

Central Bedfordshire  
Council  
Priory House  
Monks Walk  
Chicksands,  
Shefford SG17 5TQ



please ask for Sandra Hobbs  
direct line 0300 300 5257  
date 7 October 2010

## **CONSTITUTION ADVISORY GROUP MEETING**

<b>Date:</b>	<b>Monday, 18 October 2010</b>			
<b>Time:</b>	<b>2.00 p.m.</b>			
<b>Venue:</b>	<b>Room 15b, Priory House, Monks Walk, Shefford</b>			
<b>Members</b>	Cllrs	Mrs C F Chapman MBE D Jones M Jones	Cllrs	D Lawrence S F Male A J Shadbolt

### **AGENDA**

**1. APOLOGIES FOR ABSENCE**

To receive apologies for absence.

**2. MINUTES OF THE PREVIOUS MEETING**

To consider the minutes from the meeting held on 13 July 2010.

<b>REPORTS</b>
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**ITEM SUBJECT**

**PAGE NOS.**

**3. ORAL QUESTIONS AT COUNCIL**

9 - 18

To consider changes to the Council Procedures for Oral Questions.

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|----|--|-------------|
| 4. | <b>FORMALISING THE CONSTITUTION ADVISORY GROUP IN THE CONSTITUTION</b>                   | 19 - 24     |
|    | To set out the membership of the Constitution Advisory Group in the Constitution.        |             |
| 5. | <b>PETITION SCHEME - CROSS-REFERENCE WITH THE PUBLIC PARTICIPATION SCHEME</b>            | 25 - 28     |
|    | To cross reference aspects of the Petitions Scheme with the Public Participation Scheme. |             |
| 6. | <b>CONSTITUTION ON THE COUNCIL'S WEBSITE</b>   | Oral Update |
|    | To receive an oral update.   |             |
| 7. | <b>WORK PROGRAMME</b>  | 29 - 32     |
|    | To identify matters for future meetings.   |             |
| 8. | <b>DATE OF NEXT MEETING</b>  |             |
|    | The date of the next meeting is 2 December 2010 at 2.00 pm.                              |             |

**CENTRAL BEDFORDSHIRE COUNCIL**

At a meeting of the **CONSTITUTION ADVISORY GROUP** held at Council Chamber, Priory House, Monks Walk, Shefford on Tuesday, 13 July 2010

**PRESENT**

Cllr S F Male (Chairman)

Cllrs Mrs C F Chapman MBE  
D Jones

Cllrs D J Lawrence  
A Shadbolt

Apologies for Absence: Cllr M R Jones

Members in Attendance: Cllr Mrs J Lawrence

**CAG/10/72 Apologies for Absence**

Apologies for absence were received from Councillor M Jones.

**CAG/10/73 Notes of the Last Meeting**

The notes of the last meeting held on 1 June 2010 were approved as a correct record subject to the addition of Councillor Shadbolt shown as being present, and signed by the Chairman.

**CAG/10/74 Amendments to the Code of Conduct for Officers**

The Acting Assistant Director, People presented a report indicating a need, following a recent internal audit, to amend the Constitution on reporting the receipt of hospitality and gifts by officers. He indicated that greater clarity was needed to ensure that officers were aware of their responsibilities to record any gifts and hospitality they received.

It was noted that one of the legacy authorities had provided a guidance note to officers, which was not part of the Constitution, to indicate a minimum level of gift or hospitality which should be declared.

The Group considered that the Constitution should be amended as recommended but also asked that a guidance note for officers on gifts and hospitality be provided separately to the Constitution.

**AGREED TO RECOMMEND TO COUNCIL**

***That Section 5 Hospitality and Gifts of the Code of Conduct for Officers (Part F3) be replaced with the revised paragraph attached at Appendix A.***

**AGREED**

**that the Head of Legal Services draft a guidance note for officers clarifying acceptable levels of gifts and hospitality.**

**CAG/10/75      Review of Consultation and Negotiation Arrangements with Professional Associations (JCNC)**

The Chairman welcomed Councillor Jane Lawrence, Chairman of General Purposes Committee, to the meeting.

The Group recalled that at its last meeting consideration had been given to recommending to Council the removal of the Joint Consultative and Negotiating Committee (JCNC) from the Constitution (item CAG/10/64 refers).

