

CONSTITUTION COMMITTEE AGENDA



Monday 4 March 2019

At 4 p.m.

**in Committee Room “C”,
Civic Centre, Hartlepool**

PLEASE NOTE CHANGE OF DATE

MEMBERS: CONSTITUTION COMMITTEE:

Councillors C Akers-Belcher, Barclay, Cook, Fleming, James, Loynes, Marshall, Moore and C Richardson.

- 1. APOLOGIES FOR ABSENCE**
- 2. TO RECEIVE ANY DECLARATIONS OF INTEREST BY MEMBERS**
- 3. MINUTES**
 - 3.1 To confirm the minutes of the meeting held on 18 September 2018
- 4. ITEMS REQUIRING DECISION**
 - 4.1 Further Review of the Council's Constitution (*Monitoring Officer*)
- 5. ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS URGENT**



CONSTITUTION COMMITTEE

MINUTES AND DECISION RECORD

18 September 2018

The meeting commenced at 12 noon in the Civic Centre, Hartlepool

Present:

Councillor C Akers-Belcher (In the Chair)

Councillors: Barclay, Cook, James, Loynes, Marshall and Moore

Councillor Tennant as substitute for Councillor Fleming in accordance with Council Procedure rule 5.2.

Officers: Gill Alexander, Chief Executive
Hayley Martin, Interim Chief Solicitor
Amanda Whitaker and Denise Wimpenny, Democratic Services Team

1. Apologies for Absence

Councillor Richardson

2. Declarations of interest by Members

None

3. Minutes of the meeting held on 6 October and reconvened on 23 November 2017

Confirmed

4. Periodic Review of the Council's Constitution *(Interim Chief Solicitor and Monitoring Officer)*

The Interim Chief Solicitor reported that a review had been undertaken of Part 3 (Responsibility for Functions) and Part 5 (Codes and Protocols) of the Constitution. Some additional items, which had arisen during the review, were also covered in the report. The proposed changes to Section B of Part 3 was attached at Appendix 1, The updated document aligned, where appropriate the responsibilities of the Committee with those of Officers.

It was proposed that a comprehensive review be undertaken of Section C and

be reported to a future meeting of this Committee prior to consideration by Council.

The Codes and Protocols, included in Part 5 of the Constitution, and submitted as appendices to the report, had been reviewed with the exception of the Code of Conduct for Employees given that this had only recently been approved following a review. The main changes to the Code of Conduct for Members and Co-opted Members were in relation to register of interests and the inclusion of guidance on the use of social media by Members. It was noted that the Code for Conduct for Members and Co-opted Members, the Protocol on Member/Officer Relations and the Code of Corporate Governance had been submitted to the Audit and Governance Committee.

Members were advised that the updated Planning Code of Practice had been submitted to the Planning Committee. The main changes were in relation to Declarations of Interest by Members at Committee, site visits and enacting decisions of Planning Committee. The Planning Committee had recommended the proposed changes for approval with the exception of the proposals to remove Members' ability to question speakers in Committee and considered that this should be retained, to increase objections from 2 to 5, and were of the view that this should remain at a minimum of 3. Views had also been expressed by the Planning Committee that where pre-conditions required prior approval which were delegated to the Director of Regeneration and Neighbourhoods, this be carried out in consultation with the Chair or Vice-Chair of Planning Committee. Members accepted the amendments proposed by Planning Committee noting the consequential changes to Part 3 of the delegation scheme and also agreed the additional minor changes to Part 5, as set out in the report.

Background to the additional changes arising from the review were detailed in the report in terms of the following:-

- Proposed Change to Financial Procedure Rule 4.6
- Proposed Changes to the Contract Procedure Rules
- Proposed Changes to Articles 4, 7, 9 and 12

In response to a query raised in terms of the process of sharing delegated officer decisions with Elected Members, particularly during recess periods, the Committee was advised that in addition to details of self funded business cases approved, or amendments to previously approved business cases being reported to Finance and Policy Committee, an officer decision record would also be published.

With regard to the proposed changes to Article 4, the plans and strategies included in the Policy Framework had been reviewed with particular reference to the Local Authorities (Committee System) (England) Regulations 2012 which specified, for the purposes of Regulation 3, those functions to be discharged by the Local Authority and had resulted in some changes to the existing list, details of which were provided.

In response to some concerns expressed regarding the potential implications of removing the Clean and Green Strategy from the Policy Framework list, assurances were provided that strategies would continue to be submitted to the appropriate Committees. Following further discussion, it was agreed that the constitution be amended to clarify that any strategies removed from the Policy Framework list would continue to be submitted to the appropriate Committees.

The Interim Chief Solicitor outlined the proposed changes to Article 7, which had been amended to clarify the functions of the Adult and Community Based Services Committee following changes to the delegation scheme, and Article 9, which had been amended to clarify the functions of the Education Improvement Board. With regard to Article 9, a Member suggested that reference to the date of the Strategy be removed. It was also suggested that any reference to “officers and employees” be consistent throughout the constitution.

Decision

- (i) That the comments of the Planning Committee in relation to the Planning Code of Practice be supported.
- (ii) That the comments of Members be noted and be utilised to formulate recommendations for submission to Council on 25 October 2018.
- (ii) That the proposed changes, as detailed in the report, be agreed subject to the following amendments/additions:-
 - Article 4 be amended to provide clarity that any strategies removed from the Policy Framework list would continue to be submitted to the appropriate Committees
 - Article 9 - delete reference to the date of the strategy
 - Any references to “officers and employees” be consistent throughout the constitution
- (i) That the consequential changes, as a result of the agreed changes be approved.

5. Council Chamber Seating Arrangements/Sound System (Chief Executive)

The Chief Executive provided background information to the agreement of the current seating arrangements in the Council Chamber in 2016. Views of Members had subsequently been canvassed regarding the seating arrangements which had been generally supportive of the new seating layout. However, concerns had been expressed by a number of members of the public regarding the layout. Difficulties arising from the effectiveness of the sound system in the Council Chamber had also been highlighted by Elected Members and members of the public following Council meetings.

Members were advised of a public question that had been received for submission to Council in relation to the seating arrangement of Councillors, details of which were included in the report. Following discussion between the Chief Executive and the Interim Chief Solicitor it had been agreed that this issue be referred to this Committee for consideration. The following request had also been received from the Putting Hartlepool First Group:-

“Can I request that as the second largest opposition party, PHF Councillors are moved to the front of the Chamber and the Conservative Group are moved to the back please.”

A response to the request highlighted that when the new seating arrangements were initially discussed with Group Leaders, it was agreed that the location of political groups should be on the basis that Chairs of Committees should be seated at the front to enable Chairs to speak from the lectern without too much disruption to the flow of the meeting. The Chief Executive had advised that it was intended to submit a report to this Committee regarding the feedback received in terms of seating arrangements to enable the Committee to give consideration to the practical arrangements in the Council Chamber.

Members were provided with background information in relation to the concerns that had been reported in relation to the sound system and the difficulties hearing some of the proceedings at the Council meeting on 22 May 2018. In order to ensure the sound quality in the Council Chamber was reinforced, two additional speakers could be placed at the back of the room, near the public gallery. Concerns had also expressed that display screens in the Council Chamber were sometimes difficult to see. Two additional screens could be placed at the back of the Council Chamber to assist people in the public gallery.

Members were referred to the financial considerations as set out in the report. A quotation had been received from the company that installed the existing sound system to install two additional speakers at the rear at a cost of £2,998. The costs of installing two additional 55 inch screens would be £3,080 with an additional cost of £650 for installation.

In the lengthy debate that followed presentation of the report, Members considered the various options available to address the concerns that had been raised. The Chief Executive responded to a number of issues/suggestions/

queries raised by the Committee. Clarification was provided regarding the difficulties associated with installing a larger screen in the Council Chamber.

A Member questioned the level of complaints received from the public that the seating arrangements of Councillors was offensive and disrespectful. The Chief Executive advised that whilst the exact figures could be provided following the meeting, it was envisaged that the complaints were less than 10, some of which were from repeat complainants.

Members went on to further debate the current seating arrangements and highlighted that they were consistent with the arrangements of other local authorities and had resulted in a reduction in cross-party hostility at Council meetings. Reference was made to the sovereign status of the Mayor, as the first citizen of the town, and emphasis was placed upon the importance of the respect that must be afforded towards the mace at Council meetings. Whilst Members were reluctant to agree any further expenditure to purchase additional screens, given the low level of complaints in this regard, the need to explore the effectiveness/reliability of the sound system was supported.

The Committee considered the request of the PHF Group that they be moved to the front of the Chamber. Following a number of views expressed by Members it was suggested that the current seating arrangements remain unchanged for the remainder of the current municipal year and that future seating arrangements be reviewed on an annual basis by respective Group Leaders and Deputy Leaders as part of the round table negotiations.

Decision

- (i) That no additional expenditure be spent on additional screens but that the effectiveness/reliability of the current sound system be explored.
- (ii) That the current seating arrangements remain unchanged for the remainder of the current municipal year and be reviewed on an annual basis by respective Group Leaders and Deputy Leaders as part of the 'round table' negotiations.

7. Referral from Council – Medals – Verbal Update *(Chief Executive)*

The Chief Executive reported on the background to the referral from Council to remove the awarding of a medal, to a retiring Ceremonial Mayor, if the cost of the medal was to be met by the Council and that the Constitution Committee be requested to consider the future approach in relation to medals. It had been a longstanding tradition in this Council as well as all local authorities that the Mayor be presented with a medal or gift to recognise their service to the community and the town. Reference was made to the inaccuracies that had been reported prior to the Annual Council meeting regarding the costs associated with medals presented to Mayors following the conclusion of their

term of office.

