

BOROUGH COUNCIL OF KING'S LYNN & WEST NORFOLK
CORPORATE PERFORMANCE PANEL - INFORMAL WORKING GROUP -
CONSTITUTION

Minutes from the Meeting of the Corporate Performance Panel - Informal Working Group - Constitution held on Tuesday, 14th May, 2024 at 4.30 pm in the Kempe Room, Town Hall

PRESENT: Councillor A Beales (Chair)
 Councillors S Bearshaw, R Coates, B Long, J Moriarty and J Osborne.

1 APPOINTMENT OF CHAIR OF THE IWG

Councillor Beales was appointed Chair of the Informal Working Group.

2 APOLOGIES FOR ABSENCE

Councillors Dickinson and Ryves.

3 MEMBERS PRESENT UNDER STANDING ORDER 34

Councillor Coates.

4 INTRODUCTION FROM THE MONITORING OFFICER

The Monitoring Officer outlined the purpose of the group, the statutory duty to review the Constitution periodically and proposals for plans/framework to take the work forward.

It was suggested that one set of amendments be taken through the decision making process each year. It was suggested that the first set of amendments be taken to Full Council on 28th November, meaning the IWG would need to present their first report back to the Corporate Performance Panel at their meeting on 16th October and Cabinet on 5th November.

The Monitoring Officer suggested the way forward be:

- To keep a running list of minor amendments.
- The IWG to pick topics/sections of the Constitution to review and if necessary the IWG could break off into sub groups to look at sections in more detail and bring their proposals back to the IWG for consideration.
- The IWG would have a continuous role.

The IWG made the following comments:

- Important for cross party and Cabinet Member support, that is why Cabinet Members were included in the IWG.
- Councillor Coates likely to replace Councillor Dickinson on the IWG in the new Municipal Year.
- The IWG discussed if it was necessary to start from scratch and pick a model Constitution to work from, however it was felt that currently the existing constitution was still workable and work should start on amending the current constitution.
- Officers from other Directorates could be invited to IWG meetings if the group wanted to consider certain parts of the Constitution, for example the Financial Regulations. It was also important to know what other departments were in the process of reviewing to avoid duplication.

5 **CENTRE FOR GOVERNANCE AND SCRUTINY GUIDANCE ON CONSTITUTION REVIEW**

The Monitoring Officer encouraged the IWG to read through the guidance, in particular the 26 items which acted as a checklist.

The IWG discussed the impact a change of governance arrangements would have on the Constitution but it was felt that the work of the group should continue with regard to the existing arrangements. It was noted that the Governance Review work was still ongoing.

The Monitoring Officer provided examples of:

- Wirral's Constitution which was a good example.
- NCC Constitution which had a good contents page and index.

The IWG noted that training for officers and Councillors on the Constitution would be required so that all could take ownership and be aware of the rules.

Councillor Coates agreed to pass his list of typos to the Monitoring Officer, which could be added to the list of Minor amendments as appropriate.

6 **FORWARD WORK PROGRAMME**

The Monitoring Officer provided the IWG with a list of topics/sections that the IWG could focus on which included:

- Scheme of Delegation – it was noted that minimal changes to this were likely to come forward in June following Cabinet appointments at Annual Council. The Monitoring Officer also suggested that delegations to officers needed to be included if there was a legal requirement to do something, for example the Local Plan process.
- Inclusion of information on Companies.
- Budget Council meeting – procedures. The IWG agreed that this item was a priority for the group to focus on and would come back to the next meeting for consideration.

- Full Council – questions not carrying over, order of business and Notices of Motion.
- Legislative updates, including removal of repealed legislation – Monitoring Officer to bring back amends to a future meeting of the group.
- Reduction on the number of Members on Committees.

The IWG agreed which items they needed to look at as a priority and these would be brought to the next meeting, which would take place the beginning of July.

7 **TERMS OF REFERENCE**

The Group accepted the Terms of Reference agreed by the Corporate Performance Panel and noted that they could be amended if required when the group reported back to the Panel.

8 **DATE OF THE NEXT MEETING**

Tuesday 2nd July at 4.30pm in the Kempe Room, Town Hall and on Microsoft Teams.

The meeting closed at 6.23 pm

BOROUGH COUNCIL OF KING'S LYNN & WEST NORFOLK
CORPORATE PERFORMANCE PANEL - INFORMAL WORKING GROUP -
CONSTITUTION

Minutes from the Meeting of the Corporate Performance Panel - Informal Working Group - Constitution held on Wednesday, 24th July, 2024 at 3.30 pm in the Meeting Room 2-4 - Second Floor, King's Court, Chapel Street, King's Lynn

PRESENT: Councillor A Beales (Chair)
 Councillors S Bearshaw, R Coates, A Dickinson, A Kemp, S Lintern, J Moriarty, J Osborne, A Ryves and A Ware

An apology for absence was received from Councillor B Long

1 MEMBERS PRESENT UNDER STANDING ORDER 34

Councillors R Coates and A Kemp attended under standing order 34.