Due to circumstances set out in the notes of the meeting and the report now submitted, the recommendation was not put before Council at its last meeting and the matter was once again before the Group for consideration.

The Group considered the joint report of the Acting Assistant Director, People and the Head of Democratic Services and the Chairman invited the Chairman of General Purposes Committee to comment on that Committee's preferred approach.

The Chairman of General Purposes Committee commented that the replacement of the Joint Consultative and Negotiating Committee with a Forum was to be welcomed, and that Members of that Committee would like to receive a regular summary report of the Forum's meetings.

Comments were made by the Group indicating acceptance of this proposal.

The Director of Children's Services advised that as the summary report would be brought to a General Purposes Committee where the lead officer was from Human Resources, she would not expect to attend the Committee meetings when the summary report of the Forum was received. She also suggested that the report could be arranged in two parts, one part on matters which were included in the Committee's Terms of Reference and another part on those matters which came under the Director of Children's Services' delegated and statutory responsibilities. Members welcomed this suggestion.

**AGREED TO RECOMMEND TO COUNCIL:-**

- 1.      to amend section E2 (10) of the Constitution by the removal of the Joint Consultative and Negotiating Committee for Primary and Secondary Education (JCNC);**
- 2.      to add a new paragraph (7.1.6) at Part E2 as follows:-**

***To consider and determine any matter relating to HR policies or terms or conditions of employment referred from the Joint***

***Consultative and Negotiating Forum in circumstances where it has not been possible to reach agreement between staff and management sides during negotiation upon such matters: (Note: The Joint Consultative and Negotiating Forum is an informal group comprising the Portfolio holder for Children's Services, the Director of Children's Services and 7 representatives of the professional associations for primary and secondary education.)***

**3. to add a new paragraph (7.1.7) as follows:**

***to receive for noting an information report arising from meetings of the Joint Consultative and Negotiating Forum.***

**CAG/10/76 Progress regarding the Constitution on the Website**

The Interim Committee Services Manager gave an oral update on the progress of the Constitution on the Council's website towards becoming an accessible and easily navigable document for members of the public to use.

It was noted that a Frequently Asked Questions section had been inserted at a visible point so that it could be seen as soon as a person reached the Constitution pages.

The Group was advised that sections on the various committees' terms of reference had been set out so that a person could click directly on the committee that they were interested in and not have to trawl through others to find the one they wanted.

It was also noted that a means of inserting hyperlinks had been found such that when a reader reached a part of the Constitution which referred to something in another section, the reader could click on a hyperlink and be taken to the specific section on that matter. The work had not yet been carried out to insert these hyperlinks but would be undertaken shortly once the Constitution on the website had been amended with the changes agreed by Council during the last quarter.

The oral report was noted.

**CAG/10/77 Constitution Update**

The Group received a report of the Head of Democratic Services advising that the Constitution had been updated to reflect the changes arising from the senior management review and other revisions approved by Council.

**AGREED**

**to endorse the publication of the amended Constitution.**

**CAG/10/78 Work Programme**

The Group considered its current Work Programme.

**AGREED**

**that the Work programme be noted.**

CAG/10/79    **Date of Next Meeting**

**AGREED**

**to note that the next meeting will be held on Monday 18 October 2010 at 2.00pm in Room 15B, Priory House, Monks Walk.**

(Note:    The meeting commenced at 2.00 p.m. and concluded at 2.35 p.m.)

Chairman.....

Date.....

## 5 Hospitality and Gifts

- 5 In undertaking their duties officers may be offered gifts or hospitality from persons or organisations having, or proposing to have, a contractual or client relationship with the Council. Such offers could be made to gain an advantage over another person or organisation or could be construed as such and therefore must **not be accepted without prior approval from an appropriate Assistant Director.**
- 5 If officers receive a gift of any description then this must be made known to their Assistant Director who will decide on the course of action to be taken. Likewise only hospitality for which prior approval has been given by your Assistant Director should be accepted from outside persons or organisations. **Small gifts, such pens, calendars, diaries etc, provided they are not material in value, need not be declared.**
- 5 **The Gifts and Hospitality form must be completed and ANY** gifts or hospitality agreed and accepted will be recorded in writing in the register maintained by each Director for their service areas. The Chief Executive and all Directors should record the receipt of any gifts or hospitality they receive in the register maintained by the Monitoring Officer.

