

## **COUNCIL CONSTITUTION COMMITTEE**

### **Minutes of a meeting of the Council Constitution Committee held on Tuesday, 25<sup>th</sup> May, 2010 at 5.30 p.m. in the Civic Offices, Telford, Shropshire**

**PRESENT:** Councillors S.M. Kelly (Chairman), R.K. Austin, A.J. Eade, G.M. Green, J.M. Seymour, C.F. Smith and V. Tonks

#### **CCC-1      MINUTES**

**RESOLVED** – that the minutes of the meeting of the Council Constitution Committee held on the 13<sup>th</sup> April, 2010 be confirmed and signed by the Chairman subject to Minute No. CCC-16(d) being amended to read:

- d) *that the existing Scrutiny Leadership Board be dissolved with effect from the end of the 2009/10 municipal year and the Constitution be amended as required.*

#### **CCC-2      APOLOGY FOR ABSENCE**

Councillor E.J. Carter

#### **CCC-3      DECLARATIONS OF INTEREST**

None.

#### **CCC-4      CONSULTATION ON THE POSSIBLE CHANGES TO THE EXECUTIVE ARRANGEMENTS**

The report of the Head of Governance sought the Committee's approval of the draft consultation document, proposed stakeholder consultees and timetable for the proposed changes to the Council's decision-making structures, as required by the Local Government and Public Involvement in Health Act 2007.

At the full Council meeting on 29<sup>th</sup> April, 2010 approval was granted to the proposed timetable that would ensure that the final proposals, as set out in Appendix 1 of the report, could be considered by full Council before the end of 2010. Full Council had also delegated to this Committee the power to review and approve the final consultation documents and had approved an overview of those to be consulted. Appendix 2 of the report outlined the differences between the two models to be consulted upon and Appendix 3 set out the consultation information to be published on the Council's website and in Insight together with the additional documents which would be available through the website or on request.

The consultation process had been designed in line with the guiding principles set out by the Council Constitution Committee at its meeting on 13<sup>th</sup> April, 2010 and by full Council at its meeting on 29<sup>th</sup> April, 2010 whereby the nature and level of consultation needed to be proportionate to the issue to ensure that the resources diverted from the delivery of Council priorities were kept as low as was reasonably possible. The report outlined the proposed process which would meet the

requirements of the Local Government and Involvement in Public Health Act 2007 when changing the Council's Governance arrangements.

All the consultees, as set out in paragraph 5.4 of the report, would have the opportunity to vote on line or by correspondence with community consultation being through the Council's website and Insight. In addition, a letter would be sent to each Parish and Town Council, the stakeholders who made up the Local Strategic Partnership, and political associations.

Following the consultation exercise a preferred solution would be identified and agreed by full Council at its meeting on 7<sup>th</sup> October, 2010 with all the consultees being notified between the 11<sup>th</sup> October to 19<sup>th</sup> November 2010. Those consultees that had made specific representations would be contacted separately.

The Head of Governance informed the Committee that, following the General Election, the Coalition Government had issued a joint document setting out that local authorities would be allowed to revert to a committee based decision making structure and the top twelve cities would be required to have elected mayors. However, legislation was not expected to be agreed in time to halt the new executive arrangements process and the Head of Governance advised the Committee that, given the tight deadlines, it would be prudent to continue with the consultation process. In addition, the Democratic Services Manager assured Members that the costs of the consultation would be kept to a minimum.

Members expressed concern that resources could be used for a process that might be halted and it was agreed that the Chairman and the Leader should seek clarification from the Department of Communities & Local Government and that delegated authority be granted to the Head of Governance following consultation with these two Members to decide whether to proceed with the consultation exercise following receipt of such clarification. It was further agreed that the other Members of the Committee be informed of the clarification once received.

**RESOLVED -**

- (a) That the Chairman of the Council Constitution Committee and the Leader of the Council seek clarification from the Department of Communities & Local Government as to whether the requirements of the Local Government and Public Involvement in Health Act's with regard to new executive arrangements were to be withdrawn;**
- (b) That delegated authority be granted to the Head of Governance following consultation with the Chairman of the Council Constitution Committee and the Leader of the Council, to decide whether to proceed with the consultation process in line with the clarification received from the Department of Communities & Local Government.**

**CCC-5      REVISION OF COUNCIL CONSTITUTION**

The Head of Governance informed Members of the changes he was proposing to the Council's Constitution in order to make it into a more accessible and transparent document. He tabled details of the proposed new structure of the Constitution and the re-organisation of its existing provisions. If Members were in agreement with the proposed restructuring, the amended document would be submitted to full Council in November 2010 for approval.

The Committee welcomed the proposals and it was agreed that the Chairman of this Committee together with Councillors I.T.W. Fletcher and C.F. Smith should form a working group in order to provide member engagement to the redrafting process.

**RESOLVED:**

- (a) That the redrafting of the Council's Constitution, as outlined by the Head of Governance, be undertaken;**
- (b) That a Member Working Group comprising the Chairman of the Council Constitution Committee, Councillor I.T.W. Fletcher and Councillor C.F. Smith be set up to provide member engagement to the redrafting process.**

The meeting ended at 5.58 p.m.