

# **CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Constitution Committee**  
held on Thursday, 19th September, 2019 at Committee Suite 1, 2 & 3,  
Westfields, Middlewich Road, Sandbach CW11 1HZ

## **PRESENT**

Councillor J Nicholas (Chairman)  
Councillor S Hogben (Vice-Chairman)

Councillors R Bailey, M Benson, J Clowes (for Cllr Asquith), L Crane, S Edgar, L Jeuda (for Cllr Bratherton), A Martin, R Moreton, B Murphy, A Stott (for Cllr Fox) and K Parkinson (for Cllr Hayes)

## **Officers**

Jan Bakewell, Director of Governance and Compliance  
Brian Reed, Head of Democratic Services and Governance  
Martin Smith, Registration and Civic Services Manager  
Phil Christian, Business Intelligence Manager  
Stuart Penny, Planning Policy and CIL Manager  
Paul Mountford, Executive Democratic Services Officer

## **Other Members Present**

Councillors L Gilbert, B Puddicombe and J Rhodes

## **Apologies**

Councillors M Asquith, J Bratherton, T Fox, G Hayes and P Williams

The Chairman welcomed Jan Bakewell, Director of Governance and Compliance, to her first meeting of the Constitution Committee.

## **11 DECLARATIONS OF INTEREST**

Councillor S Edgar declared a non-pecuniary interest in Item 11 on the agenda relating to the Mayoralty, as Deputy Mayor.

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

Ted Wall referred to the item on the agenda relating to the Mayoralty and commented that any changes should be aimed at cutting the cost of the Mayoralty.

## **13 MEMBER SPEAKING**

Councillor L Gilbert said that the introduction of the Members Enquiries Service had represented a fundamental change in the relationship between members and officers and that member involvement in the setting up of the service had been limited. He added that there was no constitutional basis for the service. The Head of Democratic Services and

Governance responded that the service had been set up to ensure that local ward members received responses to their enquiries and that it relieved the burden on members without undermining existing relationships. The Committee agreed that a review of the service should be added to its work programme.

#### **14 MINUTES OF PREVIOUS MEETING**

##### **RESOLVED**

That the minutes of the meeting held on 15<sup>th</sup> July 2019 be approved as a correct record.

#### **15 COMMUNITY GOVERNANCE REVIEW: BACKGROUND AND TERMS OF REFERENCE**

The Committee considered a report on the background to the community governance review. The report included the terms of reference for the review which had been approved previously.

##### **RESOLVED**

That the report be noted.

#### **16 COMMUNITY GOVERNANCE REVIEW: PROJECT UPDATE**

The Committee considered a report on the progress made to date with the community governance review. In particular, it reported on:

- the impact of the recent local and European elections on the review timeline;
- the analysis of wards which would inform the review; and
- the draft documents which would form the basis of the initial pre-consultation engagement with residents.

The Head of Democratic Services and Governance had delegated authority to make any further necessary adjustments to the timeline as the review progressed.

The report had been considered by the Community Governance Review Sub-Committee at its meeting on 31<sup>st</sup> July 2019 which had recommended approval of the report's recommendations.

At the Committee meeting, members expressed the view that the pre-consultation survey questionnaire should make it clear that those questions relating to religion and ethnicity were optional.

## **RESOLVED**

That the Committee approves

1. the process and amended timeline attached as Appendix A to the report, noting that the Head of Democratic Services and Governance has delegated authority to make any further necessary adjustments to the timeline as the review progresses;
2. that the analysis of wards attached as Appendix B be published as part of the pre-consultation survey; and
3. the initiation of the pre-consultation survey based upon the text attached at Appendix C.

### **17 COMMUNITY GOVERNANCE REVIEW: COMMUNICATIONS AND CONSULTATION PLAN**

The Committee considered a report on the communications and consultation plan for the community governance review.

The report provided an update on the method for delivering and communicating the output of the pre-consultation survey and in particular reported on:

- the timing of the publication of the pre-consultation output to support the development of the options, which would be consulted upon within the formal consultation; and
- the communication activity that would support the publication of the pre-consultation output.

The report had been considered by the Community Governance Review Sub-Committee at its meeting on 31<sup>st</sup> July 2019 which had recommended approval of the report's recommendations.

## **RESOLVED**

That the Constitution Committee approves

1. the proposed timings of the publication of the pre-consultation survey output; and
2. the proposed amendments to the communication plan for supporting and promoting public engagement around the pre-consultation survey output.

## **18 COMMUNITY GOVERNANCE REVIEW: ELECTORATE FORECASTS**

The Committee considered a report on electorate forecasts for the community governance review.

The main rationale for the forecasts was to assess how the size and geographical distribution of electorates was likely to change in the coming years, so that electors could be fairly distributed among councillors.

The report had been considered by the Community Governance Review Sub-Committee at its meeting on 31<sup>st</sup> July 2019 which had recommended approval of the report's recommendations.

