



WARRINGTON

Borough Council

To: **Members of the Constitution Sub-Committee**
Councillors: C Fitzsimmons (Chair), B Axcell, P Carey, B
Maher and S Woodyatt.

Professor Steven Broomhead
Chief Executive

Town Hall
Sankey Street
Warrington
WA1 1UH

24 October 2017

Constitution Sub-Committee:
1 November 2017, 2.30pm, Tea Room, Town Hall

Agenda prepared by Adam Kellock, Democratic Services Officer
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AGENDA

Part 1

Items during the consideration of which the meeting is expected to be open to members of the public (including the press) subject to any statutory right of exclusion.

1. **Apologies**
2. **Code of Conduct – Declaration of Interests Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012**

Members are reminded of their responsibility to declare any disclosable pecuniary or non-pecuniary interest which they have in any item of business on the agenda no later than when the item is reached.

3. **Minutes** **3-4**

Minutes of the meeting of the Committee held on 27 April 2017.

4. **Annual Calendar of Meetings 2018/19 and Written Responses to Council Questions** **5-9**

Report of the Head of Legal and Democratic Services.

Part 2

Items of a “confidential or other special nature” during which it is likely that the meeting will not be open to the public and press as there would be a disclosure of exempt information as defined in Section 100I of the Local Government Act 1972.

Nil

Constitution Sub Committee

27 April 2017

Present:

Councillors C Fitzsimmons (Chair), and B Axcell and P Carey

CSC 18 Apologies

Apologies were received from Councillors Maher and Woodyatt.

CSC 19 Code of Conduct – Declarations of Interest

There were no declarations of interest received.

CSC 20 Minutes

The Minutes of the meeting held on 26 January 2017 were signed and agreed as a correct record.

CSC 21 Annual Review and Adoption of the Constitution

Members received a report outlining the proposed amendments to the Constitution prior to its re-adoption at the annual meeting of the Council on 22 May 2017. The report outlined a number of consequential and minor amendments to the Constitution a revised petition scheme and amended arrangements for the Standards Committee.

A table of consequential amendments was reviewed by the committee. The amendments had been proposed in order to reflect previous decisions made by the Council and to reflect administrative and organisational changes that had taken place during the previous year.

The revised petition scheme was presented and included a number of amendments from the previous scheme in order to streamline the process and make it more efficient. Members were content with the proposed revised scheme which would require a petition to receive a minimum of 100 signatures in order for it to be formally considered under the scheme. A petition receiving less than 1500 signatures would be forwarded to the relevant Executive Board Portfolio Member and Assistant Director for their consideration whilst a petition receiving more than 1500 signatures would be considered by the Monitoring Officer and the Chair of the Audit and Corporate Governance Committee to determine the action required, this could include referring the petition to an Overview and Scrutiny Committee or Full Council as and when appropriate.

Proposed new arrangements for the Standards Committee would make it a Sub-Committee of the Audit and Corporate Governance Committee. The terms of reference for the committee would remain the same but the change of making it a Sub-Committee would improve efficiency and accountability for dealing with standards issues in light of the changes brought about by the Localism Act 2011.

Members approved the proposed amendments to the Constitution and recommended that they be approved at the annual meeting of the Full Council on 22 May 2017.

Signed

Dated.....

WARRINGTON BOROUGH COUNCIL

CONSTITUTION COMMITTEE – 1 November 2017

Report of: Bryan Magan Head of Democratic and Member Services
Solicitor to the Council and Monitoring Officer: Matthew Cumberbatch
Report Author: Julie Pickles - Democratic Services Officer
Contact Details: **Email Address:** jpickles@warrington.gov.uk **Telephone:** (01925) 443212

Ward Members: All

TITLE OF REPORT: ANNUAL REVIEW AND ADOPTION OF THE CALENDAR OF COUNCIL MEETINGS FOR CIVIC YEAR 2018 – 2019 AND WRITTEN RESPONSES TO COUNCIL QUESTIONS

1. PURPOSE

1.1 To review, comment and adopt the annual calendar of meetings for the civic Year 2018 – 2019 and to consider the way in which written responses to Council questions are handled.

