

**Governance Working Group**

Portfolio	Leader
Ward(s) Affected: n/a	

**Purpose**

To receive a report from the Governance Working Group and to consider recommendations in relation to amendments to the following chapters of the Constitution:

- (a) Social Media Protocol for Councillors;
- (b) Planning Code of Practice for Councillors and Officers; and
- (c) Scrutiny Committee Procedure Rules;

**Introduction**

1. The Working Group met on 15 March 2013. The notes of this meeting are available on Escene.
2. The Working Group has considered a number of issues and made recommendations which are addressed below.

**Social Media Protocol for Councillors**

3. As requested by the Council at its meeting on 28 February 2013, the Working Group reconsidered specific elements of the Social Media Protocol for Councillors relating to the use of media devices by members of the decision making bodies at meetings of Planning Application Committee, Licensing Sub Committees, and the Full Council when considering major planning applications.
4. The Working Group re-iterated that, whilst it had been previously agreed that non-committee members could use media devices to access social media sites during the course of the meeting, members of the decision making body should not be engaged in social media during the meeting. The Group noted, however, that media devices were increasingly used for accessing agenda paperwork and for note taking; consideration was given to members of these bodies using devices for such purposes. It was recognised that at these meetings it was essential to ensure that the decision makers took into account the same information in reaching decisions. Concerns were raised that the use of these devices could enable members to access information that was not available to all decision makers.
5. The Group agreed that, although measures could be introduced to prevent social media being accessed, for example through restricting Wi-Fi access in the Council Chamber, Members should be trusted to comply with the Social Media Protocol. It was therefore agreed that the Social Media protocol should be amended to provide that, at meetings of the Planning Applications Committee, Licensing Sub Committee, or the Full Council when considering major planning applications, media devices could be used by members of the decision making body for accessing meeting paperwork and making notes only. The Working Group further agreed that the same provisions should apply during the consideration of exempt items at all committee meetings.
6. The Working Group noted that Google Earth had been used in the Council Chamber at several Planning Application Committee meetings and recommended that it should be used as a matter of course at Planning Application Committee meetings.

7. The Working Group was also informed that consideration was being given to introducing an agenda bundling system, which would enable agendas to be published on the Council's website as a single bookmarked PDF document, thus enabling Members easier access to meeting documents on media devices. The Group agreed that an update on the introduction of this facility would be provided at its next meeting.

**Site Visit Protocol**

8. The Working Group was reminded that the Site Visit Protocol at Part 5, Section F of the Constitution provided that, where the Planning Applications Committee had deferred an application because it considered that a site visit was necessary in order for it to determine the application, only those members who had attended that site visit would be able to vote in relation to that application at the next meeting.
9. The Group reviewed the Protocol and considered that the wording should be clarified to state that the requirement for a Member to have attended the Site Visit in order to be eligible to vote on the item would only be applicable when the Committee had commenced consideration of the item.
10. Members of the Working Group also considered the timing of Site Visits, which were usually held on Thursday mornings, and agreed that further consideration would be given to the matter at its next meeting.

**Scheme of Delegation of Functions to Officers - Licensing Functions**

11. The Working Group considered proposed revisions to Chapter 12 – Licensing of the Scheme of Delegation of Functions to Officers which had been recommended by the Licensing Committee at its last meeting.
12. The Working Group endorsed the Licensing Committee's recommendations.

**Scrutiny / Select Committee Work Programmes**

13. The Working Group was informed that Article 6 – Scrutiny/ Select Committees stated that "Scrutiny committees will decide their own work programme and working arrangements subject to any directions by the Council and/or inclusion of matters referred by the Leader/Executive/Portfolio Holders."
14. However, the Scrutiny Committee Procedure Rules at Part 4 of the Constitution provided for the Scrutiny Committees to recommend their Work Programmes to the Executive or Council.
15. It was therefore proposed to update the Procedure Rules to reflect the provisions in Article 6, which was carried out in practice by the Scrutiny Committees.

**Resource Implications**

16. In relation to the proposed amendments to the Constitution, costs will be met from existing budgets.

**Recommendation**

17. The Council is advised to RESOLVE that

- (i) paragraphs 13 and 14 of the Social Media Protocol for Councillors, a document which supports the Constitution, be substituted with the following:

**Use of Media Devices during Council Meetings**

13. **With the exception of meetings of the Planning Applications Committee, the Licensing Sub Committee or the Full Council when considering major planning applications, Members may use media devices for any purpose.**
14. **At meetings of the Planning Applications Committee, Licensing Sub Committee or the Full Council when considering major planning applications, the decision making Members may only use media devices to access meeting papers and for note taking. Other Members in attendance at these meetings may use media devices for any purpose.**
15. **At all meetings, during the consideration of exempt items, Members may only use media devices to access meeting papers and for note taking.**

- (ii) the Site Visit Protocol at Part 5, Section F of the Constitution be amended as follows:

10. Where the Planning Applications Committee **has commenced the consideration of an item but decides to** defers an application because it considers that a site visit is necessary in order for it to determine the application, only those members who have attended that site visit will be able to vote in relation to that application at the next meeting; and

- (iii) Paragraph 6.1 of the Scrutiny Committee Procedure Rules at Part 4 of the Constitution be amended as follows:

**6. WORK PROGRAMME**

- 6.1 The scrutiny committees will be responsible for **setting their own work programmes, subject to any directions by the Council and/or inclusion of matters referred by the Leader/Executive/Portfolio Holders** ~~recommending their own work programme to the Leader/Executive and Council.~~ This will normally be drawn up for consideration at the last meeting of the previous municipal year.

Annexes	None
Background Papers:	None
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