

**Meeting: ANNUAL COUNCIL**

**Date: 23<sup>RD</sup> MAY 2006**

**CONSTITUTIONAL ISSUES**

(Constitutional Services)

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**1 PURPOSE**

For Council to consider various matters relating to the political management structure of the Council.

This report was not circulated 5 clear days before the meeting, nor was it available for public inspection during that time. Accordingly the Mayor will be asked to accept the report as urgent as it is necessary to determine the Executive Portfolios and Terms of Reference in order to establish the political management structure for the 2006/2007 Municipal Year.

**2 RECOMMENDATIONS**

2.1 That the Executive Portfolios, as set out at Appendix A to this report, be approved.

2.2 That the Terms of Reference for the Executive, Scrutiny Bodies, other Committees of the Council, various Joint Committees and Executive bodies, as set out below and detailed in the various appendices to this report, be approved –

- The Executive (Appendix B)
- Scrutiny Overview Committee (Appendix C)
- Housing and Health Scrutiny & Value For Money Panel (Appendix D)
- Environment Scrutiny & Value For Money Panel (Appendix E)
- Economic Regeneration Scrutiny & Value For Money Panel (Appendix F)
- Transforming Council Services Scrutiny & Value For Money Panel (Appendix G)
- Partnership & Community Safety Scrutiny & Value For Money Panel (Appendix H)
- Community & Culture Scrutiny & Value For Money Panel (Appendix I)
- Equalities Scrutiny & Value For Money Panel (Appendix J)
- Planning & Development Committee (Appendix K)
- Licensing Committee (Appendix L)
- General Purposes Committee (Appendix M)
- Appointments Committee (Appendix N)
- Standards Committee (Appendix O)
- Statement of Accounts Committee (Appendix P)
- Audit Committee (Appendix Q)
- Area Committees x 6 (Appendix R)
- Stevenage/HCC Highways Joint Member Panel (Appendix S)

- Stevenage/North Herts. /Herts. County Council Joint Primary Care Trust Scrutiny Committee (Appendix T)
- Employer Side – Joint Consultative Committee (Appendix U)
- Appeals & Grievances Panel (Appendix V)
- Stevenage/Uttlesford Joint Audit Partnership Committee (Appendix W)
- Performance, Priorities & Improvement Group (Appendix X)
- Stevenage/North Herts. /East Herts. Joint CCTV Committee (Appendix Y)

2.3 That subject to Council's approval of 2.1 and 2.2 above the Council's Standing Orders and other relevant Sections of the Constitution be amended accordingly.

2.4 That Council approves the dates for Council meetings for the Municipal Year as shown at paragraph 4.9 and notes the draft dates for other meetings, as set out at Appendix Z.

### **3 BACKGROUND**

3.1 Council is asked to approve the Executive Portfolios and Terms of Reference of the various Committees and Panels as part of its Scheme of Delegations.

3.2 Meetings of the Council are to be held in accordance with a programme of meetings approved at the Annual meeting.

### **4 REASONS FOR RECOMMENDED COURSE OF ACTION AND OTHER OPTIONS**

#### **Executive Portfolios**

4.1 The Executive Portfolios have remained largely unchanged since Council adopted the Leader/Executive model in 2001. Consideration has been given to these Portfolios in consultation with a number of 2005/2006 Executive Members and these discussions have been reflected in the revised details shown at Appendix A.

#### **Terms of Reference**

4.2 Whilst in the main Terms of Reference for the various bodies are unchanged there are some alterations to the Political Management structure recommended.

4.3 In place of the 4 Scrutiny Panels mirrored by 4 Review Panels a series of Scrutiny and Value for Money Panels are recommended. The detailed Terms of Reference for the Panels are set out at Appendices D-J and it can be seen that these broadly reflect the recommended Executive Portfolios. The Partnership & Community Safety Panel is more crosscutting as it considers the Council's relationships with other agencies and outside bodies.

4.4 Concerning the Stevenage/North Herts./ Herts. County Council Joint Primary Care Trust Scrutiny Committee, with the restructuring of the NHS this Committee will cease to exist in its current form. However the 2005/2006 Joint Committee indicated that they wished the Committee to meet at least one more time before the implementation of the new structures in October and therefore the Terms of Reference of that Joint Committee have been submitted for approval at this time

4.5 The Terms of Reference of two new bodies are recommended; the Audit Committee, an Advisory Committee of the Council; and the Stevenage/North Herts. /East Herts. CCTV Executive Board, the latter being an Executive Appointment.

- 4.6 The Audit Committee is being recommended to Council in accordance with advice from the Audit Commission and CIPFA as a key aspect of corporate governance. It is considered that such a body will help raise the profile of internal control, risk management and financial reporting issues within the Council, as well as providing a forum for discussion of issues raised by internal and external auditors.
- 4.7 Specific advice has been given regarding the membership of the Audit Committee with the Chair being a Councillor who is neither an Executive Member, nor a serving Member of a Scrutiny Committee or Panel. It is also recommended that the membership of the Committee includes an Independent non-elected member. In the event of Council agreeing to establish this Committee arrangements will be put in place to appoint such a person.
- 4.8 The CCTV Board is an Executive body to be constituted jointly with North and East Herts. District Councils, our partners in the CCTV initiative. This formalises the previous ad hoc arrangements for Member involvement.

#### **Amendments to the Constitution**

- 4.9 If the recommended Executive Portfolios and Terms of Reference are agreed consequential amendments to the Constitution will be required to reflect any changes from those agreed for 2005/2006.

#### **Dates of Council meetings**

- 4.10 To comply with Standing Orders the Council should approve its programme of meetings annually. The approval of dates of Council meetings for the year does not preclude extraordinary meetings being called by the Chief Executive, in consultation with the Mayor; nor for the date, time or place to be altered where a material change of circumstances makes it necessary. The dates proposed for Council are as follows-

12<sup>th</sup> July 2006

30<sup>th</sup> August 2006 (Provisional date for either a Council or Executive meeting in the event of any outstanding matters concerning Stevenage Homes Limited)

4<sup>th</sup> October 2006

6<sup>th</sup> December 2006

31<sup>st</sup> January 2007 (Special Meeting – HRA)

28<sup>th</sup> February 2007 (to include 2007/2008 Budget)

4<sup>th</sup> April 2007

23<sup>rd</sup> May 2007 – Annual Council.

- 4.11 The dates of other meetings set out at Appendix Z may have altered from those quoted in the draft calendar circulated to all Members dated 23<sup>rd</sup> March 2006. In particular, that version of the calendar quoted dates for Scrutiny Panels based on the 2005/2006 structure. These dates have now been deleted and the dates of meetings of the Scrutiny & Value for Money Panels will be set as and when they are required, dependent upon their individual workplans. All other meetings not quoted on the

calendar will be convened as and when required, in consultation with the relevant Members.

## **BACKGROUND DOCUMENTS**

- The Council's Constitution

## **APPENDICES**

- Appendix A – Proposed Executive Portfolios
- Appendices B – Y – Proposed Terms of Reference
- Appendix Z – Draft Calendar of meetings