



Committee and date

Council

10 December 2009

10.00 a.m.

Item No

Public

PROPOSED AMENDMENTS TO THE LOCAL JOINT COMMITTEE CONSTITUTION

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Summary

Circumstances have arisen which have prompted a review of the operation of the Local Joint Committees' Constitution. The proposed amendments deal with the circumstances when Members are unable to take part in a particular decision resulting in the quorum not being achieved and also clarify the situation in the Shrewsbury area where several elected Members represent their division both as a Shropshire and a Shrewsbury Town Councillor.

Recommendations

- A. That Council agrees the proposed amendments to the Local Joint Committees' Constitution as set out in Appendix 1.

Report

Background

1. The Constitution for the Local Joint Committees (LJC) in its current form was agreed by the Implementation Executive on 19 March 2009.
2. Since that date all the LJC's have had one or more meetings as a result of which it has become apparent that some amendments are required to allow the effective and efficient operation of the LJC's.

Proposed amendments

3. There are two substantive amendments proposed to the Constitution.
 - i. The first relates to the situation in the Shrewsbury area where, following the local elections in June, several elected Members represent their division both as a Shropshire and a Shrewsbury Town Councillor. This results in the Committees having reduced

membership and causes difficulties in term of quorum.

Therefore where Committees exist with voting Councillors that represent both Shropshire Council and their Town Council, such “twin hatted” Councillors will have two votes. The Constitution needs to be updated to reflect this.

ii. The second proposed amendment relates to the situation where the Committee does not achieve a quorum because Members of the Committee have a personal and prejudicial interest and as a result of which those Members are unable to take part in the determination of that item.

The wording of the Constitution has been amended to state that in the situation as described above the decision will be referred to Shropshire Council’s Cabinet for consideration.

4. The detail of the proposed wording of these amendments is to be found at paragraphs 8 and 10 of the LJC Constitution at Appendix 1.
5. Members are therefore asked to endorse the proposed amendments as set out in Appendix 1.

List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)

Implementation Executive Report dated 19 March 2009.

Human Rights Act Appraisal

The recommendations contained in this report are compatible with the provisions of the Human Rights Act 1998

Environmental Appraisal

There are no environmental implications arising from the recommendations within this report.

Risk Management Appraisal

The recommendations are proposed in order to enable decisions to be taken where due to particular circumstances the meeting is not quorate. The proposed amendments clarify the process and provide a mechanism for transparent decision making.

Community / Consultations Appraisal

Consultation has been undertaken with the Portfolio Holder

Cabinet Member

Councillor Gwilym Butler

Local Member

All

Appendices

Appendix 1 - LJC Constitution with highlighted proposed changes