



## Report to Council

**Subject:** Proposed amendment to the Constitution: Substitutions at Committees

**Date:** 9 April 2014

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### 1. Purpose of the Report

To seek approval for an amendment to the Constitution which will permit substitutions at some Committees and Sub-Committees.

### 2. Background

2.1 Currently the Constitution does not permit the use of substitute members on any of the Council's Committees. Members have asked that a procedure to permit substitutions is created to allow political groups to deal with unexpected short term absences for Committee members.

### 3. Proposal

3.1 It is proposed that the following is added to the Council's Procedural Standing Orders in the Constitution:

*"31. Substitutes on Committees*

*31.1 For each of the standing committees and sub-committees for the Council there shall be appointed a pool of members not greater than one quarter of the total number of members allocated to each of the duly constituted political groups on that committee who will be permitted to attend that Committee or Sub-Committee as a substitute in accordance with this Standing Order. In the event that a political group only has one seat on the Committee or sub-Committee then the maximum number of substitutes for that political group shall be one.*

31.2 *Where a member (the original member) of a standing Committee or sub-committee of the Council is unable to attend a meeting of that Committee or Sub-Committee the original member may request the member appointed as a substitute pursuant to Standing Order 31.1 (the substitute member) for that Committee or Sub-Committee for the political group to which the original member belongs to attend the Committee or Sub-Committee on behalf of the original member. The substitute member shall announce at the start of the meeting which member they are substituting for under the item "Apologies for Absence and Substitutions".*

31.3 *A substitute member shall not be permitted to attend meeting of the Planning Committee, Environment and Licensing Committee or Licensing Act Committee unless (s)he has previously received appropriate training to the satisfaction of the Council Solicitor and Monitoring Officer.*

31.4 *The substitute member attending the Committee or Sub-Committee shall declare his/her presence as substitute at the commencement of the business of the Committee or Sub-Committee. The substitute member shall then act for all purposes, for the duration of that meeting only, as though he were the original member of the Committee or Sub-Committee.*

31.5 *If the original member of the Committee or Sub-Committee is the Chair or Vice-Chair of that Committee or Sub-Committee the substitute member shall not be entitled to act in that office.*

3.2 The rules for substitution will not apply to the Cabinet because substitution cannot apply in Executive arrangements. Furthermore the Licensing Act Panel, the Planning Delegation Panel and Scrutiny Working Groups are not subject to these rules because the Council does not appoint to these bodies.

3.3 The proposed change falls within Standing Order 29 which states:

*"29. Variation and Revocation of the Constitution*

*Any motion to add to, vary or revoke the Articles of the Constitution, Procedural Standing Orders, Standing Orders relating to Contracts, Standing Orders for Dealings with Land and Standing Orders relating to staff except for the amendment of financial limits and other amendments appropriate to give effect to changes in officers' duties, responsibilities and titles, shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council."*

Consequently, the changes to the Standing Orders cannot be agreed straightaway.

#### **4. Resource Implications**

None arising from this report.

#### **5. Recommendation**

**It is recommended that:**

- a) the Council approves the adoption of the Standing Order allowing substitutions to be made at Committees and Sub Committees of the Council in accordance with new Standing Order 31; and
- b) the Council Solicitor and Monitoring Officer is authorised to make the appropriate amendments to the Constitution to incorporate the Standing Order.