



Lewes District Council
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Constitution Working Party

Notes of a meeting of the **Constitution Working Party** held in the **Ditchling Room, Southover House, Southover Road, Lewes** on **Thursday, 10 October 2013** at 9.00am

Present:

Councillor I A Nicholson (Chair)

Councillors I Eiloart, J V Harris and J M Harrison-Hicks.

In attendance:

Councillor J V S Page

	Notes	Action
1	<p>Notes</p> <p>The Notes of the meeting held on 25 October 2012 were approved as a correct record and signed by the Chair.</p> <p>The Working Party's attention was drawn to paragraph 4 (Responsibility for Executive Functions) as set out in the appendix to the Notes and, in particular, to the table set out in paragraph 4.16. It was suggested that references to "Southerham Travellers' site and Southover Grange public hall" be replaced with text of a more generic nature namely "traveller's sites and public halls".</p> <p>The Corporate Head – Legal and Democratic Services explained that the Working Party's remit required that its recommendations be reported to the Leader of the Council initially, prior to any consideration by the Cabinet and Council. Therefore, the Notes of the meeting held on 25 October 2012 had been sent to the Leader of the Council who had disagreed with some of the recommendations which related to Local Choice Functions. Such</p>	

recommendations had proposed that the taking of some decisions be delegated from the Leader to the Council, whereas, the Leader of the Council wished that they remain with the Leader in order that they could be taken much more quickly than them having to wait for up to several weeks for consideration by the Council.

Consequently, the Working Party's recommendations with which the Leader of the Council had disagreed would not be considered by the Council at its forthcoming meeting on 16 October 2013. However, the Officers would continue to monitor the issue of Local Choice Functions in order to ascertain whether or not they needed to be given further consideration.

Recommended:

- 1.1** That, subject to the agreement of the Leader of the Council, references to "Southerham Travellers' site and Southover Grange public hall" in the table as set out in paragraph 4.16 of the appendix to the Notes of the meeting held on 25 October 2012, be replaced with text of a more generic nature namely "traveller's sites and public halls".

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It was further

Resolved:

- 1.2** That the Corporate Head – Legal and Democratic Services be requested to monitor the issue of Local Choice Functions in order to ascertain whether or not they needed to be given further consideration by the Working Party.

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2 Urgent Items

The Corporate Head – Legal and Democratic Services circulated a copy of the Working Party's remit in order to remind its members of their responsibilities (a copy of which is contained in the Minute Book).

Resolved:

- 2.1** That the Working Party's remit, as circulated at the meeting, be received and noted.

3 Article 4 of the Council's Constitution – The Full Council

The Working Party considered the proposed changes, which were shown as tracked changes, to the text set out in Article 4 of the Council's Constitution which related to the Full Council.

Recommended:

- 3.1** That, subject to the agreement of the Leader of the Council, the changes, which are shown as tracked changes, to the text set out in Article 4 of the Council's Constitution relating to the Full Council, as set out in the appendix to these Notes, be approved.

CHLDS
(HDS)**4 Example of Part 3 – Responsibility for Functions**

The Working Party considered the example document relating to the Responsibility for Functions (Part 3 of the Council's Constitution refers) which explained who was responsible for the various functions of the Council.

Recommended:

- 4.1** That the Council be informed that the Working Party agrees, in principle, with the text set out in the example document relating to the Responsibility for Functions (Part 3 of the Council's Constitution refers), as appended to these Notes, subject to the deletion of "ANNEX B" at the top of the page entitled "RESPONSIBILITY FOR EXECUTIVE FUNCTIONS" and to the addition of "ANNEX B" at the top of the page entitled "CABINET PORTFOLIOS" (NB the document appended to these notes reflects the above two revisions); and

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- 4.2** That, subject to the agreement of the Leader of the Council, the Council be recommended to approve the revised document, as set out in the appendix to these Notes.

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(HDS)**5 Section 4 of the Council's Constitution – Remit of the Audit and Standards Committee**

The Working Party considered the proposed changes, which were shown as tracked changes, to the text set out Section 4 of the Council's Constitution which related to the remit of the Audit and Standards Committee.

The Working Party felt that the powers and duties of that Committee needed to be more clearly defined in its remit.

Resolved:

- 5.1** That the Corporate Head – Legal and Democratic Services be requested to consult with Councillor Eiloart on the recommended revised text relating to the powers and duties of the Audit and Standards Committee in order that they be more clearly defined in its remit and that such agreed text be incorporated into the

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document to be considered by the Leader of the Council and the Council.

It was further

Recommended:

- 5.2** That, subject to the agreement of the Leader of the Council, the Council be recommended to approve the revised document, as set out in the appendix to these Notes which incorporates the recommended revised text relating to the powers and duties of the Audit and Standards Committee, which has been referred to Councillor Eiloart, as referred to in 5.1 above.

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6 Part 6 of the Council's Constitution – Petitions Scheme

The Working Party considered the proposed changes to Part 4, Rules of Procedure, as set out in Council Procedure Rule 12, which were shown as tracked changes. The Working Party also considered the proposed revised Petitions Scheme.

Recommended:

- 6.1** That, subject to the agreement of the Leader of the Council, the Council be recommended to approve the revised document, as set out in the appendix to these Notes, relating to Part 4, Rules of Procedure, as set out in Council Procedure Rule 12; and the revised Petitions Scheme which is also appended to these Notes.

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The meeting ended at 10.44am

I A Nicholson
Chair