

CORPORATE GOVERNANCE & AUDIT COMMITTEE: 11 MAY 2012

Title of report: Constitutional Working Party – Update on Work Programme

Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	N/A
Is it in the Council's Forward Plan?	N/A
Date signed off by <u>Director</u> & name Is it signed off by the Director of Resources? Is it signed off by the Acting Assistant Director - Legal & Governance?	David Smith, Director of Resources, 9 May 2012 No financial implications No legal implications
Cabinet member portfolio	Resources

Electoral wards affected: All

Ward Councillors consulted: N/A

Public or private: Public

1. Purpose of Report

To update Corporate Government and Audit Committee on the progress of the Constitutional Working Party in 2011/12 and to set out the areas of work to be considered in the 2012/13 Municipal Year.

2. Key Points

The Constitutional Working Party was established by Leading Members and has met on four occasions in 2011/12. During that period the Working Party has focussed on the following areas of work:

- Area governance and decision making
- Wider Council engagement in policy

The Localism Bill Act provides strong context for the Working Party, particularly in terms of emerging thinking in respect of the Council's response to our approaches to area based governance moving forward. It is for this reason that further work needs to take place in 2012/13 to establish the Council's position in this key area. It is intended that outcomes of such work will be presented to Council in September.

With regards to wider Council engagement in policy the Working Party proposes two options for consideration by Corporate Governance and Audit Committee and thereafter Annual Council:

Option 1 (Does not require changes to the constitution)

That Cabinet determines areas of policy development for 2012/13 to be the subject of wider councillor engagement. As part of that process councillors will have the opportunity to identify areas for such consideration. Once priority areas are agreed, existing Executive governance arrangements will be used to undertake the detailed work, the recommendations of which will be considered by Cabinet.

Option 2 (Will require changes to the constitution in September 2012)

That work takes place between now and September 2012 to revisit and refresh the Council's Policy Framework. The Framework will thereafter be used as a basis for Full Council to establish a time limited Policy Advisory Committee that will undertake detailed work that is reported to Full Council who will thereafter agree policy and request Cabinet implement such policy.

NOTE: Due to timing of the last meeting of the Working Party, which fell in the purdah period, Cabinet have not yet been formally consulted.

3. Implications for the Council

The proposals in terms of policy development will potentially have implications for the Council's constitution in the context of the role of Full Council and its relationship with the Executive.

The wider work associated with area governance, to be undertaken in 2012/13, will similarly have potential implications for the Council's wider governance and decision making arrangements depending on the outcome of such work.

4. Consultees and their opinions

The following have been consulted and agree the contents and proposals contained therein:

Cllr Andrew Palfreeman, Chair of the Constitutional Working Party
Adrian Lythgo, Chief Executive
David Smith, Director of Resources

Vanessa Redfern, Acting Assistant Director of Legal, Governance and Monitoring

Kim Brear, Assistant Director, Streetscene and Housing

John Heneghan, Policy and Partnership Manager

5. Next steps

Following consideration by the Corporate Governance and Audit Committee, this report will be referred for consideration by Annual Council on 23 May 2012.

6. Officer recommendations and reasons

That Corporate Governance and Audit Committee:

- (i) Notes the work undertaken by the Constitutional Working Party in the 2011/12 Municipal Year and the proposed focus of activity for 2012/13
- (ii) Consider the options for wider engagement in policy as detailed at 2 above and thereafter make recommendations to the meeting of Annual Council on 23 May.

7. Cabinet portfolio holder recommendation

See above

8. Contact officer and relevant papers

Contact Officer:

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Background Papers:

Minutes of the Constitutional Working Party 2011/12

9. Assistant director responsible

Vanessa Redfern, Acting Assistant Director for Legal, Governance and Monitoring