

COUNCIL
11 October 2023
COMMITTEE RECOMMENDATIONS

Recommendations to Council made at the meeting of the Governance Committee held on 27 September 2023

(a) **Temporary Appointments to Parish Councils**

The report recommended that the power to make temporary appointments to parish councils under section 91 of the Local Government Act 1972 be delegated to the Council's Returning Officer.

The Committee noted that the Monitoring Officer will reflect the delegation in the Constitution (pursuant to her authority to do so, per Article 13, paragraph 13.3 b) 3 of the Constitution) should the recommendation be approved.

RECOMMENDED TO COUNCIL

To delegate authority to the Returning Officer to make temporary appointments to parish councils under section 91 of the Local Government Act 1972.

REASON

Granting the Returning Officer authority to make temporary appointments to parish councils should (i) minimise the period within which a parish council is inquorate and so unable to carry out any business, as Council would otherwise be required to meet and approve the temporary appointment, and, (ii) negate the requirement to convene council meetings to consider and make such appointments.

(b) **Public Speaking at Council Meetings**

The report asked the Governance Committee to consider whether any changes should be made to the provisions that exist under the Constitution for public speaking at ordinary and extraordinary meetings of Council.

The Committee considered whether the changes (as detailed in Appendix D to the report) to the existing provisions (as contained in the Constitution) for public speaking at (a) ordinary and (b) extraordinary meetings of Council were appropriate.

RECOMMENDED TO COUNCIL

- (i) To approve and adopt the changes recommended by the Committee, as detailed in Appendix D to the report; and

- (ii) To note that any adopted changes will be reflected in the Constitution per the Monitoring Officer's authority to implement any such revisions pursuant to Article 13, paragraph 13.3 b) 3 of the Constitution.

REASON

- (i) To review public speaking rights at ordinary and extraordinary Council meetings and adopt any revisions considered appropriate.
- (ii) It is good practice for councils to keep their constitutions and arrangements under regular review.

(c) Public Speaking at Cabinet Meetings

This report asked the Governance Committee to consider whether any changes should be made to the provisions that exist under the Constitution for public speaking at meetings and special meetings of the Cabinet.

The Committee considered whether the changes (as detailed in Appendix D to the report) to the existing provisions (as contained in the Constitution) for public speaking at (a) Cabinet meetings and (b) special Cabinet meetings were appropriate.

RECOMMENDED TO COUNCIL

- (i) To approve and adopt the changes recommended by the Committee, as detailed in Appendix D to the report with the addition of the following wording in 4j 4.5 Scope of questions:
 - e) in the opinion of the Head of Paid Service, relates to personal and/or inappropriate matters of the speaker.
- (ii) To note that any adopted changes will be reflected in the Constitution per the Monitoring Officer's authority to implement any such revisions pursuant to Article 13, paragraph 13.3 b) 3 of the Constitution.

REASON

- (i) To review public speaking rights at ordinary and special Cabinet meetings and adopt any revisions considered appropriate.
- (ii) It is good practice for councils to keep their constitutions and arrangements under regular review.

(d) Delegations to Chief Finance Officer (Section 151 Officer)

The report recommended changes to the Chief Finance Officer's delegations contained in the Council's Constitution. It also incorporated a review of the delegation made by Council in June 2022 in relation to the receipt and expenditure of external grant funding.

The recommendations extend to:

- Grants up to £100,000 for new projects or new service areas;
- Grants up to £249,999 for existing projects or existing service areas; and
- Any other changes to the Council's budget relating to income or expenditure up to £100,000.

The Committee noted that the Monitoring Officer will reflect the delegations in the Constitution (pursuant to her authority to do so, per Article 13, paragraph 13.3 b) 3 of the Constitution) should the recommendations be approved.

RECOMMENDED TO COUNCIL

- (i) To approve that the delegation to the Chief Finance Officer (Section 151 Officer) in paragraph 10 of section 3.5.2 of Part Three of the Constitution be removed and replaced by the following:

"10. With the Leader of the Council, to approve the receipt and consequent expenditure and/or allocation (as the case may be) of grant monies for new projects or new service areas for which there is no provision in the Council's budget up to a threshold of £100,000 in consultation with the Cabinet Member for Finance and Resources and the Chairman of the Overview and Scrutiny Committee.

11. With the Leader of the Council, to approve the receipt and consequent expenditure and/or allocation (as the case may be) of grant monies for existing projects or existing service areas for which there is no provision in the Council's budget up to a threshold of £249,999 in consultation with the Cabinet Member for Finance and Resources and the Chairman of the Overview and Scrutiny Committee."

- (ii) To approve that an additional delegation to the Chief Finance Officer (Section 151 Officer) be included in section 3.5.2 of Part Three of the Constitution as follows:

"12. With the Leader of the Council, to be authorised to make decisions relating to any other income or expenditure for which there is no provision in the Council's budget up to a threshold of £100,000 in consultation with the Cabinet Member for Finance and Resources and the Chairman of the Overview and Scrutiny Committee, such income or expenditure being the gross amount."

REASON

The recommendations will further streamline the decision-making process by allowing certain decisions to be made by the Chief Finance Officer (Section 151 Officer) and the Leader of the Council in a timely manner without the need to obtain prior approval from

Council. The Cabinet Member for Finance and Resources and the Chairman of the Overview and Scrutiny Committee will have oversight of these decisions.

(e) **Electronic Voting**

The report recommended that electronic voting be adopted for use at Full Council meetings.

The Committee noted that the Monitoring Officer will reflect the arrangement in the Council's Constitution (pursuant to her authority to do so as per Article 13, paragraph 13.3 b) 3 of the Constitution) should the recommendation be approved.

RECOMMENDED TO COUNCIL

- (i) To adopt and use an electronic voting system at its Full Council meetings.
- (ii) To approve a £9,667 increase to the Technology Services' 2023/24 revenue expenditure budget to cover the one-off implementation costs.

REASON

- (i) To achieve accurate voting.
- (ii) Full Council must approve all budget changes.