Members' views were sought as to whether the longstanding tradition in relation to medals should continue.

The Committee was keen to continue the tradition of presenting the retiring Ceremonial Mayor with a medal or gift to express appreciation and recognition for their service to the town. Emphasis was placed upon the need for future medals to be produced at a minimal cost and that sponsorship opportunities with key partners be examined.

In relation to the type of medal that would be appropriate, Members were of the view that the medal should represent the history of Hartlepool and that a steel or gun metal type medal be considered.

Decision

- (i) That the current tradition in relation to awarding of medals to a retiring Ceremonial Mayor should continue.
- (ii) That the option to produce a steel or gun metal medal to represent the history of Hartlepool be explored.
- (iii) That Officers from the Economic Development Team explore sponsorship opportunities with key partners in terms of the design and production of future medals and that medals be produced at a minimal cost.

8. Chairing of Committee Meetings – Verbal Update *(Chief Executive)*

The Committee was advised that in accordance with the Provisions of the Local Government Act 1972, in the event that the Chair was present at a meeting there was a requirement upon the Chair to preside. The Chair added that there was an opportunity for the Chair to observe proceedings from the public gallery.

Decision

That the information given be noted.

9. Date and Time of Next Meeting

It was reported that the next meeting would be held on Friday 7 December at 10.00 am.

The meeting concluded at 1.00 pm.

CHAIR

CONSTITUTION COMMITTEE

4 March 2019



Report of: Monitoring Officer

Subject: FURTHER REVIEW OF THE COUNCIL'S CONSTITUTION

1. PURPOSE OF REPORT

- 1.1 To seek a view from the Committee regarding proposed changes to the Constitution prior to consideration of the changes by Full Council in March.

2. BACKGROUND

- 2.1 The Council's Constitution at Article 15 ("Review and Revision of the Constitution") requires that the Monitoring Officer "will monitor and review the operation of the Constitution to ensure that the aims and principles of the Constitution are given full effect." It was agreed by Council that in conducting a periodic review of the Council's Constitution a report should be submitted to the first ordinary meeting of Council in the new municipal year, unless otherwise directed by Council. Council resolved that ideally such a report should come before the September meeting (or a meeting approximate thereto) to ensure that any new councillors have undertaken their induction.
- 2.2 However, following Constitution Committee on the 18 September 2018 it was agreed that a review of the Delegation Scheme at Part 3 would be carried out and reported to the this meeting.
- 2.3 Upon commencing the review of Part 3 it quickly became apparent that it was impossible to review Part 3 in isolation and therefore due to the number of issues identified a wholesale review of the Constitution has taken place. The benefit of reporting to this meeting is that the changes, once agreed will be reported to Full Council on the 21 March and come in to effect for the new Municipal Year.

3. PROPOSALS

- 3.1 Given the volume of documents that make up the Constitution, a decision has been made in consultation with the Chair of this Committee and the Chief Executive not to circulate these documents. Instead, this report is

accompanied by a presentation to be made at the meeting which provides an overview of the proposed changes to the various documents within the Constitution. A copy of the amended documents including ‘track changes’ is available should Members wish to view the same. The intention is to modernise the Constitution and encourage its use in an electronic format, with hyperlinks to the various sections. It is therefore proposed that the Constitution is initially made available ‘online’ only, although paper copies will be available to view in public buildings.

3.2 The following items are drawn to the attention of Members:-

3.3 **Part 2 (Articles of the Constitution)**

The Articles set out within Part 2 of the Constitution set out the basic rules governing the Council’s business. The Articles have been thoroughly reviewed to reflect the current committee system of governance. The aim of the review was to make the Articles more ‘user friendly’ and clear.

The majority of the changes are to wording to make the Articles clearer and easier to understand and more importantly comply with the law. Where a new section has been inserted this is highlighted in red text with a comment to explain why the change has been suggested.

3.4 **Part 3 (Responsibility for Functions)**

Members will recall, at the meeting of the Committee held on 13th September 2018, the Committee considered proposed changes to Section B of Part 3 of the Constitution. The updated document aligned, where appropriate, the responsibilities of Committee with those of Officers. Part B has been further reviewed to where Full Council has delegated a power to a Committee or an Officer that it is clear where these delegations fall and in to which service area they apply.

At the September Committee meeting, Members were advised that it was proposed that a comprehensive review be undertaken of Section C and be reported to a future meeting of this Committee prior to consideration by Council. Section C has been reviewed and updated. The document is now much more detailed and expressly states the various powers delegated to officers and how they can be exercised.

3.5 **Part 4 (Rules of Procedure)**

3.5.1 **Access to Information Procedure Rules** – All the proposed changes have been made to provide clarity to the procedure Rules.

3.5.2 **Budget and Policy Framework Procedure Rules** – All the proposed changes set out in the appended document provide clarity to the procedure Rules.

3.5.3 Contract Procedure Rules – Following the changes recommended to Council by the Committee at its meeting on 13 September, no further changes are recommended. It is however proposed that due to the nature of the document, it is appropriate in the new reformatted Constitution, for the document to be an Appendix rather than included in Part 4 of the Constitution.

3.5.4 Council Procedure Rules –

The Council procedure Rules have been amended and updated to ensure they are compliant with the relevant legislation and reflect current practice. Whilst reviewing the legal implications, it was noted that the agenda for the Annual Meeting of Council required amending. This was done so in accordance with the power in Article 15 which allows for the Monitoring officer to make any changes necessary to comply with legislation and statutory guidance.

The agenda for the Annual Meeting of Council set out within the Council Procedure rules currently refers at points 11 and 12 that appointments to Committees and Outside Bodies will be ‘noted.’ However the legislation states that Council will ‘make’ such appointments at the Annual Meeting. Therefore the word ‘note’ has been changed to ‘make.’

The implication of the above change is that it is proposed that the Tuesday meeting scheduled for the 21 May 2019 be re-designated as Annual Council Meeting. This meeting will appoint the Ceremonial Mayor (and Deputy Mayor) Leader (and Deputy Leader), Committees and outside bodies. Following these appointments the meeting will be adjourned to Thursday the 23 May 2019 to allow arrangements to be put in place for the ceremonial part of the meeting with dignitaries to proceed.

From time to time, the Council receives requests to consider changes to the Council Procedure Rules specifically in relation to the issue of supplementary questions and the timing of Council meetings.

3.5.4 Supplementary Questions

On the 14 December 2017 Council considered a report from this committee on the reinstatement of supplementary questions. At that time, it was recommended that given the availability through questions to Policy Chairs, through the Community Forums, Ward Surgeries and other existing mechanisms that there was no justification for the re-introduction of supplementary questions.

3.5.5 Timing of Meetings

Also at the meeting of Council on the 14 December 2017, Members considered the timing of meetings. This Committee agreed to a 6 week consultation period would be appropriate to canvass the views of the public but also the opinions of Elected Members and staff should also be taken to account. The results of that survey is appended to this report (**Appendix 1**)

for consideration. Members will note that just under half of members of the public (48.77%) who responded (285 responses), preferred meetings on an evening, whereas a majority of responses from Elected Members and staff favoured meetings during the day (12 and 56 responses respectively). The Committee previously highlighted that a detailed financial analysis in relation to any change in the timings of meetings would also be needed. However Council decided that as it was open for individual Policy Chairs to look at alternative timings of their Committee meetings at their discretion it was agreed by Council that no change was to be made to the meetings as scheduled. Members will recall that a report is to be brought before Members at a later date regarding civic arrangement and if Members so wish, the implications of introducing evening meetings can be considered as part of that review.

Members are reminded that any changes to Council Procedure Rules, in the absence of compliance with any statutory provision, would on being proposed or seconded, stand adjourned without discussion to the next ordinary meeting of Council Procedure Rule 24.2 refers.

3.5.6 Financial Procedure Rules

All the proposed changes set out in the appended document provide clarity to the procedure Rules.

It is proposed that due to the nature of the document, it is appropriate in the new reformatted Constitution, for the document to be an Appendix rather than included in Part 4 of the Constitution.

3.5.7 Officer Employment Procedure Rules

A general review of the Officer Employment Procedure Rules has been carried out to give context and clarification as to their application.

3.5.8 Statutory Scrutiny Procedure Rules

These Rules have been updated to ensure that HBC arrangements continue to comply with changes to regulations and guidance.

3.6 Part 5 (Codes and Protocols)

Members will recall, at the meeting of the Committee held on 13th September 2018, the Committee considered proposed changes to Codes and Protocols included in Part 5 of the Constitution.

Following concerns expressed by the Chair of the Planning Committee, the following change is recommended to the Planning Code of Practice:-

Where 2 (or less) objections to a planning application are received, these applications will be approved by the Planning Manager in consultation with the Chair of Planning Committee or in his/her absence the Vice Chair of Planning Committee.

Members will note that the Guidance Note on Political Balance refers to allocations of seats on Committees and outside bodies. Traditionally the Council has 'grouped together those Elected Members who are not aligned to a political group.' This is a matter which has been queried by Members on a number of occasions and therefore as part of this review, Members may wish to consider whether to continue this practice.

It is proposed also that a copy of previously agreed guidance, relating to petitions, should be added to Part 5.

