



Report of the Assistant Chief Executive (Corporate Governance)

Full Council

Date: 24 February 2010

Subject: Recommendations from General Purposes Committee - Constitution amendments

Electoral Wards Affected:

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Executive Summary

1. This report sets out recommendations to Council from the General Purposes Committee at its meeting on 8 February 2010, relating to amendments to the constitution. The principal recommendations are detailed below.
2. The report sets out a recommendation to amend the Area Committee Procedure Rules, concerning the appointment of Chairs to ward based Community Forums, so that they reflect political balance in the relevant ward.
3. The report sets out a recommendation to amend the Appointments to Outside Bodies Procedure Rules so that the delegated authority of the Assistant Chief Executive (Corporate Governance) under Rule 4.6(iii) of the Rules, (to make appointments where appointments are requested before the next meeting of the Member Management Committee), may be exercised with the agreement of all Group Whips or their nominee, instead of requiring the agreement of all members of the Member Management Committee.
4. The report also seeks the approval of full Council to an amendment to the Officer Delegation Scheme (Council (non-executive) Functions), to concurrently delegate functions relating to the licensing of market and street trading to the Chief Economic Development Officer, following the concurrent delegation of executive functions to that officer by the Leader.

1.0 Purpose Of This Report

- 1.1 This report presents recommendations to Council from the General Purposes Committee in relation to proposed amendments to the constitution.

2.0 Background Information

- 2.1 General Purposes Committee is authorised to consider proposals to amend the constitution, and make recommendations to full Council. At its meeting on 8 February 2010, the General Purposes Committee considered three items relating to amendments to the constitution. This report sets out the recommendations from General Purposes Committee relating to those items.

3.0 Main Issues

Appointment of Chairs to Ward Based Community Forums

- 3.1 A joint report was submitted by the Director of Environment and Neighbourhoods and the Assistant Chief Executive (Corporate Governance) which had been produced at the request of the Executive Member (Neighbourhoods and Housing). This asked Members to agree an amendment to the Area Committee Procedure Rules concerning the appointment of Chairs to Ward based Community Forums.
- 3.2 Where Area Committees have established Ward based Community Forums, the Chairs of those Forums are currently appointed differently, dependant upon the area of the City. There is currently no requirement for appointment of Chairs to reflect the political balance of the wards to which they relate.
- 3.3 The General Purposes Committee therefore recommended an amendment to Rule 7 of the Area Committee Procedure Rules, to ensure that appointments of Forum Chairs more accurately reflect the political balance of the wards in question, and provide for any disputes over appointment to be referred to the Member Management Committee for resolution. Appendix 1 sets out the amendment recommended by General Purposes Committee.

Appointments to Outside Bodies Procedure Rules

- 3.3 Under the Outside Bodies Procedure Rule 4.6, the Assistant Chief Executive (Corporate Governance) has delegated authority to make appointments “where an organisation requires an appointment to prior to the next meeting of the Member Management Committee, subject to this appointment being agreed by members of the Member Management Committee.”
- 3.4 Although this delegation has only rarely been used, such instances that do arise are often in relation to appointments required at short notice. The requirement has therefore proven difficult.
- 3.5 General Purpose Committee therefore recommended that the requirement is amended to provide for the agreement of the relevant Group Whip or their nominee only. Member Management Committee has been consulted on this proposal and is supportive of it.
- 3.6 Appendix 2 sets out the proposed amendment to Rule 4.6

Amendment to Officer Delegation Scheme (Council (non-executive) Functions)

3.7 General Purposes Committee also considered a report from the Assistant Chief Executive (Corporate Governance) which set out amendments made by the Leader, to the Officer Delegation Scheme (Executive Functions) including functions to the Chief Economic Development Officer. Members will note that a full report on these amendments will be considered as a separate item at this meeting.

3.8 In addition to those executive functions, General Purposes Committee recommended full Council make a delegation to the Chief Economic Development Officer of a council function, which relates to the licensing of market and street trading. This is already delegated to the Director of City Development and so the new delegation would be concurrent to this. The proposed amendment to the Officer Delegation Scheme (Council Functions) is set out at Appendix 3 to this report.

4.0 Implications for Council Policy and Governance

4.1 It is in accordance with good governance principles to review and update the constitution on a regular basis.

5.0 Legal and Resource Implications

5.1 There are no legal and resource implications arising from the proposed amendments.

6.0 Conclusions

6.1 Full Council are recommended to approve the proposed amendments, as set out in the attached appendices.

7.0 Recommendations

7.1 Council are recommended to resolve to:

- Approve an amendment to Rule 7 of the Area Committee Procedure Rules as set out in appendix 1, (the amendment to be effective from the Annual Meeting May 2010).
- Approve an amendment to Rule 4.6(iii) of the Appointments to Outside Bodies Procedure Rules as set out in appendix 2 to this report; and
- Approve the delegation to the Chief Economic Development Officer as set out in appendix 3 to this report.

