

Audit and Governance Committee

Dorset County Council



Date of Meeting	20 January 2017
Officer	Monitoring Officer
Subject of Report	Constitutional Changes
Executive Summary	<p>The Constitution is a living document and is updated from time to time. The Audit and Governance Committee has a specific role in commenting upon proposed changes to the Constitution prior to consideration by the full Council.</p> <p>This report proposes changes which have arisen for consideration by the County Council at its meeting on 16 February 2017.</p>
Impact Assessment:	<u>Equalities Impact Assessment:</u> Not applicable
	<u>Use of Evidence:</u> Evidence is detailed throughout each section of the report to describe the reasons for suggested changes to the Constitution.
	<u>Budget:</u> There are no consequential budget implications as a result of this report.
	<u>Risk Assessment:</u> Having considered the risks associated with this decision, the level of risk has been identified as: Current Risk: LOW Residual Risk LOW
	<u>Other Implications:</u> Not applicable
Recommendation	That the Audit and Governance Committee recommend to the County Council that constitutional changes in relation to the arrangements for County Council meetings be approved.

Constitutional Changes

Reason for Recommendation	To contribute to the corporate aim to 'provide innovative and value for money services'.
Appendices	None
Background Papers	None
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- 1.1 The Constitution is a living document and is updated from time to time. The Audit and Governance Committee has a specific role in commenting upon proposed changes to the Constitution prior to consideration by the full Council.
- 1.2 This report proposes three changes which have arisen and will need to be considered by the County Council at its meeting on 21 July 2016. These are set out below:

Arrangements for County Council Meetings

- 2.1 County Council meetings operate in accordance with [Article 4 of the Constitution](#), which sets out the Policy Framework, Budget, Functions of the full Council, Council Meetings and Responsibilities for Functions.
- 2.2 In November 2013, the Council considered changes to County Council meetings following a Local Government Association Peer Review in July 2013 which reviewed a range of functions across the authority to help look at ourselves critically and learn how we can change into a radical and reforming council in line with the objectives of the Leader of the Council.
- 2.3 The action plan to implement recommendations highlighted in relation to member functions of the authority, including the arrangements for meetings of the full Council. These were:
- Development of a more business-like approach to meetings of the County Council.
 - Addition of a Leader of the Council item on all Council agendas to allow the Leader to address priority issues facing the Council which may not otherwise be included on the agenda.
 - Increased ability for public participation.
 - Committees to continue to report recommendations to the Council and minutes of the Cabinet and Overview and Scrutiny Committees to continue to be reported.
 - Question time for members of the Council would allow members to ask about Committee related issues arising from meetings not included on the agenda.

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2.4 The County Council has a good record of making changes to improve the way it operates. Following the changes above, the following model of operation was enhanced in:

- April 2015 with changes to the procedure for Notices of Motion.
- July 2015 and July 2016 with changes to the Petition Scheme.
- April 2016 with the introduction of new Overview and Scrutiny arrangements.

2.5 It is important that the Council should not lose momentum in taking forward improvements to the way in which it operates. As such there are a number of proposals below which aim to develop a more business-like approach identified in the Peer Review Action Plan and encourage debate on significant matters that the Council wish to consider. These are:

- Reporting of deaths of former members: to be mentioned as part of the Chairman's Announcements only and not to hold tributes to former members unless they were serving on the Council when they died. It is suggested that when deaths of historic members are reported to Democratic Services that an email notification is circulated to all members asking for any written tributes and these be sent on to the family and recorded in the County Council papers. This could enhance the current provision and save time at meetings.
- Notices of Motion be expanded to enable debate at Council meetings, with an adjustment to the deadlines to enable officers to prepare background briefing papers to be used as context at the meetings. This would enable significant strategic issues to be raised using this route, but consideration would need to be given to a criteria which identified and prioritised significant matters of debate. This would enable a more member led approach to debates at Council.
- Committees to continue to report recommendations to the Council and minutes of the Cabinet to continue to be reported, but not minutes of Overview and Scrutiny Committees. Links could be provided to the minutes for information only, and not for debate or questions. Alternatively, minutes to be provided to members in a different way, i.e. ensure subscriptions are managed through Mod.gov to share minutes as they are published with all members.
- Minutes of outside organisations of which the County Council have representation are largely not reported to the Council except for Dorset and Wiltshire Fire and Rescue Authority. Consideration could be given to removing these minutes from the Council agenda and providing more information to members outside of the Council meeting, or alternatively expanding this section of the agenda to provide a 'Partnership Brief' from the Fire Authority and other Partners e.g. Police and Crime Commissioner, CCG, NHS, etc on a rotational basis.
- The lunches for Council meetings are currently provided by Oh Crumbs at a cost of £4.50 per head for the buffet. Oh Crumbs is subsidised by the Council and is run by people with learning disabilities so there is a social value associated with continuing to use them. However, consideration could be given to an alternative provider. Chartwells, as the school meals provider, could provide a hot meal for £2 per head or buffet for £4 per head. Consideration could also be given to potentially reducing the number of times lunch is provided throughout the year.

2.6 Other potential developments to be investigated and costed for future consideration are:

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- Technology enhancements to enable proposals to be projected and amended live.
- Webcasting of meetings to be able to share meetings with a wider audience.
- Routine electronic voting, including recorded votes.
- Public consultation on items to be discussed at Council meetings, or to use Ask Dorset as a basis for debating the priorities identified.

2.7 Group Leaders and the Chairman of the Council considered the suggested changes above at their meeting on 3 November 2016, and made the following comments:

- Notices of Motion – Members discussed in detail the application of the current model for receiving motions at council, and the potential for the debate on motions at meetings instead of automatic referral to committees. The Leaders of the Liberal Democrat and Labour Groups expressed support for the current arrangements. However, recognition was given to the potential for flexibility to be included in the arrangements to be able to debate matters of strategic importance (to be determined by the Chairman and the Chief Executive).
- Minutes of Overview and Scrutiny Committees – It was acknowledged that recommendations from committees would continue to be made to Council, and members discussed the possible withdrawal of overview and scrutiny committee minutes from agendas. The Leader of the Liberal Democrat Group objected strongly to the removal of minutes from agendas as it was a really important democratic and political opportunity to review what had been happening and to raise comments in a public meeting.
- Partnership Updates – Members generally supported the exploration of brief partnership updates at Council meetings.
- Lunches after Council Meetings – All members supported the retention of 'Oh Crumbs' as the provider of buffet lunches following Council meetings.

2.8 In addition to the points raised above it was noted that:

- The ordering of items on the agenda could be made more flexible to ensure that opportunity to consider strategic and important items earlier on the agenda.
- Webcasting of meetings would be investigated as part of the aspirational redevelopment of committee rooms in due course, together with voting and audio solutions.
- Review the quality of projection equipment to be used for public meetings.
- Explore suggestions for alternative participation in meetings such as live texting.

2.9 The Audit and Governance Committee is asked to consider the proposed changes in the report, comments of the Group Leaders and Chairman of the Council, and to recommend changes through the constitutional review process (where applicable) for decision by the County Council in February 2017.