

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Constitution Committee**
held on Thursday, 21st November, 2013 at Committee Suite 1,2 & 3,
Westfields, Middlewich Road, Sandbach CW11 1HZ

PRESENT

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

Councillors Rhoda Bailey (for Cllr Groves), G Baxendale, D Bebbington (for Cllr Livesley), L Brown (for Cllr Andrew), J Jackson (for Cllr Hogben), S Jones, R Menlove, A Moran, B Murphy, D Newton, G Wait and P Whiteley

Officers

Brian Reed, Head of Governance and Democratic Services
Suki Binjal, Interim Head of Legal Services and Monitoring Officer
Julie Davies, Head of People and Organisational Development
Sally Gold, Barrister
Paul Mountford, Democratic Services Officer

Apologies

Councillors C Andrew, P Groves, S Hogben and W Livesley

17 DECLARATIONS OF INTEREST

Councillor J Jackson declared a non-pecuniary interest in an item on the remit of the Staffing Committee as a member of the GMB Union.

18 PUBLIC SPEAKING TIME/OPEN SESSION

There were no members of the public present.

19 MINUTES OF PREVIOUS MEETING

RESOLVED

That the minutes of the meeting held on 9th October 2013 be approved as a correct record.

20 FREQUENCY OF THE COUNCIL'S MEETINGS

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

Information had been obtained on the frequency of the formal public meetings held by comparator local authorities. From an initial inspection of the figures provided, Cheshire East Council appeared to have a similar

frequency of meetings to that of comparator authorities. However, Members felt that it would be helpful to have a further, in-depth review not only of the numbers of meetings held but also of the purpose and size of each body. It was also agreed that the content and process of Council meetings should be reviewed.

Members recognised that this work would require further investigation by the officers and that this should not delay the process for approving the calendar of meetings for next year.

RESOLVED

That

1. the Constitution Member Working Group be asked to undertake a further, in-depth review of the Council's meeting arrangements, focussing on the purpose and size of each body, the frequency of meetings, and the content and process of Council meetings, and report to the Committee; and
2. in the meantime, the calendar of meetings for 2014/15 should be submitted to Council for approval in accordance with the usual process and timetable.

21 VENUE FOR MEETINGS OF THE STRATEGIC PLANNING BOARD

The Committee was invited to review the arrangements for determining the venue for meetings of the Strategic Planning Board. This followed concern expressed by some members about the choice of venue for a recent meeting of the Board.

The Committee had originally considered the matter at its meeting on 20th September 2012. Having considered a number of options, the Committee had resolved:

“That Council be recommended to agree that the venue arrangements for meetings of the Strategic Planning Board should be as follows:

That the Capesthorpe Room, Macclesfield Town Hall and the Council Chamber, Municipal Buildings, Crewe be reserved in advance for every scheduled meeting of the Strategic Planning Board, with the room that is not required for a particular meeting being released at the appropriate time, the choice of venue to be at the discretion of the Chairman of the Strategic Planning Board in consultation with officers.”

Council at its meeting on 11th October 2012 had approved the recommendation as set out.

Since the new arrangements had come into effect, 10 meetings of the Strategic Planning Board had been held in Macclesfield and 11 had been held in Crewe.

The Committee considered whether there was merit in undertaking a more general review of the planning arrangements in Cheshire East to determine whether they were fit for purpose or whether suitable alternative models should be explored.

RESOLVED

That the Constitution Member Working Group be asked to

1. review the arrangements for determining the venue for meetings of the Strategic Planning Board; and
2. undertake a more general review of the planning arrangements in Cheshire East to determine whether they are fit for purpose or whether alternative arrangements should be explored;

and report to the Committee's next meeting.

22 STAFFING COMMITTEE REMIT

The Committee considered a report in response to the following motion which was proposed by Councillor B Murphy and seconded by Councillor A Moran at the Council meeting on 18th July 2013 and referred to the Constitution Committee:

"The Council requests an immediate review of the Staffing Committee's terms of reference with a view to widening its remit to encompass matters that are normally entailed in the work of a staffing committee such as corporate culture, employee relations and communications, senior appointment, disciplinary matters and management structures."

The report outlined the current terms of reference of the Staffing Committee as set out in the Constitution, together with the practice of the committee since its inception in 2009. It also provided comparisons with the arrangements of other authorities and briefly outlined a number of options.

Members felt that the Constitution Member Working Group should be asked to consider the matter in detail and report back to the Committee's next meeting.

RESOLVED

That the Constitution Member Working Group be asked to review the terms of reference and operation of the Staffing Committee with a view to submitting recommendations to the Committee's next meeting, the

Chairman and Vice-Chairman of the Staffing Committee to be invited to attend the Working Group's meeting.

23 WORK PROGRAMME

The Committee considered a report summarising its work programme to date, including progress with various work streams:

Scheme of Delegation

A revised scheme of delegation had been approved by Council on 17th October 2013. In approving the scheme, Council had authorised the Interim Head of Legal Services and Monitoring Officer, with the agreement of the Chairman of the Constitution Committee, to incorporate the new management structure into the scheme when all necessary aspects of the structure had been settled, with the scheme as amended being re-submitted to the Constitution Committee for confirmation. It was intended that the revised version of the scheme would be submitted to the Committee's meeting on 23rd January 2014.

The Member Working Group's review of the scheme of delegation was continuing and further proposals would be submitted to the Committee for consideration in due course.

Civic Sub-Committee Terms of Reference

The Constitution Member Working Group would be considering this matter at its meeting on 25th November.

Transparency and Openness

The Constitution Member Working Group would be considering this matter at its meeting on 25th November.

Review of Policy Development Groups and Scrutiny Committees

Following consultation with the political groups, the size and membership of the PDG/Scrutiny Member Working Group had now been determined as follows:

Councillor Peter Groves
Councillor Steve Hogben
Councillor Shirley Jones
Councillor David Marren
Councillor Rod Menlove
Councillor Arthur Moran
Councillor David Newton
Councillor Margaret Simon
Councillor Paul Whiteley

Proportionality: 5:2:1:1

The first meeting of the working group would be held shortly.

(Note: Councillor Menlove has since been replaced on the Working Group by Councillor Steve Wilkinson.)

Review of the Size and Structure of the Constitution

The officers were continuing to work with the Vice-Chairman to produce a concise, user-friendly version of the Constitution for the Committee's consideration. Alongside this work, the Interim Head of Legal Services had appointed an officer working group to undertake a review of the Constitution/finance and contract procedure rules. These two work streams were being co-ordinated with a view to submitting proposals for consideration in due course.

The Committee has previously expressed the view that a general review of the terms of reference of committees and the procedure rules within the Constitution would be beneficial. Such reviews would have implications for the work being undertaken on the size and structure of the Constitution. In order to make progress in all areas, it was suggested that the Constitution Member Working Group be asked to undertake the reviews, and any further reviews required from time to time, and report to the Committee in due course.

RESOLVED

That

- (1) the current progress with the various work streams be noted; and
- (2) the Constitution Member Working Group be asked to undertake reviews of the terms of reference of committees, the procedure rules, certain issues relating to executive decision-making, and any further reviews required from time to time, and report to the Committee in due course.

The meeting commenced at 2.00 pm and concluded at 3.15 pm

Councillor A Martin (Chairman)