

Motion to Council 14 May 2024 – Motion 1

Cllr Lynn Denham

Changes to the Constitution and appointments of Members:

Motion on the appointment of Leader and Deputy Leader

Introduction

Following the elections on 2 May, the political composition of the Council has changed.

This Motion proposes certain amendments to the Constitution and consequential appointments of Members to reflect leadership arrangements which are considered appropriate to the resulting political composition of the Council.

The Group Leaders Protocol stipulates that it should be reviewed every time that the political balance of the Council changes.

Amendments

The amendments proposed to the Articles (Part 2) and Group Leaders Protocol (Part 15) are set out in the Appendices to this Motion. In summary the purpose of the amendments is:

- (1) To remove the concept of, and all references to, Joint Leaders of the Council and remove related provisions relating to the rights and responsibilities of Joint Leaders;
- (2) To ensure that, when there is no overall political control, the Leader of the Council is appointed solely on a basis of a vote of Council, and to remove the qualifying requirement that the Leader should be appointed from the largest Political Group on the Council;
- (3) To ensure that, when there is no overall political control, the Deputy Leader of the Council is appointed solely on the basis of a vote of Council and to remove the qualifying requirement that the Deputy Leader should be appointed from the second largest Political Group on the Council;

Therefore, Council agrees that, with immediate effect:

1. The Articles, Part 2 of the Constitution, be amended in the terms set out in Appendix 1, so as to delete Article 6A. This will have the effect of removing all references to Joint Leaders and reinstating one process for the appointment of the Leader and Deputy Leader, on a simple vote of Council, which applies irrespective of the overall political control of the Council;
2. The Group Leaders Protocol, Part 15 of the Constitution, be amended in the terms set out in Appendix 2, to remove all of the provisions which relate to Joint Leaders;

3. The Monitoring Officer is instructed to make any consequential amendments to the Constitution to give effect to these decisions;
4. The Council now proceed to make the requisite Member appointments in accordance with these new arrangements.

Appendix 1

Part 2: Articles (extract of document)

Proposed amendments shown in track changes:

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~~ARTICLE 6A – THE LEADER AND DEPUTY LEADER OF THE COUNCIL (NO OVERALL POLITICAL CONTROL)~~

~~THE LEADER OF THE COUNCIL (NO OVERALL POLITICAL CONTROL)~~

~~6.1A Appointment of the Leader(s) of the Council~~

~~— In circumstances of no overall political control, the Council will elect two Leaders, one from each of the two largest political groups. The Council will elect the two joint Leaders of the Council on an annual basis at its Annual meeting. In the event that one of the two political groups eligible to nominate a Joint Leader elects not to do so, the Council shall elect one Leader only and the other Joint Leader position will be vacant.~~

~~6.2A Term of Office~~

~~— In circumstances of no overall political control, each Leader of the Council will hold office until:-~~

- ~~— (a) they resign from the office; or~~
- ~~— (b) they are suspended from being a Councillor or~~
- ~~— (c) they are no longer a Councillor; or~~
- ~~— (d) for one year from the date of election, save that they may be removed from office at an earlier date by resolution of the Council.~~

Appendix 2

Part 15: Group Leaders Protocol (full document)

Proposed amendments shown in track changes:

PART 15

GROUP LEADERS' PROTOCOL

WORCESTER CITY COUNCIL GROUP LEADERS' PROTOCOL

1. Scope

- 1.1 This protocol shall be used to provide political stability at Worcester City Council and to assist in the management of the corporate governance of the Council, supporting the effective operation of the Committee system. These conventions reflect the agreement of the Political Groups as to the general conduct of Council business. This version of the protocol shall take effect from the date it is adopted at a meeting of the Council.
- 1.2 This protocol forms part of the Council's Constitution and it is intended that it remains in force until the Council resolves to amend or revoke it. It is intended to set out binding commitments but it shall always be read in conjunction with the Articles and other provisions of the Constitution. In the event of any conflict of interpretation, the Articles shall take precedence.
- 1.3 This protocol may be reviewed at any time at the request of any of the Political Groups and shall in any event be reviewed by Council at any time when the political balance of the Council changes.

