



Council 30 June 2014

Alignment of Constitutions Joint Task and Finish Group

1. Summary and reasons for recommendation(s)

- 1.1 This report proposes that, as the next step towards more aligned and concise constitutions, a joint task and finish group be set up to establish the principles for review and oversee the process on behalf of elected members.

2. Recommendation(s)

2.1 It is **RECOMMENDED** that:

- a. A Joint Constitution Task and Finish Group be set up with Forest Heath District Council comprising four members from each authority (three from the Conservative Group);
- b. The Group report to the September meeting of Council with recommendations for the principles on which the reviewed constitutions will be based;
- c. The Group then guide the officers in bringing forward final proposals for constitutional changes before the end of 2014/15.

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3. Background

- 3.1 St Edmundsbury's Constitution was introduced in 2002, as a result of the Local Government Act 2000, and followed national guidance at that time. Forest Heath's was introduced voluntarily in 2012, reflecting 10 years' practical experience of new constitutions nationally. As a result, while the two documents share common characteristics, they vary in terms of detail.
- 3.2 Following the creation of a joint workforce for West Suffolk, there has been a natural progression to closer working between members. Joint meetings of Cabinet and Overview and Scrutiny Committee have already been held and more are planned. However, this has exposed differences in procedures, such as the arrangements for public speaking, which have had to be worked around. Joint working would clearly run more smoothly if both councils had one consistent set of core rules, but still with flexibility for local variation in terms of decision-making structures to reflect different needs.
- 3.3 There would also be a benefit in terms of efficiency. Officers presently have to cross check procedures to ensure that matters intended for approval by both councils are dealt with correctly at each. This may mean, for example, that a report takes a different route for decision making. This could be avoided if the constitution were aligned wherever possible.

4. Proposals

- 4.1 Members have the key role to play in deciding what they want their constitutions to look like. It is proposed to start with a series of principles which would address matters such as:
 - How to hold the executive to account
 - The most effective way to engage the public
 - The breadth and flexibility of delegations
 - How to support the commercial agenda
 - Expectations for access to information
- 4.2 Once adopted by Council in September, these principles would be used to develop the basic building blocks of a new Constitution, with the officers being guided in this work by the Group. All members beyond the Group will be engaged in the process through a joint councillor event to discuss the proposals before they are presented to each council for approval in the autumn. Detailed drafting of the new Articles of the constitution can then be delegated to officers. The final version of the new constitution can then be adopted and implemented in early 2015.
- 4.3 As the Group is not a decision-making body, it does not have to be made up solely of members of the Cabinet nor does it have to be politically balanced, so it is proposed that the Group comprise three

members from the majority group on each council and one other member.

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Joint Task and Finish Group.docx