

ASSEMBLY

24 February 2015

Title: Council Constitution - Updates	
Report of the Cabinet Member for Central Services	
Open Report	For Decision
Wards Affected: None	Key Decision: No
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Accountable Divisional Director: Fiona Taylor, Head of Legal and Democratic Services	
Accountable Director: Chris Naylor, Chief Executive	
Summary <p>The Assembly adopted the new Council Constitution at its meeting on 25 November 2014 (Minute 27). Since that time, some administrative changes have been made to the Constitution which were approved for implementation by the Monitoring Officer under the delegated authority provisions of paragraph 2.1 of Part 7 of the Constitution. These are set out in Appendix 1 for Members' information.</p> <p>Two further changes to the Constitution are proposed which require the Assembly's approval:</p> <ol style="list-style-type: none">1) The default start time for evening meetings shall be 7.00pm, unless alternative arrangements are agreed by the majority of the membership of the Committee; and2) All meetings should be concluded after 2 hours (currently 2½ hours), subject to the usual provisions to extend meetings for a reasonable period. <p>These new arrangements specifically relate to paragraphs 2.3 and 7.1.1 of Chapter 3, Part 2. The proposed revisions are highlighted in Appendix 2 attached.</p>	
Recommendation(s) <p>The Assembly is recommended to:</p> <ol style="list-style-type: none">(i) Approve the revisions to Chapter 3, Part 2 of the Constitution in respect of the default start time of evening meetings and the termination threshold, as highlighted in Appendix 2 to the report; and(ii) Note the schedule of other administrative changes made to the Constitution by the Monitoring Officer, as set out in Appendix 1 to the report.	

Reason(s)

To accord with the requirements of Part 7 of the Council Constitution.

1. Introduction and Background

1.1 A new Council Constitution was adopted by the Assembly at its meeting on 25 November 2014 (Minute 27 refers).

1.2 Paragraph 2 of Part 7 of the Constitution establishes the rules for making amendments to the Constitution. In summary, the Assembly is responsible for approving all changes except for the following which may be implemented by the Monitoring Officer:

- changes to give effect to any decisions of the Council;
- changes in the law;
- minor amendments such as to correct errors; and
- to ensure that the Constitution is maintained up-to-date.

2. Proposal and Issues

2.1 Since the publication of the new Constitution on 26 November 2014, some administrative changes have been made which were approved by the Monitoring Officer under the delegated authority provisions referred to above. These changes relate to the following:

- (i) the inclusion of new paragraphs 9.3 and 9.4 in Chapter 1, Part 5 (Councillors' Code of Conduct) to deal with the omission, in error, of text which previously appeared under paragraphs 12.3 and 12.4, Article 1, Part B of the previous Constitution.
- (ii) the amendment of paragraphs 5.2 (m) and 6.1 (f) to read "...Leader's **Statement**" instead of "...Leader's **Report**", to correct a drafting error.
- (iii) the inclusion of a new paragraph 4 in Chapter 14, Part 2 (Joint Arrangements) to reflect the Growth Boroughs Joint Committee arrangements approved by the Cabinet at its meeting on 18 November 2014.
- (iv) revised wording to paragraph 3 in Chapter 14, Part 2 (Joint Arrangements) to correct references and terminology in respect of the East London Waste Authority.

2.2 A schedule explaining these 'administrative' amendments in some more detail is attached at **Appendix 2**.

2.3 Two further changes are proposed which require the Assembly's approval. The first relates to the change in the profile of elected Members following last year's Local Elections, as an increasing number work and can find it difficult attending evening meetings which begin before 7.00pm. With that in mind, it is proposed that the default start time of evening meetings should now be 7.00pm, unless the majority of the membership agrees to continue with an earlier start time. Meetings that have typically been held during the day, such as the Children's Trust, the Employee Joint Consultative Committee, the Employee Joint Health, Safety and Wellbeing Committee and Personnel Board, are unaffected by this proposal.

- 2.4 The second change requiring Assembly approval relates to the termination threshold for meetings. Up until now there has been a 2½ hour time limit for meetings, although provision has always existed for the threshold to be extended for a reasonable period in order to conclude any remaining business. That threshold is now proposed to be set at 2 hours, still with the same provisions to extend a meeting for a reasonable period.

3. Options Appraisal

- 3.1 The alternative option is to maintain the current arrangements.

4. Consultation

- 4.1 The proposals requiring Assembly approval were discussed by Councillors on 19 January 2015. Relevant officers have been consulted via the usual report clearance processes.

5. Financial Implications

Implications completed by: Carl Tomlinson, Group Manager, Finance

- 5.1 There are no additional financial costs expected directly from these constitution changes.
- 5.2 On the occasions that meetings extend beyond 9pm, there will be an overtime charge of £34 per hour in order for the building to be secured and closed. Reducing the time limit of the meetings to 2 hours should contain the need to keep the buildings open longer than currently operated and any overtime charges that are incurred from out of hours opening is expected to be funded from existing democratic service budgets.

6. Legal Implications

Implications completed by: Fiona Taylor, Head of Legal and Democratic Services

- 6.1 The Local Government Act 2000 requires Councils to produce, maintain and review the Constitution document which sets out the rules, codes, protocols and schemes by which the Council operates.

7. Other Implications

- 7.1 **Staffing Issues** – A later start time for Committee meetings will impact on staff required to attend those meetings and also the Facilities Management staff where meetings are extended beyond the 2 hour threshold. This may impact adversely on any staff who have caring responsibilities.
- 7.2 **Corporate Policy and Customer Impact** – The new default start time of 7.00pm is expected to improve the accessibility of evening meetings for some groups, such as those who work . The bringing forward of the termination threshold is anticipated to counter any potential adverse impact of meetings starting later in the evening.

Public Background Papers Used in the Preparation of the Report: None

List of appendices:

- **Appendix 1** – Schedule of Amendments approved by the Monitoring Officer
- **Appendix 2** – Schedule of Amendments requiring Assembly approved.