

Report to the Finance, Resources & Partnerships Scrutiny Committee

17th June 2014

Constitutional Review Working Group – Future Work Plans



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Introduction

This note asks the Finance, Resources and Partnerships Scrutiny Committee to nominate members of the Scrutiny Committee to sit on the Constitutional Review Working Group (CRWG). The Working Group reports to the Scrutiny Committee.

Members may also take this opportunity to consider areas of work to include on the work plan for the CRWG for 2014.15.

Background & Issues

At the Transformation and Resources Overview & Scrutiny Committee (the previous name of the Finance, Resources & Partnerships Scrutiny Committee) meeting on 7th June 2010 it was resolved to set up a working group to review the Constitution.

The initial purpose of the review was to improve the Constitution so as to increase the understanding and accessibility of Members, officers and the public by recommending amendments and the removal of unnecessary provisions.

The Constitutional Review Working Group has continued to meet since that time, and has made a range of suggestions and recommendations for changes to the Constitution of the Council.

Members of the Working Group have largely been drawn from the membership of the Finance, Resources & Partnerships Scrutiny Committee, although members of the Scrutiny Committee may wish to nominate Members from across the entire Council's membership to sit on the Working Group.

The Working Group previously consisted of three members in 2013/14, one of whom has acted as a chair (previously the Chair of the Transformation & Resources Overview & Scrutiny Committee). This reflected the then-political composition of the Council (when there were three political groups).

Given the changes to the Council's membership following the Borough Council elections in May 2014 and the fact that there are now four political groups (and a single Green councillor), the Finance, Resources and Partnerships Scrutiny Committee are asked to make nominations to the Working Group.

The membership of the Working Group for 2013/14 was:

Cllr Elizabeth Shenton (Chair)
Cllr Mark Holland
Cllr Nigel Jones

As said, the former Chair of the Transformation & Resources Overview & Scrutiny Committee (Cllr Shenton) was also Chair of the Working Group in 2013/14.

Members of the Scrutiny Committee may wish to follow the same approach, or take a different view in terms of nominations to the Working Group.

In terms of work areas, a number of proposals from the Working Group and the former Transformation & Resources Overview & Scrutiny Committee during 2013/14 were approved by Full Council in April 2014. These included:

- Changes to the names of the Transformation & Resources Overview & Scrutiny Committee and Health Scrutiny Committee to the Finance, Resources & Partnerships Scrutiny Committee and Health & Well-Being Scrutiny Committee respectively
- The removal of the word 'Overview' from 'Overview and Scrutiny Committee'
- Removal of the Overview & Scrutiny Co-ordinating Committee
- Review of the remit of Scrutiny Committees
- Introduction of public question time at Scrutiny Committee meetings
- Introduction of substitutes for meetings involving elected Members

In terms of future work areas, there are a number of headings included in the Council's Constitution which could be the subject of review by the Working Group. These include:

- Operation of Full Council
- The Executive (Cabinet)
- Locality Working
- Scrutiny Committees

It should be said that a number of these areas are governed by legislation, but – equally – there are areas which can be reviewed and amended by the Council.

Previously, the Working Group has tended to meet on a monthly basis, with officers attending and reports have been tabled from the Working Group at meetings of the (then) Transformation & Resources O & S Committee before being considered by

Full Council. The general rule is that Full Council consider Constitutional amendments on an annual basis, usually in the Council meeting before Annual Council.

Questions to be Addressed

- Does the Committee wish to continue with a Constitutional Review Working Group?
- What size should the Working Group be (i.e. how many members)?
- Should each political group have a member on the Working Group?
- Should the Chair of the Working Group be the Chair of the Finance, Resources & Partnerships Scrutiny Committee?
- Should membership of the Working Group be drawn from this Scrutiny Committee alone or should Working Group members be nominated from across the Council?
- What items does the Committee wish to see the Working Group address as part of the latter's work plan for 2014/15?
- How often should the Working Group meet and what should be the reporting mechanism for the Working Group?

Outcomes

- To have decided on the formation of the Constitutional Review Working Group for 2014/15.
- To have outlined a work plan for the Working Group, together with a reporting schedule

Supporting Information

The Borough Council of Newcastle-under-Lyme – 'Constitution of the Council' (May 2014)

Invited Partners/Stakeholders/Residents

Monitoring Officer

Head of Business Improvement, Central Services & Partnerships

Democratic Services Manager

Legal Practice Administrator

Constraints

- Time constraints – having the necessary resources to carry out the work
- Work already completed on reviewing and amending the Constitution
- Legislative provision around particular aspects of the Constitution

Conclusions

This note outlines the process relating to the work of the Constitutional Review Working Group.

The note also requests the Scrutiny Committee to take a view on the future of the Working Group, including its composition and work plan.
Finally, the note requests the Committee to take a view on frequency of meetings for the Working Group and its reporting mechanisms.

Relevant Portfolio Holder(s)

Cllr Mike Stubbs – Communication, Policy and Partnerships

Background Materials

See ‘supporting information’

Appendices

None