



DERBY CITY COUNCIL

COUNCIL
22 NOVEMBER 2006

Report of the Director of Corporate and Adult Social Services and
Monitoring Officer

Constitutional and Organisational Matters

RECOMMENDATIONS

- 1.1 To confirm the change of title of the Corporate Director, Resources to Corporate Director, Resources and Housing and the amendment of all references to the chief officer and department in the Constitution and other Council documents and publications.
- 1.2 To appoint the Assistant Director – Democratic Services as:
 - a) Secretary to the Independent Remuneration Panel for Members' Allowances
 - b) Deputy Electoral Registration Officer in accordance with Section 52(2) of the Representation of the People Act 1983
 - c) Proper Officer for Registration of Births, Deaths and Marriages.
- 1.3 To approve minor amendments to the Constitution as follows:

Council Procedure Rules – Questions by the Public (pages 4-8 and 4-9)

Amend Rules CP11, CP13, CP18 and CP19 as follows:

General

CP11 Members of the public who are on the Derby register of electors, or are Derby Council Taxpayers or Non Domestic Ratepayers, may ask questions of a member of the Council Cabinet or Chair of a Commission or Committee at ordinary meetings of the Council. The maximum period of time for questions by the public at a Council meeting shall be thirty minutes.

Notice of questions

CP13 A question may only be asked if notice has been given by delivering it in writing or by fax or electronic mail to the Director of Corporate and Adult Social Services no later than midday five clear days before the day of the meeting. Each question must give the name and address of the questioner and must name the member of the Council Cabinet or Chair of a Commission or Committee to whom it is to be put.

Written answers

CP19 The time allocated for questions at each meeting will be thirty minutes; any questions not answered at the end of that time will be answered in writing. Any question that cannot be dealt with during public question time because of the non-attendance of the member to whom it was to be put, will be dealt with by a written answer. **All questions submitted in accordance with Rule CP13 will receive a written answer.** A copy of all questions and replies will be circulated to all members within fourteen days of the Council meeting.

SUPPORTING INFORMATION

2.1 The Corporate Restructure has now been completed and the Ad Hoc Restructure Committee has been wound up. Two issues arising from the restructure need to be formalised:

- a) The title of the Corporate Director, Resources, has been changed to Corporate Director, Resources and Housing to better reflect the range of departmental functions. Council is asked to endorse this change.
- b) In order to achieve a more strategic focus in my new role as Director of Corporate and Adult Social Services, I need to delegate certain functions to the Assistant Director – Democratic Services. These are acting as:
 - i) Secretary to the Independent Remuneration Panel on Members' Allowances
 - ii) Deputy Electoral Registration Officer
 - iii) Proper Officer for the Registration of Births, Deaths and Marriages

The Assistant Director already carries out significant management functions in these areas and Council is asked to formalise the additional responsibility.

2.2 The Constitutional amendments proposed in paragraph 1.3 are aimed at tidying-up the rules governing public questions at full Council meetings. In particular, the current rules provide for a fifteen minutes time limit on public questions. This is rarely observed and the proposed amendment extends the limit to a more realistic thirty minutes. To enable more questioners to be accommodated, it is suggested that the provision for supplementary questions be deleted. All questions would continue to receive a written answer.

For more information contact:	Michael Foote 01332 255448 e-mail michael.foote@derby.gov.uk
Background papers:	None
List of appendices:	Appendix 1 – Implications

IMPLICATIONS

Financial

1. None

Legal

2. Under Article 15, changes to the Constitution can only be approved after consideration of a report by the Monitoring Officer

Personnel

3. The new responsibilities of the Assistant Director – Democratic Services have been taken into account in decisions of the Ad Hoc Restructure Committee on the grading of second tier officers.

Equalities Impact

4. None.

Corporate Themes and Priorities

5. None.