

MUNICIPAL YEAR 2009/2010 REPORT NO. 32

MEETING TITLE AND DATE:

COUNCIL – 1 July 2009

REPORT OF:

Director of Finance & Corporate Resources

Agenda – Part: 1

Item: 16

Subject:

Proposed changes to the Council's Constitution

Wards: Not ward specific

Contact officer and telephone number:

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1. EXECUTIVE SUMMARY

This report sets out proposed changes to the Council's Constitution agreed by the Constitution Review Group (CRG) at their meeting on 10 June 2009. The issues considered by CRG and the recommendations to Council are highlighted below.

2. RECOMMENDATIONS

To approve the following changes to the Council's Constitution:

- 2.1 That the proposed changes to the Conservation Advisory Group (CAG) membership as detailed in paragraph 3.1.1 be approved.
- 2.2 That the proposed new Terms of Reference and change of name to the Tourism & Town Twinning Working Party be approved.
- 2.3 To approve an administrative change in the Constitution in respect of the Licensing Committee, by removing the 'title' of Licensing Panel and confirming that all licensing matters will continue to be discharged by the Licensing Committee, including the delegation to the Licensing Sub Committee.
- 2.4 To approve to the merger of the Constitution Review Group and the Members Service Working Group, with revised Terms of Reference and to agree that the group be renamed the Governance Working Group.
- 2.5 To agree the abolition of the Local Joint Group as a standing body, to be replaced by a steering group of 5 members (3 nominated by the majority and 2 by the opposition parties) who would be available to meet with trade union representatives in the event that a dispute over a corporate issue relating to terms and conditions were to arise which could not be resolved at officer level.

3. BACKGROUND

The Constitution Review Group considered the following issues at its meeting on 10 June 2009.

3.1 Restructuring of the Membership of Conservation Advisory Group (CAG)

- 3.1.1 Approval is sought to support a change in the CAG membership to allow reallocation of up to six unoccupied places from the national amenity societies and regional organisations to conservation area study groups representing new conservation areas designated by Cabinet on 5th November 2008 and any further conservation areas created under Phase III of the current review, subject to the total number of co opted members not increasing from that presently existing.
- 3.1.2 The reason for the recommendation is to ensure that the Council continues to meet guidance and best practice in the ongoing management of its conservation areas and to ensure CAG remains fully able to fulfil its remit in this regard.
- 3.1.3. The proposal is consistent with the Enfield First objectives, particularly Aim 5, 'Supporting the delivery of excellent services' and 5e) to 'Provide effective community leadership and promote active citizenship and involvement in decision making'.

RECOMMENDED TO COUNCIL that the proposed changes to the Conservation Advisory Group (CAG) membership be approved.

3.2 Twinning Working Party

- 3.2.1 Approval is sought to approve a change of name and terms of reference to the above working party. At its meeting on 28 April 2009 the group agreed a need to change its name and terms of reference. Members wished to maximise the opportunities posed by the Olympics and combat the challenges of the current economic climate. An Officer has been appointed to work with international partnerships through Town Twinning and to develop tourism services within the borough. Members would like a working group to act as the overseer and developer of these issues and to bring social and regeneration benefits to the borough.
- 3.2.2 The recommended changes are as follows:

Town Twinning Working Party - current constitution

35. Twinning Working Party

MEMBERSHIP

Three majority party councillors and three opposition party councillors

TERMS OF REFERENCE

To oversee, co-ordinate, develop and champion the Council's Twinning Activities, including agreeing the annual programme of events and monitoring the budget. Any necessary decisions arising from the meeting of the Working Party will be made as operational decisions by the Director of Finance & Corporate Resources.

Proposed new constitution and change of name

Tourism & Town Twinning Working Party

MEMBERSHIP

Three majority party councillors and three opposition party councillors

TERMS OF REFERENCE

Champion the borough as a tourist destination within London. Oversee and coordinate the development of sustainable tourism services for the borough to maximise inward investment, promotional and regeneration opportunities such as the 2012 Games.

