

<b>Title of Report:</b>	<b>Amendments to the Constitution - Extraordinary Meetings</b>
<b>Report to be considered by:</b>	Council
<b>Date of Meeting:</b>	23 September 2010
<b>Forward Plan Ref:</b>	C2040

**Purpose of Report:** To amend West Berkshire Council's Constitution in order to clarify paragraph 4.1.3 of the Council Rules of Procedure relating to Extraordinary Meetings.

**Recommended Action:** To agree the amendment to paragraph 4.1.3 of the Council's Constitution to include timescales for arranging Extraordinary Council meetings contained in the report.

**Reason for decision to be taken:** At the request of the Liberal Democrat Group and to clarify the process relating to extraordinary meetings of the Council.

**Other options considered:** None

**Key background documentation:** West Berkshire Council's Constitution.

The proposals will also help achieve the following Council Plan Theme:

**CPT14 - Effective People**

The proposals contained in this report will help to achieve the above Council Plan Priorities and Themes by:  
Making the Council's decision making processes more effective and efficient.

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<b>Date Portfolio Member agreed report:</b>	15 <sup>th</sup> July 2010
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## Implications

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**Policy:** The proposals contained in this report accord with the Council's policy of regularly updating the Council's Constitution

**Financial:** There are no financial implications associated with this report.

**Personnel:** None

**Legal/Procurement:** Amendments to the Constitution as set out in the report

**Property:** None

**Risk Management:** None

**Equalities Impact Assessment:** Not required

<b>Is this item subject to call-in?</b>	Yes: <input type="checkbox"/>	No: <input checked="" type="checkbox"/>
If not subject to call-in please put a cross in the appropriate box:		
The item is due to be referred to Council for final approval	<input checked="" type="checkbox"/>	
Delays in implementation could have serious financial implications for the Council	<input type="checkbox"/>	
Delays in implementation could compromise the Council's position	<input type="checkbox"/>	
Considered or reviewed by Overview and Scrutiny Commission or associated Task Groups within preceding six months	<input type="checkbox"/>	
Item is Urgent Key Decision	<input type="checkbox"/>	

# Executive Summary

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## 1. Introduction

- 1.1 This report looks at clarifying the Council's Constitution in respect of the time frame of convening and holding extraordinary meetings of Council.
- 1.2 This report has been written following the last request for an extraordinary meeting of council, which took 22 days to be held.
- 1.3 Members of the Liberal Democrat Group are seeking an alteration which would set a time frame during which an extraordinary meeting of Council must be convened and held, following a justified request made by five members of council to do so.

## 2. Proposals

- 2.1 To alter the Council's Constitution to provide that an Extraordinary Council meeting must be convened within seven days of the presentation of a justified requisition from any five members of council, and held within 14 days of the presentation of such a requisition.

## 3. Conclusion

- 3.1 This amendment would mean that instead of calling for a meeting for a date in the future it would mean that a specific timeframe would be set during which the Extraordinary meeting should be called and held.

# Executive Report

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## 1. Introduction

- 1.1 The Council adopted a new Constitution in 2001 and since that time has carried out a number of reviews to ensure that its decision making processes are as effective and efficient as possible.
- 1.2 On the 11 November 2009 five Members of the Council sent a letter to the Chairman of the Council setting out a request to hold an urgent Council meeting to consider the overspend on the Adult Social Care budget and its potential impact on the district's elderly and vulnerable service users.
- 1.3 This request was submitted in accordance with the Constitution and paragraph 4.1.3 of Council Rules of Procedure, whereby: "Extraordinary meetings may be convened by the Chairman of Council, the Monitoring Officer or by any five Members of the Council if they have signed a requisition presented to the Chairman of Council and he/she has refused to call a meeting or has failed to call a meeting within seven clear working days of the presentation of the requisition."
- 1.4 The Chairman of the Council responded on the 18 November 2009 and agreed to hold an Extraordinary Council meeting on the 10 December 2009.
- 1.5 The Liberal Democrat Group feels that due to the ambiguity of the wording that there may be different ways of interpreting this paragraph. It is considered that its principal aim is to ensure that a meeting is called within a short period of time, because of the urgency and that the meeting takes place rapidly thereafter.
- 1.6 It is therefore proposed that the wording of paragraph 4.1.3 be amended as follows:
- "Extraordinary meetings may be convened by the Chairman of Council, the Monitoring Officer or by any five members of the Council if they present a signed requisition to the Chairman of the Council to call an extraordinary meeting. Such a meeting shall be called within seven calendar days of the presentation of the requisition and be held within 14 calendar days of the presentation of the original requisition."
- 1.7 The Liberal Democrat Group feels that on occasions there is a need for extraordinary meetings of Council to be convened and held rapidly and that it should be possible to hold one within 14 days. This amendment would mean that instead of calling for a meeting for a date in the future it would mean that a specific timeframe would be set during which the meeting should be called and held.

## Appendices

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There are no Appendices to this report.

## Consultees

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**Local Stakeholders:** None.

**Officers Consulted:** Andy Day, Moira Fraser, Katharine Sheehan.

**Trade Union:** None.