2. The Leadership of the Council

- 2.1 The Leader(s) and Deputy Leader of the Council will be appointed annually by Council.
- 2.2 The responsibilities of the roles of Leader(s) and Deputy are as set out in the Articles. The Leader(s) of the Council (or Deputy when requested) will represent the Council at the Worcestershire Leaders' Board, the Local Enterprise Partnership and other external partnerships and boards which require leadership representation from the Council.
- ~~2.3 The basis of the appointments of Leader(s) and Deputy is determined by whether or not the Council is in overall political control.~~
- ~~2.4 In circumstances of overall political control:
 - (a) there shall be one Leader, who will be appointed from the largest Political Group;
 - (b) there shall be one Deputy Leader, who may be appointed from any Political Group.~~
- ~~2.5 In circumstances of no overall political control:
 - (a) the role of Leader shall be designated as "Joint Leaders";
 - (b) two Joint Leaders will be eligible to be appointed, one from each of the two largest Political Groups;
 - (c) the Council will appoint the first Joint Leader nominated from the largest Political Group, before appointing the second Joint Leader nominated from the next largest Political Group;
 - (d) the Joint Leaders will allocate their chairing and representation responsibilities on an alternating basis or as they may otherwise agree, so that overall an equitable share is achieved across the year;~~

~~(e) where for any reason only one Joint Leader has been elected instead of two, the Joint Leader may ask the leader of any Political Group to deputise for them on an ad hoc basis when required.~~

4. Chairs and Vice Chairs of Committees

- 4.1 The Chairs and Vice Chairs of Committees will be appointed annually by Council in accordance with the following principles:
- The Chair and Vice Chair of each Committee will be from different Political Groups;
 - There shall be two Vice Chairs of the Policy and Resources Committee, each from different Political Groups and different to the Political Group of the Chair;
 - The roles of Chair and Vice Chair shall be allocated to Political Groups in proportion to the number of seats each Political Group has on the Council, subject to the rules on political balance.
- 4.2 The Chairs and Vice Chairs of all Committees shall be equally responsible for agenda setting for their Committee, with equal access to Officers and information. All other members of a Committee may request to the Chair and Vice Chair that an item is included on the agenda of the Committee. Statutory officers have the right to put an item on the agenda of any Committee and any member of the Council can request an item through the Monitoring Officer.
- 4.3 The draft agenda and contents of papers for Committee meetings are not for further circulation outside of the Council until they are formally published or unless the Managing Director has agreed.

5. The Mayor and Deputy Mayor

- 5.1 The Mayor and Deputy Mayor shall be appointed in accordance with the following principles:
- The Mayoralty shall rotate with a right of first refusal on an annual basis amongst the Political Groups;
 - The Mayor and the Deputy Mayor shall not be from the same Political Group;
 - The Mayor should normally have served at least one full term of office as a councillor;
 - The Mayor should normally have served as the Deputy Mayor in the preceding year;
 - The Mayor and Deputy Mayor must be willing to undertake the duties of Mayor and Deputy Mayor;
 - Where there is more than one eligible candidate for appointment as Mayor or Deputy Mayor, the appointment may be based on seniority in terms of number of years served as a councillor.

6. Distribution of Seats on Committees and Sub-committees

- 6.1 Seats on the Council's Committees are allocated on a proportionate basis in accordance with the political balance calculations.

7. Shared Services Joint Committees

- 7.1 Seats on the Joint Committees are allocated to constituent members on a pro-rata basis.

8. Political Group briefings with the Corporate Leadership Team (CLT)

- 8.1 The leaders of the Political Groups and their deputies will meet with and receive briefings from CLT and other officers as frequently as required. The overall objective of these meetings and briefings is to support the effective management of the Committee system of governance and to supplement the agenda planning process of individual Committees.
- 8.2 Meetings will be chaired by the Council's Leader(s). Political Groups/CLT briefings are a non-decision making forum operating without delegated powers. Any formal decisions that are required will need to be referred to the relevant Committee. Meetings shall be held at least monthly to a pre-agreed schedule.
- 8.3 It has been a long-standing convention that Political Groups/CLT meetings are confidential and that agendas and reports from these briefings will not be available to anyone other than those attending the meeting. Furthermore, items on the agenda are not to be the subject of press comment without prior agreement of the Managing Director.

