

REVIEW OF THE CONSTITUTION STEERING GROUP  
24 May 2016

**PRESENT:** Councillors David Kelsey, Andrew Morgan, Susan Phillips, Lynda Price and Anne Rey.

**ALSO PRESENT:** Councillor John Beesley, Leader of the Council and Cabinet Member for Resources.

**OFFICERS:**

Tanya Coulter, Service Director Legal and Democratic and Monitoring Officer  
Karen Tompkins, Head of Democracy

The meeting commenced at 10.02 am

**Note:** To see a copy of the public report that was considered by the Group at this meeting please visit:

<http://www.bournemouth.gov.uk/CouncilDemocratic/CouncilMeetings/CommitteeMeetings/ReviewoftheConstitutionSteeringGroup/2016/05/24/agenda-and-report-24-may-2016.pdf>

**SECTION I - BUSINESS RECOMMENDED TO THE CABINET**

**8. PROPOSED AMENDMENTS TO THE CONSTITUTION**

Members considered a report from the Service Director, Legal and Democratic which asked the Group to review and amend, as appropriate, the following elements of the Constitution:

**Article 10.1 - Audit and Governance Committee - Membership**

The Service Director explained that the Council in December 2015 had appointed Ben Grower to serve on the Audit and Governance Committee as an Independent Person. In April he was appointed for a further term of office and he currently fulfils the role as Chairman of the Audit and Governance Committee. The Group was reminded that the law does not permit such independent persons to vote and therefore if a vote was required there was a potential for an equality of votes to occur as there was currently 4 elected members on the Committee and no means of overcoming that equality. The Service Director explained that to overcome this issue it was proposed to increase the number of elected members to 5 and in addition appoint Independent Persons as the Council determined was appropriate.

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The Group was advised that the Chairman of the Audit and Governance Committee had been consulted and was in favour of the proposals. He had indicated that if he had any issues that he needed to raise he would have the opportunity to report direct to Council.

Officers responded to questions on the implications of the proposals and how they would operate.

The Leader commented on the independence of the Committee and indicated that he was content with the approach. He advised the Group that in his experience it was rare for an issue to go to a formal vote.

### **Part 4.4 - Council Meeting Procedure Rules - Questions - Procedure Rule 31, 35 and 36.**

The Service Director explained the proposal to bring forward the deadline for the submission of questions detailed in the above procedure rules from 10 am on the day of Council to 12 noon on the Friday prior to the Council meeting. Members were advised that this would provide more time for both Members and Officers to prepare/provide information to respond to questions for Council. The Group was informed that if an urgent matter arose arrangements would be made for questions to be submitted.

The Chairman felt that it was a fairer process. A Member suggested that if an urgent question was submitted then supplementary questions should not apply in such circumstances.

The Leader felt that the proposed changes would aid the democratic process.

### **Part 4.4 - Council Meeting Procedure Rules - Miscellaneous Rules of Procedure - Procedure Rule 101 - Order of Seniority for Civic Purposes.**

The Group was asked to consider the current process in respect of the order of seniority as detailed in procedure rule 101 and if it should remain the same or any changes be recommended.

Officers responded to questions on the order of seniority for civic purposes which was currently assessed on continuous service and then uninterrupted service. The Group discussed the option of using total years service. The Leader felt that the application of total service was key rather than continuous service. He felt that seniority was an important factor and greater clarity was needed. Members considered if exceptional circumstances could be applied in respect of the implications on the order of seniority of the election for Kinson South in December 2015.

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Members commented on the allocation of robes to senior Councillors and referred to the calculation of the service when considering awarding Honorary Alderman status to a previous Councillor.

The Service Director explained that the issue had been brought forward for consideration to enable clarity to be provided for both Members and officers as it has been the subject of questions from new members and existing Members following Local Borough Elections.

### DECISION MADE:

That the Review of the Constitution Steering Group recommends to Cabinet and Council that:

- a the revised proposals as set out in Appendix 1 of the report on the Membership of the Audit and Governance Committee be approved.
- b the deadline for the submission of questions in accordance with Part 4.4 Council Meeting Procedure Rules 31, 35 and 36 be brought forward to 12 noon on the Friday prior to the Council meeting and if urgent questions are submitted then supplementary questions would not apply in such circumstances.
- c there is no change to the current order of seniority other than if an election is declared void through no fault of the Councillors concerned that this has no effect on the order of seniority for civic purposes.
- d subject to the above the Monitoring Officer be authorised to make all necessary amendments to the Constitution.

### Note:

- a The press and public were excluded from the above meeting in so far as it related to paragraph 1 (information relating to any individual) schedule 12 A of the Local Government Act 1972.
- b The meeting was adjourned from 10.35 am-10.40 am

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**SECTION II - BUSINESS DECIDED UNDER DELEGATED POWERS**

**9. APOLOGIES**

There were no apologies for this meeting.

**10. SUBSTITUTE MEMBERS**

There were no substitute Members for this meeting.

**11. ELECTION OF CHAIR**

**DECISION MADE:**

That Councillor Anne Rey be elected Chair for the 2016/17 municipal year.

**12. ELECTION OF VICE-CHAIR**

**DECISION MADE:**

That at this stage the Group agreed that it was not necessary to elect a Vice-Chair.

**13. DECLARATIONS OF INTEREST**

There were none.

**14. PUBLIC ITEMS**

There were no public items.

The meeting closed at 11.00 am

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