

CONSTITUTION COMMITTEE AGENDA



Friday 20 January 2012

at 4.00 pm

in Committee Room A, 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. MINUTES**
 - 3.1 Minutes of the meeting held on 25 November 2011
- 4. ITEMS REQUIRING DECISION**
 - 4.1 Review of Planning Delegations in Relation to Serving Section 215 Notices (Untidy Land & Buildings) – *Chief Solicitor*
 - 4.2 Review of Constitution – Part 1 Document Attached Incorporating Track Changes – *Chief Solicitor*
 - 4.3 Constitutional Changes - Review of Community Involvement and Engagement – *Chief Solicitor (to follow)*
- 5. ANY OTHER ITEMS WHICH THE CHAIRMAN CONSIDERS ARE URGENT**

CONSTITUTION COMMITTEE

MINUTES AND DECISION RECORD

25 November 2011

The meeting commenced at 2.00 pm in the Civic Centre, Hartlepool

Present:

Councillor: Carl Richardson (In the Chair)

The Mayor Stuart Drummond

Councillors: Rob Cook, Marjorie James, and Ray Wells

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

Officers: Alyson Carmen, Legal Services Manager
Catherine Frank, Local Strategic Partnership Manager
Angela Armstrong, Principal Democratic Services Officer

22. Apologies for Absence

Apologies for absence were received from Councillors Christopher Akers-Belcher, Stephen Akers-Belcher, Mick Fenwick, John W Marshall and Arthur Preece.

23. Declarations of interest by Members

None.

24. Confirmation of the following minutes

- (i) Minutes of the meeting held on 6 October 2011 – confirmed.
- (ii) Minutes of the meeting held on 10 October 2011 – confirmed.

25. Police Reform and Social Responsibility Act (*Chief Solicitor*)

The Legal Services Manager presented a report which updated the Committee on the enactment of the Police Reform and Social Responsibility Act, following Royal Assent on 15 September 2011. The key areas of the Bill were identified within the report and had been adopted by the Act. An amendment had been made so that the Act provides that the date of the first elections of the Police and Crime Commissioners would now be 15

November 2012. Included within the Act were several amendments to the Licensing Act 2003, following on a public consultation exercise on the 'rebalancing' of the Licensing Act 2003 and these were highlighted within the report.

A Member queried what restrictions there were on who could stand for election as a Police and Crime Commissioner and the Legal Services Manager indicated she would obtain further clarity on that issue and provide it to all Members. A discussion ensued on the governance arrangements and the involvement of Members and local authorities. In response to a question the Legal Services Manager confirmed that the Secretary of State would determine the salary and any allowances payable to the Police and Crime Commissioner.

The Legal Services Manager provided clarification and further information on a number of issues raised by Members, including information relating to the numbers and membership of police and crime panels and their functions; elections of police and crime commissioners and returning officer's expenditure in relation thereto. .

In relation to the amendments to the Licensing Act 2003, the Legal Services Manager indicated that a report had been taken to Licensing Committee on 12 October 2011 and that the PRSR amends the Licensing Act so as to allow licensing authorities to set fees based on the actual cost the authority of administering, maintaining and enforcing the licensing system, which extends to costs incurred by from council departments such as Planning, Environmental Health and Trading Standards. Members had concerns at the number of decisions made by the Licensing Act Sub-Committees that were subsequently overturned by the Magistrates' Court. The Mayor responded that one option would be for the local authority to create enforceable byelaws to control and monitor issues such as under-age drinking. It was suggested that Licensing Committee should explore the option of creating byelaws further.

Decision

- (i) The report was noted.
- (ii) That issue of introducing by-laws to control and monitor such issues as under-age drinking, be referred to Licensing Committee for further consideration.

26. Constitution Changes for 2011/12 Municipal Year (*Chief Solicitor*)

Members were reminded that a Constitution Committee report presented to Council recommended that the proposed changes to the Constitution in relation to the Review of Community Involvement and Engagement as outlined in section 3 of Appendix A, should not be approved. At the meeting of Council on 27 October 2011, the report was referred back to the

Constitution Committee for further consideration.