3.7 Part 6 (Members' Allowances Scheme)

One change is proposed to Part 6 which is proposed to provide clarity in relation to the limited circumstances when costs can be reimbursed.

3.7.1 Travel and Subsistence Allowance

The Authority does not pay an allowance in respect of travelling within the Borough. Travel allowance can be claimed for the whole journey where the end destination is outside the Borough and the Elected Member is representing the Council, including attendance at approved conferences and in relation to the duties specified within paragraph 8.2 (a) – (g) .

The Authority does not pay subsistence allowance in respect attendance at any events within the Borough. Subsistence allowance can be claimed in respect of attendance at approved conferences.

3.8 Part 7 (Appointments to outside organisations and other bodies)

There are no changes proposed to this Part with the exception of format changes to ensure it is consistent with the other sections of the Constitution.

3.9 Part 8 (Management Structure)

It is proposed that an updated structure is inserted to this Part.

4. RECOMMENDATION

4.1 That the Committee formulates its recommendations for submission to Full Council on the 21 March 2019.

4.2 That the Committee recommends to Council that the meeting of Full Council on 21 May 2019 be re-designated the Annual Council meeting following adoption of the changes to the Council Procedure Rules.

- 4.3** That authority is delegated to the Monitoring Officer in consultation with the Leader and Chief Executive for further technical changes to be carried out to the delegation scheme at Part 3.

5. REASONS FOR RECOMMENDATIONS

- 5.1** It is the responsibility of the Monitoring Officer to monitor the Constitution to ensure that the aims and principles of the Constitution are given full effect and comply with the law.

6. BACKGROUND PAPERS

Hartlepool Borough Council's Constitution
Council Report and Minutes – 25 October 2018
Local Government Act 1972
Local Authorities (Committee System) (England) Regulations 2012
Local Government and Housing Act 1989

7. CONTACT OFFICERS

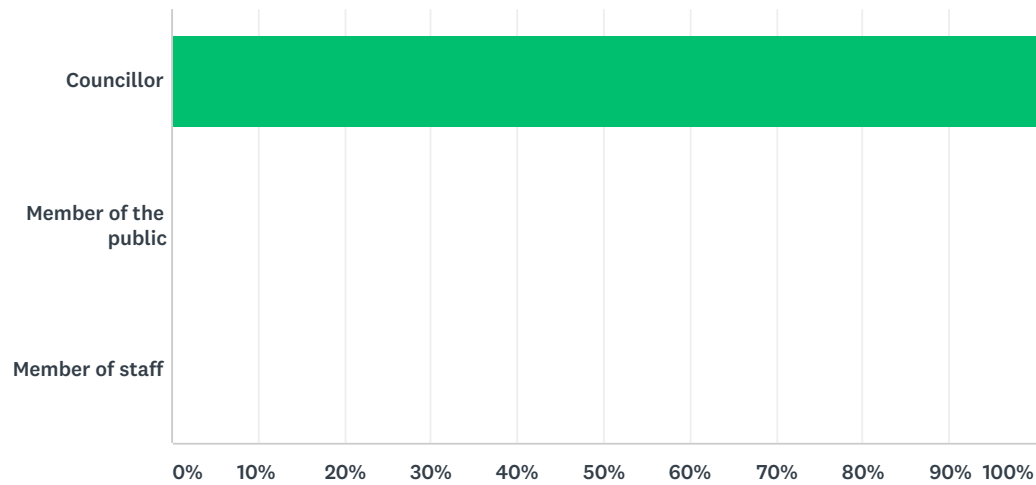
Hayley Martin
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01429 523002

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01429 523013

Andrew Carter
Assistant Director Economic Growth & Regeneration
Andrew.carter@hartlepool.gov.uk
01429 402844

Q1 Firstly, could you tell us if you are a Councillor, a member of the public or a member of staff?

Answered: 13 Skipped: 0



ANSWER CHOICES	RESPONSES	
Councillor	100.00%	13
Member of the public	0.00%	0
Member of staff	0.00%	0
TOTAL		13

Q2 Are you aware of the full range of committee meetings that take place?

Answered: 0 Skipped: 13

 No matching responses.

ANSWER CHOICES	RESPONSES	
Yes	0.00%	0
No	0.00%	0
TOTAL		0

Q3 Are you aware that the public can attend policy committee meetings and give questions at those meetings?

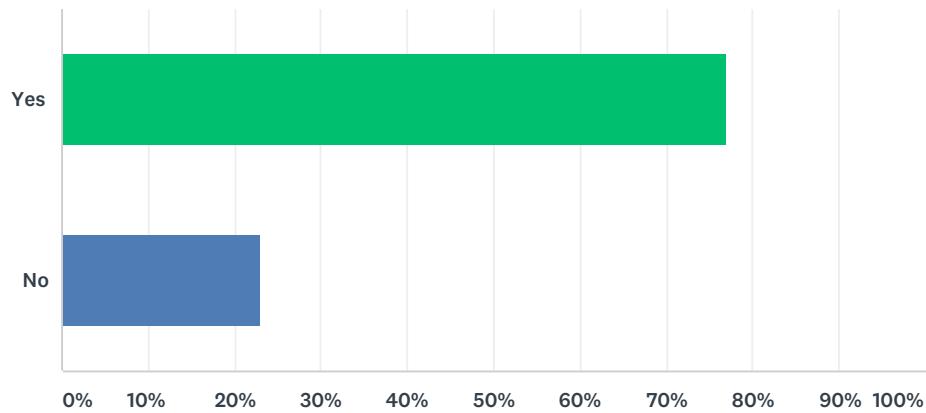
Answered: 0 Skipped: 13

 No matching responses.

ANSWER CHOICES	RESPONSES	
Yes	0.00%	0
No	0.00%	0
TOTAL		0

Q4 Thinking about the last 6 months, have you attended a policy committee meeting?

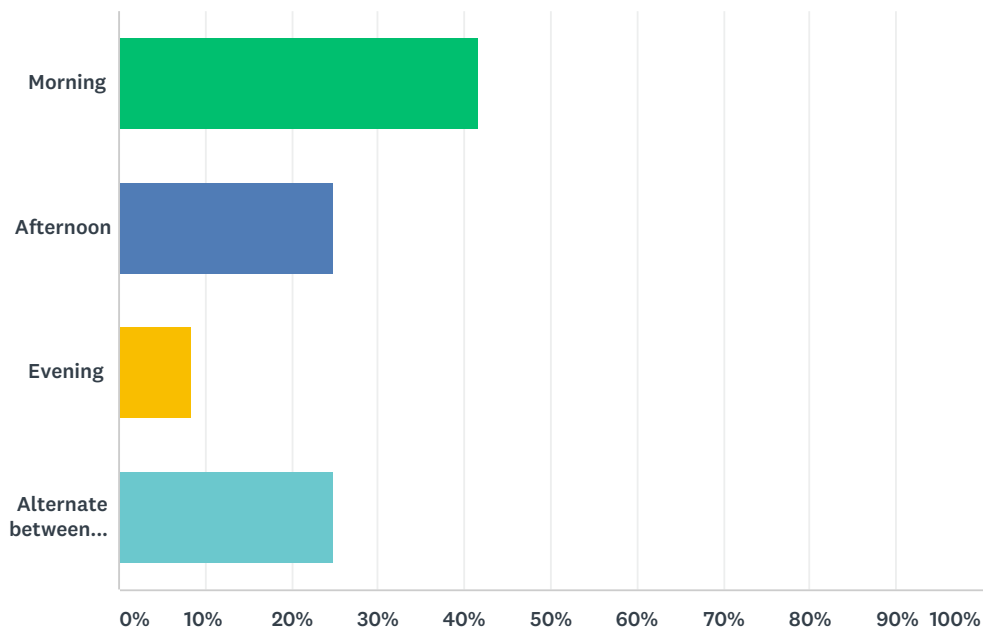
Answered: 13 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	76.92%	10
No	23.08%	3
TOTAL		13

Q5 What would be your preferred time of day for a policy committee meeting to be held?

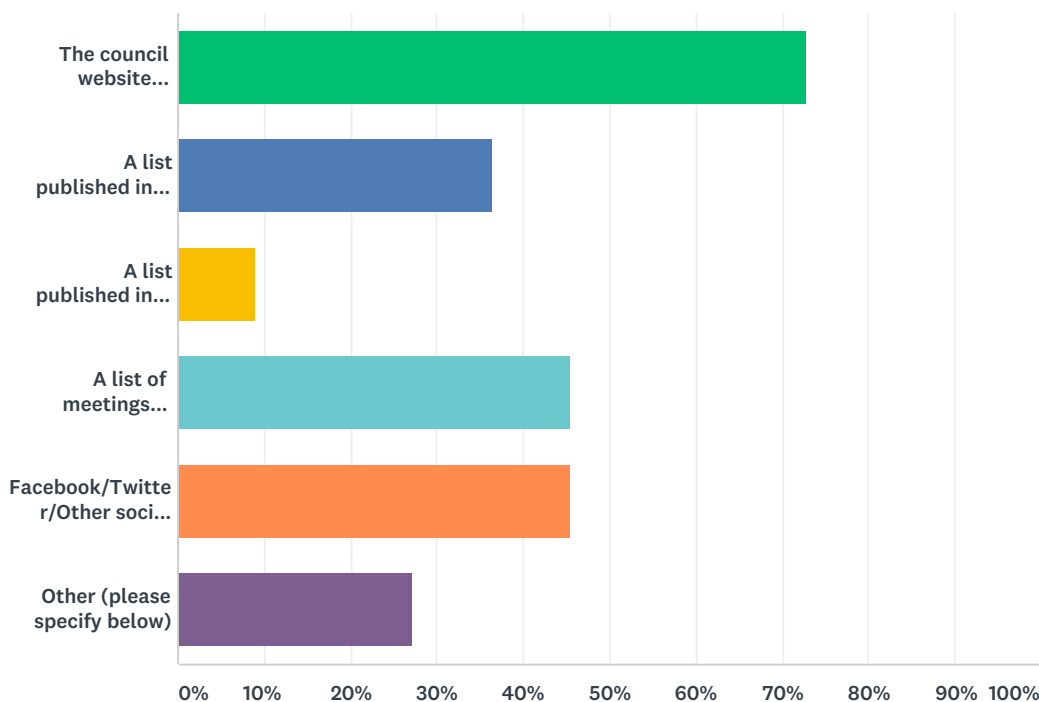
Answered: 12 Skipped: 1



ANSWER CHOICES	RESPONSES	
Morning	41.67%	5
Afternoon	25.00%	3
Evening	8.33%	1
Alternate between morning, afternoon and evening	25.00%	3
TOTAL		12

