

CONSTITUTION COMMITTEE

TIME: 2.00pm
DATE: Friday, 16 January 2009
VENUE: Chairman's Room

MINUTES

Membership:

Ron Allen	p	Bruce Hogan	P
Lady Dunrossil	p	Ceri Jones	P
Bill Evans	a	Anotonia Noble	P
Charles Gillams	p	Kathy Williams	p
Jeremy Hilton	p		

Substitutes:

Maureen Rutter

P=Present a=apology/absent

1. MINUTES

RESOLVED

THAT the minutes of the meeting held on 5 November 2008 be approved as a correct record and signed by the Chairperson.

- 2. APOLOGIES FOR ABSENCE** – An apology for absence was received from Cllr Evans.
- 3. PUBLIC QUESTIONS** – No public questions were received.
- 4. MEMBERS' QUESTIONS** – No members' questions were received.
- 5. MEMBERS' ALLOWANCES – REPORT OF THE INDEPENDENT REMUNERATION PANEL** – William Alexander, Chairman of the IRP presented this report and drew members' attention to the two minor changes the Panel had recommended:
 - a) the basic allowance be increased by 2.1%; and
 - b) that the SRA for the Chairman of Planning Committee be increased from 0.33 to 0.66 of basic allowance in line with the Chairman of the Scrutiny Committees.

Mr Alexander explained that the Panel had interviewed the Chairman of Committees who provided them with an insight into their roles. As all

Chairmen had the same job description the Panel did not see any reason to change any of these allowances.

In response to Members' questions Mr Alexander explained that last year the Panel had spoken to backbench members and prior to that spoken to Group Leaders to get their views on the allowances scheme. This year the Panel had spoken to SRA holders and did not feel it necessary to interview backbench members again. The public service element of the basic allowance was 1/3. Mr Alexander agreed with members that the objective of the panel "*that Councillors should be drawn from as wide a range of backgrounds as possible and reflect the diverse communities of the county and not be deterred for financial reasons, from serving local democracy*" had not been achieved, neither had it been achieved elsewhere in the Country.

The Committee noted the Panel still considered that eligible members should be entitled to participate in the Pension scheme, but it was agreed that in the current economic climate this was not appropriate.

During the ensuing debate some members expressed disappointment at the rate of allowances being proposed as the role of a councillor required a huge commitment and many people were not in a position to do this unless they have an income from other sources. Other members argued that being a councillor was not a professional job and you could not control the quality of a councillor by paying higher allowances.

Cllr Noble said that due to the current economic climate she did not consider the basic allowance should be raised at all and proposed an amendment to the recommendation "*That the basic allowance be increased by 0%*". This was seconded by Cllr Allen.

On being put to the vote the amendment was LOST.

The Committee therefore

RESOLVED to RECOMMEND TO COUNCIL

That the Council makes a Members' Allowances Scheme for the Financial Year 2009/10 in accordance with the report of the Independent Remuneration Panel

- 6. AMENDMENTS TO THE CONSTITUTION ARISING FROM THE RESTRUCTURING OF CABINET ROLES AND RESPONSIBILITIES AND CHANGES MADE BY THE DIRECTOR OF LAW AND ADMINISTRATION UNDER HIS DELEGATED POWERS** – Christine Wray presented this report that outlined proposals for restructuring the Cabinet. The changes were that:

- There should be a Lead Cabinet Member for Communications, the role to be held jointly with that of Cabinet Member for Services to Children and Young People.
- There should be a Lead Cabinet Member for Community Safety.
- The role of Lead cabinet Member for Environment will change and will cover Environment and Economy, with overall responsibility for environmental, transportation, waste and planning functions. The Lead Cabinet Member – Environment will take on responsibility for waste management.
- The Cabinet Member for Environment and Planning will take responsibility for waste planning and for planning in general, as well as other specific areas listed.

In response to a members' question, Christine Wray advised that it was permissible under the law for Cabinet members to have a joint role.

The pages of the Constitution showing these amendments and the consequent changes in responsibility were attached at Annex 2 and the pages with the amendments accepted as Annex 3.

The Committee noted the changes made by the Director of Law and Administration under his delegated powers attached at Annex 4.

RESOLVED to RECOMMEND TO COUNCIL

The changes to the Constitution set out in Annex 3 be approved.

The changes to the Constitution set out in Annex 4 be ratified.

CHAIRMAN