2. CONFIDENTIAL OR EXEMPT

2.1 This report does not contain confidential or exempt information.

3. INTRODUCTION AND BACKGROUND

3.1 The Council Procedure Rules (Standing Orders) in the Constitution (Paragraph 2.1) require the council to agree the dates and frequency of its meetings.

3.2 The dates of meetings of the council each year are set out in the calendar of meetings.

3.3 The calendar also includes the dates for subordinate body meetings of council.

3.4 The calendar of meetings will normally be approved at the annual general meeting of council in May each year.

3.5 In drawing up the calendar of meetings officers have taken note of school holidays, public holidays and other specific requirements in facilitating the business of the council

and made adjustments as appropriate and have maintained a similar cycle to previous years.

4. MEETINGS OF COUNCIL – CONSTITUTIONAL REQUIREMENTS

- 4.1 In ordinary election years for the council, the annual meeting will be held within 21 days of the date of retirement of Councillors.
- 4.2 In years when there is no ordinary election, the annual meeting will be held in March, April or May as determined by the council.
- 4.3 The meeting in February in each year will normally approve the Council's Budget for the forthcoming financial year in relation to the Council's Policy and Planning Framework.
- 4.4 Notice of the time and place of any meeting of the council and the availability of relevant papers will be given in accordance with the Access to Information Procedure Rules contained within the Constitution.
- 4.5 A draft schedule for the civic year 2018/19 is appended.

5. WRITTEN RESPONSES TO QUESTIONS AT COUNCIL

- 5.1 The Constitution currently sets out the rules relating to questions being asked at Council by both Councillors and Members of the public within Section A - Council Procedure Rules. It was raised by Councillor Marks at the 4 September meeting of the Council that this issue should be considered.
- 5.2 With regards to questions from Councillors paragraph 13.10 sets the cap of 30 minutes for dealing with all questions and that any questions not receiving a response within that timescales will receive a written response. Similarly with regards to questions from members of the public paragraph 13.16 states that no more than three questions shall be put to one meeting and paragraph 13.17 states that where more than three questions are received the Mayor may decide that those not dealt with will be replied to in writing after the meeting or referred to a subsequent meeting. Members may wish to consider whether to take these two issues together.
- 5.3 There is currently no time limited or restrictions in place with regards to written responses. Members may wish to consider the following options relating to written responses to questions with comments and initial observations:
 - a) No Change to the current arrangements – Allows greater flexibility for dealing with responses to questions depending on member availability and the complexity of questions, no restrictions on when a question must be replied to. This may create potential delays in providing a response;

- b) Set a limit of a reply to written questions within 4 weeks – Ensures more prompt responses to questions, time limits may not always be appropriate depending on member availability and the complexity of questions asked;
- c) A response must be issued prior to the next Full Council meeting – Allows more flexibility for dealing with responses to questions, ensures a response is given by a certain time but may be too long a gap;
- d) Written responses prepared in advance of the meeting along with oral responses to questions and issued following the Council meeting – Ensures responses to all questions are received at the same time, creates greater pressure on members in responding to questions in a short period of time given that there is only three clear working days in between the closing date for receipt of Councillor Questions and the date of the meeting.

5.4 Members are invited to consider the relative merits of the above proposals along with any other suggestions that maybe proposed with regards to written responses to questions. Members are also invited to consider whether there should be any changes to just responses to Councillor questions or to both Councillor and Public questions.

6. CONCLUSION

6.1 The Constitutional Sub-Committee is invited to note / comment on the draft calendar of council meetings for 2018 – 2019 and to recommend the approval of the document as attached as Annex 1 by Council at its annual general meeting in May 2018.

6.2 The Committee is invited to consider the way in which written responses to questions to Council are dealt with as outlined above.