Q6 How would you like to find out about these meetings? (Please tick all that apply)

Answered: 11 Skipped: 2

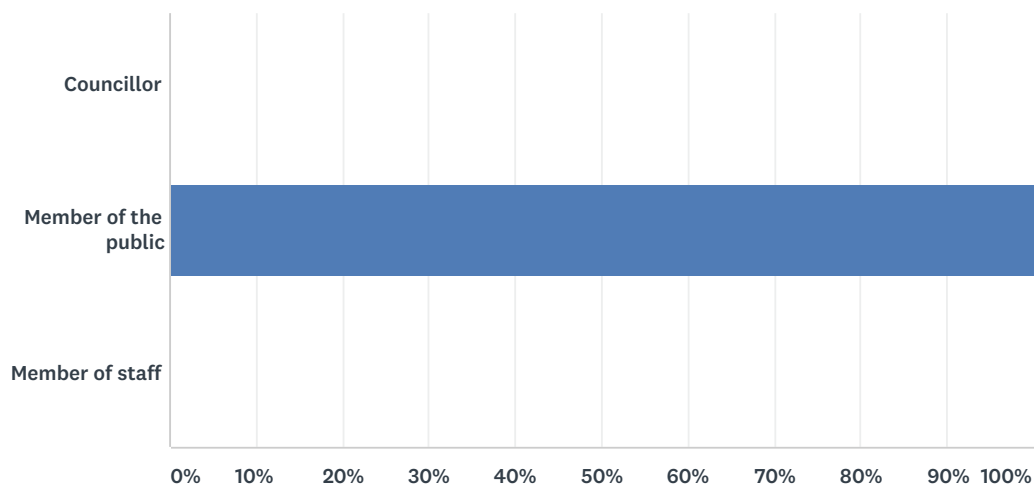


ANSWER CHOICES	RESPONSES	
The council website (www.hartlepool.gov.uk/democraticservices)	72.73%	8
A list published in Hartbeat	36.36%	4
A list published in the Hartlepool Mail	9.09%	1
A list of meetings displayed at the Civic Centre	45.45%	5
Facebook/Twitter/Other social media	45.45%	5
Other (please specify below)	27.27%	3
Total Respondents: 11		

#	OTHER (PLEASE SPECIFY)	DATE
1	I am a Councillor therefore do have advanced notice of meetings etc	7/31/2017 10:32 AM
2	Email	7/30/2017 1:43 PM
3	Council diary	7/29/2017 9:55 PM
4	Not applicable since they are in my diary	7/28/2017 4:25 PM

Q1 Firstly, could you tell us if you are a Councillor, a member of the public or a member of staff?

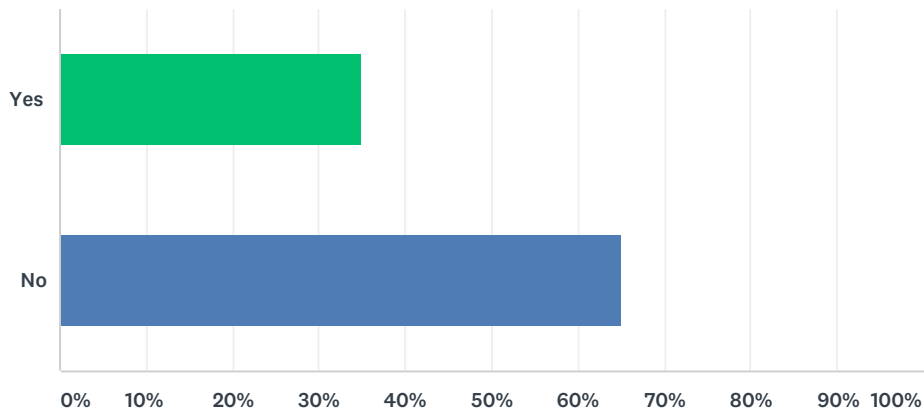
Answered: 303 Skipped: 0



ANSWER CHOICES	RESPONSES	
Councillor	0.00%	0
Member of the public	100.00%	303
Member of staff	0.00%	0
TOTAL		303

Q2 Are you aware of the full range of committee meetings that take place?

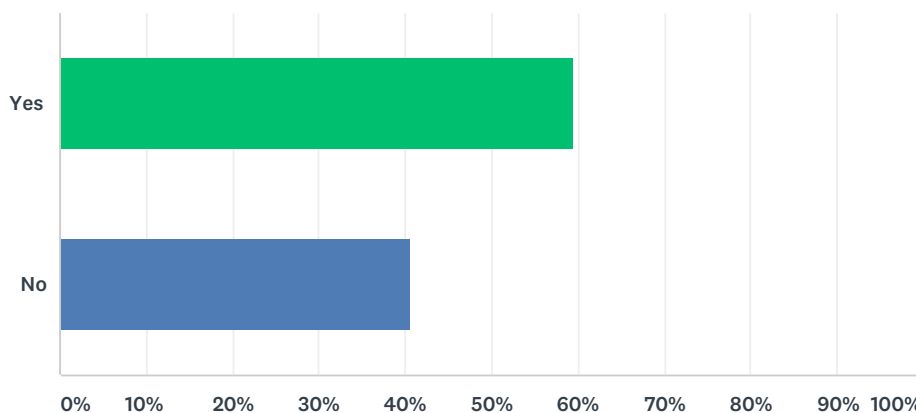
Answered: 295 Skipped: 8



ANSWER CHOICES		RESPONSES
Yes		34.92% 103
No		65.08% 192
TOTAL		295

Q3 Are you aware that the public can attend policy committee meetings and give questions at those meetings?

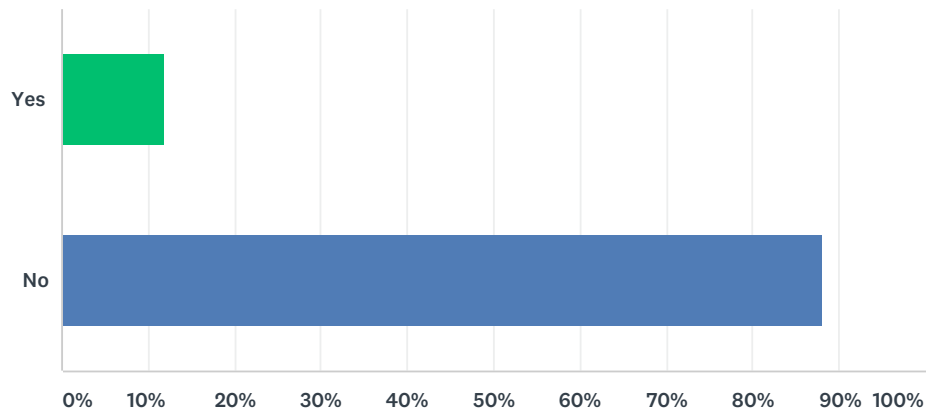
Answered: 296 Skipped: 7



ANSWER CHOICES		RESPONSES
Yes		59.46% 176
No		40.54% 120
TOTAL		296

Q4 Thinking about the last 6 months, have you attended a policy committee meeting?

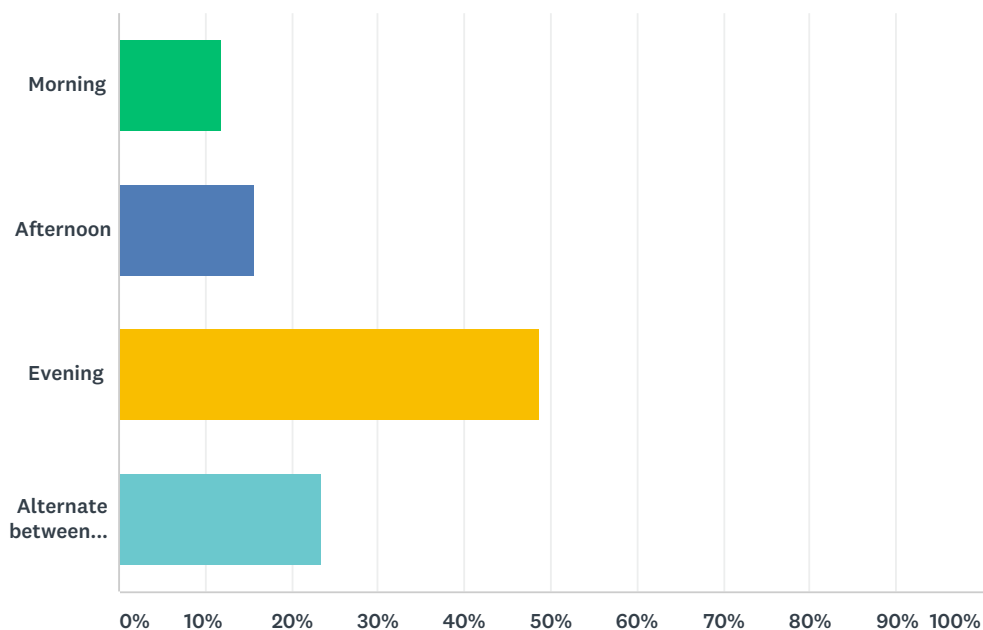
Answered: 294 Skipped: 9



ANSWER CHOICES		RESPONSES	
Yes		11.90%	35
No		88.10%	259
TOTAL			294

Q5 What would be your preferred time of day for a policy committee meeting to be held?

