

MUNICIPAL YEAR 2005/2006 REPORT NO. 308

MEETING TITLE AND DATE:

COUNCIL – 22 February 2006

REPORT OF:

Director of Finance & Corporate
Resources (Borough Secretary)

Agenda – Part: 1

Item: 11

Subject:

Proposed changes to the Council's
Constitution

Wards: Not ward specific

Contact officer and telephone number:

John Austin – 020 879 4094

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 9 February 2006. The reports considered by CRG and the recommendations to Council are highlighted in Sections 3-7 below and are appended to this report.

2. RECOMMENDATIONS

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

- (a) the merged terms of reference for the Staff Forum/Joint Consultative Group for Teachers (JCGT) (paragraph 3.1)
- (b) the new terms of reference for the Member Governor Forum (paragraph 3.2)

(recommendations continued overleaf)

- (c) the revised terms of reference for the Schools Forum, subject to the addition of the following to the first paragraph of section 3

“These elections to be carried out in accordance with existing and agreed processes and practices.” (See paragraph 3.3 of this report)
- (d) the composition of Community Housing Partnership Boards be amended as follows (paragraph 6):
 - (v) the Partnership Board elect a Chairman from amongst the councillor membership and Vice-Chairman from amongst the tenant representative membership each year.
- (e) the scheme of delegation in relation to planning be amended as follows (paragraph 3.5 of this report):
 - (i) to provide that any application which is to be refused planning permission may be determined under delegated authority, subject to the exceptions set out in the revised scheme;
 - (ii) to include authority to determine major planning applications for wholly industrial/commercial development as detailed in the report;
 - (iii) the applications covered under (i) and (ii) above be in consultation with the Chairman of Planning Committee; and
 - (iv) a report be submitted to Planning Committee in one year’s time reviewing the arrangements.

3. BACKGROUND

The Constitution Review Group considered the following issues at its meeting on 9 February.

3.1 Staff Forum / Joint Consultative Group For Teachers

Revised Terms of Reference for the Staff Forum/Joint Consultative Group for Teachers (JCGT) are set out in Appendix 1.

RECOMMENDED TO COUNCIL the merged Staff Forum/JCGT Terms of Reference for incorporation into the Council’s Constitution.

3.2 Member Governor Forum/Chairs Briefing

Revised Terms of Reference for the Member Governor Forum are set out in Appendix 2.

NOTED that representatives from all the schools in the Borough were invited to the meetings.

RECOMMENDED TO COUNCIL the Member Governor Forum's Terms of Reference be approved for incorporation into the Council's Constitution.

3.3 **Schools' Forum**

Revised Terms of Reference of the Schools' Forum are set out in Appendix 3.

RECOMMENDED TO COUNCIL the Schools' Forum Terms of Reference be approved for incorporation into the Council's Constitution, subject to the elections for headteacher and governor representatives being carried out in accordance with agreed practices.

3.4 **Proposed amendment to composition of Community Housing Partnership Boards**

A change in relation to the composition of Community Housing Partnership Boards to reflect appointments made is set out in Appendix 4.

RECOMMENDED TO COUNCIL that the composition of Community Housing Partnership Boards be amended as follows:

- (v) the Partnership Board elect a Chairman from amongst the councillor membership and Vice-Chairman from amongst the tenant representative membership each year.

3.5 **Scheme of Delegation - Planning Applications: Proposed renewal of amendments for major applications**

The proposed changes to the Scheme of Delegation were approved by Planning Committee at its meeting on 24 January 2006, subject to a review of the arrangements in one year's time. The proposals are set out in Appendix 5.

RECOMMENDED TO COUNCIL that the Constitution Review Group approved the recommendations set out below:

- (i) the revised scheme of delegation be amended to provide that any application which is to be refused planning permission may be determined under delegated authority, subject to the exceptions set out in the revised scheme;
- (ii) the revised scheme to include authority to determine major planning applications for wholly industrial/commercial development as detailed in the report;

- (iii) the applications covered under (i) and (ii) above be in consultation with the Chairman of Planning Committee; and
- (iv) a report to be submitted to Planning Committee in one year's time reviewing the arrangements.

4. REASONS FOR RECOMMENDATIONS

To introduce (i) more affective arrangements for appointments to certain outside bodies (ii) appropriate amendments to the Scheme of Delegation relating to planning applications.

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 affective working practices as evidenced in the recommendations.

6. PUTTING ENFIELD FIRST

Aim 5 – Supporting the delivery of excellent services

Background Papers

None