

Constitution Working Group

Held at:	Zoom – remote meeting
Date	Monday, 18 December 2023
Present	Councillors Mrs Jennifer Hollingsbee, Jim Martin, Connor McConville, Tim Prater and Paul Thomas
Apologies for Absence	None
Officers Present:	Amandeep Khroud (Assistant Director), Susan Priest (Chief Executive), Jane Walker (Communications & Engagement Senior Specialist) and Jemma West (Democratic Services Senior Specialist)
Others Present:	David Kitson, Bevan Brittan.

1. **Declarations of interest**

There were no declarations of interest at the meeting.

2. **Minutes**

The minutes of the meeting held on 15 November 2023 were agreed as a true record of the meeting.

3. **Discussion led by David Kitson of Bevan Brittan**

David introduced his presentation which set out the issues outstanding from the previous meeting of the group. It also sought feedback following the Member Briefing which had taken place the previous week.

Feedback from the Member briefing

Members made points including the following:

- Some Members had raised concerns about agreeing something so big, with such tight time scales. More time might be needed to brief Members and get them on board with the arrangements.
- More member participation would be useful.
- The timescale was very tight.

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- It was important to ensure all members were comfortable with the proposals.
- The detail was not written yet, which made it difficult to answer some questions raised by Members.
- Could a further briefing be held, in person? It would be useful to demonstrate how the new arrangements would work.

David responded to some of the points raised and made points including the following:

- Members could have input into the structure via the members of this working group.
- It was important to gain member support and understanding, but this would take time.

The Chief Executive and the Assistant Director of Governance and Law both also made points including the following:

- In terms of timelines, the change would need to be agreed by Audit and Governance on 15 March, who would then make recommendations to Full Council in April. The report for A&G would need to be finalised by the end of February in order to meet the publication date of 7 March.
- It was important to better understanding what more needed to be covered in a further all member briefing.

It was agreed that a further member briefing would be scheduled, in person. Members were asked to give further input in respect of what needed to be covered at that briefing.

Thresholds

Members commented on various issues including the following:

- How would the arrangements work in terms of the budgets?
- In terms of the first tier officer decision making, could these decisions be in consultation with the Chair and S151 officer?
- In respect of the criteria around 'are likely to be significant in terms of their effects on communities living or working in an area comprising two or more wards or electoral divisions in the Council's area', would any consultation be required around deciding the significance of an item?

David responded to some of the issues raised by Members and made points including the following:

- Decisions within the agreed budget would be reviewed by the Resources Committee, who would then make recommendations to Council if necessary, unless the matter was delegated to officers. If the amount required was above the agreed budget amount, Council would need to approve the decision.

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- In terms of officer decision making (relating to key decisions), it could be written in the constitution that officers should consult with the Chair and S151 prior to making the decision. Such decisions could also be reported back to the Committee.
- In respect of the significance of a decision, there would be an expectation that the officer would speak to Chair to discuss how the item meets this criteria, or not as the case may be.

Subject to the clarifications referred to above, the thresholds were agreed by the Working Group Members.

Role of the Chair

David introduced his slide which set out the draft description of the role of the Chair. Members made points including the following:

- It was for the Working Group Members to determine the direction, and then educate other Members of the council.
- Clarity was needed around how the workload would be shared with the Vice-Chair of the Committees.
- Further detail needed to be included in the constitution regarding the creation of task and finish groups.

Consultation

David introduced his slide around options for consulting with the public.

Members made points including the following:

- Consultation was vital, but did not need to be elaborate.
- It would be useful to gain feedback from the public on how they might have input into items to be considered by Committees, and the potential for including a question and answer item at committee meetings.
- The consultation could be held on-line and conclude in a public meeting towards the end of January, with other Councillors in attendance also.

It was agreed that a Working Group meeting be scheduled for early January in order to consider the content of a Member Briefing, and the scope and nature of the consultation, including the community event.

The Chief Executive asked the Group Members to continue to keep the profile of this work high within their political groups and to continue to feed in questions so that they can be addressed.