7. FINANCIAL CONSIDERATIONS

7.1 There are no financial implications to the proposed revisions to the Constitution.

8. RISK ASSESSMENT

8.1 Standing Orders requires' the adoption of the dates of all meetings of council on an annual basis. Non-compliance would result in a breach of Standing Orders

9. EQUALITY AND DIVERSITY / EQUALITY IMPACT ASSESSMENT

9.1 There are no equalities issues arising from the proposed revisions to the Constitution.

10. CONSULTATION

10.1 Consultations have taken place with the S151 Officer and circulated to SMT.

11. REASONS FOR RECOMMENDATION

- 11.1 To enable the approval of the calendar of council and committee meetings for municipal year 2018 – 2019.
- 11.2 To review the arrangements for dealing with written responses to questions to Council to ensure the process is up to date and effective.

12. RECOMMENDATION

- 12.1 To recommend to Council at its annual general meeting in May 2018 to approve the calendar of meetings for civic year 2018 – 2019;
- 12.2 That members consider the constitutional arrangements for dealing with written responses to questions asked at Council.

13. BACKGROUND PAPERS

Constitution – Warrington Borough Council

Contacts: Julie Pickles; jpickles@warrington.gov.uk; 01925 443212

	2018												2019				Nº	
	May	June		July		Aug		Sept		Oct		Nov	Dec	Jan	Feb	Mar		Apr
Annual Council (5.30pm) (CC, No 1, No2) All Day	21																	1
Council (CC, No 1, No 2) All Day		18						3		15			3		25		18	6
Executive Board (Council Chamber)	22	11		9				10		8		12	10	14	11	11	8	11
Audit and Corporate Governance Committee (CC)	24			26						18				17	21	21	11	7
Constitutional Committee (4.30pm) (CC)											1						4	0
Standards Committee (CC) (5.00pm) (CC)	24			26						18				17	21	21	11	7
Appeals Committee (10.00am) Tea Room and No 3				3				4			6			8		5		5
Development Management Committee (CC, No 1, No2)	16	6	27	18	8	29	19	10	31	21		12	2	23	13	6	27	17
Provisional Development Management Comm (CC,1+2)	17	7	28	19	9	30	20	11		1	22	13	3	24	14	7	28	18
Licensing Committee (6.30pm) (CC)		12					11						15			12		4
Taxi Sub-Committee (10.00am) (Tea Room and No3)	14	4		2			3	1		5		3	7	4	4	1		10
Traffic Committee 6.30pm (CC)				10			4			6			8		5			5
Protecting the Most Vulnerable Policy Committee (CC)		19					18					11		19		2		5
Organisational Improvement & Development Policy Committee (CC)		5					25			20				5		16		5
Supporting the Local Economy Policy Committee (CC)		26						2				4		12		9		5
Building Stronger Communities Policy Committee (CC)				4			5			28			30			24		5
Scrutiny Committee (CC)		13							17			5		6		10		5
Health Scrutiny Committee (CC) (6.30 pm)		14					6			29			31			4		5
Health and Wellbeing Board (CC) (1.30 pm)	31			19			13			15			24			28		6

Corporate Parenting Forum (CC) 5.30pm	29			24						9			18			26		23	6
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Member Development (CC) - 6.00pm (CC)		4	21	2	25			17	27	4	22	8	19		29	27	19	3	14
Civic Events		??	29							7		11						??	5

All rooms to be set up at 5.30 pm and meetings start at 6.30pm unless otherwise indicated

Please order refreshments for all meetings (pot of tea/coffee/Bisc)

2018 Bank Holidays

Monday, 7 May - Mayday
Monday, 28 May - Whit
Monday, 27 August - Late Summer
Tuesday, 25 December - Christmas Day
Wednesday, 26 December - Boxing Day

2019 Bank Holidays

Tuesday, 1st January - New Years Day
Friday, 19 April - Easter
Monday, 22 April - Easter
Monday, 6 May - Mayday
Monday, 27 May - Whit