Members were concerned that a number of recommendations had been made by the Council Working Group, prior to the decision of Cabinet on 18 July 2011, and that they had not been taken into account. One of the key issues was that Members felt that under the new arrangements, there appeared to be a lack of the involvement of back bench members. The Mayor accepted that there was a general lack of opportunity for back bench Members to take part in the strategic groups and he would look at this further. In relation to the Health and Well Being Board and Community Safety Partnership, it was noted that it would not be appropriate for back bench Members to be involved as they had a statutory role through the Council's Scrutiny Forums to scrutinise those bodies. The Mayor acknowledged that there may be opportunity for involvement of back bench Members in the Housing Partnership and Economic Regeneration Forum as well as the Strategic Partners Group and this would be examined further.

The Mayor noted that there were lots of very strong views around engagement with the public and the neighbourhood consultative forums. There were a few options being considered to enable more involvement of Members including engagement with Members through Neighbourhood Action Plans.

In relation to Neighbourhood Forums, it had been a unanimous view of Council Working Group that there should be a north and south neighbourhood forum. However, Members were concerned that this appeared to have been ignored. Whilst it was acknowledged that the operation of the current neighbourhood consultative forums might not be as effective as it could be, the importance of ensuring all elected Members were included was emphasised. Members did not think that appointing Neighbourhood Voices was an effective way of increasing public engagement.

It was suggested that the Constitution Committee should be given the opportunity to consider any additional proposals for the Review of Community Involvement and Engagement prior to decision to enable a report to be submitted to Council for the approval of the necessary amendments to the Constitution in a timely manner. Whilst the Mayor indicated that the decision had already been taken to implement the proposals contained within the Review of Community Involvement and Engagement, he acknowledged that there would be further discussion with all Cabinet Members to ensure Council Members had full involvement in any community involvement and engagement with the aim of reaching a formal decision by the end of January 2012.

A discussion ensued on the removal of the minor works budgets from neighbourhood areas and it was suggested that each Member should be allocated an individual budget for their ward area to enable the resourcing of minor works within that area, that could be pooled with other Members should that be deemed appropriate. However, the Mayor responded that

there was no capacity within the Council's current or proposed budget to enable individual Members to have their own budget.

A Member questioned whether external legal advice could be sought to ascertain a view on whether the changes associated with the review could be implemented without the formal approval through Council of the amendments to the Constitution.

Members were concerned that having separate meetings with the Parish Council representatives would not be a good use of the Mayor's time and suggested that Parish Councillors attend and input to the diaried Forum meetings.

In relation to the Face the Public Events that were scheduled to happen twice a year, Members were not convinced that they would be well attended or add any value to the engagement and involvement of the public. Members were mindful that the State of the Borough Debate had yet to be arranged for this year and the Chair indicated that arrangements were progressing to hold the Debate in January 2012.

It was suggested that Members consider these issues further at the Constitution Committee Working Group to enable proposals to be drawn up and shared with Cabinet for consideration.

Decision

That further consideration of the issues discussed above be undertaken at the next meeting of the Constitution Task and Finish Group on 1 December 2011 to enable proposals to be drawn up.

27. Any Other Items which the Chairman Considers are Urgent

None.

The meeting concluded at 3.30 pm

CHAIR

CONSTITUTION COMMITTEE

20 January 2012



Report of: Chief Solicitor

Subject: REVIEW OF PLANNING DELEGATIONS IN
RELATION TO SERVING SECTION 215
NOTICES (UNTIDY LAND & BUILDINGS)

1. PURPOSE OF THE REPORT

- 1.2 To review the terms of the officer delegation scheme in relation to the issuing of Section 215 notices and agree a revised delegation system.

2. BACKGROUND

- 2.1 Two reports was presented to the Planning Committee on the 7 October 2011 and 4 November 2011 (**Appendix A**) recommending that in order to speed up and streamline the serving of Section 215 notices that authority to issue these notices is given to the Planning Services Manager. A flowchart is attached in **Appendix A** (2) which details the proposed delegation system.
- 2.2 Under Section 215 of the Town and Country Planning Act 1990 Hartlepool Borough Council has the power to require the proper maintenance of land and buildings where it is considered that the condition 'adversely affects the amenity of the area'. The Notice must specify the steps that need to be undertaken to abate the harm to the amenity of the area and the period within which they are to be undertaken. Section 215 is a relatively straightforward power that can deliver important, tangible and lasting improvements to amenity. Currently the Planning Committee must authorise every service of Section 215 notice which can slow down a simple but effective process, it should be noted that the Planning Committee have historically never declined to authorise the serving of a Section 215 notice.

