

Members Advisory Panel-New Constitution

A meeting of Members Advisory Panel-New Constitution was held on Monday, 14th September, 2009.

Present: Cllr Terry Laing (Chairman), Cllr Jim Beall, Cllr Mrs Jennie Beaumont, Cllr Mrs Ann Cains, Cllr Ken Dixon, Cllr Robert Gibson, Cllr Ken Lupton, Cllr Mrs Maureen Rigg (vice Cllr Mrs Suzanne Fletcher and Cllr Steve Walmsley).

Officers: D. Bond, M. Waggott and M. Henderson.

Also in attendance:

Apologies: Cllr Mrs Lynne Apedaile, Cllr David Coleman, Cllr Mrs Fletcher and Cllr Noble.

MAP 1/09 Declarations of Interest

There were no declarations of interest.

MAP 2/09 Election of Chairman

AGREED that Councillor Laing be appointed Chairman for the Municipal Year 2009/2010.

MAP 3/09 Minutes of the meeting held on 25th March 2009

The minutes of the meeting held on 25th March 2009 were confirmed as a correct record.

MAP 4/09 APSE - Best Elected Member Development Initiative 2009

The Chairman announced that the Council's Democratic Services Team had been successful in winning the Best Elected Member Development Initiative category, at the 2009 APSE awards. He passed on his congratulations to the Team.

MAP 5/09 Annual Meeting Review 2009 and Venue 2010

The Panel considered a report that provided Member feedback relating to the format and arrangements for the Annual Meeting 2009, held in April. The report also presented venue options for the Annual Meeting 2010.

Members initially considered possible venues, that the Panel had previously identified, for the 2010 Annual Meeting:-

Wynyard Hall
Preston Park
Jamal Building

Having considered the main features of the venues, including costs and capacity, the Panel agreed that the Jamal building and its catering service should be used for the 2010 Annual Meeting (Option 1a of the appendix to the report). Members asked that officers investigate further, the suitability of catering offered by Jamal and available car parking spaces. In addition,

officers were requested to consider arrangements that would provide seating with tables, during the meeting.

Having agreed on a venue for 2010, Members considered how successful the format for 2009 had been. The Panel noted that though feedback, requested from all members, included some positive comments, the majority had been negative and there was a general view, supported by the Panel, that Annual Council should return to its previous format.

AGREED that:-

1. the Jamal Building/Catering be used for the Council's Annual Meeting 2010.
2. the format of the Council meeting returns to that used immediately prior to 2009.

**MAP
6/09**

Constitutional Arrangements

The Panel considered a report that requested views on the Council's protocol for nominating the Deputy Mayor/ Mayor, the scope of public questions time at Council meetings and arrangements for appointing substitute members of committees, sub committees and panels.

The Panel was provided with an appendix detailing a proposed amendment to the Council Procedure Rule relating to the scope of public questions. The proposed amendment would further clarify the range of questions which may be rejected. Members agreed with the proposed change which highlighted that, questions regarding complaints from, or about, employees would be rejected. It was noted that other mechanisms existed to deal with such issues. During discussion members asked that the procedure be further amended to indicate, within the Notice of Question, that the questioner's name and address was only requested for contact purposes.

During consideration of this item reference was made to Members' Questions at Council and how this operated at Council meetings. Members agreed that this issue should be discussed at a separate meeting of MAP, to be arranged ahead of the next Council. Group representatives were requested to consult with their groups and consider how suitable current arrangements were and, if appropriate, suggest alternative approaches. The Leader undertook to circulate, to all groups, a discussion note suggesting possible alternatives.

Members considered Article 5 of the Council's Constitution, which included a protocol for electing the Mayor. The Panel was reminded that during discussions leading up to the nomination of members for the office of Deputy Mayor, at this year's Annual meeting, it had been indicated that clarification of the wording of Article 5 was needed.

Members considered this issue and agreed that, each year, the Councillor with the longest cumulative service on Stockton on Tees Borough Council would be nominated to serve as Deputy Mayor. When appointed by Council as Deputy Mayor, the Councillor concerned would then be agreed as the person nominated to serve as Mayor for the following Municipal Year.

Members agreed that the Member appointed as Deputy Mayor at this year's Annual Meeting should be the person nominated to serve as Mayor for 2010/11.

Where, in any year, more than one Councillor satisfied the criterion as the Councillor with the longest cumulative service on Stockton on Tees Borough Council, and no one agreed nominee had been chosen, lots would be drawn to secure the nomination for Deputy Mayor for the forthcoming municipal year.

Finally, consideration was given to the Council Procedure rule relating to appointing substitutes.

The Panel noted the requirement to, so far as reasonably practicable, allocate seats to political groups in accordance with the political balance of the Council as a whole. It was noted that procedure rules did not specifically require substitutes to be appointed from the same political party as the member they were substituting for. This could give rise to substitutions being requested that would affect political balance of a particular committee, sub committee etc. Given this, a suggested revised version of the procedure rule was provided to members, which would require that any substitution did not change the agreed political composition/balance of the meeting concerned.

