



CONSTITUTION COMMITTEE

MINUTES of the meeting of the Constitution Committee held on Monday 8th March, 2010 commencing at 3.00 pm.

**PRESENT
MEMBERSHIP:**

Cllr Mark Hawthorne
Cllr Ceri Jones
Cllr Steve McHale

Cllr Antonia Noble
Cllr Ray Theodoulou
Cllr Will Windsor-Clive

Substitutes: Cllr Phil Awford

9. APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllrs Dare, Hilton & Hicks.

10. MINUTES

RESOLVED

THAT the minutes of the meeting held on 12 January 2010 be approved as a correct record subject to the following amendment:

Minute No. 6, page 3, in recommendation insert words “and director” after group director.

11. PUBLIC QUESTIONS

No public questions were received.

12. MEMBERS' QUESTIONS

No Members' questions were received.

13. ADOPTION OF REVISED TREASURY MANAGEMENT CODE AND PRUDENTIAL INDICATORS - CONSEQUENTIAL AMENDMENTS TO THE CONSTITUTION

Christine Wray presented this report that advised of the consequential changes to the Constitution in relation to the Adoption of Revised Treasury Management Code and Prudential Indicators.

RESOLVED to RECOMMEND to COUNCIL

THAT the amendments to the Constitution set out in the report be approved.

14. CABINET PROCEDURE RULES - QUESTIONS AT CABINET MEETINGS

Christine Wray presented this report and reminded members that at the last meeting the Committee considered a protocol for questions at Cabinet meetings. The Monitoring Officer was asked to draw up amendments to the Constitution to implement the proposals discussed. The Committee considered an additional rule to be added to Cabinet Procedure Rules in Part 4 of the Constitution.

During the ensuing debate some members did not think oral questions would add any value, however, others argued that it was good for democracy that members of the public should be able to ask questions on the day of the Cabinet Meeting. As a compromise it was agreed that members of the public should be able to ask an oral question, on any item on the Cabinet agenda, as long as they give 30 minutes notification prior to the start of the meeting. Supplementary questions could be asked to written questions. Members agreed that questions should be at the beginning of the meeting therefore paragraph 9.11 of the proposed procedure should be deleted. It was also agreed that paragraph 9.10.3 should be amended to read "*are substantially the same as a question that has been put to a meeting of the Cabinet or Council in the past six months; or*".

The Committee noted that this would be referred to the Cabinet for their views, then to Council for approval to amend the Constitution.

RESOLVED

THAT the draft Cabinet Procedure Rule 9 relating to Questions at Cabinet Meetings as set out Annex A, as amended be approved.

The new Cabinet Procedure Rule be referred to Cabinet for their views and then recommended to full Council for approval.

15. AMENDMENTS TO THE CONSTITUTION COMMITTEE - APPOINTMENTS COMMITTEE

The Committee considered a recommendation from the Appointments Committee that for joint appointments with NHS Gloucestershire which are within the remit of the Appointments Committee a sub-committee should be established comprising 3 members (2 Conservative, 1 Liberal Democrat) to be drawn from the Appointment Committee's membership.

It was noted that the membership would reflect the political balance of the Council.

RESOLVED to RECOMMEND to COUNCIL

Minutes subject to their acceptance as a correct record at the next meeting

THAT an amendment to part 3 of the Constitution, functions of the Appointments Committee, be made that for joint appointments with NHS Gloucestershire which are within the remit of the Appointments Committee a sub-committee should be established comprising 3 members (2 Conservative, 1 Liberal Democrat) to be drawn from the Appointment Committee's membership.

CHAIRPERSON

Meeting concluded at 15:45