6

Record of Decisions

Review of the Constitution Steering Group

Tuesday 7 October 2014

Present:

Councillor Bob Chapman
Councillor Stephen Chappell
Councillor Ben Grower – Chair
Councillor David Kelsey
Councillor Andrew Morgan
Councillor Ron Whittaker

By invitation - Councillor Mike Greene.

Tanya Coulter - Monitoring Officer and Director of Legal and Democratic
Kevin Neale - Democratic Services Manager
Liz Wilkinson – Chief Finance Officer and Executive Director Finance

Apologies for absence were received from Councillor Roger West.

The meeting started at 13.30pm

1. Election of Chair

The Steering Group confirmed Councillor Ben Grower as their Chair for the remainder of the Municipal Year 2014/15.

2. Proposed new Council Procedure Rule for the submission of Motions at special Council budget meetings

The Steering Group considered the Monitoring Officer's briefing paper which set out proposals for the introduction of a new Council Procedure Rule in relation to arrangements for the Council budget meeting.

If adopted the Procedure Rule will require 5 working days notice to be given in advance of the Council budget meeting if a councillor wants to submit a motion seeking approval of alternative budget proposals that impacts on either the revenue or capital budget and the financial impact is in excess of £500,000.

The Chief Finance Officer commented that whilst this had not been a significant issue of concern for the Council for some time, it is something that the Council might prefer to have covered for general future proofing purposes and/or particularly in advance of an election year.

It was noted that to facilitate a deadline of 5 working days for the submission of motions to the Council budget meeting Cabinet, at its meeting on 23 July 2014, had agreed to put back the date of the special Cabinet budget meeting by 1 week.

The Chief Finance Officer stressed that the alternative option of delaying the meeting of the special full Council budget meeting until the first week of March was not recommended as this would seriously jeopardise the Council's legal duty to issue Council Tax bills in time for the 1 April payment.

It was also noted that if the proposed new Procedure Rule was agreed there would be a need to make some small consequential changes to the following Council Procedure Rules:

- 69. Procedure for Motions with notice
- 70. Motions to increase expenditure

The Chair informed the Steering Group that before the meeting he had raised some concerns with the Chief Finance Officer regarding the wording in the proposed new Procedure Rule. He was anxious to ensure

a. that the new Procedure Rule was fair to all political parties and individual councillors;
b. that full Council made the final decision on the acceptance or otherwise of a submitted Motion; and
c. that advice and assistance from the Chief Finance Officer and his/her staff was available to any Councillor who wished to submit a Motion on alternative budget proposals.

The Chief Finance Officer than circulated some suggested revised wording for the proposed new Procedure Rule which was designed to meet the Chair's concerns.

In response to a question regarding the proposed £500,000 threshold the Chief Finance Officer explained that any alternative budget proposals of this magnitude would represent a material change to the Council's overall budget and required detailed examination to assess their impact on the ability of the Council to approve a balanced budget. On the other hand typical budget Motions involving smaller amounts – for example proposing the re-allocation of tens of thousands of pounds between certain budget heads - could be adequately dealt with by the Chief Finance Officer during the Council budget meeting.

DECISION:

1. **The Chair and Councillor Stephen Chappell are granted delegated authority, in consultation with the Officers, to agree the final wording of the proposed new Council Procedure Rule.**

2 **The Cabinet is asked to recommend to full Council**

a. **That the proposed new Council Procedure Rule as set out below and approved by the Chair and Councillor Stephen Chappell acting under delegated powers, is adopted:**

'**Procedure for Motions to the Council Budget meeting**

1. Any motion to amend the Cabinet's Budget proposals by changing resource allocations or any motion seeking approval of alternative budget proposals that impacts on either the revenue or capital budget which would have a financial impact in excess of £500,000, must be put in writing and be submitted to the Chief Finance Officer at least 5 working days before the Council's budget meeting;

2. The Council Budget meeting must receive a written report from the Chief Finance Officer on whether the proposals made have been correctly calculated enabling a balanced budget position to be agreed and that in doing so this would not compromise the ability of the Council to maintain an adequate level of reserves in order to protect the Council's financial strategy.

Note – Members of the Council making alternative Budget proposals of this kind should make the Chief Finance Officer aware of their wish to do so and will be entitled to receive advice and assistance from the Chief Finance Officer and his/her staff as necessary.'

b. That subject to the adoption of a. above the following consequential changes to Council Procedure Rules 69 and 70 are adopted:

Amend by adding the wording shown in **bold text and underlined**:

'69. Procedure for Motions with notice

b. **With the exception of Motions for the Council Budget meeting – see Procedure Rule ** below,** all notices of motion will be in writing and signed by a Member of the Council and delivered to the Service Director of Legal and Democratic at least 7 clear working days before the meeting of the Council.'

'70. Motions to increase expenditure – other than in connection with the Council's Budget meeting'

c. That the Monitoring Officer is granted delegated authority to make all necessary changes to the Constitution.

3. Review of arrangements for voting at full Council meetings

The Steering Group was reminded that on 4 January 2014 it had agreed to recommend to the Cabinet and full Council that the current arrangements for the recording of votes at full Council meetings be reviewed. This recommendation was adopted by full Council on 4 March 2014.

Consideration was then given to the Monitoring Officer's briefing note which set out the background to the current voting arrangements together with options for change.

The Monitoring Officer reminded the Steering Group that the current voting arrangements were introduced by full Council in 2012 on the recommendation of the Standards Committee for the purposes of transparency.

It was noted that currently there was no budget provision available to introduce any new form of electronic voting system.

DECISION:

The Cabinet is asked to recommend to full Council that no change is made to the current arrangements for the recording of votes at full Council meetings.

4. Openness of Local Government Bodies Regulations 2014 and the draft Local Government (Electronic Communications) (England) Order 2014

DECISION:

This Steering Group notes the contents of the Monitoring Officer's briefing paper which summarises new Government requirements in relation to the democratic process as set out in

- **The Openness of Local Government Bodies Regulations 2014; and**
- **The draft Local Government (Electronic Communications) (England) Order 2014.**

5. Audio recording of public meetings

DECISION:

This Steering Group notes the progress report by the Democratic Services Manager on the procurement and installation of the new audio recording equipment for use in the HMS Phoebe and Royal Hampshire meeting rooms and the Council Chamber.

The meeting closed at 2.00pm

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