3 RECOMMENDATIONS

- 3.1 Members of the Planning Committee agreed to amend the scheme of delegation inline with the attached reports and it is therefore requested that the Constitution Committee agree to the proposed delegation

scheme to allow the Planning Services Manager authority to serve s215 notices as deemed necessary.

- 3.2 Should Members agreed to amend the scheme of delegation it has been confirmed by Democratic Services and the Chief Solicitor that this would need to be referred to Council. The current Development Control Scheme of Delegation is contained within the Planning Code of Practice.

4 BACKGROUND PAPERS

- Appendix A - Planning Committee report 4th November 2011, incorporating Appendix 1 report to Planning Committee 7th October 2011, Appendix 2 Flowchart of proposed planning delegation scheme in relation to S215 Notices.
- Appendix B Minutes from the 4th November 2011 Planning Committee
- Appendix C minutes from the 7th October 2011 Planning Committee.

5 CONTACT OFFICER

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Planning Services Manager
Regeneration & Planning
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APPENDIX A

PLANNING COMMITTEE

4 November 2011



Report of: Assistant Director (Regeneration and Planning)

Subject: REVIEW OF PLANNING DELEGATIONS IN
RELATION TO SERVING SECTION 215
NOTICES (UNTIDY LAND & BUILDINGS)

1. PURPOSE OF THE REPORT

- 1.2 To review the terms of the officer delegation scheme in relation to the issuing of Section 215 notices and to make suggestions for changes.

2. BACKGROUND

- 2.1 A report was brought to the Planning Committee on the 7 October 2011 recommending that in order to speed up and streamline the serving of Section 215 notices that authority to issue these notices is given to the Planning Services Manager. It was also recommended that a report be brought to the Planning Committee on a quarterly basis updating Members on the Section 215 Notices which have been served. The committee report for the 7th October is attached at **Appendix 1**.
- 2.2 At the request of Members this report has been brought to introduce a systematic approach in serving s215 notices. Members discussed procedures which included advising the relevant Ward Members and the Chair and Vice Chair of the Planning Committee when a s215 has been served. Members also discussed reports being brought to Planning Committee advising Members 1) when notices have been served and 2) of the outcomes of serving these notices. It is proposed to bring monthly reports (as required) to update Members of when notices have been served, as requested by Members this has changed from a proposed quarterly report and to also produce annually an enforcement update report which advises Members of all enforcement actions authorised. A flowchart is attached in **Appendix 2** which details the proposed delegation.

3 RECOMMENDATIONS

- 3.1 That Members note the contents of this report and agree the scheme of delegation and procedures as proposed.

- 3.2 Should Members agreed to amend the scheme of delegation it has been confirmed by Democratic Services & the Chief Solicitor that this would need to be referred to the Constitution Committee and to Council. The current Development Control Scheme of Delegation is contained within the Planning Code of Practice.

APPENDIX 1

PLANNING COMMITTEE

7 October 2011



Report of: Assistant Director (Regeneration and Planning)

Subject: Review of Planning Delegations in relation to serving Section 215 Notices (Untidy Land & Buildings)

1. PURPOSE OF THE REPORT

- 1.2 To review the terms of the officer delegation scheme in relation to the issuing of Section 215 notices and to make suggestions for changes.

2. BACKGROUND

- 2.1 Under Section 215 of the Town and Country Planning Act 1990 Hartlepool Borough Council has the power to require the proper maintenance of land and buildings where it is considered that the condition 'adversely affects the amenity of the area'. The Notice must specify the steps that need to be undertaken to abate the harm to the amenity of the area and the period within which they are to be undertaken.
- 2.2 Section 215 is a relatively straightforward power that can deliver important, tangible and lasting improvements to amenity. A best practice guide is available entitled 'Town and Country Planning Act 1990 Section 215, Best Practice Guidance' dated January 2005, which can be found via the internet:
<http://www.communities.gov.uk/documents/planningandbuilding/pdf/319798.pdf>
- 2.3 National guidance cites delegation as the principal tool from which efficiencies can be made. Delegation is not a process that will generally change the outcome of a planning enforcement decision, nor is it one which transfers power from elected Members to Officers. The purpose of delegation is to simplify procedures, speed up the process, minimise costs and leave committee members with more time to concentrate on major planning issues.

