

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Constitution Committee**
held on Thursday, 26th March, 2015 at Committee Suite 1, 2 & 3, Westfields,
Middlewich Road, Sandbach CW11 1HZ

PRESENT

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

Councillors G Baxendale, K Edwards, D Flude, P Groves, W Livesley,
R Menlove, A Moran, B Murphy and P Whiteley

Officers

Anita Bradley, Head of Legal Services and Monitoring Officer
Paul Mountford, Democratic Services Officer

Apologies

Councillors C Andrew, S Jones, D Newton and M Sherratt

59 DECLARATIONS OF INTEREST

There were no declarations of interest.

60 PUBLIC SPEAKING TIME/OPEN SESSION

There were no members of the public wishing to speak.

61 MINUTES OF PREVIOUS MEETING

RESOLVED

That the minutes of the meeting held on 29th January 2015 be approved as a correct record.

62 THE COUNCIL'S DECISION-MAKING AND GOVERNANCE ARRANGEMENTS

The Committee considered a report addressing a range of decision-making and governance issues and recommending appropriate changes to the Constitution.

The report sought to amend the terms of reference of the Staffing Committee to reflect properly the split between executive and non-executive functions within the Council's Constitution. It also sought to add greater flexibility to the decision-making powers of the Chief Executive and to reflect the current management structure within the Council.

Details of the proposed changes were set out in paragraphs 11 to 13 of the report and shown as tracked changes to the relevant extracts from the Constitution in Appendix 1.

The Committee also considered proposed changes to the arrangements for dealing with Notices of Motion at Council as set out in paragraph 14 of the report.

Finally, it was proposed that there should be a work programme overseen by the Committee to review the whole of the Constitution within the next 12 months. A proposed work programme was set out at Appendix 2 to the report.

RESOLVED

That

1. the proposed changes to the terms of reference of the Staffing Committee as set out in Appendix 1 to the report be recommended to Council for approval subject to the following amendments:
 - (i) paragraph 2 under Statement of Purpose be amended by the addition of the following:

“(d) following any process leading to the receipt of additional benefits by senior officers, to review how the process was carried out.”
 - (ii) the performance indicators currently listed under paragraph 8 be retained as a minimum requirement.
2. the proposed changes to the powers of the Head of Paid Service in relation to staffing and other matters as set out in Appendix 1 to the report be recommended to Council for approval subject to the following amendment:
 - (i) paragraph 1.22 of the scheme of delegation to officers be amended to provide that the Chief Executive may consider and implement major staffing and organisational reviews subject to any restructuring arrangements affecting statutory posts being recommended to the Staffing Committee, and the terms of reference of the Staffing Committee be amended to reflect this requirement.
3. Council be recommended to instruct the Head of Legal Services to make the changes to the Constitution set out in Appendix 1;
4. Council be recommended to instruct the Head of Legal Services to make any minor corrections, amendments or contextual changes resulting from the above;

5. subject to 6 below, the work programme set out at Appendix 2 be adopted for the year 2015-16; and
6. a review of the arrangements relating to Notices of Motion be deferred at this time and the matter be included in the work programme for 2015-16.

The meeting commenced at 2.00 pm and concluded at 4.12 pm

Councillor A Martin (Chairman)