

CHESHIRE EAST COUNCIL

Constitution Committee

Date of Meeting: 23rd January 2014
Report of: Head of Governance and Democratic Services
Subject/Title: Work Programme

1.0 Report Summary

1.1 This report reviews the Committee's work programme.

2.0 Recommendations

2.1 That

1. the work programme and the progress referred to therein be noted; and
2. the Civic Sub-Committee be asked to review the Mayoralty Code of Practice.

3.0 Reasons for Recommendations

3.1 To enable the Committee to monitor progress with the work programme and make any desired changes.

3.2 To enable the Committee to consider the recommendation of the Constitution Member Working Group with regard to the Civic Sub-Committee.

4.0 Wards Affected

4.1 N/A

5.0 Local Ward Members

5.1 N/A

6.0 Background

6.1 An updated work programme including progress to date is set out below.

1. Civic Sub-Committee Terms of Reference

At the Committee's request, the Constitution Member Working Group has reviewed the terms of reference of the Civic Sub-Committee. The Group at its meeting on 25th November 2013 resolved to advise the Committee that:

1. the existing terms of reference of the Civic Sub-Committee are considered fit for purpose and do not require amendment; and
2. the Civic Sub-Committee Should be asked to review the Mayoralty Code of Practice.

2. Strategic Planning Board and the Council's Planning Arrangements

(See report elsewhere on agenda.)

3. Frequency of Meetings

The Constitution Member Working Group has been asked by the Committee to undertake a detailed 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 full Council meetings. The Working Group will be commencing this review shortly.

4. Transparency

The Constitution Member Working Group has agreed to recommend that the Council's publications scheme be included in the Constitution together with a statement to the effect that there is a general presumption that committee meetings and papers will be open to the public. The Group has asked for a further report in order to consider the detailed implications before making a formal recommendation to the Committee.

5. Review of Policy Development Groups and Scrutiny Committees

The PDG/Scrutiny Member Working Group held its first meeting just before Christmas and will be meeting again towards the end of January.

6. Officer Scheme of Delegation

Council on 17th October 2013 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 of delegation 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 is intended that the revised version of the scheme will be submitted to the Committee's meeting on 4th March 2014.

The Constitution Member Working Group has considered the legal role and powers of the Chief Executive in agreeing performance-related payments to senior managers. The Group has asked for a further report to its next meeting.

7. Staffing Committee Terms of Reference

The Constitution Member Working Group has concluded that the current terms of reference of the Staffing Committee are inadequate and in need of revision. The Group has asked for a further report to its next meeting.

8. Officer Code of Conduct

The Constitution Member Working Group has begun a review of the Officer Code of Conduct and has agreed a number of amendments. The Group has asked for a further report to its next meeting on certain aspects of the Code such as politically-restricted posts, the obligations placed on officers when submitting planning applications and the position regarding officers who belong to organisations such as the freemasons.

9. Audit and Governance Committee Terms of Reference

The Constitution Member Working Group has begun a review of the terms of reference of the Audit and Governance Committee. The Group has taken the view that the terms of reference of the Committee in their present form do not allow the Committee to act in a proactive way by initiating its own reviews and investigations; it largely responds to and notes officer reports. The Working Group has agreed to consider the matter further with a view to strengthening the role of the Committee.

10. General Review of the Content, Size and Structure of the Constitution

The aim of this work, which has been commissioned by the Committee's Vice-Chairman, is to produce a shorter, more accessible reference document for Members which will sit alongside but refer back to the full version of the Constitution. Consideration will also be given to the overall structure of the full Constitution and whether this can be improved, as well as to how the online version of the Constitution can be made more user-friendly. This work is ongoing and will be co-ordinated with the work of the Constitution Member Working Group.

11. Other matters to be reviewed

In addition to the above, the following matters are to be reviewed:

- § Terms of Reference of Committees in general
- § Procedure Rules
- § Local Ward Member Protocol
- § Finance and Contract Procedure Rules (this review is being carried out by an officer working group and the outcome will be reported to the Constitution Member Working Group in the first instance to ensure that it is co-ordinated with other work streams)

The Constitution Member Working Group is empowered to undertake further reviews from time to time as it sees fit.

7.0 Policy Implications

7.1 None identified

8.0 Financial Implications

8.1 None identified

9.0 Legal Implications

9.1 None identified

10.0 Risk Management

10.1 None identified

11.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

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