

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Constitution Committee**
held on Thursday, 24th January, 2013 at Committee Suite 1,2 & 3, Westfields,
Middlewich Road, Sandbach CW11 1HZ

PRESENT

Councillor A Martin (Chairman)
Councillor D Marren (Vice-Chairman)

Councillors C Andrew, G Baxendale, L Brown, P Groves, S Hogben, A Moran,
B Murphy, D Newton, G Wait and P Whiteley

Officers

Mike Rowan, Interim Borough Solicitor
Brian Reed, Democratic and Registration Services Manager
Paul Jones, Democratic Services Team Manager
Julie Openshaw, Deputy Monitoring Officer
Paul Mountford, Democratic Services Officer

Apologies

Councillors W Livesley

The Committee was informed that following his recent appointment to the Cabinet, Councillor David Topping was no longer a member of the Committee. The vacancy would be filled following consultation with the relevant Group Whip.

40 DECLARATIONS OF INTEREST

Councillors C Andrew and L Brown declared non-pecuniary interests in the Make It Macclesfield Forum.

41 PUBLIC SPEAKING TIME/OPEN SESSION

There were no members of the public present.

42 MINUTES OF PREVIOUS MEETING

With regard to Minute 34 relating to a Notice of Motion on confidentiality, it was noted that the Government was consulting on proposed regulations to make compliance with its Code of Recommended Practice on transparency mandatory. It was considered appropriate to await an announcement from Government before reporting back to the Committee.

RESOLVED

That the minutes of the meeting held on 26th November 2012 be approved as a correct record.

43 QUESTIONS AT CABINET

At the request of the Leader of the Council, the Committee considered a proposed provision for questions to be put to Cabinet members at Cabinet meetings by members of the Council.

The report set out proposals for a change to the Procedure Rules, which would allow a period of 20 minutes for questions to be put to Cabinet members by members of the Council at Cabinet meetings. Notice of such questions would not need to be given in advance of the meeting.

The Rules previously agreed by Council, which applied to questions at Council, would be adapted appropriately for the purposes of questions to Cabinet members.

RESOLVED

That subject to the removal of the proposed provision that members should give at least one working day's notice of their intention to ask a question at Cabinet meetings and provide an indication of the subject matter, it be recommended to Council that the draft provisions referred to in paragraphs 8.4 & 8.5 of the report be adopted and that the Interim Borough Solicitor be authorised to make such changes to the Constitution as he considers are necessary to give effect to the wishes of Council.

44 MACCLESFIELD MEMBERS FORUM AND THE MACCLESFIELD LOCAL SERVICE DELIVERY COMMITTEE

The Committee considered a request from Members representing the unparished area of Macclesfield that a Macclesfield Members Forum be established pending the outcome of the Community Governance Review for Macclesfield.

Macclesfield Members currently felt they did not have a collective voice to make representations to the Council concerning issues affecting Macclesfield residents or the public services provided to them. They believed that the current Local Service Delivery Committee terms of reference precluded them from discussing wider issues relating to Macclesfield.

RESOLVED

That the Committee receive a further report at its next meeting, reviewing the terms of reference of the Macclesfield Local Service Delivery

Committee following informal consultation with members of that Committee.

45 FREQUENCY OF MEETINGS

The Committee considered a report on whether the frequency of the Council's meetings should be reviewed.

The calendar of Council meetings showed that Council members attended around 220 formal meetings each year. At a time when elected members were heavily engaged with constituency and other work, and when efficiencies needed to be made, the Council needed to question whether so many meetings were necessary and whether, instead, their frequency could be changed.

A brief snapshot had been taken of the frequency of meetings held by 15 comparator authorities. More detailed analysis of the information from other authorities would illustrate more accurately whether Cheshire East Council held more meetings than others, but the initial snapshot appeared to suggest that it did.

The report considered the potential benefits and risks of holding fewer meetings.

Whilst there was support in principle for a review of the frequency of meetings, it was suggested that the officers undertake more detailed work to assess the scope for and implications of any reduction in the frequency of meetings and to allow the new scrutiny committees and policy development groups time to settle in.

The January 2013 meeting of the Constitution Committee would normally consider and make recommendations to Council on the draft calendar of meetings for 2013/14. A draft calendar had been prepared and circulated with the agenda. Any proposed review of the frequency of meetings would delay the usual process of adoption of the Calendar of meetings and would result in a calendar of meetings not being agreed until the April meeting of Council.

RESOLVED

That

- (1) the officers submit a further report to the Committee's meeting on 19th September 2013 following further detailed work, and having allowed time for the new scrutiny committees and policy groups to settle in; and
- (2) in the meantime, Council be recommended to approve the draft calendar of meetings for 2013/14.

46 SCHEME OF DELEGATION FOR DIRECTOR OF PUBLIC HEALTH

The Committee considered a proposed scheme of delegation for the Director of Public Health.

In advance of the transfer of public health responsibilities to Local authority control on 1st April 2013, the Council needed to amend its scheme of delegation to ensure that the Director of Public Health was empowered to undertake his or her role.

The draft scheme of delegation was attached at Appendix 1 to the report.

RESOLVED

That the proposed draft scheme of delegation for the Director of Public Health be recommended to Council for adoption pending a further review by the Scheme of Delegation Member Working Group.

47 REVIEW OF POWERS AND RESPONSIBILITIES OF OFFICERS

This item was withdrawn.

The meeting commenced at 2.00 pm and concluded at 4.14 pm

Councillor A Martin (Chairman)