

Audit and Governance Committee

8 December 2015

Is the final decision on the recommendations in this report to be made at this meeting?

Yes

Appointment of Independent Member to the Constitution Review Working Party

Final Decision-Maker	Audit and Governance Committee
Portfolio Holder	Leader – Councillor Jukes
Lead Director	Lee Colyer, Director of Finance and Corporate Services
Head of Service	Jane Clarke, Head Policy and Governance
Lead Officer/Report Author	Wendy Newton-May, Democratic Services Team Leader
Key Decision?	No
Classification	Non-exempt
Wards affected	N/A

This report makes the following recommendations to the final decision-maker:

1. To appoint an Independent Member to the Constitution Review Working Party

This report relates to the following corporate priorities:

- A Prosperous Borough
- A Green Borough
- A Confident Borough

Timetable

Meeting	Date
Management Team	N/A
Discussion with Portfolio Holder	N/A
Cabinet Advisory Board	N/A
Cabinet	N/A
Council	N/A
Audit and Governance Committee	8 December 2015

Appointment of Independent Member to the Constitution Review Working Party

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to appoint one of the Independent Members to the Constitution Review Working Party (CRWP), who will also be required to take on the role of Chairman.

2. INTRODUCTION AND BACKGROUND

- 2.1 Since July 2012 the CRWP has fallen under the remit of the Audit and Governance Committee. The membership is usually approved by Annual Council, following nomination from the Leader of the Council, however the terms of reference specify that the Working Party include one Independent Member, who is also appointed as Chairman.
- 2.2 Max Lewis has been the Chairman of the Working Party for the past three years, however he has now completed his term of office for the Audit and Governance Committee and therefore is no longer eligible to be a member of the CRWP.

3. AVAILABLE OPTIONS

- 3.1 To enable the CRWP to operate within its terms of reference another Independent Member is required to be appointed as Chairman.
- 3.2 An alternative option would be to amend the terms of reference, but this is not recommended as the Independent Member has a important role in ensuring independent scrutiny.

4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 It is recommended that one of the Independent Members is appointed to the CRWP to act as Chairman of the group.

Role of the CRWP

- 4.2 As the CRWP is not a decision making body, any decision making in respect of the CRWP recommendations would be made at the Audit and Governance Committee and Full Council.
- 4.3 The CRWP's role is to give early feedback to the Monitoring Officer who is responsible for bring forward reports concerned with the Constitution. To enable political input in connection with any changes to the Constitution, it has worked well for the CRWP to consist of a member of the Cabinet, a member representing the back benchers of the ruling group, and a member representing the opposition.
- 4.4 It has also proved important to have an Independent Member to ensure independent scrutiny and oversight to the Working Party's deliberations.

5. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 5.1 The appointment of the Independent Member will be made at the meeting and communicated in the minutes of this meeting.
- 5.2 Once the appointment has been made, a meeting of the CRWP will be arranged.
-

6. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off (name of officer and date)
Legal including Human Rights Act	The Constitutional Review Working Party plays a major role in ensuring the Council's Constitution and Council Procedures remain fit for purpose. Having an Independent Member chair this group ensures independent scrutiny and oversight to the Working Party's deliberations.	John Scarborough
Finance and other resources	There are no financial implications.	Lee Colyer
Staffing establishment	There are no staffing implications.	
Risk management	There are no risk management implications.	
Environment and sustainability	There are no environment implications.	
Community safety	There are no community safety implications.	
Health and wellbeing	There are no health and wellbeing implications.	
Equalities	The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no apparent equality impact on end users.	

7. REPORT APPENDICES

None

8. BACKGROUND PAPERS

None