**The gifts and hospitality form is available at the following link on the intranet:**

**[http://www.centralbedfordshire.gov.uk/modgov/Published/StdDataDocs/2/1/6/4/SD00004612/\\$PartF3CodeofConductforOfficers.doc.pdf](http://www.centralbedfordshire.gov.uk/modgov/Published/StdDataDocs/2/1/6/4/SD00004612/$PartF3CodeofConductforOfficers.doc.pdf)**

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<b>CONSTITUTION ADVISORY GROUP</b>	
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<b>DATE:</b>	18 October 2010
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<b>TITLE</b>	<b>Oral Questions at Council</b>
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<b>REPORT OF</b>	Mel Peaston, Acting Committee Services Manager
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<b>PURPOSE</b>	To consider changes to the Council Procedures for Oral Questions
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<b>ORIGIN OF PROPOSAL</b>	Council meeting of 16 September 2010
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<b>RECOMMENDATIONS:</b>
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- |                                  |   |
|----------------------------------|---|
| <p>(1)</p> <p>(2)</p> <p>(3)</p> | <p>that the Advisory Group considers which option or combination of options set out below it would like to adopt;</p> <p>that in the event of selecting option A Removal of the requirement for Oral Questions to be written down, arrangements be put in place to pilot this approach at a Council meeting before recommending the associated changes to the Constitution, with a review of its success to be considered at a future Advisory Group meeting.</p> <p>that if current procedure at Council whereby oral questions are accepted on reports, and not confined to recommendations, is to continue, the Constitution should be amended by adding the words “or report” after “recommendation” in Part B paragraph 12.1.1 as shown in Appendix A.</p> |
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## **SUPPORTING INFORMATION**

1. At the meeting of Council on 16 September, 2010 a comment was made about the way oral questions were prepared and a suggestion was made that the procedure could be improved.

### **Current Procedure**

2. Oral questions are noted down by each Councillor on a piece of paper which they place in a box up to 5 minutes before the start of the Council meeting. At the appropriate point during the Council meeting questions are taken from the box one by one and in each case the relevant Councillor is invited to put their question.

### **Difficulties which may arise**

3. There are difficulties at various stages of this process, as follows:
4.
  - Currently the questions are handwritten. An electronic solution has not (yet) been offered.
5.
  - Questions are in two categories: questions of the Leader, Deputy Leader and Portfolio holders (no more than 30 minutes); and questions of a Chairman of a Committee or member representing the Police or the Fire authority (no more than 15 minutes).
6. There is currently no means of distinguishing between the two kinds of question as they are removed from the box. Custom and practice has led to the Monitoring Officer assisting the Chairman by looking at the questions and checking which kind they are, and offering one from the correct category depending on what section of time the Council has reached.
7. This may detract from the intention to present a “without fear or favour” tone to the proceedings.
8. It is difficult to ensure that the time limits are not breached without keeping the two different kinds of question separate so that the first 30 minutes are devoted to the first kind of question and the last 15 minutes are devoted to the second.
9. The Constitution sets out the arrangements for oral questions at Part B5 paragraph 12.7.1 (detailed in **Appendix A**).

### **The Purpose of Oral Questions**

10. The purpose of Oral Questions at Council is:
  - to assist the democratic process by enabling matters of interest to be raised openly “without fear or favour” and for the response to be a matter of record

- to demonstrate that Council, whilst sitting as a body, is in touch with matters of public interest and takes them seriously
  - to give the public an opportunity to see the full Council at work on matters of interest at each meeting.
11. Not only are the questions themselves a matter of importance, but the way that they are handled contributes to the theatre of a formal Council meeting. The procedures must enable the public to see questions handled in a clear and purposeful way.

