

## CONSTITUTION COMMISSION - ACTIONS / DECISIONS – 12 JULY 2018

AGENDA ITEM NUMBER	SUBJECT AND DECISION	DECISION REFERRAL	PERSON RESPONSIBLE FOR ACTION
2.	<p><b>Minutes</b></p> <p>The minutes of the meetings of the Commission held 4 April and 16 May 2018 be agreed and signed by the Chair as correct records, subject to '2017' being amended to '2018' in the heading of the minutes of the meeting held on 4 April 2018'.</p>	-	Committee Services and Scrutiny Manager
3.	<p><b>Health Check on the Constitution</b></p> <ol style="list-style-type: none"> <li>1. That the Commission working alongside officer colleagues undertake a systematic review of the Constitution, with the outcome being recommended to Council for adoption.</li> <li>2. That the review concentrate on the following areas:               <ol style="list-style-type: none"> <li>(a) Form and Structure</li> <li>(b) Accuracy, updating and future proofing</li> <li>(c) Decision Making, specifically:                   <ol style="list-style-type: none"> <li>(i) councillor bodies;</li> <li>(ii) officer delegations; and</li> <li>(iii) Procedure Rules.</li> </ol> </li> <li>(d) Budget and Policy Framework and Financial Procedure Rules.</li> </ol> </li> <li>3. That the following phases for the review be agreed, along with the target timeline:               <ol style="list-style-type: none"> <li>(a) Phase 1 – Stakeholder consultations (August / September)</li> <li>(b) Phase 2 – Draft Revisions (October / November)</li> </ol> </li> </ol>		Interim Service Director (Legal and Democratic Services)

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3.	<p><b>Health Check on the Constitution (cont)</b></p> <p>(c) Phase 3 – Final Recommendations (December)</p> <p>4. That as part of the stakeholder consultation phase a survey of councillors be conducted to ascertain, amongst other things:</p> <p>(a) views on officer decision making arrangements;</p> <p>(b) the operation of individual committees;</p> <p>(c) the timing of decision making meetings; and</p> <p>(d) views on the conduct of the decision making meeting.</p> <p>5. That a briefing paper be provided for the Political Groups on the timescale and conduct of the review.</p> <p>6. That use of the following terminology be agreed for use in the revised Constitution as appropriate:</p> <p>(a) Councillor not Member;</p> <p>(b) Cabinet not Executive;</p> <p>(c) Resident / member of the public / service user not citizen;</p> <p>(d) Chief Executive not Head of Paid Service;</p> <p>(e) Chair not Chairman; and</p> <p>(f) Chief finance Officer (Corporate Director Resources) not Section 151 Officer.</p>		

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4.	<p><b>Advertising Threshold for Milton Keynes Council Contract Opportunities</b></p> <ol style="list-style-type: none"> <li>1. That the Council be recommended to update the Contract Procedure Rules as follows:               <ol style="list-style-type: none"> <li>(a) all proposed contracts over £25,000 to be advertised via the e tendering system unless a waiver is approved;</li> <li>(b) at least two quotes to be from a local provider where possible for requirements between £5,000 and £100,000, and direct quotations be sought via e mail for requirements between £5,000 and £25,000 without the need for advertising; and</li> <li>(c) all quotation requests above £25,000 to be progressed via central procurement team</li> </ol> </li> <li>2. That the Leader of the Council be requested to update his Procurement and Financial Scheme of Delegation by increasing the Budget holder limit for inviting awarding contracts to £25,000.</li> <li>3. That the Chief Internal Auditor be requested to provide a view as to whether there are sufficient checks and balances in the new approach to ensure that it is not open to abuse, with the opinion being reported alongside the recommendation to Council.</li> </ol>	<p>Council</p> <p>Leader of the Council</p>	<p>Committee Services and Scrutiny Manager</p> <p>Committee Services and Scrutiny Manager</p> <p>Chief Internal Auditor</p>
5.	<p><b>Dealing with Amendments to Recommendations and Motions</b></p> <ol style="list-style-type: none"> <li>1. That officer colleagues be requested to review the wording of Council Procedure Rule 13 in order that amendments to recommendations and motions are moved without a speech.</li> </ol>		<p>Committee Services and Scrutiny Manager</p>

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5 (cont)	<p><b>Dealing with Amendments to Recommendations and Motions (cont)</b></p> <p>2. That officer colleagues bring forward a range of options for the Commission's consideration on the timing of receipt of amendments, particularly where there is a tie.</p> <p>3. That revisions to Council Procedure Rule 13 and options on the timing of receipt of amendments be considered as part of the Health Check on the Constitution.</p>		<p>Committee Services and Scrutiny Manager</p> <p>Interim Service Director (Legal and Democratic Services)</p>
6.	<p><b>RegenerationMK Committee</b></p> <p>1 That Council be recommended to:</p> <p>(a) disband the RegenerationMK Committee;</p> <p>(b) transfer the function of appointing and removing Milton Keynes Council Directors of the Regeneration Company to the Senior Officers Appointments Panel;</p> <p>(c) agree that appraisals of the Milton Keynes Council Directors of the Regeneration Company be undertaken by the Chief Executive and senior officer colleagues with the outcomes being reported to the Communities and Housing Scrutiny Committee,</p> <p>(d) add to the Terms of Reference of the Communities and Housing Scrutiny Committee responsibility for scrutinising regeneration, including the Business Plan, as required; and</p> <p>(e) require the Communities and Housing Scrutiny Committee to include a separate report as part of the Annual Scrutiny Report to Council on regeneration and performance, including in that report details of the performance of the Milton Keynes Council Directors of the Regeneration Company.</p>	Council	Committee Services and Scrutiny Manager

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6. (cont)	<p><b>RegenerationMK Committee (cont)</b></p> <p>2. That, subject to the Council agreeing the above recommendations, the Cabinet be requested to consider receiving a report quarterly on Your:MK's performance against the Business Plan.</p>	Cabinet	Committee Services and Scrutiny Manager
7.	<p><b>Dates for Future Meetings</b></p> <p>That future meetings of the Commission be scheduled for:</p> <p>(a) 26 September 2018 at 2.00 pm</p> <p>(b) 18 October 2018 at 2.00 pm</p> <p>(c) 5 December 2018 at 2.00 pm</p>		