2 NOTES FROM THE PREVIOUS MEETING

The Notes from the meeting on 14 May 2024 were agreed as a correct record.

3 REPORT FROM THE MONITORING OFFICER

The Monitoring Officer presented her report addressing areas of the Constitution that required immediate attention in this Municipal Year, the following documents were presented for consideration:

- Draft Council Procedure Rules which were commonly adopted across other local authorities.
- To extrapolate the concept out to its fullest extent, the report suggested that there could also be Cabinet Procedure Rules and Committee Procedure Rules that would replace a majority of Standing Orders.
- The draft Council Procedure Rules pick up the identified key issues around a Budget Full Council Meeting Procedure, Notices of Motion, Questions to Cabinet Members and Chairs
- Schedule of Minor amendments to the Constitution

4 MINOR AMENDMENTS LIST

The list of minor amendments to the Constitution were noted.

5

TOPICS FOR CONSIDERATION - COUNCIL PROCEDURE RULES

The Working Group considered the draft procedure rules, which had been based on those used by 4 other local authorities in the area.

Councillor Joyce had submitted his comments on the document via email.

Budget Meeting

The Working Group considered the Budget element of the procedure in great detail. It was proposed to have the meeting solely to deal with budget related items, with no Cabinet members questions, in order for the council to give due consideration to those items. The draft procedures on the issue of amendments to the budget set out suggestions on them being submitted through Group Leaders where they existed, to the S151 officer so that they could be assessed as delivering a balanced budget, being within the Council's powers and not triggering any legal requirement for consultation. They would be shared with other Group Leaders.

The numbers of amendments would also be limited. Once confirmed the amendments would be published.

The Working Group debated the draft proposals with differing views regarding the amendments. Concern was raised at last minute amendments being tabled which no members had been able to consider in advance and take into account the impact of them. Points were also raised that Members should be able to bring amendments at any stage in the run up to and during the budget meeting as a democratic right.

It was agreed that Members access to the budget process should begin earlier in the process, in November, in order for all members to become more familiar with the budget documents through training and consideration of reports, to enable them to have their say on proposals early in the process.

The draft proposals also suggested extending the times for speaking on the budget. This was supported.

Recommended: That the Corporate Performance Panel be asked to consider the draft section 6 on the Budget meeting, taking into account the points raised on the rights and responsibilities of Councillors to their communities when considering budget proposals,

and the democratic rights of Councillors to make amendments up to the final decision being taken.

Notices of Motion

The draft proposal for Notices of Motion contained a section for members to consider the suitability of alternative areas for the subject matter to be considered. It was agreed that this be included.

The paper suggested that the number of Notices of Motion should be limited per Group, and for non aligned, and the limits would not be rolled over.

The question of setting a time limit for the consideration of Notices of Motion was discussed, acknowledging the ability to move a debate forward through procedural motions such as the Question be put. It was suggested that the Mayor should use the motion when required. It was also agreed that amendments to Motions should be sent round in advance to members.

Recommended: That the Corporate Performance Panel be invited to consider the proposals as put forward whilst also inviting the Panel to consider the question of time limits on Notices of Motion.

Cabinet Members Questions

The proposed procedure suggested merging Cabinet Members and Leaders Questions into a 1 hour slot, and did not permit a roll over of reports to following meetings if the items were not completed. This proposal was agreed. The question of whether supplementary questions be permitted to be referred to the Panel for consideration.

Questions of Chairs

The procedure suggested a time limit on questions of Chairs and did not permit a roll over to the following meeting if not completed..

Recommended: That the Corporate Performance Panel be invited to endorse the proposals on Cabinet Member and Chairs Questions, also considering the issue of whether supplementary questions should be permitted.

6 **ANY OTHER BUSINESS**

None

7 **DATE OF THE NEXT MEETING**

It was suggested that the next meeting of the IWG be held at the end of August, and again at the end of September.

The recommendations would then go to Corporate Performance Panel, and all Councillor briefings prior to going to Cabinet and Council.

The meeting closed at 6.10 pm

BOROUGH COUNCIL OF KING'S LYNN & WEST NORFOLK

CONSTITUTION INFORMAL WORKING GROUP

Minutes from the Meeting of the Constitution Informal Working Group held on Thursday, 22nd August, 2024 at 5.00 pm in the Meeting Room 2-4 - Second Floor, King's Court, Chapel Street, King's Lynn and on Microsoft Teams

PRESENT: Councillor Beales (Chair), Bearshaw, Lintern, Long, Moriarty and Osborne.