9. Media and Communications; Resources

- 9.1 The Leader and the Deputy Leader, ~~or Joint Leaders as the case may be,~~ have the authority to speak on behalf of the Council in relation to media enquiries, with advice from the Council's Communications Team and CLT.
- 9.2 Press releases are to be prepared by the Council's Communications Team in consultation with the Chair and the Vice Chair of the relevant Committee working together, and in consultation with the Leader and Deputy Leader/~~Joint Leaders~~ where appropriate, the overall objective being to achieve an equitable level of coverage between Political Groups across the year.
- 9.3 Where a member of a Political Group chooses to speak to the media in relation to Council business, the member must make it clear in which capacity they are speaking.
- 9.4 Communications from central government and other public sector partners, the Local Government Association and invitations to external events (i.e. LGA conference, SOLACE etc.) shall be shared with the leaders of all of the Political Groups.

~~9.5 When there is no overall political control, the following principles for media briefings, press releases and publications will be applied:~~

- ~~• Media briefings and press releases will be shared on an equal and fair basis;~~
- ~~• Media briefings and press releases should, wherever possible, include a quotation which is agreed by the Leader and Deputy Leader the Joint Leaders, or Chair and Vice Chair of the relevant Committee as appropriate;~~
- ~~• Broadcast media may only have an opportunity for one spokesperson on a particular matter. Such opportunities shall be offered by the Communications Team on a rotational basis;~~
- ~~• the Joint Leaders shall have an equal right to coverage in City Life Magazine. The Chairs and Vice Chairs of Committees shall, following consultation with the Joint Leaders, be entitled to coverage in City Life Magazine.~~

~~9.6 When there is no overall political control, the Joint Leaders shall have an equal right to the use of office accommodation at the Guildhall and an equal right to administrative support in the discharge of their duties.~~

10. Corporate priorities and initiatives

- 10.1 The Political Groups shall work collaboratively on existing corporate priorities and initiatives where there is common ground.
- 10.2 The Political Groups shall work together to identify and agree new initiatives and priorities where there is a common interest.

11. Code of Conduct

- 11.1 This agreement is intended to emphasise the importance of the Member/Officer Protocol and the Local Code of Conduct for Members. The leaders of the Political Group personally support the rigorous enforcement of high standards of Member conduct.

Signatories

In recognition of the need to maintain political stability at Worcester City Council and to assist in the management of the corporate governance of the Council, we the undersigned shall uphold these conventions.

Signed by	Signed by	Signed by	Signed by
Leader of the Labour Party	Leader of the Green Party	Leader of the Conservative Party	Leader of the Liberal Democrats
Date	Date	Date	Date

Motion to Council 14 May 2024 – Motion 2

Cllr Lynn Denham

Changes to the Constitution and appointments of Members:

Motion on the remit of sub-committees

Introduction

Following the elections on 2 May, the political composition of the Council has changed.

A review of the Council's governance arrangements is now due, it having been 7 years since the last review was undertaken. This governance review should take place over the next few months and be subject to further debate at future meetings of Council.

In the meantime, this Motion proposes certain amendments to the Constitution to make immediate changes to the operation of sub-committees. This is to ensure that the new Municipal year starts from the principle that sub-committees of the Council should not consume unnecessary resources. The functions of all committees and sub-committees should be a topic for the governance review.

The Council has been operating with an Income Management Sub-Committee and a Personnel and General Purposes Sub-Committee. Both of these sub-committees have had their own scheduled programme of meetings and their Chairs have been entitled to special responsibility member allowances.

I believe that this is an unnecessary use of Council resources.

Therefore, Council agrees that, with immediate effect that:

- 1. The Income Management Sub-Committee be abolished;**
- 2. The Chair of a Sub-Committee should be the Chair of the parent Committee and that no special responsibility Members allowance should be paid for Sub-Committee duties;**
- 3. Meetings of Sub-Committees should only be called when there is a specific matter which is solely within the remit of that Sub-Committee to determine;**
- 4. The Monitoring Officer is instructed to make any consequential amendments to the Constitution to give effect to these decisions;**
- 5. The Council now proceed to make the requisite Member appointments in accordance with these new arrangements.**