

REPORT OF THE
Chief Executive
PART I

2. CONSTITUTIONAL MATTERS

Governance Arrangements

1. As part of its Local Authority Governance Arrangements, the County Council is required, in accordance with Section 9 P of the Local Government Act 2000 (as amended), to prepare, keep up-to-date, and publicise its Constitution. The County Council's Constitution was adopted on 30 March 2001. The Constitution has been updated from time to time since this date as a result of changes in the law and in accordance with the County Council's own procedural requirements, which have been reviewed when required to ensure best practice, continued fitness for purpose, and to ensure that the Constitution continues to meet operational needs. This remains an ongoing process.

2. In this regard, a small Members Task and Finish group ('Group') was set up by the previous County Council to review the governance arrangements of the Council, in light of changes available to the County Council afforded by the Localism Act 2011. It is obvious from the work of the Group that there are a number of options, sub-options and variations on different themes around governance. However whilst different options are available, the work of the Group demonstrated that the County Council's existing governance arrangements are robust and secure.

3. Now that a new County Council has been elected, the immediate task is to get the new Council up and running. Therefore, for now the existing model of governance arrangements should remain for continuity of business purposes. In the current challenging financial climate within which the County Council is operating, resources will continue to be constrained for the foreseeable future, and therefore the efficiency and effectiveness of any governance model is a key priority.

4. As Members will be aware, there is currently provision in the Calendar of Meetings for June and July for meetings of both the Executive, and Select Committees and other Committees and Panels of the County Council. Given the recommendation in this report to keep the status quo for the time being, it is suggested that the current Calendar of Meetings be kept until such time as any change in the County Council's governance arrangements is agreed. At this time the Calendar of Meetings would be reviewed to take account of any such changes. It is however suggested that, given the number of new Members on the Council and consequential changes on Committees, that meetings of Select Committees scheduled in June and July be primarily used for the induction of new Members and for the Select Committees to consider their work plans for the coming year.

Appointment of Deputy Members on Committees and Panels of the County Council

5. Currently there is provision in the Constitution for the appointment of

Deputy Members to Regulatory Committee A and to the Buildings, Land and Procurement Panel (BLAPP). With the new Council there are now five political groups, including four minority political groups. The inevitable consequence of the make-up of the new Council is that representation of minority political groups on the County Council's Committees and Outside bodies is limited, in certain cases to just one Member. It is recognised that this could lead to difficulties in representation from minority political groups from time to time when the Member appointed was unavoidably unable to attend.

6. It is therefore suggested that the existing arrangements in respect of Deputy Members on Regulatory Committee A and BLAPP are revised, so that instead of the current arrangements the County Council appoints a single Deputy Member from each political group appointed to any Committee or Panel of the County Council to which proportionality applies, to deputise for any Ordinary Member where the Ordinary Member is unable to attend a Meeting of such Committee or Panel.

RECOMMENDATIONS

- (a) That no change is made for the time being to the County Council's existing Governance Arrangements and Calendar of Meetings, subject to paragraph 4 above.
- (b) That provision be made in the Constitution for the appointment of a Deputy Member for each Political Group represented on Committees and Panels of the County Council to which proportionality applies to deputise for any Ordinary Member unable to attend any Meeting of any such Committee or Panel of the County Council.
- (c) That delegated authority be given to the Head of Governance to make suitable amendments to the Constitution to effect the recommendation at (b) above, and to secure appropriate governance arrangements for the attendance of Deputy Members at Meetings of Committees and Panels of the County Council.
- (d) That otherwise the existing Constitution of the County Council is confirmed.