



Extract from the minutes of the Joint Governance Committee - 27 September 2022

JGC/036/22-23 Modernising and Updating the Councils' Constitutions

Following an internal governance review by the Councils' Monitoring Officer, opportunities were identified for amending and modernising both Councils' Constitutions to ensure that they were legally compliant, complete, supported effective and sound decision-making, and reflected the character, culture and priorities of the two authorities.

At its meeting on 31 May 2022, the Joint Governance Committee approved the creation of a Working Group to consult on the proposed changes to the Constitutions, and agreed to receive this report with a view to recommending final draft Constitutions for approval by the Councils at their meetings in October 2022.

The report:

1. Highlighted the results of the consultation exercise held during July and August;
2. Updated the Joint Governance Committee on the work of the Working Group in its review of the Constitutions;
3. recommended amendments to the Constitutions.

The Committee received and debated a series of recommendations from the Joint Overview & Scrutiny Committee in relation to the proposed constitution changes, including the chairing of the Councils' Overview & Scrutiny Committees and associated statutory guidance.

In relation to the Membership of JOSC, Cllr Steve Waight proposed that paragraphs 3.2 and 3.3 be replaced with the following alternative wording:-

The Chair of the [Overview & Scrutiny Committee] [Joint Overview & Scrutiny Committee] shall be appointed by the Council. The Chair will first be offered to a member of a Political Group that does not form part of the Administration or an ungrouped Member, with the Vice-Chair being drawn from any other Political Group.

The proposal was seconded by Cllr Kevin Boram and supported following a vote (14 in favour, 2 against).

In relation to Minority Reports, Cllr Andy McGregor proposed that paragraph 12.8 be amended to add *'Support will be provided by the Scrutiny Officer'*. Cllr Debs Stainforth seconded the proposal, which was unanimously supported.

In relation to the Party Whip, Cllr Debs Stainforth proposed adopting the following wording as a new paragraph 16.3 *'Scrutiny is seen as impartial and stays separate from party politics. Scrutiny councillors should use their political skills and understanding of the needs of local people to shape the discussions, whilst not acting in a party political manner or using the discussions to further party political objectives'*.

The proposal was seconded by Cllr Catherine Arnold and unanimously supported by the Committee.

Cllr Kevin Boram proposed the additional recommendation set out in the report at paragraph 5.5 regarding 'deputations'. Cllr Nigel Morgan seconded the proposal, which was unanimously supported by the Committee.

Resolved

The Joint Governance Committee -

- (i) acknowledged the work undertaken by the Working Group;
- (ii) noted the responses to the consultation programme;
- (iii) endorsed the amendments to the Constitutions proposed by the Working Group and those put forward by the Joint Overview and Scrutiny Committee, as detailed above;
- (iv) **recommended the revised Constitutions to:**
 - the Joint Strategic Committee for comment at its meeting on 11 October 2022, and
 - **both Full Councils for approval at their meetings on 18 October 2022 (Worthing) and 20 October 2022 (Adur).**