

COUNCIL – 24 MAY 2011

PROPOSED AMENDMENTS TO THE CONSTITUTION

Report of the: Leader of the Council

Status: For decision

Executive Summary: This report by the Leader of the Council proposes that the Council adopts changes to the Constitution relating to the Chairmanship and Vice-Chairmanship of the Performance and Governance Committee and the Select Committees in recognition of the current dynamics of the membership of the Council. The Leader further proposes that the oversight of the Council's Constitution should, in future, be carried out by the Modern Local Government Group and by the Council.

Portfolio Holder Cllr. P Fleming

Recommendations: It be RESOLVED

- (a) that the provisions contained in paragraphs 3.1 and 3.2 of Part 6 of the Constitution and paragraphs 5.7 and 5.8 of Part 5 of the Constitution relating to the Chairmanship and Vice-Chairmanship of the Performance & Governance Committee and the Select Committees be deleted for the reasons outlined in the report.
 - (b) that paragraph 4(h) of Part 6 of the Constitution be deleted to remove the overview of the Council's Constitution from the remit of the Performance and Governance Committee to avoid duplication with the role of the Modern Local Government Group; and
 - (c) that paragraph 4(a) of Part 6 of the Constitution be deleted as there is no longer a need to consider the Comprehensive Area Assessment self-improvement plan.
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Background

- 1 The Council's Constitution currently contains the following provisions relating to Chairmanship and Vice-Chairmanship of the Performance and Governance Committee and of the Select Committees:

Performance and Governance Committee (Part 6 of the Constitution)

“3.1. The Performance and Governance Committee may be chaired by a Member from the political group (or groups) represented on the Cabinet.

3.2. Where more than one political group is represented on the Council, the Vice-Chairmanship of the Committee will be chosen from a political group other than that of the Chairman”

Select Committees (Part 5 of the Constitution)

“ 5.7 One Select Committee may be chaired by a Member from the group (or groups) represented on the Cabinet but the other Select Committees shall be chaired by a member from the group (or groups) not represented on the Cabinet.

5.8 The Vice-Chairman of any Select Committee will be chosen from a group not represented on the Cabinet if the chairman is from such a group and vice versa”

2 Following the recent elections it is felt that the requirements of the Constitution relating to these committee chairmanships needs to better reflect the dynamics and membership of the new Council both on the grounds of equity and the capacity of members to serve in these roles. In view of this I have consulted the Leaders of the Opposition Groups over proposals to amend the current arrangements by deleting these provisions from the Constitution. With the agreement of the Council I propose to offer the Chairmanship of the Performance and Governance Committee to the Labour Group and the Vice-Chairmanship to the Liberal Democrat Group for the coming year. I further propose that the Chairmanship and Vice-Chairmanship of the Select Committees should be open to all non-Cabinet members on the Council, including members of the Majority Group on the Council without further restriction.

3 To ensure the continuing integrity of the Constitution I am proposing to focus oversight of any future constitutional changes on the Modern Local Government Group by removing the overlap of responsibility for this with the Performance and Governance Committee and by including a member from the Labour and Liberal Democrat groups in the membership of the Modern Local Government Group. I further propose to delete references to the Comprehensive Area Assessment self improvement plan as the world has moved on since this was included in the Constitution.

Key Implications

Financial implications

4 None.

Legal, Human Rights etc.

5 None.

Impact on and Outcomes for the Community

6 None.

Sources of Information: The Council's Constitution