



COUNCIL

**Report of: Councillor Hannah Westropp
Vice-Chairman of the Constitution Committee**

Report to:	COUNCIL
Date:	15th June 2017
Subject:	Report from the Constitution Committee LDS221– 12th June 2017

Decision Proposal:	Council decision
Relevant Cabinet Member:	Councillor Kelham Cooke – Deputy Leader and Cabinet member for Business Transformation and Commissioning
Report author:	Lucy Bonshor - Democratic Officer E-mail – l.bonshor@southkesteven.gov.uk Tel: 01476 406120
Reviewed by:	Lucy Youles – Executive Manager, Corporate E-mail: l.youles@southkesteven.gov.uk Tel: 01476 406105 Beverly Agass – Chief Executive E-mail: b.agass@southkesteven.gov.uk Tel: 01476 406100
Signed off by:	

SUMMARY

The Appendix to this report sets out the minutes of and reports to the Constitution Committee held on the 12th June 2017. The Committee considered and recommended to Council amendments to the Constitution to change the system of voting at meetings of full Council and to amend the Cabinet meeting procedure to permit all Members of the Council to attend open Cabinet meetings and to speak on matters on the agenda of a meeting without the requirement for consent.

RECOMMENDATION

It is recommended that Council approves the recommendations from the Constitution Committee as follows:

1. Voting System

that the Constitution is amended at Article 4.13.3 to change the voting system in full Council meetings from the use of the electronic voting system to a show of hands by deleting Article 4.13.3 (i) and (ii) and inserting as a new Article 4.13.3:

Unless otherwise provided by law or in these procedure rules, the vote on any motion or amendment proposed at any meeting of the full Council shall be taken by means of a show of hands for, against and abstentions. Where a physical restriction prevents any Member from making a show of hands, on notifying the Chairman of that restriction that Member may vote by voice. An electronic voting system will remain available for all other committees of Council to use in the Council Chamber if required. It will be for each committee of the Council to determine the voting system to be used.

2. Cabinet Meetings

- After Article 8.5.6 add new Article:
8.5.7 Attendance at Open Meetings of the Cabinet
Any Member of the Council may attend any open meeting of the Cabinet, its Committees and Sub Committees. That Member may speak and ask the relevant Cabinet Member questions (but not vote) on any item on the agenda of the meeting. The Council Procedure Rule 4.11.4 relating to the length of speeches whereby no speech may exceed 5 minutes without the consent of the Leader or other chairman of the Cabinet meeting will apply. Consequential renumbering of subsequent clauses will be required.
- Delete existing Article 8.6.2 and include the details of attendance at private meetings of the Cabinet by re-inserting the following wording at the new numbered Article 8.5.8 a)(iv):
In addition to (iii) above, non-Cabinet Councillors will be permitted to attend private meetings of the Cabinet only by invitation of the Leader, and to speak in relation to specific items on the agenda only if the Leader's prior consent has been obtained. Requests for such consent to speak shall be made in writing and delivered to the Leader or Chief Executive or other proper officer no later than noon on the preceding working day.

1. BACKGROUND TO REPORT;

- 1.1** On the 12th June 2017 the Constitution Committee considered a change to the voting system at full Council meetings and the procedure rules for open Cabinet meetings. The details of the proposed changes are set out in the Appendix to this report which includes the reports made to the Constitution Committee and the minutes of the meeting of that Committee.

1.2 The Committee agreed to recommend to Council that the change to the Constitution should be made to alter the voting system at full Council meetings from the use of the electronic voting system to a show of hands as detailed in Report LDS215.

1.3 The Committee agreed to recommend to Council the change to the Constitution to permit all Members of the Council to attend open Cabinet and speak without the need for prior consent as detailed in Report LDS221.

2. OTHER OPTIONS CONSIDERED

The recommendations are made from the Constitution Committee and no other options have been considered.

3. RESOURCE IMPLICATIONS

There are no resource implications relating to the proposed change to the voting system. The resource implications relating to attendance at Cabinet meetings are set out in Report LDS221 included in the Appendix to this report.

4. RISK AND MITIGATION

Risk has been considered as part of this report and any specific high risks are included in the table below:

Category Risk	Action / Controls
None	

5. ISSUES ARISING FROM IMPACT ANALYSIS (EQUALITY & DIVERSITY)

Any issues are considered in the reports to the Constitution Committee.

6. CRIME AND DISORDER IMPLICATIONS

None Applicable

7. COMMENTS OF FINANCIAL SERVICES

Financial Services comments are included in the Reports LDS215 and 221 set out in the Appendix to this report.

8. COMMENTS OF LEGAL AND DEMOCRATIC SERVICES

Legal and Democratic comments are included in the Reports LDS215 and 221 set out in the Appendix to this report.

9. COMMENTS OF OTHER RELEVANT SERVICES

None

10. APPENDICES

Reports to and Minutes of the Constitution Committee meeting - 12.6.17

11. BACKGROUND PAPERS

The Constitution

<http://moderngov.southkesteven.gov.uk/ieListDocuments.aspx?MIId=3407>