- 2.3 Successive governments have placed increasing emphasis on encouraging Councils to delegate more decision making to their trained and qualified officers, particularly in the case of straightforward or non-contentious cases.

3. CURRENT DELEGATION SCHEME

- 3.1 The Planning Code of Practice specified that except in cases of emergency the Planning Committee authorise the serving of relevant Enforcement Notices. Therefore even the simple Section 215 notices are referred to the Planning Committee for decision.

4 PROPOSED DELEGATION

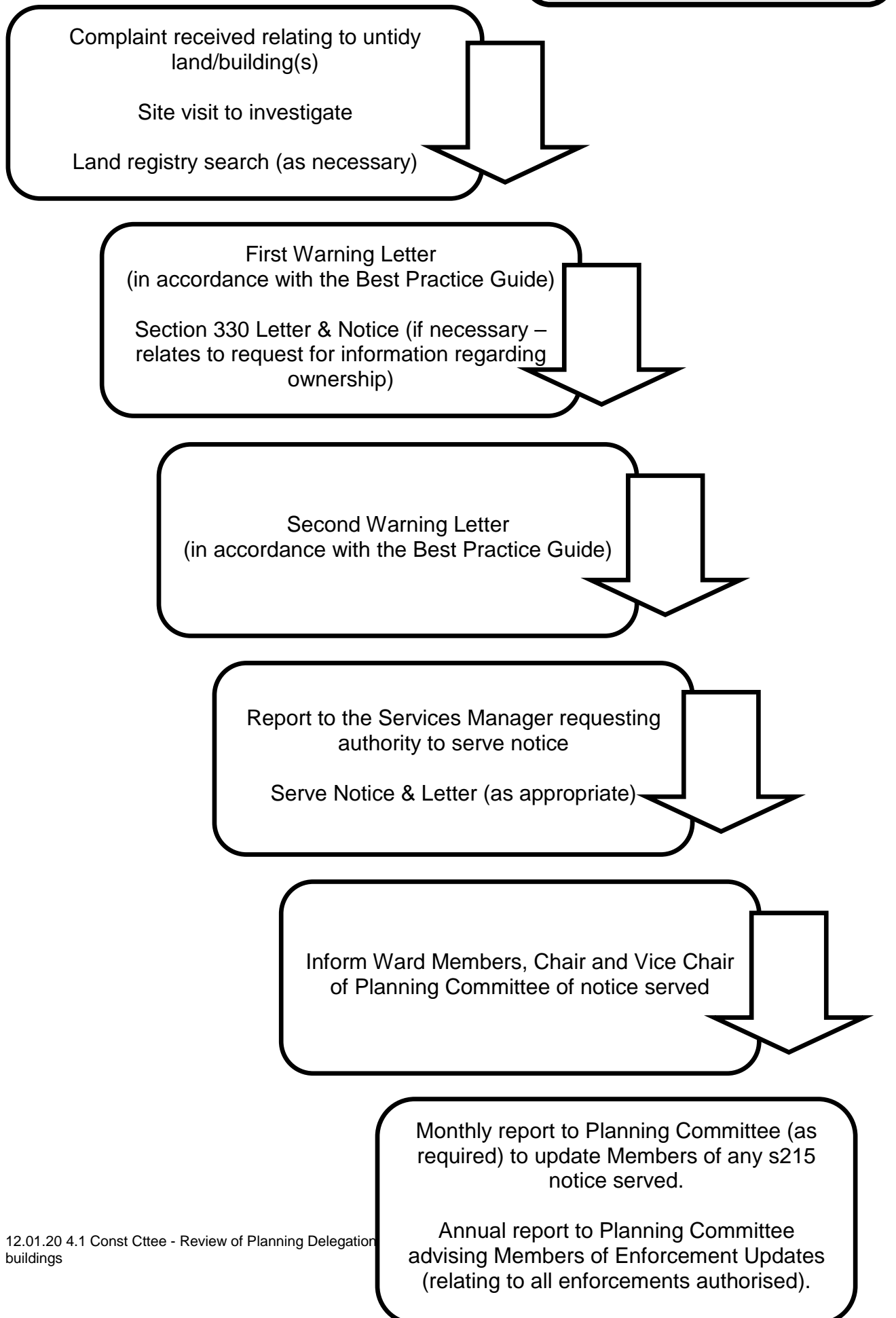
- 3.1 Members will be aware from previous Planning Committee meetings that Hartlepool Borough Council acting as Local Planning Authority is taking a proactive stance in relation to dealing with untidy land and buildings and have a working group to look at the relevant issues. A Task Group has also been set up with regard to serving these notices which is focused on properties in a poor state of repair within the Housing Regeneration Areas. Along side this a report will be presented to the housing and transition portfolio holder on the 18th October focusing on other enforcement tools the Council will look to employ as part of its strategy to drive up housing standards both in terms of appearance and management.
- 3.2 It should be noted that Members have not declined to authorise the serving of a Section 215 notice when reports have been presented to the Planning Committee.
- 3.3 It is recommended that in order to speed up and streamline the serving of Section 215 notices that authority to issue these notices is given to the Planning Services Manager. It is also recommended that a report be brought to the Planning Committee on a quarterly basis updating Members on the Section 215 Notices which have been served.
- 3.4 Delegation has benefits for all stakeholders in terms of simplifying procedures, minimising costs and freeing up Committee members to concentrate on major or controversial cases. Where there is no need to await a committee decision, up to four weeks can be saved in dealing with an enforcement issue. Delegation is a positive process that gives benefits not just in terms of streamlining internal procedures but also in terms of improved responsiveness for the general public

