

SELECTION & CONSTITUTIONAL REVIEW COMMITTEE

9TH OCTOBER 2014

CONSTITUTIONAL PROVISIONS

The Leader of the Council has requested the addition of two provisions to the Articles of the Constitution. These deal with

(i) How and by whom official opinions and views “on behalf of the Council” should be given publicly

(ii) The obligation on all councillors to undertake duties and attend meetings etc. to which they have been appointed.

The suggested additional provisions are attached for consideration by members.

Insert as new sub-article within Article 2 (p12 mauve pages in Constitution)

Expression of views “on behalf of the Council”.

“Expression of opinion or views by Councillors on behalf of the Council to the press, radio or television or to Members of Parliament or other public bodies on matters affecting the work of the Borough Council shall be given only by the Leader (or Deputy Leader in his absence) or relevant Portfolio Holder (after discussion with the Leader or Deputy Leader), or by the Chairman (or Vice Chairman in absence of the Chairman) of the appropriate Standing Committee after consultation with the Leader (or Deputy Leader in his absence).

This does not prevent councillors expressing opinions or views on such matters in a personal, Ward Member or Political Group capacity provided this capacity is made clear in the communication. However Councillors will be acting in a public role and therefore at all times there is a responsibility to ensure that opinions or views expressed are expressed in temperate language and are based on accurate facts as failure to do so could bring their office into disrepute.”

Insert as addition to Article 2.03 (p.12 mauve pages in Constitution)

2.03(a) (v) “participate in the government and management of the Council; in particular regularly attend meetings of the Council and Committees, Sub-Committees, Forums, Task Groups, Boards or Panels to which they are appointed.”

The remaining Articles will need to be re-numbered accordingly.

Insert Note at end of 2.03(a)

Note

Since Councillors have a duty to regularly attend the meetings referred to in (v) above, it is likely that Group Leaders and/or the Council will wish to remove them from those which they fail to regularly attend. Such Councillors should also consider whether they should stand down if they are unable to continue to effectively represent their constituents.

Recommended:

That the addition of the two additional provisions outlined above to Article 2 of the Constitution be agreed.