

Meeting: COUNCIL
Date: 26 MAY 2010

Agenda Item: 6

CONSTITUTIONAL ISSUES

Author - Jackie Cansick Ext No. 2216
Lead Officer - Nick Parry Ext No. 2225
Contact Officer - Jackie Cansick Ext No. 2216

1. PURPOSE

To consider various matters relating to the political management structure of the Council for the forthcoming Municipal Year.

2. RECOMMENDATIONS

2.1 That the Terms of Reference, as detailed in the appendices to this report; and the size and political composition for the following bodies that form the political management structure of the Council, be approved:

- The Executive (Appendix A) – 8 Members
- Scrutiny Overview Committee* (Appendix B) – 13 Members (9 Majority Group, 3 Opposition Group, 1 Minority Opposition Group)
- Planning & Development Committee* (Appendix C) – 13 Members (9 Majority Group, 3 Opposition Group, 1 Minority Opposition Group)
- Licensing Committee (Appendix D) – 13 Members (9 Majority Group, 3 Opposition Group, 1 Minority Opposition Group)
- General Purposes Committee* (Appendix E) – 13 Members (9 Majority Group, 3 Opposition Group, 1 Minority Opposition Group)
- Appointments Committee* (Appendix F) - 6 Members (4 Majority Group, 1 Opposition Group, 1 Minority Opposition Group)
- Standards Committee (Appendix G) – 9 Members (4 Majority Group, 1 Opposition Group, 1 Minority Opposition Group, 3 Independent non-elected)
- Audit Committee* (Appendix H) – 6 Members (4 Majority Group, 1 Opposition Group, 1 Minority Opposition) + 1 Co-opted non-elected member
- Action Teams (Area Committees of the Council) x 6 (Appendix I) – comprising the relevant Ward Members for each Area
- Statement of Accounts Committee* (Appendix J) – 6 Members (4 Majority Group, 1 Opposition Group, 1 Minority Opposition Group)
- Stevenage/HCC Highways Joint Member Panel (Appendix K) – 6 (1 Member from each Action Team Area) + 6 HCC Members

* Indicates where those bodies covered by the rules of proportionality for the purposes of the Local Government (Committees and Political Groups), Regulations 1990.

- 2.2 That the Executive Portfolios, as set out at Appendix L to this report, be approved.
- 2.3 That subject to Council's approval of 2.1 and 2.2 above, the relevant sections of the Council's Constitution be amended accordingly.
- 2.4 That it be noted that Ananda Hale and Allen Holland will continue to serve as Independent Members of the Standards Committee (see also Agenda item 15)
- 2.5 That Council approves the dates for Council meetings for the Municipal Year, as shown at paragraph 4.6 and notes the draft dates for other meetings as shown at Appendix M.
- 2.6 That it be noted that a review is being undertaken of the Council's representation on the various outside bodies shown at item 14 of this agenda which may result in some of the appointments made to be terminated.

3. BACKGROUND

- 3.1 The political management structure, the terms of reference of the comprising bodies and the Executive Portfolios are matters to be determined by Council. The political management structure and Executive Portfolios recommended are little changed from 2009/2010, and as the Council is required to approve its Statement of Accounts by 30 June and there is no Council meeting scheduled for that time it is proposed that the Council delegate this function to a Statement of Accounts Committee as it has done in previous years.

4. REASONS FOR RECOMMENDED COURSE OF ACTIONS AND OTHER OPTIONS

Terms of Reference and Composition

- 4.1 The terms of reference for the various bodies appointed by Council are detailed in Appendices A-K to this report. There are limited amendments to the terms of reference approved for the 2009/2010 Municipal Year other than the revisions necessary to those for the Scrutiny Overview Committee to take account of the statutory requirement for a Petitions Scheme, see item 16 on the agenda.
- 4.2 Unlike previous years the proposed composition of the Committees of the Council is based on the rules of proportionality as set out in the Local Government (Committees and Political Groups), Regulations 1990. In the event that Council decides to make amendments to any of the proposed size of these bodies, or the allocation of places to the individual political groups it may be necessary to revisit these rules to ensure compliance.

Executive Portfolios

- 4.3 The Executive Portfolio Areas recommended are the same as those for 2009-2010.

Independent Members - Standards Committee

- 4.4 In order to comply with the relevant legislation the membership of the Standards Committee must include at least one-quarter non-elected independent members. With a total membership of nine three such individuals must be appointed. The non-elected independent members currently serving on the Committee are Ananda Hale and Allen Holland. Stewart Gillies, who has served as Chair to the Committee since 2006 has resigned. Item 15 on this agenda addresses the appointment of a new member.

Dates of Council meetings

- 4.5 To comply with Standing Orders the Council should approve its programme of meetings annually. The approval of dates for 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:
- Wednesday 14 July 2010
 - Wednesday 6 October 2010
 - Wednesday 8 December 2010
 - Wednesday 26 January 2011 (Extraordinary Meeting – Rent setting)
 - Wednesday 23 February 2011
 - Wednesday 30 March 2011 (Extraordinary Meeting if required for final Local Development Plan approvals)
- 4.6 A provisional calendar of formal meetings is also appended to this report. This calendar will be subject to change and any alterations to dates of meetings, additions and cancellations will be notified to Members. The calendar of formal meetings also appears on the Council's website and is updated as required.

Appointments to Outside Bodies

- 4.7 At item 14 on this agenda Council is asked to consider its representation on a number of outside bodies. It has been sometime since this list has been reviewed and this is currently being considered by officers. The outcome of this review may result in recommendations to delete particular organisations from this list or to reconsider whether it remains appropriate for a Councillor to serve given the potential for conflicts of interest or personal liabilities.

BACKGROUND PAPERS

- The Council's Constitution

APPENDICES

- Terms of Reference (Appendices A - K)
- Executive Portfolios (Appendix L)
- Provisional calendar of meetings (Appendix M)