

# Regulatory & Appeals Committee Minutes

Date: 2 February 2015

Time: 7.00 - 7.20 pm

**PRESENT:** Councillor R Wilson (In the Chair)

Councillors: M C Appleyard, A D Collingwood, R Farmer, R Gaffney, M Hussain JP,  
Mrs G A Jones, B E Pearce, J L Richards OBE and T Snaith

## 20 APOLOGIES FOR ABSENCE

Apologies for absence were received from M Hanif, J A Savage and Ms P L Lee.

## 21 MINUTES

**RESOLVED:** That the minutes of the meeting of the Regulatory & Appeals Committee held on 26 November 2014 be confirmed as a correct record and signed by the Chairman.

## 22 DECLARATIONS OF INTEREST

No declarations of interest were received.

## 23 PROPOSED CONSTITUTION AMENDMENTS

A report was considered (agenda item 4) which requested that Members agree to the proposed amendments to the Constitution, relating to the ordering of sections within Parts 1 and 2 of the document. These would then be recommended to Full Council for endorsement. The appendices to the report containing the proposed changes were separately circulated and available to view on the website.

The report stated that at a previous meeting held in March 2014, it had been agreed that the constitution would be kept under constant review to ensure that any legislative changes were accurately included and reflected within the document.

Since that time, further work had been undertaken in relation to reviewing the layout of aspects within Part 2 - entitled Responsibilities for Functions. The report emphasised that the delegation levels within the document remained unchanged, with the proposed amendments merely a tidying up exercise bringing Sections together, aimed at increasing its accessibility and ease of reference. Whilst a brief

review of Part 1 had taken place, with the purpose of reducing repetitive references to procedures the Presenting Officer confirmed that the main focus of the work undertaken had been in relation to Part 2, which had included the Scheme of Delegation to Officers.

Members` attention was also drawn to paragraph 14 of the report which stated the intention to include the Council Petitions Scheme within the Standing Orders (Part 3) of the constitution. A summary of the proposed amendments were highlighted within paragraph 17 of the report.

Members welcomed the changes proposed but emphasised the need to follow up the exercise by undertaking a full and detailed review of the whole Constitution after the Elections in May .

**RECOMMENDED:** That

- (i) The proposed amendments to the Constitution as set out in paragraph 17 of the report be agreed.
- (ii) The Democratic Services Manager be authorised to make the amendments set out above.

## **24 IMPROVEMENT AND REVIEW PROTOCOL**

The Chairman of the Improvement and Review Commission addressed the meeting to confirm and reinforce the point that the proposed amendments did not amount to any fundamental changes which would affect the workings of the Commission.

The submitted report stated that at its meeting held on 14 January, the Improvement and Review Commission had considered updates to its protocol. The protocol had required updating as a number of out of date cross references and statutes had been found in the document.

The revised Protocol was included at pages 6 – 21 of the agenda pack for the Committee`s consideration, with deletions (stuck through) and additions (underlined). It was again emphasised that there were no changes of substance being proposed as a result of the updating exercise. It was requested that the document be endorsed and recommended to full Council for adoption.

Members considered the document before them. A Member voiced his concern over the word appropriate in point (vi) page 7 of the protocol. He felt that the vagueness of the word could potentially impact on non- Executive Members` ability to scrutinise issues. The Chairman of the Commission assured the meeting that there were minimal restrictions under the current system.

Another Member expressed deep concern over the small number of call- ins which were actually debated and felt that this should be an automatic right. He referred to point 44 page 18 of the Protocol, which he considered to be undemocratic in its current form. In considering this matter, it was agreed that the

Protocol should include the right of the Chairman to request the mover and seconder of the call in to present their case, prior to the Chairman taking a vote as to whether the issues should be debated.

**RECOMMENDED:** That subject to the addition that the mover and seconder of a call-in having the opportunity to address the Commission on why the call-in had been submitted (prior to the Commission deciding if the call-in should be debated), the Protocol be recommended to full Council for adoption.

## **25 ACTIONS TAKEN UNDER DELEGATED AUTHORITY**

A file containing actions taken under delegated powers since the last meeting was circulated.

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Chairman

**The following officers were in attendance at the meeting:**

Ian Hunt	- Democratic Services Manager
Iram Malik	- Democratic Services Officer