### **Options to Consider**

#### **A: Removing the requirement for questions to be written down and instead the Chairman to ask for indication of a question (ie hands up)**

12. This would have the advantages of:
- removing the need for questions to be prepared in advance – handwritten or typed – and placed in the box
  - there would be no public removal of questions from the box – so no need to check whether a question was of the right kind, possibly leading to an impression that questions were being vetted
  - the Chairman could first select people who had not previously asked a question until everybody who wished to had asked one, before calling on people who had a second question
  - the specific category of question could be called for by the Chairman within the appropriate section of time
13. but the following disadvantages:
- questions may not be so carefully thought out in advance as there would be no need to do so, and could be less clear as a consequence. This could lead to an appearance of muddle
  - any Chairman presiding over the “hands up” method of putting questions, where questions were not necessarily thought out and written down in advance, would need to be confident in their chairing skills to seek clarification if necessary, interject if questions were too lengthy or involved, inappropriate or over-political; and handle any matters of order
  - the possibility of more volatile meetings and any negative impression this may give to the public

- the theatre of the Chairman taking questions at random from a box, demonstrating the “without fear or favour” nature of putting questions, would be lost. Instead, the proceedings could be reminiscent of the classroom
  - the Chairman would have to select the order of people putting questions and could be subject to criticism as to his choices, particularly if the time ran out before all the questions had been put.
14. To achieve the removal of the requirement for questions to be prepared and put in a box for drawing out at random, the Constitution would need to be amended by the deletion of paragraph 12.7.1.5 at Part B5.

**B: Discriminating between the 2 different kinds of questions by using 2 different colours of paper or card. (Questions could be handwritten on or stapled to a piece of paper of the right colour when placing them in the box before the meeting.)**

15. This would have the advantages of:
- increasing clarity and transparency: the Chairman could pull out a question and put it aside in a measured and public way as the Council and the public would be able to see from the colour that it is of the category not currently being dealt with
  - maintaining the “without fear or favour” tone of the proceedings
  - questions would have benefitted from consideration during the drafting process, possibly gaining in clarity
  - maintaining the current arrangements which do not cause the Chairman any untoward chairing difficulties
16. Although there is no need to amend the Constitution, provisions could be changed to address the complaint that there is currently no provision for questions to be anything but handwritten.
- Members could print questions out in advance ready to attach to the correct coloured card (placed available next to the box) before putting them in the box.
  - Those Members who do not want to print questions at home could e-mail their question to Members Services or Committee Services in advance, who would print them out ready for the Member to attach the right coloured card and place in the box. (Responsibility for placing questions in the box should remain with Members.)

- Members may use the hot-desks available in Priory House to print out their questions whilst at Priory House and attach to the coloured card and place in the box.
  - Correctly coloured proformas would be available on which Members could handwrite their questions if they wish.
17. There would be no need to amend the Constitution to discriminate between the kinds of questions using colour as the Constitution currently only requires the documentation “on the relevant pro forma”.
- C: Removing the distinction between different types of question by requiring that all questions on Fire or Police Authority matters are taken when the report from that authority is received.**
18. Currently under Part B5 paragraph 3.2.1.9 (set out at **Appendix A**) the Constitution provides for questions to be asked on recommendations contained within reports of the Executive and the Police and Fire Authorities.
19. This could be amended to enable all questions on the Police and Fire Authorities to be taken when their reports are considered, whether or not there are any recommendations in them. Questions in relation to any Executive recommendations would be taken at the appropriate point on the agenda, and other questions relating to the Executive would be referred to the appropriate portfolio holder under the procedure for Oral Questions.
20. It would be appropriate to put a time limit on the period available for questions on matters relating to the Fire and Police Authorities functions. 10 minutes is suggested. An amendment to provide for this is included in new para 3.2.1.10 as shown in **Appendix A**.
21. Currently, custom and practice is that hands are raised to ask questions relating to the Police and Fire Authorities.
22. Consideration could be given to continuing with this practice or to using a colour coded procedure for questions to be drafted before the meeting.
23. If questions on Fire and Police matters may only be asked when those reports are presented, the provision for oral questions relating to these authorities at B5 12.7 must be removed.
24. Separating out these periods when oral questions are permitted would have the advantages of:
- providing clarity about when questions relating to the Fire and Police authorities are permitted, and the period of time available for them

- (if continuing to raise hands to ask questions) removing the need to distinguish between the two different types of question during the period for Oral Questions; this would mean a colour coded process would not be necessary and there would be no pressing need to change the current arrangements for Oral Questions .

