

# WIRRAL COUNCIL

## BIRKENHEAD CONSTITUENCY COMMITTEE

28<sup>TH</sup> NOVEMBER 2013

<b>SUBJECT:</b>	<b>BIRKENHEAD CONSTITUENCY COMMITTEE TERMS OF REFERENCE</b>
<b>WARD/S AFFECTED:</b>	<b>WARDS WITHIN THE BIRKENHEAD CONSTITUENCY BOUNDARY</b>  <b>BIRKENHEAD AND TRANMERE</b> <b>BIDSTON</b> <b>CLAUGHTON</b> <b>OXTON</b> <b>PRENTON</b> <b>ROCK FERRY</b>
<b>REPORT OF:</b>	<b>HEAD OF NEIGHBOURHOODS AND ENGAGEMENT</b>
<b>KEY DECISION?</b>	<b>NO</b>

### 1.0 BACKGROUND AND KEY ISSUES

- 1.1 Article 10 of the Council's Constitution was approved by Council on 30<sup>th</sup> 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 In respect of point c) above, Birkenhead Constituency Committee members are asked to note that, on Monday 14th October 2013, Council made provision for community representatives to be co-opted to the Constituency Committees, i.e.:

“That each of the Constituency Committees be authorised to appoint up to a maximum of six community representatives on a co-opted basis.”

1.4 The May 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. 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.

1.5 This report sets out key considerations and a proposed approach for further developing the terms of reference and an operational framework for the Birkenhead Constituency Committee.

## **2.0 KEY CONSIDERATIONS**

2.1 As the approach to constituency working and the establishment of the Constituency Committees have 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 and effectively 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 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:

3.1.1 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;

3.1.2 The Birkenhead Constituency Committee develops a committee procedure '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 Birkenhead Constituency Committee.
- Protocols in relation to conduct and operation of meetings;
- How the Birkenhead Constituency Committee will be supported by Council officers;
- Role descriptions for Chair, Vice Chair, Committee members and co-opted members.
- Protocols relating to the distribution of the Committee's budget allocation.

3.1.3 A 'task and finish' group is put in place to develop the Birkenhead Constituency Committee 'handbook' and that this 'task and finish' group should be constituted of 5 Elected Members. Supported by the Constituency Manager who will present a draft handbook based on other examples, the 'task and finish' group would be expected to:

- Appoint a Chair from within the group;
- Agree a schedule of meetings and work programme in order to develop the 'handbook';
- Carry out the work programme in a transparent and inclusive manner;
- Make recommendations to the wider Constituency Committee as to the content of the Birkenhead Constituency Committee 'handbook'.

### **4.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS**

4.1 The voluntary, community and faith sector will be integral to constituency working and the committee will ensure effective engagement is evident.

### **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 future development of 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:

- Note that Article 10 of the Council's Constitution will be updated in due course to ensure that all Committees have the scope and flexibility necessary to drive forward the constituency working model and deliver the functions increasingly devolved to them;
- Consider and agree the establishment and membership of a 'task and finish' group to develop a Birkenhead Constituency Committee 'handbook'.

## **11.0 REASON/S FOR RECOMMENDATION/S**

11.1 The recommendation at 10.1 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.

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## **APPENDICES**

APPENDIX 1- Council Constitution Article 10 – Constituency Committees

## **REFERENCE MATERIAL**

N/A

## **SUBJECT HISTORY (last 3 years)**

<b>Council Meeting</b>	<b>Date</b>
<b>Council – Revisions to the Constitution</b>	<b>30<sup>th</sup> April 2013</b>
<b>Cabinet – Neighbourhood Working – Proposed Operating Model</b>	<b>23<sup>rd</sup> May 2013</b>
<b>Council - Vacancies</b>	<b>14<sup>th</sup> October 2013</b>

## **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.