

Crawley Borough Council

Minutes of Governance Committee 9 March 2015 at 7.00pm

Present:

Councillor	J Stanley (Chair)
Councillor	R D Burrett (Vice-Chair)
Councillors	M L Ayling, C A Cheshire, D G Crow, C R Eade, P K Lamb, R A Lanzer and T Lunnon

Officers Present:

Steve Lappage	Democratic Services Manager
Mez Matthews	Democratic Services Officer

Apologies for Absence:

Councillor C Oxlade

20. Members' Disclosure of Interests

No disclosures of interests were made by Members.

21. Minutes

The minutes of the meeting of the Committee held on 20 January 2015 were approved as a correct record and signed by the Chair.

22. Annual Review of the Constitution

The Committee considered report LDS/097 of the Head of Legal and Democratic Services which considered whether any changes were required in 2015/16 to the provisions for Call-In and Urgency. The report also sought approval to disband the Council's Membership Committee.

The Committee supported the disbandment of the Membership Committee and several Committee members suggested that, as a result, the time between the elections and the Full Council AGM could be compressed. It was felt that bringing forward the AGM would be especially useful when there was a change in administration as it would speed up the hand-over of the Council.

The Committee was informed that although officers could provide Group Secretaries and Group Leaders with advance warning of deadlines for membership nominations

and a range of provisional indicative proportionality figures, it would not be possible to issue final proportionality figures until after an election count. It was emphasised that members would need to return their membership nominations promptly to allow for expediency. It was agreed that the possibility of compressing the time between the election and the Full Council AGM be explored.

The Committee considered the changes to the Constitution proposed as a consequence of disbanding the Membership Committee. It was agreed that the following further amendments be made:

- Amend paragraph 1.2(vi) of the Council Procedure Rules as follows: “appoint the ~~Chairmen~~ and Vice-~~Chairmen~~ of the Council’s Committees and Sub-Committees” to be consistent with the term used in the Constitution;
- Delete the following wording from the end of paragraph 24.1(2) of the Council Procedure Rules: “and providing for at least one seat for each political group (except for the Cabinet)” as it was not relevant;
- Amend paragraph 24.2(2) of the Council Procedure Rules as follows: “**With the exception of the Leader**, no member shall be appointed to any of the positions referred to in (1) above so as to hold office later than the next Annual Meeting of the Council” to accord with current procedure.

The Committee noted that reports proposing the disbandment of various working groups/the Policy Development Forums and the Performance Monitoring Scrutiny Panel were due to be considered at the June Cabinet meeting and the March Overview and Scrutiny Commission meeting respectively.

RESOLVED

That the Full Council be recommended:

1. To agree that since the provisions relating to Call-In and Urgency have not been used during the past twelve months, no change to the provisions are necessary at this stage;
2. That the Membership Committee be disbanded;
3. That, as a consequence of the disbanding of the Membership Committee, the changes to the Constitution set out in Appendix 1 to these minutes be agreed.

23. Closure of Meeting

With the business of the Committee concluded, the Chair declared the meeting closed at 7.25pm.

J STANLEY
Chair

APPENDIX 1

CHANGES TO THE CONSTITUTION: Disbandment of the Membership Committee

<u>Section (Page)</u>	<u>Proposed amendment</u>
	<p>Where appropriate:</p> <ul style="list-style-type: none"> • Deleted wording is shown as crossed through • Additional wording is shown in bold
Contents (page iii)	Delete reference to the Membership Committee.
Article 8: Regulatory and Other Committees (page 29)	Delete reference to the Membership Committee.
Functions of the Membership Committee (page 127)	Delete the entire page relating to functions of the Membership Committee.
Council Procedure Rules (page 156)	<p>Amend bullet point (xi) of paragraph 1.1 (Annual Meeting of the Council: Timing and Business) as follows:</p> <p>“(xi) on the recommendation of the Membership Committee, appoint at least one scrutiny Committee and such other Committees as the Council considers appropriate to deal with matters which are neither reserved to the Council nor are Cabinet functions (as set out in Part 3 of this Constitution);”</p>