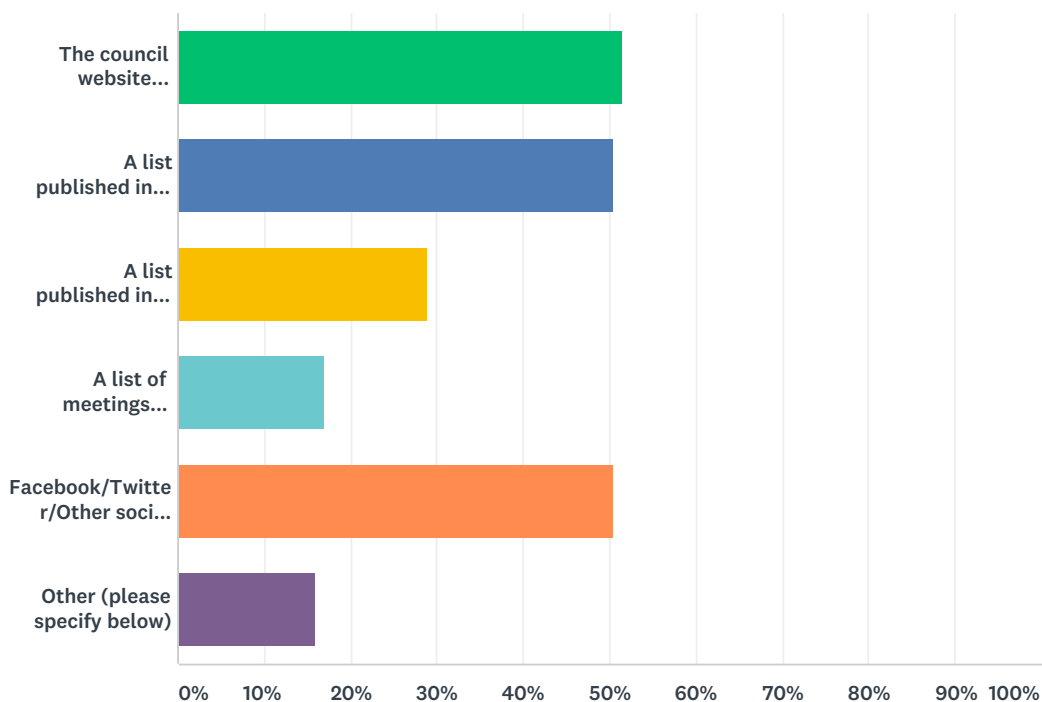
Answered: 285 Skipped: 18



ANSWER CHOICES	RESPONSES	
Morning	11.93%	34
Afternoon	15.79%	45
Evening	48.77%	139
Alternate between morning, afternoon and evening	23.51%	67
TOTAL		285

Q6 How would you like to find out about these meetings? (Please tick all that apply)

Answered: 290 Skipped: 13



ANSWER CHOICES	RESPONSES	
The council website (www.hartlepool.gov.uk/democraticservices)	51.38%	149
A list published in Hartbeat	50.34%	146
A list published in the Hartlepool Mail	28.97%	84
A list of meetings displayed at the Civic Centre	16.90%	49
Facebook/Twitter/Other social media	50.34%	146
Other (please specify below)	15.86%	46
Total Respondents: 290		

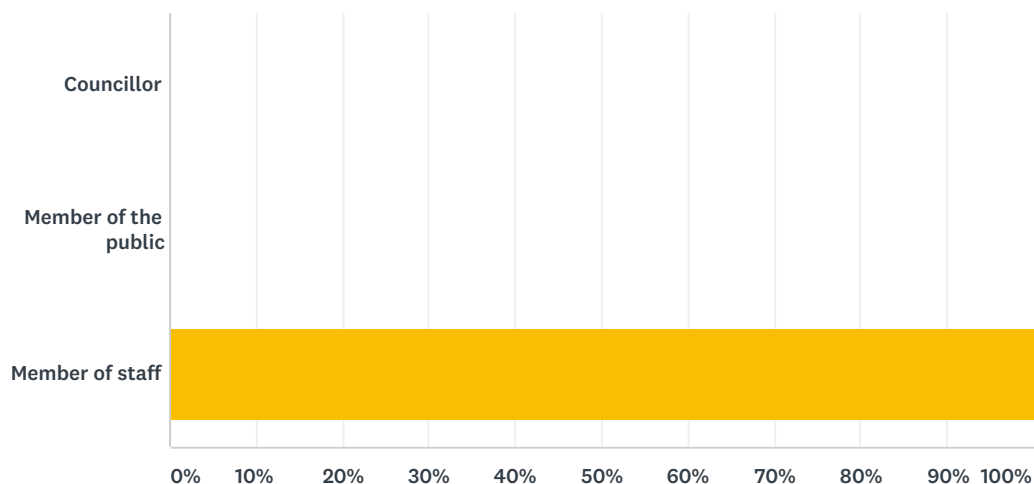
#	OTHER (PLEASE SPECIFY)	DATE
1	HBC Website	9/13/2017 9:27 AM
2	Email	9/12/2017 1:05 PM
3	Free Paper	9/11/2017 3:06 PM
4	Hartlepool Life	9/11/2017 3:04 PM
5	Email	9/11/2017 2:38 PM
6	Hartlepool Life	9/11/2017 2:27 PM
7	Email send out to all residents listed on the contacts list.	8/15/2017 9:22 AM
8	By message or email I do not have access to the other paper notifications	8/13/2017 10:48 AM
9	From this distribution list	8/10/2017 9:13 PM
10	Email or text message	8/9/2017 8:23 PM
11	Direct mailing list "email"	8/7/2017 8:21 AM

Timing of Committee Meetings

12	Hartlepool Life paper	8/6/2017 7:35 AM
13	Email	8/5/2017 9:01 AM
14	The new free paper	8/4/2017 10:29 AM
15	Email	8/3/2017 9:19 PM
16	Email me	8/3/2017 9:09 PM
17	Email	8/3/2017 7:36 PM
18	E- Mail	8/3/2017 6:27 PM
19	Emailed	8/3/2017 6:25 PM
20	E mail a list at regular intervals	8/3/2017 5:33 PM
21	e-mail	8/3/2017 5:16 PM
22	Email notification	8/3/2017 5:09 PM
23	the new free newspaper	8/3/2017 5:02 PM
24	email	8/3/2017 4:20 PM
25	Email	8/3/2017 4:19 PM
26	Email and text to people who would like to sign up for such messages.	8/3/2017 3:40 PM
27	I would like to register for text (SMS) and email updates. I don't read Hartbeat or the Hartlepool Mail so publicising in those are fairly pointless.	8/3/2017 3:18 PM
28	Mailing list	8/3/2017 3:11 PM
29	Email on a mailing list	8/3/2017 3:10 PM
30	Emailed to people that the council have email addresses for, such as HOP members etc.	8/3/2017 3:04 PM
31	email	8/3/2017 2:44 PM
32	Email to all who register onto a hartlepool site for these type of things	8/3/2017 2:39 PM
33	Dates published and posted out with council tax reminder/ bill	8/3/2017 2:32 PM
34	email	8/3/2017 2:31 PM
35	Via email bulletin	8/3/2017 2:28 PM
36	Email	8/3/2017 2:24 PM
37	email	8/3/2017 2:21 PM
38	A list sent out with council tax letter	8/3/2017 2:21 PM
39	Hartlepool Life (free newspaper)	8/3/2017 2:20 PM
40	Email	8/3/2017 2:19 PM
41	Hartlepool Post	8/3/2017 12:34 PM
42	Hartlepool Life, nobody reads the Mail any more.	8/2/2017 8:36 PM
43	Email	8/2/2017 8:27 PM
44	The hartlepool Post	8/2/2017 8:13 PM
45	Hartlepool Post	8/2/2017 5:50 PM
46	Hartlepool post as more people read that than the mail	8/2/2017 4:53 PM
47	Hartlepool Life - newspaper	8/2/2017 3:20 PM
48	Hartlepoons New Free Paper	8/1/2017 9:30 PM
49	Hartlepool life	8/1/2017 8:55 PM
50	Town Cryer	8/1/2017 8:20 PM
51	Published in Hartlepool Life	8/1/2017 12:49 PM
52	Display a list in the main library.	7/31/2017 10:16 PM
53	Email notification	7/31/2017 7:44 PM

Q1 Firstly, could you tell us if you are a Councillor, a member of the public or a member of staff?

