

# **Governance & Constitution Committee**

## **Agenda**

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**Date:** Thursday, 16th April, 2009  
**Time:** 2.00 pm  
**Venue:** Committee Suite 1,2 & 3, Westfields, Middlewich Road,  
Sandbach CW11 1HZ

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The agenda is divided into 2 parts. Part 1 is taken in the presence of the public and press. Part 2 items will be considered in the absence of the public and press for the reasons indicated on the agenda and at the foot of each report.

### **PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT**

1. **Apologies for Absence**

2. **Declarations of Interest**

To provide an opportunity for Members and Officers to declare any personal and/or prejudicial interests in any item on the agenda

3. **Public Speaking Time/Open Session**

In accordance with Procedure Rules Nos.11 and 35 a total period of 10 minutes is allocated for members of the public to address the Committee on any matter relevant to the work of the Committee.

Individual members of the public may speak for up to 5 minutes but the Chairman will decide how the period of time allocated for public speaking will be apportioned where there are a number of speakers.

Note: In order for officers to undertake any background research it would be helpful if questions were submitted at least one working day before the meeting.

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Please contact Paul Mountford on 01270 529749  
E-Mail: [paul.mountford@cheshireeast.gov.uk](mailto:paul.mountford@cheshireeast.gov.uk) with any apologies or requests for further information or to give notice of a question to be asked by a member of the public

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4. **Minutes of Previous meeting** (Pages 1 - 4)

To approve the Minutes of the Meeting held on 9 March 2009.

5. **Budget and Policy Framework Procedure Rules** (Pages 5 - 12)

To consider the proposed procedure rules relating to the budget and Policy Framework.

6. **Cabinet Decision-Making Arrangements** (Pages 13 - 16)

To finalise individual decision-making powers for Cabinet Members and to note the process for individual Cabinet Members making decisions.

7. **Public and Member Questions at Meetings** (Pages 17 - 22)

To review the arrangements for public and Member questions at Meetings.

8. **Substitution at Planning Committee** (Pages 23 - 26)

To further amend the scheme of substitution for Planning Committee.

9. **Community Call for Action** (Pages 27 - 32)

To advise the Committee and Council on new arrangements to allow individual members to pursue particular problems affecting their ward via Overview and Scrutiny Committees, where other methods of resolution have been exhausted.

10. **Governance and Constitution Work Plan** (Pages 33 - 36)

To present to the Committee an updated Work Plan for consideration.

**CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Governance & Constitution Committee**  
held on Monday, 9th March, 2009 at Committee Suite 1 & 2, Westfields,  
Middlewich Road, Sandbach CW11 1HZ

**PRESENT**

Councillor A Ranfield (Chairman)  
Councillor D Topping (Vice-Chairman)

Councillors Mrs S Bentley, D Cannon, R Cartlidge, Mrs S Jones, A Kolker,  
Mrs G Merry, A Moran, R Parker, R Walker, R West and P Whiteley

**Substitute**

Councillor P Findlow

**In attendance**

Councillor A Richardson

**85 APOLOGIES FOR ABSENCE**

An apology for absence was received from Councillor M Asquith.

**86 OFFICERS PRESENT**

Mike Flynn, Governance Lead Officer  
Brian Reed, Democratic Services Manager  
Carol Jones, Democratic Services Officer C&NBC  
Julie Zientek, Democratic Services Officer CBC

**87 DECLARATIONS OF INTEREST**

There were no declarations of interest.

**88 PUBLIC SPEAKING TIME/OPEN SESSION**

There were no speeches or questions from members of the public.

**89 MINUTES OF PREVIOUS MEETING**

RESOLVED – That the minutes of the meeting held on 9 February 2009 be approved as a correct record, subject to the inclusion of the name of Councillor Mrs S Bentley in the list of apologies for absence.

90 **RECOMMENDED PROCEDURE FOR MAKING APPOINTMENTS TO OUTSIDE ORGANISATIONS**

Consideration was given to a report of the Outside Organisations Task Group, which had been established at a meeting of the Governance and Constitution Committee on 14 July 2008 in order to “devise a work programme and develop recommendations to deal with appointments [to outside organisations] and implement best practice.”

The report reiterated the criteria in respect of making appointments to outside organisations which had been adopted by the Governance and Constitution Committee on 6 October 2008 and recommended the addition of a criterion where an organisation was ward-specific.

The report outlined issues which the Task Group considered should be taken into account when making appointments to outside organisations, including political proportionality, continuity of representation, Members’ interests and terms of office. It also recommended a procedure for dealing with casual vacancies in the event of appointments becoming vacant between annual appointments.

In addition, the report proposed nominations for appointment to the Category 2, 3 and 4 organisations, which fell within the remit of the Governance and Constitution Committee.

RESOLVED - That the procedure for making appointments to outside organisations, as detailed in paragraph 8 of the report, be approved, subject to the following:

- (a) That the additional criterion “*Where an organisation is ward-specific, the Member appointed should be the appropriate Ward Member*” be approved as part of the criteria to be adopted when making appointments to outside organisations.
- (b) That the appointments made by the Cabinet to the Category 1 organisations, as detailed on the amended schedule tabled at the meeting, be noted.
- (c) That appointments be made to the Categories 2, 3 and 4 organisations, as indicated on the schedules attached to the report, subject to the following amendments:

56 Cheshire Community Action Executive Committee – the nomination be A Ranfield in place of T Jackson

62 Community Transport (Dial-a-Ride) – the nominations be A Thwaite, D Bebbington and D J Cannon

70 King’s School, Macclesfield – the nominations be E Gilliland, P Findlow and W Livesley

92 University of Manchester General Assembly – the nomination be P Findlow in place of S Jones

93 Weaver Valley Regional Park – the nominations be D Topping and R Cartlidge

99 Alexandra Soccer & Community Association Trust - the nomination be T Beard

100 Alsager Leisure Centre Advisory User Panel – a third nomination be made, namely S Jones

103 C & N Gymnastics & Community Activities Association – A Moran be nominated as the deputy

113 Macclesfield College of Further Education – the nomination be H Davenport in place of D Neilson

124 Reserve Forces and Cadets Association – the nomination be G Baxendale, and should a second place become available it be taken by T Beard

125 Sandbach Partnership – the nomination be B Moran in place of E Alcock

- (d) That, in general, appointments be made for a term of office which is commensurate with the requirements of the organisation.
- (e) That appointments to outside organisations be reviewed on an annual basis.
- (f) That, notwithstanding (d) and (e) above, the term of office for this first tranche of appointments will terminate in May 2011 to coincide with the elections.
- (g) That Members' interests and expertise, together with the rules of proportionality, be taken into consideration when making appointments.
- (h) That, in view of the special nature of Trusteeships, Members who are to be appointed are briefed on their roles, responsibilities and liabilities in advance of taking up appointment.
- (i) That, if practicable, a training day/session be held for Members, prior to taking up appointment.
- (j) That the protocol for dealing with casual vacancies, identified in paragraph 6 of the report, be adopted.

