

# **CONSTITUTION COMMITTEE AGENDA**



**Thursday 25 November 2011**

**at 2.00 p.m.**

**in Committee Room 'C',  
Civic Centre, Hartlepool.**

**MEMBERS: CONSTITUTION COMMITTEE:**

The Mayor, Stuart Drummond

Councillors Aiken, C Akers-Belcher, S Akers-Belcher, Cook, Fenwick, James,  
J W Marshall, Preece, Richardson and Wells.

- 1. APOLOGIES FOR ABSENCE**
- 2. TO RECEIVE ANY DECLARATIONS OF INTEREST BY MEMBERS**
- 3. CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 6 AND 10  
OCTOBER 2011**
- 4. ITEMS REQUIRING DECISION**
  - 4.1 Police Reform and Social Responsibility Act – *Chief Solicitor*
  - 4.2 Constitution Changes for 2011/12 Municipal Year – *Chief Solicitor*
- 5. ANY OTHER ITEMS WHICH THE CHAIRMAN CONSIDERS ARE URGENT**

# **CONSTITUTION COMMITTEE**

## **MINUTES AND DECISION RECORD**

6<sup>th</sup> October 2011

The meeting commenced at 4.00 p.m. in the Civic Centre, Hartlepool

### **Present:**

Councillor Richardson (In the Chair)

Councillors: C Akers-Belcher, Cook, Fenwick, James, Preece and Wells

Officers: Peter Devlin, Chief Solicitor  
Catherine Frank, Partnerships Manager  
Amanda Whitaker, Democratic Services Team

In accordance with Council Procedure Rule 4.2 (ii), Councillor A Marshall was in attendance as substitute for Councillor J W Marshall

### **12. Apologies for Absence**

Councillors S Akers-Belcher and J W Marshall

### **13. Declarations of interest by Members**

None

### **14. Confirmation of Minutes**

The minutes of the meeting held on 14<sup>th</sup> July were confirmed.

The Chief Solicitor provided Members with an update on the following matters arising from the minutes:-

Minute 9 – Police Reform and Social Responsibility Bill – The Bill came into force on 15<sup>th</sup> September 2011 and elections would be held on 15<sup>th</sup> November 2012. A further report would be submitted to the Committee.

Minute 10 – Business Report – The final recommendations had been received from the Local Government Boundary Commission and a report would, therefore, be submitted to the General Purposes Committee.

Minute 10 – Business Report – Independent Remuneration Panel – an application would be considered by the Standards Committee, at its meeting on 11<sup>th</sup> October, in respect of the position of Independent Member of that Committee. The applicant would also be asked if he was interested in a position on the Independent Remuneration Panel.

In respect of the timetable of meetings of the Task and Finish Group, it was agreed that the time of commencement of the meeting on 3<sup>rd</sup> November should be changed from 2.00 p.m. to 1.00 p.m.

## **15. Constitutional Changes Required for 2011/12 Municipal Year** (*Chief Solicitor*)

The report set out the amendments that were required to the Constitution following the decisions that Cabinet made on 18<sup>th</sup> July 2011 on the Review of Community Involvement and Engagement (Including LSP review).

A review of how the Council interacted and engaged with local residents and stakeholders was initiated by Cabinet following the agreement of the budget for 2011/12..Initial proposals were considered by Cabinet on 6<sup>th</sup> June 2011 and referred to Council Working Group on 20<sup>th</sup> June 2011. Cabinet then agreed the future approach of the Local Authority to community and stakeholder involvement and engagement and the Local Strategic Partnership, including theme partnerships at their meeting on 18<sup>th</sup> July 2011 after considering the views of Council Working Group and partner organisations. No decisions taken by Cabinet were subject to Call In and therefore they can now be implemented.

Of the decisions taken by Cabinet a number required changes to the Constitution. Some decisions would not come into effect until the next municipal year and therefore the changes required would be taken forward through the ongoing review of the Constitution. The relevant sections of the Constitution that these changes relate to were set out as an appendix to the report. However, there were a number of changes that needed to be made this municipal year in relation to Neighbourhood Consultative Forums, Parish Liaison meetings, Police and Community Safety meetings and the Hartlepool Partnership Board. These were set out in the report and Committee was requested to note these changes and commend them to Council for adoption.

Following discussion on the report Members concluded that they were not minded to agree the recommendations outlined in the report as they considered that the representations made by the Council Working Group, had not been taken into account by Cabinet. The Committee felt that the decisions taken by Cabinet meant that 'Backbench Councillors' would only be involved through open public forums and would therefore have no more say than an ordinary member of the public.

The Committee agreed to present the report to Council but with the recommendation that they do not agree the proposed changes to the Constitution as outlined in section 3 of the report. For that reason, it was also considered that it was not appropriate to refer the constitutional changes identified for implementation next municipal year to the Committee's Task and Finish Group, as had been recommended in the report.

**Decision**

(i) It was the recommendation of the Committee that Council do not approve the changes to the Constitution outlined in section 3 of the report.

**16. Any Other Items which the Chairman Considers are Urgent**

The Chairman ruled that the following item of business should be considered by the Committee as a matter of urgency in accordance with the provisions of Section 100(B) (4)(b) of the Local Government Act 1972 in order that the matter could be dealt with without delay.

(i) Review of Political Structure of Council – Members were reminded that at the last meeting of the Task and Finish Group, it had been recommended that the review of the political structure, in preparation for the reduction in the number of elected Members from May 2012, should be undertaken by the Task and Finish Group and interested members of the General Purposes Committee should be co-opted onto this Group during consideration of the review.

**Decision**

The recommendation of the Task and Finish Group was agreed.

The meeting concluded at 4.25 p.m.

CHAIR

# **CONSTITUTION COMMITTEE**

## **MINUTES AND DECISION RECORD**

10<sup>th</sup> October 2011

The meeting commenced at 4.00 p.m. in the Civic Centre, Hartlepool

### **Present:**

Councillor Richardson (In the Chair)

Councillors: C Akers-Belcher, S Akers-Belcher, Cook, Fenwick, James, Preece and Wells

Officers: Peter Devlin, Chief Solicitor  
Joan Stevens, Scrutiny Manager  
Amanda Whitaker, Democratic Services Team Manager

In accordance with Council Procedure Rule 4.2 (ii), Councillor A Marshall was in attendance as substitute for Councillor J W Marshall

### **17. Apologies for Absence**

The Mayor, Stuart Drummond and Councillors Aiken and J W Marshall

### **18. Declarations of interest by Members**

None

### **19. Questions to the Chair of Council** (*Chief Solicitor*)

At a meeting of the Task and Finish Group on 22nd September, 2011, there had been a request that this item be placed for consideration by the Constitution Committee. It was felt that the independence of the Chair of Council could be somewhat compromised through direct questions (and any supplementary questions) to the Chair, given his constitutional status.