Answered: 56 Skipped: 0



ANSWER CHOICES	RESPONSES	
Councillor	0.00%	0
Member of the public	0.00%	0
Member of staff	100.00%	56
TOTAL		56

Q2 Are you aware of the full range of committee meetings that take place?

Answered: 0 Skipped: 56

 No matching responses.

ANSWER CHOICES	RESPONSES	
Yes	0.00%	0
No	0.00%	0
TOTAL		0

Q3 Are you aware that the public can attend policy committee meetings and give questions at those meetings?

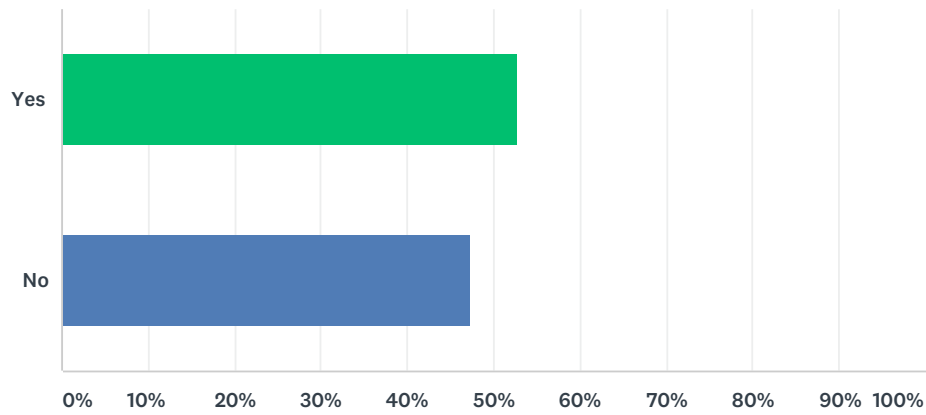
Answered: 0 Skipped: 56

 No matching responses.

ANSWER CHOICES	RESPONSES	
Yes	0.00%	0
No	0.00%	0
TOTAL		0

Q4 Thinking about the last 6 months, have you attended a policy committee meeting?

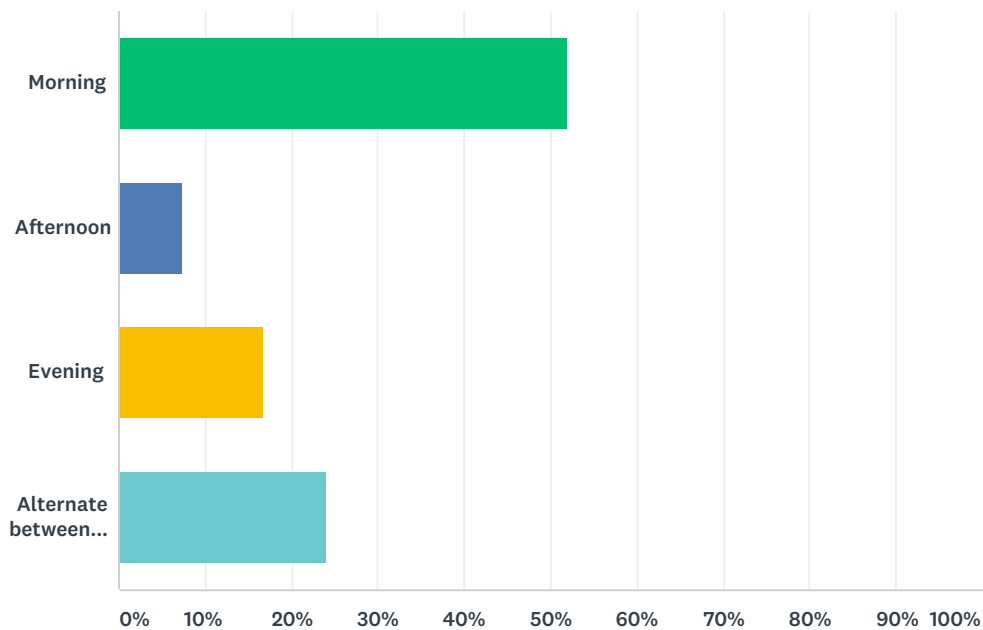
Answered: 55 Skipped: 1



ANSWER CHOICES	RESPONSES	
Yes	52.73%	29
No	47.27%	26
TOTAL		55

Q5 What would be your preferred time of day for a policy committee meeting to be held?

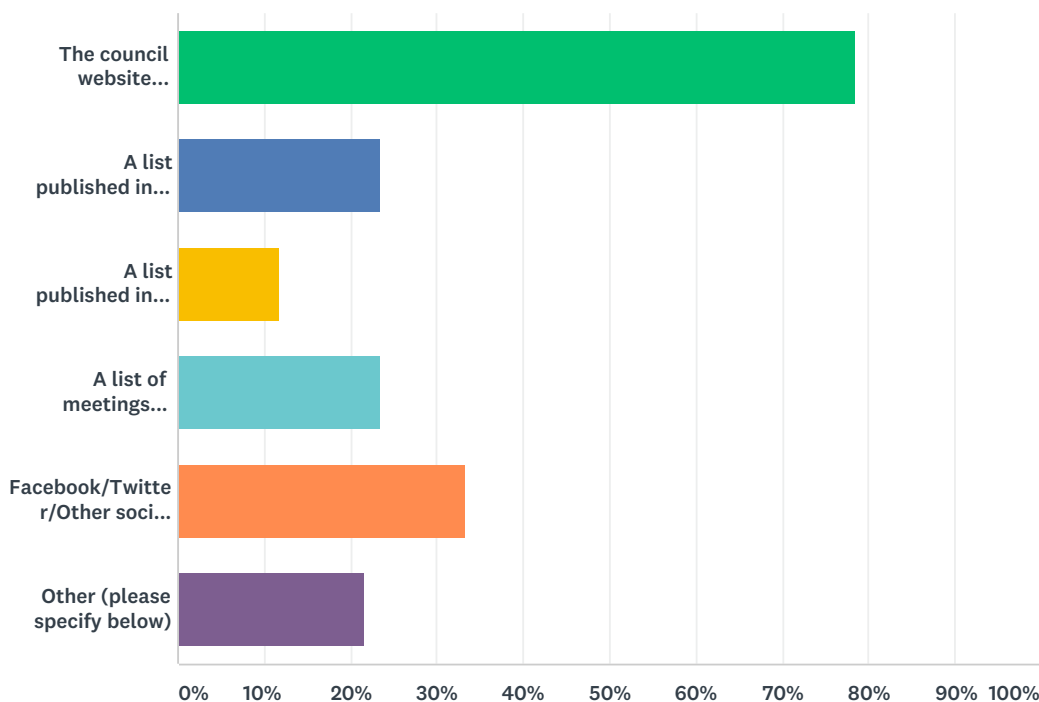
Answered: 54 Skipped: 2



ANSWER CHOICES	RESPONSES	
Morning	51.85%	28
Afternoon	7.41%	4
Evening	16.67%	9
Alternate between morning, afternoon and evening	24.07%	13
TOTAL		54

Q6 How would you like to find out about these meetings? (Please tick all that apply)

Answered: 51 Skipped: 5



ANSWER CHOICES	RESPONSES	
The council website (www.hartlepool.gov.uk/democraticservices)	78.43%	40
A list published in Hartbeat	23.53%	12
A list published in the Hartlepool Mail	11.76%	6
A list of meetings displayed at the Civic Centre	23.53%	12
Facebook/Twitter/Other social media	33.33%	17
Other (please specify below)	21.57%	11
Total Respondents: 51		

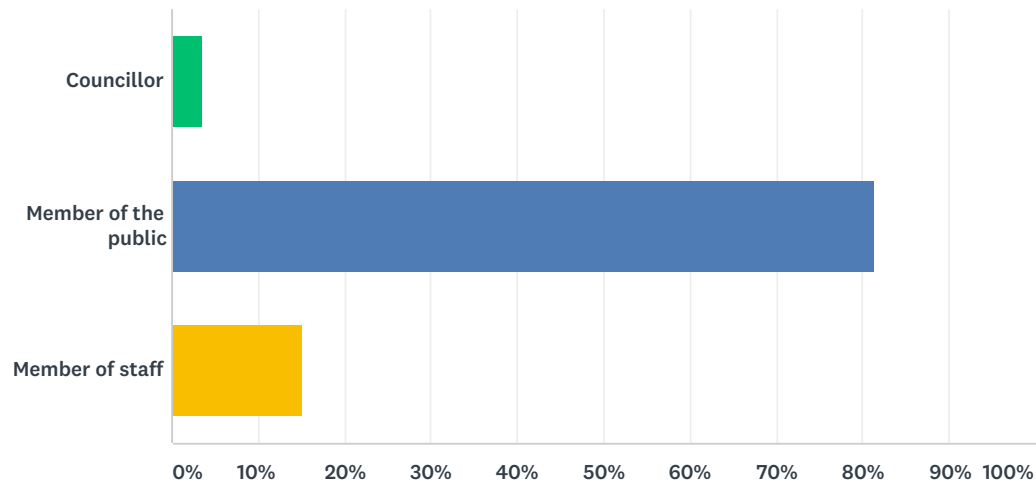
#	OTHER (PLEASE SPECIFY)	DATE
1	Email	9/11/2017 2:43 PM
2	Hartlepool Post	8/2/2017 2:20 PM
3	outlook invitation and email	8/1/2017 10:07 AM
4	Meeting invitations and email	8/1/2017 10:02 AM
5	Internal email to Staff	7/31/2017 4:01 PM
6	Intranet	7/31/2017 12:06 PM
7	Meeting request via Outlook	7/31/2017 9:42 AM
8	As an officer I currently receive the email notifications of committee dates/times. Perhaps this could be rolled out to those persons who wanted to register for an email notification service.	7/31/2017 8:31 AM
9	Notified as officer required to attend.	7/31/2017 8:30 AM
10	Intranet or email	7/28/2017 4:12 PM
11	Calendar invite for the meetings I need to attend.	7/28/2017 4:01 PM

Timing of Committee Meetings

12	Staff bulletin - what's happening this month / similar	7/28/2017 4:00 PM
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Q1 Firstly, could you tell us if you are a Councillor, a member of the public or a member of staff?