- (k) That the procedure for making appointments to outside organisations be adopted with effect from 1 April 2009.
- (l) That the Outside Organisations Task Group be reconvened in order to make recommendations on a mechanism by which Members will be required to report on the activities of the outside organisations to which they are appointed.

#### **91 REPORT OF THE INDEPENDENT REMUNERATION PANEL**

Consideration was given to a report of the Borough Solicitor and Monitoring Officer relating to the initial report and recommendations of the Remuneration Panel on the Members Allowances Scheme which would apply from April 2009.

A scheme of Members Allowances was required for Day One, to apply for the whole of Year One and to form the basis of the Scheme thereafter. On 1 December 2008, the Governance and Constitution Committee had formally appointed an Independent Remuneration Panel of five independent persons to consider and make recommendations on the Scheme's provisions.

RESOLVED – That Council be recommended to adopt the recommendations of the Independent Remuneration Panel:

- by the adoption of the allowances arrangements as set out in Appendix 1 to the report;
- by the adoption of the Shadow Council's current levels of travelling and subsistence allowances, outlined in Appendix 2 to the report, subject to an adjustment (if necessary) for inflation (RPI) with effect from 1 April 2009;

and that these arrangements should apply to the Council from 1 April 2009 for the year 2009/10.

The meeting commenced at 2.00 pm and concluded at 3.00 pm

Councillor A Ranfield (Chairman)

## CHESHIRE EAST COUNCIL

### Governance and Constitution Committee

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**Date of meeting:** 16 April 2009  
**Report of:** Borough Solicitor  
**Title:** Budget and Policy Framework Procedure Rules

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#### **1.0 Purpose of Report**

- 1.1 To consider the proposed procedure rules relating to the budget and Policy Framework.

#### **2.0 Decision Required**

- 2.1 Governance and Constitution Committee is asked to:
- 2.1.1 consider the draft Budget and Policy Framework Procedure Rules set out within Appendix B to the report; and
- 2.1.2 recommend the draft Budget and Policy Framework Procedure Rules, subject to any amendments the Committee considers necessary, to Council.

#### **3.0 Financial Implications for Transition Costs**

- 3.1 None

#### **4.0 Financial Implications 2009/10 and beyond**

- 4.1 None

#### **5.0 Legal Implications**

- 5.1 As set out within the report.

#### **6.0 Risk Assessment**

- 6.1 The adoption of a set of Budget and Policy Framework Procedure Rules ensures that the documents which form part of the budget and Policy Framework is developed in accordance with legislative requirements. In addition the adoption of the rules would ensure that there are systems in place for resolving conflict in the setting of the budget or Policy Framework and for dealing with urgent decisions relating thereto.

## **7.0 Background and Options**

- 7.1 The Local Authorities (Functions and Responsibilities)(England) Regulations 2000 require certain plans and strategies to be approved or adopted by full Council. The Regulations also provide that the authority can choose that certain additional plans or strategies may be required to be adopted or approved by full Council. Members will recall that at its meeting on 24<sup>th</sup> February 2009 Council approved a list of documents which would form part of the Policy Framework and would, as such, require approval by full Council. The list of these documents is attached at Appendix A for information.
- 7.2 Regulation 4 of the Local Authorities (Functions and Responsibilities)(England) Regulations 2000 provides that Cabinet has overall responsibility for preparing the draft budget, plans and strategies for submission to full Council for consideration.
- 7.3 Guidance from DETR at the time the provisions of the Local Government Act 2000 were introduced provided:

The executive should adopt an inclusive approach to preparing the draft budget, plans and strategies and to policy development more generally. It should ensure that the councillors outside the executive (whether or not they are a member of an overview or scrutiny committee) have the opportunity to put forward proposals for them for the budget or policy development. Overview and Scrutiny committees should also play an integral part in policy development and the executive should consult such committees regularly in the process of preparing the draft budget and draft plans and strategies. In the case of the Development Plan, the executive should consult all bodies within the local authority which take development control decisions.

- 7.4 The Budget and Policy Framework Procedure Rules appended to the report (at Appendix B) are drafted to comply with Chapter 2 of the DETR Guidance and are based on the format provided both within the Modular Constitution and that of predecessor Councils.

## **8.0 Overview of Day One, Year One and Term One Issues**

- 8.1 It is suggested that the approval of Budget and Policy Framework Procedure Rules is required soon as possible within Year One to ensure that there is an adopted system in place in relation both to the development of the budget and Policy Framework and to decisions emanating therefrom.

## **9.0 Conclusions and Recommendation**

- 9.1 The Committee is requested to consider the proposed Budget and Policy Framework Procedure Rules and recommend them, subject to any amendments the Committee feels are necessary, to Council for approval.



***For further information:***

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***Background Documents:***

None

**APPENDIX A**

**COUNCIL'S POLICY FRAMEWORK**

- Annual Library Plan
- Best Value Performance Plan
- Children's Services Plan
- Community Care Plan
- Sustainable Community Strategy
- Crime and Disorder Reduction Strategy
- Early Years Development Plan
- Education Development Plan
- Local Transport Plan
- Plans and strategies which together comprise the Local Development Framework
- Youth Justice Plan
- Licensing Policy
- Gambling Statement of Principles
- Corporate Plan
- Food Law Enforcement Service Plan
- The plan and strategy which comprise the Housing Investment Programme
- Adult Learning Plan
- Local Agenda 21 Strategy

**BUDGET AND POLICY FRAMEWORK RULES OF PROCEDURE****1 The Framework For Executive Decisions**

- 1.1 The Council will be responsible for the adoption of its budget and Policy Framework as set out in Article [ ]. Once the budget and Policy Framework are in place, it will be the responsibility of the Cabinet to implement them.
- 1.2 The Cabinet has responsibility for proposing to Council a budget and policies that will form part of the Policy Framework. It also has responsibility for making day-to-day decisions within that budget and Policy Framework.
- 1.3 This part of the Constitution is concerned with the process of developing the budget and Policy Framework and settling any differences between the Council and the Cabinet on those matters. Call-in and consideration of day-to-day decisions made by the Cabinet are dealt with in the Cabinet Rules of Procedure and the Scrutiny Committee Rules of Procedure.

