

WARRINGTON Borough Council



To: **Members of the Constitution Sub-Committee**
Councillors: C Fitzsimmons (Chair), B Axcell,
J Joyce, P Kennedy, B Maher,

Professor Steven Broomhead
Chief Executive

Town Hall
Sankey Street
Warrington
WA1 1UH

17 November 2015

**Constitutional Sub-Committee; 25 November 2015 at 3.30pm in the WW1
Room of the Town Hall, Warrington**

Agenda prepared by Sharon Parker, Councillor Services Manager
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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 8 April 2015.
4. **Annual Review and Adoption of the Calendar of Council
Meetings for Civic Year 2016 - 2017** **5-8**

Report of the Solicitor to the Council and Assistant Director of Corporate Governance.

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.

Information contained in this part 2 comprises the formal notice under Paragraph 5(4) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 that a decision has been taken to hold this part of the meeting in private. Information is also provided against each item heading about the reasons for holding this part of the meeting in private, any representations received and the response to those representations.

Nil

If you would like this information provided in another language or format, including large print, Braille, audio or British Sign Language, please call 01925 443322 or ask at the reception desk in Contact Warrington, Horsemarket Street, Warrington

Constitution Sub Committee 8 April 2015

Present: Councillors B Axcell, C Fitzsimmons (Chair), P Kennedy and B Maher.

CSC 6 Apologies

Councillor J Joyce

CSC 7 Code of Conduct – Declarations of Interest

There were no declarations of interest received.

CSC 8 Minutes

The Minutes of the meeting held on 1 October 2014 were signed and agreed as a correct record.

CSC 9 Annual Review and Re-Adoption of the Constitution

The Solicitor to the Council presented a report on the constitution and explained that it was good practice for the constitution to be reviewed and re-adopted on an annual basis, particularly in order to keep the scheme of delegation up to date. Minor amendments that had been made during 2014/15 were highlighted as were the proposed changes to be made for 2015/16. The amendments for 2015/16 most notably covered changes to staff employment rules.

It was explained that the constitution would be formally readopted at the Council's Annual Meeting on 21 May 2015.

Members raised concerns with regards to the process by which questions were dealt with at meetings of the Council as it was felt that the present system did not utilise the allotted time as effectively as it could. It was suggested that questions could be taken on a rotation basis between all the groups represented on the Council. Once each group had asked their first question the rotation process would begin again until the allotted 30 minutes had expired. Members felt that this approach would enhance the effectiveness of the process and make it more democratic by ensuring that all groups were able to table at least one question. Questions would continue to be subject to rules set out in the constitution and would be taken in the order in which they were submitted by each respective group.

Decisions:

1. That the committee notes the amendments made to the Constitution during 2014/15 as set out at paragraph 4.2 of the report;
2. That the committee endorses the proposed changes to the Constitution identified at paragraphs 5.1.1 and 5.1.2 of the report
3. That the committee endorses the minor and consequential amendments

- identified by officers at paragraph 5.2.1 of the report;
4. That the committee recommends to the Audit and Corporate Governance Committee to recommend to the Council, at its Annual Meeting, to adopt the revised Constitution for 2015/16 with the amendments as described in the report;
 5. That the committees notes that a further report would be provided to the Council, by no later than 22 June 2015, in respect of the implementation of the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015.
 6. That the committee recommends the following amendments with regards to procedural rule 13 relating to questions at Council:
 - Questions to be asked by political groups in rotation starting with the opposition groups first;
 - After each group has asked their first question, the process will start again until the 30 minute time limit has elapsed;
 - Questions to be taken in the order that they are received from each political group;
 - Questions to be asked will be circulated in order, 3 working days prior to the meeting of the Council.

CSC 10 Civic Handbook – 2015/16

Members of the committee reviewed the civic handbook for 2015/16, which was based on a national framework and suggested a number of minor amendments as set out below:

- Paragraph 14 – Remove ‘*Audi 8*’
- Paragraph 20 – Remove ‘*Blackberry*’;
- Paragraph 24 – Remove ‘*Honorary Secretary*’;
- Clarification regarding Paragraph 19, Flag Flying to determine how long the Union Flag must be flown for on Remembrance Sunday.

Discussion took place with regards to the neutrality of the mayor and it was suggested that the mayor may wish to choose not to cast a vote at meetings of the Council unless it was as a casting vote. The difficulties with regards to adding constitutional rules with regards to mayoral voting were explained and a note with regards to legal advice for the mayor with regards to Council meetings would be circulated to members of the committee.

Decisions:

1. That endorses the civic handbook for 2015/16;
2. That the committee delegates authority to amend the civic handbook as necessary to the Head of Democratic and Member Services.

Signed

Dated.....

WARRINGTON BOROUGH COUNCIL

CONSTITUTION SUB-COMMITTEE – 25 November 2015

Report of: Timothy Date – Solicitor to the Council and Assistant Director
Corporate Governance
Executive Director: Katherine Fairclough – Deputy Chief Executive
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 OF AND ADOPTION OF THE CALENDAR OF COUNCIL MEETINGS FOR CIVIC YEAR 2016 - 2017

1. PURPOSE

- 1.1 To review the annual calendar of meetings for the civic Year 2016 - 2017; and to seek the views of the Sub Committee.

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.