### **RESOLVED**

That the Constitution Committee approves

1. the methodology and assumptions used in the Council's CGR Electorate Forecasts Technical report attached in Appendix A to the report, which it is acknowledged involves making some variations to the general approach outlined by the Local Government Boundary Commission for England's guidance (as summarised in paragraph 5.2 of the report), and that its findings are taken forward for consideration as part of the next stage of the community governance review process;
2. that the proposals for new housing identified in the Council's Local Plan be used as a sense check against the figures forecast by the technical report in Appendix A to the report, and they be used as a further consideration at the next stage of the community governance review process; and
3. that in approving the matters above, the Committee notes the impact on communities and the need for data to be appropriate at the relevant time; and a report be prepared for the Community Governance Review Sub-Committee for options to be considered.

## **19 APPOINTMENT OF MEMBERS TO INDEPENDENT REMUNERATION PANEL**

The Committee considered a report seeking approval to appoint three individuals to the Independent Remuneration Panel.

Brief details of each individual were circulated at the meeting.

### **RESOLVED**

That

1. Professor Steve Leach be re-appointed as a member of the Independent Remuneration Panel;
2. Amanda Ramsden be re-appointed as a member of the Independent Remuneration Panel;
3. Jacqueline Grinham be appointed as the third member of the Independent Remuneration Panel;
4. Professor Leach continue in his role as Chairman of the Panel;
5. the individuals named above be appointed for a four year term of office, to commence immediately and to end in September 2023;
6. Panel members be recompensed for expenses and that an allowance be paid to the Chairman in recognition of his role, as detailed in the financial implications section of the report;
7. the Panel be asked to give consideration to making future provision for the Members' Allowances Scheme, by reference to an index, the adjustment to be applied on an annual basis for a period of up to four years;
8. the Panel be asked to give consideration to developing a Members' Allowances Scheme to reflect a proposed new system of governance for the Council; co-ordinating its work with the Governance Working Group, with the Panel's report being considered by Council when it considers constitutional proposals for the proposed committee system; and
9. the Panel be asked to consider and make recommendations on the proposed Members' Parental Leave Policy.

## **20 CIVIC ISSUES AND THE MAYORALTY**

The Committee considered a report which reviewed the options for the Council's civic arrangements and the future style of the Cheshire East Mayoralty. The report dealt with a number of issues concerning how the Mayoralty should be operated in future, including the degree of formality pertaining to the position of Mayor, the policy on Mayoral transport, the number of official engagements undertaken by the Mayor and the appointment of a Mayor's chaplain and the offering of prayers at Council meetings.

The Chairman had received written comments on the report from Councillor M Warren which were read out at the meeting.

Members noted that the principle of whether to continue with a Mayor was to be considered in conjunction with the current review of governance arrangements. In this respect, members felt that consideration of the

issues in the report, with the exception of the Mayoral transport, should be deferred until the future of the Mayoralty had been decided.

The question of the Mayoral transport required urgent consideration as the agreement between the Council and the provider of the Mayoral vehicle had already expired. However, members felt that they had insufficient information to consider the matter at the meeting and it was suggested that a more detailed report on the options and financial implications should be considered at a forthcoming meeting of the Corporate Overview and Scrutiny Committee.

## **RESOLVED**

That

1. subject to resolution 2 below, consideration of the issues in the report be deferred until the future of the Mayoralty has been decided in conjunction with the review of the Council's governance arrangements; and
2. a report on the options relating to the Mayoral car be submitted to a meeting of the Corporate Overview and Scrutiny Committee.

## **21 REVIEW OF COUNCIL AND MEETING ARRANGEMENTS**

The Committee considered a report which addressed a number of practical issues relating to Council and other meeting arrangements.

It was felt that a proposal to hold the meetings of certain committees in the evenings should be deferred to enable the chairmen of those committees to be consulted.

## **RESOLVED**

That

1. it be recommended to Council that
  - (a) with effect from the start of the next municipal year, all ordinary meetings of the Council be held on Wednesdays;
  - (b) Council meetings other than the Annual Council meeting continue to be held in Sandbach, at Sandbach Town Hall, but where a larger venue is needed for a particular occasion, a suitable venue in an alternative location be used;
  - (c) with effect from the start of the next municipal year, all ordinary Council meetings start at 11.00 am;

- (d) at meetings of Council and the Cabinet, a maximum period of two minutes be allowed for each member wishing to ask a question during members' question time, and a maximum period of two minutes be allowed for each member of the public wishing to speak or ask a question during public speaking time, subject to the Chairman having discretion to vary this requirement where he/she considers it appropriate;
  - (e) at meetings of Council, a total period of two minutes be allowed in which the proposer and seconder of a motion under Paragraph 1.34 of the Council Procedure Rules (a Notice of Motion) may speak in order to explain the purpose of the motion before the motion is dealt with; and
  - (f) the Director of Governance and Compliance be authorised to make such amendments to the Constitution as she considers necessary to give effect to the changes recommended above; and
- 2. the chairmen of the planning committees, overview and scrutiny committees and the Public Rights of Way Committee be consulted to secure their views on some meetings being held in the evening, and other potential opportunities for evening meetings be explored; and
  - 3. members' comments in relation to the arrangements for visiting members attending Cabinet meetings be brought to the attention of the Leader.

The meeting commenced at 2.00 pm and concluded at 5.35 pm

Councillor J Nicholas (Chairman)