**2 Process for developing the framework and budget**

- 2.1 The process by which the budget and Policy Framework shall be developed is:
  - (a) The Cabinet will draw up initial proposals regarding the adoption of any plan, strategy or budget forming part of the budget and Policy Framework. The Cabinet will consult on those initial proposals and publish a timetable in which responses to the consultation are to be received. The relevant Overview or Scrutiny Committees shall be asked to give their views as part of that consultation. The consultation period shall in each instance be determined by Cabinet but will not be less than four weeks.
  - (b) At the end of the consultation period, the Cabinet will draw up firm proposals having regard to the responses received from the consultation.
  - (c) Overview and Scrutiny Committees are responsible for fixing their work programmes and may investigate, research, or report in detail with policy recommendations in response to any such consultations within the period specified.
  - (d) The Cabinet will submit those firm proposals to the Council together with a report that will set out the comments made by consultees and, in particular the views of the Overview and Scrutiny Committees and the Cabinet's response to those views.
  - (e) Once Cabinet has approved the firm proposals they will be referred at the earliest opportunity to Council for decision.
  - (f) In reaching a decision, the Council may adopt the Cabinet's proposals, amend them, refer them back to the Cabinet for further consideration, or substitute its own "in principle proposals" in their place.
  - (g) If it accepts the recommendation of the Cabinet without amendment, the Council may make a decision, which has immediate effect. Otherwise, it may only make an

in-principle decision. In either case, the decision will be made on the basis of a simple majority of votes cast at the meeting.

- (h) The decision will be published and, if an in-principle decision has been made, a written copy shall be given to the Leader as soon as possible for the Cabinet to consider.
  - (i) An in-principle decision will automatically become effective 5 working days from the day following the date of written notification to the Leader of the Council's decision, unless the Leader informs the Chief Executive in writing within those 5 days that the Cabinet objects to the decision becoming effective and provides reasons why in writing.
  - (j) Where notification of objection is received under (i) above, a meeting of Council will be called to be held within 28 days of the objection being received by the Chief Executive, to reconsider the decision that is the subject of the objection. In reconsidering the decision the Council must take into account the objection of the Cabinet and reasons for it and any revised proposals submitted by the Cabinet and the Cabinet's reasons for those revised proposals. The Council may either:
    - approve the Cabinet's recommendation by a simple majority of votes cast at the meeting; or
    - approve a different decision which does not accord with the recommendation of the Cabinet by a simple majority.
  - (k) The decision shall then be published and implemented immediately.
- 2.2 In approving its budget each year, the Council may specify in addition to such matters dealt within the Finance Procedure Rules, the extent to which the Cabinet can agree virements within the budget and the degree to which in-year changes can be agreed by Cabinet to the Policy Framework. Any other changes to the policy and budgetary framework are reserved to the Council.
- 2.3 Where a new plan or strategy is required to be produced as part of the Policy Framework, either by Council of its own motion, or following a recommendation to Council by an Overview or Scrutiny Committee, Cabinet shall develop the plan or strategy in accordance with the process set out within rule 2.1.

### **3 Decisions outside the budget or Policy Framework**

- 3.1 Subject to the provisions of Rule 5 (virement), the Cabinet, or any decision-making arm of the Cabinet, may only take decisions that are in line with the budget and Policy Framework. If it wishes to make a decision which is contrary to the Policy Framework, or contrary to or not wholly in accordance with the budget approved by full Council, then that decision may only be taken by the Council, subject to the provisions of Rule 4 below.
- 3.2 If the Cabinet, or any decision-making arm of the Cabinet, wants to make a decision, advice shall be taken first from the Monitoring Officer and/or the Section 151 Officer as to whether the decision would be contrary to the Policy Framework, or contrary to or not wholly in accordance with the budget. If the advice of any of those Officers is that the decision would not be in line with the existing budget

and/or Policy Framework, then the decision must be referred to the Council for decision, unless the decision is a matter of urgency, in which case the provisions in Rule 4 (urgent decisions outside the budget or Policy Framework) shall apply.

#### **4 Urgent decisions outside the budget or Policy Framework**

4.1 The Cabinet or an individual member of the Cabinet may take a decision, which is contrary to the Council's Policy Framework or contrary to or not wholly in accordance with the budget approved by full Council, if the decision is a matter of urgency. However, the decision may only be taken:

- (i) if it is not practical to convene a quorate meeting of the full Council; and
- (ii) if the Chairman of a relevant overview and scrutiny committee agrees that the decision is a matter of urgency.

4.2 The reasons why it is not practical to convene a quorate meeting of full Council and the consent of the Chairman of the relevant overview and scrutiny committee to the decision being taken as a matter of urgency must be noted on the record of the decision. In the absence of the Chairman of the relevant overview and scrutiny committee the consent of the Vice Chairman or, in the absence of both, the Mayor, will be sufficient.

4.3 Following the decision, the decision taker will provide a full report to the next available Council meeting explaining the decision, the reasons for it and why the decision was treated as a matter of urgency.

#### **5 Virement**

5.1 The Council has set virement limits within which decision-makers can exercise discretion in approving or otherwise financial transfers within the Budget. The limits are set out within the Financial Procedure Rules.

5.2 Where the Cabinet or an individual is discharging executive functions to implement Council policy, then any decision to spend or make savings shall not exceed those budgets allocated to each budget head for which they have responsibility. However, the Cabinet or those individuals shall be entitled to vire across budget heads provided there is compliance with the Financial Rules of Procedure.

#### **6 Policy Framework – In-year Changes**

6.1 No changes to the Policy Framework shall be made by a body or individual exercising Cabinet functions unless those changes will:

- (i) result in the closure or discontinuing of a service, in whole or in part to meet a budgetary constraint; or
- (ii) ensure compliance with the law, ministerial direction or Government guidance; or
- (iii) in relation to the Policy Framework in respect of a policy which would normally be agreed annually by the Council following consultation, determine matters where the existing policy document is silent on the matter under consideration.

