

Responses of the Governance Working Group to feedback from the Shadow Overview and Scrutiny Committee and from the Member Briefing and Workshop

	Issue raised	Response
	Issues raised at Shadow Overview and Scrutiny Meeting	
1.	The Monitoring Officer should not have power to correct issues relating to “uncertainty in interpretation” without some oversight.	<p>The draft Constitution has been amended in Article 15 to limit the power of the MO to correct issues relating to “uncertainty in interpretation”.</p> <p>The draft Constitution now requires these issues to be subject in all cases to prior consultation with the Leader and at least two Members, one of whom is an Executive Member and one who is a Chairman or Vice-Chairman of an Overview and Scrutiny Committee.</p>
2.	The Leader and Cabinet Executive was thought by some members to be unrepresentative	The Monitoring Officer has reviewed the Structural Changes Order and has confirmed that it requires that the Dorset Council Constitution must establish executive arrangements which follow the leader and cabinet executive model, within the meaning of section 9C(3) of the Local Government Act 2000.
3.	One member supported limiting powers of call-in to just one Overview and Scrutiny Committee	<p>This was reviewed by the Governance Working Group on 19 December.</p> <p>As drafted the Constitution gives each of the Overview and Scrutiny Committees the authority to review individual decisions and seek their Call In for reconsideration (as provided for in the Overview and Scrutiny Procedure Rules – Part <u>2</u> of this Constitution).</p> <p>The Working Group concluded that restricting call-in to a single overview and scrutiny committee would be too limiting on the powers of non-executive members.</p>
	Issues raised at member workshop	

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<p>4.</p>	<p>Members wished to be assured that the Constitution gives ward members the right to engage with the Executive.</p>	<p>The proposed Executive Procedure Rules were reviewed by the Governance Working Group on 19 December.</p> <p>The Working Group agreed that a change should be made to make it clear that other Members <u>including Ward Members</u> may speak at Executive meetings with the agreement of the Leader or person presiding in his/her absence.</p> <p>Beyond that change the Working Group was satisfied that as drafted the Executive Procedure rules give members wide ranging rights, including:</p> <p>4.2 (a) Any Member of the Council may ask the Leader to place an item of business which is about a matter for which the Council has a responsibility or which affects the area of the Council to be placed on the agenda of the next available meeting of the Executive for consideration. The Leader, or in his/her absence Deputy Leader, has a discretion to limit the number of such items of business at the meeting of the Executive.</p> <p>(b) Where the Leader has agreed to the Member's request the Notice of the Meeting shall state the name of the Member who requested the item of business to be considered. This Member shall be invited to attend the meeting, whether or not it is a meeting in public session.</p> <p>The mover of a Valid Member's Motion under Council Procedure Rule 13 which has been referred to the Executive for consideration may attend the meeting of the Executive when his/her motion is under consideration and to explain the motion. The mover of the motion will be advised of the date and time of the meeting when the matter is to be considered and he/she will be sent a copy of the relevant papers.</p>
<p>5.</p>	<p>Members wished to be assured that they and members of the public would have opportunities to ask questions at meetings of the Executive</p>	<p>The opportunity for members and the public to ask questions at meetings of the Executive was considered by the Governance Working Group on 19 December.</p>

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		<p>The Working Group agreed that the draft Constitution should be amended to include cross referencing between Council Procedure Rules and the Executive Procedure Rules.</p> <p>These changes will put beyond doubt that councillors and members of the public have the same rights in relation to meetings of the Executive as they do for other meetings.</p> <p>For members of the public this includes:</p> <ul style="list-style-type: none"> • The right to attend public meetings. • The right to ask public questions, make statements and lodge petitions. • The opportunity also for public deputations.
6.	A request to add Housing Allocation Policy to the definition of the Policy Framework	At the meeting on 19 December the Governance Working Group supported making this change.
7.	Overview and Scrutiny Committees involvement in policy formulation	At the meeting on 19 December the Governance Working Group agreed that Overview and Scrutiny Committees' involvement in policy formulation was to be covered through involvement in executive panels drawn from the membership of the various O&S committees.
8.	Members wished the arrangements for planning delegations to be reviewed.	The Governance Working Group supported a meeting with predecessor council planning committee chairs to review the proposed delegations.
9.	Concern was expressed about how the membership and arrangements for meetings of the Health and Well Being Board had been recorded in the Constitution.	<p>The Governance Working Group agreed that the membership of the Health and Wellbeing Board is as recorded in Article 8 but supported a change to record that:</p> <p>The number of ordinary meetings of the Health and Wellbeing Board each year will normally be 6 unless otherwise determined by Full Council.</p>
10.	The benefits of involving different political representation in Executive Advisory Panels should be recognised.	The Governance Working Group agreed that the membership of executive advisory panels should refer to broader "representation" of members rather than merely political representation on panels.

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11.	Members wished the Constitution to be reviewed after 12 months	The Governance Working Group supported a review after 12 months.
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