

Annual Council – 20th May 2019

Constitution and timetable of meetings 2019/2020

1. Summary of report

- 1.1 This report sets out proposed amendments to the Constitution and is produced in accordance with the requirements of Article 13 of the Constitution and the Council's duty to monitor and review the Constitution.
- 1.2 The report also sets out the timetable of meetings to be adopted for the municipal year 2019/2020.

2. Recommendations

- 2.1 That the amendments to the following parts of the Constitution as set out in the report be approved:
 - (a) Part 3 – Responsibility for functions:
 - 3.2 - Audit Committee/Personnel Committee
 - 3.5 – Scheme of delegations to officers
 - (b) Part 4 – Rules of procedure
 - 4.1 – Council procedure rules
 - 4.5 – Overview and Scrutiny procedure rules
 - 4.6 – Officer Employment Procedure Rules
 - (c) Part 5.1 – Members' Code of Conduct
 - (d) Article 4 – The Council
- 2.2 That the timetable of meetings for the municipal year 2019/2020 as set out in **Appendix 5** of the report be approved.

3. Background information

3.1 Part 3 – Responsibility for functions

(a) Part 3.2 (6) – Audit Committee

Wording under 'Meetings' to be replaced with 'The committee shall meet 5 times per year and will usually meet at the Council House, Walsall at 6.00 p.m.'

(b) **Part 3.2 (9) – Personnel Committee**

The terms of reference for the Personnel Committee have been amended to current legal position following legislative changes and subsequent guidance. The revised terms of reference are attached as **Appendix 1**.

(c) **Part 3.5 – Scheme of delegations to officers**

The delegations to officers under the Constitution are reviewed on a regular basis to reflect changes in legislation, structural and organisational changes within the Council.

At its meeting on 15 April 2019 the Audit Committee reviewed the proposed amendments to the scheme of delegations to officers. A copy of the revised Scheme of delegations of functions to officers considered by Audit is reproduced (showing tracked changes) as **Appendix 2**.

3.2 **Part 4 – Rules of Procedure**

(a) **Part 4.1 – Council Procedure Rules**

Paragraph 13 – “Notices of motion” has been amended at 13.1 to include an additional paragraph (b) and now reads as follows:

- (a) Notices of motion shall be given in writing to the Chief Executive at least 7 clear days before the meeting of the Council and shall be signed by the Member or Members of the Council giving the notice;
- (b) Notices of motion submitted by more than one member shall make clear the name of the lead member formally submitting the motion.
- (c) Such notices shall be dated and numbered in the order in which they are received and entered in a book kept for that purpose at the Chief Executive's office, and shall be open for inspection by every Member of the Council.

(b) **Part 4.5 – Overview and Scrutiny Procedure Rules**

Paragraph 17.01(a) – “Call-in decisions that are not urgent” has been amended to refer to working days.

(c) **Part 4.6 – Officer Employment Rules**

The officer employment Procedure Rules have been amended to reflect the current legal position following legislative changes and subsequent guidance. The revised officer employment rules are attached as **Appendix 3**.

3.3 **Part 5.1 - Members' Code of Conduct/Arrangements for dealing with Standards Complaints under the Localism Act 2011**

The Council's Standards Committee considered a report detailing proposed changes to the members Code of Conduct/arrangements for dealing with Standards Complaints at its meeting held on 9th April, 2019.

The amended Code and Arrangements for dealing with Standards Complaints under the Localism Act 2011 is attached as **Appendix 4**.

3.4 **Article 4 – The Council**

The Library Plan has been removed from the Policy Framework as it is no longer required. The Children's and Young Peoples Plan has been removed from (ii) Other plans and strategies the Council considers should be adopted as part of the policy framework as it is no longer required.

4. **Timetable 2019/2020**

The draft timetable which is recommended for approval is attached as **Appendix 5**.

In order for business to be administered in the most effective way possible, it is important that once the timetable is agreed by the Council, only in the most exceptional circumstances should meeting dates be re-arranged.

Background papers

Report to Audit Committee – 15th April, 2019

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A handwritten signature in black ink, appearing to read 'Anthony A.', is written over a faint, dotted grid background.

Head of Legal and Democratic Services
10th May 2019