**7 Call-in of decisions outside the budget or Policy Framework**

- 7.1 Where an overview and scrutiny committee is of the opinion that a decision of the Cabinet, or any decision-making arm of the Cabinet, is, or if made would be, contrary to the Policy Framework, or contrary to or not wholly in accordance with the Council's budget, then it shall seek advice from the Monitoring Officer or Section 151 Officer.
- 7.2 In respect of functions which are the responsibility of the executive, and where the decision has already been made and implemented, the Monitoring Officer/Section 151 Officer, shall report to the Cabinet on the advice that has been given to the Scrutiny Committee and shall copy that report to each member of the Council. The Cabinet must consider the report of the relevant Officer and decide what action to take in respect of the report. Where the advice concluded that there was a departure from the Budget or Policy Framework, the Cabinet must report to Council on the action it intends taking. Where there was no such departure, the Cabinet must report to the Scrutiny Committee on any action to be taken.
- 7.3 If the decision has yet to be made or, has been made but not yet implemented, and the advice of the relevant Officer is that the decision is or would be contrary to the Policy Framework or contrary to or not wholly in accordance with the budget, the Scrutiny Committee may refer the matter to the Council. In such cases, no further action may be taken in respect of the decision or its implementation until the Council has met and considered the matter. The Council shall meet within 28 days of the request by the Scrutiny Committee or Sub-Committee. At the meeting the Council will receive a report of the decision or proposals and the advice of the relevant Officer. If the Cabinet has prepared a report on the matter, this will also be submitted to the Council. The Council may either:
- (i) endorse the decision or proposal of the Cabinet, or its decision-making arm, as falling within the existing budget and Policy Framework of the Council. In this case, no further action is required other than the decision of Council be minuted and circulated to all Councillors; or
  - (ii) amend the Council's Financial Rules of Procedure or the policy concerned to encompass the decision or proposal and agree to the decision with immediate effect. In this case, no further action is required other than the decision of Council be minuted and circulated to all Councillors; or
  - (iii) where the Council accepts that the decision or proposal is contrary to the Policy Framework or contrary to or not wholly in accordance with the budget, and does not amend the existing framework or budget to accommodate it, require the Cabinet to reconsider the matter in accordance with the advice of the relevant Officer.

## CHESHIRE EAST COUNCIL

### Governance and Constitution Committee

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**Date of meeting:** 16 April 2009  
**Report of:** Borough Solicitor  
**Title:** Cabinet Decision-Making Arrangements

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#### **1.0 Purpose of Report**

1.1 To finalise individual decision-making powers for Cabinet Members and to note the process for individual Cabinet Members making decisions.

2.1 This report was considered by the Cabinet on 24 March 2009. The decisions of the Cabinet are reported under paragraph 9.7.

#### **2.0 Recommendations**

2.1 That Governance and Constitution Committee recommend to Council that

(1) the provisions set out in paragraph 8.2 of this report be adopted in respect of individual Cabinet Member decision-making;

(2) the extra provision regarding Key Decisions referred to in paragraph 8.4 be rescinded; and

(3) these arrangements be incorporated into the Council's Constitution as appropriate.

#### **3.0 Financial Implications for Transition Costs**

3.1 None

#### **4.0 Financial Implications 2009/10 and beyond**

4.1 None

#### **5.0 Legal Implications**

5.1 The proposals in this report depend on Cabinet Members making decisions in public. Were this not to be the case, the matter would have to be revisited.

#### **6.0 Risk Assessment**

6.1 Having clearly documented decision-making arrangements will minimise the risk of legal challenge.

## **7.0 Background/Context**

- 7.1 Local authority decisions are taken either by the Council or by the executive (the Cabinet). The division of functions is determined by law. Executive functions may be delegated to an individual Cabinet Member (Portfolio Holder), a committee or sub-committee of the Cabinet or an officer.
- 7.2 Previous attempts to define individual decision-making powers for Cabinet Members have resorted in part to the definition of a Key Decision, as contained in paragraph 8 of Part III of the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000. This is:

an executive decision which is likely –

- (a) to result in the local authority incurring expenditure which is, or the making of savings which are, significant having regard to the local authority's budget for the service or function to which the decision relates; or
- (b) to be significant in terms of its effects on communities living or working in an area comprising two or more wards or electoral divisions in the area of the local authority.

## **8.0 Alternative Approach to Individual Decision-Making**

- 8.1 The existing scheme for individual decision-making by Cabinet Members requires further clarification. Members have found the concept of a 'Key Decision' difficult to interpret and confusing. It is therefore suggested that we do not attempt to redefine it and adopt simpler categories.
- 8.2 It is suggested that the Constitution be amended to empower individual Cabinet Members to make all executive decisions in respect of their portfolio areas except:
- (a) Decisions already taken by Cabinet or an officer acting under delegated powers.
  - (b) Decisions involving a departure from the Council's Budget and Policy Framework or any Cabinet or regulatory committee policy.
  - (c) Decisions involving expenditure or savings of £1 million or more.
  - (d) Decisions which are significant in terms of their effect on communities living or working in an area comprising two or more wards or electoral divisions in the area of the Council.



(e) Decisions which the leader wishes to be taken by full Cabinet.

PROVIDED THAT all such decisions shall be taken in public and that regard shall be had to the advice of the Borough Solicitor by the decision-maker in interpreting these provisions.

8.3 It should be noted that expenditure of under £1 million could still technically be significant in terms of its effect on local communities and Members might therefore wish to abandon exemption (d) on the basis that the scale of the operations of a large unitary council make this less relevant. Individual Members might still wish to refer such decisions to full Cabinet as a matter of commonsense.

8.4 The Council has previously resolved to include the following provision in respect of Key Decisions. This provision was taken from the County Council's Constitution.

*"The Council has decided that the letting of any contract by the Council's [Business Services Officer] or the Council's [Policy Officer], which involves the provision of services to, or the purchase of goods and services by, the Council shall be excluded from the definition of a Key Decision where such contracts relate mainly to the internal workings of the authority and do not therefore have a significant impact directly on local communities in the same way as other Key Decisions. Such contracts include advertising, library books, vehicles, consumables, food, gas, electricity and cleaning of Council premises."*

However, on further consideration, this provision is flawed. Significant expenditure on internal matters can still be a Key Decision because it is significant with regard to the budget or service.

8.5 Under the Constitution, Officers have delegated powers to take decisions up to specified financial thresholds. Any decisions exceeding these thresholds would be referred to individual Portfolio Holders or to full Cabinet as appropriate. It is therefore suggested that the exemption in paragraph 8.4 be rescinded.

## **9.0 Public Decisions by Individual Cabinet Members**

9.1 The Cabinet, at its meeting on 6 January, approved outline arrangements for decision-making by individual Cabinet Members. These included arrangements for consultation with key Officers and for the recording of decisions. However, the question of whether such decisions should be taken at formal public meetings was left open, as was the question of participation by non-executive Members.