5 RECOMMENDATIONS

- 5.1 That Members note the contents of this report and agree the scheme of delegation as proposed.

- 5.2 Should Members agreed to amend the scheme of delegation it has been confirmed by Democratic Services & the Chief Solicitor that this would need to be referred to the Constitution Committee and to Council. The current Development Control Scheme of Delegation is contained within the Planning Code of Practice.

APPENDIX 2



APPENDIX BMinutes from Planning Committee 4th November 2011

71.	Review of Planning Delegations in relation to serving Section 215 Notices (Untidy land and Buildings) <i>(Assistant Director, Regeneration and Planning)</i>
	<p>The Planning Services Manager referred to the consideration at the previous meeting of the proposals which recommended that in order to speed up and streamline the serving of Section 215 notices that authority to issue these notices is given to the Planning Services Manager.</p> <p>The Committee agreed to procedures which included advising the relevant Ward Members and the Chair and Vice Chair of the Planning Committee when a s215 had been served. Members also requested reports advising when notices had been served and the outcomes of the notices. It was proposed to bring monthly reports (as required) to update the Committee of when notices had been served, as requested by Members, and also to produce an annual enforcement update report of all enforcement actions authorised during the year. A flowchart setting out how the proposed delegations would be utilised and reported was included with the report for Members information.</p>
	Decision
	That the report be noted and the scheme of delegation and procedures as proposed be approved.

Appendix C

Minutes from the 7th October 2011 Planning Committee.

Planning Committee - Minutes – 7 October 2011

3.

58. Review of Planning Delegations in relation to serving Section 215 Notices (Untidy Land and Buildings)

(Assistant Director, Regeneration and Planning)

The Assistant Director, Regeneration and Planning reported that under Section 215 of the Town and Country Planning Act 1990 Hartlepool Borough Council had the power to require the proper maintenance of land and buildings where it was considered that the condition 'adversely affected the amenity of the area'. The Notice must specify the steps that needed to be undertaken to abate the harm to the amenity of the area and the period within which they were to be undertaken. Section 215 was a relatively straightforward power that could deliver important, tangible and lasting improvements to amenity.

National guidance cites delegation as the principal tool from which efficiencies could be made. Delegation was not a process that would generally change the outcome of a planning enforcement decision, nor was it one which transfers power from elected Members to Officers. The purpose of delegation was to simplify procedures, speed up the process, minimise costs and leave committee members with more time to concentrate on major planning issues. Successive governments had placed increasing emphasis on encouraging Councils to delegate more decision making to their trained and qualified officers, particularly in the case of straightforward or non-contentious cases.

The Assistant Director indicated that the current Planning Code of Practice specified that except in cases of emergency the Planning Committee authorise the serving of relevant Enforcement Notices. Therefore, even the simple Section 215 notices were referred to the Planning Committee for decision.

As Members were aware the Council was taking a proactive stance in relation to dealing with untidy land and buildings and have a working group to look at the relevant issues. A Task Group has also been set up with regard to serving these notices which is focused on properties in a poor state of repair within the Housing Regeneration Areas. A report would also be presented to the Housing and Transition Portfolio Holder on the 18th October focusing on other enforcement tools the Council would look to employ as part of its strategy to drive up housing standards both in terms of appearance and management.

