

Constitution and Ethics Committee Minutes

Date: Tuesday 27 September 2022

Time: 14:00pm -14:19pm

Venue: New Shire Hall, Alconbury Weald, Huntingdon, PE28 4YE

Present: Councillors Sebastian Kindersley (Chair), David Ambrose Smith, Lorna Dupré, Neil Gough, Elisa Meschini (substituting for Councillor Alex Bulat) and Tom Sanderson.

32. Apologies for Absence and Declarations of Interest

Apologies were received from Councillor Alex Bulat.

No declarations of interest were made.

33. Minutes – 26 April 2022

The minutes of the meeting held on 26 April 2022 were agreed as a correct record and signed by the Chair.

34. Review of the Constitution

The Committee received a report detailing various proposed changes to the Council's Constitution. An equalities review had been undertaken and consequent recommendations regarding how accessibility at meetings could be improved included providing Members with alternative options to standing when speaking or halting debate in Council meetings. Also proposed was removing the requirement for public speakers and petitioners to provide details of their postal and email address upon application to also improve accessibility and equality.

Further changes were proposed to improve the Council's efficiency. This included no longer requiring Members to sign a physical record of attendance. Also, delegating authority to the Chief Executive, and Executive Directors, in consultation with Group Leaders and Chairs respectively, to appoint representatives to outside bodies between Council meetings; delegating authority to the Monitoring Officer to declare casual vacancies between Council meetings; and allowing policy and service committees to approve delegations to other authorities.

The report also compared the Council's Code of Conduct and Social Media Protocol to the Model Code of Conduct. Members agreed that the current Code of Conduct and Social Media Protocol should remain unchanged.

In response to Members' questions, the officer:

- Confirmed that the proposed changes would not prevent someone outside the county from asking a public question, but that there was also currently no constitutional requirement to prevent such a question.
- Noted that some other organisations also kept physical copies of documents to protect against technological failure. Within the Council, technological failures with regard to the record of attendance were mitigated by Democratic Services' record of attendance in the minutes, as well as virtual voting records. If these systems failed, it would be possible to return to a manual register, although the Chair recognised that this had previously also proved fallible.

It was resolved unanimously to recommend the following changes to the Constitution, as set out in the report, to Full Council:

- (i) Amendments to the requirement to stand in the Council Procedure Rules;
- (ii) Amendments to petition and public question requirements;
- (iii) A delegation to declare casual vacancies;
- (iv) Removal of requirement for members to sign attendance sheets;
- (v) Grant authority for the delegation of functions to other local authorities to policy and service committees, where appropriate; and
- (vi) Amendments to delegations to appoint representatives to outside bodies.

35. A Review of Complaints Received under the Members' Code of Conduct

The Committee received a report detailing the number and nature of the complaints received about Members under the Code of Conduct from 25 February 2022 to date. The report documented one new, one ongoing and four concluded complaints. The Monitoring Officer commented that there had been a steady stream of complaints during this period.

In response to Members' questions, the Monitoring Officer confirmed that cumulative data for complaints was available and agreed to present this data to the first meeting of the Committee after the annual meeting of Council.

It was resolved unanimously to:

Note the report.

36. Constitution and Ethics Committee Agenda Plan,

It was noted that an additional report on pay increase for Independent Persons would be presented in 2023. The Chief Executive informed the Committee that the report on the Governance Review, scheduled for the Committee meeting in November 2022, may need to be presented at the following meeting in January 2023 due to delayed receipt of the review performed by the Centre for Governance and Scrutiny.

The Committee noted its agenda plan.

Chair
15th November 2022