The Chief Solicitor provided the Committee on background to the roles of a Chairman of a local authority which were derived from standing orders and common law and were also set out in Article 5 of the Council's Constitution. Although, there were other "functions" involved with the role of Chair of Council, the examples provided by the Chief Solicitor, placed emphasis both upon the impartiality and also the integrity of the individual, discharging that role.

It was noted that under the Council's Rules of Procedure relating to Council

meetings, under paragraph 11.2 i) thereof, which relates to 'Questions on notice at full Council' it was stated that;

*"A Member of the Council may ask:*

- *the Chair,*
- *a Member of the Executive, or*
- *the Chair of any Committee or Forum*

*a question on any matter in relation to which the Council has powers or duties or which affects the Borough of Hartlepool".*

Furthermore, the Constitution allowed (para 11.2 ii)) questions to a person nominated by the Borough Council upon the Police Authority and also the Fire Authority on any matter relating to the discharge of those organisation's functions. For completeness, para 11.03 also allowed a Member of the Council to ask questions;

- to the Mayor or any other Member of the Executive, or
- the Chair of a Committee of the Council

This provision allowed questions without notice upon a report of the Executive or of a Committee when that item is under consideration by Council. It was therefore conceivable that the Chair of Council, as Chair of the Constitution Committee could also be asked a question under this provision.

Whilst the Chair of Council could wish to reserve to his/her discretion the ability to reply to a question through a direct oral answer, it may also be appropriate for the Chair to respond by way of a formal written answer. This would relate to a situation where the Chair felt that there was the possibility of their role being compromised and which would impinge upon any ensuing debate. It was therefore suggested that an additional sub-paragraph could be added to Council Procedure Rule 11.4 as follows;

- (iii) *At the Chair's discretion a written answer will be provided to any question directed to the Chair of Council, which would also be circulated to all Members of the Council. The Chair shall also retain the discretion to respond to any supplementary question in writing from any subsequent meeting of Council about any issue arising from the initial written answer.*

The Chair explained the background to the request for a report to be submitted to this Committee. Members supported the issues which had been raised in terms of impartiality. It was appreciated how the Chairman of the Council could feel compromised by answering questions at Council meetings. However, it was also appreciated that were occasions, such as questions of a procedural nature, when directing questions to the Chairman

could not be avoided. It was suggested that it was, therefore, appropriate to refer the issue back to the Task and Finish Group to consider how questions to the Chair could be restricted to procedural questions. It was considered also that there was a need to consider the production of a guidance note on the Council Procedure Rules, which could be included in initial training to Members.

### Decision

- (i) It was agreed that the issue should be referred back to the Task and Finish Group to consider how questions to the Chair of Council can be restricted to procedural questions only.
- (ii) That a Guidance Note be prepared, for circulation to all Members of the Council and to be included in Member Induction briefings, on the Council Procedure Rules.

## 20. ‘Call in Arrangements’ (*Chief Solicitor*)

The Chief Solicitor had provided a report following a request for clarification upon the ‘call in’ arrangements relating to the meeting to discuss a ‘call in’ as outlined within the Overview and Scrutiny Procedure Rules (paras 16(b) and 17(h) refer). The report set out detailed background information, provided information on the two categories of call in and set out the defined procedures associated with this process including the notification of the desire to call in a decision. .

It was noted that the provisions contained under paras 16(b) and 17(h) required the Co-ordinating Committee to “*meet not later than 7 working days after the call in notification has been received by the Proper Officer*”. Previously the advice of Counsel had been sought in relation to the process of ‘call in’ and whether it could extend beyond the timescale to meet (ie beyond the 7 working days) of the Scrutiny Co-ordinating Committee. It was the advice of Counsel that the Overview and Scrutiny Procedure Rules were drafted in terms that assumed the decision would be reviewed at a meeting of the Scrutiny Co-ordinating Committee within 7 days of a ‘call in’ notification. This accorded with the requirement to proceed in an expeditious manner and the limitations upon the Co-ordinating Committee to “review” rather than to ‘re-determine’ the decision in question. Counsel had concluded that in his opinion “*the Committee ought to be able to carry out a review at a meeting within a 7 day period*”. The Council’s Scrutiny Officer had made some enquiries with other local authorities as to how they operated the process of convening the meeting to discuss the call in. The outcome of those enquiries was presented in the report.

The Chief Solicitor concluded that it was recognised that the Scrutiny Co-ordinating Committee should endeavour to carry out a review within the current prescribed timetable ie not later than 7 working days after the call in notification has been received. However, in order to have regard to any exceptional or extraneous situation, it was suggested that the following wording, might assist in relation to both categories of call in as specified

under paras 16(b) and 17(h) of the Overview and Scrutiny Rules, as follows;

*‘If it is not reasonably practicable to convene a meeting within this period, through exceptional circumstances, then the date and time of the meeting may be altered through mutual agreement between the Chair of the Scrutiny Co-ordinating Committee (or in his/her absence the Vice-Chair of the Committee) and the Elected Mayor (or in his/her absence the Deputy Mayor). The agreement will also specify the date and time at which the meeting must take place. If such an agreement is not forthcoming then the meeting to discuss call in must proceed not later than 7 working days after the call in notification’.*

Members reiterated previous concerns in relation to the implications of recent advice received by Counsel in relation to timescale for scrutiny discussion of call in. It was highlighted that the advice received had related to the interpretation of the Constitution and that no changes to the Constitution had been agreed by Council. It was, therefore, not considered appropriate to recommend any changes to the Constitution at this meeting although it was agreed it was necessary that original interpretation be included in a Guidance Note to Members.

Members sought clarification on the current position in respect of the Call-in process and sought reassurance that the process adopted, when the Constitution had been agreed by Council, had not changed. In response, the Chief Solicitor referred to the conclusions he had made earlier in the meeting that he would expect some dialogue with the Elected Mayor if timescales could not be achieved. Members highlighted that had not been the practice previously and repeated that there had not been a change to the Constitution. It was considered that any clarification would be an ‘expansion’ of current arrangements. It was suggested that this could be achieved by inserting the words ‘where practicable’ after reference to the seven clear working days that a meeting of the Scrutiny Co-ordinating Committee must be called.

Discussion took place on the adequacy of the current timescale for Members to call-in a decision. It was suggested that the issue of call in timescales be referred to the Committee’s Task and Finish Group. In the meantime, Members were clear in the view that the original interpretation of the Constitution in relation to the process and timetable for the conduct of a call-in through the Scrutiny Co-ordinating Committee would stand.