25. There are no clear disadvantages of taking this course of action.

### **Pilot Process**

26. It is suggested that if Members are minded to choose Option A Removal of the requirement for oral questions to be drafted in advance, that rather than proceeding directly towards a recommendation to Council to amend the Constitution, the approach is piloted at a Council meeting. The Advisory Group could then review how successful the pilot had been and move to appropriate action accordingly.

### **Additional amendment to reflect current procedure**

27. Currently the Chairman does not confine oral questions to recommendations of the forums mentioned in paragraph 12.1.1 but allows questions on reports. If this procedure is to be accepted the wording in paragraph 12.1.1 should be amended as shown in **Appendix A** by the addition of the words “or report” after the word “recommendation”.

<b>Contact Officer Details:</b>	<b>Key Background Papers:</b>
Mel Peaston Acting Committee Services Manager Tel: 0300 300 6076	None

## Appendix A

### Amendments to the Constitution to enable questions on the Police and Fire Authorities to be kept to the period when the respective reports are considered.

3.2.1.9	To receive and consider recommendations contained within reports of the Executive and committees and reports of the Bedfordshire Police Authority and Bedfordshire and Luton Combined Fire Authority and answer questions under Rule number 12.1.
<b>3.2.1.10</b>	<b><u>Members of the Council may also ask any question without notice on matters relating to the functions of the Bedfordshire Police Authority and of Bedfordshire and Luton Combined Fire Authority. This period of questions and answers shall last no more than 10 minutes.</u></b>  <i>(The remaining paragraphs in this section shall be renumbered accordingly.)</i>

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The provisions of Part B5 paragraph 12.1 referred to in 3.2.1.9 above are set out **below** and if new para 3.2.1.10 above is inserted, should be amended by the deletion of the words "(or of a body referred to in Rule 12.2.1.4) as shown.

Consideration may be given to an additional amendment by adding "or report" after "recommendation" to reflect the customary proceedings at Council (para 27 of the report refers).

<b>12.</b>	<b>QUESTIONS BY MEMBERS</b>	
<b>12.1</b>	<b>On reports or minutes of the Executive or Committees</b>	
	12.1.1	A member of the Council may ask the Leader, a portfolio holder or the chairman of a committee, a question without notice upon a recommendation <u>or report</u> of that forum when that item is under consideration by the Council, or upon any minute of a meeting of that forum which has been published since the last meeting of the Council.

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(see overleaf for additional amendments which would be required if questions on the Police and Fire Authorities are confined to the part of the agenda when the reports are considered.)

**Additional Amendments which would be required if oral questions on the Fire and Police Authorities reports were confined to the period when the reports from those authorities were received.**

12.7	Oral Questions	
	12.7.1	Questions and Procedure
	12.7.1.1	At each ordinary meeting of the Council (excluding the annual or any extraordinary meeting) there shall be a period of no longer than 45 minutes for oral questions, <b>which</b> shall <b>be</b> questions of the Leader, Deputy Leader and portfolio holders, and chairman of <b>any</b> committee, subject to the following guidelines:-
	12.7.1.2	Questions:-
	12.7.1.2.1	Must be relevant to matters for which the Council has powers or duties or matters that affect Central Bedfordshire or its residents;
	12.7.1.2	Must not relate to an item which is included elsewhere on the Council agenda since they can be raised at that point in the meeting;
	12.7.1.3	Must be capable of eliciting a response (ie must not be a statement);
	12.7.1.4	Should not exceed 2 minutes in length.
12.7.1.3	Questions should not:-	
	12.7.1.3.1	Be incapable of being adequately answered in three minutes
	12.7.1.3.2	Divulge, or require to be divulged, confidential or exempt information.
12.7.1.4	The conduct of oral question time shall be regulated by the Chairman of the Council having regard to the above guidelines.	
12.7.1.5	Any member wishing to put an oral question should put	

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	his/her name on the relevant pro forma and place it in the appropriate receptacle not less than 5 minutes before the start of the meeting. Names will be drawn at random by the chairman during the question time session.

