

AGENDA ITEM NO. 9

COUNCIL

Date **20 December 2012**

Title **Constitutional Amendments**

1. PURPOSE/SUMMARY

To make amendments to the Councils Constitution relating to Member training and development, to reflect changes proposed by the Leader.

2. KEY ISSUES

- The Leader proposes that the current Member training requirements for specific committee membership be strengthened to ensure a greater level of Member training.
- The specific committees are to include Planning and Licensing.
- For all other Committees, Members will continue to receive appropriate guidance and briefings as required to support them in their role.
- Enhanced training on relevant topics, current legislation, and best practice, will ensure that Members are regularly updated and able to apply the increased knowledge to the significant roles that are undertaken.

3. RECOMMENDATION(S)

1. That the Council approves the amendments to the constitution set out in appendix 1 with immediate effect.
2. That the existing membership of committees mentioned in this report shall be deemed to have complied with the requirements for training to date.
3. That the Council authorises the Chief Solicitor to make such typographical amendments as are necessary to produce revised clean text copies of the Constitution.

Wards Affected	All
Forward Plan Reference No. (if applicable)	NA
Portfolio Holder(s)	Councillor Melton, Leader of the Council
Report Originator	Ian Hunt, Chief Solicitor
Contact Officer(s)	Alan Pain Corporate Director and Monitoring Officer Ian Hunt, Chief Solicitor
Background Paper(s)	Constitution

1. TRAINING REQUIREMENT

The Council Currently imposes two specific training requirements on Members. In order to be a member of the Planning or Licensing Committees a Member must undertake initial training provided by an external (non Fenland District Council staff member) and an internally facilitated training session. This training must be updated in each year thereafter that the Member serves on either committee.

The Leader wishes to strengthen the training requirement such that all Planning and Licensing Committee Members will have undertaken full and on going training in the relevant discipline.

Constitutional amendments are included to reflect this requirement.

For all other Committees, Members will continue to receive appropriate guidance and briefings as required to support them in their role.

2. FINANCIAL IMPLICATIONS:

The proposals within this report have a limited direct financial implication on the Council; the only material cost being that attributable to the annual training requirements.

3. EFFECT ON CORPORATE OBJECTIVES

Whilst not directly impacting on the corporate objectives, the powers contained within the amendments will enable the council to operate in a way which reflects Members current desires to achieve greater flexibility, openness and transparency.

Amendments to the Constitution

Conventions:

Only relevant parts of the sections are included, amendments are explicitly shown rather than to be inferred.

Where part of the existing text is being removed it is struck through: ~~Example~~

Where additional text is added it is underlined: Example

Instructions or comments shown in [square brackets]

Part 3 Responsibility for Functions:

Definitions of Membership Table:

Decision Making Body	Membership
Planning Committee	<p>A new member appointed to Planning Committee must not take part in or vote on any decision made by Planning Committee until they have attended <u>in full</u> at least one internal and one external training session on planning related topics.</p> <p>Existing members of Planning Committee who take part in or vote on any decision made by Planning Committee should attend <u>in full</u> at least one internal and one external training session on planning related topics during each municipal year. Failure to complete the training will be brought to the attention of the group leader prior to reappointment at annual council. Any new member undertaking initial training will meet their annual requirement. For the avoidance of doubt any member who fails to comply with the annual training provision will not by itself render a decision unlawful.</p>
Licensing Committee	<p>A new member appointed to Licensing Committee must not take part in or vote on any decision made by Licensing Committee until they have attended <u>in full</u> at least one internal and one external training session on licensing related topics.</p> <p>Existing members of Licensing Committee who take part in or vote on any decision made by Licensing Committee should attend <u>in full</u> at least one internal and one external training session on licensing related topics during each municipal year. Failure to complete the training will be brought to the attention of the group leader prior to reappointment at annual council. Any new member undertaking initial training will meet their annual requirement. For the avoidance of doubt any member who fails to comply with the annual training provision will not by itself render a decision unlawful.</p>