



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

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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.

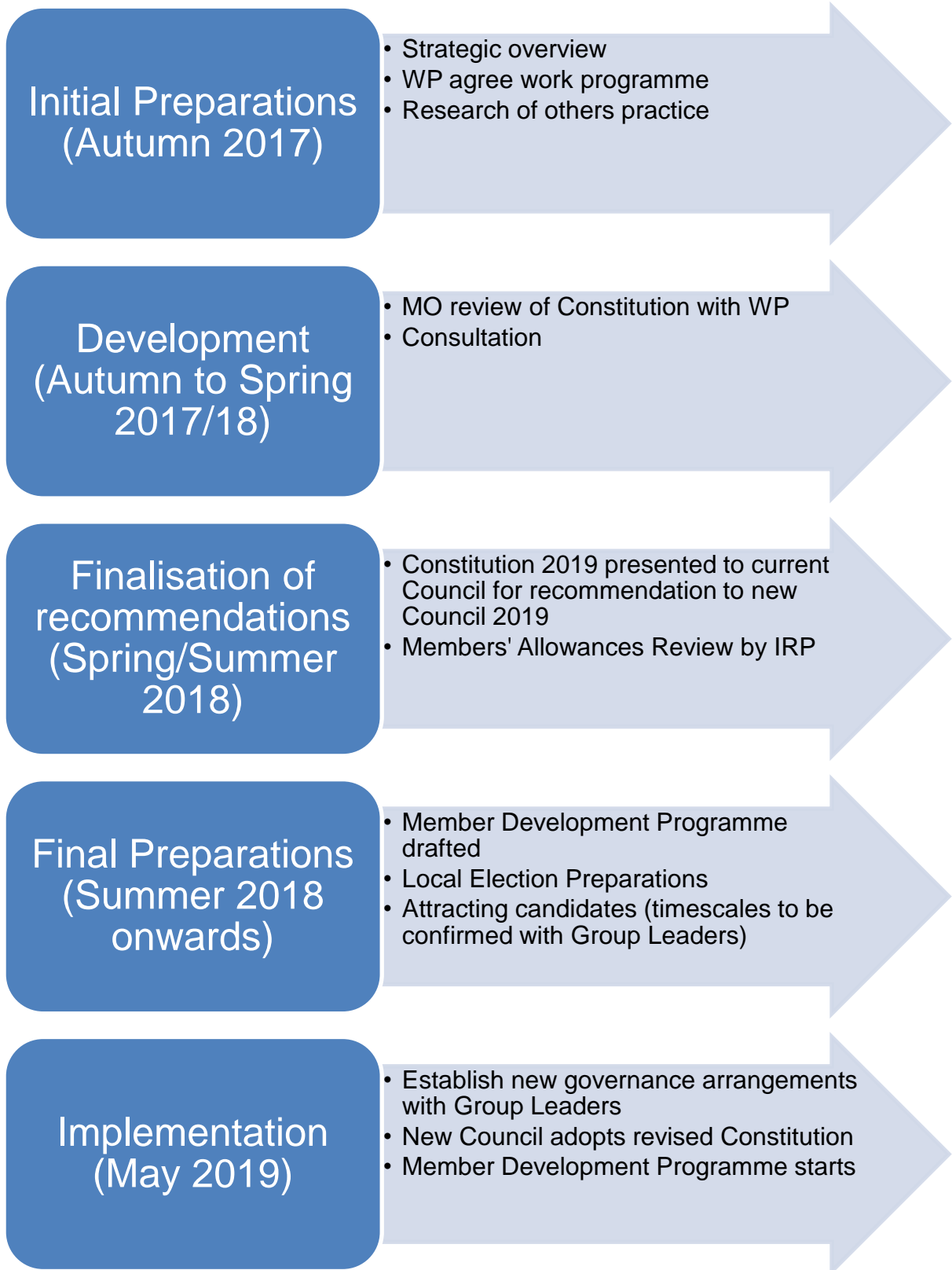
2. Approach to the Review

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
Council decision making structure	Articles Responsibility for functions Standing Orders	<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>	
Approach to Policy Framework and Budget Setting	Articles Standing Orders	<p>Early identification of budget proposals and community engagement/consultation</p> <p>Development of policy framework documents</p>	
Key Decisions	Standing Orders	<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	How will the leader be appointed? Length of appointment Chief Executive recommendation to Leader on Cabinet Members portfolios Cabinet Support members Cabinet meeting structure and approach to public participation	
Council meetings	Standing Orders Local Protocols	Approach to Council meetings – briefings, content, officers’ role, public participation. Appointment of outside bodies – number of outside bodies, appointment term.	
Member and Officer Roles	Local Protocols Standing Orders Job Descriptions	Chairman – name Role of first citizen Civic protocol to be introduced as part of Constitution Review/update of Job Descriptions Review/update Local Protocols	