

CHESHIRE EAST

Governance and Constitution Committee

Date of meeting: 8th September 2008
Report of: Interim Monitoring Officer
Title: Unitary Council Constitution: Summary and Explanation

1.0 Purpose of Report

- 1.1 To seek agreement from the Committee in respect of the content of Part 1 of the Constitution: the Summary and Explanation

2.0 Decision Required

- 2.1 That the draft Summary and Explanation of the emerging Constitution be agreed and that the Shadow Council be recommended to agree the document for adoption by the unitary Council at its first meeting in April 2009.
- 2.2 That, as the unitary Council's decision-making and management structures emerge, the Interim Monitoring Officer be authorised to make consequential changes to the document.

3.0 Financial Implications for Transition Costs

- 3.1 There are no financial implications for Transition Costs.

4.0 Financial Implications 2009/10 and beyond

- 4.1 There are no financial implications 2009/10 and beyond.

5.0 Legal Implications

- 5.1 The document will form part of the new unitary Council's Constitution and, therefore, must be adopted at the first meeting in April 2009.

6.0 Risk Assessment

- 6.1 No risks are associated with agreement of the content of the document.

7.0 Background

- 7.1 At its first meeting, the Committee agreed a work programme. Officers agreed that certain draft constitutional documents would be brought to the Committee during the period leading up to April 2009 in order for these to be agreed and for

recommendations to be made to the Shadow Council for their inclusion in the unitary Council's constitution.

- 7.2 Whilst a number of reports will be brought to the Committee, it is proposed that the Shadow Council should make a final recommendation upon the adoption of a Constitution to the new unitary Council's first meeting.
- 7.3 The Appendix contains the first of a series of constituent parts of the proposed unitary Council's Constitution: the Summary and Explanation.
- 7.4 The Summary and Explanation comprises Part 1 of the Constitution and, accordingly, is the first body of information which members of the public and others will see when reading the document. The purpose of the Summary and Explanation is to provide basic information about the way in which Council decisions are made, the Council's values, rights of citizens and the Council's staff and management structure.
- 7.5 Members will see that officers have sought to use plain language in the Summary and Explanation. On a number of occasions, the view has been expressed that every effort should be made to ensure that the Constitution can be easily understood by all those reading it. Whilst, due to the legal content of some Parts of the Constitution, this may be a challenging aspiration, the Summary and Explanation should be one area in which this is achievable.
- 7.6 Members will also see that officers are seeking to use technology to make the task of providing officer and Member contacts easier for those reading the document. It is suggested that hyperlinks should be inserted in various places to provide members of the public with an immediate link to contact details of officers and Members. The implications of taking this approach are that officers and Members will be likely to receive more e-mails, telephone calls and letters than might otherwise have been the case. But this is likely to be an approach which Members would wish to embrace in order to enhance engagement with the public and others.
- 7.7 There are also implications for upkeep of the Constitution and officers would need to ensure that changes in officer and Member contact details are kept up to date.

8.0 Conclusion

- 8.1 Members are asked to make comments on the approach adopted and the contents of the Appendix.
- 8.2 Once agreed by the Committee, authority is sought for the Interim Monitoring Officer to make changes to the document to reflect the unitary Council's emerging decision-making and officer structure.
- 8.3 The document, along with others, will then be presented to the Shadow Council for recommendation to the unitary Council's first meeting.

For further information:

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Background Documents:

Cheshire Local Authority Constitutions and DETR New Councils Constitutions guidance

Documents are available for inspection at:

*Cheshire East Shadow Council Support Office
Congleton Borough Council
Westfields
Middlewich Road
Sandbach*