



11 September 2017

CONSTITUTION WORKING PARTY

A meeting of **Constitution Working Party** will be held on

Tuesday, 19 September 2017

commencing at **11.00 am**

The meeting will be held in the Meadfoot Room, Town Hall, Castle Circus,
Torquay, TQ1 3DR

Members of the Committee

Councillor Bye

Councillor Hill

Councillor Kingscote

Councillor Morey

Councillor Stocks

Councillor Tolchard

Councillor Tyerman

A prosperous and healthy Torbay

For information relating to this meeting or to request a copy in another format or language please contact:

June Gurry, Town Hall, Castle Circus, Torquay, TQ1 3DR

Email: governance.support@torbay.gov.uk

www.torbay.gov.uk

CONSTITUTION WORKING PARTY AGENDA

1. **Election of Chairman/woman**
To elect a Chairman/woman for the Constitution Working Party.
2. **Apologies for Absence**
To receive an apologies for absence, including notifications if any changes to the membership of the Working Party.
3. **Review of Constitution - Leader and Cabinet Model of Governance** (Pages 3 - 6)
To consider a report that sets out the approach for reviewing the Constitution in relation to the Leader and Cabinet Model of Governance.



Meeting: Constitution Working Party

Date: 19 September 2017

Wards Affected: All

Report Title: Review of Constitution – Leader and Cabinet Model of Governance

Is the decision a key decision? No

When does the decision need to be implemented? May 2019

Executive Lead Contact Details: Mayor Oliver, Mayor and Executive Lead for Finance, Regeneration and Corporate Services, (01803) 207001 and mayor@torbay.gov.uk

Supporting Officer Contact Details: June Gurry, Governance Support Manager, (01803) 207012 and june.gurry@torbay.gov.uk

1. Introduction

The Constitution Working Party was formed by Council in May 2016, the aim of the working party is to oversee the review and amendments to the Constitution as the Council moves from a Mayoral form of governance to a Leader and Cabinet model.