### **Decision**

That the timescale for a decision to be called-in be referred to the Committee’s Task and Finish Group.



**21. Any Other Items which the Chairman Considers are Urgent**

None

The meeting concluded at 5.17 p.m.

CHAIR

# CONSTITUTION COMMITTEE

25<sup>th</sup> November 2011



**Report of:** Chief Solicitor

**Subject:** POLICE REFORM AND SOCIAL RESPONSIBILITY ACT

## 1. PURPOSE OF REPORT

1.1 To up date the Committee on the enactment of the Police Reform and Social Responsibility Act, following Royal Assent on 15<sup>th</sup> September, 2011. A report was provided to the Committee on the 14<sup>th</sup> July, 2011, on the main policy themes in the Police Reform and Social Responsibility Bill which covered the following areas; Police accountability and governance, alcohol licensing, the regulation of protests around Parliament Square, misuse of drugs, and the issue of arrest warrants relating to private prosecutions.

1.2 The key areas of the Bill were as follows;

- The proposed replacement of Police Authorities with directly elected Police and Crime Commissioners,
- Amending the provisions of the Licensing Act, 2003, with the intention of “rebalancing” this legislation in favour of local authorities, the Police and local communities,
- Providing a new framework for regulating protests around Parliament Square with additional Police powers to prevent encampments and the use of amplified noise equipment,
- Enables the Home Secretary to temporarily ban drugs for up to a year and to remove the statutory requirement of the Advisory Council on the Misuse of Drugs to include members with experience in such activities,
- Introduces a new requirement that private prosecutors obtain the consent of the Director of Public Prosecutions prior to the issue of arrest warrants for “universal jurisdiction” offences such as war crimes or torture.

1.3 The Act, adopts the above provisions and following amendments to the Bill, the date of the first elections of the Police and Crime Commissioners will now be 15<sup>th</sup> November, 2012, and not as previously anticipated in May, 2012. The Home Office have indicated that *‘this additional time will also allow good quality independent candidates to benefit from additional time to plan and campaign for these elections.*

## 2. POLICE REFORM AND SOCIAL RESPONSIBILITY

- 2.1 The Police Reform and Social Responsibility Bill was introduced to Parliament on 31st December, 2010. The Coalition Government indicated that the Bill *'marks the next step in the Government programme to reduce bureaucracy', achieve 'democratic accountability' and to 'empower local communities'*.
- 2.2 The key elements of this strategy was to achieve better accountability and to be more responsive to local people through the following;
- The election of Police and Crime Commissioners,
  - A new National Crime Agency to deal with organised crime and to strengthen border security,
  - Greater collaboration between Police Forces to increase public protection and to deliver savings, thereby achieving better value for money,
  - Phasing out the National Policing Improvement Agency (NPIA),
  - Cutting bureaucracy, through the removal of restrictive health and safety procedures, and
  - Greater public participation and involvement through beat meetings, neighbourhood watch schemes and voluntary groups.

## 3. POLICE AND CRIME COMMISSIONERS AND POLICE AND CRIME PANELS

- 3.1 As previously reported Police and Crime Commissioner will have functions relating to *"community safety and crime prevention"* and also such other functions as conferred through legislation. However, and of note, a Police and Crime Commissioner for a Police area must
- secure the maintenance of the Police Force for that area, and
  - ensure that the Police Force is efficient and effective.

The Police and Crime Commissioner will be required to hold the Chief Constable to account and those persons who operate under the direction and control of the Chief Constable. Police Authorities established for Police areas under Section 3 of the Police Act 1996 would be abolished. A Police and Crime Commissioner must also appoint a person to be the head of the Commissioner's staff and a person responsible for the proper administration of the Commissioner's financial affairs. Further, a Police and Crime Commissioner may appoint such other staff as the Commissioner thinks appropriate to enable a Commissioner to exercise the functions associated with the role of Commissioner. A Commissioner may also *"do anything which is calculated to facilitate, or is conducive or incidental to, the exercise of the functions of Commissioner"*. This would include the power to enter into contracts and other agreements, including the acquisition and disposal of property (including land) and borrowing money.

- 3.2 In place of the current Police Authorities, there will be a body covering each Police area as listed in Schedule 1 of the Police Act, 1996, who will be known as the “Police Commission”. This body will consist of the Police and Crime Commissioner and a Police and Crime Panel. The Police and Crime Panel would *‘scrutinise the actions of the Commissioner in the public interest.’* In the main the functions of these elected local policing bodies, will have an accent upon community safety and crime prevention. The Police and Crime Commissioner for a Police area must issue a “Police and Crime Plan” (as well as an Annual Report which reports progress on the delivery of the plans) within the financial year in which each ordinary election is held. The ‘Police and Crime Plan’ would set the strategic direction and objectives for policing in an area over a five year period. The Police and Crime Panel will have the following powers;
- to make reports and recommendations about any actions and decisions taken by the Commissioner,
  - to scrutinise the draft Police and Crime Plan, council tax precept, Chief Constable appointments and the Annual Report. The Panel will have a veto over the Commissioner’s proposals on the force precept and the appointment of the Chief Constable, through a two thirds majority vote.
  - power to summon the Commissioner and his/her staff in for public questioning (ability to invite the Chief Constable to such meetings). It is intended that all reports and recommendations made by the Panel would be published.
- 3.3 As indicated the Police and Crime Commissioner Elections will take place in November, 2012, with a term of office to May, 2016 and every four years thereafter. A proposed limitation of two terms of office has been removed in the Act. The Electoral Commission have been requested to take such steps as it considers appropriate to raise public awareness surrounding such elections and the process behind such an election. The Police and Crime Commissioner is to be returned under the simple majority system unless there are three or more candidates, wherein the supplementary vote system (a vote capable of being given to indicate first and second preferences) will come into effect.
- 3.4 The Home Office are requesting local authorities to *‘begin to consider how they will establish the Police and Crime Panel for their force area. We would also encourage the identification of a Lead Authority who will be responsible for the day to day running of the Panel’.* Guidance on the establishment of Panels will be issued through the Home Office. Such a Police and Crime Panel for a Police area, will essentially operate as a Joint Committee for the relevant local authorities within an existing Police Authority area. Although, the Secretary of State has certain reserve powers to call for a different arrangement, the Secretary of State must secure (so far as is reasonably practicable) that a “fair representation objective” is met. This objective in the case of the existing Police Authority area, is that each relevant local authority has at least one of its Councillors as a member of the Panel.