<u>Section (Page)</u>	<u>Proposed amendment</u>
Council Procedure Rules (page 157)	<p>Where appropriate:</p> <ul style="list-style-type: none"> Deleted wording is shown as crossed through Additional wording is shown in bold <p>Amend Paragraph 1.2 as follows:</p> <p>“1.2 <u>Selection of Councillors on Committees and Outside Bodies</u></p> <p>At the annual meeting, the Council meeting will consider the reports of the Membership Committee Head of Legal and Democratic Services and:</p> <ul style="list-style-type: none"> (i) decide which Committees to establish for the municipal year; (ii) decide the size and terms of reference for those Committees; (iii) decide the allocation of seats (and substitutes) to political groups in accordance with the political balance rules; (iv) receive nominations of Councillors to serve on each Committee and outside body; (v) appoint to those Committees and outside bodies except where appointment to those bodies has been delegated by the Council or is exercisable only by the Cabinet; and (vi) appoint the Chairmen and Vice-Chairmen of the Council’s Committees and Sub-Committees.”
Council Procedure Rules (page 174)	Amend Paragraphs 24.1 (Appointment of Committees and Sub-Committees) and Paragraph

<u>Section (Page)</u>	<u>Proposed amendment</u>
Council Procedure Rules (page 174)	<p>Where appropriate:</p> <ul style="list-style-type: none"> Deleted wording is shown as crossed through Additional wording is shown in bold <p>24.2 (Constitution of Committees and Sub-Committees) as follows:</p> <p>“24.1. <u>Appointment of Committees and Sub-Committees</u></p> <p>(1) In May in each year the Head of Legal and Democratic Services shall communicate with members of the Council and ask them to indicate whether they belong to a political group, and if not, upon which Committee(s) or Sub-Committee(s) they wish to serve and whether they would wish to be considered in filling vacancies on other bodies. A summary of the replies received shall be circulated to the Membership Committee. The Head of Legal and Democratic Services will also write to the leaders of all political groups asking for their nominations to serve on the Committees and Sub-Committees of the Council, and if appropriate on the Cabinet (including which portfolio they will be responsible), and on any other bodies to which the Council makes nominations.</p> <p>(2) The Head of Legal and Democratic Services Council shall appoint a Membership Committee which shall submit a report to the Annual Council with its the recommendations nominations of the party group leaders to the Council as to the constitution of the several standing Committees and Sub-Committees of the Council, and the Cabinet and on the cycle of meetings of the Council, Committees and Sub-Committees. The Members shall be appointed to the Membership Committee on the nomination of the party group leaders to the Head of Legal and Democratic Services, having regard to the political composition of the Council. and providing for at least one seat for each political group.</p> <p>(3) The Membership Committee shall hold a meeting in May in each year for the purpose of making recommendations in accordance with the provisions of this Council Procedure Rule and Rule 24.8.</p>

<u>Section (Page)</u>	<u>Proposed amendment</u>
(continued)	<p>Where appropriate:</p> <ul style="list-style-type: none"> Deleted wording is shown as crossed through Additional wording is shown in bold <p>24.2. <u>Constitution of Committees and Sub-Committees</u></p> <p>(1) The Council shall at the Annual Meeting on the recommendation of the Membership Committee appoint the Leader of the Council, Chairs, Vice-Chairs and members of the standing Committees and Sub-Committees.</p> <p>(2) With the exception of the Leader, no member shall be appointed to any of the positions referred to in (1) above so as to hold office later than the next Annual Meeting of the Council.</p> <p>(3) The Council may at any time dissolve a Committee, or change its Chair or Vice-Chair or alter its membership.</p> <p>(4) If at any time after the Annual Meeting or following a formal review of the representation of the different political groups on the Cabinet or Committees and Sub-Committees, a political group wishes to change its representatives on the seats on a Committee or Sub-Committee which are allocated to it, the Head of Legal and Democratic Services shall be authorised to make appointments to that body so as to give effect to the change expressed by that political group provided that such change shall be reported to the next ordinary meeting of the Council and subject to the change being reported in the Members' Information Bulletin."</p>
Council Procedure Rules (page 176)	<p>Amend Paragraph 24.8 (Nominations of Persons to Serve on Other Bodies) as follows:</p> <p>"24.8. <u>Nomination of Persons to Serve on Other Bodies</u></p>

<u>Section (Page)</u>	<u>Proposed amendment</u>
	<p>Where appropriate:</p> <ul style="list-style-type: none"> Deleted wording is shown as crossed through Additional wording is shown in bold <p>The Head of Legal and Democratic Services shall Where vacancies fail to be dealt with at the Annual Meeting of the Council, the Membership Committee will submit to the Annual Meeting for determination is the recommendations of the party group leaders for the appointment of persons to serve on outside bodies.</p> <p>The Head of Legal and Democratic Services will have the authority to vary the appointments to Outside Bodies relating to Council functions to give effect to the wishes of a political group in relation to seats allocated to it subject to the change being reported in the Members' Information Bulletin."</p>
Committee Structure (page 484)	Delete reference to the Membership Committee.