

WIRRAL COUNCIL

WIRRAL SOUTH CONSTITUENCY COMMITTEE

21TH OCTOBER 2013

SUBJECT:	CONSTITUENCY COMMITTEE TERMS OF REFERENCE
WARD/S AFFECTED:	WARDS WITHIN THE WIRRAL SOUTH CONSTITUENCY BOUNDARY
REPORT OF:	HEAD OF NEIGHBOURHOODS AND ENGAGEMENT
KEY DECISION?	NO

1.0 BACKGROUND AND KEY ISSUES

- 1.1 An amended Article 10 of the Council's Constitution was approved by Council on 30th April 2013 (attached as Appendix 1). This put in place the necessary provision for the appointment of Constituency Committees and for Constituency Committees to discharge such functions as may be delegated to them from time to time by the Executive and/or the Council. It also sets out the scope of the Constituency Committee's role in acting as a voice for the community with respect to a range of matters including the development of an area plan and making recommendations to the Executive in respect of any funding allocated to the Committee.
- 1.2 The framework for the further development of Wirral's Constituency Committees was approved by Cabinet in May 2013. This set out a series of core governance principles for developing the Committee, i.e. that:
- a) The membership of each Constituency Committee will be all those Elected Members of the authority who are elected for electoral divisions or wards which fall wholly or partly within the wards comprising the constituency area;
 - b) Each Constituency Committee will be chaired by an Elected Member from one of the wards in that constituency, with the method of electing the Chair a matter and decision for each individual committee;
 - c) Each Constituency Committee will have a number of community representatives, able to vote on policy and other matters as determined by the committee (acting in an advisory capacity). However, voting rights on financial matters will be restricted to Elected Members on the Constituency Committee. The nomination of community representatives will be a matter and decision for each committee, however the number of community representatives will not exceed more than one third of the total number of Constituency Committee members;
 - d) Each Constituency Committee will hold public meetings four times a year, focusing on the development and delivery of a Constituency Plan, monitoring

related performance and budget information, as well as shaping future service delivery in their area and holding public question times on issues of local interest.

e) Each Constituency Committee will present a report annually to Council.

- 1.3 The Cabinet report further stated that each Constituency Committee would develop its own terms of reference on the basis that 'one size doesn't fit all' in respect of constituency working. Paragraph 3.5 of the report proposed that, once appointed, each Constituency Committee would put in place its own terms of reference, subject to Council approval, over and above Article 10 of the Constitution and the core governance principles outlined above.
- 1.4 Cabinet also resolved that when the detail of Constituency Committees arrangements are finalised the Council's Constitution can be amended to reflect any additional changes as necessary. On Monday 14th October 2013, Council formally appointed Members to all the Constituency Committees and made provision for each Constituency Committee to co-opt up to 6 community representatives to each Constituency Committee (however as above; however the number of community representatives will not exceed more than one third of the total number of Constituency Committee members).
- 1.5 This report sets out considerations and a proposed approach for further developing an individual terms of reference for Committee and for amending the Council's Constitution to ensure that Article 10 is fit for purpose for the future operation of the constituency working model.

2.0 KEY CONSIDERATIONS

- 2.1 As the approach to constituency working and the establishment of the Constituency Committee has been progressed, a number of considerations have emerged in respect of developing Article 10 and the core governance principles set out in 1.2 to ensure that the Committees have the necessary framework in which to make decisions whilst working as flexibly as possible to address local issues. These considerations have primarily emerged through the workshops held with councillors in June / July.
- 2.2 The considerations include:
 - Being clear as to the decision-making powers of the Committee in respect of the functions delegated now and in the future, as well as how these decisions are ratified and /or scrutinised;
 - Understanding and developing the role and remit of community representatives on the Committee and providing further clarity on voting rights;
 - Understanding the role of the Committee in driving and influencing the wider public sector;
 - Ensuring that Constituency Committee meetings are effective and well managed given the scope and level of membership, and that the public and wider community have mechanisms to inform the work of the Committee.

3.0 PROPOSED APPROACH

3.1 It is proposed that:

- A future review of the Council's Constitution includes an updated Article 10 relating to the terms of reference for the Constituency Committees, which both provides further clarity on the decision-making powers of the Committees as services and budgets are devolved, and ensures that all Committees have the scope and flexibility necessary to drive forward the constituency working model and deliver the functions increasingly devolved to them;
- The Committee develops a committee procedure rules 'handbook' which sets out over and above the terms of reference in the Council's Constitution how it will operate. This handbook might include sections on:
 - Aims of the Committee in respect of the role it wishes to take in the local area;
 - Specific committee procedures relating to the operation of meetings;
 - How the Committee will be supported by Council officers;
 - Specific provisions dealing with the role of the Chair, Vice Chair, community representatives;
 - The role of the Committee in influencing the contribution of partners;
 - meetings;
 - Agreed arrangements/procedures for dealing with budget allocation and expenditure;
 - The process and criteria for establishing constituency 'task and finish' groups.

4.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

4.1 Community representatives will be part of the Constituency Committees and the voluntary, community and faith sector will be integral to constituency working.

5.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS

5.1 This report has no resource implications.

6.0 LEGAL IMPLICATIONS

6.1 This report has implications relating to the Council's Constitution.

7.0 EQUALITIES IMPLICATIONS

7.1 A Phase 1 EIA has been completed for the Neighbourhood Working Model and this can be found at <http://www.wirral.gov.uk/my-services/community-and-living/equalitydiversity-cohesion/equality-impact-assessments/eias-2010/corporateservices>

8.0 CARBON REDUCTION IMPLICATIONS

8.1 This report has no carbon reduction implications.

9.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

9.1 This report has no planning and community safety implications.

10.0 RECOMMENDATIONS

10.1 Constituency Committee members are asked to:

- Approve the proposed approach set out at paragraph 3.1 to this report;
- Consider the establishment of an Elected Member led 'task and finish' group to develop the Committee's handbook and make recommendations as to any amendments required to Article 10.

11.0 REASON/S FOR RECOMMENDATION/S

11.1 To enable the neighbourhood working initiative to be progressed and implemented.

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APPENDICES

Article 10 – Council Constitution

REFERENCE MATERIAL

N/A

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Council – Revisions to the Constitution	30th April 2013
Cabinet – Neighbourhood Working – Proposed Operating Model	23rd May 2013

Appendix 1

Article 10 - Constituency Committees

10.1 Area Committee

- (i) The Council will appoint 4 area committees co-terminus with the four constituency boundaries to discharge functions in respect of that area of the authority as set out below.
- (ii) The area committees will be known as Constituency Committees.
- (iii) The members of the committee will be members of the authority who are elected for electoral divisions or wards which fall wholly or partly within the wards comprising the area of the committee.
- (iv) The council will at the annual general meeting determine the number of members on each area committee and appoint members to the committee in accordance with paragraph (iii) above.

10.2 Terms of Reference

- (i) To discharge such functions as may be delegated to them from time to time by the Executive and/or the Council.
- (ii) To act as a voice for the community with respect to:-
 - (a) the development of area action plans which reflect the needs and priorities of the area;
 - (b) issues concerning the environment, traffic, policing, education, jobs, health;
 - (c) development of the Borough's Community Strategy
 - (d) the quality, range and level of services provided in the area by public bodies;
 - (e) to provide public bodies with an opportunity to consult with local people on the development and delivery of plans, programmes and services
 - (f) to make recommendations to the Executive in respect of the expenditure of any funds allocated to them.
- (iii) The Constituency Committees have an advisory role. They may submit reports on matters of concern locally to the Cabinet or Coordinating Committee as the committee deems necessary.