#### 4. AMENDMENT TO THE LICENSING ACT, 2003

4.1 The Coalition Government's response to a public consultation exercise on the 'rebalancing' of the Licensing Act, 2003, are to be found within the provisions of the Police Reform and Social Responsibility Act. In brief, the main proposals provided for the following;

- Overhauling the Licensing Act to give local authorities and the Police stronger powers to remove licences from, or refuse to grant licences to premises that are causing problems,
- Allowing Councils and the Police to permanently shut down any shop or bar that is repeatedly selling alcohol to children,
- Doubling the maximum fine for those caught selling alcohol to minors to £20,000,
- Allowing local Councils to charge more for late night licences, so helping to pay for additional policing.

In April, 2010, the Government announced the first three conditions of the Licensing Act, 2003 (Mandatory Licensing Conditions) Order, 2010. These conditions apply to all licensed premises and those with a club premises certificate in England and Wales. They require;

- A ban on irresponsible promotions
- A ban on dispensing alcohol directly into customers mouths
- Mandatory provision of free tap water

In addition, in October, two further conditions came into force, namely;

- An age verification policy
- Smaller measures (ie the availability and awareness of certain measures applying to beer, wine and spirits).

4.2 The Police Reform and Social Responsibility Act contains provisions wherein applicants are to give greater consideration to the local area when making their application. Presently, applicants are required to set out in their operating schedule the steps they intend to take to promote the licensing objectives. For the information of the Committee these objectives as outlined in the Licensing Act, 2003 are as follows;

- (a) the prevention of crime and disorder
- (b) public safety
- (c) the prevention of public nuisance; and
- (d) the protection of children from harm

Applicants will therefore be required to provide further, more detailed information on the steps they intend to take and also to demonstrate their awareness of the local community in which the premises will be based. This would include coverage of issues such as the local authorities social demographic characteristics, specific local crime and disorder issues and an awareness of the local environment. There is also a proposal for a late night

levy wherein licensing authorities will have a discretion to introduce a charge for premises that have a late alcohol licence. Where such a measure is introduced that levy will be collected annually and the revenue will be split between licensing authorities and the Police. Local authorities and the Police will be given much stronger powers to remove licences from, or refuse to grant licences to any premises that are causing problems in the local area. The present intention is to extend the flexibility of Early Morning Restriction Orders to provide authorities with additional powers in that particular area.

- 4.3 Responsible authorities within the Licensing Act, 2003 include Police, Fire Authorities, Health and Safety Authorities, Local Planning Authorities, Environmental Health, and the bodies responsible for protecting children from harm. This definition will be extended to local health bodies, who will therefore be able to make relevant representations regarding new licence applications and also for requests for reviews of existing licences. Where such representations are received, a licensing authority must hold a hearing to consider any relevant representation in making their determination. There is also to be provision for licensing authorities to give increased weight to the representations and objections made from the Police through amendments to the statutory guidance to require authorities to accept all representations and objection notices (in the case of personal licence applications) through the adoption of all recommendations from the Police, unless there is clear evidence that these are not relevant. There is also provision wherein the maximum fine for underage alcohol sales will be increased to £20,000 and the provision to allow Councils and Police to shut down permanently any shop or bar persistently selling alcohol to children. There is also provision enabling licensing authorities to suspend licences due to non payment of fees and to changes to the notification provisions to responsible authorities in relation to a Temporary Event Notice (ie wherein an individual intends to carry on a licensable activity not exceeding 96 hours). There would also be the removal of the so called “vicinities” test, thereby extending the rights of individuals and representative groups to make objections to licence applications. The Secretary of State will also have power to introduce locally set licensing fees.

## **5. RECOMMENDATIONS**

1. For Members to note and discuss the content of this report

## **CONSTITUTION COMMITTEE**

25<sup>th</sup> November 2011



**Report of:** Chief Solicitor

**Subject:** CONSTITUTION CHANGES FOR 2011/12  
MUNICIPAL YEAR

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### **1. PURPOSE OF REPORT**

- 1.1 The Constitution Committee had presented a report to Council on 27<sup>th</sup> October, wherein the Committee had recommended that Council should not change the Constitution to reflect the decisions taken by Cabinet in July 2011 in relation to the Review of Community Involvement and Engagement. Council agreed to refer this matter back to the Committee for further consideration.

### **2. BACKGROUND**

- 2.1 Constitution Committee had considered a report (included as appendix A) at their meeting on 6<sup>th</sup> October 2011 that outlined the changes that were needed to be made to the Constitution to reflect the decisions taken by Cabinet on 18<sup>th</sup> July 2011 on the Review of Community Involvement and Engagement. At the time the decisions taken by Cabinet were not subject to 'Call In'. The report set out changes that needed to be made during the current municipal year and included as an appendix a number of other changes that would need to be made before the next municipal year. It was proposed to Constitution Committee that the changes for next municipal year be referred to the Task and Finish Group who are presently working on a review of the Council's constitution.

### **3. PROPOSAL**

- 3.1 Following discussion of the report Constitution Committee came to the conclusion that they were not minded to agree the recommendations outlined in the report. The Committee agreed to present the report to Council but with the recommendation that they do not agree the proposed changes to the Constitution as outlined in section 3 of appendix A.

- 3.2 The reason that Constitution Committee did not agree the recommendations outlined in the report was that they felt that the representations made by the Council Working Group had not been taken into account by Cabinet.
- 3.3 Council agreed to refer this matter back to the Committee for further consideration on a date to be agreed and to allow for the attendance of the Elected Mayor.

#### **4. RECOMMENDATIONS**

- 4.1 For the Committee to further consider the changes to the Constitution as outlined in section 3 of appendix A.

#### **5. BACKGROUND PAPERS**

- Item 5.1 from Cabinet on 18<sup>th</sup> July 2011.
- Minutes from Cabinet on 18<sup>th</sup> July 2011.
- Item 4.1 from Constitution Committee 6<sup>th</sup> October 2011 (included as appendix A).
- Minutes from Constitution Committee 6<sup>th</sup> October 2011.

#### **6. CONTACT OFFICERS**

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# CONSTITUTION COMMITTEE

6<sup>th</sup> October 2011



**Report of:** Chief Solicitor

**Subject:** CONSTITUTION CHANGES REQUIRED FOR  
2011/12 MUNICIPAL YEAR

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## 1. PURPOSE OF REPORT

- 1.1 The purpose of the report is to inform Constitution Committee of the amendments that are required to the Constitution following the decisions that Cabinet made on 18<sup>th</sup> July 2011 on the Review of Community Involvement and Engagement (Including LSP review).

