

CHESHIRE EAST

GOVERNANCE AND CONSTITUTION COMMITTEE

Date of meeting: 12th January 2009
Report of: Monitoring Officer
Title: Local Choice Functions

1.0 Purpose of Report

- 1.1 To report to the Committee upon the subject matter of this report and to inform the Committee of the recommendations of Cabinet, which met on 6th January 2009.

2.0 Decision Required

- 2.1 That the Committee consider the issues raised in the Cabinet report, and the recommendations of Cabinet, in order to make its recommendations to Council.

3.0 Financial Implications for Transition Costs

- 3.1 There are no implications for Transition Costs.

4.0 Financial Implications 2009/10 and beyond

- 4.1 There are no implications 2009/10 and beyond, over and above those which would normally be expected of a new unitary authority.
- 4.2 As the Council's decision-making arrangements emerge, an accurate picture of resultant resource needs will be available.

5.0 Legal Implications

- 5.1 The legal implications are identified within the body of this report.

6.0 Risk Assessment

- 6.1 Good Constitutional and governance arrangements will assist in minimising risks to the authority.

7.0 Background and Options

- 7.1 On 6th January 2009, the Cabinet considered a report which now forms the Appendix to this report.

- 7.2 The substantive issues are contained in the Cabinet report, and Cabinet has subsequently made recommendations to the Governance and Constitution Committee, which ask the Committee to make recommendations to Council. These are set out in paragraph 8 of this report, in draft form (as the minutes were not formally approved at the time of preparation of this report).
- 7.3 The recommendations of the Governance and Constitution Committee will be reported to Council at its meeting on 24th February, following which the decision of Council will be embodied into the Council's Constitution Committee, which will take effect on Vesting Day.

8.0 Draft recommendation of Cabinet

That the Governance and Constitution Committee recommend to Council that:

- (1) With effect from Vesting Day, the allocation of local choice functions between Cabinet and the Council, and the further delegations to committees and officers, be as set out in the appendices to the report, subject to the Borough Solicitor being responsible for arrangements for questions at Council on Police Authority functions.
- (2) The Monitoring Officer be authorised to determine the remaining detail of the allocation of local choice functions in consultation with the Leader and appropriate Cabinet Members, and to make such amendments to the Council's emerging Constitution as he considers are necessary to give effect to the decision of Council.

9.0 Reasons for Recommendation

- 9.1 In order for the Council's Constitutional and decision-making arrangements to be agreed prior to Vesting Day.

For further information:

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Background Documents:

Cheshire East Constitution

Documents are available for inspection at:

Cheshire East Council Support Office
Westfields
Middlewich Road
Sandbach
CW11 1HZ