

Meeting of the Full Council
Meeting to be held on Thursday, 25 May 2017

Report submitted by: Head of Legal and Democratic Services

Part A

Electoral Division affected:
None

Amendments to the Constitution
(Appendix 'A' refers)

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Executive Summary

This report proposes changes to the Council's constitution and in particular the decision making arrangements following the local elections held on 4 May 2017.

Recommendation

The Full Council is asked:

- (i) To approve the proposed amendments to the Council's constitution and decision making structure, as set out at Appendix 'A';
- (ii) Subject to the approval of (i) above, to authorise the Director of Governance, Finance and Public Services to amend the terms of reference of the Council's Overview and Scrutiny (O&S) Committees to reflect the new O&S structure, as set out at Appendix 'A';
- (iii) Subject to the approval of (i) above, to authorise the Director of Governance, Finance and Public Services to approve any other consequential changes to the Council's constitution arising from this report.

Background and Advice

It is common practice to review the Council's constitution and decision making arrangements with the leader of the majority and controlling group after the County Council elections.

Following the elections held on 4 May 2017, discussions have taken place with County Councillor Driver, Leader of the Conservative Group, and attached at

Appendix 'A' are a number of proposed changes to the Council's constitution and decision making structure. In summary, the proposed amendments are:

- Executive decision making

The Leader of the Council will be appointed at this meeting of the Full Council. The Leader will subsequently appoint individual members to the Cabinet and agree their individual areas of responsibility.

It is proposed that all executive decisions (key and non-key) will be made collectively by Cabinet. There will be no individual Cabinet Member decision making sessions and Cabinet Members will not take individual decisions. The only exception is where a decision is 'urgent' and cannot await a meeting of the Cabinet. Such 'urgent' decisions would be taken by the Leader/or Deputy Leader and the relevant Cabinet Member.

- Overview and Scrutiny

It is proposed to disestablish the Executive Scrutiny Committee. This Committee was established following the 2013 County Council elections when there was no Group with overall control of the Council. Any scrutiny of executive decisions will be undertaken by the remaining overview and scrutiny committees which remain unchanged.

It is also proposed to establish an External Services Overview and Scrutiny Committee to consider external services, issues and matters previously considered by the Scrutiny Committee.

These changes will require consequential amendments to be made to the overview and scrutiny (O&S) committees' terms of reference. The Full Council is requested to authorise the Director of Governance, Finance and Public Services to amend the terms of reference of the Council's overview and scrutiny committees to reflect the new structure.

- Lancashire Health and Wellbeing Board terms of reference

Following the 2013 County Council elections, the Liberal Democrat Group was allocated a place on the Lancashire Health and Wellbeing Board. As a result of the 2017 elections, it is proposed that this allocation be withdrawn and the County Council's representation on the Board will be the Leader of the Council and the three cabinet members shown in Appendix 'A'.

- Attendance at Cabinet meetings

Prior to the 2013 elections only cabinet members and the leader/deputy leader of the main opposition group were automatically entitled to attend and participate fully in discussion on all agenda items. Following the 2013 elections the leader of the second main opposition group was also permitted to attend and participate fully at Cabinet meetings. Following the outcome of the 2017 elections, it is proposed to revert back to the pre 2013 position whereby individual members of the Cabinet and

the leader/deputy leader of the main opposition group only will have automatic right to attend and participate fully in Cabinet meetings. All other members may still attend and speak at Cabinet meetings in accordance with the Council's Standing Orders.

- Standing Orders

The changes which are mentioned above and set out at Appendix 'A' will require amendments to be made to the Council's Standing Orders. In particular, a change needs to be made to Standing Order 34 - 'Taking of Executive decisions' to reflect the proposed new executive decision making arrangements. In effect the three day Call-in period in respect of decisions taken by Cabinet collectively will commence the next working day after the Cabinet meeting, e.g. Cabinet meets on a Thursday with the Call-in period starting on the following Friday and running until 5pm on the following Tuesday. The three day Call-in period in respect of any 'urgent' decisions taken by the Leader or Deputy Leader and the relevant Cabinet Member will commence following publication of the 'urgent' decision on the council's website.

Consultations

N/A

Implications:

This item has the following implications, as indicated:

Risk management

No significant risks have been identified.

Local Government (Access to Information) Act 1985 List of Background Papers

Paper	Date	Contact/Tel
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N/A

Reason for inclusion in Part II, if appropriate

N/A