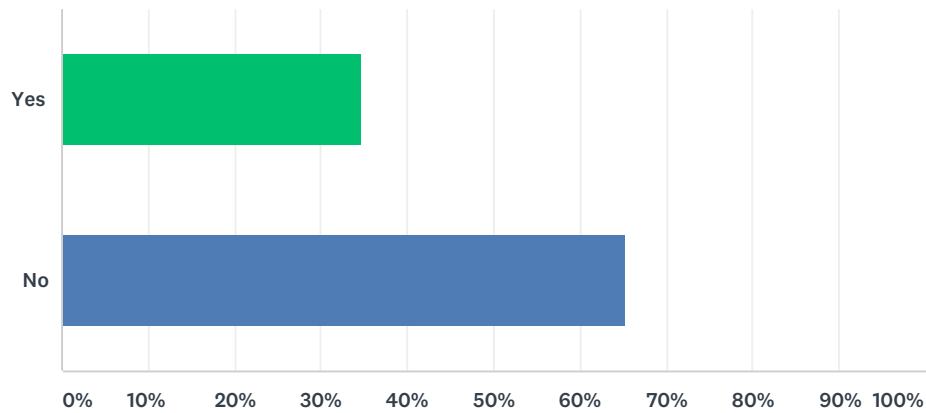
Answered: 372 Skipped: 1



ANSWER CHOICES	RESPONSES	
Councillor	3.49%	13
Member of the public	81.45%	303
Member of staff	15.05%	56
TOTAL		372

Q2 Are you aware of the full range of committee meetings that take place?

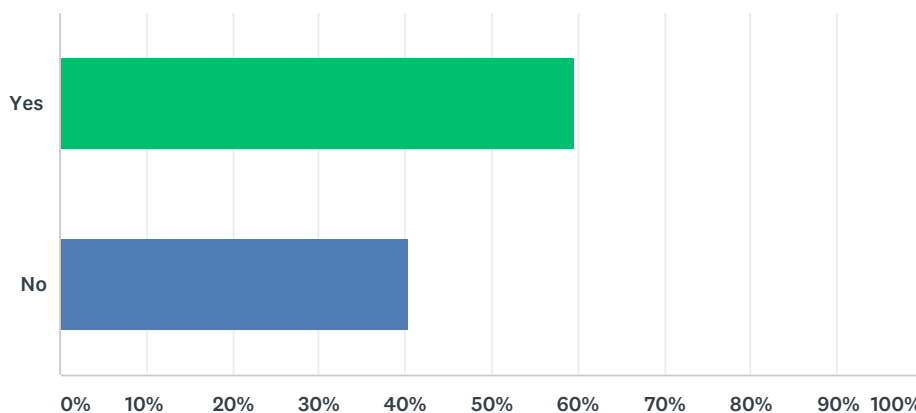
Answered: 296 Skipped: 77



ANSWER CHOICES		RESPONSES	
Yes		34.80%	103
No		65.20%	193
TOTAL			296

Q3 Are you aware that the public can attend policy committee meetings and give questions at those meetings?

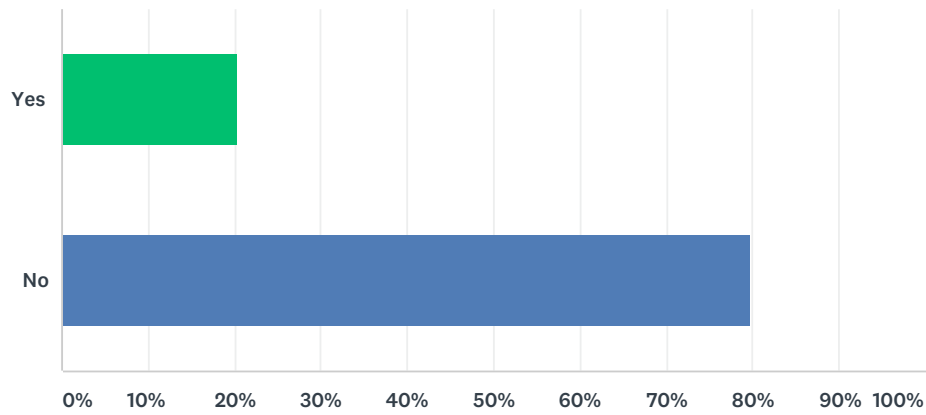
Answered: 297 Skipped: 76



ANSWER CHOICES	RESPONSES	
Yes	59.60%	177
No	40.40%	120
TOTAL		297

Q4 Thinking about the last 6 months, have you attended a policy committee meeting?

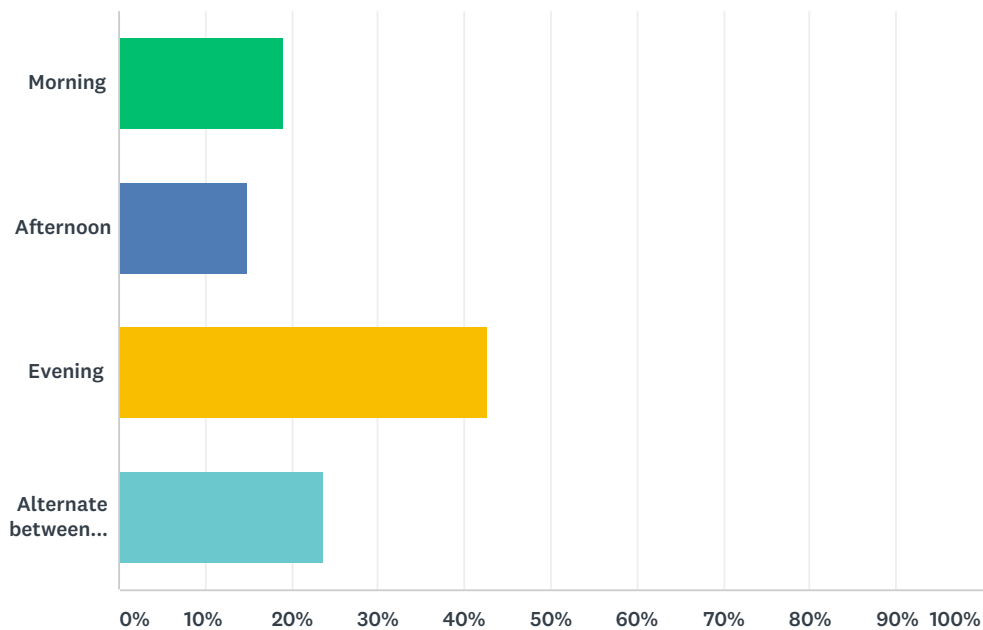
Answered: 363 Skipped: 10



ANSWER CHOICES	RESPONSES	
Yes	20.39%	74
No	79.61%	289
TOTAL		363

Q5 What would be your preferred time of day for a policy committee meeting to be held?

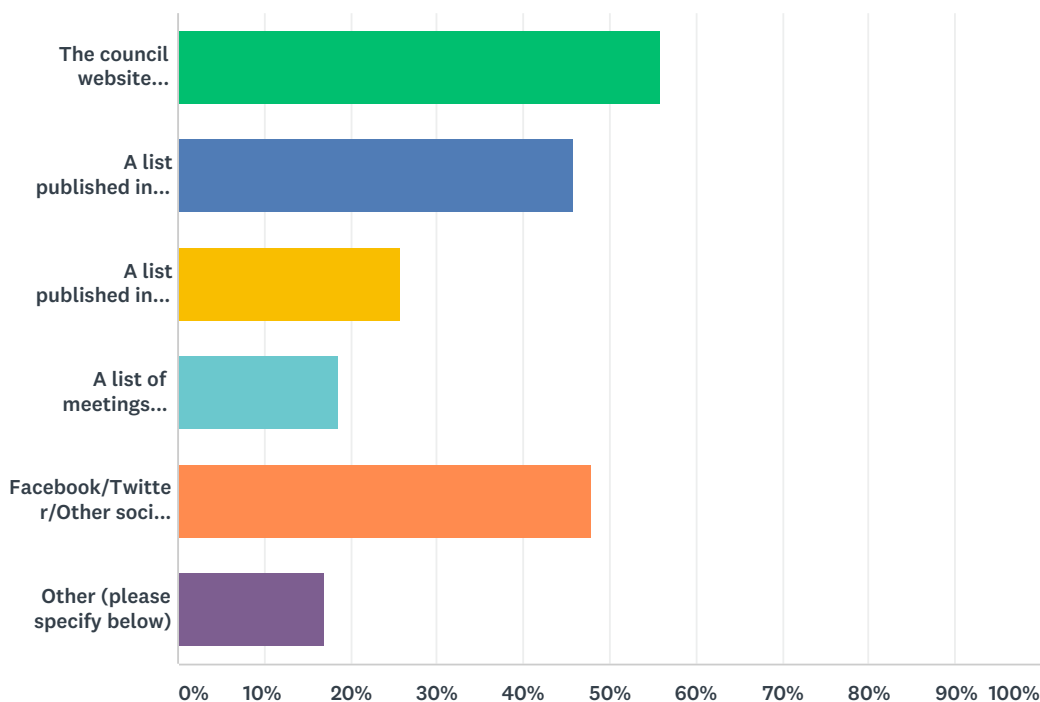
Answered: 352 Skipped: 21



ANSWER CHOICES	RESPONSES	
Morning	19.03%	67
Afternoon	14.77%	52
Evening	42.61%	150
Alternate between morning, afternoon and evening	23.58%	83
TOTAL		352