## 2. BACKGROUND

- 2.1 A review of how the Council interacts and engages with local residents and stakeholders was initiated by Cabinet following the agreement of the budget for 2011/12. The aim of the review was to ensure that Hartlepool had arrangements in place which both maintained a focus on developing the strategic policy direction for the Borough and provided appropriate opportunities for stakeholders including residents and the community, voluntary and business sectors to influence policy development and how services are delivered. The review also considered how the scarce resources, specifically related to the reduction in resources as part of the 2011/12 budget process and likely future reductions, that are available are used in ways which will add the most value.
- 2.2 Initial proposals were considered by Cabinet on 6<sup>th</sup> June 2011 and referred to Council Working Group on 20<sup>th</sup> June 2011. Cabinet then agreed the future approach of the Local Authority to community and stakeholder involvement and engagement and the Local Strategic Partnership, including theme partnerships at their meeting on 18<sup>th</sup> July 2011 after considering the views of Council Working Group and partner organisations. No decisions taken by Cabinet were subject to Call In and therefore they can now be implemented.
- 2.3 Of the decisions taken by Cabinet a number require changes to the Constitution. Some decisions will not come into effect until the next municipal year and therefore the changes required will be taken forward through the ongoing review of the Constitution. The relevant sections of the Constitution that these changes relate to are set out in **Appendix 1**. However, there are a

number of changes that need to be made this municipal year in relation to Neighbourhood Consultative Forums, Parish Liaison meetings, Police and Community Safety meetings and the Hartlepool Partnership Board. These are set out in the following section and Constitution Committee is requested to note these changes and commend them to Council for adoption.

### **3. CHANGES REQUIRED**

- 3.1 Following the decisions taken by Cabinet the following sections of the Constitution can be deleted and do not need to be replaced although there will be the need make some minor amendments to the numbering of the Constitution around these deletions:

Part 2, Page 36 under 10.04 Remit of neighbourhood consultative forums

viii) To enable the Chair of the forum to liaise on behalf of the Council with Chairs of local Parish Councils.

ix) To hold Local Police Consultation meetings in partnership with the Chief Constable.

Part 2, Page 37

**10.08 Parish Liaison**

The Chair and Vice-Chair of the forum will meet at least twice a year with representatives of the parishes in the forum area. These meetings will be chaired by the chair of the Forum or in his/her absence the Vice-Chair.

**10.09 Police and community safety**

The Chair and Vice-Chair of the forum will meet at least twice a year with representatives of Cleveland Police and the Council's Community Safety Team. These meetings will be chaired by the Chair of the forum and in his/her absence the Vice-Chair. Other forum members and members of the public will be entitled to attend these meetings.

**10.10 Hartlepool Partnership**

In accordance with the arrangements established by the Hartlepool Partnership the Chair of each forum and the elected resident Vice- Chair of each forum (when appointed) will represent their forum and the community it serves on the Partnership Board.

Part 2, Page 40 under (d) The role of the vice-chair

- ii) To be the Forum's resident representative on the Hartlepool Partnership and the Community Network.
- iii) To regularly attend Hartlepool Partnership meetings. Failure to attend three meetings in any twelve month period will be considered by the Forum and may result in the position being considered vacant and a further election being held to cover the remaining term of office.
- iv) To represent the best interests of residents, from their Forum area, at partnership meetings.
- v) To feed back relevant information to the Forum from the Partnership.
- vi) To attend, where necessary, Police and Community Safety meetings and the Community Network.

Part 7, Page 12

<b>Hartlepool Partnership</b>	(1)	THE MAYOR Sub – To be nominated
* Can be any Member	(2)*	CLLR RICHARDSON Sub – To be nominated
** Leader of the Majority Group, not affiliated to the Mayor	(3)**	CLLR BRASH Leader of Majority Group
	(4)*	CLLR HARGREAVES Sub – To be nominated
	(5)	CLLR FLEET Chair – North Forum
	(6)	CLLR CRANNEY Chair – Central Forum
	(7)	CLLR A MARSHALL Chair - South Forum
	(8)	CHIEF EXECUTIVE

**4. RECOMMENDATIONS**

- 4.1 That the amendments to the Constitution outlined in section 3 above are commended to Council for adoption.
- 4.2 That the constitutional changes identified for implementation next municipal year (set out in appendix 1) be referred to the Task and Finish Group of the Constitution Committee.

**5. BACKGROUND PAPERS**

- Item 5.1 from Cabinet on 18<sup>th</sup> July 2011.
- Minutes from Cabinet on 18<sup>th</sup> July 2011.

**6. CONTACT OFFICER**

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# CONSTITUTION COMMITTEE

6<sup>th</sup> October 2011



**Report of:** Chief Solicitor

**Subject:** CONSTITUTION CHANGES REQUIRED FOR  
2011/12 MUNICIPAL YEAR

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## 1. PURPOSE OF REPORT

- 1.1 The purpose of the report is to inform Constitution Committee of the amendments that are required to the Constitution following the decisions that Cabinet made on 18<sup>th</sup> July 2011 on the Review of Community Involvement and Engagement (Including LSP review).

## 2. BACKGROUND

- 2.1 A review of how the Council interacts and engages with local residents and stakeholders was initiated by Cabinet following the agreement of the budget for 2011/12. The aim of the review was to ensure that Hartlepool had arrangements in place which both maintained a focus on developing the strategic policy direction for the Borough and provided appropriate opportunities for stakeholders including residents and the community, voluntary and business sectors to influence policy development and how services are delivered. The review also considered how the scarce resources, specifically related to the reduction in resources as part of the 2011/12 budget process and likely future reductions, that are available are used in ways which will add the most value.
- 2.2 Initial proposals were considered by Cabinet on 6<sup>th</sup> June 2011 and referred to Council Working Group on 20<sup>th</sup> June 2011. Cabinet then agreed the future approach of the Local Authority to community and stakeholder involvement and engagement and the Local Strategic Partnership, including theme partnerships at their meeting on 18<sup>th</sup> July 2011 after considering the views of Council Working Group and partner organisations. No decisions taken by Cabinet were subject to Call In and therefore they can now be implemented.
- 2.3 Of the decisions taken by Cabinet a number require changes to the Constitution. Some decisions will not come into effect until the next municipal year and therefore the changes required will be taken forward through the ongoing review of the Constitution. The relevant sections of the Constitution that these changes relate to are set out in **Appendix 1**. However, there are a

number of changes that need to be made this municipal year in relation to Neighbourhood Consultative Forums, Parish Liaison meetings, Police and Community Safety meetings and the Hartlepool Partnership Board. These are set out in the following section and Constitution Committee is requested to note these changes and commend them to Council for adoption.