The Assistant Director highlighted that Members had not declined to authorise the serving of a Section 215 notice when reports had been presented to the Planning Committee. The Assistant Director recommended that in order to speed up and streamline the serving of Section 215 notices that authority to issue those notices was given to the Planning Services Manager. It is also recommended that a report be brought to the Planning Committee on a quarterly basis updating Members on the Section 215

Planning Committee - Minutes – 7 October 2011

3.

Notices which had been served.

Members debated the request for the delegation of power to the Planning Services Manager as proposed. There were Members who believed that the current situation should remain in place. Some Members saw the benefit of the delegation and referred to the outcomes that had been achieved in other areas of the country where this had been done. There were concerns that the issuing of notices should be targeted and not simply used to penalise householders for minor planning transgressions. The Assistant Director indicated that the aim of the delegation was to support the Council's policies on bringing empty properties back into use, particularly in licensed areas, and dealing with untidy properties that were also being targeted by the authority.

Members were concerned that the properties that were to be targeted were likely to be well known within their wards. Members suggested that ward councillors should be informed when these notices were to be issued by officers. It was also proposed that the Chair and Vice-Chair of the Committee also be informed in advance as well. Members also sought a more regular update to the Committee.

The Assistant Director acknowledged Members comments and indicated that a proposed process for the issuing of the s215 notices would be submitted to the next meeting for the Committee's approval. Members noted that any changes to the delegation scheme would require reporting to the Constitution Committee prior to Council.

Decision

That members agreed to amend the scheme of delegation as proposed but that a further report be submitted to the Committee setting out the process to be adopted for the issuing of s215 notices subsequent to the delegation of power to the Planning Services Manager.

Part 1

Summary and Explanation

SUMMARY AND EXPLANATION

The Council's Constitution

- 1 Since May 2002, Hartlepool Borough Council has agreed and maintained a constitution which sets out how the Council operates, how decisions are made and the procedures which are followed to ensure that these are efficient, transparent and accountable to local people. Some of these processes are required by the law, while others are a matter for the Council to choose. The Constitution has therefore been developed in accordance with the Local Government Act 2000 and through the Localism, Act 2011. These Acts, along with the Local Government Act 1972 and the Local Government and Housing Act 1989, are the key statutory references for the provisions contained within this Constitution. Whilst in the short term it is not anticipated that the fundamentals of the structures and procedures set out in this Constitution will alter significantly, such changes are likely to be initiated by both legislation and local experience.

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What's in the Constitution?

- 2 The Constitution is divided into 16 articles that set out the basic rules governing the Council's business. More detailed procedures and codes of practice are provided in separate rules, codes and protocols set out in the document.
- 3 Article 1 of the Constitution sets out the purpose of the constitution. Articles 2 – 16 explain the rights of citizens and sets out a framework for how the key parts of the Council operate. These are:

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- Members of the Council (Article 2).
- Citizens and the Council (Article 3).
- Full Council (Article 4).
- Chairing the Council (Article 5)
- Overview and Scrutiny (Article 6).
- The Executive (Article 7).
- Regulatory and other Committees (Article 8) [** Possible revision**].
- The Standards Committee (Article 9). [**Possible revision**]

- Neighbourhood Consultative Forums (Article 10). [** Possible revision**]
- Joint arrangements (Article 11).
- Officers (Article 12).
- Decision making (Article 13).
- Finance, Contracts and Legal matters (Article 14).
- Reviewing the Constitution and managing Council business (Article 15).
- Suspension, interpretation and publication of the Constitution (Article 16).

How the Council operates

4 The Council is composed of an Elected Mayor, elected every four years (except for the first term, from 2002, which was three years), and there were 47 councillors, with one-third elected three years in four. As a result of a Periodic Electoral review undertaken by the Electoral Commission and concluded in 2003 (which recommended a Council comprising of 47 councillors), all Members of the Council resigned in 2004 and their seats were filled in an all-out election that took place in May 2004. A further Electoral Review undertaken by the Local Government Boundary Commission recommended a reduction in the Council size from 47 councillors to that of 33 with all-out elections being held in May 2012. The Councillors elected will serve for 2, 3 or 4 years according to the election results. Councillors are democratically accountable to residents of their ward. The overriding duty of councillors is to the whole community, but they have a special duty to their constituents, including those who did not vote for them.