Q6 How would you like to find out about these meetings? (Please tick all that apply)

Answered: 353 Skipped: 20



ANSWER CHOICES	RESPONSES	
The council website (www.hartlepool.gov.uk/democraticservices)	55.81%	197
A list published in Hartbeat	45.89%	162
A list published in the Hartlepool Mail	25.78%	91
A list of meetings displayed at the Civic Centre	18.70%	66
Facebook/Twitter/Other social media	47.88%	169
Other (please specify below)	17.00%	60
Total Respondents: 353		

#	OTHER (PLEASE SPECIFY)	DATE
1	HBC Website	9/13/2017 9:27 AM
2	Email	9/12/2017 1:05 PM
3	Free Paper	9/11/2017 3:06 PM
4	Hartlepool Life	9/11/2017 3:04 PM
5	Email	9/11/2017 2:43 PM
6	Email	9/11/2017 2:38 PM
7	Hartlepool Life	9/11/2017 2:27 PM
8	Email send out to all residents listed on the contacts list.	8/15/2017 9:22 AM
9	By message or email I do not have access to the other paper notifications	8/13/2017 10:48 AM
10	From this distribution list	8/10/2017 9:13 PM
11	Email or text message	8/9/2017 8:23 PM

Timing of Committee Meetings

12	Direct mailing list "email"	8/7/2017 8:21 AM
13	Hartlepool Life paper	8/6/2017 7:35 AM
14	Email	8/5/2017 9:01 AM
15	The new free paper	8/4/2017 10:29 AM
16	Email	8/3/2017 9:19 PM
17	Email me	8/3/2017 9:09 PM
18	Email	8/3/2017 7:36 PM
19	E- Mail	8/3/2017 6:27 PM
20	Emailed	8/3/2017 6:25 PM
21	E mail a list at regular intervals	8/3/2017 5:33 PM
22	e-mail	8/3/2017 5:16 PM
23	Email notification	8/3/2017 5:09 PM
24	the new free newspaper	8/3/2017 5:02 PM
25	email	8/3/2017 4:20 PM
26	Email	8/3/2017 4:19 PM
27	Email and text to people who would like to sign up for such messages.	8/3/2017 3:40 PM
28	I would like to register for text (SMS) and email updates. I don't read Hartbeat or the Hartlepool Mail so publicising in those are fairly pointless.	8/3/2017 3:18 PM
29	Mailing list	8/3/2017 3:11 PM
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Timing of Committee Meetings

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60	I am a Councillor therefore do have advanced notice of meetings etc	7/31/2017 10:32 AM
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62	As an officer I currently receive the email notifications of committee dates/times. Perhaps this could be rolled out to those persons who wanted to register for an email notification service.	7/31/2017 8:31 AM
63	Notified as officer required to attend.	7/31/2017 8:30 AM
64	Email	7/30/2017 1:43 PM
65	Council diary	7/29/2017 9:55 PM
66	Not applicable since they are in my diary	7/28/2017 4:25 PM
67	Intranet or email	7/28/2017 4:12 PM
68	Calendar invite for the meetings I need to attend.	7/28/2017 4:01 PM
69	Staff bulletin - what's happening this month / similar	7/28/2017 4:00 PM



Presentation to Constitution Committee

Background to Review

- Responsibility for reviewing the Constitution rests with the Monitoring Officer (MO)
- Council have previously resolved that a review should be reported before the September meeting to ensure new elected members have undertaken their induction
- On the 18 September 2018 Constitution Committee agreed to the MO carrying out a review of Part 3 – Delegation Scheme
- Number of inconsistencies identified
- Part 3 couldn't be looked at in isolation and full review has taken place

Role of the Constitution

- The Council 'Rule Book'
- Sets out how the Council make decisions and how local people can get involved in decision making
- Divided in to Articles
- Supported by Procedures and Codes of Practice

Articles of the Constitution

Updated to:

- Inserted explanation of governance arrangements
- Added section on Member Development
- Updated Article on Local People and their right to complain
- Consolidated Article on Joint Committees & Arrangements
- Reformatted and inserted hyperlinks to relevant documents

Responsibility for Functions

Part 3 has been updated to:

- Reflect Committee functions and responsibilities and clarify where delegation to an officer applies
- Detail the various powers delegated to officers and how they can be exercised
- Remove the power to act generally and be more specific as to the statutory authority associated to specific Director and Chief Officer Posts
- Reinforce that officer decisions are to be recorded and published on the website
- Scheme of Authorisations to be introduced and retained by Dem Services

Part 3 – Committee Functions

Finance & Policy Committee	Regeneration Services Committee
Amalgamation of service areas – delegation to CEX	Updated to reflect service areas
Redundancy Decision - post consultation with staff	Additional Delegation to Director of R&N to accept/dispose of museum items in consultation with the Chair
Community Safety – only Safer Hartlepool Partnership matters	
Increase limits of land/property disposals - £100k capital/£50k rental	

Part 3 – Committee Functions cont...

Neighbourhood Services	Audit & Governance/Personnel Sub
New delegation to Director of R&N power to take enforcement action and report back to Committee	Change to membership of Personnel Sub committee – fixed membership rather than a rota
New Delegation to Director of R&N power to introduce Traffic Orders/Highway improvements where no more than 2 material objections	Inclusion of new function on the use of covert surveillance.
New delegation to Director of R&N power to approve conservation grants in consultation with the Chair	

Part 3 – Committee Functions cont...

Planning Committee	Licensing Committee Licensing Act Sub/Regulatory Sub
Refer to Committee – Requirement that objections must be from 2 separate addresses	Licensing Committee delegation to Sub-Committees: Regulatory Sub-Committee Licensing Act Sub-Committee
Refer to Committee where 'significantly' contrary to policy	Licensing Act Sub-Committee - Licensing Act 2003 & Gambling Act, Fixed rota from Licensing Committee
In consultation with the Chair – applications where 2 or less material objections received	Regulatory Sub – Individual licence matters, Fixed rota from Licensing Committee
Appeals and Enforcement	
Referral of disputes to District Valuer	



Part 3 – Committee Functions cont...

General Delegations

- Self funding business cases by the Chief Executive, with agreement from the Director of Finance and Policy and the Chief Solicitor in consultation with the Chair of Finance and Policy Committee.

Chief Executive

- In consultation with the Leader (or in his absence the Deputy Leader), Chair of the relevant Committee (or in his absence Vice Chair) and Monitoring Officer, the Chief Executive (or in his/her absence the Director of Finance and Policy) may take a decision normally reserved to a Committee in an emergency.

Part 3 – Committee Functions cont...

Chief Executive

- The functions of appointment and dismissal of, and taking disciplinary action against, officers below the level of Chief Officer and excluding political assistants, must be discharged by the Head of Paid Service, on behalf of the Authority, or by an officer nominated by them.
- In consultation with the Chair of Finance and Policy Committee and the Director of Finance and Policy and the Monitoring Officer may take a decision which is contrary to the policy framework or contrary to or not wholly in accordance with the budget approved by Full Council, if the decision is a matter of urgency...

Rules of Procedure

All of the Rules of Procedure have been reviewed and updated:

- Access to Information – updated to clarify procedures to be followed and rights of the public to film and record meetings
- Budget and Policy Framework – provided clarification on what the framework is and how it should be followed, oversight of F&P in relation to timescales
- Contract Procedure – no changes proposed other than formatting
- Financial – amended to provide clarification and reformatted
- Officer Employment – general review to give context as to when the rules apply
- Statutory Scrutiny – updated to comply with Regulations and Statutory guidance

Council Procedure Rules

- Annual Meeting – issues with Agenda
- Committees legally need to be appointed at Annual Meeting not ‘noted’ (MO used power to amend ‘note’ to ‘make’ with immediate effect)
- Proposal re-designate Tuesday as Annual Meeting to elect Chair, Leader, make appointments to Committees
- Adjourn to Thursday – for ceremonial part
- Inserted clarification in relation to Motions/questions and when they can be accepted/refused
- Report also seeks views on changing timings of meetings and supplementary questions

Other Changes

Part 5 – Codes and Protocols

- Comprehensive review undertaken last September
- Change proposed to the Planning Code of Practice regarding 2 or less objectors
- Insertion of the Petition Guidance

Part 6 – Member Allowances

- Clarification as to the limited circumstances where costs can be reimbursed

Summary

- Modernise
- User friendly
- Reorganised – changed some procedure rules to Appendices e.g. Contract and Financial Procedure Rules
- Reformatted – hyperlinks, A4 size

Next Steps.....

- Constitution Committee on 4 March 2019
- Council 21 March 2019
- Council Procedure Rules stand adjourned to the next ordinary meeting in the new Municipal Year
- Ongoing work on Part 3 – Officer delegation Scheme i.e. consult Directors delegation sought for future technical changes

Any questions?