### **3. CHANGES REQUIRED**

- 3.1 Following the decisions taken by Cabinet the following sections of the Constitution can be deleted and do not need to be replaced although there will be the need make some minor amendments to the numbering of the Constitution around these deletions:

Part 2, Page 36 under 10.04 Remit of neighbourhood consultative forums

viii) To enable the Chair of the forum to liaise on behalf of the Council with Chairs of local Parish Councils.

ix) To hold Local Police Consultation meetings in partnership with the Chief Constable.

Part 2, Page 37

**10.08 Parish Liaison**

The Chair and Vice-Chair of the forum will meet at least twice a year with representatives of the parishes in the forum area. These meetings will be chaired by the chair of the Forum or in his/her absence the Vice-Chair.

**10.09 Police and community safety**

The Chair and Vice-Chair of the forum will meet at least twice a year with representatives of Cleveland Police and the Council's Community Safety Team. These meetings will be chaired by the Chair of the forum and in his/her absence the Vice-Chair. Other forum members and members of the public will be entitled to attend these meetings.

**10.10 Hartlepool Partnership**

In accordance with the arrangements established by the Hartlepool Partnership the Chair of each forum and the elected resident Vice- Chair of each forum (when appointed) will represent their forum and the community it serves on the Partnership Board.

Part 2, Page 40 under (d) The role of the vice-chair

- ii) To be the Forum's resident representative on the Hartlepool Partnership and the Community Network.
- iii) To regularly attend Hartlepool Partnership meetings. Failure to attend three meetings in any twelve month period will be considered by the Forum and may result in the position being considered vacant and a further election being held to cover the remaining term of office.
- iv) To represent the best interests of residents, from their Forum area, at partnership meetings.
- v) To feed back relevant information to the Forum from the Partnership.
- vi) To attend, where necessary, Police and Community Safety meetings and the Community Network.

Part 7, Page 12

<b>Hartlepool Partnership</b>	(1)	THE MAYOR Sub – To be nominated
* Can be any Member	(2)*	CLLR RICHARDSON Sub – To be nominated
** Leader of the Majority Group, not affiliated to the Mayor	(3)**	CLLR BRASH Leader of Majority Group
	(4)*	CLLR HARGREAVES Sub – To be nominated
	(5)	CLLR FLEET Chair – North Forum
	(6)	CLLR CRANNEY Chair – Central Forum
	(7)	CLLR A MARSHALL Chair - South Forum
	(8)	CHIEF EXECUTIVE

**4. RECOMMENDATIONS**

- 4.1 That the amendments to the Constitution outlined in section 3 above are commended to Council for adoption.
- 4.2 That the constitutional changes identified for implementation next municipal year (set out in appendix 1) be referred to the Task and Finish Group of the Constitution Committee.

**5. BACKGROUND PAPERS**

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**6. CONTACT OFFICER**

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**Changes needed to Constitution before next Municipal Year**

Part 1 page 4 under list of articles of the constitution

Neighbourhood Consultative Forums (Article 10)

Part 1 page 5

**Neighbourhood Consultative Forums**

9 The Council has three Neighbourhood Consultative Forums. These bring an area dimension to the work of the Council. They allow local people to raise issues of concern, principally relating to neighbourhood services, at a public question-time, and act as a very important consultation mechanism for the Mayor and Cabinet, Council, the Hartlepool Partnership and local regeneration partnerships. One third of the membership of each Forum is made up of local residents who are co-opted on to the Forum.

Part 1 page 6

**13 People have the right to:**

~ participate in question time and contribute to the general discussion at Neighbourhood Consultative forums in accordance with the relevant procedure rules;

Part 2 page 4

**10 Neighbourhood Consultative Forums**

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Part 2 page 12

(c) Participation

People have the right to participate in a variety of Council meetings; these include question-time at full Council, inquiries undertaken by overview and scrutiny forums and discussions at Neighbourhood Consultative Forums. How to do this is set out in “Part 4 – Rules of Procedure” of the Constitution.

Part 2 pages 35-40**ARTICLE 10****NEIGHBOURHOOD CONSULTATIVE FORUMS****10.01 Neighbourhood consultative forums**

The Council will establish three neighbourhood consultative forums. They will act as an important consultation mechanism for the Council, the Hartlepool Partnership and other regeneration partnerships in the Borough. Meetings of the forums will be open to the public, who will be encouraged to play an active role. The three forums will be based upon the following boundaries:

**North Neighbourhood Consultative Forum**

*Comprising the following wards:*

- *Brus*
- *St Hilda*
- *Dyke House*
- *Throston*
- *Hart*

**Central Neighbourhood Consultative Forum**

*Comprising the following wards:*

- *Burn Valley*
- *Park*
- *Elwick*
- *Rift House*
- *Grange*
- *Stranton*
- *Foggy Furze*

**South Neighbourhood Consultative Forum**

*Comprising the following wards:*

- *Fens*
- *Rossmere*
- *Greatham*
- *Seaton*
- *Owton*

**10.02 Composition and quorums**

(a) Each councillor will be a member of the neighbourhood consultative forum for his/her ward. The Council will co-opt residents on to each forum. They will comprise one third of the membership of each forum (North - 8, Central - 10 and South - 7) and will be entitled to vote. A co-opted resident will act as vice-chair of the forum.

(b) The quorums for the three forums are based on one quarter of the membership and are as follows:

	Quorum - Councillors	Quorum - Residents	Quorum - Total
North	4	2	6

Central	5	3	8
South	4	2	6

**10.03 Chair and Vice-Chair**

The Chair of each forum will be appointed by the Council. The Vice Chair of each forum will be appointed from the co-opted resident members of the forum as part of the election process. The Chair will not be an Executive councillor.

**10.04 Remit of neighbourhood consultative forums**

- i) To be a focal point for local consultation on the provision of neighbourhood services.
- ii) To enable discussion to take place with Executive Councillors on issues of local interest.
- iii) To advise the Council, Executive, overview and scrutiny committees, Hartlepool Partnership and Regeneration Partnerships on matters of interest to their area.
- iv) To be a key part of the Council, Hartlepool Partnership and Regeneration Partnerships local consultation process.
- v) To assist all Councillors in listening to and representing their community.
- vi) To help build partnerships between the local authority, other local public, private and voluntary sector organisations and the public.
- vii) To assist in the development of the Community Plan.
- viii) To enable the Chair of the forum to liaise on behalf of the Council with Chairs of local Parish Councils.
- ix) To hold Local Police Consultation meetings in partnership with the Chief Constable.
- x) To recommend minor works for the general improvement of the area from a budget specifically allocated for this purpose.

**10.05 Operation of neighbourhood consultative forums**

Meetings of neighbourhood consultative forums will comply with the appropriate procedure rules set out in Part 4 and the Officer-Member Protocol in Part 5 of this Constitution.