9.2 Full Cabinet meetings are held in public except during the consideration of confidential or exempt information. It is suggested that individual Portfolio Holders also take their decisions at formally constituted public meetings. This would serve to demonstrate that the new Council was open, inclusive and accountable, and would also ensure a consistent approach to all executive decision-making by

Members. It would furthermore enable non-executive Members to participate more fully in the democratic process by attending and contributing to such meetings.

- 9.3 It is suggested that as with full Cabinet, the relevant scrutiny chairman/spokesmen for the portfolio in question be entitled to attend such meetings and speak on any matter on the agenda. Members may wish to extend similar rights to any local Members whose areas are affected by a particular decision on the agenda for a meeting. In addition, as with full Cabinet, any other Member of the Council would have a right to attend any formal meeting and, with the permission of the person presiding, speak on an item. Agendas and reports would be produced for Cabinet Member meetings in the usual way and relevant Officers would be in attendance. Following the meeting, the decisions would be published on the Council's website.
- 9.4 It is proposed that scheduled meetings for individual Cabinet Members be included in the calendar of meetings. It may be possible to group some individual Members together for this purpose where there is a close relationship between portfolio areas. For instance, at the County Council, the two Executive Members responsible for Planning and Waste and for Highways and Transportation attend an 'Environment Executive' meeting.
- 9.5 There would also be no reason why individual Cabinet Members should not be able to take their individual decisions at meetings of the full Cabinet. This would be useful in those circumstances where a decision could not await the next scheduled meeting of the Portfolio Holder and a full Cabinet meeting was imminent. Such arrangements currently operate at the County Council and provide greater flexibility. The alternative approach would simply be to take the matter to full Cabinet for collective decision. It is suggested that both approaches be allowed in order to provide maximum flexibility in decision-making.
- 9.6 If Members decided not to adopt public decision-making, the more generous formula in section 8 would have to be revisited because of the implications for Key Decisions.
- 9.7 The Cabinet on 24 March 2009 approved the recommendations set out in paragraph 2.1 of this report. The Cabinet did not agree to remove exemption (d) in paragraph 8.2 as suggested in paragraph 8.3. The Cabinet also approved the arrangements for public decision-making by individual Cabinet Portfolio Holders as set out in paragraphs 9.1-9.5, to be implemented with effect from 1 April 2009. These latter arrangements are included in this report for information only.

## **10.0 Reasons for Recommendation**

- 10.1 To determine the arrangements for Cabinet decision-making within the Cheshire East Council from 1 April 2009.

### ***For further information:***

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***Background Documents: None***

## CHESHIRE EAST COUNCIL

### Governance and Constitution Committee

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**Date of meeting:** 16 April 2009  
**Report of:** Borough Solicitor  
**Title:** Public and Member Questions at Meetings

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#### **1.0 Purpose of Report**

- 1.1 To review the arrangements for public and Member questions at Meetings.

#### **2.0 Recommendations**

- 2.1 That consideration be given to the Council's current arrangements for public and Member questions and statements at meetings and whether the views of the Cabinet and appropriate scrutiny committee should be sought before formal recommendations are made to Council.

#### **3.0 Financial Implications for Transition Costs**

- 3.1 None

#### **4.0 Financial Implications 2009/10 and beyond**

- 4.1 None

#### **5.0 Legal Implications**

- 5.1 The public and Member speaking and questions provisions are contained in the Council's Constitution. Any changes to the provisions must be agreed by the Council following a recommendation of the Governance and Constitution Committee.

#### **6.0 Risk Assessment**

- 6.1 Providing that the above requirements are adhered to, there are no risks associated with the consideration of the public and member speaking and questions provisions.

#### **7.0 Background/Context**

- 7.1 Over the last few months, Members have raised questions about the Council's arrangements for public and Member questions and statements at Council and other meetings. This report seeks to

summarise the background and context and the Constitutional provisions that currently apply.

- 7.2 At its meeting on 9 February 2009 the Governance and Constitution Committee considered a report relating to public questions/speaking at Licensing and Scrutiny Committee meetings.
- 7.3 The Licensing Committee on 14 January 2009 had requested that the provision for members of the public to ask questions/speak at the commencement of meetings of the Licensing Committee be waived.
- 7.4 The Scrutiny Committee on 21 January 2009 had requested that Governance and Constitution Committee remove the public speaking/open session from the rules of procedure for the Scrutiny Committee. The Health and Adult Social Care Scrutiny Committee made a similar resolution at its meeting on 20 January. In making these resolutions Members questioned whether it was appropriate to include public speaking/questions within the agenda of a Committee which is not itself a decision-making body.
- 7.5 On 12 January 2009, the Governance and Constitution Committee gave preliminary consideration to Member entitlement to speak and ask questions at Cabinet meetings but at its subsequent meeting on 9 February the Committee resolved that
  - (a) it be recommended to Council that the public speaking rule (Rule 35 of the Council Procedure Rules) be disapplied in respect of meetings of the Licensing Committee where it is meeting in a quasi-judicial capacity, either by itself or by Sub-Committee; and
  - (b) the issue of questions and statements by Members and the public be further considered in conjunction with a report by the Borough Solicitor to include the emerging Government guidance relating to Councillor Call for Action and Petitions under the Local Government and Public Involvement in Health Act 2007.
- 7.6 The Council at its meeting on 24 February 2009 approved the adoption of the new Constitution to take effect from Vesting Day. In doing so, it resolved:

“That the issue of questions and statements by Members and the public be further considered in accordance with the recommendation at Item 10 of the Governance and Constitution Committee meeting on 9 February but that, in the interim, and in this respect, only the currently appended Cabinet Procedure Rules 7 and 8 should apply, which provide for:

  - (a) Chairmen and Spokespersons of Scrutiny Committees to attend and speak at meetings of the Cabinet on agenda items;
  - (b) other Members to speak with the permission of the Leader; and

- (c) questions to be submitted by members of the public, providing 3 working days' notice is given."

7.7 A report on Councillor Call for Action and Petitions is included elsewhere on this agenda. This report addresses the issue of public questions at meetings.

## **8.0 Constitutional Provisions Relating to Public and Member Questions and Statements**

8.1 The provisions relating to public questions at meetings of the Council, its committees and sub-committees and Cabinet may be found in Council Procedure Rules 11 and 35 and Appendix 7 to those Rules and in Cabinet Procedure Rule 8. These are summarised in the Appendix to this report.

## **9.0 Licensing, Planning and Scrutiny – Reasons Behind Their Requests**

9.1 The Licensing Committee on 14 January 2009 asked that the provision for members of the public to ask questions/speak at the commencement of meetings of the Licensing Committee be waived. The Licensing Committee noted that when considering applications it was acting in a quasi-judicial nature and as such appropriate provision was already made within its own procedure rules adopted in accordance with the provisions of the relevant legislation. The procedure adopted by the Licensing Committee is summarised in the Appendix.