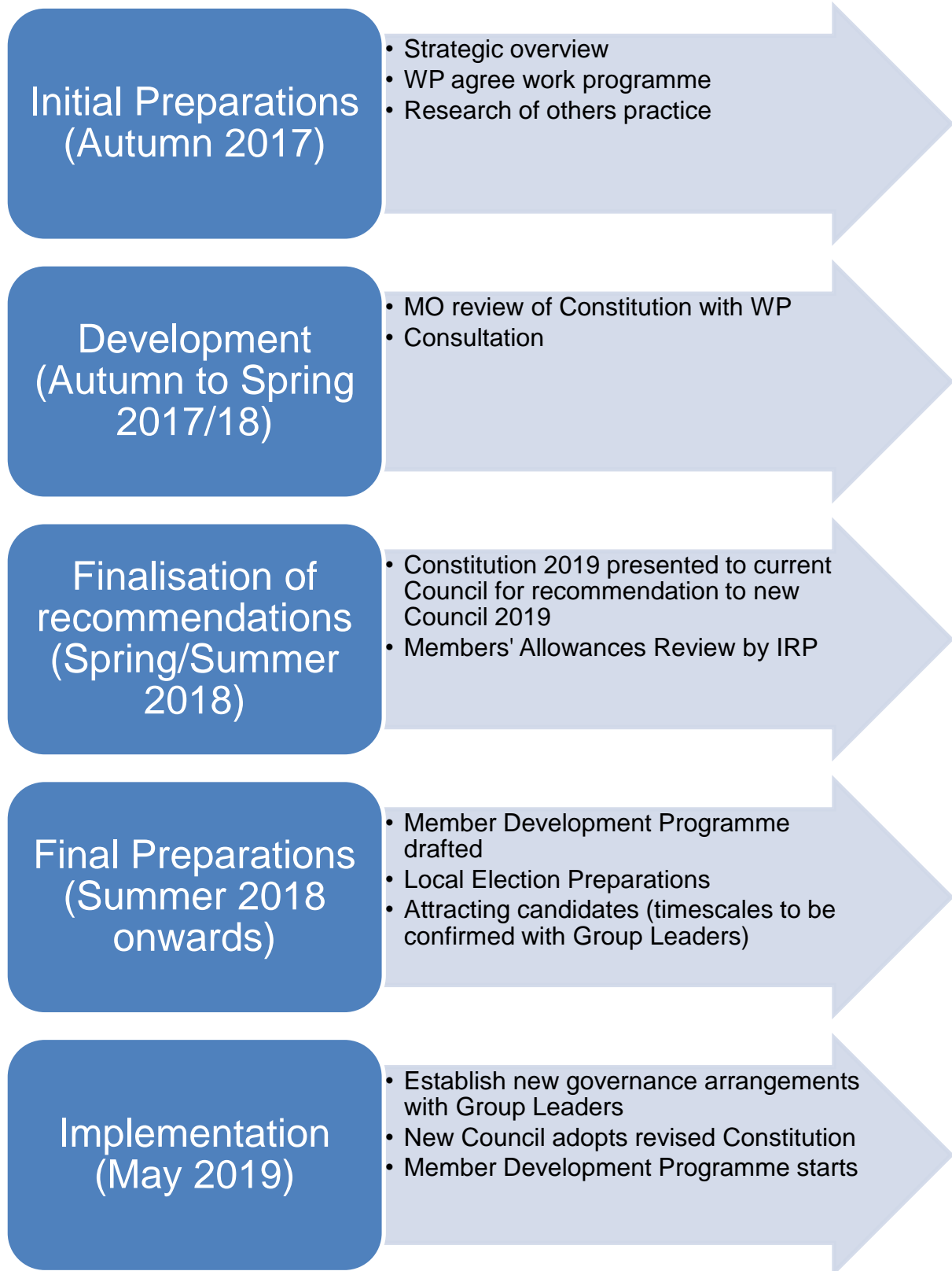
2. Approach to the Review

The review will give the Constitution Working Party a good opportunity to review the Council's governance approach and its operation at a strategic level. The Monitoring Officer with assistance from the Governance Support Manager will then update the Constitution accordingly and to reflect the Cabinet and Leader system of governance. Once updated the documents will be presented to the Constitution Working Party for review ultimately ending with a Constitution that can be recommended to Council for approval.

It is anticipated that the revised Constitution will be presented to the current Members of Council for approval with a recommendation that the new Council adopts the Constitution. Once the new administration has been established and the Constitution has been 'used' a further review will be undertaken to ensure it is fit for purpose.

Set out below is a proposed timeline and work programme.

3. Timeline



4. Work Programme

Topic	Sections of Constitution	Topics to consider when reviewing	Deadline
<p>Council decision making structure</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 5</p>	<p>Articles Responsibility for functions Standing Orders</p>	<p>Approach to developing decisions – Executive Leads, majority group and all member consultation prior to report publication</p> <p>Cabinet – collective decision making or delegated decision making</p> <p>Overview and Scrutiny</p> <p>Number, size and frequency of committees, cabinet and council meetings</p> <p>Level of officer delegation</p> <p>Local choice functions (eg. Harbours)</p>	
<p>Approach to Policy Framework and Budget Setting</p>	<p>Articles Standing Orders</p>	<p>Early identification of budget proposals and community engagement/consultation</p> <p>Development of policy framework documents</p>	
<p>Key Decisions</p>	<p>Standing Orders</p>	<p>Is the definition of a key decision fit for purpose, should the thresholds be increased?</p> <p>Publication of notice of key decision (forward plan) Leader decision 28 days – statutory minimum notice required. Council decision currently 3 months, should this be in line with the 28 days – statutory minimum.</p>	

Topic	Sections of Constitution	Topics to consider when reviewing	Deadline
Leader and Cabinet	Articles Local Protocols Job Descriptions	<p>How will the leader be appointed?</p> <p>Length of appointment</p> <p>Chief Executive recommendation to Leader on Cabinet Members portfolios</p> <p>Cabinet Support members</p> <p>Cabinet meeting structure and approach to public participation</p>	
Council meetings Page 6	Standing Orders Local Protocols	<p>Approach to Council meetings – briefings, content, officers’ role, public participation.</p> <p>Appointment of outside bodies – number of outside bodies, appointment term.</p>	
Member and Officer Roles	Local Protocols Standing Orders Job Descriptions	<p>Chairman – name</p> <p>Role of first citizen</p> <p>Civic protocol to be introduced as part of Constitution</p> <p>Review/update of Job Descriptions</p> <p>Review/update Local Protocols</p>	