**10.06 Access to information**

Neighbourhood consultative forums will comply with the Access to Information Procedure Rules in Part 4 of this Constitution.

**10.07 Executive Members on neighbourhood consultative forums**

A member of the Executive may serve on a neighbourhood consultative forum if otherwise eligible to do so as a Councillor.

(NB. 10.8, 10.9 & 10.10 already removed)

**10.11 Co-opted resident members****(a) Eligibility criteria**

Co-opted resident members of each forum will be elected every two years.

The following eligibility criteria apply:

- (i) All residents of the Forum area aged 18 years and over, with the exception of Borough Councillors and Senior Council Officers (except for politically restricted post holders) will be eligible to stand for election. Politically

restricted post holders are head of paid service, chief officers, officers with delegated powers under the Local Government Act 1972, political assistants and officers who regularly advise the Council, the Executive or their Committees or who regularly speak to the media on behalf of the Council.

- (ii) All candidates for election must be willing to accept the roles and responsibilities of resident representative as set out in the attached note.
- (iii) An elected resident member must resign from their position if they no longer reside in the neighbourhood forum area in which they were elected.

(b) The election process

The election process will be supervised by the Returning Officer of the Council and may be conducted by an independent facilitator.

The method of election will be as follows:

- i) Resident representatives will be elected at an open meeting.
- ii) The meeting will be notified to all Hartlepool residents through meetings of the Forums and an advertisement in the local press.
- iii) Three meetings will be held, one in each forum area.
- iv) All residents of the Forum area aged 18 years or over will be entitled to vote.
- v) The nomination period will commence with the issue of a notice of election, 20 working days prior to the week of the elections and nominations must be delivered to the Returning Officer before 12 noon, 10 working days prior to the week of the elections. A nomination will not be valid unless it is subscribed by ten residents of the neighbourhood forum area ward for which the nomination is made. Both the nominee and the supporting signatories must appear on the current electoral register for the relevant ward.
- vi) Voting will be by secret ballot.
- vii) In the event of a tied vote, a recount will take place. If there is no outright result following the recount, the Returning Officer will draw lots to decide on the successful candidate.
- viii) At least one resident representative from each Ward will be elected. In the event of there being no nomination for a Ward(s), vacancies will be filled by the remaining candidates with the highest number of votes regardless of the Ward in which they live.
- ix) Following the elections the resident representatives shall elect one of their number to the office of vice-chair and another to act as substitute.
- x) Casual vacancies will be filled at ordinary forum meetings in accordance with the election timetable set out in v) above. All those present at the meeting are entitled to vote (Councillors, Resident Representatives and members of the public). In the absence of a nomination from the relevant ward, the vacancy will become available to any resident from the Forum area.
- xi) The election results will be published at the Civic Centre and on the Council's website.

(c) The role of resident representatives

The role of the resident representatives will be as follows:

- i) To regularly attend meetings of their Neighbourhood Consultative Forum. Failure to attend three meetings in any twelve month period will be considered by the Forum and may result in the position being considered vacant and a further election being held to cover the remaining term of office.
- ii) To represent the best interests of residents at the forum meeting.

iii) To be available and accessible to residents of the forum area.

(d) The role of the vice-chair

In addition the vice-chair will fulfil the following rules:

i) To act as Chair of the Forum in the absence of the Chair unless that absence is expected to extend to more than one meeting then a temporary Councillor appointment will be made by the Forum.

(NB. ii – vi already removed)

vii) To regularly attend the appropriate Forum's pre-agenda meetings.

Part 3, page 3 under Council functions and delegation scheme

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Neighbourhood Consultative Forum (South) .....	37

Part 3, Pages 32 – 33

<b>Neighbourhood Consultative Forum (North)</b>	
<b>Membership:</b>	<p><b>Elected representatives of the following Wards: Brus, Dyke House, Hart, St Hilda and Throston.</b></p> <p><b>Councillors:- Fleet (Chair), Atkinson, Barclay, Barker, Cook, Fleming, Griffin, Jackson, McKenna, J Marshall, J W Marshall, Plant, Rogan, Thomas and Wright.</b></p> <p><b>Resident Representatives – Christine Blakey, John Cambridge, John Maxwell, Joan Norman, Linda Shields, Joan Steel and Robert Steel.</b></p>
<b>Quorum:</b>	<b>6 (4 Councillors and 2 Resident Representatives)</b>
<b>FUNCTIONS</b>	<b>DELEGATIONS</b>
<p>1 To be a focal point for local consultation on the provision of Neighbourhood Services.</p> <p>2 To enable discussion to take place with executive councillors on issues of local interest.</p> <p>3 To advise the Council</p>	

<p>executive, overview and scrutiny committees, the Hartlepool Partnership and Regeneration Partnerships on matters of interest to their area.</p> <p>4 To be a key part of the Council, Hartlepool Partnership and Regeneration Partnerships local consultation process.</p>	
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<p><b>Neighbourhood Consultative Forum (North)</b> (continued)</p>	
<b>FUNCTIONS</b>	<b>DELEGATIONS</b>
<p>5 To assist all councillors in listening to and representing their community.</p> <p>6 To help build partnerships between the local authority, other local public, private and voluntary sector organisations and the public.</p> <p>7 To assist in the development of the Community Plan</p> <p>8 To enable the Chair of the forum to liaise on behalf of the Council with Chairs of local Parish Councils.</p> <p>9 To hold Local Police Consultation meetings in partnership with the Chief Constable.</p> <p>10 To recommend minor works for the general improvement of the area from a budget specifically allocated for this purpose.</p>	<p>Approval of minor works recommendations is delegated to the Assistant Director (Neighbourhood Services) in consultation with the Community Safety and Housing Portfolio Holder</p>

<b>Neighbourhood Consultative Forum (Central)</b>	
<b>Membership:</b>	<p>Elected representatives of the following Wards: Burn Valley, Elwick, Foggy Furze, Grange, Park, Rift House and Stranton.</p> <p>Councillors: - Cranney (Chair), Aiken, S Akers-Belcher, Brash, Hall, Ingham, Laffey, Lauderdale, London, Maness, Morris, Payne, Richardson, Shaw, Simmons, Sutheran, H Thompson, R Wells and Worthy.</p> <p>Resident Representatives: Liz Carroll, Bob Farrow, Peter Goodier, Ted Jackson, Evelyn Leck, Brenda Loynes, Stephen Mailen, Brian McBean, Julie Rudge and Hilda Wales.</p>
<b>Quorum:</b>	<b>8 (5 Councillors and 3 Resident Representatives)</b>
<b>FUNCTIONS</b>	<b>DELEGATIONS</b>
<ol style="list-style-type: none"> <li>1 To be a focal point for local consultation on the provision of Neighbourhood Services.</li> <li>2 To enable discussion to take place with executive councillors on issues of local interest.</li> <li>3 To advise the Council executive, overview and scrutiny committees, the Hartlepool Partnership and Regeneration Partnerships on matters of interest to their area.</li> </ol>	