9.2 The Scrutiny Committee on 21 January 2009 asked for the removal of public speaking/open session from the rules of procedure for the Scrutiny Committee. The Health and Adult Social Care Scrutiny Committee made a similar resolution at its meeting on 20 January. In making these resolutions Members questioned whether it was appropriate to include public speaking/questions within the agenda of a Committee which is not itself a decision-making body.

9.3 Since consideration of these proposals, the Strategic Planning Board has now requested a similar exemption from the main public question provisions for the Board and Planning Committees on the following grounds:

Council gave the Strategic Planning Board power to adopt working protocols governing the Planning function. This specifically included a protocol regarding public speaking rights. On 4 March 2009 the Board resolved

- (i) to adopt a Public Speaking Protocol for Board and Planning Committee meetings; and

- (ii) to request Governance and Constitution Committee to consider an amendment to Procedure Rule 35 in order to waive the general provision for speaking rights at the commencement of those meetings.

The Planning Public Speaking Protocol tailors and significantly expands the general speaking rights in Procedure Rule 35, in accordance with good practice guidance issued by the Planning Officers Society. It provides for

- a wide range of eligible speakers
- minutes per group (supporters, objectors, Members, applicants and others) before the debate begins regarding each application on the agenda
- questions for clarification purposes
- overriding discretion for the Chair to extend time
- a clear procedure

In these circumstances, the Board felt that the existing provision for 10 minutes public speaking no longer added value to a Planning meeting and that business would be despatched more expeditiously if the tailored Protocol replaced rather than supplemented the general rule.

The Board therefore proposed that this Committee recommend to Council that the Strategic Planning Board and Planning Committees be excluded from the general arrangements for public speaking set out in Procedure Rule 35 of the Constitution in order for them to allow enhanced public speaking rights which are set out in full in a separate Planning Public Speaking Protocol.

## **10.0 Conclusions**

- 10.1 This report sets out the provisions within the Constitution governing public and Member speaking and questions provisions at meetings. It also contains proposals for excluding those provisions from three sets of bodies, together with the rationale for those exclusions. Given the significance of these amendments, Members may wish to consider seeking the views of the Cabinet and relevant scrutiny committee before taking a final view on the matter. The views of the Licensing Committee and Strategic Planning Board have been provided on the specific issues relating to their business.

### ***For further information:***

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***Background Documents: Constitution and reports to and minutes of committees referred to in the report.***

**APPENDIX**

**BRIEF SUMMARY OF PUBLIC AND MEMBER SPEAKING/QUESTION PROVISIONS**

**Council Meetings – Questions by Members**

1. Members may ask questions of the Mayor, Cabinet Members, Committee Chairmen, Fire/Police Authority representatives PROVIDED THAT 3 clear working days' written notice is given.
2. The Mayor may agree to take urgent questions.
3. Reasonable endeavours must be used, when responses are given, to address the matter raised.
4. Questioners may ask supplementary questions.

**Council Meetings – relating to the Minutes**

1. The accuracy of the minutes of the last meeting of Council may be questioned by a motion which must be proposed, seconded and voted upon.
2. The accuracy of the record of minutes of committees and decisions of the Cabinet may be questioned at Council. Any questions must be considered and determined by the committee or Cabinet at their next meeting.

**All Meetings – Public Speaking and Public Questions**

1. 15 minutes is allocated for public speaking at Council meetings. 10 minutes is allocated at committees, etc.
2. 5 minutes is allocated to each public speaker.
3. Members of the public may use this time to ask questions of the appropriate Cabinet Member or Chairman.

**Cabinet Meetings – Public Questions**

Where a member of the public wishes to ask questions of a Cabinet Member at a Cabinet meeting, 3 working days' notice must be given.

**Cabinet Meetings – Member Participation**

1. The chairmen and spokespersons of scrutiny committees are entitled to attend and speak on agenda items of any formal Cabinet meeting.
2. Other Members may speak with the permission of the Leader.

### **Licensing Committee Hearings**

The Licensing Committee has adopted its own procedures for dealing with applications which include facilities for representations to be made and questions to be asked by all parties and residents.

### **Planning Committee Hearings**

A protocol has been adopted which includes provision for Members of the Council and members of the public to speak.



## CHESHIRE EAST COUNCIL

### GOVERNANCE & CONSTITUTION COMMITTEE

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**Date of meeting:** 16 April 2009  
**Report of:** Borough Solicitor  
**Title:** Substitution at Planning Committee

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#### **1.0 Purpose of Report**

- 1.1 To further amend the scheme of substitution for Planning Committee.

#### **2.0 Decision Required**

- 2.1 That members recommend to Council that Appendix 5, paragraph 2, to Procedure Rule 23 of the Constitution be amended by the addition of the following words "No more than one substitution for any political group shall be permitted at any meeting of a Planning Committee or the Strategic Planning Board".

#### **3.0 Financial Implications for Transition Costs**

- 3.1 None.

#### **4.0 Financial Implications 2009/10 and beyond**

- 4.1 None

#### **5.0 Legal Implications**

- 5.1 The proposal is compliant with the Local Government (Committees and Political Groups) Regulation 1990.

#### **6.0 Risk Assessment**

- 6.1 Medium. Filling committees with local members can lead to judicial reviews based on bias and predetermination.

#### **7.0 Background and Options**

- 7.1 The Constitution at Procedure Rule 23 (page 150) currently provides a scheme of member substitution to the extent that they control group representation. Such schemes are based on the provisions of the Local Government (Committees and Political Groups) Regulation 1990 and are taken as a permanent instruction by the group leaders. The details are contained in Appendix 5 to Procedure Rule 23, which is in turn appended to this report.

- 7.2 Appendix 5 already provides that any substitute on Planning or Licensing Committee must be an “appropriately trained member”. The relevant portfolio holder for planning has now requested this Committee’s support for a further change in the following terms: -

“No more than one substitution for any political group shall be permitted at any meeting of the Planning Committee or the Strategic Planning Board”.

- 7.3 It is understood that this suggestion is intended to prevent mass substitutions for high profile local cases, which might give an impression of bias and predetermination at civil law, even where this is not in breach of the Code of Conduct. The chairman of the Planning Committee supports this suggestion and this report is being separately circulated to group leaders.

## **8.0 Overview of Day One, Year One and Term One Issues**

- 8.1 None.

## **9.0 Reasons for Recommendation**

- 9.1 To avoid civil challenge based on bias and predetermination.

