

Minutes

Constitution Committee

Monday, 13 September 2021, 10.30



SOUTH
KESTEVEN
DISTRICT
COUNCIL

**Council Chamber - South Kesteven House,
St Peter's Hill, Grantham. NG31 6PZ**

Committee Members present

Councillor Mark Whittington (Chairman)

Councillor David Bellamy

Councillor Paul Fellows

Councillor Breda-Rae Griffin

Councillor Susan Sandall

Officers in attendance

Graham Watts (Head of Democratic Services)

Sarah Downs (Democratic Services Officer)

Amy Pryde (Democratic Services Officer)

13. Apologies for absence

Apologies for absence were received from Councillor Ashley Baxter.

14. Disclosure of interests

No disclosure of interests were made.

15. Minutes of the meeting held on 19 July 2021

The minutes of the meeting held on 19 July 2021 were **AGREED** as a correct record.

16. Review of the Council's Constitution

The Head of Democratic Services presented the Committee with a report on the Review of the Council's Constitution. The purpose of the report was to advise Members of the proposed process which was to be followed, for undertaking and implementing the review of the Council's Constitution.

The Constitution requires a comprehensive review to ensure that the document was easily accessible and transparent to Members, Officers and members of the public. The Scheme of Delegation was an area of the Constitution that was often left open to interpretation, in particular the executive decision-making arrangements and delegated

authority to Cabinet Members and Officers. Clarity was required to ensure effective decision making throughout the Authority. It was therefore proposed to Members that 'Responsibility for Functions' be reviewed in the first instance.

During discussion, Members made the following points:

- It was agreed that the Scheme of Delegation and Responsibility for Functions should be agreed in principle by all Members of the Committee.
- That there was a wish by the Committee that the fully revised Constitution be considered at Annual Council, which was scheduled for 26 May 2022.
- The Constitution Committee would be responsible for clarity and standardisation of standing orders for meetings and that scrutiny may be required by more than one Committee. For example, any potential financial impact would be considered at the Finance and Economic Development Committee.
- An important part of the review process would include clarity of where changes have been made, for example, a colour scheme to indicate amendments.
- Progress would be reviewed at the November Committee meeting to allow sufficient time for an additional meeting to consider any further change. It was requested that this meeting be scheduled in late January 2022, prior to the full Council meeting on 27 January 2022.
- It was noted that the Members Code of Conduct would be reviewed for improvement, as recommended by the Local Government Association.

Members agreed that the Cabinet Member for Corporate Governance would present all reports on the Constitution review to full Council.

The Head of Democratic Services advised that procedures were in place to ensure clarity and accuracy, with continual involvement of Members. It was hoped that by working with Members the Constitution would be simplified and written in 'plain English' to achieve a more workable document.

It was noted to Members, that the minutes of all the Constitution Committee meetings, like all Constituted Committees, were available to Members of the Public, to ensure a transparent process.

ACTION 1:

The review process reflect amendments made, with the assistance of a colour coded system, highlighting those changes.

ACTION 2:

Progress of the review be reported to the 8 November 2021 meeting of the Constitution Committee

ACTION 3:

That a further Committee review of the Constitution be considered at a meeting to be scheduled late in January 2022, prior to full Council on 27 January 2022.

The recommendations were proposed, seconded and **AGREED:**

DECISIONS:

- 1. The Committee approved, in principle, the revised format of the Council's Constitution based on seven main sections as set out in paragraph 1.4 of the report.**
 - 2. The Committee approved the proposed process to be followed for undertaking and implementing a comprehensive review of the Council's Constitution, commencing with a review of the proposed Responsibility for Functions section, to include Financial Procedure Rules and Contract Procedure Rules.**
 - 3. The Committee approved the proposed engagement with senior officers and elected members as part of the review, and respective proposed timescales as set out in paragraph 1.10 of the report.**
- 17. Any other business which the Chairman, by reasons of special circumstances, decides is urgent**

There were none.

18. Close of meeting

The Chairman closed the meeting at 11:10.