The Panel agreed to the proposed amendment but requested that the revised procedure allow the vice chairman of a particular Select Committee to substitute for the Chairman of that Select Committee, on Executive Scrutiny Committee, regardless of their political group membership.

AGREED that:-

1. Article 5 relating to the election of the Mayor/Deputy Mayor, and procedure rules relating to public question time and substitute members, as contained in the Constitution, be amended to reflect the discussion and agreement detailed above.
2. a meeting of the Panel be arranged to discuss arrangements for considering Members' Questions at Council Meetings. Political Groups to consider this issue ahead of that Panel meeting.

**MAP
7/09**

Members Allowances

Members were reminded that at the end of a financial year, local authorities must publish details of the total sum paid to each of their members in respect of:-

- basic allowance;
- special responsibility allowance;
- dependants' carers' allowance;
- travelling and subsistence allowance; and
- co-optees allowance

A copy of the notice published by Stockton for the 2008/2009 payments was provided to the Panel.

It was explained that suggestion had been made that the Council should publish

such details on its website throughout the year, on a constantly updated basis.

Members agreed that the Council should continue to publish in accordance with statutory requirements.

The Panel was informed that, as part of a response to Viewpoint, a member of the public had indicated that the publication of Members' attendance at Council meetings would be helpful.

It was indicated to the Panel that, if agreed, details of attendance could be published monthly or quarterly on the Council web site. Members noted that such information already appeared on the Council web site within published minutes.

AGREED that the requests relating to the publication of payments made under the members' allowance scheme and details of members' attendance at meetings be rejected. Publication of this information to continue in its current forms.

**MAP
8/09**

Criminal Records Bureau Checks for Elected Members and Co Optees and the Vetting and Barring Scheme

Members considered a report regarding proposed arrangements for relevant elected members and co optees ('members') to undertake CRB checks within 28 days of their election or appointment to the Council, and on a three yearly basis.

It was explained that the Council had a public duty in relation to the safeguarding of children and vulnerable adults, which demanded that officers and members who worked in close proximity to, or could visit anyone who might fall into those vulnerable groups, were appropriately vetted.

The Panel supported the proposal that all members of the Council should apply for a CRB standard disclosure check within 28 days of the proposed vetting arrangements being agreed by Council. New members would be required to apply for a check within 28 days of their election or appointment. All members would be required to be rechecked on a three yearly basis.

Details of proposed procedures for applying for and the checking of disclosures were detailed in the report presented to the Panel.

Members were provided with initial details of the proposed vetting and barring scheme under the Safeguarding Vulnerable Groups Act 2006

AGREED that;-

1. the principle of members being subject to standard disclosure CRB checks be approved and this matter be taken forward in line with the proposals set out in the report.
2. the information relating to the new vetting and barring scheme be noted.

**MAP
9/09**

Armed Forces Day

The Panel considered a report relating to plans for Armed Forces Day to be held on 24 June 2010.

Members noted that the Council joined in the 2009 celebrations by raising the special Armed Forces Day flag at Stockton Town Hall. The Museum Service held a display detailing the history of Stockton's armed past and this was presented in the Stockton Central Library. A Church Service was held in Stockton Parish Church. Displays hosted by veterans and members of the Army, Navy and Air Force were exhibited on the plaza area outside Municipal buildings giving advice and information about life in the armed services. A ceremony was held during which HM Lord Lieutenant of Durham presented Corporal Clark from 252 Proverst Company with the Afghanistan Medal. There was a tea dance held in Stockton Central Library.

It was proposed that a programme very similar to 2009 be held during 2010, but in addition it was suggested that the Yorkshire Regiment and the Rifles Regiment exercise their rights to March through the town. The Rifles had been asked if it would be available to do this on the morning of 24 June 2010 and the Yorkshire Regiment had already indicated that it would be available on the afternoon of that day. Following each march the Mayor would inspect the regiments and present the Freedom to each Commanding Officer.

AGREED that the development and implementation of the proposed plans, for Armed Forces Day, be progressed as detailed in the report.

**MAP
10/09**

Local Democracy Week 12 - 18 October 2009

The Panel considered a report which detailed proposed plans for Local Democracy Week 12 - 18 October 2009.

Members noted the six proposed themes, detailed below, and received brief details of each.

- be a Councillor campaign.
- development and delivery of democracy workshops for people with learning disabilities.
- Kickstart a BME youth community project using Mediabox.
- Development of an improved communication network.
- Councillor shadowing programme.
- Democracy in action

AGREED that the plan detailed in the report be approved.

**MAP
11/09**

SPAM Briefing

Members received a briefing note relating to how the Council managed SPAM e mails

The Chairman explained that the briefing was for information but if members had any issues they should raise this with officers or himself. He would bring back for discussion with the Panel if it was felt necessary.

AGREED that the information be noted.