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5 The Council have adopted a Code of Conduct and has a duty to promote and maintain high standards of conduct of its Members and co-opted Members as set out within the Localism Act, 2011. The Standards Committee has a role to facilitate training and operate 'arrangements' to deal with complaints which allege a breach of the code of conduct.

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6 All Councillors meet together as the Council. Meetings of the Council are normally open to the public. Here Councillors decide the Council's overall policies and set the budget each year. Further details of how meetings of the Council operate can be found in Article 4 and the Council Procedure Rules, in part 4 of this Constitution.

How decisions are made

- 7 The Executive is the part of the Council which is responsible for most day-to-day decisions. The Executive is made up of the Mayor, who is elected by all residents, and a cabinet of Councillors whom he/she appoints. When major decisions are to be discussed or made, these are published in the Executive's forward plan in so far as they can be anticipated. If these major decisions are to be discussed with council officers at a meeting of the Executive, this will generally be open for the public to attend except where personal or confidential matters are being discussed. The Executive has to make decisions that are in line with the Council's overall policies and budget. If it wishes to make a decision that is outside the budget or policy framework, this must be referred to the Council as a whole to decide.

Overview and Scrutiny

- 8 There are [**five**] overview and scrutiny forums and a Scrutiny Co-ordinating Committee. These support the work of the Executive and the Council as a whole. They allow citizens to have a greater say in Council matters by holding public inquiries into matters of local concern. These lead to reports and recommendations, which advise the Executive and the Council as a whole on its policies, budget and service delivery. Overview and scrutiny committees also monitor the decisions of the Executive. The Scrutiny Co-ordinating Committee can 'call-in' a decision which has been made by the Executive but not yet implemented. This enables them to consider whether the decision is appropriate. They may recommend that the Executive reconsider the decision. The Scrutiny Co-ordinating Committee and the [**five] scrutiny forums may also be consulted by the Executive or the Council on forthcoming decisions and the development of policy.

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Neighbourhood Consultative Forums [** TO REVIEW**]

- 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.

The Council's Staff

- 10** The Council has people working for it (called ‘officers’) to give advice, implement decisions and manage the day-to-day delivery of its services. Some officers have a specific duty to ensure that the Council acts within the law and uses its resources wisely. A protocol governs the relationships between officers and members of the council (including the Elected Mayor).

Peoples Rights

- 11** People have a number of rights in their dealings with the Council. These are set out in more detail in Article 3. Some of these are legal rights, whilst others depend on the Council’s own processes. The local Citizens’ Advice Bureau can advise on individuals’ legal rights.
- 12** Where members of the public use specific council services, for example as a parent of a school pupil, they have additional rights. These are not covered in this Constitution.
- 13** People have the right to:
- vote at local elections if they are registered;
 - contact their local Councillor and the Elected Mayor about any matters of concern to them;
 - obtain a copy of the Constitution;
 - attend meetings of the Council and its committees except where, for example, personal or confidential matters are being discussed;
 - ***petition to request a referendum on a change to the form of executive;
 - participate in the Council’s question time and contribute to inquiries by the overview and scrutiny committees in accordance with the relevant procedure rules;
 - ***participate in question time and contribute to the general discussion at Neighbourhood Consultative forums in accordance with the relevant procedure rules;
 - find out, from the Executive’s Forward Plan, what major decisions are to be discussed by the Executive or decided by the Executive or officers, and when;

- attend meetings of the Executive where key decisions are being formally discussed or decided;
- see reports and background papers, and any record of decisions made by the Council and Executive in accordance with the relevant procedure rules;
- complain to the Council about the way in which services are being delivered;
- complain to the Local Government Ombudsman if they think the Council has not followed its procedures properly. However, they should normally do this after using the Council's own complaints process;
- complain to the Council if they have evidence which they think shows that a Member or relevant co-opted Member has not followed the Council's Code of Conduct; and
- inspect the Council's accounts and make their views known to the appointed external auditor.
- ***petition the Council to take steps as included within its
- Petition Scheme

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Further information

- 14** The Council welcomes participation by the town's people in its work. For further information on your rights or about this constitution, please contact:

Angela Armstrong
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democratic.services@hartlepool.gov.uk