

CHESHIRE EAST COUNCIL

Constitution Committee

Date of Meeting: 22nd March 2012
Report of: Democratic and Registration Services Manager
Subject/Title: Review of the Constitution

1.0 Report Summary

- 1.1 To consider the Committee's approach to the review of the Council's Constitution.

2.0 Recommendation

That the Constitution Member Task Group be requested to consider proposed amendments to the Budget and Policy Framework and changes to the size and layout of the Constitution.

3.0 Wards Affected

- 3.1 All Council Wards are affected by the Constitution, which has application across the Borough.

4.0 Local Ward Members

- 4.1 All local Ward Members are affected for the reasons set out in paragraph 3.1.

5.0 Policy Implications

- 5.1 The Constitution sets out the procedures by which Council policy is set. Any proposed changes to the Constitution would need to align with the requirements of legislation which often stipulates the Council decision-making route associated with the adoption of policies.

6.0 Financial Implications

- 6.1 There are no financial implications associated with the proposed review.

7.0 Legal Implications

- 7.1 Any changes to the Constitution would need to be agreed by Council, following a recommendation from the Constitution Committee. Proposed changes would need to align with any statutory requirements.

8.0 Risk Management

- 8.1 There would appear to be no risks associated with this element of review of the Constitution. The review will provide an opportunity to ensure that all elements of the document are consistent with one another.

9.0 Background

- 9.1 Since vesting day, the Council has approved a number of amendments to the Constitution. As new legislation comes into force, and as the Council finds better ways of doing things, building upon experience and best practice, the Constitution needs to be amended.
- 9.2 The Constitution Committee has agreed to review different parts of the Constitution to ensure it remains fit for purpose. At its meeting held on 17th November 2011 the Committee resolved that:-
- (1) a task group of five members be appointed (3 Con; 1 Lab; 1 Ind) to consider and make recommendations on detailed changes to the Constitution, and in the first instance to consider proposed amendments to the Finance Procedure Rules; and
 - (2) the remainder of the review of the Constitution be suspended until the Corporate Scrutiny Committee has concluded its review of the Council's governance arrangements.
- 9.3 Set out below is an update on the deferred items in the Work Programme.

Scheme of Delegation	The Scheme of Delegation needs to be further updated to reflect final changes in the officer structure of the Council. This will include some 'staffing' matters* arising from the review of Staff Employment Procedure Rules. The work is still ongoing.
Budget and Policy Framework	The Budget and Policy Framework is a list of plans and strategies that must be approved by full Council. Corporate Management Team has reviewed the Framework.
Scrutiny Procedure Rules	The Overview and Scrutiny Chairmen are reviewing the Scrutiny Procedure Rules. The work is still ongoing
Staff Employment Procedure Rules	The Head of HR and Organisational Development has completed a review of the staffing elements of the Constitution*.
Size and Layout of the Constitution	To review the size and layout of the Constitution to make it as 'user friendly' as possible.

- 9.4 The Committee has established a Member Task Group to consider proposals initially so that much of the detailed consideration is done before it gets to the Committee.
- 9.5 in the light of the above the Committee is asked to convene a meeting of Constitution Member Task Group to consider proposed amendments to the Budget and Policy Framework and changes to the size and layout of the Constitution.

10.0 Access to Information

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

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