

MINUTES OF A MEETING OF THE CONSTITUTION COMMITTEE

WEDNESDAY, 13 APRIL 2022

Link to live stream:

<https://youtu.be/adVhei13Xtc>

Councillors Present: **Councillor Margaret Gordon in the Chair**

Councillor Ian Rathbone

Present virtually

Councillor Lynne Troughton

Apologies: Deputy Mayor Anntoinette Bramble and Councillor Simche Steinberger

Officers in Attendance: Lucinda Bell (Education Lawyer), Peter Gray (Governance Officer), Louise Humphreys (Head of Legal and Governance), Rabiya Khatun (Governance Officer), Dawn Cater- McDonald (The Director of Legal, Democratic and Electoral Services) and Nkencho Okonta (Trainee Solicitor).

1 **To elect a Chair**

1.1 Councillor Gordon was duly elected to chair the meeting.

2 **Apologies For Absence**

2.1 Apologies for absence were received on behalf of Deputy Mayor Bramble and Councillor Steinberger.

3 **Declarations of Interest - Members to declare as appropriate**

3.1 There were no declarations of interest at the meeting.

4 **Terms of Reference**

4.1 The Head of Legal and Governance introduced the terms of reference of the Constitution Committee.

4.2 In response to a query from a Member about the Committee having no decision making powers as set out in the terms of reference but a decision being sought within the report, the Head of Legal and Governance clarified that any formal

changes to the Constitution would have to be agreed by Full Council as the Council's decision making body and any decisions taken by this Committee would enable officers from the Constitution Working Officer Group (CWOG) to start the process of drafting the new Constitution.

- 4.3 The Head of Legal and Governance undertook to amend the terms of reference at the Council's annual meeting in May 2022 to clarify that the Constitution Committee had no decision making powers to approve the Constitution however, it could recommend any changes for approval to Full Council.

RESOLVED:

To note the Terms of Reference agreed by Full Council on 26th January 2022 subject to the amendment regarding decision making powers.

5 Constitution Refresh

- 5.1 The Head of Legal and Governance introduced the report seeking to agree the vision for the Constitution refresh, approve the proposed new format for the Constitution and the work programme.

- 5.2 The Head of Legal and Governance made the following points in response to questions from Members in relation to the report:

- Officers from the CWOG would be working closely with colleagues in the ICT and Website teams to ensure that the new Constitution was easily accessible online including for the visually impaired, user friendly with hyperlinks for easy navigation and new Sections providing additional information and greater clarity. A whole document would also be available for those users that accessed documents in different ways. The Council would be applying for a Crystal mark accreditation for the final document to ensure it met the standards for clarity of the document;
- With regard to the proposed new section for public participation, this section would detail how the public could communicate with the Council on issues such as deputations, petitions and public speaking. It was important that members of the public had information clearly outlining the process on how to submit petitions etc. The CWOG would be undertaking a more broader exercise reviewing information to ensure that the Council was provided relevant information to take forward deputations or residents' questions as well as considering the best approach for submitting information either by form or email;
- In terms of the Council's public sector equality duty, the CWOG would be seeking advice throughout the process to ensure compliance with this duty and equality impact assessments would be undertaken for relevant sections. In response to a request from the Chair, it was agreed that a note would be appended on future agendas to remind Members to consider the equalities impact assessment in relation to the Council's policies, equalities, anti-racism and poverty;
ACTION: The Head of Legal and Governance undertook to append a note on equality impact assessment on future agendas.
- The Director of Legal, Democratic and Electoral Services undertook to liaise with the Head of Policy and Strategic Delivery and Head of Scrutiny and Ward Forums following concerns expressed that some Members were

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replacing Ward Forums meetings that focused on issues within a Ward with Residents' meetings that concentrated on a single issue and a request to review Ward Forums to ensure residents understood how these meetings operated and interacted, setting frequency of meetings annually and the resources available to minute future meetings;

ACTION: The Director of Legal, Democratic and Electoral Services to liaise with the Head of Policy and Strategic Delivery and Head of Scrutiny and Ward Forums to review Ward Forums at the next meeting.

- The CWOG would be engaging and consulting with relevant officers, senior officers, Committees and Scrutiny Panels when reviewing specific sections of the Constitution to ensure a wide range of opinions were being sought and stakeholders could contribute to the process. For example when the planning code of practice was being refreshed, consultation was undertaken with planning officers, Corporate Committee and Planning Sub-Committee. It was currently envisaged that there would be no major changes to Scrutiny Panels;
- Information regarding the call-in procedure would be outlined in a new section to make it easier for Members to understand the process including being able to meet with the relevant Cabinet Member before calling in an executive decision; and
- As part of the CWOG's work in improving and enhancing the current Constitution, when officers were drafting and revising elements of it they were also comparing the changes with comparable local authorities in areas such as phraseology as well identifying the positive and negative elements.

5.3 Members thanked officers for starting their work on drafting the new Constitution and emphasised that the focus should be on the process.

RESOLVED to:

- 1. Endorse the vision for the Constitution refresh.**
- 2. Approve the proposed format for the Constitution, subject to any amendments following discussions at the meeting.**
- 3. Approve the work programme set out at Appendix 3.**

6 Any Other Business Which In The Opinion Of The Chair Is Urgent

6.1 There was no other urgent business considered at the meeting.

Duration of the meeting: 5.30 - 6.13 pm