



Telford & Wrekin
C O U N C I L

Addenbrooke House Ironmasters Way Telford TF3 4NT

COUNCIL CONSTITUTION COMMITTEE

Date **Wednesday, 17 February 2021**
Venue **Remote Meeting**

Time **6.00 pm**

Enquiries Regarding this Agenda

Democratic Services	Stacey Worthington	01952 384382
Media Enquiries	Corporate Communications	01952 382406
Lead Officer	Anthea Lowe, Associate Director: Policy & Governance	01952 383200

Committee Membership: Councillors V A Fletcher, I T W Fletcher, C F Smith (Vice-Chair), M J Smith (Chair), B J Thompson, W L Tomlinson and D R W White

AGENDA

1. **Apologies for Absence**
2. **Declarations of Interest**
3. **Minutes of the Previous Meeting** 3 - 4
To confirm the minutes of the previous meeting.
4. **Terms of Reference** 5 - 8
To review the terms of reference.
5. **Review of the Constitution** To Follow
To receive the report of the Associate Director: Policy & Governance and proposals to establish a working group to undertake a review of the constitution.

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COUNCIL CONSTITUTION COMMITTEE

Minutes of a meeting of the Council Constitution Committee held on Wednesday, 6 July 2016 at 6.00pm at Addenbrooke House, Ironmasters Way, Telford

Present: Councillors M J Smith (Chair), A J Eade, I T W Fletcher, R A Overton, C F Smith, and W L Tomlinson

In Attendance: J Eatough, Assistant Director: Governance, Procurement & Commissioning; and D Moseley, Democratic & Scrutiny Services Team Leader.

CCC-01 Apologies for Absence

Councillors R J Sloan and B D Tillotson.

CCC-02 Declarations of Interest

None.

CCC-03 Minutes

Resolved – that the minutes of the meeting of the Council Constitution Committee held on 25 April 2016 be confirmed and signed by the Chair.

CCC-04 Update to the Constitution

The Assistant Director: Governance, Procurement & Commissioning presented the revised and updated draft Constitution. There were three elements to the report:-

- To seek approval of the Committee to recommend the revised Constitution to Full Council for adoption;
- To recommend to Full Council that voting rights for Co-optees on the Joint Health Overview and Scrutiny Committee be extended for a further three years; and
- To recommend that Full Council accept the removal of printed minutes for noting from future agenda paperwork.

Members queried the process for Members raising questions on Cabinet reports and it was agreed that:-

- No notice of questions on Cabinet reports would be required. Questions on Cabinet reports would be subject to a maximum 30 minute time slot.
- Member questions on other matters would be asked on notice (2 clear working days) in a separate 30 minute timeslot.
- Public questions, subject to a 7 clear working day notice period, would be considered in a further separate time slot of 15 minutes.

Members also requested that a clause regarding the referral of a motion be reinserted in the Constitution.

Clarification of the wording to the procedure rules of the Committees subject to separate procedures in the interests of natural justice was also suggested.

With regard to the delegation to officers by Council Constitution Committee, Members requested an amendment that the Chair would bring changes to the Committee if he considered it appropriate.

Members were advised that the Legal Team was working with Assistant Directors on the full list of delegations to officers and some further cosmetic changes were required to introduce some electronic functionality.

Members made a vote of thanks to the Democratic & Legal Services Manager for his work on the Constitution.

RESOLVED – to RECOMMEND to Full Council that :-

- (a) subject to the revisions noted above, the revised Constitution be adopted**
- (b) voting rights for Co-Optees on the Joint Health Overview and Scrutiny Committee be extended for a further three years**

The meeting ended at 6.23pm

Chairman:

Date:

TELFORD & WREKIN COUNCIL

COUNCIL CONSTITUTION COMMITTEE – 17 FEBRUARY 2021

REVIEW OF TERMS OF REFERENCE

REPORT OF THE ASSOCIATE DIRECTOR: POLICY & GOVERNANCE

PART A) – SUMMARY REPORT

1. SUMMARY OF MAIN PROPOSALS

For the Council Constitution Committee to review its Terms of Reference attached at Appendix 1.

2. RECOMMENDATION

2.1 That the Committee review and agree the Terms of Reference set out at Appendix 1.

3. SUMMARY IMPACT ASSESSMENT

COMMUNITY IMPACT	Do these proposals contribute to specific Priority Plan objective(s)?	
	Yes	The Committee is part of the Council's decision making framework and therefore contributes to all of the Council's priorities.
	Will the proposals impact on specific groups of people?	
	No	
TARGET COMPLETION/DELIVERY DATE	If the Committee recommends any changes to the Terms of Reference; they will proceed to Council Constitution Committee and then, if approved, onto full Council at the earliest opportunity.	
FINANCIAL/VALUE FOR MONEY IMPACT	Yes/No	There are no financial implications of adopting the recommendations of this report
LEGAL ISSUES	Yes/No	The Constitution requires that the Terms of Reference be reviewed on an annual basis. The Council is required to comply with the Constitution.
OTHER IMPACTS, RISKS & OPPORTUNITIES	Yes	There are no other specific impacts arising from this report.
IMPACT ON SPECIFIC WARDS	Yes	Borough-wide impact

PART B) – ADDITIONAL INFORMATION

4. INFORMATION

- 4.1 The Constitution requires that Full Council should agree at its Annual Meeting the Terms of Reference for each of its Committees to enable the Council to efficiently conduct its business.
- 4.2 At the Annual Meeting on 21 May 2021, Full Council delegated authority to each Committee to review its own Terms of Reference.
- 4.3 The Terms of Reference forms part of the Constitution and was approved by Full Council in that context on 14 July 2016.
- 4.4 No changes to the Terms of Reference are suggested.

5. PREVIOUS MINUTES

- 5.1 Council – 14 July 2016 and 21 May 2021.

6. BACKGROUND PAPERS

Constitution – www.telford.gov.uk/constitution

Report prepared by Stacey Worthington, Senior Democratic & Scrutiny Services Officer. Telephone 01952 384382

Constitution Committee - Terms of Reference and Procedure

The Committee has the responsibility and delegated powers to act on behalf of the Council to oversee the Council's Constitution and decide on the following matters.

TERMS OF REFERENCE

The Constitution Committee will:-

- (a) Receive reports from the Monitoring Officer about the operation of the Constitution.

Note - The Monitoring Officer has delegated power to monitor and review the operation of the Constitution, to make minor administrative amendments or make changes to reflect changes in law and report regularly to the Constitution Committee on whether or not it is achieving its purpose or could be amended better to achieve its purpose.

- (b) Consider proposed changes to any part of the Constitution and, if appropriate, make recommendations to Council to change the Constitution.
- (c) Annually at the first meeting after the Annual Council Meeting consider its terms of reference.

Note – The Council via the Constitution Committee have delegated the following powers and functions to the Monitoring Officer in consultation with the Chairman of the Committee

1. To amend the Constitution to correct minor administrative errors,
2. To amend the Constitution to update job titles
3. To amend the Constitution where legislative changes result in any section of the Constitution being in conflict with any relevant legislation

Provided that the Chairman may decide for any proposed amendments as detailed in paragraphs 1 to 3 above that it be considered by Council Constitution Committee.

PROCEDURE

- The Committee will be conducted in accordance with the Council's [Committee Procedure Rules](#).

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