

CONSTITUTION COMMITTEE

TIME: 10.am
DATE: Monday, 17 August 2009
VENUE: Chairman's Room

MINUTES

Membership:

Barry Dare	p	Steve McHale	p
Mark Hawthorne	p	Antonia Noble	P
Tony Hicks	p	Ray Theodoulou	p
Jeremy Hilton	p	Will Windsor Clive	p
Ceri Jones	p		

P=Present a=apology/absent

- 16. ELECTION OF CHAIRPERSON** – Cllr Dare proposed, Cllr Hicks seconded and the Committee

Resolved

That Cllr Antonia Noble be elected Chairperson for the ensuing year.

- 17. MINUTES**

RESOLVED

THAT the minutes of the meeting held on 19 March 2009 be approved as a correct record and signed by the Chairperson, subject to the correction of the date in minute 14 from '2008' to '2009'.

- 18. APOLOGIES FOR ABSENCE** – No apologies were received.
- 19. PUBLIC QUESTIONS** – No public questions were received.
- 20. MEMBERS' QUESTIONS** – No members' questions were received.
- 21. REVIEW OF PROCESS FOR EMPLOYMENT RELATED APPEALS** – The Chairperson informed the Committee that this item was withdrawn for consideration at a later date.
- 22. TAKING SCRUTINY FORWARD** – Consideration was given to the proposals for the re-organisation of the Council's Scrutiny function put forward by the Overview and Scrutiny Management Committee.

Cllr Denis Andrewartha attended the meeting on behalf of the Overview and Scrutiny Management Committee to answer detailed questions on the proposals.

The Committee noted taken that these proposals aimed to both take account of the findings of the last Council's Scrutiny Review Group and the new legislative requirements recently or due to be introduced in the near future.

Following a short discussion, general agreement was reached with the proposals and the consequential changes to the Constitution with the following comments being made:

- The view expressed by the Overview and Scrutiny Management Committee that the Police Authority member co-opted onto the Community Safety Scrutiny Committee should not be a county or district councillor should be enshrined within the Constitution to emphasise the need to avoid any possible conflict of interests occurring.
- Some reservations were expressed that the proposed remit of the new Health, Community and Care Scrutiny Committee was too wide and could detract from its principle function of scrutinising the NHS services within the county. The Committee therefore agreed to recommend that the word 'principle' should be inserted into the relevant article of the constitution (Article 8.01.2), and that the Overview and Scrutiny Management Committee should be asked to review the functioning of this Scrutiny Committee within a 12 month of its establishment to highlight if any further changes were required.
- The Committee requested that the Overview and Scrutiny Management Committee put forward proposals on how to introduce neighbourhood scrutiny at the earliest opportunity.

The Committee therefore

Resolved to Recommend

That Council approve the changes to the Constitution as set out in Annex D of the report, amended as detailed above.

- 23. AMENDMENTS TO THE COUNCIL'S CONSTITUTION** – The Committee noted the pages of the Constitution recently amended under the Monitoring Officer's delegated powers, and .

Resolved to Recommend

That Council ratify the changes to the Constitution as set out in the Monitoring Officer's report.

- 24. INDEPENDENT MEMBER OF THE STANDARDS COMMITTEE** – The Committee was informed that following an advertisement three applications for the vacancy had been received.

In order for this vacancy to be filled at the Council meeting on 9 September, it was agreed that the panel of three members arranged to interview the applicants should be authorised to make a recommendation on the appointment directly to Council.

Resolved

- 1. That an interview panel consisting of three members (in the ratio of 2 conservative group members to 1 other group) be convened; membership to depend on availability.**
- 2. That the panel be authorised to make a recommendation on the appointment direct to Council in order that the appointment can be made by Council at its meeting on 9 September 2009.**

Antonia Noble

Chairperson