To oversee, co-ordinate, develop and champion the Council's Twinning Activities, including agreeing the annual programme of events and monitoring the budget.

Any necessary decisions arising from the meeting of the Working Party will be made in accordance with the Council's Scheme of Delegation. The membership can call upon local organisations for input to help meet their objectives as and when is required.

RECOMMENDED TO COUNCIL that the proposed new constitution and change of name to the Tourism & Town Twinning Working Party be approved.

3.3 Licensing Committee

3.3.1 Approval is sought to agree an administrative change to the Constitution in respect of the Licensing Committee.

3.3.2 The Licensing Committee and Licensing Panel are in fact a single entity, which has merely operated under two separate titles. Licensing Sub-Committees have discharged all licensing functions delegated to them by the Committee Panel with no adverse operational consequences.

3.3.3 The administrative change sought is to simply remove the 'title' of Licensing Panel and to confirm that all licensing matters will continue to be discharged by the Licensing Committee, including the delegation to the Licensing Sub Committee as referred to above

RECOMMEND TO COUNCIL to approve the administrative change by removing the 'title' of Licensing Panel and confirming that all licensing matters will continue to be discharged by the Licensing Committee, including the delegation to the Licensing Sub Committee

3.4 Merger of the Constitution Review Group and the Members Service Working Group.

3.4.1 Approval is sought to merge these working groups with the following terms of reference:

MEMBERSHIP

5 Members of the Council, which may include Cabinet members.

TERMS OF REFERENCE

(i) To oversee and co-ordinate the new political management arrangements and the agenda for democratic renewal in Enfield and to make recommendations to the full Council.

(ii) To consider issues and develop proposals in relation to all aspects of member support, including:

- administrative support
- research and Members' enquiries
- support to Cabinet & Scrutiny Chairmen
- accommodation
- training and development
- Members' allowances

RECOMMEND TO THE COUNCIL that the group is renamed the Governance Working Group with Terms of Reference as above.

3.5 Review of Local Joint Group

3.5.1 The Local Joint Group (LJG) was originally established to provide a forum for consultation and negotiation between the Council and its employees on corporate issues and for the resolution of disputes when these arose.

3.5.2 Since the LJG was originally established changes in employment law have placed many obligations on employers to consult directly with their employees over a wide range of issues as well as establishing statutory procedures for the resolution of disputes.

3.5.3 In addition the maintenance of good employee relations, which is primarily an officer responsibility, has resulted in all of the meetings of the Local Joint Group scheduled over the past 2 years being cancelled because neither the trade union nor Members side had any issues of principle to raise.

3.5.4 Consequently it is proposed to abolish the Local Joint Group as a standing body and replace it with a steering group of 5 Members (3 nominated by the majority and 2 by the opposition parties) who would be available to meet with trade unions representatives in the event that a dispute over a corporate issue relating to terms and conditions were to arise which could not be resolved at officer level.

3.5.5 This proposal has been discussed with and is acceptable to the trade unions

3.5.6 The cycle of regular monthly meetings between officers and trade union representative will continue to take place.

RECOMMEND TO THE COUNCIL the abolition of the Local Joint Group as a standing body, to be replaced by a steering group of 5 members (3 nominated by the majority and 2 by the opposition parties) who would be available to meet with trade union representatives in the event that a dispute over a corporate issue relating to terms and conditions were to arise which could not be resolved at officer level.

4. REASONS FOR RECOMMENDATIONS

To agree recommended changes to the Constitution.

5. COMMENTS OF THE DIRECTOR OF FINANCE AND CORPORATE RESOURCES AND OTHER DEPARTMENTS

5.1 Financial Implications

There are no financial implications.

5.2 Legal Implications

The Constitution sets out how the Council operates within legal requirements.

It is necessary to review the documents periodically to reflect changes in circumstances or to introduce more effective working practices as evidenced in the recommendations.

6. PUTTING ENFIELD FIRST

Aim 5 – Provide high quality and efficient services.

Background Papers

None