### ***For further information:***

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### ***Background Documents:***

*Council Constitution*

*Documents are available for inspection at:*

Westfields,  
Middlewich Road  
Sandbach  
Cheshire  
CW11 1HZ

[APPENDIX 5]

**PROCEDURE RULES RELATING TO COMMITTEES AND SUB-COMMITTEES: PROCEDURE RULE NO 23**

**Procedure Rule 23 - Change of Committee/Sub-Committee Places**

- 1 All Members of a Political Group will be regarded as being reserve Members, who may take the place of an appointed Member to a committee or sub-committee, except in respect of the Planning and Licensing Committees.
- 2 In respect of the Planning and Licensing Committees, each Political Group will, by notice to the Monitoring Officer, nominate appropriately trained Members to be reserve Members for those Committees. Such reserve Members may take the place of an appointed Member of the Planning or Licensing Committee.
- 3 Members of the Cabinet shall not sit on or be nominated substitutes/reserve members for any Scrutiny bodies.
- 4 Any reserve member shall inform the chairman at the beginning of the meeting. The outgoing member shall cease to be the Political Group's representative on that Committee or Sub-Committee for the duration of that meeting or any adjournment of it, and that reserve Member shall become the representative on the Committee or Sub-Committee for the same period. At the end of the meeting, the outgoing Member shall resume his/her representation on the Committee or Sub-Committee in question and the reserve Member who had been appointed in his/her place shall revert to being a reserve Member.
- 5 The Monitoring Officer shall give notice and distribute agendas to all members of the Committee or Sub-Committee. Agendas will be made available to all other members by electronic means. Agendas will also be made available at the meetings in question.
- 6 For the avoidance of doubt, there are no change of places arrangements in respect of the Cabinet.

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## CHESHIRE EAST COUNCIL

### Governance and Constitution Committee

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**Date of meeting:** 16 April 2009  
**Report of:** Borough Solicitor  
**Title:** Community Call for Action

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#### **1.0 Purpose of Report**

- 1.1 To advise the Committee and Council on new arrangements to allow individual members to pursue particular problems affecting their ward via Overview and Scrutiny Committees, where other methods of resolution have been exhausted.

#### **2.0 Decision Required**

- 2.1 To receive the report and to approve a provisional process the Council should adopt for dealing with requests for Overview and Scrutiny Committees to consider matters raised under the Community Call for Action powers.
- 2.2 That the report be referred to the Corporate Scrutiny Committee for comment.
- 2.3 That a briefing note be prepared for circulation to all members outlining the main components of Community call for action.
- 2.4 That the Borough Solicitor be requested to draw up a suitable checklist to assist members with requests for Community Call for Action in accordance with the principles outlined in this report.

#### **3.0 Financial Implications 2009/10 and beyond**

- 3.1 There are no identifiable costs for 2009/10 and beyond although increased Overview and Scrutiny activity could place an additional burden on Overview and Scrutiny Officer resources.

#### **4.0 Legal Implications**

- 4.1 It is important to have a clear and robust process in place to allow members to have access to Overview and Scrutiny to attempt to resolve difficult ward issues.

#### **5.0 Risk Assessment**

- 5.1 There are no identifiable risks.

## **6.0 Background and Options**

- 6.1 Ward Councillors play a central role in the life of a local authority and provide a vital link between the Council and its residents. They have traditionally championed local concerns, but until now have not had formal means of resolving particularly difficult issues within their wards. The Government, through its “Strong and Prosperous Communities” White Paper of 2006 and “Communities in Control” White paper 2008, had pursued an aim of giving more power to local people and local ward Councillors, to strengthen the ability of local councillors to speak up for their communities and demand an answer when things go wrong. Through Community Call for Action (CCfA), and optional powers contained in section 236 of the Local Government and Public Involvement in Health Act 2007 which allow Councils to delegate some functions to individual Councillors (which will be the subject of a subsequent report to a future meeting) possibilities exist to allow individual members to bring about improvements in local areas.

## **7.0 Overview of Day One, Year One and Term One Issues**

- 7.1 The new legislation took effect from 1 April 2009 and it is therefore important to have in place as soon as possible a process so that any early action by members can be dealt with in a structured way. The Government has not introduced a prescriptive regime of how Councils must set about putting CCfA into practice, and it is therefore expected that each authority will develop its own arrangements to use CCfA to its maximum possible effect. Undoubtedly, whatever arrangements are put in place now, will need fine tuning in the light of experience.

## **8.0 Reasons for Recommendation**

- 8.1 To ensure that the criteria and process are transparent and effective.

## **9. Introduction**

The Local Government and Public Involvement in Health Act 2007 and the Police and Justice Act 2006 introduced new powers for ward councillors to help them tackle constituency problems. Councillors now have the ability to require Overview and Scrutiny (O&S) Committees to discuss matters of concern in their ward, which have failed to be resolved through normal channels. This power is known more commonly as “Councillor Call for Action” (CCfA). The powers are limited to issues affecting single council wards. There are restrictions on the range of matters that can be referred to Scrutiny under the legislation. These are listed below. The thinking about CCfA has shifted significantly from that originally envisaged in the white paper and there is now less emphasis on the role of Overview and Scrutiny.

CCfA will be a means of “last resort” with issues only being raised at an O&S Committee after all other avenues have been exhausted.

- 9.1 It is acknowledged that some more experienced Councillors who are quite happy to use their contacts and knowledge of the Council and its partner agencies are likely to resolve matters themselves, whilst other members may need assistance to guide them through the process.

**10. Main principles of CCfA**

- Successful CCfA will rely on several broad principles which are: -
  - Transparency in decision-making and the involvement of O&S in the decision-making process at some level;
  - A willingness on behalf of the Council to identify mistakes and shortcomings, and a recognition of the need to resolve problems through discussion;
  - An understanding (among senior officers and Cabinet members in particular) of the role that Scrutiny can play to help the Council improve its services;
  - An understanding and a wish to bolster and support the role that ward Councillors play as champions and leaders of their communities;
- The focus of the CCfA is on neighbourhood or locality issues and specifically the quality of public service provision at a local level where local residents have concerns about persistent or serious problems in their area.
- CCfA must relate a genuine local concern – based on the local councillor’s judgements.
- CCfA powers are limited to issues affecting single wards.
- It should relate to a persistent problem, which the local councillor has been unable to resolve through local action and discussion with the Cabinet or relevant services and/or outside agencies.
- It is expected that Overview and Scrutiny consideration of a CCfA will be short and focused. It is important that the public see this as a responsive and un-bureaucratic process which delivers tangible outcomes
- CCfA is not appropriate for dealing with individual complaints by members of the public. Nor is it intended to add additional bureaucracy

to everyday requests from constituents, which form part of the regular interaction between ward members and their locality.