<b>Neighbourhood Consultative Forum (Central)</b> (continued)	
FUNCTIONS	DELEGATIONS
<p>4 To be a key part of the Council, Hartlepool Partnership and Regeneration Partnerships local consultation process.</p> <p>5 To assist all councillors in listening to and representing their community.</p> <p>6 To help build partnerships between the local authority, other local public, private and voluntary sector organisations and the public.</p> <p>7 To assist in the development of the Community Plan.</p> <p>8 To enable the Chair of the forum to liaise on behalf of the Council with Chairs of local Parish Councils.</p> <p>9 To hold Local Police Consultation meetings in partnership with the Chief Constable.</p> <p>10 To recommend minor works for the general improvement of the area from a budget specifically allocated for this purpose.</p>	<p>Approval of minor works recommendations is delegated to the Assistant Director (Neighbourhood Services) in consultation with the Community Safety and Housing Portfolio Holder.</p>

<b>Neighbourhood Consultative Forum (South)</b>	
<b>Membership:</b>	<p>Elected representatives of the following Wards: Fens, Greatham, Owton, Rossmere and Seaton.</p> <p>Councillors: - A Marshall (Chair), C Akers-Belcher, Flintoff, Gibbon, Hargreaves, Hill, James, Lawton, A E Lilley, G Lilley, Preece, P Thompson, Turner, and Young.</p> <p>Resident Representatives: Mary Green, Rosemarie Kennedy, Iris Ryder and Angie Wilcox.</p>
<b>Quorum:</b>	<b>6 (4 Councillors and 2 Resident Representatives)</b>
<b>FUNCTIONS</b>	<b>DELEGATIONS</b>
<ol style="list-style-type: none"> <li>1 To be a focal point for local consultation on the provision of Neighbourhood Services.</li> <li>2 To enable discussion to take place with executive councillors on issues of local interest.</li> <li>3 To advise the Council executive, overview and scrutiny committees, the Hartlepool Partnership and Regeneration Partnerships on matters of interest to their area.</li> <li>4 To be a key part of the Council, Hartlepool Partnership and Regeneration Partnerships local consultation process.</li> </ol>	

<b>Neighbourhood Consultative Forum (South)</b> (continued)	
<b>FUNCTIONS</b>	<b>DELEGATIONS</b>
<p>5 To assist all councillors in listening to and representing their community.</p> <p>6 To help build partnerships between the local authority, other local public, private and voluntary sector organisations and the public.</p> <p>7 To assist in the development of the Community Plan.</p> <p>8 To enable the Chair of the forum to liaise on behalf of the Council with Chairs of local Parish Councils.</p> <p>9 To hold Local Police Consultation meetings in partnership with the Chief Constable.</p> <p>10 To recommend minor works for the general improvement of the area from a budget specifically allocated for this purpose.</p>	<p>Approval of minor works recommendations is delegated to the Assistant Director (Neighbourhood Services) in consultation with the Community Safety and Housing Portfolio Holder.</p>

Part 3, Page 69 under Decision Making by Individual Councillors who are Executive Portfolio Holders

<b>PORTFOLIO HOLDER</b>	<b>RESPONSIBILITY</b>
<b>Executive Member for Community Safety and Housing</b>	Approval of recommendations for minor work schemes proposed by neighbourhood consultative forums.

Part 4, page 147 under Appendix A - Processing Referrals to Overview and Scrutiny

## BODY

	STATUS OF REFERRAL	TIMESCALES AND OTHER ISSUES
<b>Neighbourhood Forums</b>	Consideration at discretion of the Co-ordinating Committee (Non-mandatory)	A decision not to examine must be justified and reported to Council and the referring body

Part 4, page 150 under Appendix B - Processing reports from Overview and Scrutiny

<b>Neighbourhood Forums</b>	<p><b>Type of report</b> – both those referred to the forum and those referred by the forum</p> <p><b>Presentation</b> – the report will be presented by the Chair of the forum or his/her nominated Member of the forum. In the case of minority reports those submitting the report should agree a spokesperson from their Membership of the forum.</p> <p><b>Timescale for consideration</b> – if not specified in a referral, the report should be considered not later than 10 weeks* after being agreed by the forum. * this provision may need modification dependent on the frequency of neighbourhood forum meetings.</p> <p><b>Reporting back to the forum</b> – the relevant minute of the Neighbourhood forum meeting will be reported to the forum.</p>
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Part 5, page 23

- 8 RELATIONSHIPS BETWEEN CHAIRS/MEMBERS OF OTHER COMMITTEES INCLUDING NEIGHBOURHOOD CONSULTATIVE FORUMS AND OFFICERS**
- 8.1 Relationships between chairs/members of other committees and officers, will operate in line with the relevant codes of conduct and the principles contained in the protocol.
- 8.2 Members and officers providing information to neighbourhood consultative forums will be treated courteously at all times and will treat the forum with courtesy and respect. It will be the responsibility of the forum chair to ensure that members of the public and other non-council attendees behave appropriately.

- 8.3 Members and officers attending Neighbourhood Consultative Forums will seek to assist forums by providing information about council policy and activities. It will not however, be the purpose of a consultative forum to address issues of individual performance of employees of the Council. Officers may not be held accountable for decisions taken by members.
- 8.4 Executive members who accept invitations to attend Neighbourhood Consultative Forums, will, upon request, seek to explain the objectives of Council policies and actions insofar as they are relevant to their portfolio.
- 8.5 When acting in a quasi-judicial capacity (for example in relation to planning or licensing matters), members will pay particular regard to the requirements of natural justice and the procedural advice issued by the Monitoring Officer.

Part 6, page 9 under Special Responsibility Allowance

- 7.2 The rates of allowance payable to various post holders are:-

Neighbourhood Forum Chair	£3,461
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Part 6, page 21 under Part B, Schedule 1 - approved duties

- 1 Attendance at meetings:
- i) Of Council, the Executive, Neighbourhood Forums, Scrutiny Forums, Panels and the Standards Committee to which the Member has been appointed.

Part 7, Page 12 under Schedule B – Executive Appoints any Member(s). B1. Leadership Bodies and Partnerships

**Hartlepool Economic Forum** (1) **CLLR HARGREAVES**  
(Portfolio Holder for Regeneration)