

MINUTES OF THE CONSTITUTION WORKING PARTY

Tuesday, 10 February 2015 at 6.30 pm

PRESENT: Councillors Alan Hall, Stella Jeffrey, James-J Walsh and Susan Wise

Apologies for absence were received from Councillor Liam Curran

27. Declarations of Interest

None received.

28. Minutes

RESOLVED that the minutes of the meeting held on 3 September 2015 be confirmed and signed as a correct record, subject to amendment of typographical error on page 8 paragraph 6.13 to read:

“the Working Party agreed changes to Financial Regulations to reflect changes in the law and job titles”.

29. Constitutional Changes - Electronic Services

The Head of Law introduced the report. Following a brief discussion by the Working Party it was;

RESOLVED that Para C5 of the Constitution be amended to read as follows:-

“5 Notice of place of residence or alternative

5.1 At least 5 clear days before a Council meeting, the proper officer will publish at the Council’s offices and on the Council’s website, notice of the time and place of the intended meeting and, where the meeting is called by members of the Council, the notice shall be signed by those members and shall specify the business proposed to be transacted at the meeting.

5.2 The proper officer will send to every member of the Council a summons to attend the meeting, specifying the business proposed to be transacted at the meeting and authenticated by the proper officer. The summons may be served by:-

(a) sending it to, or leaving it at the member’s usual place of residence; or

(b) where the member has specified an address other than their usual place of residence, by sending it to, or leaving it at, that other address; or

(c) where the member has given consent for the summons to be transmitted in electronic form to a particular electronic address (and consent has not been withdrawn) sending it in electronic form to that address.

5.3 In paragraph 5.2 above “authenticated” means signed or otherwise authenticated in such manner as the proper officer thinks fit”

30. Pensions Board

The Head of Law introduced the report. Following a request from the Chair the Head of Law explained the roles of the Pension Investment Committee, and the Pension Board.

The Working Party discussed the pros and cons of having a draft Terms of Reference and core functions of the Board agreed as part of the report, and decided it would be prudent for that piece of work to be done, following the appointment of the Board. The Working Party agreed the report minus the appendix, and requested that the Head of Law redraft the report for Council.

RESOLVED that recommendation be made to Council to:

- i. to establish a Pension Board with effect from 1 April 2015.
- ii. amend the Constitution as set out in paragraph 6 of the report to reflect the new legal requirement on the Council to establish and maintain a pension Board; and
- iii. make appointments to the Pension Board at the earliest opportunity.

The Chair informed members that he had 2 issues to discuss with the Working Party:

Ethics Training for Members and Officers

The Chair said the Chief Executive had mentioned Ethics training for members and officers and asked when this would be done. The Head of Law said there would definitely be one leading to the elections. She said members and officers would be advised on what they should and should not do in the period leading to the elections. Councillor Walsh said ethics training should be compulsory for all members, especially new ones. The Chair said this was for Members to discuss at their group meeting.

Strategic Planning Committee

The Chair said it would be useful for members to be reminded that there should be a separation between Members making a decision, and those making a

representation before the Committee. It was noted that too often it had been difficult to differentiate between these two. The Chair said it was important that when a Committee makes a decision, it is fair, and seen to be fair. The Head of Law said that she would do a briefing for members that would include this issue.

The meeting ended at 7:12pm