

FAREHAM

BOROUGH COUNCIL

Report to Council

13 December 2018

Subject: **CONSTITUTION UPDATES FOLLOWING COMMITTEE
STRUCTURE CHANGES**

Report of: **The Monitoring Officer**

SUMMARY

Following the Committee Structure changes agreed by Council at the meeting on 11 October 2018, a number of updates to the Constitution are necessary in order to create the new Scrutiny Panels.

Details of all the sections of the Constitution which require updating are set out in Appendix A to this report and were reviewed by the Audit and Governance Committee on the 26 November 2018.

RECOMMENDATION

It is recommended that the Council receive for information, the updates made to the Constitution (as set out in Appendix A) following the Committee Structure changes agreed by Council on the 11 October 2018.

INTRODUCTION

1. This report seeks to inform Members of the updates that are necessary to the Council's Constitution document following the recent review and subsequent approved changes to the Council's Committee Structure.

BACKGROUND

2. The changes agreed to the Committee structure has created 6 new Scrutiny Panels to replace the Policy Development and Review Panels and the Scrutiny Board which have now been dissolved.
3. The Audit and Governance Committee reviewed these updates on the 26 November 2018 as part of its annual review of the Constitution.
4. The Monitoring Officer has delegated authority to make the necessary changes to the Constitution as per the recommendation to Council on the 11 October 2018 and now the Council are asked to note the updates made.
5. In order for the new Scrutiny Panels to take effect, officers have worked to identify all the areas of the Constitution document that require updating. Over 30 sections have now been drafted.

CHANGES REQUIRED

Minor Changes

6. The majority of the updates required, involve simply changing the wording from 'Policy Development and Review Panel' to 'Scrutiny Panel'. There are no other wording changes necessary in these sections. These are referred to in the attached Appendix A as 'minor changes'.
7. The functions of the Scrutiny Board have been transferred to the relevant Scrutiny Panel. A 'relevant Scrutiny Panel', is that Panel for which the item of business for consideration falls within the remit of the associated Executive Portfolio (as set out in the table below) for that Scrutiny Panel. These updates are also referred to in the attached Appendix A as 'minor changes'.

Executive Portfolios -

Policy and Resources	Planning and Development	Leisure and Community
<ul style="list-style-type: none"> • Financial Strategy • Corporate Vision and Priorities • Capital and Revenue Budgets • Public Consultation • Public Relations • Council Tax • Commercial Acquisitions • National Non Domestic Rate (NNDR) • Procurement • Estate Management • Economic Development • Community Action Teams • Daedalus Vision • Debt Recovery 	<ul style="list-style-type: none"> • Planning Policy • Flooding and Coastal Management • Local Plan • Environmental Improvements • Development Design • Tree Management • Transportation Liaison • Parking Strategy • Built Conservation • Street naming and numbering • CIL • Welborne • Sustainability and Biodiversity 	<ul style="list-style-type: none"> • Leisure Strategy • New Play Areas • Fareham Leisure Centre • Holly Hill Leisure Centre • Ferneham Hall • Westbury Manor Museum • Community Centres • Community Volunteering • Sports Development • Activities for Children and Young People • Community Development • Town Centre Events • Leisure Card • Community Grants

Housing	Health and Public Protection	Streetscene
<ul style="list-style-type: none"> • Housing Strategy • Homelessness • Council Housing - Regeneration • Council Housing - Construction • Housing Options • Housing Advice • Housing Benefits • Housing Allocations • Tenancy and Leaseholder Management • Housing Grants and Home Improvements • Maintenance of Council Housing Stock • Local Land Charges • Liaison with Social Housing Providers • Housing Estate Management 	<ul style="list-style-type: none"> • Environmental Health • Community Safety • Air Quality and Pollution • Enforcement - (litter, fly tipping, graffiti, abandoned vehicles, unauthorised encampments) • Contaminated Land • Car Parks and Parking Enforcement • Dog Control • Pest Control • Emergency Planning • Health and Safety • Equalities • ICT and Personnel • Public Health • Performance Management (including Systems Thinking) • Building Control Partnership 	<ul style="list-style-type: none"> • Waste Collection • Vehicle Fleet • Recycling • Street nameplates • Green Waste • Cemeteries and Crematorium • Fareham in Bloom • Street Cleaning • Public Conveniences • Bus Shelters and Benches • Play Areas - Maintenance • Parks, Open Spaces and Grounds Maintenance • Sports Pavilions, Pitches, Greens and Courts • Countryside Rangers • Henry Cort Sculpture Park - Maintenance • Allotments

Key Changes

8. Other sections of the Constitution have required more detailed changes and in some cases, have been rewritten to allow the Committee Structure changes to take full effect. Officers have consulted with the Legal team with regards to these more detailed updates. These are referred to in the attached Appendix A as 'key changes' and have been attached as Appendices to this report.
9. Following these Committee Structure changes only that of the function and role of the new Scrutiny Panels being introduced in place of the Policy Development and Review Panels and the Scrutiny Board have been updated.
10. As set out in the report to Council on the 11 October 2018, the Deputation scheme is the only change which directly effects a procedure currently undertaken by the Council. In allowing Members of the public to apply to give a deputation on any subject to the relevant Scrutiny Panel, this has necessitated some procedural change to reflect this within the Constitution document. This change has been attached in Appendix B of to this report.

Changes to Stand-Alone Documents

11. Parts Four to Eight of the Constitution is made up of stand-alone supporting documents that describe more detailed procedures. A number of these also require amending, including the Council's Standing Orders with Respect to Meetings which requires over 50 'minor changes'. A full list of the documents that have necessary amendments is listed in the attached Appendix A to this report.

RISK ASSESSMENT

12. There are no significant risks associated with this report.

CONCLUSION

It is recommended that the Council receive for information, the updates made to the Constitution (as set out in Appendix A) following the Committee Structure changes agreed by Council on the 11 October 2018.

- Appendices:**
- Appendix A** - Parts of the Constitution Requiring update after the Committee Structure changes.
 - Appendix B** - Part One: Chapter 7 Overview and Scrutiny
 - Appendix C** - Part One: Chapter 16 – Code of Conduct, Appendix 6 -Role of the Chairman of Scrutiny Panels
 - Appendix D** - Part Two: Chapter 3 – Functions of the Scrutiny Panels
 - Appendix E** - Part Three – Chapter 9 – Rights of the Scrutiny Panels
 - Appendix F** - Part Three – Chapter 12 – Deputation Schemes

Background Papers: None

Reference Papers: Report to Council 11 October 2018 – Review of Policy Development and Review Panels and Scrutiny Board Meetings

Report to Audit and Governance Committee 26 November 2018 – Constitution Updates Annual Report

Contact: For further information please contact Leigh Usher (Ext: 4553)