Agenda Item 4

- 3.6 In drawing up the calendar of meetings officers 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.
- 4.3 All council meetings will normally be held at the Town Hall in Warrington and will normally commence at 6.30 p.m. The Civic Mayor, or the Chairman of the individual committee, can agree to hold a meeting at a different place and/or time if it is more convenient or helpful to the dispatch of business.
- 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.

5. CONCLUSION

- 5.1 The Constitutional Sub-Committee is invited to note / comment on the draft calendar of council meetings for 2016 – 2017 and to recommend the approval of the document as attached as Annex 1 by Council at its annual general meeting in May 2016.
- 5.2 Additionally, the Sub-Committee may wish to comment on where the meetings take place (change of venue) or on the timings of the meetings (start the meetings earlier than 6.30pm).

6. FINANCIAL CONSIDERATIONS

- 6.1 There are no financial implications to the proposed revisions to the Constitution.

7. RISK ASSESSMENT

- 7.1 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

8. EQUALITY AND DIVERSITY / EQUALITY IMPACT ASSESSMENT

Agenda Item 4

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

9. CONSULTATION

9.1 Consultations have taken place with the S151 Officer and SMT.

10. REASONS FOR RECOMMENDATION

10.1 To enable the approval of the calendar of council and committee meetings for municipal year 2016 – 2017.

11. RECOMMENDATION

11.1 To receive comments from the Constitutional Sub-Committee on the calendar of meetings for civic year 2016 – 2017; and

11.2 To recommend to Council at its annual general meeting in May 2016 to approve the calendar of meetings for civic year 2016 – 2017.

12. BACKGROUND PAPERS

Constitution – Warrington Borough Council

Contacts for Background Papers:

Name	E-mail	Telephone
Julian Joinson	jjjoinson@warrington.gov.uk	01925 442112

13. Clearance Details:	Name	Consulted		Date Approved
		Yes	No	
Relevant Elected Member	Cllr C Fitzsimmons			
SMB	-	✓		
Relevant Executive Director	Katherine Fairclough	✓		17/11/15
Solicitor to the Council	Timothy Date			
S151 Officer	Lynton Green	✓		15/09/15
Relevant Assistant Director	Timothy Date			

	2016												2017				Nº			
	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr								
Annual Council (5.30pm) (CC, No 1, No2) All Day	19																1	Annual Council		
Council (CC, No 1, No 2) All Day		20			5	17			5				27	20			6	Council		
Executive Board (Council Chamber)	23	13	11		12	10		14	12		16	13	13		10		11	Executive Board		
Audit and Corporate Governance Committee (CC)		23			22			17			19	16	23		20		7	Audit and Corporate Governance Committee		
Constitutional Committee (4.30pm) (CC)	To be agreed as and when required																0	Constitutional Committee		
Standards Committee (CC)		22				5			14							1	4	Standards Committee		
Appeals Committee (10.00am) Tea Room and No 3			5		6			1		10			7				5	Appeals Committee		
Development Management Committee (CC, No 1, No2)	25	15	6	27	17	7	28	19	9	30	21	11	1	22	15	5	26	17	Development Management Committee (CC, No 1, No2)	
Provisional Development Management Comm (CC,1+2)	26	16	7	28	18	8	29	20	10		1	22	2	23	16	6	27	17	Provisional Development Management Committee	
Licensing Committee (CC)			5		13						17			7				4	Licensing Committee	
Taxi Sub-Committee (10.00am) (Tea Room and No3)		6	4		5	3		7	5		9		6	6		3		10	Taxi Sub-Committee	
Traffic Committee (CC)		14			6			8			10			14				5	Traffic Committee	
Protecting the Most Vulnerable Policy Committee (CC)		21			20				6			7				4		5	Protecting the Most Vulnerable Policy Committee	
Organisational Improvement & Development Policy Committee (CC)		7			27				22		24			28				5	Organisational Improvement & Development Policy Committee	
Supporting the Local Economy Policy Committee (CC)		28				4		29			31			21				5	Supporting the Local Economy Policy Committee	
Building Stronger Communities Policy Committee (CC)		8			14			23			25			29				5	Building Stronger Communities Policy Committee	
Scrutiny Committee (CC)		13				12			7							12		5	Scrutiny Committee	
Health and Wellbeing Board (CC) (1.30 pm)	26		7		15			10			26		8	30				6	Health and Wellbeing Board	
Corporate Parenting Forum (CC) 5.30pm	31			19			21			16				18			22		6	Corporate Parenting Forum
Police and Crime Panel - 10.00am Held at Winsford (CC)																			5	Police and Crime Panel
Member Development (CC)	10	7	12		13	11		15	13		17	14		14		11		11	Member Development	
Civic Events		12	1			2		6								23		5	Civic Events	
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)																				
2016 Bank Holidays																				
Monday, 2 May - Mayday																				
Monday, 30 May - Whit																				
Monday, 29 August - Summer																				
Sunday, 25 December - Christmas Day (27 December - Bank Holiday)																				
Monday, 26 December - Boxing Day																				
2017 Bank Holidays																				
Sunday, 1st January - New Years Day (2 January - Bank Holiday)																				
Friday, 14 April - Easter																				
Monday, 17 April - Easter																				
Monday, 1 May - Mayday																				
Monday, 29 May - Whit																				