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<b>CONSTITUTION ADVISORY GROUP</b>
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<b>DATE: 18 October 2010</b>
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<b>TITLE</b>	<b>Formalising the Constitution Advisory Group in the Constitution</b>
<b>REPORT OF</b>	Acting Committee Services Manager

<b>PURPOSE</b>	To set out the membership of the Constitution Advisory Group in the Constitution
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<b>ORIGIN OF PROPOSAL</b>	Chairman of Constitution Advisory group
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<b>RECOMMENDATION:</b>
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<p><b>to recommend to Council the amendment of the Constitution as set out in Appendix A.</b></p>
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<b>REASON FOR RECOMMENDATIONS</b>	<b>(To be included in report to Council)</b>
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- |   |
|---|
| <p><b>(1) As the Constitution already confers certain responsibilities on the Constitution Advisory Group, it is appropriate to formalise it as a Working Group of the Council in the Constitution.</b></p> |
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## **SUPPORTING INFORMATION**

### **Role of the Constitution Advisory Group**

1. The Constitution sets out in Part A5 Review and Revision of the Constitution the role that the Constitution Advisory Group will take but it does not set out the membership requirements of the Group. It is suggested that it would be helpful to insert a section into the Constitution clarifying the structure of this working group.

### **Membership of the Constitution Advisory Group**

2. The membership of the Constitution Advisory Group is appointed at the Council Annual Meeting. Since April 2009 it has consisted of 4 members, made up of 3 Conservatives and 1 Liberal Democrat, with one Conservative substitute.
3. It is suggested that the Chairman of the Council should be a member of the Constitution Advisory Group as the Constitution provides the governance of the Council.
4. The membership requirements of the Constitution Advisory Group should be set out in the Constitution to provide for this.

### **Placing the Group's Membership Requirements in the Constitution**

5. The Constitution Advisory Group is a Working Group of the Council which has no executive powers but which makes recommendations to Council.
6. It is suggested that the most appropriate place to set out the membership requirements of the Constitution Advisory Group is at Part A5 section 2, in a new paragraph called 2.2 to follow 2.1 with the existing numbering to be amended accordingly.

### **Wording to be inserted**

7. It is suggested that the new paragraph 2.1 at Section A5 should read:
  - The Constitution Advisory Group will be appointed annually at the Annual Council meeting and will comprise a membership of 4, proportionate to the political structure of the Council, with one substitute member. The membership of the Advisory Group shall include the Chairman or Vice-Chairman of the Council and at least one member of the Executive.
8. The proposed wording is set out in the context of that section of the Constitution at **Appendix A**.

<b>Contact Officer Details:</b>
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Mel Peaston Acting Committee Services Manager Tel: 0300 300 6076
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<b>Key Background Papers:</b>
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none
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Appendix A

**Proposed amendment to the Constitution to provide for the inclusion of membership requirements of the Constitution Advisory Group**

Part A5 REVIEW AND REVISION OF THE CONSTITUTION

2. Changes to the Constitution

2.1 Subject to paragraph 2.4, changes to the Constitution will only be approved by the full Council, after consideration of the proposal by the Constitution Advisory group (or other appropriate member body appointed for similar purposes), which will recommend changes to the Council.

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**2.2 The Constitution Advisory Group will be appointed annually at the Annual Council meeting and will comprise a membership of 4, proportionate to the political structure of the Council, with one substitute member. The membership of the Advisory Group shall include the Chairman or Vice Chairman of the Council and at least one member of the Executive.**

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2.3 The Constitution Advisory Group will have regard to advice from the Monitoring Officer on any proposals relating to the constitution. The Monitoring Officer may submit a report direct to the Council in any case where his/her advice is not accepted by the Group.

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2.4 The Monitoring Officer shall, after consultation with the Constitution Advisory Group, make urgent amendments, amendments to give effect to any decision of the Council or changes in the law, and minor amendments such as to correct errors or to ensure that the constitution is up-to-date. Any such changes will also be circulated to all members of the Council on a quarterly basis.

