

2. CONSTITUTION AND MEMBER SERVICES STANDING PANEL

Introduction by the Chairman:

"To be inserted." Photo

Councillor Maggie McEwen

April 2009

The Constitution and Member Services Standing Panel consisted of the following members:

Councillor Mrs M McEwen (Chairman)

Councillor R Morgan (Vice Chairman)

Councillors Mrs P Brooks, J Demetriou, Mrs J Hedges, J Markham, J Philip, B Rolfe, Mrs M Sartin, D Stallan and Mrs J H Whitehouse.

The Lead Officer was Ian Willett, Assistant to the Chief Executive.

Terms of Reference

To undertake reviews of constitutional, civic, electoral and governance matters and services for members on behalf of the Overview and Scrutiny Committee and to report to the Overview and Scrutiny Committee, the Council and the Cabinet with recommendations on matters allocated to the Panel as appropriate.

The Panel scrutinised a number of important issues over the last year, which included:

(i) Review of May 2008 Elections – The Panel reviewed the May 2008 elections and feedback their findings and views to the Returning Officer and the main Overview and Scrutiny Committee. They made several suggestions on the running of elections and the set up of the count generally for consideration by the Returning Officer.

(ii) Government Consultation Document – moving the date of the 2009 elections – The Panel discussed the possibility of holding the upcoming European and County elections on the same day. After a full discussion the Panel agreed that the elections be combined and the date should be moved to 4 June 2009.

(iii) Ministry of Justice Consultation Paper on Weekend Voting – The Panel considered the consultation paper on weekend voting. The government was concerned about low turnouts in elections, a current initiative to raise voter turnout was to provide for weekend voting instead of the more traditional weekday polling day. The District Council had publicised the consultation on its website, but there had been little response.

(iv) Council Business – The Panel considered the review of the contract standing orders and a report on the Civic Ceremonial Review. The review was to concentrate on the operation of the Office of the Chairman, the functions of the Chairman and Vice Chairman, and aspects of the management of the civic aspect of full Council meetings. They also considered a review of provisions relating to consultants. There had been concerns expressed about the process for recruiting consultants in various directorates of the Council, this focused on the engagement of consultants for extended periods, often to cover established posts. However, in some

of these cases there had not always been evidence of adequate market testing to demonstrate value for money. Consultants were often engaged and retained at high cost which may have adversely affected the number of staff hours available to the Council.

The panel also considered a consultation paper on 'Standing for Office, Time off Entitlements'. Communities and Local Government were now inviting comments on the recently released consultation paper in respect of Time-Off Entitlements. There were a number of specific comments and questions on which the consultation paper invited a response.

Another consultation paper on lowering the voting age to 16 was also considered by the Panel who made an appropriate response to the Youth Commission.

(v) Review of Executive Constitution – The Panel considered the Local Government and Public Involvement in Health Act 2007 – Executive Constitution. The Act made a number of changes to the operation of local authority Executives particularly the powers of the Leader of the Council. The Act had prescribed two types of executive: Elected Mayor and Cabinet; or Leader and Cabinet. The Council had been operating the Leader and Cabinet model since 2000 but differently from the 2007 Act version. The Council now needed to amend its Constitution to accord with the 2007 Act.

(vi) Review of Civic Ceremonial Arrangements – The Panel noted that there was confusion about the respective roles of the Chairman and Leader. This should be alleviated through production of an "Easy Guide" which would explain the different roles whilst also promoting the Chairman of Council. Past Chairmen had given their views on this and the Panel considered their suggestions. The Panel then considered the type of transport a Chairman should have access to and how to improve identification of the Chairman at events. The Panel also decided that the Chairman's role was apolitical and may be better suited to the promotion of democratic involvement. In the light of these Governmental proposals, the Constitution would need amending to change the Chairman's role to promote democracy.

(vii) Member Training Programme 2009/10 – The Panel reviewed the training courses that would be of interest to members in the coming year.

(viii) Review of Overview and Scrutiny – The Panel undertook a review of Overview and Scrutiny procedures, focusing mainly on operational matters regarding the scrutiny system.