

CONSTITUTION COMMITTEE

MINUTES of the meeting of the Constitution Committee held on Tuesday 5th March, 2013 commencing at 2.00 pm.

PRESENT MEMBERSHIP:

Cllr Phil Awford	Cllr Ceri Jones
Cllr Will Windsor Clive	Cllr Antonia Noble
Cllr Mark Hawthorne	Cllr Lesley Williams
Cllr Tony Hicks	Cllr Will Windsor Clive
Cllr Jeremy Hilton	

Apologies: Cllr Raymond Theodoulou

Officers: Jane Burns, Monitoring Officer,
Diana Billingham, Public Health Manager,
Simon Harper, Lead Democratic Services Adviser,
Joanne Bolton, Democratic Services Adviser.

35. MINUTES

35.1 THAT the minutes of the meeting held on 5 March be approved as a correct record and signed by the Chairman.

36. PUBLIC QUESTIONS

36.1 No public questions were received.

37. MEMBERS' QUESTIONS

37.1 No members' questions were received.

38. GLOUCESTERSHIRE HEALTH AND WELLBEING BOARD

38.1 Diana Billingham, Public Health Manager, attended the meeting and presented the report which outlined the recommendations of the Shadow Health and Wellbeing Board regarding the establishment of the Gloucestershire Health and Wellbeing Board by the council.

38.2 The Public Health Manager explained that Section 194 of the Health and Social Care Act 2012 required that every upper-tier local authority establish a Health and Wellbeing Board. It was reported that in order to fit Health and Wellbeing Boards

within local authority structures, section 194(11) provided that the board was a committee of the local authority which established it.

- 38.3 The committee noted that the Health and Wellbeing Board would become a statutory committee from April 2013. The board would act as a forum for collaborative local leadership, bringing together local commissioners of health and social care, public health, elected representatives and representatives from Healthwatch to agree an integrated way to improve local health and wellbeing.
- 38.4 Some members felt that the membership of the board should include an elected member from each of the district councils. The chairman pointed out that this had been carefully considered by the shadow Board. It was important to maintain a balance with Health representatives. The Board would include two district council representatives, including one nominated by Leadership Gloucestershire who would feedback to the other district representatives through this group.
- 38.5 Members acknowledged that the regulations did not require Health and Wellbeing Boards to be politically balanced and this issue is left to local determination.
- 38.6 The committee noted that the Shadow Health and Wellbeing Board was recommending that political proportionality was not applied to the membership of the Health and Wellbeing Board. Whilst the majority of members offered views in support of this, suggesting that the board should be free from politics, some members felt strongly that in the spirit of democracy the membership should reflect the political proportionality of the council. An amendment to recommendation (c) in the report, that political proportionality be applied to the membership, was subsequently proposed. On being put to the vote the amendment was not supported.
- 38.7 The committee resolved:

TO RECOMMEND TO COUNCIL

- a) To adopt the proposed membership.*
- b) To adopt the voting proposal for each member organisation to have a single vote (individual officers not voting).*
- c) That political proportionality is not applied to the membership.*
- d) To adopt the terms of reference as set out at Appendix 1 of the report.*

39. NEW COMMITTEE STRUCTURE FROM MAY 2013

- 39.1 Simon Harper, Lead Democratic Services Adviser, presented the report which outlined the proposals for a new committee structure from May 2013 and a new approach to Corporate Parenting.
- 39.2 The proposals had been developed over the past year, in conjunction with the other overview and scrutiny committees and members from across the council had been given the opportunity to comment.
- 39.3 The committee acknowledged that if the new scrutiny structure was adopted then a total of 98 seats would be available to non-executive members. Members also made reference to the seats available on the Appointments Committee which had not been included in the calculation. The Appointments Committee has six seats and meets as required each year.
- 39.4 The committee noted that there was no overall consensus from the members who had put forward their views on the frequency of scheduled scrutiny committees each year.
- 39.5 Whilst the committee was in support of the new scrutiny structure, it was not supportive of reducing the number of overview and scrutiny committee meetings from six to four. Some members raised concerns about the increased remit of the Environment and Communities Overview and Scrutiny Committee and Health and Care Overview and Scrutiny Committee. The point was made however that the more focussed and in-depth scrutiny work would be undertaken by task groups.
- 39.6 The committee recognised that the new structure needed to be adopted before the election, with members being appointed to the new committees at the Annual meeting in May. This would avoid any disruption caused by appointing members to the old committees and then undertaking another round of appointments later in the year.
- 39.7 The committee resolved:

TO RECOMMEND TO COUNCIL

- (a) To adopt the new scrutiny structure to become effective following the May 2013 election.*
- (b) That the scheduled scrutiny committee meetings should be remain at six each per year.*

Minutes subject to their acceptance as a correct record at the next meeting

- 39.8 The committee discussed the proposals for a new approach to corporate parenting, recognising that the current approach was thought no longer to be the best approach for addressing the needs of children in care.
- 39.9 The committee was in support of the proposal that the existing Corporate Parenting Committee should be disbanded and replaced by a standing Corporate Parenting Group established by the lead cabinet member for Children's Services. This would include county councillors and representatives from the district councils, health, education and local businesses.
- 39.10 ***TO RECOMMEND TO COUNCIL*** that the following changes to the constitution become effective following the May 2013 election:
- a) *To remove section 3.10 of part 3 of the constitution relating to the role, duties and membership of the Corporate Parenting Committee.*
 - b) *To include a standing item of business on all ordinary meetings of the Council to allow the lead cabinet member for Children's Services to report on corporate parenting issues. This will require an appropriate addition to procedural rule 2 ("ordinary meetings") in part 4 of the constitution.*

CHAIRPERSON

Meeting concluded at 14:55