- The purpose of CCfA is to provide a possible remedy. O&S will therefore not look at issues which cannot be resolved e.g. revisiting a need to close a school after closure.
- CCfA is not appropriate for dealing with issues that relate to individual 'quasi judicial' decisions (e.g. planning or licensing) or to council and non-domestic rates as these are subject to their own statutory appeals processes.

#### **11.0 Suggested Check List**

**11.1** Recently, a number of authorities have piloted CCfA in conjunction with the IDeA. Some of the pilot authorities have adopted a checklist, which not only assists an individual Councillor in their efforts to resolve an issue before it becomes necessary to involve O&S, it also puts in place a framework for the authority to manage CCfA and ensures that O&S can add value.

**11.2** It is suggested that Cheshire East adopts such a checklist based upon the issues raised below, which will act as a filter to ensure that ward councillors have made every effort to try solve the matter locally.

- **Are the concerns individual complaints?**

Scrutiny is not appropriate for individual complaints from the public. The regulations on exclusions, specifically exclude complaints (that is, a complaint by an individual resident which relates to the individual service that the Council provide to him or her). If it is a complaint of this nature, advice can be given about the Corporate Complaints procedure. The matter should also be rejected if the matter is considered to be vexatious, or discriminatory or not reasonable for inclusion in the agenda for an O&S committee.

- **Do the concerns relate to individual 'quasi judicial' decisions (e.g. planning/licensing) or another council appeals process such as education appeals or Council tax?**

Scrutiny is not appropriate for dealing with these kinds of concerns as they are subject to their own statutory or Council appeals processes. However, patterns of issues may be appropriate to consider as a concern under CCfA e.g. community concerns about the proliferation of licensed premises in a local neighbourhood.



- **Do the concerns relate to the quality of public service provision at a local level?**

This is appropriate for CcfA which not only looks at issues of concern relating to councils services, but also issues relating to other public services and service areas, such as concerns about anti social behaviour, community safety, and health services.

- **Is the issue a genuine local concern?**

Councillors will want to be sure that the concerns are genuine and not just an individual 'hobby horse'. Finding out the views of other community members will help clarify this.

- **Is an apology, explanation or an assurance about a particular problem enough to satisfy a community concern?**

Some CCfA can be satisfied by public explanation and do not require service change or a scrutiny review. These should not be dealt with by Scrutiny, although patterns of issues may be appropriate for consideration by O&S.

## **12.0 Next Steps**

- 12.1 If a councillor agrees to champion a CCfA they will need to demonstrate that they have made every effort to resolve the matter of concern before it is presented to O&S. If an individual member feels that all possibilities have been explored having had regard to the above check list, they would then be required to submit a written request to the appropriate Scrutiny Committee for it to consider the CCfA.
- 12.2 If the committee decides that the CCfA is justified and that every other means of resolution has been attempted, the committee may make recommendations to the appropriate service provider at the time or establish a task and finish group to look at the issue in more detail with the aim of finding a speedy solution and making recommendations to either the Cabinet, Council, appropriate Council department or council partner. Alternatively it may take no further action and give their reasons for doing so.
- 12.3 If the issue is one to do with Crime and Disorder, it will be referred straight to the O&S Committee dealing with this area of work i.e. the Sustainable Communities Overview and Scrutiny Committee (Police and Justice Act 2006).

### ***For further Information:***

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## CHESHIRE EAST

### Governance and Constitution Committee

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**Date:** 16<sup>th</sup> April 2009  
**Report of:** Democratic Services Manager  
**Title** Governance and Constitution Work Plan

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#### **1.0 Purpose of Report**

- 1.1 To present to the Committee an updated Work Plan for consideration.

#### **2.0 Recommendations**

- 2.1 That the Committee:
- (1) note the current detail of the Work Plan; and
  - (2) note that this will be developed and periodically brought back to the Committee for approval.

#### **3.0 Implications for Transitional Costs**

- 3.1 There are no implications for transitional costs.

#### **4.0 Background and Information**

- 4.1 It has been agreed that the Committee should have a programme of work which provides for periodic reports to be made upon the development and review of the Constitution and other key governance-related matters.
- 4.2 Appendix A is the current version of the Work Plan. The details contained in it represent the timescales within which reports are proposed to be brought to the Committee. Information has also been added to show the current status of each work area.
- 4.3 It has previously been accepted that the timescales within the Work Plan need to be flexible in order to account for work priorities, changes in legislation etc. It will therefore be important for the Committee to receive regular reports with updates of the Work Plan.

## **5.0 Conclusion**

5.1 The Committee is asked to note the current version of the Work Plan as the basis for its work, and that the Work Plan will be developed and periodically brought back to the Committee for approval.

### **For further information:-**

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### **Background Documents:- Nil**

*Documents are available for inspection at the Cheshire East Support Office:*

Westfields  
Middlewich Road  
Sandbach

And at [www.cheshireeast.gov.uk](http://www.cheshireeast.gov.uk)

**Appendix A**

	<b>Work Area</b>	<b>Current status</b>
16.04.09	<ul style="list-style-type: none"> <li>• Questions/statements by Members and members of public</li> <li>• Cabinet issues eg Key Decisions</li> <li>• Councillor Call for Action</li> <li>• Audit-related matters</li> </ul>	
21.05.09	<ul style="list-style-type: none"> <li>• Internal Audit Plan 2009/10</li> </ul>	
25.06.09	<ul style="list-style-type: none"> <li>• Draft Statutory Accounts</li> <li>• Update on National Fraud Initiative</li> </ul>	
28.09.09	<ul style="list-style-type: none"> <li>• Update on risk management and business continuity</li> <li>• Approve audited statutory accounts and reports from external auditor</li> </ul>	
19.11.09	<ul style="list-style-type: none"> <li>• Update on internal audit plan</li> </ul>	
28.01.10	<ul style="list-style-type: none"> <li>• Update on whistle-blowing, anti-fraud/corruption and other strategy documents</li> </ul>	
25.03.10	<ul style="list-style-type: none"> <li>• Update on corporate governance and risk management</li> <li>• Update on accounting policy/final accounting issues 2009/10 (if needed)</li> <li>• Receive annual audit and inspection letter/results of organisational assessment</li> </ul>	

**NB: reports will periodically be brought to the Committee on a range of constitutional matters, as and when the need arises.**

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