

## Part A

**Report to:** Council  
**Date of meeting:** 5 July 2016  
**Report of:** Democratic Services Manager  
**Title:** Changes to the Constitution

### 1.0 **Summary**

1.1 This report details changes to the Constitution recommended by the Constitution Working Party following its meeting on 14 June 2016.

### 2.0 **Recommendations**

2.1 That the terms of reference for the Major Projects Board are amended (as shown in Appendix A) to extend its remit to review the Property Investment Board strategy to diversify the investment portfolio.

2.2 That incidents of poor behaviour by councillors at a full Council meeting be dealt with between meetings of Managing Director/Monitoring Officer/Chairman and Group Leaders

2.3 That the following text be added to the constitution (Article 5)  
“The Chairman and Vice Chairman when undertaking their civic and ceremonial roles should not:

- Bring the Council into disrepute through abuse of office
- Attend any function or otherwise give support to any organisation or person, whose objectives are contrary to law and/or council policy
- Solicit engagements or visits at home or abroad or otherwise procure favours by virtue of office.
- Overspend their budget
- Use their position for party political purposes, including seeking their own re-election and avoid controversial political roles such as chairing major committees, standing for parliamentary and mayoral elections in Watford”

2.4 That the order of business on a full Council agenda is changed to move the motions to after the substantive business

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**Report approved by:** Carol Chen, Head of Democracy and Governance

**3.0 Detailed Proposal**

3.1 The Constitution Working Party met on 14 June 2016 to consider various changes to the constitution. A copy of the agenda and reports are available at <http://watford.moderngov.co.uk/ieListDocuments.aspx?CId=126&MId=1795>  
These are their recommendations.

**3.2 Major Projects Board (MPB)**

3.2.1 The Major Project Board's role has evolved from its original purpose of focussing on the council's procurement strategy into an advisory group to Cabinet and officers on major projects across the town. The Constitution Working Party commented that the addition of property to the terms of reference for MPB was a good fit with the other items which were received and added another element to the Board's work. The working party therefore recommended that the terms of reference for MPB were extended (as at Appendix A) to include reviewing the Property Investment Board (PIB) strategy to diversify the investment portfolio.

3.2.2 The working party discussed the role of Budget Panel in reviewing the council's revenue budget and capital programme which would reflect any income generation following decisions made by the PIB.

**3.3 Member behaviour at Council**

3.3.1 The working party considered changes to the constitution to ensure appropriate behaviour was maintained at full council meetings.

3.3.2 The working party noted the various provisions already in the council procedural rules for controlling member behaviour at meetings

- 3.3.3 The working party recommended that in addition to the existing rules the Chairman, Managing Director and Monitoring Officer could call in group leaders for a meeting after council if there had been problems at the meeting with a member's behaviour.
- 3.4 **Council Chairman**
- 3.4.1 The working party agreed that the current system of selecting the next Vice Chairman through seniority (length of service) should be continued.
- 3.4.2 The working party discussed formalising conventions in the constitution regarding the role of the Chairman and their conduct during their year in office. Following a vote the Working Party proposed the following to be recommended to council to be added to the constitution:  
"The Chairman and Vice Chairman when undertaking their civic and ceremonial roles should not:
- Bring the Council into disrepute through abuse of office
  - Attend any function or otherwise give support to any organisation or person, whose objectives are contrary to law and/or council policy
  - Solicit engagements or visits at home or abroad or otherwise procure favours by virtue of office.
  - Overspend their budget
  - Use their position for party political purposes, including seeking their own re-election and avoid controversial political roles such as chairing major committees, standing for parliamentary and mayoral elections in Watford"
- 3.5 **Order of Business at Full Council Meetings**
- 3.5.1 The working party recommended that motions be moved to the last item of business at a full Council meeting to allow members time to have discussion on the items of substantive business.
- 3.5.2 At Council meetings in the previous municipal year there had been a number of motions at each meeting which contributed to the length of business at each meeting. The time taken on debates on motions had led to debate on substantive business either being curtailed or the need to suspend standing orders to allow the meeting to continue beyond 10:30 p.m. Whilst the order of business had on occasion been altered at the Chair's discretion it was felt that this should be formalised.
- 4.0 **Implications**
- 4.1 **Financial**
- 4.1.1 The Shared Director of Finance comments that there are no financial implications in this report

4.2 **Legal Issues** (Monitoring Officer)

4.2.1 The Head of Democracy and Governance comments that the legal implications are contained in the body of the report.

4.3 **Equalities**

4.3.1 This report is not considering a new policy

4.4 **Potential Risks**

4.4.1 None identified

4.5 **Staffing**

4.5.1 No implications

4.6 **Accommodation**

4.6.1 No implications

4.7 **Community Safety**

4.7.1 No implications

4.8 **Sustainability**

4.8.1 No implications

## **Appendices**

Appendix A: Amended terms of reference for Major Projects Board

## **Background Papers**

Report and minutes of Constitution Working Party 14 June 2016

## **File Reference**

None