

Meeting of the Constitution Committee

Monday, 7 December 2020,
10.30 am



SOUTH
KESTEVEN
DISTRICT
COUNCIL

Meeting held virtually, via Skype

Committee Members present

Councillor Linda Wootten (Chairman)
Councillor Mike Exton (Vice-Chairman)
Councillor Ashley Baxter
Councillor David Bellamy
Councillor Mike Exton (Vice-Chairman)
Councillor Paul Fellows
Councillor Mark Whittington

Other Members present

Councillor Bob Adams
Councillor Ray Wootten

Cabinet Members Present

Councillor Rosemary Trollope-Bellew (Cabinet Member for Culture and Visitor Economy)

Officers Present

Dan Snowdon (Interim Head of Governance)
Shelley Thirkell (Acting Principal Democratic Officer)

1. Register of attendance, membership and apologies for absence

Following a register of attendance, it was confirmed that all Members of the Committee were present.

2. Disclosure of interests

There were none.

3. Minutes of the meeting held on 7 September 2020

The minutes of the meeting held on 7 September 2020, were agreed as a correct record.

4. A Summary of the Complaints Received under the Members' Code of Conduct

The Interim Head of Governance presented to the Committee a report which summarised complaints received under the Members' Code of Conduct, from September 2019 to October 2020.

At a previous meeting Members requested that a report be compiled which provided high level statistics on the number of complaints received regarding Members' of South Kesteven District Council. Members have a duty under the Localism Act 2011 to promote and maintain high standards of conduct, a Members' Code of Conduct was in place which set out those standards.

A summary was provided of the number of complaints received, which included those which were currently being processed and those which had been closed. It was noted to Members that there were currently 7 being processed and 21, which had been closed. The Interim Head of Governance highlighted that this was indeed 21, rather than 23 which had been detailed in the report.

The process which complaints were processed which detailed to Members, explaining how the Monitoring Officer worked with the appointed Independent Person as part of complaint investigations.

Member considered the report and raised the following questions:

- Were the complaints from Members of the Council, or from members of the public.

The Interim Head of Governance advised that the complaints were a mixture of both and that a breakdown would be provided to the Committee.

- A Member asked for clarification if the figures were just for complaints received about District Councillors

It was confirmed that the report detailed only complaint figures regarding District Councillors.

Members expressed an overall concern about the number of complaints that had been received and requested that the themes of complaints be provided at a future meeting.

ACTIONS:

- a) That a breakdown of complaints from Members of the Council and members of the public be provided.**
- b) That details of the themes of complaints be provided to the Committee.**

5. Amendments to the Constitution - Constitution Review 2020

Members received a report on the work of the Constitution Review Working Group.

The Constitution Committee had agreed a project plan for the delivery of a comprehensive review of the Council's Constitution. A review of 'Article 4: The Council', was presented to Members at Appendix 1 to the report.

The following points were highlighted to Members:

- Language used had been reviewed to increase clarity
- Duplications had been removed
- Removal of the Council Procedure Rules from that Article, to be placed alongside other procedure rules
- Review Board will become an Article of its own right
- Appeal Panel will be removed to sit within the Article on the Employment Committee

Members raised the following points:

- Hyperlinks be used where there is reference to another section of the Constitution, for ease of reference
- The Constitution should contain a bibliography of terms
- When reviewing the Constitution, it would be helpful for Members to have an original 'clean' copy and a version with the amendments highlighted
- Significant changes should be highlighted
- A timeline should be developed to ensure the review remained on track
- All Member briefings on a finalised Articles would assist, prior to consideration as whole, before adoption at a meeting of full Council

Members did not feel that they were able to provide any recommendations Cabinet. They requested that the Interim Head of Governance consider a timeline for the review and explore the potential of Member briefings, upon the completion of individual articles.

ACTIONS:

- a) **That a timeline be established for the review**
- b) **That once complete, all Member briefings be used to demonstrate the changes, within individual Articles.**

6. Any other business which the Chairman, by reasons of special circumstances, decides is urgent

There were none.

7. Close of meeting

The Chairman closed the meeting at 11:42.