposed structure of the new committee system, and listing the functions for each of the two proposed service committees. He advised that it was down to Members to decide how the functions were to be divided up between service committees. The presentation also included a draft role description for the spokesperson

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role. He also outlined the three further documents, relating to the process for referring a decision to a committee, a rescission process, and an outline of a key decision/forward plan process.

Members of the Working Group commented on various issues, and the following points were discussed:

- Would the proposed structure slow down decision making?
- The Planning and Audit and Governance Committees would remain separate, as per current arrangements.
- A two service committee system would enable the pool of members involved in decision making to be widened. With two committees made up of 12 Members, this would give 24 out of the 30 members an opportunity for input into decision making.
- The proposed split of functions seemed sensible, and the Communities Committee should have a Housing Sub-Committee.
- Business relating to Oportunitas and Otterpool Park LLP would be considered at the Shareholder Sub-Committee, which was considered good governance.
- It was preferable that there be no double handling of items between committees, and therefore vital that there was clarity as to what items needed to go to which committees. This could delay decision making and cause confusion with officers.
- It would be possible for Members to be part of both service committees.
- It was important that there was no ability for committees to keep 'recycling' items, and could only be referred to Council once. There should also be an urgency provision built into any ability to call items in.
- A rescission process was useful, but the criteria should be set high, ie 50% of the Council and cross party, to ensure it could only be used in exceptional circumstances.
- What powers did the Leader have?

Phillip McCourt added the following points:

- Having a set financial threshold for which items would automatically go to the Resources Committee would allow clear parameters for decision making.
- An agreement as to the final structure and terms of reference for each committee needed to be reached within the next two months, but there was still time to make changes at present. Working Group Members would be expected to discuss the proposed structures within their political groups, and feedback to the Working Group for the final agreement.
- The referral and rescission processes both contained provisions for urgency.
- Few authorities in a committee system had a provision for rescission of decisions.
- The Leaders role was as a consultee.

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The Assistant Director of Governance and Law asked that Members feedback their views on the proposed structure. She also gave apologies for the fact that the papers for the meeting had not been provided to the Working Group until the day of the meeting, and advised that papers would be circulated in sufficient time prior to the next meeting.