PRESENT UNDER STANDING ORDER 34: Councillors Bubb, Coates and Ratcliffe.

OFFICERS: Alexa Baker, Monitoring Officer

1 **APOLOGIES**

Councillors Dickinson and Ware.

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2 **MEMBERS PRESENT UNDER STANDING ORDER 34**

Councillors Bubb, Coates and Ratcliffe.

3 **NOTES FROM THE PREVIOUS MEETING**

The notes from the previous meeting were agreed as a correct record.

4 **REPORT FROM THE MONITORING OFFICER**

Members were reminded that they had considered the draft Council Budget meeting procedure rules at the last meeting. The proposal would be that these would be presented to CPP, Cabinet and Full Council before becoming part of the Constitution. The creation of the rules would mean that some Standing Orders could be stripped out as they were covered instead by the meeting rules.

The benefit of the meeting rules would be that they were all in once place and pertinent to each body. A separate set of meeting procedure rules could be created for the different types of meetings.

5 **TOPIC FOR CONSIDERATION- COUNCIL PROCEDURE RULES**

The Council procedure rules were considered by the Group as follows and the Group agreed that the rules could be presented to CPP for consideration, subject to the following changes:

Notices of Motions

Suggested one motion per group per meeting and time limit introduced – 30 minutes per motion and 60 minutes overall with the ability to roll over to the next meeting. The Group discussed the rolling over of motions and felt that they should not be rolled over and instead would need to be resubmitted to a subsequent meeting if they were still relevant.

RECOMMENDED: Notices of Motion rules as set out in the agenda be taken forward, however Notices of Motions should not be rolled over and instead would need to be resubmitted.

Prayers (page 14 of agenda)

Noted that these were a choice.

RECOMMENDED: CPP/Full Council invited to consider.

Procedure at Annual Meetings (page 41 of agenda)

Speeches for Chairs nominations were clarified in 3.5 to 3.7 there would be no speeches for those proposed as Chairs of Committees and Leader of the Council.

3.7 dealt with vote of thanks to the outgoing Mayor and Deputy. Suggested that this be reworded so that a vote was not required. "Convey Thanks" would be used instead.

Procedural Closing Motion and 'the question now be put' (page 52 of agenda)

Suggested changes were outlined and included making the procedure clearer and the Group were asked to consider if the Chair should have the power to adjourn the meeting.

11.1.1 also set out the procedure for ending the debate on an item. The group were asked to consider if this should come from the Mayor or the floor. Problems with it coming from the floor could be that the Member who wishes to propose that 'the question now be put' may be on a long list of speakers and have to wait.

RECOMMENDED: 1. Proposer and seconder required to bring the meeting to a close. Power should not lie solely with the Chair of the meeting.

2. Two options be put forward for CPP to consider relating to 'the question now be put'. Either needs to come from the floor only, or give the Mayor the power to propose.

Rules of Debate

Members of the Group to read through, check the flow and submit and amendments to Alexa Baker.

The Group was asked to consider if rules should be added to give Group Leaders precedent to speak first as in the budget meeting rules, or if this should remain as Mayors discretion.

RECOMMENDED: Group Leaders precedent to speak first should only apply to the Budget Meetings.

Amendments to Motions

13.14 set out the process for moving amendments. This was that the Monitoring Officer would confirm it was a valid amendment and did not negate or introduce a new issue etc. A new step to disallow/allow was suggested to be added in before the proposer could then speak on the amendment.

A definition section would also be added.

The Group were asked to check the flow of words in this section and submit any comments to Alexa Baker.

Public Question Time.

Added that the question and answer should be appended to the minutes.

Councillor Long asked if the ability for the public to ask a question remotely be removed as it was not always easy to hear.

RECOMMENDED: 16.6 be amended to exclude the press and public getting hard copies of public questions. It was noted that a list of public questions was published on the website in advance of the meeting instead.

MINOR AMENDMENTS LIST

The minor amendments list was noted. The Group discussed the proposal to decrease the size of the Planning Committee.

Amendments to Standing Order 34 were also discussed with regard to the Planning Committee.

RECOMMENDED: 1. The proposal to decrease the size of planning be passed to CPP for consideration.
2. Standing Order 34 for Planning Committee be amended to permit the Ward Member, plus one other under exceptional circumstances with the agreement of the Chair of the Planning Committee.

7 **ANY OTHER BUSINESS**

Councillor Beales informed the Group that he would be standing down as Chair. A new Chair would be appointed at the next meeting.

8 **DATE OF THE NEXT MEETING**

2nd October 2024 at 4.00pm in Meeting Room 2:4, King's Court.

The meeting closed at 6.20pm