

# **CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Constitution Committee**  
held on Thursday, 5th October, 2017 at Committee Suite 1,2 & 3, Westfields,  
Middlewich Road, Sandbach CW11 1HZ

## **PRESENT**

Councillor A Martin (Chairman)

Councillors G Baxendale, L Durham, S Edgar, H Gaddum, S Hogben,  
L Jeuda, D Mahon, N Mannion, R Menlove, G Williams and S Pochin (for Cllr  
Deakin)

## **Officers**

Dan Dickinson, Acting Director of Legal Services  
Brian Reed, Head of Governance and Democratic Services  
Martin Middleton, Business Improvement and Change Manager  
Julie Gregory, Solicitor  
Paul Mountford, Executive Democratic Services Officer

## **External Adviser (Bevan Brittan)**

Richard Armstrong

## **Other Members present**

Councillors T Dean, P Groves, J Nicholas and B Walmsley

## **Apologies**

Councillor M Deakin

## **5 DECLARATIONS OF INTEREST**

There were no declarations of interest.

## **6 PUBLIC SPEAKING TIME/OPEN SESSION**

There were no members of the public wishing to speak.

## **7 MINUTES OF PREVIOUS MEETING**

### **RESOLVED**

That the minutes of the meeting held on 4<sup>th</sup> August 2017 be approved as a  
correct record.

## **8 PROGRESS ON THE REVIEW OF THE CONSTITUTION**

The Committee considered a progress report on the review of the  
constitution.

The Constitution Sub-Committee, which had been appointed by the Committee to oversee the detailed work of the review, had met on 23<sup>rd</sup> August, and on 15<sup>th</sup> and 29<sup>th</sup> September. It had approved the creation of five work packages as follows, each with its own working group, lead member and officer:

- Work Package 1 – The overall style and presentation of the Constitution
- Work Package 2 – Decision-making – Terms of Reference of Member Bodies
- Work Package 3 – Decision-making – Officer Scheme of Delegation
- Work Package 4 – Procedure Rules
- Work Package 5 – Codes/Protocols and Members' Allowances

The working groups had met independently to work on the detail of the review. The Council's external advisers, Bevan Brittan, had then drafted revised sections of the constitution based on the work of the working groups and had submitted these to the Constitution Sub-Committee for consideration. The Sub-Committee had so far agreed the content for work package 1 whilst noting progress with the other work packages.

An initial joint officer/member working group, facilitated by Bevan Brittan, had been held on 31<sup>st</sup> August 2017 in Sandbach Town Hall. The notes from the workshop had been fed into the working groups.

At its meeting on 15<sup>th</sup> September, the Sub-Committee had approved the principle that any substantive proposed changes to the constitution would be highlighted to the Sub-Committee, the Constitution Committee and Council.

It was proposed, as part of a wider member engagement process, that drop-in sessions for all members would be held on 12<sup>th</sup> and 13<sup>th</sup> October at Westfields in order to provide an informal briefing on how the review of the Constitution had been conducted and to explain the key changes that were proposed. Presentations had also been offered to the political groups, and a briefing for group leaders was being arranged.

To provide an indication of the progress with the review, officers circulated copies of the draft revised sections of the constitution together with explanatory notes of any changes. Further work would be needed to the documents before they were submitted formally for members' consideration.

Although substantial progress had been made with the review of the constitution, a considerable amount of work still needed to be done on drafting the new sections and supporting documents, and taking on board the outcome of the two drop-in sessions. The Constitution Sub-Committee on 29<sup>th</sup> September 2017 had considered the timescale of the review and had agreed a revised timetable which would lead to the adoption of the new constitution at the December Council meeting. This would provide

further opportunities for all members to engage fully with the process and feed in their comments. The proposed revised timetable was as follows:

**Group Leaders' Briefing** – 9<sup>th</sup> October 2017

**Group Briefings** - TBC

**Member Briefing (drop-in) Sessions** – 12<sup>th</sup>/13<sup>th</sup> October 2017

**Constitution Sub-Committee** – mid to late October  
(to approve work packages 2, 3 and elements of 4)

**Council** – 19<sup>th</sup> October 2017  
(to receive an update on progress)

**Constitution Sub-Committee** – w/c 13<sup>th</sup> November 2017  
(to approve the rest of work package 4 and all of 5)

**Constitution Committee** – 30<sup>th</sup> November 2017  
(to recommend the full redrafted Constitution to Council)

**Council** – 14<sup>th</sup> December 2017  
(to approve the full redrafted Constitution)

Members made a number of general comments on the approach to the review:

- Whilst it was acknowledged that the review process involved a considerable amount of detailed work, it was important that members were given ample opportunity to absorb the content of papers and feed into the process.
- There was a need for an audit trail to enable members to monitor significant changes to the constitution.
- It was important that the work packages were not developed in silos and that there was consistency and coherence across all areas of work.

The officers responded that the papers before members today were intended to provide a flavour of the progress made so far. There would be full member involvement in considering the detailed changes to the constitution at every stage of the process before anything was submitted to Council. Up to now, the detailed work had been undertaken in the member/officer working groups and the outcome of that work would now be fed into the Sub-Committee and Committee meetings for consideration. This would be supported by a further extensive round of member engagement as mentioned earlier.

## **RESOLVED**

That

1. The current progress with the review of the constitution be noted; and
2. The revised timetable for the review, leading to the adoption of the new constitution at the December 2017 meeting of the Council, be approved.

The meeting commenced at 2.00 pm and concluded at 3.04 pm

Councillor A Martin (Chairman)