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<b>CONSTITUTION ADVISORY GROUP</b>
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<b>DATE: 18 October 2010</b>
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<b>TITLE</b>	<b>Petition Scheme – cross-reference with the Public Participation Scheme</b>
<b>REPORT OF</b>	Mel Peaston, Acting Committee Services Manager

<b>PURPOSE</b>	To cross reference aspects of the Petitions Scheme with the Public Participation Scheme
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<b>ORIGIN OF PROPOSAL</b>	Chairman of the Constitution Advisory Group
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<b>RECOMMENDATION:</b>
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<p><b>that Council be asked to approve the drafting amendments to the Constitution set out at Appendix A.</b></p>
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<b>REASON FOR RECOMMENDATIONS</b>	<b>(To be included in report to Council)</b>
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- |  |
|--|
| <p><b>(1) The Petitions Scheme does not cross-refer to relevant provisions in the Public Participation Scheme. The proposal seeks to rectify this.</b></p> |
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## SUPPORTING INFORMATION

1. The Council's Petitions Scheme at Part A4 Annex 2 of the Constitution does not refer to the Public Participation Procedure at Part A4 Appendix A .
2. The Public Participation Procedure, at Section 2, sets out the General Principles governing all public participation and includes provisions detailing where petitions are not permitted.
3. There is no cross reference between the two documents. It would enable ease of reference if cross reference were provided.
4. This could be achieved by the insertion of the following words at Part A4 Annex 2 Petitions Scheme paragraph 1.1 at the end of the first sentence after the words "Monitoring Officer":
  - "subject to the provisions of the General Principles Governing all Public Participation set out at Part A4 Appendix A section 2 of the Constitution."
5. The proposed amendment is set out at **Appendix A** showing the context.

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<b>Contact Officer Details:</b>	<b>Key Background Papers:</b>
Mel Peaston Acting Committee Services Manager 0300 300 6076	none

## Appendix A

### Cross reference of Public Participation Procedure with Petitions Scheme

#### Annex A

#### Petitions Scheme

##### 1. Submission and Content of Petitions

- 1.1 Members of the public may present the Council, or the Executive, or a committee, with petitions, upon giving at least 7 clear working days notice in writing of the petition to the Monitoring Officer, subject to the provisions of the General Principles Governing all Public Participation set out at Part A4 Appendix A section 2 of the Constitution. If, following consideration of the petitions as provided in paragraphs 5 to 7 below, the petition organiser is not satisfied with the response, he/she may request that the response be reviewed by the relevant overview and scrutiny committee in accordance with the procedure in Paragraph 9.

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## CONSTITUTION ADVISORY GROUP

**DATE:** 18 October 2010

<b>TITLE</b>	<b>Work Programme</b>
<b>REPORT OF</b>	Mel Peaston, Acting Committee Services Manager

<b>PURPOSE</b>	To identify matters for future meetings.
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<b>ORIGIN OF PROPOSAL</b>	This is a standing item on the Advisory Group's agenda for consideration at each meeting.
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## RECOMMENDATION:

**to approve or amend the Work Programme.**

## SUPPORTING INFORMATION

- The Advisory Group's Work Programme is attached at Appendix A.

### **Contact Officer Details:**

Mel Peaston  
Acting Committee Services  
Manager  
Tel: 0300 300 6076

### **Key Background Papers:**

None

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**Appendix A**

<b>Constitution Advisory Group</b>	
<b>Work Programme</b>	
<i>Date</i>	<i>Task</i>
December 2010	<ul style="list-style-type: none"> <li>• Review of items for Policy Framework (Elaine Malarky)</li> <li>• Development of policy via the overview and scrutiny process (Elaine Malarky/Bernard Carter)</li> <li>• Proposed amendments to the Delegations to the Director of Customer and Shared Services regarding land disposal matters (Ian Brown)</li> <li>• Leader's Term of Office – to amend Part C1 to reflect the extension of the Leader's term of office <sup>1</sup></li> </ul> <p>(1. This change will be required if the Council at its meeting on 25 November adopts the "new style" leader and cabinet arrangements for implementation on the 3rd day after the elections. It will be necessary to extend the Leader's term of office to the first annual meeting after the Leader's normal retirement as a Councillor.)</p>
Items to be allocated	<ul style="list-style-type: none"> <li>• Possible amendment of the Code of Financial Governance – to cover use of capital for invest to save projects.</li> <li>• Review of the schemes of delegation to officers of unitary councils within the CIPFA comparator group</li> <li>• Review of non-statutory non-executive committees and their roles</li> </ul>

In addition at each meeting, all changes to Executive delegations approved by the Leader of the Council will be reported for information.

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